



City of Deltona

2345 Providence Blvd.
Deltona, FL 32725

Minutes

City Commission

Monday, April 6, 2026

6:30 PM

Deltona Commission Chambers

PUBLIC FORUM: 6:00 PM - 6:30 PM

BUSINESS MEETING - 6:30 PM

1. CALL TO ORDER:

The meeting was called to order at 6:30 p.m. by Vice Mayor Avila-Vazquez.

2. ROLL CALL – CITY CLERK:

Present: 6 - Commissioner Colwell
Commissioner Heriot
Commissioner Howington
Commissioner Nabicht
Commissioner Santiago
Vice Mayor Avila-Vazquez

Absent: 1 - Mayor Avila

3. INVOCATION AND PLEDGE TO THE FLAG:

A. Invocation Presented by District #1 Commissioner.

4. ADDITIONS AND DELETIONS:

The Vice Mayor requested to add under recognitions (Item 7-K) National Borinqueneers Day and there was no objection from the Commission.

5. PRESENTATIONS/AWARDS/REPORTS:

6. DELTONA COMMUNITY EVENTS:

7. CONSENT AGENDA:

Commissioner Howington requested to pull Items 7-B, 7-D, 7-E, and 7-G for discussion.

Motion by Commissioner Howington, seconded by Commissioner Heriot, to approve A, C, F, H, I, J and K. The motion carried by the following vote:

The Vice Mayor opened the public comments for the Consent Agenda and a resident addressed the City Commission.

The motion carried by the following vote:

For: 6 - Commissioner Colwell, Commissioner Heriot, Commissioner Howington, Commissioner Nabicht, Commissioner Santiago, and Vice Mayor Avila-Vazquez

A. Request for approval of minutes of the Regular Commission Meeting of March 2, 2026, as presented.

Approved by Consent - to approve the minutes of the Regular Commission Meeting of March 2, 2026, as presented.

B. Request for approval of Resolution No. 2026-24 Adopting the updated Master Fee Schedule for FY 2026 - 2030 that incorporates the Utility Rate Study for Water and Wastewater (W/WW).

Commissioner Howington stated there is a concern about bundling items on the Consent Agenda. She pulled so the item so the public would have an opportunity to speak and ask questions. She asked the Deputy Utility Director to give an overview of the item for public.

The Deputy Utility Director gave a brief explanation of the utility rate increase.

Commissioner Howington spoke about selling the utility company and she asked staff to speak to that. The Finance Director stated ...

The Commission and staff discussed public vs. private utility companies, incentivizing irrigation meters and grants.

The City Attorney read the title of Resolution No. 2026-24 into the record.

The Vice Mayor opened the public comments and residents addressed the City Commission.

Heriot and staff discussed Lake Baton.

Motion by Commissioner Nabicht, seconded by Commissioner Santiago, to approve Resolution No. 2026-24 updating the Master Fee Schedule for FY 2026-2030 be approved. The motion carried by the following vote:

For: 4 - Commissioner Colwell, Commissioner Heriot, Commissioner Nabicht, and Commissioner Santiago

Against: 2 - Commissioner Howington, and Vice Mayor Avila-Vazquez

C. Request for ratification of Resolution No. 2026-25 in Support of Volusia Forever.

Approved by Consent - to ratify Resolution No. 2026-25.

D. Request for approval of Resolution No. 2026-26 to issue a Purchase Order to SAK Construction LLC, located in Apopka, FL, Florida in an amount of \$1,000,000 for the budgeted Capital Improvement Project of Sanitary Sewer Rehabilitation services of Gravity Sewers, Pipelines, and Conduits utilizing piggyback of Gainesville Regional Utilities competitive bid contract #2024-083-E.

The City Attorney read Resolution No. 2026-26 into the record.

Commissioner Howington stated this is an ongoing maintenance project and she asked if the City has had a contract with SAK Construction previously and the Deputy Utility Director replied yes we have and he explained.

Motion by Commissioner Heriot, seconded by Commissioner Howington, to approve Resolution No. 2026-26.

Vice Mayor opened the public comments and residents addressed the City Commission.

