



# City of Deltona

2345 Providence Blvd.  
Deltona, FL 32725

## Minutes

### City Commission

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Monday, September 16, 2024

6:30 PM

Deltona Commission Chambers

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2nd REVISION 09-13-2024

**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:

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

#### 2. ROLL CALL – CITY CLERK:

**Present:** 7 - Mayor Avila  
Vice Mayor JodyLee  
Commissioner Avila-Vazquez  
Commissioner Colwell  
Commissioner Heriot  
Commissioner McCool  
Commissioner Shimkus

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

##### A. Invocation Presented by District #2 Commissioner.

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**Honoring Veteran -****4. PRESENTATIONS/AWARDS/REPORTS:**

**5. 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.**

Mayor Avila opened public comments and Nancy Lemke, Loren King, Matthew Shaw, Michelle Avila, Christian O'Brien, Courtney Cross-Burgos, Terri Ellis, Brandy White, Donald Freeman, Richard Bellach, and David Sosa addressed the City Commission.

**6. ORDINANCES AND PUBLIC HEARINGS:****A. Public Hearing - Resolution No. 2024-50, Adopting the Final Millage Rate - Levy of Ad Valorem taxes for FY 2024/2025.****Strategic Goal: Effective Governance and Productive Government**

The Finance Director stated it is a public hearing to hear and consider comments and questions regarding the City's final millage rate and the final annual budget for the coming fiscal year 2024/2025. The City of Deltona may according to the motion propose a millage rate of 7.00 mills. The millage rate reflects a 3.35% increase from the rolled-back rate of 6.7730 mills. Depending on the Commission's motion the rate can be changed accordingly.

The Finance Director gave a brief explanation of the item to include the history of the millage rate, examples of the reduction in the millage rate, the budget process, and State Statute requirements.

The City Manager stated the request is to approve a 7.0 mills.

Mayor Avila stated the millage rate is higher than the rolled-back rate of 6.7730 mills in order to cover increased operating costs. The floor is now open to hear public comments and to take any questions from the public. Ron Bennett, Diane Anthony, Brandy White, Richard Bellach, David Sosa, Elbert Bryan, and Lindsey Briones addressed the City Commission.

Mayor Avila closed the public participation period and opened the floor to City Commission

comments and questions.

The Commission spoke about taxable values, having more revenues, the roll-back rate, and zero based budgeting.

**Motion by Commissioner Shimkus, to approve Resolution No. 2024-50 adopting the Final Millage Rate of 7.0 for Fiscal Year 2024/2025.**

The Commission spoke about market and assessed value, the trim notice, needs vs. wants, the budget process, fund balance, residents' complaints, prior comments made, and increased cost for residents.

**Mayor Avila asked if there was a second to the motion and Commissioner Avila-Vazquez seconded the motion. The motion carried by the following vote:**

**For:** 4 - Commissioner Avila-Vazquez, Commissioner Heriot, Commissioner McCool, and Commissioner Shimkus

**Against:** 3 - Mayor Avila, Vice Mayor JodyLee, and Commissioner Colwell

Mayor Avila stated the City of Deltona has adopted a final ad-valorem millage rate of 7.00 mills for fiscal year 2024/2025. The final ad-valorem millage rate reflects an 3.35% increase from the rolled-back rate of 6.7730 mills.

**B. Public Hearing - Resolution No. 2024-51, Adopting the Final Annual Budget - Annual Budget for FY 2024/2025.**

**Strategic Goal: Effective Governance and Productive Government**

The Finance Director stated the City of Deltona has adopted a final ad-valorem millage rate of 7.00 mills for fiscal year 2024/2025. The final ad-valorem millage rate reflects an 3.35% increase from the rolled-back rate of 6.7730 mills. The proposed annual budget is summarized as follows: General Fund \$71,112,700; Special Revenue Funds \$28,054,500 which includes the CRA (Community Redevelopment Agency); Enterprise Fund \$39,272,400; Capital Project Funds \$8,640,500; and Total City-wide Budget \$147,080,100.

