

## **AFTER ACTION AGENDA**

**REGULAR CITY COMMISSION MEETING**  
**MONDAY, AUGUST 15, 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 – August 1, 2011.**
  - B. Additions or Deletions to Agenda.**
- 5. PRESENTATIONS/AWARDS/REPORTS:**
  - A. Presentation – Yard of the Quarter.**
  - B. Presentation – Certificate of Appreciation – Deltona Fire Department, Explorers Post 2460.**
  - C. Presentation - Certificate of Recognition honoring Pitcher Amanda Jessel of Deltona, Florida.**

**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 Revisions to Commission Policy No. CC06-001, Limitation of Service on Citizen Boards and Committees.**

*At the August 1st Commission workshop meeting, the Commission discussed the issue of citizens simultaneously serving on more than one City board, committee or sub-committee. City Commission Policy No. CC06-001, Limitation of Service on Citizen Boards and Committees, as approved by the City Commission, has been revised based on the Commission's direction at the August 1st meeting.*

*Attached for the Commission's review and consideration is a proposed, revised Commission Policy No. CC06-001 which outlines the Commission's direction with regard to "members of boards/committees simultaneously serving on sub-committees".*

**Approved by Consent Agenda – to adopt Commission Policy No. CC06-001 as presented.**

- \*B. **Request approval of proposed generic City Advisory Board, Committee, and Sub-Committee By-Laws and rescind the Board, Committee and Sub-Committee specific By-Laws.**

*At the City Commission Workshop on Tuesday, January 11, 2011, the Commission asked for a review of all Board/Committee/Sub-Committee By-Laws to be completed within the next 90 days for presentation to the City Commission for final approval. The inconsistencies and issues noted by the Mayor and Commissioners were addressed. The Boards/Committees reviewed their By-Laws and staff provided copies of the completed and uniform By-Laws for each.*

*At the City Commission Workshop on May 3, 2011, the Commission recommended several additional changes to the Board/Committee By-Laws. The Commission suggested that staff create a "generic" set of By-Laws that could be used by all the Board/Committees with the exception of the Planning and Zoning Board and the Firefighter's Pension Plan Board of Trustees. Once staff completed the generic By-Laws they were distributed to the Mayor and Commissioners for*

*their review and any other suggested changes they may have. As of the Regular City Commission Meeting of Monday, June 20, 2011 there have been no additional suggestions or changes to the By-Laws from the Mayor and Commissioners.*

*At the July 27th Commission Workshop meeting, the Commission agreed to continue the discussion on the proposed generic Advisory Board By-Laws to a workshop meeting on August 1st.*

*At the August 1st Commission Workshop meeting, the Commission requested the following changes to the proposed By-Laws: Article II, Staff Liaison, Section 1, the Board/Committee Liaison to provide a summary of discussion(s) and recommendation(s) of the Board/Committee to the City Commission on a quarterly report; Article IX, Minutes, Section 2, proposed language provided by the Acting City Attorney; Article XII, Section 1, Second sentence, Each Sub-Committee would need to go before the City Commission for approval and justification; and Article XIII, Dual Office Holding, Section 1, add the word "Sub-Committee" to the end of the first sentence.*

*With the adoption of the generic Board/Committee By-Laws the following Board/Committee By-Laws will need to be rescinded: Beautification Advisory Board; Economic Development Advisory Board; Parks and Recreation Advisory Board; Citizens Accessibility Advisory Sub-Committee; Youth Advisory Sub-Committee; Senior Advisory Sub-Committee; and the Deltona William S. Harvey Scholarship Selection Advisory Board.*

**Approved by Consent Agenda – to approve the generic Advisory Board/Committee/Sub-Committee By-Laws and to rescind all prior Board, Committee, and Sub-Committee specific By-Laws.**

**C. Request Request for Approval of Award of Bid #PW 11-16, Ledford Phase 2 project (Parking Area and Pedestrian Access).**

*The McGarrity/Kirkhill project is key in relieving the Theresa Basin from high stormwater levels during prolonged rainy seasons. The Theresa Basin is a vast area that has numerous bodies of water that are connected through pipe and ditches and has an outfall that has been plugged up. The project will allow the City to have better control of the quality of the stormwater discharge that actually enters into the waters of the State of Florida. This project will fulfill the City's legal obligation to treat our stormwater discharge before it enters the waters of the State.*

