



City of Deltona

2345 Providence Blvd.
Deltona, FL 32725

Regular Commission Meeting

City Commission

Mayor Herzberg
Vice Mayor Bradford
Commissioner Avila-Vazquez
Commissioner King
Commissioner McCool
Commissioner Ramos
Commissioner Sosa

Tuesday, July 6, 2021

6:30 PM

Deltona Commission Chambers

1. CALL TO ORDER:

2. ROLL CALL – CITY CLERK:

3. INVOCATION AND PLEDGE TO THE FLAG:

A. [Invocation Presented by Commissioner Avila-Vazquez.](#)

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:

5. PRESENTATIONS/AWARDS/REPORTS:

A. [Presentation by Rocco Anastasio, Video Communications Producer, on Public Service Announcements \(PSAs\) for “loud noise” and “fireworks” - John A. Peters, III, P.E., Acting City Manager \(386\) 878-8858.](#)

[Strategic Goal: Internal & External Communications](#)

Background:

The City Commission requested that due to the upcoming July 4th holiday that staff create PSAs. Staff is presenting two PSAs, one on “loud noise” and the other on “fireworks”.

OPTIONS:

1. N/A

B. [Presentation - Quarterly Reports of City Advisory Boards/Committees - Joyce](#)

[Raftery, City Clerk \(386\) 878-8502.](#)

Background:

Quarterly Reports of City Advisory Boards/Committees:

- 1) Affordable Housing Advisory Committee (Written Report Only)
- 2) Firefighters Pension Plan Board - (Written Report Only)
- 3) Planning and Zoning Board - (Written Report Only)
- 4) Team Volusia - (Written Report Only)

Attachments:

[Affordable Housing Advisory Committee 2021- Q2](#)
[Firefighters Pension Plan 2021 - Q2](#)
[Planning & Zoning Board 2021 - Q2](#)
[Team Volusia Report 2021 - Q2](#)

6. ORDINANCES AND PUBLIC HEARINGS:

- A. [Public Hearing - Resolution No. 2021-33, Establishing the Tentative Proposed Millage Rate for the levy of ad valorem taxes for FY 2021/2022 - Camille Hooper, Finance Director, \(386\) 878-8552.](#)

[Strategic Goal: Fiscal Issues](#)

Background:

The Acting City Manager is proposing a millage rate of 7.8500 mills, a millage rate that is unchanged from the rate levied in FY 2020/2021 budget and reflects an increase of _____% from the rolled-back rate of _____mills. Staff proposes that the Commission adopt a tentative proposed millage rate of 7.8500 mills for FY 2021/2022. At the time of this writing, the City is waiting for the Volusia County Property Appraiser to publish the taxable values and rollback rate on July 1, 2021. Attached is Resolution No. 2021-33 establishing a tentative proposed millage rate. The adopted rate will be communicated to the Property Appraiser and used in the Notice of Proposed Property Taxes (TRIM Notices) issued to Deltona property owners in late August.

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

Options:

1. Accept the staff recommended millage rate of 7.8500 mills for FY2021/2022

2. Propose a different millage rate for FY2021/2022

Attachments: [2021-33 Resolution - Adopting Proposed Millage Rate for 2](#)

- B. [Public Hearing - Resolution No. 2021-34, Approval of the City of Deltona Community Development Block Grant \(CDBG\) Program Year 2021-2022 Annual Action Plan \(AAP\) - Ron A. Paradise, Director Planning and Development Services \(386\) 878-8610.](#)

[Strategic Goal: Fiscal Issues - administer grants.](#)

Background:

The City of Deltona is recognized by the United States Department of Housing and Urban Development (HUD) as an entitlement community and is therefore eligible to receive CDBG funding. For funding cycle 2021-2022, the City is tentatively approved to receive approximately \$600,000.

In order to appropriately manage federal grant dollars, HUD requires entitlement communities annually report how grant funds will be expended as part of an Annual Action Plan (AAP). The Plan illustrates how the City has used CDBG funds, how those funds were leveraged with State (SHIP) money and how CDBG funds will be used in the next year. There is also information presented in the report regarding COVID-19 allocations administered by the City.

CDBG money within the City of Deltona has been used to fund stormwater improvement projects, park and recreation upgrades, owner occupied home rehabilitation for low income households, and non-profit public service entities. Please note: parks and stormwater projects are directed to certain areas of the City with a preponderance of low income households known as Areas of Greatest Need (AGN).

