

**Personnel, Operations & Procedures Committee
Volusia Growth Management Commission**

**MINUTES FOR MEETING HELD
Wednesday, February 26, 2020**

Daytona Beach City Hall
Conference Room #149A
301 S. Ridgewood Avenue
Daytona Beach, FL

The meeting was called to order at 6:30 p.m. by POP Committee Chair Debbie Connors.

The following POP Committee members were also present: Harold Briley, Larry Saffer, Robert Storke, Jack Surette and Mary Swiderski. Also in attendance were VGMC Chair Sid Vihlen, Jr., and VGMC Attorney Heather Ramos.

NEW BUSINESS

- 1) Approval of Minutes – January 22, 2020 POP Committee Meeting

Mary Swiderski made a motion to approve the minutes of the January 22, 2020 POP Committee meeting as presented; seconded by Robert Storke. Motion carried unanimously.

- 2) Discuss Request for Statement of Qualifications (RSQ) for VGMC Planning Contracts

Chair Connors stated a question had been raised as to whether or not there is a need to put the VGMC staff contracts out for competitive bid and we have asked Ms. Ramos to review and advise the committee on this issue. Mr. Vihlen commented that Ms. Smith raised the issue with him since it has been five years since the last solicitation and wants to be certain that the commission is not in violation of any state or county regulations.

Ms. Ramos addressed the committee. She stated that typically you would first look to see if there is a statute that governs the procurement department, which she stated there is not a statute that applies to the VGMC. Ms. Ramos further stated that then you would look to see if there is an ordinance or local policy that has been adopted which would apply. In this instance, she stated there is nothing specific in the county code that would apply to the commission. Within the VGMC procedures, she stated there is a policy which states the commission will solicit proposals from time to time following the solicitation and selection process consistent with the County's purchasing requirement. She stated the policy does not address what the resulting contract would look like, so then it becomes a business decision of the commission. Ms. Ramos stated the commission always needs to be fair and equitable. She added that the commission has put all contracts out for competitive bid in the past following the county solicitation and selection process, so it is ultimately a business decision of the commission if they wish to solicit new bids.

Ms. Connors commented that each of the contracts have a cancellation clause that the commission could exercise at any time. Ms. Ramos added that the consultants work at the pleasure of the commission.

Mr. Surette asked who looks over the contracts and terms. Ms. Ramos and Ms. Connors stated that Ms. Smith provides copies of the approved contracts to the county purchasing division as part of the process in establishing master agreements to facilitate payment to the consultants. Mr. Surette commented that unless the commission is under scrutiny, he felt a solicitation at this time is unnecessary.

There was general discussion relating to the need for VGMC to have consultants from outside of Volusia County to avoid conflicts.

Mr. Vihlen pointed out that Article VIII, Section 7 of the VGMC Rules of Procedures in part states "The commission shall solicit proposals from time to time as determined by the commission....". He felt the operative language was "as determined by the commission". Ms. Ramos agreed, and stated the commission has a good deal of leeway based upon the VGMC policy, and the absence of a statute or policy adopted by the commission that says otherwise.

There was brief discussion relating to the contract terms, and the committee members agreed that the contract language is consistent with the annual renewals the commission has practiced.

The committee was in agreement not to put any of the consultant contracts out for competitive bid.

OLD BUSINESS

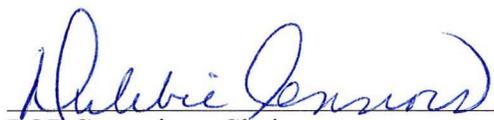
None

OTHER BUSINESS

None

ADJOURNMENT

There being no further business, the meeting was adjourned at 6:43 p.m.


POP Committee Chair