

AFTER ACTION AGENDA

REGULAR CITY COMMISSION MEETING
MONDAY, JULY 1, 2013
6:30 P.M.

DELTONA COMMISSION CHAMBERS
2345 PROVIDENCE BLVD.
DELTONA, FLORIDA

AGENDA

1. **CALL TO ORDER**
2. **ROLL CALL - CITY CLERK**
3. **INVOCATION AND PLEDGE TO THE FLAG:**
 - A. **Invocation Presented by Vice Mayor Denizac - Pastor Miriam Rodriguez, Centro de la Familia Cristiana Church of Deltona.**
4. **APPROVAL OF MINUTES & AGENDA:**
 - A. **Approval of Minutes – Regular City Commission Meeting of June 17, 2013.**

[The Commission voted unanimously to approve the minutes of the Regular City Commission Meeting of June 17, 2013.](#)
 - B. **Additions or Deletions to Agenda.**
5. **PRESENTATIONS/AWARDS/REPORTS:**
 - A. **Proclamation – Parks and Recreation Month – July, 2013.**
6. **PUBLIC FORUM – Citizen comments for any items.**
(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. CC99-003, Elected Official Travel and Expenses.**

At the May 28, 2013 Commission workshop meeting, the Commission discussed the issue of reimbursing Commissioners for travel and expenses and the type of electronic devices issued by the City's IT Department. City Commission Policy No. CC99-003, Elected Official Travel and Expenses, as approved by the City Commission, has been revised based on the Commission's direction at the May 28th workshop.

Approved by Consent Agenda – to adopt the revised Commission Policy No. CC99-003 as presented.

- *B. Request for approval to award Bid # PW 13-11, Mapleshade Street Stormwater Improvements.**

Public Works solicited bids for the Mapleshade Street Stormwater Improvements Project. Heavy rains in the past have caused this pond to overflow and flooding over the road occurs making it impassable for pedestrian and vehicular traffic. Improvements are needed to alleviate localized flooding, minimize the interruption of traffic flow and maximize the impact of public safety. The project will provide for the construction of a permanent storm conveyance system from the drainage retention area along Mapleshade Street to the Lake Lucerne Canal System allong Tillery Drive. The project is in the 2012/2013 CIP budget and is being funded with Community Development Block Grant (CDBG) funds. The project will be completed in the FY2013/2014 budget year.

The bid was solicited on Demandstar and was sent to 810 contractors. There were 49 planholders for this bid with the following 3 responsive bids being received:

- 1. Hazen Construction, LLC.: \$144,144.00*
- 2. Tomoka Construction Services, Inc.: \$177,375.00*
- 3. McMahan Construction, Inc.: \$241,700.00*

The low bidder, Hazen Construction, LLC, has the required license for this project which was verified through the Department of Business and Professional Regulation.

Approved by Consent Agenda - to award Bid #PW-13-11 for the Mapleshade Street Stormwater Improvements Project to Hazen Construction, LLC at a total cost of \$144,144.00.

***C. Request to certify engineering firms as qualified to perform Civil Engineering Services as needed under Continuing Contract.**

Purchasing requested Statements of Qualifications for Civil Engineering Services in accordance with the Consultants' Competitive Negotiation Act, F.S. Chapter 287.055 following the guidelines as set forth under the Act. Qualifications were requested for Engineering firms to perform services related to Civil Engineering. Eight firms responded.

A Selection Committee was established and after a complete review of the responses received, four firms were determined to be the most highly qualified. The Selection Committee chose the following four firms as the most highly qualified in their ranking order:

- *Quentin L. Hampton - 288 points*
- *Tetra Tech - 283 points*
- *DRMP - 278 points*
- *Bowyer Singleton - 274 points*

In accordance with F.S. 287.055(2)(g), these firms will be put on a Continuing Services list to be utilized as needed when there is a project where the construction costs are not estimated to exceed \$2,000,000 or for study activity when the fee for such professional services does not exceed \$200,000.

In accordance with F.S. 287.055, any firm or individual desiring to provide professional services to the agency must first be certified by the agency as qualified to render the required services. The Selection Committee is requesting for the Commission to certify these firms as qualified so that they may be used for projects that do not exceed the above thresholds.

Once certified and in accordance with F.S. 287.055(5)(a,b,c), a contract and pricing schedule will be negotiated with these firms and utilized in any as needed projects. Should a satisfactory contract and pricing schedule not be negotiated with these firms, then negotiations will be completed with the next highest scoring firms on the list. Failing accord with the next highest qualified firms, then negotiations shall proceed with the next most qualified firm and so on.

Approved by Consent Agenda - to certify, Quentin L. Hampton, Tetra Tech, DRMP, and Bowyer Singleton as qualified to perform Civil Engineering Services for the City and to put them on a Continuing Services list to render these services as needed within the guidelines of F.S. 287.055.

