

AFTER ACTION AGENDA REPORT

REGULAR CITY COMMISSION MEETING
MONDAY, AUGUST 3, 2009
6:30 P.M.

DELTONA COMMISSION CHAMBERS
2345 PROVIDENCE BLVD.
DELTONA, FLORIDA

AGENDA

1. CALL TO ORDER - 6:34 p.m.
2. ROLL CALL - CITY CLERK
 - All present.
3. SILENT INVOCATION AND PLEDGE TO THE FLAG:
4. APPROVAL OF MINUTES & AGENDA:
 - A. Minutes:
 1. Regular City Commission Meeting – July 20, 2009.

Commission voted 6 to 1 (Commissioner Zischkau voted against the motion) to adopt the minutes of the Regular City Commission Meeting of July 20, 2009 as presented.
 - B. Additions or Deletions to Agenda:
5. PRESENTATIONS/AWARDS/REPORTS:
 - A. Presentation – Quarterly Board Reports of City Advisory Board/Committees.
 - B. Presentation by auditing firms who responded to RFP No. 0945, *Auditing Services*, and selection by Commission of an auditing firm for FY 2009 - 2013.

After discussion, the Commission voted 5 to 2 (Commissioner Denizac and Commissioner Zischkau voted against the motion) to approve entering into an agreement with the number one ranked firm which is Purvis Gray after presentations before the Commission.

6. PUBLIC FORUM – Citizen comments for items not on the agenda.

CONSENT All items marked with an * will be considered by one motion unless removed
AGENDA: from the Consent Agenda by a member of the City Commission. If an item is removed for clarification only, it will be discussed immediately following action on the Consent Agenda. If an item is removed for further discussion, it will be discussed under New Business immediately following the last listed item.

7. CONSENT AGENDA:

*** A. Award of Bid #0946 – Courtland Well #39.**

The existing ground storage tank, aerator and plant at this location are sized to handle an additional well flow. When the Plant was originally built, the well was planned to be drilled after construction due to property site constraints. This well will provide additional water resources to satisfy the needs and demands of the customer and the City's fireflow demands.

Purchasing received eight responses to Bid # 0946 - Courtland Well # 39.

Bids were received from the following companies.

- *Rowe Drilling Company, Inc. - \$336,498.50*
- *A.C. Schultes of Florida - \$330,750.00*
- *Grosch Drilling, LLC - \$327,239.00*
- *Irrigation Plus - \$301,115.00*
- *Layne Christensen Company - \$299,971.00*
- *Diversified Drilling Corporation - \$296,296.00*
- *G.G. Griffa, Inc. - \$198,500.00*
- *Wellmasters, Inc. - \$176,699.20*

The low bid was received from Wellmasters, Inc. with a bid of \$176,699.20 or 10.9% below the next lowest bid.

Approved by Consent Agenda (Commissioner Zischkau voted against the motion) – to award Bid # 0946 for Courtland Well #39 as specified to Wellmasters, Inc. at a total cost not to exceed \$176,699.20.

B. Resolution No. 2009-23, Opposing a proposed base rate increase by Florida Power and Light (FPL) and Progress Energy.

The Volusia League of Cities adopted Resolution No. 2009-01 on July 23, 2009, opposing a proposed base rate increase by Florida Power & Light (FPL) and Progress Energy. The League has asked that the Cities within Volusia County adopt a similar resolution.

After discussion, the Commission voted unanimously to approve Resolution No. 2009-23, Expressing opposition to the proposed base rate increase by Florida Power and Light (FP&L) and Progress Energy.

8. ORDINANCES AND PUBLIC HEARINGS:

A. Ordinance No. 14-2009, Granting an additional Homestead Exemption for low income seniors beginning with the 2010 tax year, for first reading.

