

## AFTER ACTION AGENDA

REGULAR CITY COMMISSION MEETING  
TUESDAY, JANUARY 18, 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 – January 3, 2011.

The Commission voted unanimously to adopt the minutes of the Regular City Commission Meeting of January 3, 2011 with the following changes: Page 8, Line 48 to read: “Commissioner Carmolingo told Commissioner Denizac that her efforts have brought a lot to light. He stated that he is starting on his 6<sup>th</sup> year on the Commission and the promises that he made in 2005 were a cleaner city, better parks, road improvements, the curfew ordinance, and the code enforcement issues surrounding the grass/trash. The one item he has not been able to bring forward is economic development. He would like to see the City bring in restaurants and office buildings and he will support any moves that will bring this forward”.

B. Additions or Deletions to Agenda.

5. PRESENTATIONS/AWARDS/REPORTS:

- A. **Presentation - Certificate of Recognition - Holiday Parade of Homes winner.**
- B. **Presentation – Quarterly Board Reports of City Advisory Boards/Committees.**

**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 Item 7-B.

- A. **Request for approval of revised Commission Policy/Procedure CC99-005, In-Kind Donations to Deltona-based not-for-profit entities.**

*At the January 11th Commission workshop, the Commission discussed changes to Commission Policy/Procedure CC99-005, In-Kind Donations to Deltona-based not-for-profit entities. The proposed revised policy reflects the changes as discussed by the City Commission and including some clarification of old policy language that is no longer applicable.*

After discussion, the Commission agreed to send this item back to staff for additional revisions.

- \* B. **Request for fee waiver - West Volusia Little League Youth Baseball - Annual Opening Day Parade.**

*Lynn Page, Secretary of West Volusia Youth Baseball, has submitted a request to the City for a waiver of all fees associated with spring 2011 opening day parade on Saturday, February 26, 2011.*

*The total fees associated with this parade are \$870.00, which include the following:*

*Public Works-0-  
VCSO-\$ 720.00  
Fire Dept. - \$ 100.00  
Parks and Recreation Application Fee- \$50.00  
Total- \$ 870.00*

*The expected attendance at the event is 1,500 people. If the Commission adopts the revisions to the Commission Policy/Procedure No. CC99-005 relative to in-kind donations, the requested amount is below the maximum of \$2,500 set by the revised policy relative to an event of this size.*

**Approved by Consent Agenda – to authorize staff to waive the fees in the amount of \$870.00 associated with the annual West Volusia Little League Youth Baseball Opening Day Parade on Saturday, February 26, 2011.**

**C. Request for amendment of the budget for the Volusia County Sheriff's Office Renovations.**

*The original budget to convert the Social Services Building into the new Volusia County Sheriff's Office is \$250,000. Volusia County's IT Department worked with the architect to provide a scope of work for the cabling needs for the Sheriff's Offices. ProPlus Communications, Inc. was chosen to provide these services at a cost of \$12,958.*

*To date the project costs are as follows:*

*Hanson Professional Services for original design services: \$20,040  
Hanson Professional Services for additional design work: \$9,525  
Olsen Commercial Construction, Inc-Contractor: \$222,313  
ProPlus Communications for VCSO IT - -\$ 12,958*

*The total cost is \$264,836.*

*Request is being made for a budget amendment to add \$16,000 from the Fund Balance for additional costs associated with this project. This would leave \$1,164 for any additional costs related to the actual move.*

*As an additional note, the low bid (Olsen Commercial Construction, Inc.) for the construction of this project came in at slightly over \$250,000. City staff worked with the contractor and through value engineering was able to lower the construction cost to \$222,313. In addition, the City did ask the Volusia County Sheriff's Office if they would be able to participate financially in the cost of the communications' cabling that is required by them for the VSCO operations, but we were unsuccessful in obtaining any financial assistance for this portion of the project from the County.*

**After discussion, the Commission voted 4 to 3 (with Commissioners Lowry, Zischkau, and Vice Mayor Treusch voting against the motion) – to approve the requested budget amendment as presented to increase the budgeted amount for the renovations for the Sheriff's Offices to a total of \$266,000.**