*Recently, Phase 1 of the McGarrity/Kirkhill Regional Surface Water Treatment Facility Project was completed. Phase 1 included the installation of 12-inch PVC stormwater force main, a stormwater pump station and intake system, the excavation and grading of a 9 acre surface water treatment facility and the*

*demolition, clearing and grubbing of existing concrete and vegetation from the 20 acre site.*

*The Public Works Division is prepared to proceed with the next phase of the project. This phase of the project consists of construction of a parking area, environmental educational trails and a boardwalk for the benefit of the City residents. In addition, the ponds and wetland / transitional areas created during Phase I will be planted with appropriated plantings and trees. Residents will be able to observe multiple wetland plant varieties, as well as native wildlife attracted to this environmental facility. The work generally involves:*

- Approximately 2,350 square yard of an asphalt pavement driveway.*
- Construction and grading of a parking area.*
- Excavation and grading of a dry pond and swale area.*
- 3,610 linear foot of a cypress mulch pedestrian trail.*
- 500 linear foot of wooden, elevated boardwalk*

*The bid was solicited on Demandstar and went out to 960 Contractors. There were 44 plan holders for this bid and four (4) responsive bids were received as follows:*

- 1. CM Engineering Services of Florida \$287,423.58*
- 2. Wal-Rose, Inc. \$311,988.50*
- 3. P & S Paving \$360,639.70*
- 4. B & B Underground \$467,360.05*

*Staff reviewed the qualifications, references and past experience from the low bidder, CM Engineering Services of Florida. After review, it was determined that the Contractor only had 2 years of licensed work in the State of Florida. The requirements of the awarded Contractor were to have had a minimum of 5 years' experience. Additionally, the references submitted by the vendor were unable to be verified and staff found that only one of the references they submitted were considered to be favorable and having a positive work experience of past similar projects. Therefore, CM Engineering Services of Florida did not meet the qualifications required and lacked the positive references and sufficient similarities to the scope of work that was required and solicited in this bid. Multiple attempts were made between Staff and CM Engineering Services of Florida to obtain other references that could be verified and were considered positive past experience. CM Engineering Services of Florida could not provide any such information. Staff respectively could not accept their bid and rejected it based on being non-responsible. Thus, recommendation is being made to award to the second low bidder.*

*The second low bidder, Wal-Rose, Inc., has performed numerous projects of this size for other government entities, with positive references, and has the experience and exceeds the minimum qualifications required within the solicitation. 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 Wal-Rose, Inc. is the responsive low bidder.*

**After discussion, the Commission voted unanimously to approve award of Bid #PW 11-16 for the Ledford Phase 2 project (Parking Area and Pedestrian Access) to Wal-Rose, Inc. at a total cost of \$311,988.50.**

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

### **A. Public Hearing – Public Hearing - Ordinance No. 17-2011, Providing for City of Deltona 2010 Reapportionment Plan for Commission District boundaries for election purposes as a result of the 2010 U.S. Census, for first reading.**

*In 1995, the City of Deltona (City) was incorporated and needed to adhere to the State political-geography law by establishing City Commission District boundaries. Since the City was established at the mid-point of the 1990 U.S. Census period and populations were dynamic, the first opportunity to officially create district boundaries was with the 2000 U.S. Census count. Work began and was finalized on that effort and the City created Ordinance No. 10-2002 incorporating data from that count.*

*On May 20, 2002, the City Commission unanimously adopted Ordinance No. 10-2002, which provided City Commission District boundaries for election purposes. The City Commission District boundaries (a.k.a. zones) were established pursuant to Section 9(b) of the City Charter that states, "...the District boundaries shall be revised every 10 years based upon population figures following the release of census tract data." The City Commission Districts are divided into six (6) zones to ensure contiguous areas with each district containing, to the fullest extent possible, equal populations.*

*To facilitate the most accurate and nearly equal distribution of population as possible and in compliance with Ordinance No. 10-2002, the City's geographic information system (GIS) was used with the newly released 2010 U.S. Census data to provide an updated Reapportionment Plan. The City also coordinated with the Volusia County Supervisor of Elections for the report format and the County's GIS Section to ensure that our methodology was performed consistently with their efforts and is ultimately adoptable.*

