



City of Deltona

2345 Providence Blvd.
Deltona, FL 32725

Minutes

City Commission

Monday, January 6, 2025

6:30 PM

Deltona Commission Chambers

REVISED 1/3/2025

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

Mayor Avila opened the public forum and Courtney Cross-Burgos, Richard Bellach, Kathy Bryan, Terri Ellis, Elizabeth Chavez, David Sosa, Latoya Collier, and Lori Warnicke addressed the City Commission.

Mayor Avila closed the public forum and called a recess until 6:30 p.m.

BUSINESS MEETING - 6:30 PM

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 Heriot
Commissioner Avila-Vazquez
Commissioner Colwell
Commissioner Howington
Commissioner Lulli
Commissioner Santiago

3. INVOCATION AND PLEDGE TO THE FLAG:

A. Invocation Presented by District #1 Commissioner. Honoring Veteran -

4. ADDITIONS AND DELETIONS:

A. Deltona Wolves 12U Football Team- East Coast Conference Championship Certificate Presentation

5. PRESENTATIONS/AWARDS/REPORTS:

6. DELTONA COMMUNITY EVENTS:

The Community/Public Information Officer spoke about City events.

7. CONSENT AGENDA:

Commissioner Avila-Vazquez requested to pull all items on the Consent Agenda.

A. Request approval of minutes of the Regular Commission Meeting of December 9, 2024 and Special Commission Meeting of December 23, 2024, as presented.

Motion by Commissioner Colwell, seconded by Vice Mayor Heriot, to approve the item. The motion carried by the following vote:

For: 7 - Mayor Avila, Vice Mayor Heriot, Commissioner Avila-Vazquez, Commissioner Colwell, Commissioner Howington, Commissioner Lulli, and Commissioner Santiago

B. Request approval of the Quarterly Reports of City Advisory Boards/Committees.

Motion by Vice Mayor Heriot, seconded by Commissioner Santiago, to approve the Quarterly Reports by the advisory committees. The motion carried by the following vote:

For: 7 - Mayor Avila, Vice Mayor Heriot, Commissioner Avila-Vazquez, Commissioner Colwell, Commissioner Howington, Commissioner Lulli, and Commissioner Santiago

C. Request approval of Resolution No. 2025-03 for continued legal representation for Deltona Retail Holdings, Resolution No. 2025-04 for continued legal representation for the Anson (Stone Island Class Action) case matters after conclusion of insurance premiums from the carrier, and Resolution No. 2025-05 for legal representation in the Maverick Bench Media Company.

Motion by Commissioner Colwell, seconded by Vice Mayor Heriot, to approve the item. The motion carried by the following vote:

For: 7 - Mayor Avila, Vice Mayor Heriot, Commissioner Avila-Vazquez, Commissioner Colwell, Commissioner Howington, Commissioner Lulli, and Commissioner Santiago

D. Request approval of Resolution No. 2025-06 authorizing the purchase of the Zoll AutoPulse Platform and Resolution No. 2025-10 accepting a grant award from the Volusia County Opioid Abatement Board.

Motion by Vice Mayor Heriot, seconded by Commissioner Lulli, to approve the item. The motion carried by the following vote:

For: 7 - Mayor Avila, Vice Mayor Heriot, Commissioner Avila-Vazquez, Commissioner Colwell, Commissioner Howington, Commissioner Lulli, and Commissioner Santiago

- E. The City of Deltona has been working with the Florida Division of Emergency Management (FDEM) to assist residents impacted by Hurricanes Ian & Nicole obtain Hazard Mitigation Grants for mitigation of flood impacts. The property at 2560 West Tulsa Drive has received approval from FDEM to elevate the home at least 1 foot above the base flood elevation of Lake Windsor. FDEM requires a resolution that authorizes the Mayor to sign the Federally-Funded Subaward and Grant Agreement Number H1144, Project Number 4680-024-Resolution No. 2025-15.**

Motion by Vice Mayor Heriot, seconded by Commissioner Howington, to approve the item.

Commissioner Avila-Vazquez and the Deputy Public Works Director spoke about the application for CDBG (Community Development Block Grant) and the County's Transform 386, the applicant understanding their role, the applicant needing to secure a 25 percent match, applicant escrow account, the grant apply to a specific address, other options, and the grants being site and project specific.

The motion carried by the following vote:

For: 7 - Mayor Avila, Vice Mayor Heriot, Commissioner Avila-Vazquez, Commissioner Colwell, Commissioner Howington, Commissioner Lulli, and Commissioner Santiago

- F. Request approval of Resolution No. 2025-15 and the Task Authorization between the City of Deltona & Pegasus Engineering for Grant Management Services, specific to the home elevation at 2560 Tulsa Drive WEST in an amount of \$35,000.**

Motion by Vice Mayor Heriot, seconded by Commissioner Lulli, to approve the item.

Mayor Avila opened and closed the public comments as there were none.