For a number of years as part of the Annual Action Plan process, the City has funded through the annual Community Development Block Grant (CDBG) several public service entities providing a wide range of public services, including childcare, elder activities, homeless prevention (food, utility/rent assistance), counseling, and after school programs. The amount of money the City can allocate for public service applicant funding is capped at 15% of the entire annual CDBG entitlement. While the City of Deltona in the past has been encouraged by the United States Department of Housing and Urban Development (HUD) to fund public services, the City is under no obligation to fund public services or fund public services at or near the 15% cap. However, the City has had a history of funding various public services, and every year public service applicants are competing for limited CDBG public service dollars.

In the past, the Planning and Zoning Board (Board) ranked and provided a recommendation on public service funding. Since 2020, as per Commission direction, staff has performed the public service ranking and provide a funding recommendation. Staff ranking is predicated on written evaluation criteria. The criteria includes a range of important elements ranging from the demonstration of service capacity to usage of the HMIS or similar tracking system. This year there were five (5) public service applicants vying for up to \$89,000 in possible CDBG funds.

The ranking committee was made up of a cross section of four staff members who were provided with the application packages and the ranking criteria. Some staff members have experience with public service project implementation, contract compliance, and HUD monitoring and auditing requirements. Other staff members do not work directly in the community development disciplines but understand contract compliance, tax return matters, financial leveraging, staff capacity, etc. The ranking of the committee along with the amount recommended is as follows:

<u>Public Service Provider/Mission</u>	<u>Amount Proposed</u>
Neighborhood Center/Homelessness	\$22,000
Boys and Girls Club/Youth Programs	\$20,000
Hands of Hope/Homelessness	\$19,000
Council on Aging/Elder Activities	\$15,000
Early Learning Coalition/Childcare	\$13,000
Total	\$89,000

The ranking represents strict adherence to the points based ranking criteria reviewed by the City Commission, including implementing 'National Objectives' and City priorities. The ranking and suggested awards indicate the public service applicants were generally prepared to implement requisite missions. However, some of the applicants had greater capacity to implement missions. In addition, higher ranked applicants tended to be better leveraged having established relationships with other public funders and private donors. The ranking spreadsheet including, the scores and corresponding award amounts is illustrated as 'Exhibit 3' within the attached AAP.

The City has other community needs that are appropriate to be funded with CDBG money. As part of the attached Annual Action Plan, the City plans to use approximately \$300,000 to help construct drainage improvement projects for the Normandy Blvd. corridor. In addition, another \$21,000 will be allocated to improve drainage for the segment of E. Normandy Blvd. between Parker Av. and Lombardy Dr. The

infusion of CDBG money will facilitate these needed stormwater projects being more quickly advanced and realized.

The City has allocated the majority of the program year 2021-2022 funding to drainage, administration, and \$89,000 proposed to fund public services. Remaining funds will be allocated to administration (\$120,000) housing rehab or rental and utility assistance if needed (\$59,000).

For more information see the attached the Program Year 2021-2022 Annual Action Plan.

The Acting City Manager has the authority to make corrections of scrivener's errors and the like.

Alternatives

Alternative 1

Approve the funding as follows:

Drainage

- 1) Normandy/Providence Blvd. drainage improvement: \$300,000
- 2) Drainage, E. Normandy Parker-Lombardy segment: \$21,000
- 3) Public Service Funding:

<u>Public Service Provider/Mission</u>	<u>Amount Proposed</u>
Neighborhood Center/Homelessness	\$22,000
Boys and Girls Club/Youth Programs	\$20,000
Hands of Hope/Homelessness	\$19,000
Council on Aging/Elder Activities	\$15,000
Early Learning Coalition/Childcare	\$13,000
Total	\$89,000

- 4) Administration: \$120,000
- 5) Housing and Rent/Utility Assistance: \$59,000

Rational for approving Alternative 1: Alternative 1 represents CDBG compliant expenditures which will address needed City drainage infrastructure. In addition, the public service funding (ranking and award amount) has been vetted utilizing Commission accepted ranking methodology in light of National Objectives and City priorities. The total public service award amount does not exceed the CDBG 15% cap. The administration amount will pay for the Community Development Staff members and is consistent with CDBG rules - does not exceed 20% of grant award. Finally, the suggested housing and utility/rental allocation will be leveraged with SHIP or other funds to improve City housing stock and prevent homelessness.

