



City of Deltona

2345 Providence Blvd.
Deltona, FL 32725

Minutes

Special City Commission Meeting

Saturday, November 2, 2024

9:00 AM

Deltona Commission Chambers

1. CALL TO ORDER:

The meeting was called to order at 5:30 p.m. by Mayor Avila.

2. ROLL CALL – CITY CLERK:

Present: 7 - Mayor Avila
Vice Mayor JodyLee
Commissioner Avila-Vazquez
Commissioner Colwell
Commissioner Heriot
Commissioner McCool
Commissioner Shimkus

3. PLEDGE TO THE FLAG:

4. BUSINESS:

A. City Commission discussion and approval of City Attorney contract with the TG Law.

Motion by Commissioner Heriot, seconded by Commissioner Colwell, to approve the City Attorney contract with the TG Law firm with Option A.

Commissioner Avila-Vazquez requested that language be included that the City Attorney participate in directors' meetings and union negotiations.

Mayor Avila agreed and Commissioner Heriot stated it is doable under item K. of the contract.

Commissioner Avila-Vazquez stated she would like it specified in the contract.

The City Manager stated he would have no issue with that in general but, the people in that room work directly for the City Manager and the City Attorney does not.

Amended motion by Commissioner Heriot, to include that the City

Attorney participate in union negotiations. The amended motion died for lack of a second.

Vice Mayor JodyLee withdrew his second to the main motion so the main motion dies for lack of a second.

Commissioner Shimkus requested to specifically indicate the review process to include a review at six (6) months and include a list of categorized billing. Also, to include language that states "up to 3%".

Attorney Torcivia spoke about the cancellation clause in the contract and the reason for it. The firm is happy to accommodate the Commission, it does not have to be in the contract and it can be direction from the Commission. As the Charter Officer the firm serves the Commission and the City. One of the firm's missions is to build a culture of accountability, trust and transparency where employees and the Commission will feel comfortable going to the firm without hesitation. The firm is coming into this with a clear perspective that they need to educate, keep people apprised, be transparent and build those relationships of trust so that everyone knows the firm is part of the team/family to move the City forward. The latitude is in the contract that the Commission can direct the firm as necessary.

Commissioner Shimkus requested to add the language "up to 3%" increase and add a "six (6) month review".

Motion by Commissioner Heriot, seconded by Commissioner Colwell, to approve the City Attorney contract with the TG Law firm with Option A with the change to add "up to 3%" and to provide direction to participate in union negotiations, and that at the six (6) month review a categorized report will be provided to the Commission.

5. PUBLIC FORUM:

Mayor Avila opened the public comments and Tara D'Errico, Kathy Bryan and Tim Blodgett.

The motion carried by the following vote:

For: 6 - Mayor Avila, Vice Mayor JodyLee, Commissioner Colwell, Commissioner Heriot, Commissioner McCool, and Commissioner Shimkus

Against: 1 - Commissioner Avila-Vazquez

6. CITY MANAGER COMMENTS:

7. ADJOURNMENT:

There being no further business, the meeting adjourned at 5:58 p.m.

Santiago Avila, Jr., MAYOR

ATTEST:

Joyce Raftery, CMC, MMC, CITY CLERK

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 Manager in writing at CityManager@deltonafl.gov or to Deltona City Hall, 2345 Providence Blvd., Deltona, FL 32725 at least 48 hours prior to the meeting at which the person wishes to attend. The City is not permitted to provide the use of human physical assistance to physically handicapped persons in lieu of the construction or use of ramps or other mechanical devices in order to comply with Florida law. If proper accommodations for handicapped access cannot be made at a particular public meeting venue pursuant to a timely written request under Section 286.26 F.S., the City Manager shall change the venue of that meeting to a location where those accommodations can be provided.

DECORUM POLICY: The City of Deltona has a significant interest in conducting orderly and efficient public meetings, which includes preventing disruption, promoting civility, and preserving decorum. To that end, behavior which disrupts or impedes the efficient and orderly conduct of any public meeting, as determined by the Mayor, or presiding officer, or a majority of the City Commission, is not permitted. The Mayor, or presiding officer, or a majority of the City Commission, may interrupt, warn, or terminate a speaker's statement when that statement is too lengthy, personally directed, abusive, obscene, irrelevant, or otherwise reasonably perceived to be a disruption to the fair and orderly progress of the discussion at hand. The Mayor, or presiding officer, or a majority of the City Commission, may also interrupt any part of the meeting to warn any individual that they are being disruptive or otherwise impeding the efficient and orderly conduct of the meeting. The Mayor, or presiding officer, or a majority of the City Commission, may require any individual to leave a public meeting for its duration if that individual is unable to observe this Policy after being warned. Should an individual be required to leave a meeting for violating this Policy, that person shall be escorted from Commission Chambers by a Volusia Sheriff's Deputy.

PUBLIC FORUM: Time permitted, public comments shall be limited to items on the agenda and shall not exceed two minutes. 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.