*The newly released 2010 U.S. Census Bureau's total count for the City is 85,182 residents and was reapportioned, as equally as possible, using GIS. Concerning population distribution, Districts 1 and 5 have populations over 15,000, Districts 2 and 6 between 14,000 and 15,000, and Districts 3 and 4 with less than 14,000. The overall goal was to provide an equal distribution as possible to accommodate population fluctuations, adhere to streets and natural features as required, and to keep the current district boundaries intact with minimal deviation. As a result, the six (6) proposed districts include approximately equal populations, have followed physical features, and the proposed districts do not significantly deviate from the*

*existing district boundaries. Further, the use of GIS has reduced the variation in the number of options that can be provided.*

*Thus, per the Volusia County Supervisors of Elections, the City Commission can take the following methods to reapportion district boundaries:*

- 1. Either review and adopt the Reapportionment Plan with a two-thirds (2/3) vote of the full City Commission within six (6) months after the official publication of the U.S. Census totals that were published on March 17, 2011 (i.e. adopt by September 17, 2011); or*
- 2. The City Attorney, upon authorization of the City Commission and with the use of twenty-five (25) electors of the City, shall petition the Circuit Court having jurisdiction in Volusia County to make such reapportionment official. The City Commission shall have the power to reapportion, by ordinance, the zone districts and to change the boundary lines thereof, primarily due to population fluctuations. Neither the creation of the Office of the Mayor, City Commissioners from each of the six (6) zones, nor the redistricting contained herein, upon becoming a law, shall affect the remaining terms of those presently elected officials on the effective date of this act.*

**After discussion, the Commission voted 5 to 1 (with Commissioner Zischkau voting against the motion) to approve the 2010 Reapportionment Plan and Ordinance No. 17-2011, at first reading, and schedule second and final reading for September 6, 2011.**

- B. Public Hearing - Ordinance No. 13-2011, Providing for a Future Land Use Map Amendment to change the Future Land Use category of *Medium Density Residential (MDR)* to *Commercial (C)* for ±3.2 acres located within the 2200 block of Fernwood Drive, for first reading.**

*On April 26, 2011, the City Commission, at a scheduled workshop, directed staff to sponsor two administrative Small Scale Future Land Use Map Amendments, which includes the ±3.2 acres covered by Ordinance No. 13-2011. The property consists of ten (10) individually-owned parcels of land located along the Fernwood Drive corridor. Nine (9) of the ten (10) parcels are in private ownership and the remaining parcel, a 50-foot wide strip of land, is owned by the City.*

*The amendment area is currently designated as Medium Density Residential (MDR); a residential category that allows for multi-family development within a density range of 6.1 to 12 units per acre. This proposal is to change the amendment area to Commercial (C).*

*The amendment area is separated from Elkcam Boulevard by a tier of lots already designated as Commercial and City Alley No. 1915. Therefore, the intent of this*

*amendment is to provide the incentive and opportunity for private entities to buy and assemble larger and deeper tracts of commercially entitled land to facilitate prototypical commercial development formats that are commonly associated with major urban thoroughfares.*

*For more information concerning the amendment, including, detailed maps, public service analysis, environmental characteristics, etc. see the attached staff report. Also note that on July 20, 2011, the Planning and Zoning Board recommended that the City Commission adopt the proposed amendment from Medium Density Residential to Commercial.*

**After discussion, the Commission voted unanimously to approve Ordinance No. 13-2011 on first reading and transmit the amendment to the Volusia Growth Management Commission (VGMC) for a consistency determination.**

**C. Ordinance No. 12-2011, Pertaining to the Comprehensive Plan Future Land Use Map Amendment to change the Future Land Uses of *Recreational and Public/Semi-Public* to *Commercial* for property known as Dupont Lakes Park and Fire Station 63, for first reading.**

*The proposed amendment area consists of ±9.6-acre City-owned property that is used for an active park (DuPont Lakes Park), a lift station, a fire station (Station 63), cell tower, and a public well. At the April 26, 2011, City Commission Workshop, the City Commission directed staff to prepare a Future Land Use Map Amendment to change the zoning designation on the property from Recreational and Public/Semi-Public to Commercial.*

*The intent of the land use change is to create a marketable tract of land for potential commercial opportunity in an area that represents an intensive urban node within the City. There is recognition that any of the uses (park, fire station, etc.) that are displaced by envisioned commercial uses will need to be re-located. In the meantime the existing public oriented uses can continue. For more information concerning this proposal including detailed graphics, public service analysis, environmental review, etc. see the attached staff report. Thus, the proposed amendment does not change use of the site as an active park, nor will it facilitate the park to become inactive without relocation of the ballfields and associated uses prior to sale and/or development. As intended, the fire station, well, cell tower, and lift station will remain on-site following any sale of property, if any.*

