

City of Deltona

Mayor
John Masiarczyk, Sr

Vice Mayor
Heidi Herzberg
District 3

Commissioners:

Zenaida Denizac
District 1

Webster Barnaby
District 2

Nancy Schleicher
District 4

Anthony Bellizio
District 5

Chris Nabicht
District 6

City Manager
William D. Denny

CITY COMMISSION WORKSHOP
MONDAY, AUGUST 25, 2014
5:30 P.M.

2ND FLOOR CONFERENCE ROOM
2345 PROVIDENCE BLVD.
DELTONA, FLORIDA

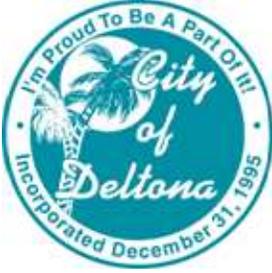
AGENDA

1. **CALL TO ORDER:**
2. **ROLL CALL – CITY CLERK:**
3. **PLEDGE TO THE FLAG:**

PUBLIC COMMENTS- Citizen comments limited to items on the agenda and will take place after discussion of each item.
4. **BUSINESS:**
 - A. **Discussion re: Ordinance No. 25-2014, Sales of Food on House of Worship Property.**
 - B. **Discussion and consideration of the City Manager Selection Process.**
5. **CITY MANAGER COMMENTS:**
6. **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, Joyce Raftery 48 hours in advance of the meeting date and time at (386) 878-8500.



AGENDA MEMO

TO: Mayor & City Commission **AGENDA DATE:** 8/25/2014
FROM: William D. Denny, City Manager **AGENDA ITEM:** 4 - A
SUBJECT: Discussion re: Ordinance No. 25-2014, Sales of Food on House of
Worship Property.

LOCATION:	Citywide
BACKGROUND:	On July 21, 2014, the City Commission adopted Resolution 2014-23 which imposed a moratorium on the enforcement of city code provisions as to food sales on residentially zoned church property pending a review of city regulations on this subject and the enactment of an ordinance addressing this issue. Ordinance No. 25-2014 is an amendment to the Street Vendor Ordinance and would allow a house of worship to be granted a permit for the sale of food by one vendor on the house of worship property during daylight hours. A \$20 fee would be charged for the permit and only one permit at a time would be issued per house of worship property.
ORIGINATING DEPARTMENT:	City Attorney's Office
SOURCE OF FUNDS:	N/A
COST:	N/A
REVIEWED BY:	City Manager, City Attorney
STAFF RECOMMENDATION PRESENTED BY:	N/A - For discussion and direction to staff as necessary.
POTENTIAL MOTION:	N/A - For discussion and direction to staff as necessary.
AGENDA ITEM APPROVED BY:	<hr/> William D. Denny, City Manager
ATTACHMENTS:	<ul style="list-style-type: none">• Ordinance No, 25-2014

ORDINANCE NO. 25-2014

AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA, AMENDING ARTICLE VI, “STREET VENDORS”, OF CHAPTER 22 “BUSINESSES”, OF THE CODE OF THE CITY OF DELTONA, MAKING AN EXCEPTION FOR FOOD SALES ON HOUSE OF WORSHIP PROPERTY UNDER CERTAIN CONDITIONS; PROVIDING FOR ISSUANCE OF PERMITS; AND PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY AND FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA:

SECTION 1: Article VI, “Street Vendors”, of Chapter 22, “Businesses”, of the Code of the City of Deltona, is hereby amended to read as follows:

ARTICLE VI. – STREET VENDORS

Sec. 22-186. - Definitions.

(a) The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Goods or merchandise means any materials or products, including but not limited to fruits, vegetables, or other edible items, souvenirs, trinkets, art objects, and other such items capable of being the object of a sale.

House of worship means premises used for worship and permitted customary accessory uses by an organization of religious believers.

Permanent structure means a building containing no fewer than four outer walls and a roof enclosing said walls, constructed in accordance with the local building code and a duly issued building permit, and for which occupancy is authorized by a duly issued certificate of occupancy

Street vendor means a person who sells or offers for sale any goods, services or merchandise from a location other than a permanent structure located in a commercially zoned area. A street vendor does not include anyone that utilizes newspaper, magazine, or other self-service vending machines for the sale of such items.

