



# City of Deltona

2345 Providence Blvd.  
Deltona, FL 32725

## Regular Commission Meeting

### City Commission

*Mayor John C. Masiarczyk Sr.*  
*Vice Mayor Heidi Herzberg*  
*Commissioner Anita Bradford*  
*Commissioner Gary Mitch Honaker*  
*Commissioner Robert D. McFall*  
*Commissioner Chris Nabicht*  
*Commissioner Victor M. Ramos*

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Monday, May 21, 2018

6:30 PM

Deltona Commission Chambers

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#### 1. CALL TO ORDER:

#### 2. ROLL CALL – CITY CLERK:

#### 3. INVOCATION AND PLEDGE TO THE FLAG:

##### A. [Invocation Presented by Mayor Masiarczyk.](#)

**Background:**

At the Regular City Commission Meeting on Monday, October 17, 2011, the City Commission approved to have each Commissioner by District schedule someone to present the invocation at each Regular City Commission meeting rotating each Commissioner by District starting with District #1, #2, #3, #4, #5, #6 and the Mayor.

#### 4. APPROVAL OF MINUTES & AGENDA:

##### A. [Approval of minutes - Regular Commission Meeting of May 7, 2018, as presented. - Joyce Raftery, City Clerk \(386\) 878-8502.](#)

**Background:**

N/A

**Attachments:**

[May 7, 2018 Minutes](#)

#### 5. PRESENTATIONS/AWARDS/REPORTS:

##### A. [Proclamation - Emergency Medical Services Week, May 20-26](#)

**Background:**

A proclamation for Emergency Medical Services Week, May 20-26, 2017 with the theme, “EMS Strong: Stronger Together” to recognize members of emergency medical services teams who are ready to provide lifesaving care to those in need 24 hours a day, seven days a week.

**Attachments:**     [Emergency Medical Services Week 2018](#)

- B. [Volusia County Sheriff's Office update on License Plate Readers and other crime statistics. Captain P. Kammerer, Volusia County Sheriff's Office, \(386\) 860-7030.](#)

[Strategic Goal: Internal and External Communication.](#)

**Background:**             Volusia County Sheriff's Office update on License Plate Readers and other crime statistics.

- C. [Presentation: Certus Memory Care Facility - Jane K. Shang, City Manager, City Manager Office, \(386\) 878-8858.](#)

[Strategic Goal: Economic Development - Work with existing businesses to expand/grow.](#)

**Background:**             Certus has a new memory care facility in Orange City and will provide a synopsis of their services (see attached).

**Attachments:**     [Certus Presentation Deltona](#)

**6. CITY COMMISSION SPECIAL REPORTS, REQUESTS AND DISCUSSION TOPICS:**

**7. PUBLIC FORUM: - Citizen comments are limited to issues and concerns not on the agenda and comments on items listed on the agenda will take place after discussion of each item.**

*Citizen comments for any items. (4 minute maximum length per speaker)*

**CONSENT AGENDA: The consent agenda contains items that have been determined to be routine and non-controversial. If anyone in the audience wishes to address a particular item on the consent agenda, now is the opportunity for you to do so. Additionally, if staff or members of the City Commission wish to speak on a consent item, they have the same opportunity.**

**8. CONSENT AGENDA:**

- A. [Request for approval of Resolution No. 2018-21, Extension of Interlocal Agreement with Volusia County for distribution of Local Option Fuel Tax Proceeds for one year beginning September 1, 2018 through August 31, 2019 - Camille Hooper, Finance Director \(386\) 878-8552.](#)

[Strategic Goal: Fiscal Issues - Maintain current fiscal stability.](#)

**Background:**             In 2003 the City entered into an interlocal agreement with Volusia

County for the distribution of Local Option Fuel Tax proceeds for the period of September 1, 2003 through August 31, 2013. This agreement includes a formula for distribution of these tax proceeds based on several factors, including property values, population, and roadway mileage. In June 2013 the City and County approved a renewal of the agreement for five additional years beginning September 1, 2013 through August 31, 2018.

The County and sixteen municipalities currently participate in the distribution of Local Option Fuel Taxes. Revision of the distribution formula would require negotiation among these parties and is unlikely to be completed prior to expiration of the current agreement. Volusia County has approved a one-year extension to the interlocal agreement. As a result, staff recommends that the Commission approve a one-year extension of the existing agreement to allow uninterrupted revenue distributions while the participating entities reevaluate the distribution formula.

Resolution No. 2018-21 approves an extension of the existing agreement with the County through August 31, 2019.