Alternative 2

The City Commission, may choose other funding arrangements and projects. However, those projects and arrangements need to be consistent with HUD requirements including being located within an Area of Greatest Need and the myriad of Federal contractual and monitoring parameters. Finally, public service ranking and award amounts are based on staff ranking. If the rankings and awards are changed, such changes should be done in a manner that maintains the spirit and intent of the application and ranking process. For example and hypothetically, if the Commission were to award public service money to a provider that did not participate in the application and ranking process, the result would be an undermining of and a loss of confidence in the application/ranking process used by the City.

Recommendation

Staff recommends the City Commission approve Resolution No. 2021-34 and the funding allocations illustrated in Alternative 1 and direct the Acting City Manager to transmit the 2021-2022 PY Annual Action Plan to the U.S. Department of Housing and Urban Development.

Attachments: [Resolution CDBG 2021-2022 Annual Action Plan 2021-2022 AAP-FINAL](#)

7. OLD BUSINESS:

- A. [Request for approval of changes to the Deltona Economic Development Advisory Board By-Laws - Jerry Mayes, Acting City Manager's Department \(386\) 878-8619.](#)

Strategic Goal: Internal and External Communication

Background:

At the May 17, 2021 Regular Commission Meeting staff brought forward the appointments of the seven-member board, but those appointments did not take place. Staff and the Commission discussed the difficulties the board has been having with its members attendance at regularly scheduled meetings. One of the suggestions was to change the by-laws to address absences which is what is being presented.

The other suggestion was to poll the board members to see if a different day and/or time would work better for them. The results of the poll and the request to appoint seven members to the board also appear on this agenda (Item 7-B).

OPTIONS:

1. To approve the by-laws as presented.
2. To make changes to the by-laws.

Attachments: [DEDAB By-Laws \(Rev. Redlined 6-23-21\)](#)

- B.** [Consideration of appointments or re-appointments of seven \(7\) members and up to four \(4\) alternate members to the Economic Development Advisory Board. - Joyce Raftery, City Clerk \(386\) 878-8502](#)

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

Background:

The terms of all seven (7) members and the four (4) alternate members of the Deltona Economic Development Advisory Board (DEDAB) expired May 31, 2021 and were not appointed/re-appointed at the June 7th Regular Commission Meeting. At that meeting staff expressed concerns regarding the attendance of the members and it was suggested to poll the members to see if a better date/time would be more effective. Based on the results of the poll it was determined to keep the meeting schedule the same, on the second Friday of each month at 3:30 p.m. All members and alternate members have expressed that they wish to be re-appointed to this Board.

The City has run press releases, posted the opening on D-TV, the City's web page and on bulletin boards. To date the City has received applications from the following individuals: Ramon Rodriguez, Matt Rowley, Mario Santos and Eric Taulbee.

OPTIONS:

1. Reappoint members and alternates currently serving on the board.
2. Appoint new members and alternates to the board.

Attachments: [Deltona Economic Development Advisory Board By-Laws](#)
[DEDAB Member List](#)
[Member Eric Alexander](#)
[Member Jean Armstrong](#)
[Member Tanya Boggs](#)
[Member Edward Elliot](#)
[Member Glenn Woodley](#)
[Member Gina Martin](#)
[Member Rafael Ramirez](#)
[Alternate Roy Braddy III](#)
[Alternate Elizabeth Chavez](#)
[Alternate Ann Newman](#)
[Alternate Sterline St. Hilaire](#)
[Ramon Rodriguez - applicant](#)
[Matt Rowley - applicant](#)
[Mario Santos - applicant](#)
[Eric Taulbee - applicant](#)

8. NEW BUSINESS:

- A. [Discussion re: City Manager's Evaluation - John A. Peters, III, P.E., Acting City Manager, \(386\) 878-8858.](#)

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

Background:

The City Commission has discussed in recent meetings the need for Charter Officer evaluations and that the results be presented at a public meeting.

Attached for the Commission's use as applicable are the following documents:

- City Manager's performance evaluation as submitted by the City Commission;
- Section 7, City Charter, Charter Officers; and
- Acting City Manager's contract.