Sec. 22-187. - Prohibited acts. It shall be unlawful for any street vendor to sell goods, merchandise or services from any public property, public right of way, unoccupied private property, or undeveloped private property within the city limits of the City of Deltona.

Sec. 22-188. - Penalties. Any person who is found to be in violation of any provision of this chapter for which another penalty is not specifically provided shall immediately cease the activity in violation and may be issued a citation by a city enforcement services officer or law enforcement officer and be punishable by a fine not to exceed \$500.00. Failure to immediately cease the activity in violation may result in arrest by a law enforcement officer under F.S. § 901.15(1). For each day that the violation of a provision of this chapter exists, such violation shall constitute a separate offense.

Sec. 22-189. - Exceptions. Nothing herein shall be construed to prohibit the sale of goods and merchandise by vendors on public property during city sponsored special events, festivals or parades or with a permit issued by the city.

Sec. 22-190. Exception - Food Sales on House of Worship Property. Upon application by a house of worship, the city manager, or his designee, may grant a permit for the sale of food on the house of worship property upon the completion of an application and the payment of a \$20 fee. Such permit shall allow the sale of food during daylight hours only on house of worship property by one vendor. Only one permit at a time per house of worship property is permitted. This provision shall not eliminate any requirement for health department or other approval(s), as may be required by applicable law, and the vendor shall be responsible to obtain a business tax receipt.

Secs. 22-190—22-199. - Reserved.

SECTION 2. CONFLICTS. All Ordinances or parts of Ordinances, insofar as they are inconsistent or in conflict with the provisions of this Ordinance, are hereby repealed to the extent of any conflict.

SECTION 3. CODIFICATION. The provisions of this Ordinance shall be codified as and become and be made a part of the Code of Ordinances of the City of Deltona. The sections of this Ordinance may be renumbered or relettered to accomplish such intention.

SECTION 4. SEVERABILITY. In the event that any portion or section of this Ordinance is determined to be invalid, illegal or unconstitutional by a court of competent

jurisdiction, such decision shall in no manner affect the remaining portions or sections of this Ordinance on which shall remain in full force and effect.

SECTION 5. EFFECTIVE DATE. This Ordinance shall take effect immediately upon its final passage and adoption.

PASSED AND ADOPTED THIS ____ DAY OF _____, 2014.

FIRST READING: _____

ADVERTISED: _____

SECOND READING: _____

JOHN C. MASIARCZYK SR., MAYOR

ATTEST:

JOYCE RAFTERY, CITY CLERK

Approved as to form and legality for use
and reliance by the City of Deltona, Florida

GRETCHEN R. H. VOSE, CITY ATTORNEY



AGENDA MEMO

TO: Mayor & City Commission **AGENDA DATE:** 8/25/2014
FROM: William D. Denny, City Manager **AGENDA ITEM:** 4 - B
SUBJECT: Discussion and consideration of the City Manager Selection Process.

LOCATION:	N/A
BACKGROUND:	The City Commission directed the City Manager to prepare for the Commission's discussion a proposed process for the recruitment and hiring of a City Manager similar to the last City Manager recruitment process.
ORIGINATING DEPARTMENT:	Deputy City Manager
SOURCE OF FUNDS:	N/A
COST:	N/A
REVIEWED BY:	City Manager
STAFF RECOMMENDATION PRESENTED BY:	N/A - For discussion and direction to staff as necessary.
POTENTIAL MOTION:	N/A - For discussion and direction to staff as necessary.
AGENDA ITEM APPROVED BY:	<hr/> William D. Denny, City Manager
ATTACHMENTS:	<ul style="list-style-type: none">• 2008 City Manager Ad• 2008 Agenda Memo• 2008 City Manager Project Schedule

City Manager City of Deltona, FL

THE COMMUNITY AND LOCATION

With a population of 87,000, Deltona is the largest city in Volusia County, and the second largest in Central Florida. It is located midway between Orlando and Daytona Beach, about 30 minutes from both. Deltona has been a rapidly growing, residential community on the I-4 corridor. It is poised for future growth. The resources and infrastructure are available for both commercial and additional residential development.

Begun as a planned community in 1962, with 36,000 building sites targeted at retirees, Deltona has become a young city with a diverse population representing all age groups. The current population under 25 is 33%. Approximately 40% are between ages 25 and 54 and only 15% are over age 65. Each of these groups has its unique needs, goals and desires. Parks are plentiful, housing prices are reasonable and the schools are above average, making it a good place to live, work and play, and raise a family.