***D. Request to certify engineering firms as qualified to perform Geotechnical Engineering Services as needed under continuing contract.**

Purchasing requested Statements of Qualifications for Geotechnical Engineering Services in accordance with the Consultants' Competitive Negotiation Act, F.S. Chapter 287.055 following the guidelines as set forth under the Act. Qualifications were requested for Engineering firms to perform services related to Geotechnical Engineering. Eight firms responded.

A Selection Committee was established and after a complete review of the responses received, four firms were determined to be the most highly qualified. The Selection Committee chose the following four firms as the most highly qualified in their ranking order:

- *Universal Engineering - 291 points*
- *Bechtol Engineering and Testing - 273 points*
- *Ardaman and Associates - 272 points*
- *Terracon Consultants - 271 points*

In accordance with F.S. 287.055(2)(g), these firms will be put on a Continuing Services list to be utilized as needed when there is a project where the construction costs are not estimated to exceed \$2,000,000 or for study activity when the fee for such professional services does not exceed \$200,000.

In accordance with F.S. 287.055, any firm or individual desiring to provide professional services to the agency must first be certified by the agency as qualified to render the required services. The Selection Committee is requesting for the Commission to certify these firms as qualified so that they may be used for projects that do not exceed the above thresholds.

Once certified and in accordance with F.S. 287.055(5)(a,b,c), a contract and pricing schedule will be negotiated with these firms and utilized in any as needed projects. Should a satisfactory contract and pricing schedule not be negotiated with these firms, then negotiations will be completed with the next highest scoring firms on the list. Failing accord with the next highest qualified firms, then negotiations shall proceed with the next most qualified firm and so on.

Approved by Consent Agenda - to certify, Universal Engineering, Bechtol Engineering, Ardaman and Associates, and Terracon Consultants as qualified to perform Geotechnical Engineering Services for the City and to put them on a Continuing Services list to render these services as needed within the guidelines of F.S. 287.055.

***E. Request for approval to purchase a family of Human Patient Simulators (HPS).**

The Fire Department is requesting to update our Human Patient Simulator (HPS) program to the most recent EMS technology available today to include tetherless capabilities. This technology will allow us to use these EMS manikins in real-life situations to simulate realistic patient injuries and medical conditions. Our current HPS system is over 9 years old and has limited skills capabilities. The adult manikin is wired and secured to a desk top computer and large air compressor, thereby not allowing it to be moved from its fixed position. The current child and infant manikins are also worn out and limited on EMS skills that can be simulated or practiced by Emergency Medical Technicians and Paramedics. Most have missing parts and new parts are not available to update these manikins due to their age. The manufacturer of our current units advised us a few years ago that the models are being eliminated and parts will no longer be produced. This renders the manikins inoperative for EMS training. With the current manikins unavailable for full patient simulation, it does not allow our training staff to educate or our personnel to realistically train on the latest EMS skills and techniques.

As requested in this year's Capital Budget we are requesting to purchase a new family of simulators to provide a wider range of EMS training to our personnel. The program will include new Adult, Child and Infant simulators capable of training on the latest EMS techniques for medical and trauma incidents. It will also include a 12-Lead EKG Task Trainer to enhance and sharpen the skills of our EMTs and Paramedics at acquiring in-the-field 12-Lead EKGs. These simulators will provide much needed child and infant training along with advanced cardiac care for all types of patients, which is currently unavailable with the manikins we have.

Approved by Consent Agenda - to approve the purchase of the Human Patient Simulator equipment from Laerdal Medical Corporation for \$59,000.00.

***F. Request for approval to purchase 60 KW Generator from RingPower for Station 64.**

The emergency generator at FS64 failed in 2010. A back-up generator from Deltona Water was put into place to ensure the station had an uninterrupted power supply during times when the commercial system failed. The existing failed generator, which is more than 15 years old, can be repaired, however we would be repairing an old unit and the cost to repair would not outweigh the benefit of replacing the unit. A new generator, with installation, would cost between \$5000 - \$8000 more than repairing the existing unit. In FY 10/11 the City received approximately \$9600 in insurance money for the old unit. Replacing a fifteen year old unit with a new generator will greatly exceed the benefit of repairing the existing unit.

The City is a member of NJPA (National Joint Powers Alliance) which is a

national municipal cooperative contracting agency. Caterpillar was awarded the bid for generators and RingPower is their authorized dealer for this area. The cost for the generator is \$30,930.50.

Approved by Consent Agenda - to approve the purchase of a Caterpillar 60 KW generator through RingPower, Caterpillar's authorized dealer, at a cost of \$30,930.50 based on the NJPA contract pricing.

8. ORDINANCES AND PUBLIC HEARINGS:

9. OLD BUSINESS:

10. NEW BUSINESS:

A. Request for approval for waiver of all fees - SE 12-003-Latin Festival 2013.

The City of Deltona has received a request from Emma Santiago of the Volusia County Hispanic Association (VCHA), to waive all fees (police, fire, public works, field use and permits) associated with the annual Latin Festival that is scheduled to take place on Sunday, September 15, 2013 from 11:00 AM to 8:00 PM at the Dewey Boster Sports Complex.