*On July 20, 2011, the Planning and Zoning Board heard the proposed amendment. Discussion centered on floodplain extents on the property, intensity of use on the land, and traffic volume issues. Based on that discussion, the Planning and Zoning Board recommended that the City Commission not approve Ordinance No. 12-2011.*

After discussion, the Commission voted 4 to 2 (with Commissioners Carmolingo and Zischkau voting against the motion) to adopt Ordinance No. 12-2011 at first reading for a Small Scale Future Land Use Map Amendment for DuPont Lakes Park, on first reading, and transmit the amendment to the Volusia Growth Management Commission (VGMC) for a consistency determination.

- D. Public Hearing - Ordinance No. 14-2011, Pertaining to the Zoning Map Amendment to change the Zoning Designation from *Public Use (P)* to *Retail Commercial (C-1)*, for property known as Dupont Lakes Park and Fire Station 63, for first reading.**

*The proposed amendment area consists of ±9.6-acre City-owned property that is used for an active park (DuPont Lakes Park), a lift station, a fire station (Station 63), cell tower, and a public well. At the April 26, 2011, City Commission Workshop, the City Commission directed staff to prepare a Zoning Map Amendment to change the zoning designation on the property from Public Use (P) to Retail Commercial (C-1).*

*The intent of the zoning change is to create a marketable tract of land for potential commercial opportunity in an area that represents an intensive urban node within the City. There is recognition that any of the uses (park, fire station, etc.) that are displaced by envisioned commercial uses will need to be re-located. In the meantime the existing public oriented uses can continue. For more information concerning this proposal including detailed graphics, public service analysis, environmental review, etc. see the attached staff report. The proposed amendment does not change use of the site as an active park, nor will it facilitate the park to become inactive without relocation of the ballfields and associated uses prior to sale and/or development. As intended, the fire station, well, cell tower, and lift station will remain on-site following any sale of property, if any.*

*On July 20, 2011, the Planning and Zoning Board heard the proposed amendment. Discussion centered on floodplain extents on the property, land use intensity, and traffic volume issues. Based on that discussion, the Planning and Zoning Board recommended that the City Commission not approve Ordinance No. 14-2011.*

After discussion, the Commission voted 4 to 2 (with Commissioners Carmolingo and Zischkau voting against the motion) to approve Ordinance No. 14-2011, a Zoning Map Amendment for DuPont Lakes Park, for first reading.

- E. Ordinance No. 20-2011, Amendment to Section 2-192 that gives the City more flexibility in methods of the disposal of surplus real property, for first reading.**

*The current Code provision for the disposal of surplus real property does not address the disposal of such property when there are no bidders who respond to a*

*request for sealed bids. The revised Ordinance gives the City more flexibility in the disposal of surplus property, and permits the listing of such property for sale with a real estate broker.*

**After discussion, the Commission voted 5 to 1 (with Commissioner Zischkau voting against the motion) to approve Ordinance No. 20-2011 at first reading and to schedule second and final reading for September 6, 2011.**

**F. Ordinance No. 21-2011, Pertaining to Pension Plans, Amending Section 46-28 Pertaining to the Firefighters' Pension Plan, Board of Trustees, for first reading.**

*At the August 1st Commission Workshop meeting, the Commission requested the following change be made to the proposed Generic By-Laws as well as the Firefighter's Pension Board, Board of Trustees as proposed by the Acting City Attorney:*

*All communications by or on behalf of the board or any board member(s) shall be made either in public at a board meeting, through communications to the Staff Liaison, or through items placed in the minutes of the board. Neither the board, nor any board member(s), shall purport to speak on behalf of the board or as an official board member through any other means of communication. This restriction shall not prevent any board member from expressing his or her individual ideas or opinions relating to any matter, so long as such expression of ideas or opinions are expressed as that individuals' ideas or opinions, and not as the ideas or opinions of the board, or the ideas or opinions of such individual as a board member.*

**After discussion, the Commission voted 5 to 1 (with Commissioner Zischkau voting against the motion) to approve Ordinance No. 21-2011 at first reading and to schedule second and final reading for September 6, 2011**

**G. Ordinance No. 22-2011, Pertaining to Planning and Zoning Board, Amending Section 110-1201 pertaining to the Rules of Procedure, for first reading.**

