



City of Deltona

2345 Providence Blvd.
Deltona, FL 32725

Regular Commission Meeting

City Commission

Mayor Heidi K. Herzberg
Vice Mayor Victor M. Ramos
Commissioner Maritza Avila-Vazquez
Commissioner Anita Bradford
Commissioner Loren King
Commissioner Robert D. McFall
Commissioner Chris Nabicht

Monday, March 18, 2019

6:30 PM

Deltona Commission Chambers

1. CALL TO ORDER:

3. INVOCATION AND PLEDGE TO THE FLAG:

[Invocation Presented by Vice Mayor Ramos.](#)

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 of the Regular Commission Meeting of March 4, 2019, as presented. - Joyce Raftery, City Clerk \(386\) 878-8502.](#)

Background:

N/A

Attachments: [March 4, 2019 Minutes](#)

5. PRESENTATIONS/AWARDS/REPORTS:

- A. [Presentation - Volusia County Sheriff's Office year in review.](#)

Background:

The Volusia County Sheriff's Office will be providing a PowerPoint Presentation on the City of Deltona Year in Review 2018.

Attachments: [2018 Year in review Deltona.pdf](#)

- B. [Code Enforcement Update.](#)

- C. [Halifax Hospital Update.](#)

Background: To update the Commission and residents on Halifax Hospital.

Attachments: [Trauma Emergency Services](#)

D. [Social Media Update.](#)

E. [Proclamation - American Legion Centennial Day](#)

Background: The American Legion is celebrating a century of patriotic service to veterans, their families and our community, state and nation. Since it was chartered, June 19, 2000, the Sgt. David G. Ledgerwood American Legion Post 255 in Deltona, Florida, has been making our community a better place.

This year, The American Legion celebrates its 100th anniversary. Therefore, the City of Deltona Commission and Staff would like to recognize our local American Legion Post and their many accomplishments and programs.

Attachments: [American Legion Centennial Day](#)

F. [Certificate of Achievement - Jonah Dujanovic](#)

Background: Jonah is an 18 year old home school high school student. He loves flying planes, God, his family, his Country, and adventure of any kind. He is loyal, polite, strong, tenacious and a natural born leader, and has been home schooled his entire academic career.

He has been dual enrolled in college since the age of 13 and is halfway through his Bachelor of Science in Aviation, and currently holds an FAA Student Pilot's License and is working toward his Private Pilot's License and Certification.

Jonah just had his Eagle Court of Honor to recognize his accomplishment of attaining the highest rank in Boy Scouts of America that of the Eagle rank. A rank only 4% of Scouts ever achieve. Jonah has chosen to continue in Scouting in a leadership and mentoring role as an Assistant Scout Master with Troop 306, DeBary, FL.

In 2017, Jonah was the recipient of sponsorship by the American Legion Riders, Post #255, Deltona, FL to attend the National Flight Academy in Pensacola, FL. This amazing and generous opportunity was life changing for Jonah and only solidified his love of aviation.

Jonah is a musician of 10 years, playing piano and currently owns his own business as a Private Piano Instructor. He currently teaches

private lessons as well as an independent contractor with Ryan Ace Music in Deltona.

Jonah currently has a weighted GPA of over 4.0.

Jonah will graduate high school this May and plans to continue flying and hopefully earn scholarship enough to continue on with Liberty University or be received into the Air Force Academy. His dream is to serve his country as an Air Force Pilot.

Attachments: [Jonah Dujanovic](#)

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. Please be courteous and respectful of the views of others. Personal attacks on Commission members, City staff or members of the public are not allowed, and will be ruled out of order by the Mayor.

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 Tree Replacement Fund - Ryan Reckley, Director, Parks and Recreation, \(386\) 878-8902.](#)

[Strategic Goal: Infrastructure/Public Safety](#)

Background:

In our continuing effort to beautify and improve our park facilities, we are requesting \$106,095.00 from the tree replacement fund. In addition, this project will also provide enhanced security and a safe environment for the residents who visit our parks and will provide an additional tool for our law enforcement partners when patrolling the various parks throughout the City.

Based on these criteria, staff requests approval of the tree replacement fund and upon approval authorizes the necessary budget transfers to facilitate Commission approval and further authorize the City Manager to sign any documents necessary to further Commission approval of this item.

