

**AFTER ACTION AGENDA**

**REGULAR CITY COMMISSION MEETING  
MONDAY, JANUARY 3, 2011  
6:30 P.M.**

**DELTONA COMMISSION CHAMBERS  
2345 PROVIDENCE BLVD.  
DELTONA, FLORIDA**

**AGENDA**

1. CALL TO ORDER
2. ROLL CALL - CITY CLERK
3. SILENT INVOCATION AND PLEDGE TO THE FLAG:
4. APPROVAL OF MINUTES & AGENDA:
  - A. Minutes:

Regular City Commission Meeting – December 13, 2010.

The Commission voted unanimously to adopt the minutes of the Regular City Commission Meeting of December 13, 2010.
  - B. Additions or Deletions to Agenda.
5. PRESENTATIONS/AWARDS/REPORTS:
  - A. Presentation – Superstar Student of the Month Certificates – December, 2010.
6. PUBLIC FORUM – Citizen comments for items not on the agenda.  
(4 minute maximum length)

**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.

**6. CONSENT AGENDA:**

**The Commission voted unanimously to approve Consent Items 7-A and 7-C.**

- \* A. **Request for approval to use Office Depot Piggybacking State Contract #618-000-11-1, for purchase of office supplies City-wide.**

*The City currently uses Office Depot to purchase office supplies piggybacking the US Communities contract. That contract will expire soon. Purchasing compared pricing from four (4) companies and gave each of the companies our actual usage with descriptions and item numbers for all purchases made from 10/1/09 through 9/30/10 and asked that they price all of the items that they could. If one or more of the companies did not submit pricing for certain items, those items were removed from the overall comparison so that all companies would be compared "apples to apples". The companies that prepared pricing were: Capital Office Products, Staples, Office Depot and Independent Stationers. Capital Office Products proposed that the City piggyback the Lake County Contract. Both Staples and Office Depot proposed their State Contract pricing and Independent Stationers is the new US Communities Office Supply vendor.*

*Office Depot submitted the lowest pricing based on the State of Florida contract. The State Contract offers a discount off the list price. The pricing that was provided to the City reflects those discounts. The contract is valid through 10/17/13 with the option to renew for three (3) additional one (1) year periods upon mutual agreement of both parties and can be canceled at any time. Although all companies came in very close, recommendation is being made to purchase from Office Depot not only for their pricing but also their service. Also, the City and the end users would not have to do anything to continue to use Office Depot. Office Depot will load the new contract pricing into their system making it a smooth transition from the current US Communities/Office Depot contract to the State of Florida/Office Depot contract.*

*The City spent \$55,174 on office supplies in FY 09/10.*

**Approved by Consent Agenda - to approve using Office Depot for the purchase of office supplies piggybacking State of Florida Contract #618-000-11-1 through 10/17/13 and renewed in accordance with all of the terms and conditions of the State contract.**

**B. Request for approval of Distribution Easement for Fire Station 65, 2983 Howland Boulevard, Deltona, Florida.**

*Fire Station #65, located at 2983 Howland Boulevard (a/k/a Howland Crossing) is at the present time under construction. The purpose of this proposed easement is to allow Progress Energy Florida, Inc., to install, operate and maintain perpetuity, such facilities as may be necessary or desirable for providing electric energy and service and communication systems, whether to or on behalf of telecommunication providers or other customers by Progress Energy Florida, Inc., as part of the completion of this project.*

*As part of the process, Progress Energy requires a 10 foot wide easement from the City.*

*The attached Distribution Easement is one of the final steps in the permitting processes and upon its execution, recordation, and transmittal to Progress Energy Florida, Inc., electrical facilities for the project will be installed.*

**After discussion, the Commission voted unanimously to execute the Distribution Easement to Progress Energy Florida, Inc.**

**\* C. Resolution 2011-01, pertaining to Code Enforcement Liens and authorizing a reduced lien amount in specified circumstances.**

*At the Commission meeting of December 13, 2010, you directed the preparation of a resolution establishing a policy for the automatic reduction of code enforcement fines in certain circumstances. The proposed resolution provides for a reduction in the event a new owner of a distressed property corrects a violation after acquisition. The resolution reduces a fine to \$1,000 if the violation is corrected within the first month after acquisition, \$2,000 if the violation is corrected within the second month following acquisition, increasing by \$1,000 increments for each month thereafter until the reduced amount reaches the fine amount.*