The 2007 Florida Legislature enacted Chapter 2007-4, effective April 9, 2007, and retroactive to January 1, 2007, which created an amendment to the State Constitution relating to the optional additional homestead exemption for persons 65 and older. The law allows counties and cities to grant an additional homestead tax exemption up to a maximum of \$50,000 applicable to taxes levied by the unit of local government to individuals who meet the following:

- ◆ 65 or older as of January 1st of the tax year;
- ◆ holds legal or equitable title to the home; and
- ◆ household income not exceeding \$20,000*

**Florida Statutes, Section 196.075 (3) provides that the \$20,000 income limitation is adjusted annually by the percentage change in the average cost-of-living index. The current income limitation is \$24,214.*

The City does presently offer an additional exemption for seniors, with the 2000 adoption of an ordinance providing an additional homestead exemption of \$25,000 to persons 65 and older whose household income does not exceed \$20,000.

The City Commission would adopt this additional exemption for residents meeting age and income criteria.

With this additional exemption, the City's present exemption for this same group of residents, and the \$50,000 exemption for all residents, residents in this category would receive an exemption for up to \$100,000 in property values.

At the current City millage rate of 4.15329, the granting of the additional homestead exemption at the \$50,000 maximum would result in an additional \$103.83 savings to qualified applicants if the assessed value of their home is high enough to utilize the full \$100,000 exemption.

After conducting the public hearing, the Commission voted unanimously to

adopt Ordinance No. 14-2009 at first reading, to grant an additional homestead exemption of \$50,000 for persons 65 and older, whose household income does not exceed \$20,000, beginning with the 2010 tax year, and to schedule the Ordinance for second and final reading on August 17, 2009.

9. OLD BUSINESS:

A. Consideration of appointment of one (1) member to the City's Beautification Advisory Board (Tabled on July 20, 2009).

Mr. Leon O. Walkins (appointed by Commissioner Zischkau – District 2) to the City's Beautification Advisory Board has resigned from the Board effective June 15, 2009. The City has run a press release, and posted the opening on the City's WebPage, D-TV and City bulletin boards. To date, the City has received applications from the following interested individuals: Jason Bridgewater and Robert Echevarria.

This item was tabled at the request of Commissioner Zischkau on July 20, 2009.

After discussion, the Commission voted unanimously to confirm the appointment of Jason Bridgewater to the Beautification Advisory Board for the remainder of a term to expire on November 30, 2009.

B. Re-appointment of Charles Cino as the City of Deltona's Special Magistrate.

At the Special City Commission meeting held on July 9th, the Commission asked that an agenda item be included on the July 20th Commission agenda to re-appoint Charles Cino as the City's Special Magistrate. As you are aware, Mr. Cino was selected to serve as Acting City Attorney for two weeks and he is unable to serve in both roles at the same time. At the July 20th meeting, the Commission asked that this item be tabled to the August 3rd meeting.

After discussion, the Commission voted unanimously to re-appoint Charles Cino as the City of Deltona's Special Magistrate effective August 18, 2009.

10. NEW BUSINESS:

A. Consideration of one (1) member to the City's Parks & Recreation Advisory Board.

Ms. Danah Ludvick Grant (appointed by Commission Treusch) to the City's Parks & Recreation Advisory Board has resigned from the Board effective June 15, 2009. The City has run a press release, and posted the opening on the City's WebPage, D-TV and City bulletin boards. To date, the City has received applications from the following interested individuals: James Smith and Linda Bauer.

After discussion, the Commission voted unanimously to confirm the appointment of Linda Bauer to the Parks & Recreation Advisory Board for the remainder of a term to expire on December 3, 2009.

B. Confirmation of name of the Amphitheater at the Deltona Regional Library and Lyonia Environmental Preserve.

The City of Deltona and Volusia County (jointly) entered into an Interlocal Agreement on August 23, 2007 and amended on February 21, 2008 for the construction, operation maintenance costs of the Amphitheater at Deltona Regional Library and Lyonia Environmental Center (LEC). This agreement is for a ten (10) year period with an optional renewal term of an additional ten (10) years. As stated in the Interlocal Agreement, the City has contributed \$2.0 million toward the construction of the amphitheater plus an additional \$250,000.00 per year beginning in FY 09/10 for the operation and maintenance of the LEC and the amphitheater. The County is responsible for the construction of the improvements. As set forth in the Interlocal Agreement, the City has the exclusive right to designate the name of the Amphitheater, subject to the prior written approval of the County. The City also agreed to seek preliminary input from the County Council prior to considering a name for approval.