**Attachments:**

[Resolution No. 2018-21](#)

[Local Option Fuel Tax - Interlocal Agreement](#)

[Deltona Interlocal Agreement](#)

[Volusia County 1 Year Renewal to Interlocal Agreement](#)

- B. [Request for approval of Resolution No. 2018-22, approval of prior year \(FY 2016/2017\) budget carryforward of Capital Equipment Replacement Funds in order to provide funding to complete certain City initiatives. Camille Hooper, Finance Director \(386\) 878-8552.](#)

[Strategic Goal: Fiscal Issues](#)

**Background:**

During the 16/17 fiscal year the City Commission approved the purchase of License Plate Readers and a Purchase Order was entered into; however the process was not completed in the fiscal year approved. Staff is requesting approval to carry forward funding for the completion of the purchase.

**Attachments:**

[2018-043 LPRs Carryforward](#)

[R-2018-22 - Capital Equipment Carry Forward - LPRs](#)

- C. [Request for approval of Resolution No. 2018-23, approval of expenditure of \\$20,000 for the annual maintenance and software support for the VCSO License Plate Readers. Mari Leisen, Deputy Finance Director \(386\) 878-8553.](#)

Strategic Goal: Public Safety

**Background:** During the 16/17 fiscal year the City Commission approved the purchase of License Plate Readers and a Purchase Order was entered into; however the process was not completed in the fiscal year approved. The equipment has been installed, however the annual maintenance was not budgeted for this fiscal year. Staff is requesting approval of the expenditure to enter into an annual maintenance agreement with NDI Technologies, Inc.

**Attachments:** [2018-048 Resolution 2018-23 Annual Maint LPR](#)  
[2018-048 Annual Maint LPR Program](#)

- D. [Request for approval of Resolution 2018-24 in support of Florida League of Cities Amicus Brief in Halifax Health appeal to the Florida Supreme Court pertaining to bonds for construction of their hospital in Deltona, Volusia County, Florida. Marsha Segal- George, Assistant City Attorney, \(386\) 878-8872.](#)

Strategic Goal: Internal / External Communication.

**Background:** Halifax Health has a free standing emergency department in the City and is currently building a new 96-bed acute hospital in Deltona, Florida which is important to the residents of the City and the economic impact of those services being located within Deltona. Volusia County Circuit Judge Christopher Frances denied Halifax Health's request for a bond validation in Case Number 2018-30059. Halifax Health is appealing this ruling to the Florida Supreme Court. The Florida League of Cities and the Florida Association of Counties are filing an Amicus Brief (friend of court) in Halifax Health appeal to the Florida Supreme Court. The City supports Florida League of Cities and Florida Association of Counties in their filing of an Amicus Brief in this matter in which the importance and prevalence of interlocal agreements between cities and special districts, like the interlocal agreements between Deltona and Halifax, will be presented to the Florida Supreme Court.

**Attachments:** [Resolution 2018-24](#)

- E. [Request approval of Resolution No. 2018-25, budget amendment for transfer of funds from the 2017-2018 Law Enforcement Impact Fees Fund to Replacement Equipment Fund. - Camille Hooper, Finance Department \(386\) 878-8552.](#)

Strategic Plan: Fiscal Issues - Maintain current fiscal stability, and promote an effective system of checks and balances.

**Background:** The Volusia County Sheriff's Office has requested funds to purchase bicycles for use by VCSO deputies on patrol within the City of Deltona.

This budget amendment will provide for a transfer from the Law Enforcement Impact Fees Fund to the Replacement Equipment Fund for this purchase.

**Attachments:** [2018-044 Resolution 2018-25 Law Enforcement Tsfr Out - 2018-044 VCSO Bikes](#)

- F. [Request approval of Resolution No. 2018-26, budget amendment for transfer of funds to the 2017-2018 Replacement Equipment Fund from the Law Enforcement Impact Fees Fund. - Camille Hooper, Finance Department \(386\) 878-8552.](#)

[Strategic Plan: Fiscal Issues - Maintain current fiscal stability, and promote an effective system of checks and balances.](#)

**Background:** The Volusia County Sheriff's Office plans to purchase bicycles for use by deputies on patrol in Deltona. This budget amendment reflects the transfer to the Replacement Equipment Fund from the Law Enforcement Impact Fees Fund for the purchase.