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

- A. **Ordinance No. 02- 2011, an ordinance establishing Level 2 background checks for employees, for first reading.**

*In addition to providing for background checks for certain facility users, staff was directed to establish a level 2 background screening procedure for employees. The City must adopt an ordinance to institute a level 2 background process. The Ordinance establishes the process and the disqualification criteria. The process and criteria conform to the direction given by the Commission for facility uses.*

After discussion, the Commission voted unanimously to approve Ordinance 02-2011, with changes to some of the language at first reading and schedule second and final reading on February 7, 2011.

9. **OLD BUSINESS:**

- A. **Request for provision of an attorney for Commissioner Zischkau.**

After discussion, the Commission voted 4 to 2 (with Commissioners Denizac and Lowry voting against the motion and Commissioner Zischkau abstaining.) - to not provide Commissioner Zischkau with an attorney for his defense.

After discussion the Commission voted unanimously (with Commissioner Zischkau abstaining) to establish negotiations with Howland Crossings to discuss possible remedies of the lawsuit situation with Commissioner Zischkau and other related issues to take place within 30 days.

- B. **Intervention into lawsuit between Howland Crossings and Commissioner Zischkau.**

After discussion, the Commission voted unanimously (with Commissioner Zischkau abstaining) to take no action on this item.

10. **NEW BUSINESS:**

- A. **Resolution No. 2011-02, Requiring Background Screening for certain facility users.**

*The Commission directed the creation of a draft background screening policy to allow for a discussion of background screening and the circumstances under which facilities will not be made available to users based upon those background checks.*

*The draft resolution borrows heavily from the State's background check system. The resolution in its revised form excludes those users who were convicted of the offense in question or convicted of a lesser offense if charged initially with an*

*excludable offense. It also excludes persons arrested if the arrest stemmed from an offense against a vulnerable person. Arrests still awaiting disposition also exclude users. The waiver has been increased to five (5) years and the eligibility has been limited to persons convicted of vehicular homicide, arson and burglary.*

**After discussion, the Commission voted unanimously to table this item until further information can be provided by staff.**

**B. Presentation by Fire Chief Staples and Request for Approval of Purchase of New Aerial Fire Apparatus.**

*The Fire Department is requesting to purchase a replacement for its current Aerial Ladder truck. The 2002 Pierce Enforcer 75' Aerial Ladder / Quint was purchased used in 2003 for a cost of \$538,000.00 (without equipment) in response to a review by the Insurance Services Organization (ISO) determining a deficiency in our operation and unable to provide fire suppression services to multi-story or large residential, commercial or buildings where large numbers of persons congregate.*

*This unit has served us well; however, it is reaching the end of its expected frontline life expectancy of 10 years with another 5-10 years in a reserve capacity to provide a readily available back-up to the frontline unit. In the last three years annual repair and maintenance costs for this unit have exceeded \$69,000.00 and resulted in approximately 9 months of cumulative out of service time. Currently this unit is out of service due to an engine failure that placed the truck out of service for more than 2 months costing in excess of \$13,000.00 to repair.*

*Additionally, the Fire Department is asking to make this purchase in FY 2010-2011 and amend the budget to add the additional \$600,000.00 planned to complete the purchase in FY 2011-2012 and realize a savings of approximately \$90,000.00 on the purchase of this apparatus. This takes advantage of the current economic downturn and savings prior to an annual price increase that was effective January of 2011. This purchase is proposed as part of a piggyback on a 5-year contract between St. Johns County and Pierce Manufacturing (RFP 07-053).*

*The replacement Aerial / Platform presented to the Commission is an upgrade to the present Aerial Ladder that is more versatile, provides greater firefighting capabilities and is safer both for firefighters and victims rescued by the apparatus. A more detailed description of the increased benefits will be presented by Fire Chief Robert Staples.*

**After discussion, the Commission voted unanimously to table this item until the Special City Commission Meeting on January 24, 2011.**

**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.