THE GOVERNMENT

Incorporated in 1995, Deltona is a relatively new city. It operates under a Commission-Manager form with a government consisting of seven elected officials who serve staggered four-year terms. The Mayor presides and serves as a Commissioner-at-Large. He is elected by the residents throughout the City. The other commissioners represent six geographic districts. The City Manager is appointed by a majority vote of the City Commission. City services include the City Clerk's Office, Building and Zoning Services, Deltona Water, Enforcement Services, Finance and Internal Services, Fire and Rescue, Human Resources, Parks and Recreation, Solid Waste, Public Works, and the Department of Planning and Development Services. Law Enforcement Services are provided through a contract with the Volusia County Sheriff's Office. The operating and capital budgets total \$148 million, and the City has 342 employees.

THE CHALLENGES

As noted, Deltona began as a retirement community and as a result, the original plans envisioned shopping plazas without a traditional downtown district. It also did not have a commercial or industrial component to provide the jobs needed for a younger community. Further, infrastructure was also limited. The City is now attempting to adapt to its current condition as a community with a diverse population represented by a wide variety of ages, races and ethnic groups, each of which have their own interests and needs. The elected officials and the community recognize that economic development – specifically encouraging new commercial and industrial enterprises located in the community – is very critical to Deltona's long term success. The City is also considering the development of its own police department and commissioned an independent study to weigh its options.

Received 6/12/08

THE IDEAL CANDIDATE

The City Manager performs high-level administrative, technical and professional work in directing and supervising the administration of the city government. The ideal candidate will have at least seven years as a senior level executive and experience in the public, government, and/or non-profit sectors with management of more than 200 people. He/she must be a community-oriented individual who will be responsive not just to the elected officials but to the community at large. Other important qualities will be someone who is progressive, creative, ethical, receptive to new ideas, strategic and responsive. The individual must consider customer service to be an essential part of public service and must have outstanding communication skills. Being fiscally responsible is a critical success factor. Additionally, the individual should be comfortable with the media and should have experience in a multi-cultural environment. A bachelor's degree in business administration, public administration, public policy or related field is required while a master's degree would be a plus. Seven to ten years of increasingly responsible experience in the public sectors as a senior executive or a combination of relevant education and experience is required. He/She will have a positive attitude with energy, drive and commitment. The individual will be achievement oriented with record demonstrating significant successes. Knowledge of government is essential, but Deltona will consider strong candidates with comparable experience in the private sector. Knowledge and experience in strategic planning principles, performance measurement, project development and labor/union relations will also be important.

COMPENSATION

The salary and benefits will be commensurate with experience.

HOW TO APPLY

Applicants should also complete a City of Deltona Employment application which is available on the City's web page. Email your resume *and completed application form* to Recruit26@cb-asso.com by close of business on July 30, 2008. The application form can be downloaded at:

<http://www.deltonafl.gov/go/deltona-sections/departments/human-resources/current-employment-vacancies>

Click on "on-line forms" (in blue just above the current vacancies list). Ideally, all materials will be sent via email but if you cannot, our fax numbers are: (715) 282-3595 and (561) 791-2137.

Direct all questions to Colin Baenziger of Colin Baenziger & Associates at (561) 707-3537.

THE PROCESS

Applicants will be screened between July 31st and September 8th. The City will select finalists on September 15th. Finalist interviews are tentatively scheduled for September 26th and 27th. The selection of the next manager will be made on September 29th.

Received 6/12/08

OTHER IMPORTANT INFORMATION

Residency of the selected individual is required within six months of being hired. The City expects the individual and his/her family to become full participants in the community.

Deltona is an Equal Opportunity Employer and encourages minorities to apply. Under the Florida Public Records Act, all applications are subject to disclosure upon receipt. Veterans' preference will be awarded under applicable Florida law.

Received 6/12/08



AGENDA MEMO

TO: Mayor & City Commission **AGENDA DATE:** 02/18/08

FROM: Faith G. Miller, Acting City Manager **AGENDA ITEM:** 10 - G

SUBJECT: Discussion and consideration of City Manager Selection Process

BACKGROUND:

The City Commission directed the Acting City Manager to prepare for the Commission's discussion a proposed process for the recruitment and hiring of a City Manager similar to the last City Manager selection process started in January 2006. At that time, the City Commission utilized a 7-member City Manager Selection Committee and an Executive Search firm – Colin Baenziger & Associates, Inc. to assist in the selection process.