Waiver of fees, Commission Policy # CC99-005, adopted March 7, 2011 (supersedes policy dated February 7, 2005) allows for a maximum dollar value for in-kind donations of \$2,500.00 (police, fire, permits, etc.) for any special event that has an expected attendance of more than 900 people.

Additionally, VCHA has requested use of the message boards for 7 days; however, the message boards have been reserved for use for a City concert during the same time frame. An agreement has been reached between VCHA and the City to split the use of the message boards (1 for the City and 1 for VCHA) during the week of September 9 thru September 15. If granted, the cost for the one message board is for seven (7) days (which is included in the public works attachment). VCHA has requested the the Dewey Boster Concession Operation remain closed for this event, similiar to last three previous years. The fees for this event are listed below:

Sheriff's Office: \$5,940 (12 deputies at \$45 per hour)

Public Works: \$1,142.50

Parks & Rec: \$1,010.00

Fire Dept: \$1,500.00

Building & Code Enforcement - \$100.00 permit fee review

Total: \$9,692.50

After discussion, the Commission voted 5 to 2 (Commissioner Nabicht and

Commissioner Schleicher voted against the motion) unanimously to accept approval of the waiver of all fees for the Latin Festival.

B. Resolution No. 2013-24, City of Deltona Local Housing Assistance Plan (LHAP) for 2013-2016.

The City of Deltona's State Housing Initiatives Partnership (SHIP) program was established in accordance with Section 420.907-9079, Florida Statutes (F.S.) and Chapter 67-37 Florida Administrative Code (F.A.C.). The City began an Affordable Housing Assistance Program through the passage of Ordinance 08-2001 on May 1, 2001. The City's SHIP program also furthers the Housing Element of the City's Comprehensive Plan.

Within the SHIP program, the City is required to have a Local Housing Assistance Plan (LHAP) that increases the availability of affordable residential units by combining local resources and cost saving measures into a local housing partnership that uses public and private funds to reduce the cost of housing components (i.e. purchase assistance, home repairs, etc.) for residents.

Deltona receives funds from the State of Florida through SHIP in annual allocations from the Florida Housing Finance Corporation (FHFC). Every three (3) years, the City must submit an LHAP outlining the strategies to expend the funds. The current LHAP expires this fiscal year and a new LHAP must replace that document for the next three (3) year from period 2013-2016.

Under the LHAP, entitlement communities are permitted to use monies deposited into a local housing assistance trust fund for implementation and administration purposes. Resolution No. 2013-24 approves the LHAP for the period of 2013-2016 in a format acceptable to the FHFC. However, the newly established Affordable Housing Advisory Committee (AHAC) will be reviewing this LHAP going forward and may make recommendations to the City Commission in the future to amend the LHAP during the three (3) period.

After discussion, the Commission voted unanimously to approve Resolution No. 2013-24 to adopt the City of Deltona's Local Housing Assistance Plan (LHAP).

C. Request for approval for a Fence Variance Application for 1686 Hanover Avenue.

The City received a variance application for an existing fence (Project No. VR13-002) located at 1686 Hanover Avenue. The site is located at the southwest corner of the intersection of Hanover Avenue and Monticello Street. The lot frontage was platted to be oriented towards Hanover Avenue. The lot building envelope matches that lot orientation. However, the house was constructed at an angle to the lot and faces the intersection, rather than have the home's frontage oriented

towards Hanover Avenue. Because of this site design issue, the building envelope is altered. Changes to the location of the home, as well as ancillary structures (i.e. fences) become off-set to conform to the position of the home.

Deltona's Building and Code Enforcement Services Department received a complaint about a fence being built without a permit at this location. Officers confirmed that the fence along Monticello Street was constructed without a building permit and notified the property owners to apply for a permit. At the time of permit application, the property owners were notified that the fence is not in compliance with the yard setback requirements, due to the aforementioned building orientation.

The property owners notified the City that there was a special needs child (cognitively disabled) and the fence is needed to provide for a safe environment, as well as to mitigate for the number of sexual offenders who reside in the vicinity of the property. The City Attorney concurred that this is a viable hardship within residential neighborhoods and the variance application was brought to the Planning and Zoning Board (Board) on June 19, 2013. The Board recommended that the City Commission approve the variance request, with the caveat that staff ultimately study setback criteria on corner lots throughout the City. The fence remains in place along the Monticello Street side yard until this variance request can be determined.

After discussion, the Commission voted unanimously to approve the variance application No. VR13-002 to allow the existing fence along the Monticello Street lot line to remain, due to the dimensional constraints associated with the lot and building, coupled with the special circumstances of having a disabled child in proximity to potential private nuisances.

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, Joyce Kent 48 hours in advance of the meeting date and time at (386) 878-8500.