



# City of Deltona

2345 Providence Blvd.  
Deltona, FL 32725

## Regular Commission Meeting

### City Commission

*Mayor Avila*  
*Vice Mayor Heriot*  
*Commissioner Avila-Vazquez*  
*Commissioner Colwell*  
*Commissioner Howington*  
*Commissioner Lulli*  
*Commissioner Santiago*

---

Tuesday, March 18, 2025

6:30 PM

Deltona Commission Chambers

---

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

**BUSINESS MEETING - 6:30 PM**

**1. CALL TO ORDER:**

**2. ROLL CALL – CITY CLERK:**

**3. INVOCATION AND PLEDGE TO THE FLAG:**

**A. [Invocation Presented by District #6 Commissioner.  
Honoring Veteran -](#)**

**Background:** N/A

**4. ADDITIONS AND DELETIONS:**

**5. PRESENTATIONS/AWARDS/REPORTS:**

**A. [Update on FEMA Reimbursements for Hurricanes Ian, Nicole, Idalia, and Milton](#)**

**Background:** As of March 10, 2025, the City of Deltona has submitted approximately \$6.1 million for FEMA Reimbursement. Of that \$6.1 million:

- \$4.7 million has been received by the City of Deltona
- \$38,270 has been obligated by FEMA and awaiting payment from the State.
- \$1.2 million is in various stages of the FEMA pre-approval process.
- \$121,920 is currently under review and in documentation steps.

The City's FEMA reimbursement team continues to review, prepare, and collaborate with FEMA to submit costs incurred in response to the various Hurricanes. The City has complied with all applicable timelines / deadlines for submission of the various requests for reimbursement.

Below are more specific details on the status of projects for each identified hurricane:

## 6. DELTONA COMMUNITY EVENTS:

## 7. CONSENT AGENDA:

- A. [Request for approval of minutes of the Regular Commission Meeting of March 3, 2025, as presented.](#)

**Background:** N/A

- B. [Request for approval of Resolution No. 2025-42 Easement at Landmark Lodge Stormwater Retention area located at 720 N. Apache Cir., Deltona, Florida 32725.](#)

**Background:** It came to the attention of the Public Works Department that a portion of the stormwater retention area that services Normandy Boulevard is located on property not owned by the City and located at 720 North Apache Circle. The attached Letter of Offer provides for the acquisition of a permanent easement in favor of the City to formalize the use of the property in the best interest of the health, safety, and welfare of the residents of the City of Deltona.

- C. [Request for approval of recognitions for the month of April.](#)

**Background:** Per the City Recognition Policy adopted by the City Commission at the Regular Commission Meeting held on Monday, June 17, 2024, the following recognitions are being requested for the month of April:

1. Women's History Month - Deltona Women's Club 60th Anniversary
2. World Speech Day - 10th Anniversary - Proclamation presented in person on April 3, 2025, Deltona Campus, Daytona State College
3. Deltona Day Proclamation - Recognizing March 27, 2025 as Deltona Day due to the Deltona zip code.

- D. [Requests for presentations before the City Commission.](#)

**Background:**

Per the City Commission Operating Guidelines & Meeting Rules and Procedures adopted by the City Commission "Any group or organization, other than staff, wishing to make a presentation to the City Commission must submit their request to the City Manager and obtain Commission approval to have the item placed on the next available City agenda." Also, all documentation to be presented must be submitted to the City Clerk by 5:00 p.m. on the Thursday, eleven (11) days prior to the regular meeting.

The following presentations have been requested:

1. D Ranch Preserve - Mark Rizzo, Land Steward - Requested Date: April 7th, 2025

**8. ORDINANCES AND PUBLIC HEARINGS:**

- A. [Public Hearing - Request for approval of Resolution No. 2025-26, requesting the acceptance for the Eloah Estates Final Plat to facilitate a means of ingress and egress through 2982 Howland Boulevard, zoned C-2, General Commercial, to 1000 Eloah Estates Road, zoned RM-1, Multiple Family Residential Dwelling District, for the development of 536 apartments on approximately 45.3 acres of land.](#)

**Background:**

At the February 17, 2025 Regular City Commission Meeting, the City Commission voted to defer the approval of the Eloah Estates Final Plat pending negotiation of an agreement that would ensure the completion of the Enrico Ridge project - a related, but legal distinct entity and project. At the time of publication of this agenda, an agreement has not been fully negotiated. It is Staff's intent to amend the agenda if an agreement is reached prior to the March 18, 2025 Regular City Commission Meeting. If there is no agreement in place at that time, Staff will request the City Commission to defer the item.