*At the August 1st Commission Workshop meeting, the Commission requested the following change be made to the proposed Generic By-Laws as well as the Planning and Zoning Board as proposed by the Acting City Attorney:*

*All communications by or on behalf of the board or any board member(s) shall be made either in public at a board meeting, through communications to the Staff Liaison, or through items placed in the minutes of the board. Neither the board, nor any board member(s), shall purport to speak on behalf of the board or as an official board member through any other means of communication. This restriction shall not prevent any board member from expressing his or her individual ideas or opinions relating to any matter, so long as such expression of*

ideas or opinions are expressed as that individuals' ideas or opinions, and not as the ideas or opinions of the board, or the ideas or opinions of such individual as a board member.

After discussion, the Commission voted 4 to 2 (with Commissioners Denizac and Zischkau voting against the motion) to adopt Ordinance No. 22-2011 at first reading and to schedule second and final reading on September 6, 2011.

## 9. OLD BUSINESS:

### A. **Re-evaluation of Resolution No. 2011-07, Granting a Conditional Use for the property located at 1649 Providence Blvd. for use as a Farmer's Market under certain conditions.**

*In June of 2010, the City of Deltona modified provisions of the City's Code of Ordinances to facilitate a public market (a.k.a. farmer's market) through a Conditional Use Permit process within various zoning districts, including an R-1 classification. The subject site is located within an R-1 zoning district and the Conditional Use application required review by the Planning and Zoning Board and approval by the City Commission.*

*The Deltona Farmer's Market use at 1694 Providence Blvd. is currently co-located on a ±3.60 acre site that includes the ±8,000 square foot Deltona United Church of Christ; a ±4,462 square foot ancillary building that is used for a daycare and Church offices; a paved parking lot with 58 spaces; and an undeveloped grass area located in the northern section of the site. The grass area is currently used for overflow parking during peak worship activities.*

*Adjacent land uses include a liquor store to the north, residential to the east and south, and neighborhood convenience commercial to the west of the subject site. The subject site is directly adjacent to a commercial area that is associated with the Providence Blvd. corridor. The eastern section of the property along Gainesville Drive is heavily vegetated that serves as a buffer between the uses on the site and the residential areas located east of Gainesville Drive.*

*On August 16, 2010, the Commission approved by a 5 to 2 vote, Resolution No. 2010-17 granting a conditional use to allow the property located at 1649 Providence Blvd. to be used for a Farmer's Market subject to six (6) conditions included in the Resolution. One of the conditions required that: "this conditional use will be reevaluated by the City Commission six months after approval."*

*On March 7th, 2011 the Commission at their regular meeting extended Resolution # 2011-07 (copy attached) and the Farmers Market for an additional six (6) months under the direction of the Parks and Recreation staff with a change in hours to 9:00 a.m. to 2:00 p.m. and to invite non-profit organizations. On the amended motion, the Commission voted unanimously to include an extensive review at the end of the six (6) months.*

*Staff has applied and has submitted grant packages for two (2) US Department of Agriculture (USDA), Agricultural Marketing Service, Farmers Market Promotion Program (FMPP) grants totaling \$ 98,645.000. This competitive USDA grant program is designed to promote domestic consumption of agricultural commodities by expanding direct producer to consumer marketing opportunities. The USDA will announce 2011 FMPP award recipients before the end of September 2011.*

*Also attached for the Commission's review is a summary of the Farmers Market Vendor/Vehicle Count.*

**After discussion, the Commission voted 5 to 1 (with Commissioner Zischkau voting against the motion) to retain the Farmers Market.**

**10. NEW BUSINESS:**

**A. Consideration of appointment of a City representative to the Volusia County TPO's Bicycle and Pedestrian Advisory Committee (BPAC).**

*The City of Deltona is currently looking for one (1) individual interested in serving as the City's representative to the Volusia County TPO's Bicycle and Pedestrian Advisory Committee (BPAC). The Committee consists of 19 voting members made up of private citizens. The Committee meets on the second Wednesday of each month at 3:00 p.m. at the TPO office at 2570 W. International Speedway Blvd., Daytona Beach.*

*The mission of the BPAC is to: "Create and implement a regional plan for the continuing enhancement and expansion of the bicycle and pedestrian network. We will support activities that encourage and provide for a safe and balanced transportation system that promotes connectivity, mobility, health and an improved quality of life."*