Mayor Avila stated the floor is now open to hear public comments and to take any questions from the public. Elbert Bryan, Kathy Bryan, Brandy White, Courtney Cross-Burgos, Richard Bellach, Christian O'Brien, David Sosa, Diane Anthony, Lindsey Briones and William Mabry addressed the City Commission.

Mayor Avila closed the public participation period and opened the floor to City Commission comments and questions.

The Commission and the City Manager spoke about zero based budgeting, fluff, consultants, renovations, storm drains, City Hall maintenance, mowing, overtime, stormwater, instability and staff, politics, the roll-back rate, assessments, being fiscal responsible, a five year plan, the A/C, residents' complaints, capital investments, budget adjustments, slow growth, the millage history, renovations, placeholders, the budget process, projects and past expenses, employee vacancies, Theresa Basin, pushing residents out, County and insurance costs, ways to cut, loss of staff, pay raises, the TPO (Transportation Planning Organization) and municipal needs, cuts by the State, grants, growth and development, Environmental Protection Agency (EPA), past and future trends, flooding issues, past Commissioners, accountability, and a monthly dashboard.

**Motion by Commissioner Shimkus, seconded by Commissioner Avila-Vazquez, to approve Resolution No. 2024-51 adopting the Final Budget for Fiscal Year 2024/2025.**

The Finance Director stated the City of Deltona has adopted a final ad-valorem millage rate of 7.00 mills for fiscal year 2024/2025. The final ad-valorem millage rate reflects an 3.35% increase from the rolled-back rate of 6.7730 mills. The proposed annual budget is summarized as follows: total City-wide Budget \$147,080,100 and as read in the record earlier it was separated out the General Fund, Special Revenue Funds which included the CRA, the Enterprise Fund, and Capital Project Funds.

**The motion failed by the following vote:**

**For:** 3 - Commissioner Avila-Vazquez, Commissioner Colwell, and Commissioner Shimkus

**Against:** 4 - Mayor Avila, Vice Mayor JodyLee, Commissioner Heriot, and Commissioner McCool

The Commission discussed things the Commission had questions or concerns on and adjustments to the proposed budget.

Mayor Avila called for a recess at 9:10 p.m. and reconvened at 9:23 p.m.

Mayor Avila called for a recess at 9:24 p.m. and reconvened at 9:35 p.m.

The City Manager pulled the following items from the budget which will be going into reserves: \$500,000 for City Hall, \$425,000 for window replacement, \$150,000 painting City Hall, and \$100,000 for VSO building replacement.

**Motion by Commissioner Heriot, seconded by Commissioner McCool, to approve the budget as presented with the following removals: \$500,000 for City Hall, \$425,000 for window replacement, \$150,000 painting City Hall, and \$100,000 for VSO building.**

The City Attorney read the title of Resolution No. 2024-51 for the record.

A RESOLUTION OF THE CITY OF DELTONA, VOLUSIA COUNTY, FLORIDA, ADOPTING THE FINAL ANNUAL BUDGET THE AMOUNT OF \$147,080,100 FOR GENERAL FUND, SPECIAL REVENUE FUNDS, ENTERPRISE FUND, AND CAPITAL PROJECTS FUNDS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2024, AND ENDING SEPTEMBER 30, 2025; PROVIDING FOR AN EFFECTIVE DATE.

**The motion carried by the following vote:**

**For:** 6 - Vice Mayor JodyLee, Commissioner Avila-Vazquez, Commissioner Colwell, Commissioner Heriot, Commissioner McCool, and Commissioner Shimkus

**Against:** 1 - Mayor Avila

**10-C. Request for approval of award of RFP# 24027 for Property & Casualty Insurance.**

**Strategic Goal: Effective Governance and Productive Government**

The Finance Director gave a brief explanation of the item.

**Motion by Commissioner Heriot, seconded by Commissioner Colwell, to approve the award of RFP #24027 Property Casualty Insurance to Acentria Public Risk at a total cost of \$1,673,468 for fiscal year 2024/2025.**

Mayor Avila opened public comments and Brandy white addressed the City Commission.