Attachments: [Updated Tree Beautification Cost](#)

- B. [Request for approval of Resolution No. 2019-09 declaring certain property of the City as surplus and authorizing the sale or disposal of such property - Camille Hooper, Finance Department \(386\) 878-8552.](#)

[Strategic Goals: Fiscal Issues](#)

Background:

Over time certain items of the City become obsolete or lose their usefulness via replacement, upgrade or loss of functionality. These items should be declared surplus and disposed of by the most appropriate means available. The attached Resolution declares certain vehicles and equipment as surplus and authorizes their disposal.

Upon approval authorizes the necessary budget transfers to facilitate Commission approval and further authorized the City Manager to sign any documents necessary to further Commission approval of this item.

Attachments: [2019-09 - Disposal of Surplus Property Surplus Assets 20190318](#)

9. ORDINANCES AND PUBLIC HEARINGS:

- A. [Public Hearing- Request for approval of Ordinance No.06-2019, to provide Exclusive Solid Waste Service by the City of Deltona - Residential & Commercial, at first reading and to schedule second and final reading on April 15, 2019 - Marshal Segal-George, Assistant City Attorney. \(386\) 878-8873.](#)

[Strategic Goal-Fiscal Issues](#)

Background:

The City is following the Process set out by Florida Statutes, Section 403.70605 (3) (b) to legally providing exclusive solid waste collection service for commercial properties as described in Exhibit H of the City's Solid Waste contract.

Documents provided pursuant to this Public Hearing include; Exhibit H; the current commercial rates in the City's Solid Waste Contract; a Memorandum; A list of the known providers in the immediate area; the notice provided my mail and in the newspaper; Ordinance No. 06-2019 to initiate City control of commercial waste.

Upon approval of this item authorizes the necessary budget transfers to facilitate Commission approval and further authorized the City Manager to sign any documents necessary to further Commission approval of this item.

Attachments: [Ordinance No. 06-2019](#)
[Memorandum- Exclusive Commercial Waste Collection](#)
[Ehibit H](#)
[45 day Notice](#)
[Publication- Orlando Sentinel](#)

- B. [Public Hearing- Request for approval of Ordinance No. 07-2019, amending Chapter 50, Solid Waste to amend provisions relating to franchise, providing definitions, providing for conflicts, providing for severability, and providing an effective date, at first reading and to schedule second and final reading on April 15, 2019 - Marshal Segal-George, Assistant City Attorney. \(386\) 878-8873.](#)

[Strategic Goal- Fiscal Issues](#)

Background: The City Commission has identified that a need exists for Franchise Fees and desires to amend Chapter 50 - Solid Waste, Article II- Services; Division 2.- Private Collection Services, Section 50-21 Franchises to provide regulatory requirements, clarity and transparency as to private waste collection services. The City of Deltona desires to add code provisions so that the collection, transporting and disposal of waste and recyclables shall be accomplished only by those persons or entities authorized by the City by means of a franchise agreement, and that such disposal shall only be accomplished at City approved waste facilities.

Upon approval authorizes the necessary budget transfers to facilitate Commission approval and further authorized the City Manager to sign any documents necessary to further Commission approval of this item.

Attachments: [Ordinance No. 07-2019](#)
[Franchise Rates](#)

- C. [Public Hearing - Ordinance No. 02-2019, Amending the Firefighters' Pension Plan to comply with the Internal Revenue Code \(IRC\) and its associated Regulations, as well as the Internal Revenue Service \(IRS\) and recent litigation, at first reading and to schedule second and final reading. - Joyce Raftery, City Clerk \(386\) 878-8502.](#)

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

Background: The proposed ordinance was prepared by Scott Christiansen, attorney for the Board of Trustees of the City of Deltona Firefighters' Pension Plan and has been reviewed by the City Attorney.

The proposed ordinance amending the City of Deltona Firefighters' Pension Plan which is recommended by the Board for adoption by the City Commission. With changes to the Internal Revenue Code (IRC) and its associated Regulations, as well as guidance from the Internal Revenue Service (IRS) and recent litigation, the following amendments to the pension plan are proposed:

Section 46-26, Definitions, is being amended to incorporate the mortality table and interest rate currently being used by the plan's actuary. Reflecting the interest rate assumption set forth in the valuation rather than a specific interest rate negates the need to amend the ordinance every time a change is made to the assumption rate.

