

**CITY OF DELTONA, FLORIDA
CITY COMMISSION WORKSHOP MEETING
TUESDAY, JULY 14, 2009**

A Workshop Meeting of the Deltona City Commission was held on Tuesday, July 14, 2009 in the City of Deltona's 2nd Floor Conference Room at 2345 Providence Blvd., Deltona, Florida.

1. CALL TO ORDER:

The meeting was called to order at 4:30 p.m. by Mayor Dennis Mulder.

2. ROLL CALL:

Mayor	Dennis Mulder	Present
Vice Mayor	Michael Carmolingo	Present
Commissioner	Zenaida Denizac	Present
Commissioner	Janet Deyette	Present
Commissioner	Michele McFall-Conte	Present
Commissioner	Paul Treusch	Present
Commissioner	Herb Zischkau	Present
City Attorney	George Trovato	Present
City Manager	Faith G. Miller	Present

Also present: Parks & Recreation Director Steve Moore, Event Coordinator Mark Manning and Finance Director Bob Clinger. Guests included Parks, Recreation & Culture Director for Volusia County Tim Baylie, Library Services Director Lucinda Colee, Lyonia Environmental Center Manager Katrina Locke and Councilwoman Pat Northey.

3. BUSINESS:

A. Discussion re: Amphitheater at the Deltona Regional Library and Lyonia Environmental Preserve.

Steve Moore gave an overview of the draft Official Policies and Procedures Manual for the operation and maintenance of the Amphitheater at the Deltona Regional Library and Lyonia Environmental Center (LEC) which is intended to supplement the interlocal agreement by the City and Volusia County dated August 23, 2007 and amended February 21, 2008. He stated this agreement can only be modified by action of both parties. He stated the 360 acre preserve is the only environmental center on the west side of Volusia County and it will be capable of seating 700 people on multi-level concrete seating in eight zones plus 300 in open grass using the LEC for a backdrop. He stated it will have shade canopies for cover and is ADA accessible. He stated programs will provide visitors a unique experience that will help them appreciate the cultural and educational parts of Volusia County and create a destination for cultural and ecological tourism. He stated the Amphitheater will host both free and revenue generating programs and can be used

for passive recreation when there are no other scheduled events; programs provided by the City of Deltona will be integrated specifically to Deltona's needs while Volusia County programs will be marketed to all County residents.

Mr. Moore stated the agreement is for 10 years with an option to renew for 10 years with the City contributing \$2 million towards the construction plus an additional \$250,000 per year for the operation and maintenance of the LEC and Amphitheater. He stated the City will have exclusive naming rights of the Amphitheater subject to the prior written approval of the County agreeing to seek preliminary input from the County Council prior to considering a name for approval. He stated according to the agreement the City is solely responsible for the signage, marketing and liability for use of the name; City staff will monitor events, coordinate schedules and respond to public questions and requests. He stated Volusia County staff will be responsible for maintenance of the Amphitheater, scheduling of Library specific Amphitheater events and reporting of issues relating to the Amphitheater including unscheduled maintenance and equipment issues.

Mr. Moore stated the City and County will coordinate program scheduling and initially a committee will be established including representatives of the LEC, Deltona Regional Library and the City to determine guidelines and types of programs; any changes to policy must be agreed to by both the City and County. He stated hours of operation will be 9:00 am – 9:00 pm, with the facility to be vacated by 10:00pm with the understanding some special events will need to be open past 9:00pm. He stated scheduling for the Amphitheater shall give preference to County and City events, the County having the highest priority; any non-profit or for profit events will be first come first served. He stated facility use contracts must be completed and must cover both the City and the County including liability insurance, hold harmless and noise. He stated fees for the events will be established by the City and the County with both reserving the right to adjust fees as needed; fees generated through rental of the Amphitheater to third parties will be shared equally by the City and County. He stated only City and County staff will have access to a website that will be developed for the Amphitheater and the event coordinator will be responsible for the keeping of the records, ticket sales and number of attendees. He stated concessions will be provided by the LEC Coffee Shop unless otherwise agreed upon by the parties involved with the event, however, the City and the County will be meeting to discuss this issue as this document is still in draft form. He stated limited sale of alcohol (beer, wine and champagne) will be permitted and all trash must be removed from the facility following any event.

Mr. Moore stated security will be provided by the County during Library hours of operation and the County will maintain the on-site video surveillance cameras; the City will provide security for all City sponsored functions after Library hours of operation. He stated the Library parking has been extended and additional parking will be available at City Hall after 5:00 P.M.

Commissioner Mcfall-Conte asked if the school system would be charged to use the Amphitheater. Mr. Moore stated no, if the County co-sponsors with the City to run the event but, if the school system ran the event on its own, they would pay the \$300.00 – \$450.00 fee.

Commissioner McFall-Conte stated she had concerns with the school system being charged as the library would not be here if not for the school system. She stated she thought at one time the library had been considered an adjunct classroom and if so they should not be charged to use the Amphitheater. Mayor Mulder stated he was okay with not charging the school system.