The agreement signed with Colin Baenziger & Associates, provides the following: "CONSULTANT: Provide Guarantee that CB&A will repeat the process at no cost if the candidate leaves in the first year for any reason other than an act of God and **for expenses only during the second year.**"

The 2006 selection process included:

- Appointment of seven (7) members to a City Manager Selection Committee prior to hiring the consultant;
- Issuance of RFP #0615 for an Executive Search firm and awarding RFP to Colin Baenziger & Associates;
- Selection Criteria and a Salary Range approved by the City Commission;
- Consultant prepared advertisements, Committee reviewed, and ads ran in:
 - International City/County Management Association (ICMA);
 - Florida League of Cities' Datagram;
 - The National Forum of Black Public Administrators Newsletters; and
 - Ken Small's City Manager bi-weekly publication.
- 30-day solicitation period for application submittal;
- Consultant meets with the Selection Committee to evaluate resumes and to narrow the field to half, but no more than 20 semi-finalists;
- Consultants completes its due diligence on the semi-finalists and forwards information to the Selection Committee;
- Selection Committee narrows the field to five finalists and forwards the nominations to the City Commission;
- Two-day interview process including tour of City facilities, meet and greet with City staff, and candidate reception open to the public;

- Interviews conducted on a one-on-one basis with each member of the City Commission and then public interviews before the full City Commission (Friday and Saturday);
- City Commission selects its top candidate for the position at a Special Commission Meeting (Monday) and Acting City Manager/City Attorney directed to negotiate terms of employment agreement;
- Proposed employment agreement presented to City Commission for final approval prior to Manager relocating to Deltona.

The City did pay for expenses associated with each candidate's travel to and from Deltona including two (2) nights lodging, airfare, mileage and meals.

**ORIGINATING
DEPARTMENT:**

Acting City Manager's Office

REVIEWED BY:

Acting City Attorney

PRESENTED BY:

Acting City Manager

**STAFF
RECOMMENDATION:**

That the Commission discuss proposed salary range, selection criteria and minimum qualifications for candidates, and direct staff to proceed in the same manner as the 2006 process with the same consulting firm. Begin advertising for citizens interested in serving on the Selection Committee for appointment by the City Commission, approve scope of authority and direction for Selection Committee, or make changes to the previous selection process as deemed necessary and direct staff accordingly.

**POTENTIAL
MOTION:**

"I move to direct staff to proceed with the City Manager Selection process similarly followed in 2006 with the use of a 7-member City Manager Selection Committee and consultant services from Colin Baenziger & Associates, and with the same salary range and selection criteria."

OR

"I move to direct staff to proceed with the City Manager Selection process as followed in 2006 with the following changes: _____."

**AGENDA ITEM
APPROVED BY:**

Faith G. Miller, Acting City Manager

Attachments:

- ◆ 2006 Selection Criteria and Salary Range
- ◆ Consultant Scope of Services
- ◆ 2006 Timeline from Selection Process
- ◆ Sample ads for City Manager positions
- ◆ City Manager Selection Committee notice

Final Project Schedule – Deltona, 2008

- June 5th: City Manager Selection Committee finalized advertisement.
- June 10th: City Commission approved advertisement.
- June 12th: CB&A distributes advertisement to publications, posts it on its website and emails it to candidates.
- Publication Dates: ICMA – June 23rd
Florida League of Cities – June 30th
FCCMA – June 16th
- Recruiting Materials will be emailed to over 9,000 professionals on June 12th.
- July 30th: Closing date for submission of applications.
- August 1st: Final resumes and applications forwarded to the City Manager Selection Committee. Note: During the recruiting period, resumes of applicants will be forwarded to the City Manager Selection Committee weekly.
- August 6th: City Manager Selection Committee selects semi-finalists.
- August 25th: Semi-Finalist materials sent to the City Manager Selection Committee via the City. Materials arrive on August 25th.
- August 28th/29th: CAC selects finalists for the City Commission to interview.
- September 3rd: City Manager Selection Committee presents its finalists to the Commission at its regular meeting.
- September 12th: City holds reception for candidates and spouses.
September 13th: Elected Officials interview candidates.
- September 15th: City selects its next City Manager.

Received: August 5, 2008