

## **AFTER ACTION AGENDA**

**REGULAR CITY COMMISSION MEETING  
MONDAY, JULY 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 – July 5, 2011.**
  - B. Additions or Deletions to Agenda.**
- 5. PRESENTATIONS/AWARDS/REPORTS:**
  - A. Proclamation – Parks & Recreation Month – July, 2011.**
  - B. Presentation – Council on Aging by Executive Director Doug Beach.**
  - C. Presentation - Quarterly 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.

**7. CONSENT AGENDA:**

- \*A. **Request for approval of Award of Bid #PW 11-02, Roadway Improvements for Fort Smith Boulevard (Section 4A) Rookery Avenue to Stallings Avenue.**

*Recently, Roadway Improvements to the Section 3 portion of Fort Smith Boulevard (Primrose Terrace to Rookery Avenue) were completed and the construction of Section 2 portion has begun (Providence Boulevard to Primrose Terrace). The Public Works Division is prepared to proceed with the next portion of the project for the Roadway Improvements of Fort Smith Boulevard (Section 4A), Rookery Avenue to Stallings Avenue. This project is a major road improvement project and involves the following:*

- *Reconstruction of 0.45 miles of 2 lane rural section roadway on Fort Smith Boulevard to a 3 lane urban section.*
- *Construct 1 drainage retention pond and associated structures.*
- *Construct approximately 3300' of 18" to 36" storm drainage pipe and approximately 21 storm drainage structures.*
- *Construct 250' of 6" PVC force main, 80' of 8" PVC water main, 220' of 6" DIP water main and 160' of 6" PVC water main.*
- *Abandon and grout fill 2,800' of the existing 6" water main, 1,545' of the existing 8" water main and the removal of 150' of existing water and force mains.*
- *Reconnect existing customer water services to existing 16" water main.*
- *Striping, signage, pavement markings, temporary traffic control devices and signalization.*

*The bid was solicited on Demandstar and went out to 1,221 Contractors. There were 74 plan holders for this bid and six (6) responsive bids were received as follows:*

- 1. Stage Door II \$1,299,466.17*
- 2. Halifax Paving \$1,311,677.96*
- 3. B & B Underground \$1,499,598.70*
- 4. P & S Paving \$1,500,128.39*
- 5. D & W Paving \$1,521,472.41*
- 6. Ranger Construction \$2,106,979.92*

*Staff reviewed the references and past experience from the low bidder, Stage Door II. After review, it was determined that the work experience of past projects,*

*performed by Stage Door II, did not meet sufficient similarities to the scope of work that was required and solicited in this bid. Thus, Stage Door II's bid was rejected for being non-responsible. In return, Stage Door II filed a bid protest. As per policy and procedure, attempts were made between Staff and Stage Door II to settle and resolve the protest. After meeting with Stage Door II and re-considering their past experience and performance, Staff respectively could not validate the bid protest and continue to recommend award to Halifax Paving, Inc.*

*Halifax Paving, Inc., has performed numerous projects of this size for other government entities, as well as other previous and current projects for the City of Deltona. The Public Works Director, City Engineer and the Engineer of Record have all performed a thorough review of all bids received and have determined that Halifax Paving, Inc. is the responsive low bidder.*

**Approved by Consent Agenda to approve award of Bid #PW 11-12 for the Roadway Improvements of Fort Smith Boulevard (Section 4A) Rookery Avenue to Stallings Avenue to Halifax Paving, Inc. at a total cost of \$1,311,677.96.**

- \* B. Request for approval to enter into negotiations with Brighthouse Networks and upon successful negotiations, enter into an agreement with Brighthouse Networks to provide Primary Rate Interface Services.**

*PRI or Primary Rate Interface is the means by which most, if not all, telephone calls are made today. Our current contract with Midstream has expired and technology advancements have caused the price of this type of service to drop dramatically. Windstream currently charges over \$5000 per month for these circuits/services.*

**Approved by Consent Agenda to enter into negotiations with Brighthouse Networks at an approximate annual cost of \$24,000 for City Hall and the Water Department and upon successful negotiations, enter into an agreement with Brighthouse Networks. If negotiations are unsuccessful, they will be terminated and the Committee will enter into negotiations with LUX Communications.**

- C. Request for approval of Revision to NSP Addendum "A" to the Contract for Sale and Purchase.**

*The City of Deltona acquired 53 properties by the end of September 2010 to meet the deadline for acquisition assigned by the U.S. Department of Housing and Urban Development (HUD). Since that time, the City has rehabilitated almost 50 homes and is working with Habitat for Humanity for the construction of three (3) new homes.*

**After discussion the Commission voted 6 to 1 (with Commissioner Denizac voting against the motion) to approve the proposed revisions to Addendum "A" to Contract for Sale and Purchase to provide for the following:**

- An allowance for up to \$500.00 in home repairs
- Revisions to the interest rate on the NSP Second Loan of 1.5%
- A reduction of the number of years for the Note and Mortgage from 5, 10 or 20 years to 5, 10 or 15 years

- \*D. Resolution No. 2011-26, Relating to the State Revolving Fund Loan Program authorizing the loan agreement, establishing pledged revenues, and designating authorized representatives.**

*The City of Deltona has been approved for a low-interest State Revolving Fund (SRF) Construction Loan funding from FDEP. Prior to any disbursement of the money, the attached Resolution must be approved and executed. This funding was previously approved for submittal under Resolution No. 2010-23. The funding will be used to build the Eastern Water Reclamation Facility to expand the City's current wastewater service area as well as provide for future economic development of the Osteen JPA, SR 415 corridor. This action supports the City's intent to secure maximum eligibility for all anticipated wastewater construction projects utilizing the lowest cost funding available.*

Approved by Consent Agenda to adopt Resolution No. 2011-26 as it pertains to the Eastern Water Reclamation Facility.

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

**9. OLD BUSINESS:**

**10. NEW BUSINESS:**

- A. Discussion re: Volusia County and School Board Redistricting (Requested by Commissioner Herzberg).**

*Commissioner Herzberg has requested that an agenda item be included on the July 18th Commission agenda regarding the Volusia County and School Board Redistricting. Attached for your information are the current maps related to County Redistricting.*

After discussion the Commission chose map 9 and voted unanimously to recommend their decision to the Volusia County Council and the Volusia County School Board for redistricting.

- B. Discussion re: Requests on behalf of Commissioner Zischkau for reimbursement of attorney's fees incurred in successfully defending certain ethics complaints, and in separately successfully defending a law suit in which he was personally named relating to city business.**

*The City has received a request on behalf of Commissioner Zischkau for reimbursement of attorney's fees incurred in successfully defending certain ethics complaints, and in separately successfully defending a law suit in which he was personally named relating to city business. Further information regarding this matter will be supplied to the City Commission as it becomes available to the Acting City Attorney. Such further information will be accompanied by legal analyses of the two requests.*

**This item has been tabled at the request of the Acting City Attorney as additional research is needed.**

**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.