Commissioner McFall-Conte stated as Mr. Moore had asked for direction on naming, she had been thinking about that issue and she feels the Amphitheater should be identified with the City instead of naming it after a person making it easier for people from other areas to find the location. She suggested naming the facility "The Deltona Amphitheater at Lyonia Preserve" which would identify it with Lyonia and with the City as doing something good for the overall County.

Mayor Mulder stated he was also thinking of something along those lines that it should be a destination of its own but doesn't have a problem with Deltona Amphitheater at Lyonia Preserve on things like the signs. He stated he just did not want it to become Lyonia Preserve; he wanted people to see it as its own thing, the Deltona Amphitheater.

Commissioner McFall-Conte stated the reason she included Lyonia in the name was because people come from all over the County to Lyonia to walk the trails so, they will know the Amphitheater is sponsored by the City of Deltona and is located at the Lyonia Preserve. Mayor Mulder asked if anyone doesn't like the name.

Commissioner Treusch asked how the City's logo would be used. Pat Northey stated a sign had been designed that states "to be named" and there is a design for a free standing sign for the entrance. She stated the architect has also been asked to design an area on the balcony above the stage for the City's and the County's logos to identify the Amphitheater as a partnership between the City and the County. She stated she will forward the information to Mr. Moore so he can provide it to the Commission. Mayor Mulder stated the Commission Members can at that time provide comments to staff. Commissioner Treusch asked if the facility was far enough along to have another tour. Ms. Northey stated yes, that she felt the Commission would be pleased. Commissioner Deyette stated as a sense of place the signs should look like Deltona's signs with the City Seal. Mayor Mulder stated the Commission could take a look at it and make a decision.

Commissioner Zischkau asked Mr. Baylie if there was any limitation on the use of the Amphitheater to protect the endangered scrub jays. Mr. Baylie stated there is a program regarding noise management and events must comply with that program but as for content one group can't be discriminated against another. He stated UCF is conducting a noise management study on concerts which will be ongoing over the first year and a determination will be made on noise levels at that time; in the initial study there was no study done on base levels of boom decibels which is of some concern. Commissioner Zischkau asked about limitations on the number of people attending the event and lighting such as strobe lights and the affect they would have. Mr. Baylie stated not at this point but if it becomes an issue the first year the County will deal with it. Ms. Colee stated the events would be required to use the lighting that is built in for the time being.

Commissioner Denizac stated she hoped all the studies had been done before the City entered into this agreement and decided to put money into this project. She said she had received a level of assurance that everything would be okay so Music in the Courtyard and all those different activities could be held there. Mr. Baylie stated there is no indication concerts will be an issue there.

Ms. Miller asked Mayor Mulder if he wanted the naming of the facility on the agenda for a formal vote. Mayor Mulder stated yes, as a consent agenda item.

B. Discussion re: FY 09/10 Budget, Millage Rate, and Special Assessment Rates for Stormwater, Solid Waste and Streetlighting.

Mr. Clinger gave an overview of the draft summary of the FY 09/10 budget focusing on the proposed millage rate and special assessment rates for storm water, solid waste and stormwater. He stated staff had identified about half of the \$1 million budget cuts that were needed leaving approximately \$435,000 in additional budget cuts to balance this budget and not use any of the reserves. He stated the budget will start the year off with just over \$12 million in reserves and should end the year just under \$9.6 million with the only consumption of reserves will be for Fire Station 65; if staff finds the additional \$435,000 in cuts in the general fund to self sustain it for 2009/2010.

Vice Mayor Carmolingo stated he felt everyone had done a good job in cutting the budget and asked what the harm would be to take the \$435,000 out of the reserves. Mr. Clinger stated it was an option but you would want to make it your 3rd or 4th option; other cities are doing it and it has been done in the past but it could be a problem as no one knows what next year may bring.

Mayor Mulder stated as a fiscally conservative Commission there has never been an operating budget that reoccurring revenues did not pay for and he did not want to start using the reserves. He stated the Commission did a good job at the last workshop meeting staff more than half way on the needed budget cuts and the Commission should challenge staff to find the balance. Commissioner McFall-Conte agreed stating if the amount was \$150,000 she might feel a little more comfortable taking that amount from reserves as opposed to half a million.

Mr. Clinger stated as he had suggested that would be choice number 4; choice number 3, although not a good one possibly could be to take funds from the annual transfer to replace equipment reserve which includes vehicles and equipment for the whole City. He stated however, the Fire Department has huge needs for equipment but the City could buy a year which is a better alternative than taking from reserves. He stated option 2 would be to find more cuts and option 1 would be to find new revenue. He stated looking at the reserves there is \$3.5 million that can be used for anything and \$6 million that is earmarked for hurricanes and things of that nature; if you look at the reserves in total the City is still doing very well. Mayor Mulder stated the excess reserves over the \$6 million are monies that have been set aside over time by the Commission to pay for public safety and infrastructure projects which are all scheduled.