Attachments: [City of Deltona Charter](#)
[Acting City Manager's Contract](#)
[ACM 2nd Quarter Eval - Mayor](#)
[ACM 2nd Quarter Eval - V.M. Bradford](#)
[ACM 2nd Quarter Eval - C.Avila-Vazquez](#)
[ACM 2nd Quarter Eval - C.King](#)
[ACM 2nd Quarter Eval - C.McCool](#)
[ACM 2nd Quarter Eval - C.Ramos](#)
[ACM 2nd Quarter Eval - C.Sosa](#)

9. 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. Members of the City Commission shall not enter into discussion or respond to individuals' comments during the public forum other than to give directions or to ask for clarification. However, individual Commissioners may wish to respond under their "City Commission Comments". 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)

10. COMMENTS ON CONSENT ITEMS: Citizen comments are limited to issues and concerns on the Consent Agenda item(s). Please complete a public participation slip and indicate in the subject line the issue you wish to address. Members of the City Commission shall not enter into discussion or respond to individuals' comments during the public forum other than to give directions or to ask for clarification. 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.

11. CONSENT AGENDA: The Consent Agenda contains items that have been determined to be routine and non-controversial. If discussion is desired by any member of the City Commission, that item must be removed from the Consent Agenda and considered separately. All other matters included under the Consent Agenda will be approved by one motion. Citizens with concerns should address those concerns by filling out a public participation slip and giving it to the Deputy City Clerk prior to Consent Agenda items being pulled.

- A. [Request for approval of Resolution No. 2021-32, Authorizing the City to join as a participant in the MOU and Formal Agreements implementing a Unified Plan regarding the Opioid Litigation - John A. Peters, III, P.E., Acting City Manager, \(386\) 878-8858.](#)

Strategic Goal: Fiscal

Background:

The City is part of a class action case against various large-scale opioid producers that profited from the Country's opioid crisis. The class is comprised of almost every local government in the Nation. On June 3, 2019 the City Commission was brief in the opioid litigation and recommended for the City of Deltona to be included in the class action.

The Florida Attorney General has now proposed a framework for the comprehensive resolution of the current litigation. The proposed MOU established a method for determining how settlement sums would be paid to each governmental entity, as well as to regional and State funds. All money received must be spent on expanded or new programs to combat the opioid crisis. The amounts to be distributed to each County and Municipality shall be determined by the Negotiation Class Metrics or other metrics agreed upon, in writing, by County and a Municipality.

OPTIONS:

1. Adopt Resolution No. 2021-32
2. Deny Resolution No. 2021-32

Attachments:

[Resolution Opioid](#)

[Exhibit A](#)

[Summary of MOU & FAQ From Attorney General's Office](#)

- B.** [Request for approval of Resolution No. 2021-37 and budget amendment to provide funding for of the Parks Master Plan as part of the national accreditation process for the Parks Department. - Mari Leisen, Finance Department \(386\) 878-8553.](#)

Strategic Goals: Fiscal Issues

Background:

The commissioners voted to approve \$130,000 for the completion of the Parks and Recreation Master Plan at the June 21, 2021 regular commission meeting. A budget transfer of funds has been prepared to make the funds available.

OPTIONS:

1. Approve the budget amendment to move \$130,000 from Park Impact Fees to pay for the consultant to prepare the Parks and Recreation Master Plan.
2. Do not approve the budget amendment to move \$130,000 from Park Impact Fees to pay for the consultant to prepare the Parks and Recreation Master Plan.

Attachments: [2021-68 Parks & Rec Master Plan](#)
 [2021-37 Resolution - Parks and Recreation Master Plan B](#)

- C. [Request for approval to award Bid# PW 2021-02 opened on May 25, 2021 to General Underground, LLC for the Group 1 Water Main Replacements RE-BID project inn the amount of \\$2,415,109. - Steven Danskine, Public Works/Deltona Water \(386\) 878-8998.](#)

[Strategic Goal: Infrastructure](#)

Background: On May 25, 2021, the City opened bids on the Group 1 Water Main Replacements RE-BID project which includes the replacement of approximately 20,000 linear feet of aging watermains at various locations around the City. This project is part of the Utility's ongoing program to replace aging infrastructure in order to provide more consistent and dependable water to our customers, and to avoid costly, inconvenient, and potentially dangerous repairs. The low bid was from General Underground, LLC in the amount of \$2,415,109.

OPTIONS:

- 1: Approve - Proceed with the project for the proposed water system improvements.
2: Deny - Abandon the project without addressing the aging watermains and move on to other projects in the watermain replacement program.

Attachments: [Approved Agreement-General Underground](#)
 [GU Proposal-Deltona-Group 1 Water Main Replacement R](#)

12. CITY COMMISSION SPECIAL REPORTS AND REQUESTS:

13. CITY ATTORNEY COMMENTS:

14. CITY MANAGER COMMENTS:

15. CITY COMMISSION COMMENTS:

16. 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 3 business days in advance of the meeting date and time at (386) 878-8500.