**Attachments:** [2018-045 Resolution 2018-26 Replacement Equipment Tr 2018-045 VCSO Bikes](#)

- G. [Request approval of Resolution No. 2018-27, General Fund budget amendment to reflect receipt of FEMA reimbursements for Hurricane Matthew. - Camille Hooper, Finance Department \(386\) 878-8552.](#)

[Strategic Plan: Fiscal Issues - Maintain current fiscal stability, and promote an effective system of checks and balances.](#)

**Background:** Hurricane Matthew struck Deltona in October 2016. The City submitted reimbursement claims to the Federal Emergency Management Agency (FEMA) in early 2017 for expenses for pre-storm protective measures, debris removal, and repair of damages to City property. After review by both FEMA and Florida Public Assistance, the City finally received reimbursements of approximately \$1,604,200 in April 2018.

**Attachments:** [2018-046 Resolution 2018-27 FEMA Reimbursement 2018-046 FEMA Reimbursement](#)

## 9. ORDINANCES AND PUBLIC HEARINGS:

- A. [Public Hearing - Ordinance No. 03-2018, Rezoning a ±3.5 Acre Tract from Professional Business \(PB\) to C-1 \(Retail Commercial\), at second and final reading - Ron A. Paradise, Assistant Director, Planning and Development Services, \(386\) 878-8610.](#)

[Strategic Goal: Economic Development - Focus on Howland Blvd. as the gateway for commercial growth.](#)

**Background:**

The proposal is to rezone a ±3.5 acre tract located along the Howland Blvd. corridor from Professional Business (PB) to C-1 (Retail Commercial). In the PB zoning district, permitted principal uses include office, financial institutions, and single family residences. The requested C-1 zoning district has a more expansive list of permitted principal uses, with the intent of being neighborhood oriented. This amendment request is in keeping with similar changes along Howland Blvd. from PB to C-1 (i.e. the Dunkin Donuts vacant land east of Roseapple Ave.) The requested C-1 zoning amendment is also consistent with the City's Comprehensive Plan.

Further, as part of the rezoning application, a traffic impact analysis (TIA) was submitted that indicated that Howland Blvd. has capacity to serve the subject property with commercial uses. However, other roadway segments will be caused to operate below an acceptable concurrency level of service (LOS). Thus, options exist for the applicant to either improve off-site areas or provide proportionate fair-share mitigation. For more information regarding this rezoning request, please see the attached support documentation. Finally, the City Commission approved Ordinance No. 03-2018, at first reading, at the April 2, 2018, public hearing. On May 7, 2018, City Commission tabled, date-certain, the ordinance due to an error in due public notice. The date-certain public hearing of May 8, 2018, is the second and final reading of the ordinance.

**Attachments:**

[Ord No. 03-2018](#)

[Staff Report](#)

[Transportation Impact Analysis](#)

[TIA Peer Review](#)

[Map Series](#)

- B. Public Hearing - Ordinance No. 11-2018, amending Chapter 96 - Improvements, Article II - Design and Construction Standards of Improvements, Sections 96-34 related to sewer connection, providing voluntary connection to sewer facilities for existing residential customers, at second and final reading. - City Attorney, (386) 878-8872.

Strategic Goal: Infrastructure - Include requirements for utilities when reviewing site plans for permitting.

**Background:**

The City Commission has identified that a need exists and there is a desire to amend provisions of Chapter 96 - Improvements and to include a provision which allows existing residential customers to voluntarily connect to the City of Deltona sewer system, if the customer so desires and if such sewer service is available, but does not under any circumstance force an existing residential customer to connect to the City of Deltona's sewer system.

**Attachments:** [Ordinance No. 11-2018](#)

- C. [Public Hearing - Ordinance No. 13-2018, Amending the Firefighters' Pension Plan to reflect language agreed to in the 2015 Collective Bargaining Agreement, provide clarifying language for eligibility for disability benefits and moving language to a more appropriate section of the plan, at second and final reading. - City Attorney \(386\) 878-8872.](#)

[Strategic Goal: Internal & External Communication - Improve Intergovernmental Coordination.](#)

**Background:**

Section 46-33, Benefit Amounts and Eligibility, is being amended to reflect the potential cost of living and retirement subsidy adjustments in the 2015 Collective Bargaining Agreement due to oversight the pension ordinance was not revised.

Section 46-35, Disability, is being amended to more clearly identify the eligibility requirements for members who apply for disability benefits.

Section 46-56, Retirement Subsidy, is being moved to the Benefit Amounts and Eligibility Section of the plan as subsection (g).

**Attachments:** [Ordinance No. 13-2018](#)

10. OLD BUSINESS:

11. NEW BUSINESS:

12. CITY ATTORNEY COMMENTS:

13. CITY MANAGER COMMENTS:

14. CITY COMMISSION COMMENTS:

15. 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.*