



City of Deltona

2345 Providence Blvd.
Deltona, FL 32725

Regular Commission Meeting

City Commission

Mayor Avila
Vice Mayor JodyLee
Commissioner Avila-Vazquez
Commissioner Colwell
Commissioner Heriot
Commissioner McCool
Commissioner Shimkus

Monday, April 1, 2024

6:30 PM

Deltona Commission Chambers

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.

1. CALL TO ORDER:
2. ROLL CALL – CITY CLERK:
3. INVOCATION AND PLEDGE TO THE FLAG:
 - A. [Invocation Presented by District #6 Commissioner.](#)

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 25, 2024, as presented. - Joyce Raftery, City Clerk \(386\) 878-8502.](#)

Background: N/A

Attachments: [March 25, 2024 RCM Minutes](#)

5. PRESENTATIONS/AWARDS/REPORTS:

- A. [Super Star Student of the Month Certificates March 2024](#)

Background:

Super Star Student of the Month Awards for March 2024 will be presented to:

1. Discovery Elementary, Kaylee Herrera, 5th Grade
2. Forest Lake Elementary, Nicholas Broome, 5th Grade
3. Pride Elementary, Dyaneliz Santiago, 1st Grade
4. Sunrise Elementary, Colton Gillis, 4th Grade
5. Timbercrest Elementary, Landon Tainter, 5th Grade
6. Volusia Pines Elementary, Jameson Congdon, 4th Grade
7. Galaxy Middle, Anthony Hummer, 6th Grade
8. Heritage Middle, Gloriangellys Rosado-Perez, 6th Grade
9. Deltona High, Morgan Smars, 9th Grade
10. Pine Ridge, Edna Zavala Perez, 9th Grade

- B. [Proclamation - Water Conservation Month](#)

Background:

A proclamation to recognize the month of April as “Water Conservation Month” in the City of Deltona and encourage each resident, visitor, and business to help protect our precious resource by practicing water saving measures and becoming more aware of the need to save water.

- C. [Proclamation - Child Abuse Prevention Month](#)

Background:

Proclamation- declaring the month of April as Child Abuse Prevention Month to promote awareness of abuse and neglect of children, and urge all Floridians to engage in activities whose purpose is to provide the optimal environment for healthy child development.

- D. [Proclamation - National Borinqueneers Day - April 13, 2024](#)

Background:

A proclamation recognizing April 13, 2024 as National Borinqueneers Day for the sacrifices made and adversities overcome by Puerto Rican and Hispanic members of the Armed Forces as well as recognize the

significant contributions to the history of United States made by the Borinqueneers.

E. [Presentation - Crystal Apple Award winners: Caroline Sarmiento & Kim Krupinsky](#)

Background:

Congratulations to Caroline Sarmiento from Volusia Pines Elementary School and Kim Krupinsky from Deltona High School. These teachers were both winners of the 11th annual Crystal Apple Awards Celebration hosted by the Deland and Greater West Volusia Chamber of Commerce. Crystal Apple Awards celebrate and honor our West Volusia educators, recognizing them for their excellence in preparing the future West Volusia workforce.

F. [Presentation - Quarterly Reports of City Advisory Boards/Committees - Joyce Raftery, City Clerk \(386\) 878-8502](#)

Background:

Quarterly Reports of City Advisory Boards/Committees:

1. Firefighters Pension Plan Board - (Written Report Only)
2. Team Volusia - (Written Report Only)
3. WSH Deltona Scholarship

Attachments:

[2024 FFPB 1st Quarter Report](#)

[2024 Team Volusia EDC Deltona 1st Quarter Report](#)

[2024 WSH 1st Quarter Report](#)

6. PUBLIC FORUM: Public comments during Public Forum are limited to items of City business that are listed on the Agenda and/or items that are not listed on the Agenda. Comments regarding listed Agenda items will take place after discussion of each item. Please be courteous and respectful of the views of others. In order to address the Commission, citizens must fill out a public participation slip and give it to the Deputy City Clerk. All citizen comments are limited to 4 minutes and shall be addressed to the Mayor or the Commission as a whole. Members of the City Commission shall not enter into discussion or respond to a citizen's comments other than to give directions or to ask for clarification. However, individual Commissioners may choose to respond under the "City Commissioner Comments" portion of the meeting.

7. ORDINANCES AND PUBLIC HEARINGS:

A. [Public Hearing - Ordinance 06-2024 Rescinding Ordinance No. 10-2007 in its entirety; Ordinance No.05-2009 previously replaced most of the provisions found in Ordinance No. 10-2007; The remaining provisions in Ordinance No.10-2007 have been added to Ordinance 06-2024 or have been pre-empted by new Florida Regulations passed in 2023 and found in Statutes 559.955](#)

[Home Businesses, at first reading and to schedule second reading for May 6, 2024 - Marsha Segal-George, Legal \(386\) 878-8872.](#)

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

Background:

The Fire Marshal, Sharon Shivers, met with the City Attorney to discuss 2 ordinances Ordinance No. 10-2007 and Ordinance No. 05-2009 in the Code that provided duplication and an unclear narrative. There were also important references to the definition of a Business Tax Receipt. Lastly, Florida State law had pre-empted regulations contained in Ordinance No.10-2007 as to regulations requiring a home inspection for a home business. In order to clear up these issues the City Attorney prepared Ordinance No. 06-2024.