The motion carried by the following vote:

For: 6 - Commissioner Colwell, Commissioner Heriot, Commissioner Howington, Commissioner Nabicht, Commissioner Santiago, and Vice Mayor Avila-Vazquez

E. Request for approval of Resolution No. 2026-28 Budgeted Replacement of Kubota Membranes at the Eastern Water Reclamation Facility through Moss Kelly (MKI Services) Located in Lake Mary, FL.

Commissioner Howington stated it would be beneficial for the residents to hear what we are actually doing and the Deputy Utility Director gave a brief explanation of the item.

Motion by Commissioner Santiago, seconded by Commissioner Howington, to approve Resolution No. 2026-28 for the budgeted Capital Improvement Project for replacement of the Kubota Membranes at the Eastern Water Reclamation Facility.

Vice Mayor Avila-Vazquez opened the public comments and a resident addressed the City Commission.

The City Attorney read the title of Resolution No. 2026-28 into the record.

The motion carried by the following vote:

For: 6 - Commissioner Colwell, Commissioner Heriot, Commissioner Howington, Commissioner Nabicht, Commissioner Santiago, and Vice Mayor Avila-Vazquez

F. Request for approval of Resolution No. 2026-29 for the approval of Master Contracts

Approved by Consent - approve Resolution No. 2026-29.

G. Request for approval of Resolution No. 2026-30 for Citywide Park Improvement Projects.

Commissioner Howington stated that during the budget there was a discussion regarding a lightening detection systems and the Parks & Recreation Director replied the lightening detection system was part of the budget process going into next fiscal year. Staff is looking at options to include it in the budget, in the regular operating budget and will not be capital.

Commissioner Howington asked if there are documents showing what the changes are and the Parks & Recreation Director replied that can be created, this is just the first phase of quotes and there will be more coming before the Commission in the future.

Motion by Commissioner Heriot, seconded by Commissioner Santiago, to approve Resolution No. 2026-30 for citywide parks improvements.

The Vice Mayor opened the public comments and residents addressed the City Commission.

The City Attorney read the title of Resolution No. 2026-30 into the record.

The motion carried by the following vote:

For: 6 - Commissioner Colwell, Commissioner Heriot, Commissioner Howington, Commissioner Nabicht, Commissioner Santiago, and Vice Mayor Avila-Vazquez

H. Request for approval of Resolution No. 2026-31 acceptance of Special Warranty Deed between Howland Station Partners, LTD and the City of Deltona.

Approved by Consent - approve Resolution No. 2026-31.

- I. **Request for approval of recommendations for scholarship awards from the William S. Harvey Deltona Scholarship Advisory Board (WSHDSAB) for the 2025-2026 school year.**

Approved by Consent - to approve the 2026 William S. Harvey Deltona Scholarship award recipients as presented.

- J. **Request for approval of the First Quarter 2026 Reports of City Advisory Boards/Committees.**

Approved by Consent - to accept the Quarterly Reports as presented.

- K. **Request for recognition(s):**

1. **Proclamation - Child Abuse Prevention Month**
2. **Proclamation - Water Conservation Month**
3. **Proclamation - Arbor Day**
4. **Proclamation - Water Safety Month**
5. **Proclamation - EMS Week**
6. **Proclamation - National Public Works Week**
7. **Proclamation - Memorial Day**
8. **Proclamation - Building Social Connection and Improving Mental Health Through the Move with the Mayor**

Approved by Consent - to approve the requested recognition(s).

8. ORDINANCES AND PUBLIC HEARINGS:

- A. **Public Hearing - Ordinance No. 03-2026, Animal Ordinance, Chapter 14 - Animals, at second and final reading.**

The City Attorney read Ordinance No. 03-2026 into the record.

Motion by Commissioner Heriot, seconded by Commissioner Colwell, to approve Ordinance No. 03-2026, Animal Ordinance, Chapter 14.

The Vice Mayor opened the public comments and a resident addressed the City Commission.

The Commission, City Attorney and staff discussed accessing residents' homes.

The motion carried by the following vote:

For: 6 - Commissioner Colwell, Commissioner Heriot, Commissioner Howington, Commissioner Nabicht, Commissioner Santiago, and Vice Mayor Avila-Vazquez

B. Public Hearing - Ordinance No. 05-2026, Trap, Neuter and Return Program (TNR) Animal Ordinance, Chapter 14 - Animals, at first reading.