**The motion carried by the following vote:**

**For:** 6 - Mayor Avila, Commissioner Avila-Vazquez, Commissioner Colwell, Commissioner Heriot, Commissioner McCool, and Commissioner Shimkus

**10-G. Request for approval of recognitions for the month of September.**

**Strategic Goal: Accurate, Timely and Identifying Communication**

Commissioner Avila-Vazquez requested that the Proclamation be presented at the Sons & Daughters of Italy dinner at the lodge.

**Motion by Commissioner Heriot, seconded by Commissioner McCool, to approve the recognitions for the month of September. The motion carried by the following vote:**

**For:** 6 - Mayor Avila, Commissioner Avila-Vazquez, Commissioner Colwell, Commissioner Heriot, Commissioner McCool, and Commissioner Shimkus

**Motion by Commissioner Avila-Vazquez, seconded by Commissioner McCool, to move to table Items 6-C, 6-D, 6-E, 8-A, 10-A, 10-B, 10-D, 10-E, and 10-F until the next Regular Commission Meeting to be held on October 7, 2024. The motion carried by the following vote:**

**For: 6 - Mayor Avila, Commissioner Avila-Vazquez, Commissioner Colwell, Commissioner Heriot, Commissioner McCool, and Commissioner Shimkus**

- C. Public Hearing - Ordinance No. 07-2024, amending Section 22-186 to 22-191, of Article VI, "Street Vendors" of Chapter 22 "Businesses" of the Land Development Code, at first reading.**

**Strategic Goal: Update the Land Development Code and Economic Development**

**No action taken, item tabled until the Regular Commission Meeting to be held on October 7, 2024.**

- D. Public Hearing - Ordinance No. 13-2024, amendment to Sections 110-300 to 110-320, of Article III, "Establishment of Classifications and Official Zoning Map", of Chapter 110 "Zoning", of the Land Development Code.**

**Strategic Goal: Economic Development**

**No action taken, item tabled until the Regular Commission Meeting to be held on October 7, 2024.**

- E. Request for approval of Ordinance No. 15-2024, amending Chapter 30-31, Elections and adding Sec. 30-38, Filing Officer, at first reading.**

**Strategic Goal: Effective Governance and Productive Government**

**No action taken, item tabled until the Regular Commission Meeting to be held on October 7, 2024.**

**7. OLD BUSINESS:**

**8. NEW BUSINESS:**

- A. Request for approval of a designated government official for the City of**

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**Deltona to the opioid settlement government committee.**

**Strategic Goal: Effective Governance and Productive Government**

No action taken, item tabled until the Regular Commission Meeting to be held on October 7, 2024.

9. **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.

10. **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 minutes of the Regular Commission Meeting of September 4, 2024, as presented.**

No action taken, item tabled until the Regular Commission Meeting to be held on October 7, 2024.

B. **Request for approval of engagement with Purvis Gray, LLC to provide professional external audit services.**

**Strategic Goal: Effective Governance and Productive Government**

No action taken, item tabled until the Regular Commission Meeting to be held on October 7, 2024.

D. **Request for approval of the Team Volusia Economic Development Corporation Cooperative Agreement for 2024-2025.**

**Strategic Goal: Economic Development**

No action taken, item tabled until the Regular Commission Meeting to be held on October 7, 2024.

**E. Request for approval of the Municipal Transport Agreement and its associated business agreement between the City of Deltona and Volusia County.**

**Strategic Goal: Public Safety**

No action taken, item tabled until the Regular Commission Meeting to be held on October 7, 2024.

**F. Request for approval of purchases for FY24-25 contingent on approval of final budget.**

**Strategic Goal: Effective Governance and Productive Government**

No action taken, item tabled until the Regular Commission Meeting to be held on October 7, 2024.

**11. CITY ATTORNEY COMMENTS:**

**12. CITY MANAGER COMMENTS:**

**13. CITY COMMISSION COMMENTS & REPORTS:**

**14. ADJOURNMENT:**

There being no further business, the meeting adjourned at 9:47 p.m.

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Santiago Avila, Jr., MAYOR

ATTEST:

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Joyce Raftery, CMC, MMC, CITY CLERK