

**CITY OF DELTONA, FLORIDA
CITY COMMISSION WORKSHOP MEETING
MONDAY, SEPTEMBER 8, 2014**

A Workshop Meeting of the Deltona City Commission was held on Monday, September 8, 2014 in the City Hall, 2nd Floor Conference Room, 2345 Providence Blvd. Deltona, Florida.

1. CALL TO ORDER:

The meeting was called to order at 5:30 a.m. by Mayor John Masiarczyk, Sr.

2. ROLL CALL:

Mayor	John Masiarczyk	Present
Vice Mayor	Heidi Herzberg	Present (Arrived 5:45 p.m.)
Commissioner	Webster Barnaby	Present
Commissioner	Zenaida Denizac	Present
Commissioner	Anthony Bellizio	Present
Commissioner	Chris Nabicht	Present
Commissioner	Nancy Schleicher	Present
Acting City Manager	Dale Baker	Present
City Attorney	Becky Vose	Present
City Clerk	Joyce Raftery	Present

Also Present: Planning & Development Services Director Chris Bowley; and Parks & Recreation Director Steve Moore.

3. PLEDGE TO THE FLAG:

Mayor Masiarczyk led everyone in the pledge of allegiance to the flag.

Mayor Masiarczyk opened and closed the meeting to the public as there were no public comments.

Commissioner Barnaby acknowledged City of DeLand Mayor Bob Apgar.

4. BUSINESS:

A. Discussion re: Council on Aging Contract.

Commissioner Nabicht stated he wanted to look at the way services were being provided, the money being provided to the Council on Aging out of the General Fund and Community Development Block Grant (CDBG) funds, wanting to know what the funds provided are being put toward, what the City is getting for the programs provided and to look at having the Parks & Recreation Senior Advisory Board and management staff put together a request for proposal (RFP) based on current programs and any additional programs seniors may want, there being a list of the

senior's wants from previous discussions in years past and that being a good starting point for future discussions, to put out to bid every so many years the contract for senior services to see if the services can be provided cheaper or enhanced services can be provided, and he asked for a status on the Jablonski Trust.

City Attorney Becky Vose stated she has asked for the settlement agreement, but she has not received it and based on the motion in court prior to the settlement she thinks she knows what is in the document and it looks like they may be getting 50% of the trust money.

DeLand Mayor Bob Apgar, on behalf of the Council on Aging, stated the Council on Aging settled with the Salvation Army, half of the settlement is about \$400,000, and in the settlement agreement the Council on Aging committed to \$50,000 in upgrades to the Deltona Senior Center in conjunction with the Commission to satisfy the "wish list" such as a billiards. The remaining \$350,000 is reserved for a period of three (3) years to give the Council on Aging and Deltona an opportunity to explore options for a new facility or a matching ECHO Grant which is yet to be determined. The Council on Aging is the lead agency in Volusia County for providing services to the City's seniors and it is their intent to continue to do so in the future. If the Council on Aging were unable to continue to use the current facility they would need to find another facility somewhere. The Council on Aging internally made the decision during the summer that it did not know who to have discussions with in the City since it was an election year which is why they have not initiated any discussions. Executive Director Doug Beach is leaving and the agency will be looking for a replacement. The Council on Aging has had a long partnership with the City of Deltona and wants to continue that partnership in the future.

Commissioner Nabicht stated based on the lack of response to the City Attorney from the Council on Aging and its representatives he questions how much the agency is really looking out for the good of Deltona and he requested that Mrs. Vose receive a response to her inquiries.

DeLand Mayor Apgar stated the Council on Aging is looking for the whole settlement agreement and missing some exhibits, but would provide the agreement to Mrs. Vose. The agency is not trying to hide anything, there were some human dynamics that entered into the process over time, and the Salvation Army became more empowered in their position and changed some dynamics in the settlement discussions. He stated on behalf of the Council on Aging, the agency has the money, it is a clean slate, this is a new opportunity, leave the past behind and move forward to serve the seniors. At the end of the day the language was ambiguous, but the fact is it is the money of the Council on Aging and if the City and the agency do not come to an agreement as to how to use the money then the agency will decide what public services in the Deltona community to use it on.

Commissioner Denizac asked why the three (3) year time frame and DeLand Mayor Apgar replied it was set forth in the settlement agreement as a collective decision of the parties in litigation and the agency was steadfast in trying to be true to what it had represented to the Mayor, City Manager and City Attorney which was that the agency always said it would spend the money in Deltona. The Salvation Army's only commitment was that they would use the money in DeLand to help seniors in West Volusia County.