The City Attorney read the title of Ordinance No. 05-2026 into the record.

The Code Compliance Manager gave a brief presentation on the item.

The Commission and staff discussed going out to bid, the cost, monitoring/reporting, colony locations, damage done by the cats, volunteers, progress/changes, and bench marks.

Heidi Herzberg, member of CCFAW (Concerned Citizens for Animal Welfare) stated core group of volunteers, funding, level of work, the City's policies and procedures, changes to the program parameters, accountability, measurable results, memorializing the program, additional details can be provided, Halifax Humane Society, population control, abandoned animals and the 501C3 organization.

The Commission, City Attorney and staff discussed 180 day feedback, abandoned animals, volunteers and staff working together, and adding more restrictions.

Commissioner Nabicht requested a consensus to have staff and legal work on adding language about enhancements regarding abandonment of animals and the Commission concurred.

Motion by Commissioner Nabicht, seconded by Commissioner Howington, to approve Ordinance No. 05-2026, Trap, Neuter and Return Program (TNR) Animal Ordinance Animal Ordinance.

The Vice Mayor opened and closed public comments as there were none.

The motion carried by the following vote:

For: 6 - Commissioner Colwell, Commissioner Heriot, Commissioner Howington, Commissioner Nabicht, Commissioner Santiago, and Vice Mayor Avila-Vazquez

C. Public Hearing - Ordinance No. 04-2026, amending Chapter 2, Article IV to update the sections related to Financial Polices, at second and final reading.

The City Attorney read the title of Ordinance No. 04-2026 into the record.

Motion by Commissioner Howington, seconded by Commissioner Santiago, to approve Ordinance No. 04-2026.

Commissioner Nabicht asked for an explanation of intermediate audits and the Finance Director explained the benefit to having intermediate audits.

The motion carried by the following vote:

For: 6 - Commissioner Colwell, Commissioner Heriot, Commissioner Howington, Commissioner Nabicht, Commissioner Santiago, and Vice Mayor Avila-Vazquez

D. Public Hearing - Request for approval of Resolution No. 2026-27 approving the Consolidated Annual Performance and Evaluation Report (CAPER) for the program year 2024-2025 Community Development Block Grant (CDBG).

The City Attorney read the title of Resolution No. 2026-27 for the record.

Motion by Commissioner Heriot, seconded by Commissioner Santiago, to approve Resolution No. 2026-27.

The Vice Mayor opened and closed the public hearing as there were no public comments.

The motion carried by the following vote:

9. ACTION ITEMS:

A. Consideration of appointment(s) to the Planning and Zoning Board.

Motion by Commissioner Howington, seconded by Commissioner Nabicht, to appoint the following member to the Planning and Zoning Board for a term to expire on March 15, 2029: Larry French. The motion carried by the following vote:

For: 6 - Commissioner Colwell, Commissioner Heriot, Commissioner Howington, Commissioner Nabicht, Commissioner Santiago, and Vice Mayor Avila-Vazquez

Motion by Commissioner Nabicht, seconded by Commissioner Heriot, to appoint the following member to the Planning and Zoning Board for a term to expire on March 15, 2029: Lori Warnicke. The motion carried by the following vote:

For: 6 - Commissioner Colwell, Commissioner Heriot, Commissioner Howington, Commissioner Nabicht, Commissioner Santiago, and Vice Mayor Avila-Vazquez

Motion by Vice Mayor Avila-Vazquez, seconded by Commissioner Colwell, to appoint the following member to the Planning and Zoning Board for a term to expire on March 15, 2029: Rachel Amaroso. The motion carried by the following vote:

For: 6 - Commissioner Colwell, Commissioner Heriot, Commissioner Howington, Commissioner Nabicht, Commissioner Santiago, and Vice Mayor Avila-Vazquez

B. Consideration of appointment of a City representative to the Tourist Development Council (TDC).

Motion by Commissioner Nabicht, seconded by Commissioner Heriot, to appoint Commissioner Santiago as the City's representative to the Tourist Development Council (TDC). The motion carried by the following vote:

For: 6 - Commissioner Colwell, Commissioner Heriot, Commissioner Howington, Commissioner Nabicht, Commissioner Santiago, and Vice Mayor Avila-Vazquez

