

## AFTER ACTION AGENDA

### **REGULAR CITY COMMISSION MEETING MONDAY, AUGUST 18, 2014 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 Commissioner Nabicht – Pat Northey, Volusia County Council Member for District 5.**
4. **APPROVAL OF MINUTES & AGENDA:**
  - A. **Approval of Minutes – Regular City Commission Meeting of August 4, 2014.**

[The Commission voted unanimously to approve the minutes of the Regular City Commission Meeting of August 4, 2014, as amended.](#)
  - B. **Additions or Deletions to Agenda.**
5. **PRESENTATIONS/AWARDS/REPORTS:** None.
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:** None.

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

### **A. Public Hearing - Deltona Tractor Supply Final Plat Application (FP 14-001).**

*The City of Deltona received an application for the Deltona Tractor Supply Final Plat for a ±5.07 acre site (Project No. FP14-001). The approval and recordation of this plat will create a legal lot of record to be able to ultimately construct a proposed ±18,720 SF TSC retail store with outdoor display areas. The plat area utilizes a portion of a parent tract created through past vacation events of the Second Addition to the Carnell antiquated subdivision that includes portions of parcels 9206-01-03-0010 and 9206-01-03-0011. The proposed plat is also consistent with Section 106-31, Final Plat Review, of the City's Code of Ordinances.*

*The applicant recorded the easements necessary for access management and utility provision (see the attached exhibits), to be included as reference on the Final Plat. The plat also shows that the proposed site improvements are located outside of the FDOT Murphy Reservation Areas. Primary access to SR 415 is provided through an off-site easement, which is designed to become a boulevard entryway for adjacent lands in the future. The City's Development Review Committee has reviewed the Final Plat and associated Final Construction Plan set and deemed them to be compliant with City subdivision and land development regulations.*

**After discussion, the Commission voted 6 to 1 (Commissioner Nabicht voted against the motion) to approve the Deltona Tractor Supply Final Plat (FP 14-001).**

### **B. Public Hearing - Ordinance No. 13-2014, Amending the Firefighter's Pension Plan by allowing the Fire Chief the option of Opting Out of Participation, at second and final reading.**

*At the present time, the pension ordinance provides that all full-time firefighters shall, as a condition of employment, become participants in this plan as of the later of the October 1, 1997 or his or her date of employment (or reemployment, if applicable) with the city. However, the fire chief shall have the option to participate in the plan or to participate in the City of Deltona General Employees' Pension Plan.*

*Ordinance No. 13-2014 will amend Chapter 46, "Pension plans," Article II, "Firefighter's Pension Plan," of the Code of Ordinances of the City of Deltona, Section 46-27, "Participation – Conditions of eligibility," amending the Firefighter's Pension Plan by allowing the Fire Chief the option of Opting Out of Participation without participating in the general employee's pension plan. The Deltona general employee's pension plan does not permit a firefighter to belong.*

*At the Commission Workshop on Monday, July 28, 2014 the Commission concurred to place the ordinance for first reading on Regular Commission Meeting to be held on August 4, 2014.*

**After discussion, the Commission voted unanimously to approve Ordinance No. 13-2014 at second and final reading.**

- C. Public Hearing - Ordinance No. 19-2014, Charter amendment removing initial incorporation/transition provisions, boundary descriptions, and language changing candidate qualifying provisions, at second and final reading.**

*At the City Commission Workshop held on Monday, July 28, 2014, the Commission directed the City Attorney to create separate ordinances for all five (5) charter amendment questions so the Commission could vote on them individually.*

**After discussion, the Commission voted unanimously to approve Ordinance No. 19-2014 at second and final reading.**

- D. Public Hearing - Ordinance No. 20-2014, Charter amendment removing City Manager residency requirement, at second and final reading.**

*At the City Commission Workshop held on Monday, July 28, 2014, the Commission directed the City Attorney to create separate ordinances for all five (5) charter amendment questions so the Commission could vote on them individually.*

**After discussion, the Commission voted unanimously to approve Ordinance No. 20-2014 at second and final reading.**

- E. Public Hearing - Ordinance No. 22-2014, Charter amendment removing in-house City Attorney residency requirement, at second and final reading.**

*At the City Commission Workshop held on Monday, July 28, 2014, the Commission directed the City Attorney to create separate ordinances for all five (5) charter amendment questions so the Commission could vote on them individually.*

**After discussion, the Commission voted unanimously to approve Ordinance No. 22-2014 at second and final reading.**

- F. Public Hearing - Ordinance No. 23-2014, Charter amendment changing compensation of Mayor and City Commission, at second and final reading.**

*At the City Commission Workshop held on Monday, July 28, 2014, the Commission directed the City Attorney to create separate ordinances for all five*

*(5) charter amendment questions so the Commission could vote on them individually.*

**After discussion, the Commission voted 2 to 5 (Commissioner Barnaby, Commissioner Bellizio, Commissioner Denizac, Vice Mayor Herzberg and Mayor Masiarczyk voted against the motion) to approve Ordinance No. 23-2014 at second and final reading.**