Commissioner Denizac asked Mr. Clinger to explain the \$250,000 additional for the Firefighters' Pension Fund contribution and does the \$250,000 for the unemployment compensation include the people who took the package and could it cost more. Mr. Clinger stated not the people who took the package recently as staff tried to look ahead on that. He stated that amount represents 16 or 17 people so there should be a buffer there. He stated the additional \$250,000 contribution for the Firefighters' Pension Fund was because of the losses in the stock market resulting in a larger contribution requirement for the City. Mayor Mulder stated if and as the market recovers in future years the City may have less liability because of that contribution. Mr. Clinger stated if the market comes back this amount could go away. Commissioner Denizac asked if this money could be recouped. Mr. Clinger stated there had been a suggestion that this amount could possibly be deferred; there are only two ways the funds get recovered, the market comes back or the City writes a check.

Ms. Miller commented staff is moving forward with the Voluntary Budget Reduction Program offering 3 month severance packages to employees which closes July 15th. She stated there have been 7 employees who have accepted the package so far, 3 of which are in the General Fund and 4 from Deltona Water which will have to be filled and will not help the General Fund in recouping about \$150,000. She stated these 4 positions will be open and maybe other employees will apply for them and help the General Fund. Mr. Clinger stated including this amount the budget is closing in on 1% of expenditures.

Mayor Mulder commented that the idea of deferring equipment purchases for one year should not be the first resort if funds can be found elsewhere but could be because it will only be part of it. Ms. Miller stated approximately \$1.1 million per year is put in that fund and staff wouldn't want to use it because of aging equipment especially in the Fire Department but they could if they wanted to.

Commissioner Denizac stated she had concerns about the Social Services Building not sustaining itself. Ms. Miller stated there is 1,200 sq. ft. of space available in that building and the City is advertising the available space at this time. She stated the City is willing to reduce the rent. Mr. Bowley stated he has someone interested in the space that is looking at taking possession sometime in August or by September 1st. Commissioner Denizac stated this maybe an issue to revisit in the future.

Mayor Mulder suggested if the Commission Members have concerns about certain items they can bring them to the City Manager. Commissioner Denizac stated she felt the City needed to justify raising the millage rate. Mr. Clinger stated all the Commission is doing today is preserving their options. Mayor Mulder commented the millage rates are misunderstood and the idea the City is raising the rate 30% should reflect that the City is holding the revenue steady which is good.

Mayor Mulder stated the good news is the entire Commission participated in the process with every member recommending cuts and there is still opportunity to do more. He stated today the millage rate is the highest as the rate can come down but not go up.

Commissioner Zischkau had concerns regarding utility services and if that included water and electric and if any of the facilities were connected to natural gas. Mr. Denny answered 70 – 80% was for electric and that none of the facilities were connected to gas.

Vice Mayor Carmolingo asked about the line item listed as other current charges. Mr. Clinger stated that was a contingency, rainy day line item. Ms. Miller gave an example of that line item in the City Clerk's budget would be for things like recording fees and legal ads.

Commissioner McFall-Conte asked if the City could apply for grants to install solar power at the parks for lighting. Ms. Miller stated that had been done. Commissioner McFall-Conte stated ideally she would like to see solar panels on City Hall. Mayor Mulder stated he had looked into that and it was very costly taking something like 60 years to pay for it. Ms. Miller stated the City had applied for a \$733,000 grant that was partially for solar and wherever lights are installed for security purposes like at the parks, solar lights could be used.

Commissioner Denizac asked if the Matrix study had been applied to the Fire Department pointing out there were increases in expenditures by \$92,000, also there were increases in professional fees, other contractual services and repairs and maintenance. Ms. Miller stated some of the report could but some of it could not because of contractual issues as some of the findings in the study related to items that need to be bargained. She stated there are costs for 3 months of operating expenses for the new station included in the Fire Department budget. Commissioner Denizac stated she would like to see more detail explaining what was included in each line. Mr. Clinger commented that some of the increase to the repairs and maintenance line was from transferring the costs of fleet maintenance to Fire as it pertained to fire equipment which is not really an increase; it was just a transfer from one department to another.

Mayor Mulder stated by getting an early start there will be opportunity to identify more cuts and continue working on the \$435,000 needed.

Commissioner Zischkau asked about other contractual services under Enforcement Services and noted the large amount in proportion to the other lines under operating expenditures. Ms. Miller stated she believed that was for animal control kennel fees for Halifax Humane Society and lot maintenance. Commissioner Zischkau questioned how much expense is incurred and how much is recovered. Ms. Miller stated there was \$40,000 projected for lot maintenance and \$200,000 for the animals in the 09/10 budget and she wasn't sure how much would be recovered but could look into. Commissioner Zischkau asked if the City contracts out the lot maintenance or does the City do it. Ms. Miller stated the City contracts out for lot maintenance and the costs include an administrative fee. Ms. Miller stated she thought the lot charge was \$100.00 but would look into it and provide a breakdown.

4. PUBLIC COMMENTS: None

5. ADJOURNMENT:

There being no further business the meeting adjourned at 5:45 p.m.

Janet Day, Admin. Assistant II
Recording Secretary