10. CITY ATTORNEY COMMENTS:

B. Discussion concerning Thalita Terrace.

The City Attorney stated legal has received some questions from the community and from the Commission about the Enrico Ridge project and the Thalita Terrace project. There was a previous approval by this Commission to foreclose on the Thalita Terrace liens totaling \$279,400 that is owed to the City. To be clear, the work has not been corrected and there are outstanding code violations. So, they would need to pay the liens and also correct the violations to be able to move the project forward. So legal has been moving the foreclosure forward, it was filed about two weeks ago and we are waiting to set the final hearing on the final judgment. So, we will be able to move that forward pretty quickly and resolve Thalita Terrace and foreclose. Then obviously we will schedule a sale date, and it will continue to move forward through the foreclosure process. Staff has done everything possible to assist with them getting out of foreclosure but, to this date they have not taken any steps to do so. So again, Thalita Terrace is in foreclosure, and we expect to have a hearing relatively soon in the next few weeks, and we will keep the Commission updated when it is set for final sale.

The Commission, City Attorney and staff discussed the foreclosure, having mediation or Executive Session, default entered against respondent, nothing filed with the court, meetings with staff including on site, permits issued, demonstrating accessing the building, whether there is a contract, the property being a nuisance, similar projects, and Aloha Estates.

A. Discussion concerning Enrico Ridge.

The next property, Enrico Ridge, is more troubling for us legally than Thalita Terrace. They have current liens in the amount of \$651,300 and we got an updated title search but, the challenge with Enrico Ridge is that it has a mortgage on top of the City's liens in the amount

of \$15,500,686.61 which is the primary note. There is other debt on this property and there is a final judgment in the amount of \$141,000. So, there is a lot of debt on the Enrico Ridge site which will make it harder to sell in a foreclosure action. We have a different recommendation in that it is not as clean a shot as Thalita Ridge, which has a very low mortgage for what it is. So, Enrico Ridge is a trickier project in that it has such a huge note tied to it. If the Commission wants to move forward with foreclose, we will but, legal does not recommend it. She recommends that Code continue to cite and accrue fines.

The Commission, City Attorney and staff discussed legal action, the current building condition, needing a third party analysis, condemning the property, possible structural issues, getting a judgment, the cost, having the Building Official make recommendations.

After discussion, the Commission concurred to have the Building Officials do an analysis and make a recommendation, and if he recommends moving it to an engineer, then we have direction to move to an engineer. Also, to place the findings on the next agenda.

The Commission, City Attorney and staff discussed the existing mortgage, construction insurance, safeguarding the process, and the building being a public safety hazard.

11. CITY MANAGER COMMENTS:

The City Manager stated the Commission was alerted this weekend that we received a Tyco settlement for PFAs litigation in the amount of \$664,000. Also, he thanked the Commission for passing the parks item tonight. There will be some good ribbon cuttings coming up throughout our parks and the City, from walking trails, courts and pavilions.

12. CITY COMMISSION COMMENTS, REQUESTS & REPORTS:

Commissioner Colwell spoke about the last regular meeting, meeting durations and televising the meetings.

Commissioner Howington spoke about the regular meetings and school zone cameras.

Commissioner Howington, the City Manager and City Attorney discussed ADA compliance.

Commissioner Howington requested an update on Poinsettia Park.

Commissioner Howington and the City Attorney discussed cease and desist letters.

Commissioner Howington, the City Manager and Commissioner Nabicht discussed firefighter gear.

Commissioner Heriot spoke about firefighter gear and training, social media rumors, and

grants.

Commissioner Santiago gave a shout out to the DME Academy girls' basketball team in Daytona Beach and to Station 65 transport. She requested the City Manager provide an update on additional transport.

Vice Mayor Avila-Vazquez gave a shout out to the Deltona/County Veterans Stand Down Event and everyone who helped with the event and she gave a special shout out to Scott Olsen with Volusia County Veterans Service Office.

13. ADJOURNMENT:

There being no further business, the meeting adjourned at 8:46 p.m.

Santiago Avila, Jr., MAYOR

ATTEST:

Joyce Raftery, CMC, MMC, CITY CLERK