*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 the following interested individual: Alexis Rohr.*

**After discussion, the Commission voted unanimously to confirm the appointment of Alexis Rohr as the City's representative to the Volusia County's TPO Bicycle and Pedestrian Committee (BPAC).**

**B. Consideration of appointment of seven (7) members to the William S. Harvey Deltona Scholarship Advisory Board.**

*The terms of all seven (7) members of the William S. Harvey Scholarship Advisory Board expired on June 30, 2011. All of the current members with the exception of Alice Russell have expressed that they wish to be re-appointed to this Board. Don Philphitt has expressed an interest ONLY if the Generic By-laws are approved as*

*he would only like to be considered for a one (1) year term.*

*The City has run press releases and posted the openings on D-TV, the City's web page and bulletin boards. To date the City has received applications from the following interested individuals: Jennifer Cherry, Donald Jones, Francis Houston, Vernon Moore, Paul Blanchard and Karen Chenoweth.*

**After discussion, the Commission voted unanimously to appoint or re-appoint the following four (4) individuals Christopher Alcantera, Dawn Drysdale, Peggy Fisher, and Karen Chenoweth to the William S. Harvey Scholarship Advisory Board for terms to expire on June 30, 2012.**

**C. Resolution No. 2011-29, Authorizing the creation of two Deltona Economic Development Advisory Board Sub-Committees.**

*At the Commission workshop meeting held on August 1st, the Commission directed staff to make changes to the Board/Committee By-Laws. One of those changes was that the creation of each Sub-Committee would need to go before the City Commission for approval and justification.*

*The Deltona Economic Development Advisory Board (DEDAB) is requesting that two Sub-Committees be created, an Education and Medical Sub-Committee and a Commercial Park Sub-Committee. The Chairs of said Sub-Committees will be selected by the DEDAB and the Chairs would in-turn appoint members to the Sub-Committees.*

*The Educational and Medical Sub-Committee will perform research, determine best practice strategies, evaluate infrastructure modifications and/or required support, and provide recommendations to the Deltona Business Development Administrator and to DEDAB for the purpose of establishing both an Educational Campus and a Medical Park in the City of Deltona.*

*The Commerce Park and SunRail Sub-Committee will perform research, determine best practice strategies, evaluate infrastructure modifications and/or requisite support, and provide recommendations to the Deltona Business Development Administrator and to DEDAB for the purpose of establishing a Commerce (Flex-Industrial) Park in the City of Deltona which shall incorporate parking facilities and commercial areas for SunRail riders.*

**After discussion, the Commission voted unanimously to approve Resolution No. 2011-29.**

**D. Request to Purchase Mini Message Signs.**

*On July 11, 2011 during the Budget Workshop, the Commission recommended staff research other opportunities to purchase a smaller version of the current*

*mobile message boards for use by the Parks and Recreation Department to promote special events.*

*Staff has contacted three (3) vendors and attached are the quotes for your review and consideration. The lowest quote for one (1) sign each is American Signal Company, Atlanta, Ga for \$12,244.44, however they have added a freight charge of \$ 600.00, totaling \$ 12,844.44. The second lowest quote is Safety Products Inc, Eaton Park, Fl for \$ 12,375.00 which includes freight, delivered to Deltona. The third quote is Work Area Protection Corporation, St. Charles, Ill for \$ 14,400.00 with a freight charge of \$ 953.19, totaling \$ 15,153.19.*

*The City did not budget for these mini message signs, but does have funding in the Capital Equipment Fund to cover the costs. Therefore, staff is recommending a budget transfer within the Capital Equipment Fund from Vehicles to Equipment in the amount of \$ 24,750.00.*

**After discussion, this item failed for lack of a second motion for approval.**

**E. Discussion and consideration of official action to appoint full-time City Attorney.**

*At the August 2nd Commission workshop, the City Commission discussed the City Attorney position and whether or not to consider an in-house vs. outside attorney for legal services for the City. At the conclusion of the discussion, the City Commission concurred to offer the current Acting City Attorney, Becky Vose, the position for six-months with an evaluation at the end of the six-month period. The Commission also asked that the Acting City Attorney review the meeting tape and consider the items discussed by the Commission during the workshop meeting.*

**After discussion, the Commission voted unanimously to appoint the Vose Law firm to hold the Charter position of City Attorney with Becky Vose designated as the City Attorney.**

**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.

