



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, October 21, 2024

6:30 PM

Deltona Commission Chambers

1. CALL TO ORDER:

2. ROLL CALL – CITY CLERK:

3. INVOCATION AND PLEDGE TO THE FLAG:

**A. [Invocation Presented by District #4 Commissioner.
Honoring Veteran -](#)**

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.

At the February 19, 2024, Regular City Commission Meeting the Commission voted to honor Veterans in the community each month which was added as part of the Invocation for each member of the Commission.

4. PRESENTATIONS/AWARDS/REPORTS:

**A. [Super Star Student Awards for the first grading period of school year
2024/2025.](#)**

Background:

Super Star Student Awards will be presented to:

1. Deltona Lakes Elementary, Jennilyn Mantia, 3rd Grade
2. Discovery Elementary, Natalia Hidalgo, 4th Grade
3. Forest Lake Elementary, Theophilus Adams, 2nd Grade
4. Friendship Elementary, Sophia Moya, 5th Grade
5. Pride Elementary, Grace Heard, 5th Grade
6. Sunrise Elementary, Leah Cruz Ferrer, 5th Grade

7. Timbercrest Elementary, Faith Soto Cruz, 4th Grade
8. Volusia Pines Elementary, Emily Chacon, 5th Grade
9. Deltona Middle, Cynthia Chen, 8th Grade
10. Galaxy Middle, Yanilexis Rivera Cancel, 6th Grade
11. Heritage Middle, Auro Blumhorst, 8th Grade
12. Deltona High, Jeydian Sanchez, 11th Grade
13. Pine Ridge, Cody Powell, 12th Grade

B. [Presentation by Terri Ellis-Domestic Violence Awareness Month](#)

Attachments: [DV Partnership of VC 2024](#)

5. PUBLIC FORUM:

6. ORDINANCES AND PUBLIC HEARINGS:

A. [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 second and final reading.](#)

Background:

The City has an adopted, citywide Land Development Code (LDC). The City LDC regulations change over time based on current trends, state preemptions, public input, and regulatory reviews, amongst other things. The City Commission adopted the latest revision to the Street Vendor Sections on May 2, 2022.

The Commission has requested staff to update the Street Vendor section in the LDC, as some Sections needed to be updated to follow Florida Statutes and update the regulations.

Highlights of proposed Ordinance No. 07-2024 are as follows:

1. Adding Mobile Food Vendors.
2. Updating language regarding Mobile Food Dispensing Vehicles (MFDV) and Mobile Vendors to reflect current Florida Statutes.
3. Fixing spelling errors and grammar issues.
4. Providing a limit to the number of Mobile Food Dispensing Vehicles permitted to operate on an approved property.
5. Extended the hours of operation for weekends.
6. Prohibited on property with code violations.
7. Removing tables, seating and canopies and permitting use of existing outdoor dining or other permanent seating authorized for existing business.
8. Prohibiting alcohol to be sold or dispensed by a Mobile Food Dispensing Vehicle.
9. Adding restrictions within the Section, which includes no overnight parking and equipment that may be used for vending.
10. Providing distance requirement from brick and mortar restaurant during hours said restaurant is open for business.

Attachments: [Ordinance No. 07-2024](#)
[ARTICLE VI. Street Vendors LDC Redline rev](#)
[ARTICLE VI. Street Vendors LDC Redline rev](#)
[MFDV Comparison](#)
[Ordinance No. 07-2024 Street Vendors rev PowerPoint](#)

- B. [Public Hearing - Ordinance No. 15-2024, amending Chapter 30-31, Elections and adding Sec. 30-38, Filing Officer, at second and final reading.](#)

Background: This Ordinance is to amend Chapter 30-31, Elections, of the City's Code of Ordinances: Section 30-1, Early Voting; Section 30-31, Qualifying period; and Section 30-34, Filing of other items. Additionally, this ordinance is to add a new section: Section 30-38, Filing Officer. These changes will make the City consistent with Florida Statutes, the City Charter, House Bill 1515, and the City of Deltona Articles of Incorporation.

The only change to the ordinance from first reading is that throughout where it mentions the "City Clerk" it now has "City Clerk or designee" as requested at the Regular Commission Meeting held on October 7th.

Attachments: [Ordinance No. 15-2024 Redlined](#)
[Ordinance No. 15-2024 Clean Copy](#)

- C. [Public Hearing - Resolution No. 2024-41, granting a Conditional Use to permit a daycare center within the General Commercial District \(C-2\) for a property located at 3026 Howland Boulevard.](#)

Background: The current Land Development Code (LDC) requires a Conditional Use application for a daycare to be located within the C-2, General Commercial Zoning District. Staff has preliminarily reviewed the concept plan for the Conditional Use, along with the DCF and owner letter.

The applicant is requesting an approximately 10,650 square foot daycare to cater to 152 children, with 12 staff members. The daycare will be for children 0 to 5 years of age during the weekdays from 7:00 am until 5:00pm with optional extended hours, as needed. The applicant has followed the City's LDC regarding parking, drop-off lane, solid waste, landscaping, etc. For more information, please refer to the Staff Report.