The Eloah Estates Final Plat encompasses approximately 45.3 acres of vacant land. It will feature 536 apartment units at 1000 Eloah Estates Drive, with access provided through a C-2 General Commercial property at 2982 Howland Boulevard. The application was initially submitted on March 25, 2024, and after four review cycles, both staff and the consultant have confirmed that the plat complies with Florida Statutes 177 and Chapter 106 of the City's Land Development Code.

For additional details, please refer to the Staff Report.

- B. [Public Hearing - Request for approval of Resolution No. 2025-24, accepting the Final Plat for Phase 1 on the Vineland Reserve RPUD for a 126-lot](#)

[single-family townhouse subdivision on approximately 20.3-acres of property located east of Peach Creek Drive.](#)

**Background:**

The Vineland Reserve RPUD was approved in October 2016 through Ordinance No. 24-2016, with a Development Agreement that outlined three phases, the first of which is designated for townhomes. Phases two and three have already been completed. The Final Plat for Phase 2 and Phase 3 were approved by the City Commission on December 13, 2021 and March 6, 2023.

On September 21, 2023, the Development Review Committee approved the Preliminary Plat for Vineland Reserve Phase 1, allowing the developer to begin installing utilities and roads. The applicant is now requesting approval for the Final Plat to be recorded, enabling the development of 126 townhomes.

The Vineland Reserve Final Plat complies with the Code of Ordinances, Comprehensive Plan and Chapter 177, Florida Statutes and should be approved with the conditions noted in the staff report.

C. [Public Hearing - Request for approval of Resolution No. 2025-47, for legal representation in the Shane Bengelsdorf v. City of Deltona.](#)

**Background:**

The City has been served with a Complaint for Declaratory Judgment in the case styled Shane Bengelsdorf v. City of Deltona. The City's insurance carrier, FMIT, is currently reviewing the matter to determine if coverage exists. If FMIT accepts coverage, the City will utilize defense counsel through the carrier. In the meantime, the City is required to file a response and it is in the City's best interest to authorize the use of outside legal counsel through the firm Tessitore Mari Scott, PLLC, as well as to authorize the City Attorney, TG Law, PLLC, to represent the City in the litigation and supervise the City's outside counsel in accordance with the terms of TG Law's contract dated November 2, 2024.

D. [Public Hearing - Request for approval of Ordinance No.15-2025, establishing Chapter 43 of the City of Deltona Code of Ordinances "Public Camping" at second and final reading.](#)

**Background:**

The proposed ordinance complies with section 125.0231 Florida Statutes, which made it impermissible, effective October 1, 2024, for counties and municipalities to authorize or otherwise allow public camping or sleeping at public buildings, on public grounds, property or rights-of way, except for very particular circumstances such as for designated recreational uses. Section 125.0231 Florida Statutes placed the obligation on counties and municipalities to avoid violations

of the new law and failure to do so subjects those counties and municipalities to civil action by residents of the county, owners of a business located in the city or the Attorney General may enjoin violations of the new law, damages including attorneys' fees and costs may be imposed, effective January 1, 2025.

The proposed ordinance will prohibit individuals from camping or sleeping on public property owned by the City, unless in an area which is specifically designated for recreational camping by the City. Violating this ordinance may result in fines and trespass charges. The proposed ordinance also provides a complaint process to be used by residents of the City, owners of a business located in the city or the attorney General should a purported violation occur. This proposed ordinance serves the health, safety, and welfare of the City.

## 9. ACTION ITEMS:

### A. [Commission Travel Policy](#)

**Background:**

City Commission to discuss their Travel Policy. Also, attached as requested is the Commission Policy/Procedure Index showing.

## 10. CITY ATTORNEY COMMENTS:

## 11. CITY MANAGER COMMENTS:

## 12. CITY COMMISSION COMMENTS, REQUESTS & REPORTS:

## 13. ADJOURNMENT:

### *CONTINUATION OF PUBLIC FORUM*

*\*This is only for individuals who submitted a request to speak form during the 6:00 p.m. Public Forum and were not afforded the opportunity to speak.*

*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](mailto: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: Public Forum will begin at 6:00 PM at the start of each regular meeting and will conclude after 30 minutes. 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.

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.