Attachments:

[Ordinance No. 06-2024](#)
[Legal Advertisement](#)

8. OLD BUSINESS:

9. NEW BUSINESS:

- A. [Request for approval of recommendations for scholarship awards from the William S. Harvey Deltona Scholarship Advisory Board \(WSHDSAB\) - Joyce Raftery, City Clerk's Department \(386\) 878-8502.](#)

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

Background:

The application packets were mailed to each school, placed on the website, and distributed to City facilities. The William S. Harvey Deltona Scholarship Advisory Board selected 13 applicants to receive the 2024 scholarship awards. The selections were based on the following criteria: 1) financial need; 2) academic achievement; 3) school; 4) community and/or leadership activities; 5) special skills and/or talents; and 6) an essay of 500 to 750 words.

Attachments:

[2024 WSH SCHOLARSHIP SCORE SHEET](#)

- B. [Request for approval of an increase in the amount awarded from the William S. Harvey Deltona Scholarship Advisory Board \(WSHDSB\) - Joyce Raftery, City Clerk's Department \(386\) 878-8502.](#)

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

Background:

The board met on March 14, 2024, and made two requests. The first is that the City Commission increase future scholarship funds from \$25,000 to \$50,000. This same request was made by the board in

2023 to increase the funds from \$30,000 to \$50,000 and the Commission at that time agreed. However, in 2024 due to budget constraints, the scholarship was lowered to \$25,000 which is \$5,000 less than previous years. If the Commission is not in agreement with the \$50,000, the board requests that the amount go back to the \$30,000 which was the agreed upon amount since 2016.

If the Commission would approve the increase to \$50,000 the second request is to change future packet contents to reflect the award range of no more than \$5,000 (up from \$3,000) and no less than \$1,000 to qualified applicants.

Attachments: [2024 WSHDS Application Packet](#)

- C. [Request for approval of Veteran Enforcers Motorcycle Association's Deltona Memorial Day Ride Event - Mark Manning, Parks & Recreation \(386\) 878-8905.](#)

[Strategic Goal: Fiscal Issues](#)

Background:

On January 16th, 2024, members of VEMA came before the City Commission to request support/assistance regarding a Memorial Day event that is planned for Monday, May 27th, 2024, at City Hall. The purpose of the event is to provide an opportunity for members of all branches of the military to come together and recognize and honor those who have given their life in service of our country while providing support for current veterans and active members of Deltona and West Volusia. As part of the event VEMA will have multiple food trucks, merchandise vendors and a band providing live music for those in attendance. The approximate cost for staff assistance, janitorial supplies, application, and fire inspection fees is not to exceed one thousand dollars (\$1,000.00). At the January 16th, 2024, City Commission meeting the commission gave unanimous verbal approval to provide support for this event. This item formalizes the verbal approval that was given at the January 16th, 2024, for in-kind services.

Attachments: [Special Event Permit Application](#)
 [SE24-011 Proposed Site Plan](#)

- D. [Request consideration and approval for the bid received from A.G. Pifer Construction Company, Inc. of Daytona Beach, Florida for the upland, Phase I Site Restoration Efforts associated with the 4B Project in an amount not to exceed \\$144,781.00 - Phyllis Wallace, Interim Public Works Director \(386\) 878-8965.](#)

[Strategic Goal: Infrastructure](#)

Background:

The project known as the Alexander Avenue 4B Intake Project (4B Lakeshore) has been determined to be un-constructable. As the City works with the other project partners including but not limited to the SJRWMD, FDEP and the West Volusia Water Supply Committee for full & complete project closeout, it was determined that the upland site (landscaping) restoration was the prudent step in the project closeout.

The landscaping plan is intended to restore as best as possible the natural state of vegetation prior to project cleaning & construction activities. The plant materials chosen closely replicate what was originally there, except in size. The project also includes removal of electrical panels/transformers, roadway repair/restoration as well as refurbishment of the shell boat parking lot. This restoration effort will compliment what was undertaken, inhouse, on the shoreline of Lake Monroe a few months ago.

The City solicited bids with notification being broadcast to 885 companies and there were 20 plan holders and 3 watchers with only 1 bid received. The City did not require a mandatory pre-bid meeting & site inspection but received only 1 bid. That bid from AG Pifer Construction Company, Inc. is within industry standards and prior work efforts with this firm have been completed to the satisfaction of the City of Deltona.

Attachments:

[4B Phase 1 Site Restoration Approval Memo](#)

[4B Phase 1 Site Restoration Bid Tabulation ITB24005](#)

[4B Phase 1 Site Restoration ITB 24005](#)

[Recommendation of Award Deltona Community Center Si](#)

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.

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 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.