Commissioner Colwell asked if the \$35,000 will be refunded to the City and the Deputy Public Works Director replied possibly yes.

The motion carried by the following vote:

For: 7 - Mayor Avila, Vice Mayor Heriot, Commissioner Avila-Vazquez, Commissioner Colwell, Commissioner Howington, Commissioner Lulli, and Commissioner Santiago

G. Request approval of Resolution No. 2025-14, roadway transfer from Volusia County to the City of Deltona. Specifically for that portion of Fernanda Drive from Howland Boulevard east to the Fernanda Subdivision Entrance at Landing Lane.

Motion by Commissioner Lulli, seconded by Commissioner Santiago, to approve the item.

The Commission, Deputy Public Works Director and City Attorney spoke about the advantage of taking over the road, County property, future projects, ingress and egress, emergency access, historical data, road maintenance, utilities, Phase 3, the adjoining parcels and annexation, traffic and signalization, incident response times, stormwater, tabling the item, the right-of-way, future road development, and school access.

Amended motion by Commissioner Lulli, seconded by Commissioner Santiago, to table the item.

Mayor Avila opened the public comments and Lori Warnicke addressed the City Commission.

The amended motion carried by the following vote:

For: 7 - Mayor Avila, Vice Mayor Heriot, Commissioner Avila-Vazquez, Commissioner Colwell, Commissioner Howington, Commissioner Lulli, and Commissioner Santiago

H. Request approval of Resolution No. 2025-09, a Federally Funded Sub-award and Grant Agreement Z4565 for DR-4834 Hurricane Milton.

Motion by Commissioner Lulli, seconded by Commissioner Santiago, to approve the item.

The Commission spoke about the flood zone and authorizing the City Manager to execute/sign any changes.

Amended motion by Commissioner Lulli, seconded by Commissioner Santiago, to authorize the City Manager to execute/sign any changes.

Mayor Avila opened and closed the public comments as there were none.

City Attorney Good stated the way the resolution is drafted, it allows the City Manager to execute this agreement and any related documents.

The amended motion carried by the following vote:

For: 7 - Mayor Avila, Vice Mayor Heriot, Commissioner Avila-Vazquez, Commissioner Colwell, Commissioner Howington, Commissioner Lulli, and Commissioner Santiago

I. Request approval of Resolution No. 2025-16 for participation in PFAS Litigation.

Motion by Commissioner Lulli, seconded by Vice Mayor Heriot, to approve the item.

James Ferraro with The Ferraro Law Firm gave a brief PowerPoint Presentation introducing the law firm.

The Commission, Mr. Ferraro and the Deputy Utility Director spoke about the cost, responsibility, retainer, water quality, EPA (Environmental Protection Agency) standards, testing, moving targets, thresholds, reassuring residents, PFAS (Per- and polyfluoroalkyl substances), reverse osmosis, funding, plastic and fluoride, and litigation.

Mayor Avila opened the public comments and Martha Jess (DeLand), Donna Pepin (DeLand), Elbert Bryan, and Kathy Bryan addressed the City Commission.

The motion carried by the following vote:

For: 7 - Mayor Avila, Vice Mayor Heriot, Commissioner Avila-Vazquez, Commissioner Colwell, Commissioner Howington, Commissioner Lulli, and Commissioner Santiago

J. Request for approval of Resolution No. 2025-13, First Quarter Budget Amendment for Fiscal Year 2024-2025.

Motion by Commissioner Avila-Vazquez, seconded by Vice Mayor Heriot, to approve the item.

Mayor Avila opened and closed the public comments as there were none.

The motion carried by the following vote:

For: 7 - Mayor Avila, Vice Mayor Heriot, Commissioner Avila-Vazquez, Commissioner Colwell, Commissioner Howington, Commissioner Lulli, and Commissioner Santiago

K. Request for recognitions for the month of January.

Motion by Vice Mayor Heriot, seconded by Commissioner Santiago, to approve the item.

Mayor Avila opened and closed the public comments as there were none.

The motion carried by the following vote:

For: 7 - Mayor Avila, Vice Mayor Heriot, Commissioner Avila-Vazquez, Commissioner Colwell, Commissioner Howington, Commissioner Lulli, and Commissioner Santiago

8. ORDINANCES AND PUBLIC HEARINGS:**9. ACTION ITEMS:****A. Request approval of Resolution No. 2025-08, consideration of appointment(s) to the Affordable Housing Advisory Committee (AHAC).**

The Commission and Deputy City Clerk spoke about the vacant appointments, the types of appointments, the committee by-laws, tabling the item, and the meeting schedule.

Motion by Vice Mayor Heriot, seconded by Commissioner Lulli, to table the item until we actually have applicants interested in filling the positions. The motion carried by the following vote:

For: 7 - Mayor Avila, Vice Mayor Heriot, Commissioner Avila-Vazquez, Commissioner Colwell, Commissioner Howington, Commissioner Lulli, and Commissioner Santiago

B. Request for consideration of two Commission appointments to the Firefighters' Pension Plan, Board of Trustees.

Motion by Commissioner Avila-Vazquez, seconded by Commissioner Santiago, to appoint Gene Gizzie and Robert Lindermann.