Commissioner Denizac stated she is concerned about the issue of accountability, the agency

receives CDBG money, she wants to see copies of the records (weekly activity sheets, hours worked, payroll checks, etc.) and unless she sees the evidence she does not know what is being provided.

Vice Mayor Herzberg arrived at the meeting at 5:45 p.m.

Planning & Development Services Director Chris Bowley stated that the agency is bound by Federal Law Expenditure and Grant money to be able to provide the records mentioned by Commissioner Denizac. Staff has to do a level of monitoring for the expenditures, the agency has to provide the records to staff, and staff monitors the agency's activities. He stated he can provide the records to the Commission.

DeLand Mayor Apgar stated the agency provides the required information to the City and it has not seen anything from the City that it is not in compliance. As far as providing information to each of the Commissioners it was the job of the City staff who was involved in the discussions to provide the information not the agencies. After one (1) of the meetings, there was some documentation that was being prepared and reviewed by the Council on Aging in Iowa that outlined the terms of the proposed agreement and then the Salvation Army changed positions after discussions of the potential of a shared facility. Collectively the agencies and City staff felt that it was not the most appropriate path at that point in time and Mr. Beach got some sense from the agency's board that it wanted to get the issue resolved, but there was no intention to keep information from anyone.

Commissioner Schleicher asked how set in stone was the proposed settlement and DeLand Mayor Apgar replied it was concrete, the money has been distributed, and the day before yesterday the Trust was closed.

Commissioner Schleicher stated she is concerned the money was going to be used for cosmetic upgrades to the Community Center and is the list still a valid list. Mrs. Vose replied what Commissioner Schleicher was looking at was not the final order and she does not know what the final order says.

DeLand Mayor Apgar stated to his knowledge nothing in that regard changed along the way and from the agency's perspective there are a couple of things that are important like the insertion of the \$50,000 for upgrades, the reason words like "cosmetic" was to make it clear that the money to be used on the existing center was a transitional amount of money to satisfy some of the demands and desires of the existing senior population.

Commissioner Schleicher stated the language "...at the sole discretion of the Council on Aging." And she has an issue with that. DeLand Mayor Apgar replied the reason is because somebody had to have the final word, any improvement the agency wants to make to the building the City would have the final word because the City owns the building.

Commissioner Denizac stated she is concerned that the City Attorney does not have the final settlement agreement and cannot provide the Commission with advice and Mrs. Vose agreed. DeLand Mayor Apgar stated he will work tomorrow to get Mrs. Vose the final order and Mrs. Vose replied she was told it was confidential.

Commissioner Denizac recommended when things like this come about, the discussions need to be inclusive of the entire Commission, it is important to work together, that everyone is informed, that everyone is on the same page, and when this does not happen it creates resentment.

Commissioner Nabicht stated the contract with the Council on Aging is up for renewal on December 30, 2014 and he proposed considering incorporating into the renewal a proposed timeline of some sort and the intent of the process for the three (3) year deadline regardless of who is sitting on the Commission which is the best way to protect the use of the money. He stated he does not want to see a lot of the \$400,000 spent on the current facility, the money could be a nice down payment for a new center someplace, the Commission needing to sit down with the agency to contractually tie up the money and what it is intended to be used for, possibly using some of the money or splitting the cost between the City and the agency for a preliminary design for a new facility, that the City could provide property for a new facility, and that he would like to see the details of final judgment in the contractual agreement so the project continues to move forward.

Commissioner Barnaby stated it appears that the Community Center has morphed into a Senior Center, he is disappointed with the results of how the money was distributed as he thought it was coming to Deltona, he is debating whether to renew the contract with the agency, the agency having served the City well so far, and being against anyone telling the City what to do with its facilities.

Vice Mayor Herzberg stated the Trust was left to the Council on Aging and the Salvation Army with the instructions to use it to help the seniors in Deltona and was never left to the City of Deltona as a beneficiary. The City needs money for a new senior center facility because the current one is old, dilapidated, and a hazard for the elderly and will take a lot of money to repair. The Commission needs a game plan and either way, the City needs to look at the current facility and come up with a plan for the future. She questioned how the Commission could consider not renewing the contract with the Council on Aging. The Commission needs to look at the big picture and in the long run it is about what is best for the residents of Deltona.

DeLand Mayor Apgar stated Deltona is a third party beneficiary, the last thing anyone wants to do is pick a site and have it not work, and from the agency's perspective the money will be used as required, but the Commission needs to come up with what it wants. The Salvation Army received the money for the West Volusia area and was only willing to commit to being in Deltona for three (3) years because they would not guarantee to create a Deltona facility until it proved itself after that three (3) year period.