Section 46-33, Benefit Amounts and Eligibility, is being amended to clarify that this flat dollar retirement subsidy is not subject to COLA increases.

Section 46-45, Miscellaneous Provisions, is being amended to add subsection (j), Missing Benefit Recipients. This provision is in accordance with a recent IRS Programs Compliance Memorandum that requires plans to have an approved method for locating terminated individuals who are due benefits from the plan.

Section 46-54, Deferred Retirement Option Plan, is being amended to remove subsection (t) (8), Prevention of Escheat and re-number the remaining subsections. The information contained in this subsection is being expanded in accordance with IRS guidance and moved to the Miscellaneous Provisions Section of the Plan where it will apply to all benefit recipients rather than just DROP recipients.

Section 46-55, Reemployment After Retirement, is being amended to make several changes as required by the Internal Revenue Code to satisfy the qualification requirements applicable to the reemployment of a disability retiree. Additional changes have been made to clarify reemployment after receipt of early retirement benefits.

Upon approval of this item authorizes the necessary budget transfers to facilitate Commission approval and further authorizes the City Manager to sign any documents necessary to further Commission approval of this item.

Attachments: [Ordinance No. 02-2019.pdf](#)
[Christiansen & Dehner PA Letter](#)
[No Impact Letter](#)

10. OLD BUSINESS:

- A. [Inventory of Deltona Parks, Update of Parks Improvements and request for approval of Dewey Boster Multi-generational, inclusive fitness equipment/stations - Ryan Reckley, Director, Parks and Recreation Department, \(386\) 878-8902.](#)

[Strategic Goals: Infrastructure](#)**Background:**

As requested by the City Commission, staff completed an inventory of the City's parks for amenities. See attached spreadsheet. Five parks are considered inclusive accessible playgrounds. Since 2016 over three million dollars have been invested to update the City's parks. As Parks and Recreation continues its efforts to improve our park facilities and enhance the quality of life in the City of Deltona, we are requesting approval of \$240,000 for inclusive exercise stations. We are utilizing anticipated cost savings from our current CIP projects and the unencumbered fund balance from the Parks Project fund which will allow us to fund this project without requesting funding from the general fund reserves. This project was initially identified, but put on hold, in the FY 18/19 budget.

These exercise stations can be accessed by individuals of all abilities. This project will encourage our residents to take advantage of the workout stations which will help to combat the obesity epidemic in America, promote a healthier lifestyle, encourage social interaction in our community and is a first of its kind workout destination in our City.

Dewey Boster's daily traffic to that park makes it the ideal location for this project. Visitors who walk the trail, use this park for events as well as our league partners will all benefit from these workout stations. If approved, the equipment can be installed by June 2019.

Upon approval authorizes the necessary budget transfers to facilitate Commission approval and further authorizes the City Manager to sign any documents necessary to further Commission approval of this item.

Attachments: [Parks CIP update 3-18-2019](#)
[Parks 18-19 Budget Documents](#)

- B. [Request for approval of Resolution 2019-11, Creation of Deltona Water Customer Assistance Fund - Camille Hooper, Finance Department, 386 878-8552.](#)

[Strategic Goal: Social Services - Continue to foster a wide variety of effective](#)

[and targeted social services for City residents.](#)

Background:

The City Manager tasked staff with investigating the feasibility of a fund to accept voluntary donations to assist financially needy customers of Deltona Water.

The proposed Fund would receive voluntary monetary donations made online or in person. All donations and any interest earnings would be maintained separately from all other City funds, and would be remitted periodically to Community Life Center, to be distributed to Deltona homeowners who are customers of Deltona Water and who qualify for assistance under the CLC's Utilities Assistance Program.

Resolution 2019-11 authorizes creation of the Deltona Water Customer Assistance Fund. Upon approval authorizes the necessary budget transfers to facilitate Commission approval and further authorizes the City Manager to sign any documents necessary to further Commission approval of this item.

Attachments: [DRAFT Resolution 2019-11](#)

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.