Mayor Avila opened and closed the public comments as there were none.

The motion carried by the following vote:

For: 7 - Mayor Avila, Vice Mayor Heriot, Commissioner Avila-Vazquez, Commissioner Colwell, Commissioner Howington, Commissioner Lulli, and Commissioner Santiago

C. Request for consideration of appointments of one member (District #4) and one alternate member to the Planning and Zoning.

Motion by Commissioner Howington, Vice Mayor Heriot, to appoint Daniel Trajanowski. The motion carried by the following vote:

For: 7 - Mayor Avila, Vice Mayor Heriot, Commissioner Avila-Vazquez, Commissioner Colwell, Commissioner Howington, Commissioner Lulli, and Commissioner Santiago

Motion by Vice Mayor Heriot, seconded by Commissioner Lulli, to appoint Lori Warnicke as an alternate.

Mayor Avila opened the public comments and Dana McCool addressed the City Commission.

The motion carried by the following vote:

For: 5 - Mayor Avila, Vice Mayor Heriot, Commissioner Howington, Commissioner Lulli, and Commissioner Santiago

Against: 2 - Commissioner Avila-Vazquez, and Commissioner Colwell

D. Request approval of Resolution No. 2025-11 for the Proportionate Fair Share Agreement for LEHA Business Park Business Planned Unit Development (BPUD).

Motion by Commissioner Santiago, seconded by Commissioner Lulli, to approve Resolution No. 2025-11 and the Proportionate Fair Share Agreement for LEHA Business Park BPUD.

The Commission and the Planning & Development Services Director spoke about the calculation, the TIA (Traffic Impact Analysis) Report, the recommendation for approval, not approving the project, and the maximum amount of revenue.

Mayor Avila opened and closed the public comments as there were none.

The motion carried by the following vote:

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

Against: 1 - Commissioner Colwell

E. Request approval of Resolution No. 2025-12, amending the Deltona City Commission Operating Guidelines & Meeting Rules and Procedures.

Motion by Commissioner Avila-Vazquez, seconded by Commissioner Howington, to table the item, have all Commissioners review the policy and bring back their concerns.

The Commission spoke about concerns, lack of Commission input, needing change, lack of respect, enduring nastiness or bullying, workshopping the item, public comments, surrounding cities/counties statistics, current policy vs. new policy, compromise and coming together.

Amended motion by Commissioner Avila-Vazquez, seconded by

Commissioner Howington, to workshop the item.

Mayor Avila opened the public comments and Terra D'Errico, Courtney Cross-Burgos, Elbert Bryan, Terri Ellis, Kathy Bryan, Dana McCool, Pat Blodgett, Ana Loser and David Sosa addressed the City Commission.

The amended motion carried by the following vote:

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

Against: 1 - Commissioner Lulli

10. CITY ATTORNEY COMMENTS:

The City Attorney wished everyone a Happy New Year.

11. CITY MANAGER COMMENTS:

The City Manager spoke about the forecast for cold weather over the next few days and reminded everyone to check on their neighbors, friends and family.

12. CITY COMMISSION COMMENTS, REQUESTS & REPORTS:

Commissioner Avila -Vazquez stated she received a request from Deltona High School (DHS) asking for assistance with their end of the year banquet. There have been some changes on their team, and they do not have all the funds to hold the banquet. She would like to see how the City can help.

Commissioner Avila-Vazquez requested to place on the next agenda for discussion, how the City can assist with the DHS end of year banquet and the Commission concurred.

Commissioner Avila-Vazquez gave a shout out to the Hispanic Chamber, Parks & Recreation, the Fire Department and the Volusia Sheriff's Office for the Three Kings/Epiphany Event.

Commissioner Howington spoke about attending a Team Volusia Meeting.

Commissioner Colwell spoke about concerns regarding Toledo Place and fines.

Commissioner Colwell requested a consensus to move forward with a letter of intent for Toledo Place and Mayor Avila replied the Commission previously gave a consensus to move forward with this. The City Manager stated the City will not hold off on sending the letter.

Commissioner Colwell spoke about Howland Blvd. and the serious accidents that have occurred. The City Manager stated the County has been made aware of the issue.

Commissioner Lulli spoke about meetings he has attended and he requested an update on Lakeshore within 60-90 days and regularly. Mayor Avila stated the Commission has requested this multiple times and he asked that the update be provided within the next 14 days or the next meeting. The City Manager replied the update will take place at the next meeting.

Commissioner Lulli spoke about a comment he previously made and he requested a workshop on communication in the next six (6) months.

13. ADJOURNMENT:

There being no further business, the meeting adjourned at 8:35 p.m.

Santiago Avila, Jr., MAYOR

ATTEST:

Elizabeth Keys, CMC, DEPUTY CITY CLERK