Commissioner Bellizio stated the money that comes into Deltona is at the Council on Aging's discretion and the Commission can only make recommendations of what it wants. There is a lack of metrics from the agency, the question the Commission should be asking is if the money spent on the agency is worth providing services to Deltona whether it is \$10,000 or \$16,000, the contract needing to be renewed despite the settlement and negotiations, and egos need to be set aside to determine and make a decision as to what is going to benefit the seniors.

Vice Mayor Herzberg asked if the money the agency receives to provide services to Deltona comes from where and staff replied \$8,167.50 is CDBG, \$16,000 is General Fund, and there is a Facility

Use Agreement.

After discussion, the Commission concurred for staff to provide the Commission the required reports for funding through CDBG for the Council on Aging, to look at other opportunities to provide additional services for seniors, and to schedule for a workshop a discussion regarding senior service facilities in the future.

Commissioner Schleicher asked if it would be beneficial to have a discussion with the Salvation Army because the agreement states that their portion of the money would fund senior services also. Mayor Masiarczyk replied it states that, but Deltona residents would have to go to them to get those services and Mrs. Vose concurred.

Commissioner Denizac stated she would like to see the City bus Deltona seniors to the DeLand Salvation Army and Mayor Masiarczyk replied the City Attorney could draft a letter to that affect.

Charly Poniatowski, Manager of Nutrition and Senior Programs, stated the CDBG and General Fund money goes toward the Senior Center for activities and everything else the agency does in that building is Federally and State funded and none of the money from the City's funds goes toward those programs. She stated even if the City were to pull everything else the Meals on Wheels and congregate dining would still continue. The reason the agency utilized the funds was because that site is not profitable, seniors do not have a lot of money, seniors do not pay a lot of money and the agency always comes out in the red. She stated the agency's stand has always been that the money would stay in Deltona. She stated that the reports provided for the CDBG and General Fund are only going to reflect what happens on the senior side of it and not Meals on Wheels because it is not funded by that, however, she can do a spreadsheet of all the data.

Vice Mayor Herzberg stated there are layers of entities who provide services to the area, the need to do what is right for the residents, exploring other options, no room for additional services in the current facility because there is not enough room for all the agencies that want to use the facility now.

Commissioner Denizac asked how many seniors there were in Deltona and Ms. Poniatowski replied there are 60-100 seniors served by Meals on Wheels, in the slow months 50-60 seniors a day are served lunch and in the busier months 80-90 seniors a day are served lunch. These numbers do not include the seniors that play pea knuckle or bingo. Some seniors are provided transportation by Votran, some drive themselves, some carpool and all of them have to be continent because there are no caregivers on staff.

Commissioner Barnaby stated for the record he is going to be voting in support of the Council on Aging.

Commissioner Denizac asked how many seniors were in the City and Charly explained that those are not the people who the agency provides services to, some seniors may not want the meals, but might have a homemaker clean for them or bath them and she can provide those numbers also.

DeLand Mayor Apgar suggested the Commission might have partnership opportunities to make

what they want work like the hospital that is opening a facility in the City, the YMCA, or other agencies that could provide good services and that the Commission should explore those options quickly.

Economic Development Manager Jerry Mayes replied that Halifax Hospital is coming into Deltona, Florida Hospital is here, and both are currently working on a project together. The City could partner with the two (2) entities and with the help of the City's Grants Coordinator and the land that the City already owns there are some definite possibilities.

Commissioner Bellizio stated that the bottom-line for non-profits is the bottom-line and the effect that they have on the seniors' lives cannot always be measured by what services they provide and asked the Commission to keep that in mind when working with other non-profits in the future and try to gauge the positive impact.

Mayor Masiarczyk opened the meeting to the public.

Oscar Perez, OBR Rescue, asked how to rent a City facility for meetings and Mayor Masiarczyk replied that he needed to contact the Parks & Recreation Director Steve Moore.

Mayor Masiarczyk closed the meeting to the public.

Vice Mayor Herzberg passed out invitations to the Commission for the River of Lakes Heritage Corridor Board's Premier Screening of "There's More to Florida" at Athens Theatre in DeLand on October 8, 2014 at 6:00 p.m.

Mayor Masiarczyk stated the film does not show Deltona in a bad light, it follows the book, it is very well written, narrated by Sandy Walters and there are appearances by him, DeLand Mayor Apgar, County Councilmember Pat Northey and others and shows Southwest Volusia in a good light.

Vice Mayor Herzberg provided Mr. Baker the 2016 Special Category Grants, Historic Preservation Grants to have staff look into seeing if grants can be provided to Deltona.

5. CITY MANAGER COMMENTS: None.

6. ADJOURNMENT:

There being no further business the meeting adjourned at 6:40 p.m.

Joyce Raftery, CMC
City Clerk