**9. OLD BUSINESS:**

**10. NEW BUSINESS:**

**A. Request for approval of the revised project total cost to upgrade DeltonaTV Broadcast Equipment.**

*The Commission approved \$84,000 in the 2013/2014 budget to upgrade the Broadcast Equipment in the DeltonaTV broadcast room. After working with vendor Command Corp., it has been determined that specific equipment has been identified as necessary to complete this project, which totals \$34,025. These upgrades bring the DeltonaTV facility up to current broadcast standards.*

*It is requested that DeltonaTV expand its audience reach and exposure by adding its broadcast signal to the ATT U-verse network. ATT requires its broadcast partners to use its standardized encoder that is a one-time-only cost of \$10,000. With this investment, the City's government TV station will then be available to subscribers of both Bright House Cable and ATT U-verse in Deltona. Additionally, DeltonaTV will be available to all ATT U-verse subscribers in Volusia County as well as the rest of the central Florida (Orlando) TV market—Seminole, Orange, Lake, Flagler, Brevard, Osceola, Sumter and Marion counties.*

*The total amount needed for the equipment is \$34,025 and another \$10,000 for ID Solutions which is ATT's service provider for a total request to spend an additional \$44,025 out of the Capital Equipment Fund in order to complete this project in this fiscal year.*

*There is funding available in the Capital Equipment fund so this is not a budget amendment but an approval for a revised total.*

**After discussion, the Commission voted unanimously to approve spending an additional \$44,025 out of the Capital Equipment Fund to complete this DeltonaTV project in this fiscal year**

**B. Request for approval of Mr. Baker's proposed Acting City Manager employment agreement.**

*At the Commission Meeting held on July 21, 2014 the Commission approved the appointment of Dale A. Baker as Acting City Manager and for the City Manager and City Attorney to negotiate a contract with Mr. Baker.*

**After discussion, the Commission voted unanimously to approve the Acting City Manager employment agreement as presented.**

**C. Request for approval to piggyback Clay County Agreement/Contract #11/12-77 for the contract with Community Champions Corporation, f/k/a Federal Property Registration Corp.**

*The City Commission recently adopted the Deltona Anti-blight ordinance (Ord. # 12-2014) which requires certain mortgagees foreclosing properties in Deltona to register with the city, pay a fee, and provide certain specified information. Community Champions Corporation, (formerly known as Federal Property Registration Corp.), is a Florida corporation based in Brevard County that provides these sorts of services to numerous counties and cities throughout Florida and in other states. Their services would also permit the city staff access to their data base for purposes of having direct contact with mortgagees to report code violations on properties in foreclosure and demanding that code violations be corrected. Deltona would be piggy-backing on the Clay County, Florida contract that was competitively bid and has been renewed by Clay County.*

**After discussion, the Commission voted unanimously to approve piggybacking Clay County's Agreement/Contract #11/12-77 with Federal Property Registration Corp., now known as Community Champions Corporation, for the registration services required under the Deltona Anti-Blight Ordinance.**

**D. Approval of Resolution No. 2014-25; Setting Registration Fees for Implementation of Anti-Blight Ordinance.**

*The City Commission recently adopted the Deltona Anti-Blight Ordinance that provided that fees under the ordinance would be set by resolution. This is the resolution setting the fees at \$300 annually per registration. This fee amount is approximately the average of such fees from around the country. This money will go to the general fund, but are intended to be utilized by the city for code enforcement activities. A large portion of code enforcement activities relate to properties in foreclosure or abandoned or during the foreclosure process.*

**After discussion, the Commission voted unanimously to approve the adoption of Resolution No. 2014-25 for Setting Registration Fees for Implementation of Anti-Blight Ordinance.**

**E. Request for approval of a proposed Bond Anticipation Note from the City's bank Wells Fargo.**

*As part of the process to issue Utility System Bonds, Series 2014, staff is seeking formal approval of a Bond Anticipation Note from the City's bank Wells Fargo together with the related Reimbursement Resolution 2014-27 and Loan Agreement Resolution 2014-28. This approval is subject to completion of the appropriate closing documents and approval by the State Revolving Fund.*

*The exact terms are being worked out as of this writing but are expected to be substantially as follows:*

*Annual interest rate approximately 1%.*

*Line of credit up to \$10 million.*

*Minimum draw at settlement \$1.5 million.*

*Interest only monthly payments.*

*Principal payable at the end of the note, up to one year from settlement.*

*No early payment penalty.*

*The principal will be paid off by the Series 2014 bonds which are planned to be issued by the end of this year.*

**After discussion, the Commission voted unanimously to approve the Bond Anticipation Note proposed by Wells Fargo, the Reimbursement Resolution No. 2014-27, and the Loan Agreement Resolution No. 2014-28 subject to completion of the appropriate closing documents and approval by the State Revolving Fund.**

**11. CITY ATTORNEY COMMENTS:**

**12. CITY MANAGER COMMENTS:**

**A. Lobbyist Update.**

**After discussion, the Commission concurred to have the City Manager provide the options discussed by the Commission for when to have a discussion with the Lobbyist and see which option is best.**

**After discussion, the Commission concurred to have the City Manager invite Senator Simmons to meet with the Commission and the Commission will make themselves available to him.**

**13. CITY COMMISSION 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 Raftery 48 hours in advance of the meeting date and time at (386) 878-8500.