**Approved by Consent Agenda – to approve Resolution No. 2011-01 pertaining to Code Enforcement Liens and authorizing a reduced lien amount in specified circumstances.**

**8. ORDINANCES AND -PUBLIC HEARINGS:**

**9. OLD BUSINESS:**

**A. Consideration of appointment of one (1) member to the Parks and Recreation Advisory Committee (Commissioner Herzberg's appointment).**

*On December 13, 2010, the City Commission appointed six (6) out of the seven (7) members of the Parks and Recreation Advisory Board whose terms expired on*

*December 3, 2010. The current members of the Board who wish to be re-appointed are:*

- *Debra Wert*

*The City has run press releases and posted the openings on D-TV, the City's WebPage and bulletin boards. To date, the City has received new application(s) from:*

- *Janet Deyette*

**The Commission voted unanimously to confirm the appointment of Janet Deyette to the Parks and Recreation Advisory Committee for a term to expire on December 31, 2011.**

**B. Consideration of appointment of one (1) member to the City's Beautification Advisory Board (Vice Mayor Treusch's appointment).**

*On December 13, 2010, the City Commission appointed six (6) out of the seven (7) members of the Beautification Advisory Board whose terms expired on November 30, 2010. There are no current members of the Board who wish to be re-appointed.*

*The City has run press releases and posted the openings on D-TV, the City's WebPage and bulletin boards. To date the City has received applications from:*

- *Erin Pitts*
- *Kristina DelleDonne*

**The Commission voted unanimously to confirm the appointment of Erin Pitts to the Beautification Advisory Board for terms to expire on November 30, 2011.**

**10. NEW BUSINESS:**

**A. Consideration of one (1) alternate Commission representative to the Volusia Transportation Planning Organization (TPO).**

*The Volusia TPO is an independent organization responsible for the planning and programming of all Federal and State transportation funds for all of Volusia County and the Cities of Flagler Beach and Beverly Beach in Flagler County. This organization is the primary forum within which member local governments and citizens voice concerns, identify priorities, and plan for transportation improvements for all modes of transportation – roadway, public transportation, and bicycle and pedestrian facilities.*

*The Volusia TPO Board membership consists of elected officials representing all of the local governments, including municipal and county entities. As outlined in Florida Statutes, the Volusia TPO Board is comprised of 19 voting members who review local, regional, and statewide transportation issues and work cooperatively to determine appropriate policy to address transportation needs. In addition, there are five non-voting members on the Volusia TPO Board who are appointed primarily to provide information and recommendations to the Volusia TPO Board.*

*The Volusia TPO Board meets on the fourth Tuesday of every month and all meetings are properly noticed and open to the public. Board meetings are held at the Volusia TPO office, 2570 W. International Speedway Blvd., Suite 100, Daytona Beach, Florida and begin promptly at 8:00 AM.*

*On Monday, December 13, 2010 the City Commission voted unanimously to appoint Commissioner Zischkau as the Commission representative to the Volusia Transportation Planning Organization. In the event that Commissioner Zischkau is unable to attend a TPO meeting, it would be beneficial for the Commission to also appoint an alternate representative to the TPO.*

**After discussion, the Commission voted unanimously to confirm the alternate Commission appointment of Mayor John Masiarczyk to represent the City on the Volusia Transportation Planning Organization.**

**B. Discussion re: Naming of the All-Inclusive Playground at Thornby Park (Requested by Commissioner Denizac).**

*Commissioner Denizac has requested that the Commission discuss the naming of the All-Inclusive Playground at Thornby Park and she is suggesting that the park be called "Inspiration Playground".*

**After discussion, the Commission voted unanimously to name the park Thornby Park, featuring Inspiration Playground.**

**C. Intervention into lawsuit between Howland Crossings and Commissioner Zischkau.**

**Item tabled to the January 18, 2011 Commission Meeting.**

**D. Request for provision of an attorney for Commissioner Zischkau.**

**Item tabled to the January 18, 2011 Commission Meeting.**

**11. CITY COMMISSION COMMENTS:**

**12. CITY ATTORNEY COMMENTS:**

**13. CITY MANAGER 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.