On July 14, 2009, staff presented information regarding the Draft Manual on the Policies and Procedures for the operation and maintenance of the Amphitheater at the Deltona Regional Library and the Lyonia Environmental Center. Furthermore, it was discussed that the formal naming of the Amphitheater and the formal adoption of the Official Policies and Procedures be brought back to the City Commission as an Agenda Item for review and consideration. Staff is now seeking confirmation of the name to be used for the Amphitheater. The Official Policies and Procedures will be presented to the Commission for approval at a later date.

Two (2) names were discussed at the July 14th Commission Workshop: 1) The Deltona Amphitheater, or 2) The Deltona Amphitheater at Lyonia Preserve.

After discussion, the Commission voted 6 to 1 (Commissioner Zischkau voted against the motion) to name the Amphitheatre at the Deltona Regional Library and Lyonia Environmental Preserve "The Deltona Amphitheater at Lyonia Preserve".

C. Selection of Professional Consultants to assist the City of Deltona's Neighborhood Stabilization Program (NSP).

The City of Deltona was awarded \$6,635,909.00 from the U.S. Department of Housing and Urban Development (HUD) on March 20, 2009. This was in keeping with similar awards to communities throughout Florida within the month of March, 2009. HUD had previously determined that the City of Deltona was an eligible community to receive NSP monies and determined that such HUD

calculated funds could be spent in predetermined locations that received a high index ranking of need per HUD's criteria.

The City's Planning and Development Services staff received approval from HUD to focus neighborhood stabilization efforts on the southwestern and western portions of the City. Such funds can only be spent within strict NSP parameters that include, but are not limited to the following:

- 1. Existing bank-owned properties*
- 2. Units in disrepair needing rehabilitation or reconstruction*
- 3. Relocation of individuals to improve their housing condition*
- 4. Work-force housing*
- 5. Demolition*
- 6. Rental assistance*
- 7. Construction of units*
- 8. Administration fees*

In addition to the above, the City is under mandate from HUD to address capacity concerns (staff resources to administer the program). As such, the City is considered an at-risk community to be monitored by HUD, based on receipt of the predetermined award of \$6,635,909.00, which is 13% greater than the allotment to the City for its Community Development Block Grant (CDBG) program.

To address capacity concerns, HUD expects the use of outside professional consultants to assist Planning and Development Services staff to achieve completion of the program. These include Housing Counselors, General Contractors, Real Estate Brokers, Property Managers, Real Estate Legal Services, Inspectors, and Appraisers.

Purchasing received proposals from qualified companies to provide for each of these services. Please note that the request for proposals (RFPs) are being re-advertised for selected disciplines in Housing Counselors, Real Estate Brokers, Property Management Services, Real Estate Legal Services, and Appraisal Services to solicit additional responders to assist in the program, while the selected vendors will be operational.

After discussion, the Commission voted unanimously to approve entering into agreements contingent upon affidavits being received showing each firms owners, principles and officers with each of the City staff recommended firms for the Neighborhood Stabilization Program for Housing Counselors, General Contractors, Property Management Services, Real Estate Legal Services, Inspector Services, and Appraisal Services.

11. CITY COMMISSION COMMENTS:

12. CITY MANAGER COMMENTS:

13. CITY ATTORNEY COMMENTS:

14. ADJOURNMENT:

NOTE: If any person decides to appeal any decision made by the City Commission with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (F.S. 286.0105). Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk at least three (3) working days in advance of the meeting date and time at (386) 878-8100.