Attachments: [Resolution No 2024-41](#)
[Staff Report - 3026 Howland Blvd.](#)
[Cover Letter](#)
[DCF Letter](#)
[VC Utilities Letter](#)
[3026 Howland Blvd. Concept Plan](#)
[Trip Generation Report](#)

- D. [Public Hearing - Resolution No. 2024-58, granting a Variance to allow a +/- 4,462 square foot existing office building to encroach within the side and rear setbacks of an 0.36-acre property located at 1670 Providence Blvd.](#)

Background: The existing building at 1670 Providence Boulevard was built in 1988. All planning and permitting went through Volusia County, which were approved and finalized in April of 1988. The building encroached into the rear and side yard setbacks, by less than six (6) inches.

The applicant is requesting a variance from the required rear yard setback of 15 feet, to allow for 14.6 feet along the west property line and a variance from the required side yard setback of 5 feet, to allow for 4.7 feet along the north property line. The Variance request following Section 110-1103, Variances, in the City's Land Development Code. Please see the Staff Report for more information.

Attachments: [VAR24-0010 - Staff Report - City Commission](#)
[Resolution No 2024-58](#)
[Letter](#)
[Location Map](#)
[Zoning Map](#)
[Future Land Use Map](#)
[Building Permit](#)
[Survey](#)
[Building Dimensions Diagram](#)
[VAR24-0010 - City Commission - Presentation](#)

7. COMMENTS ON CONSENT ITEMS:

8. ITEMS FOR CONSIDERATION:

8-A. CONSENT AGENDA:

- (a) [Approval of minutes of the Regular Commission Meeting of October 7, 2024, as](#)

[presented.](#)

Background: N/A

Attachments: [October 7, 2024 RCM Minutes](#)

- (b) [Request for approval of the purchase of three replacement vehicles with the approved budget funds.](#)

Background: The Fire Department has allocated \$155,000 in this year's budget for the purchase of three replacement vehicles for Fire Department administration. This budget will replace the fire inspectors' vehicles and a Fire Department service vehicle that have exceeded the time frame specified in the City's policy CW10-03.

Staff has obtained quotes using the Florida Sheriffs Association Light Vehicle Contract FSA 24-Vel-32 (effective from October 1, 2024, to September 30, 2025) for two 2025 Ford Maverick Pickup 4x2s as well as one 2025 GMC Sierra 1500 Double Cab 4WD. However, due to ongoing supply chain challenges, we are unable to guarantee specific vehicle models or prices at the time of purchase.

In the event the specified vehicles are unavailable, we will prioritize similar vehicles that meet our operational needs, considering delivery schedules and pricing fluctuations. The total budget remains \$155,000 and will cover vehicle purchases and necessary components such as special hazard lights, graphics, and accessories.

Attachments: [2025 Maverick Truck 4x2 Package 1](#)
[2025 Maverick Truck 4x2 Package 2](#)
[2025 GMC Sierra 1500 Dbl Cab 4WD](#)
[Notice Of Final Award VEL 10.1.24.pdf](#)
[FSA24-VEL32.0 - Contract Terms & Conditions.pdf](#)

- (c) [Request for approval to purchase a new Logistics vehicle with the approved budget funds.](#)

Background: The Fire Department seeks approval to purchase a new Logistics vehicle to support the newly added part-time logistics position, utilizing the approved budget funds.

The new Logistics vehicle (2025 GMC Sierra 1500 Double Cab 2WD) will support the newly added part-time logistics position and has a budget of \$62,000.

The funds will cover vehicle purchases as well as necessary components such as special hazard lights, graphics, and accessories.

This purchase will be made through the Florida Sheriffs Association Light Vehicle Contract FSA 24-Vel-32, effective from October 1, 2024, through September 30, 2025. Due to potential supply chain challenges, we are prepared to adjust our vehicle selection as necessary, prioritizing similar models that meet operational requirements and ensuring we remain within the approved budgets. Attached for reference is a quote for the vehicle and the referenced contract.

Attachments: [2025 GMC 1500 DBL CAB 2WD](#)
[Notice Of Final Award VEL 10.1.24.pdf](#)
[FSA24-VEL32.0 - Contract Terms & Conditions.pdf](#)

- (d) [Request for approval of the purchase of a high-water/brush truck vehicle with the approved budget funds.](#)

Background: The Fire Department seeks approval to purchase a high-water/brush attack vehicle from Acela, utilizing the approved budget of \$325,000. This vehicle will enhance our department's emergency response capabilities, particularly in situations involving flooding or high-water incidents as well as brush fires, ensuring the safety of both personnel and citizens.

The vehicle will be procured using the Sourcewell contract 032824-CER, which provides competitively sourced pricing for emergency vehicles and equipment.

The \$325,000 budget will cover the vehicle purchase as well as any necessary components, customization, and emergency equipment required to meet our operational needs.

Attachments: [Acela Quote](#)
[West-Mark \(Acela\) Sourcewell Contract](#)

- (e) [Request approval for the purchase and annual service agreement for Lexipol Software.](#)

Background: The Fire Department seeks approval to implement Lexipol's policies and wellness program. Lexipol offers a customizable library of fire department policies that meet state requirements and are regularly updated to reflect changes in laws and best practices. Their online training platform ensures our personnel stay informed and compliant, focusing on high-risk scenarios critical to our operations.

The wellness program provides essential resources for our firefighters, addressing the mental and physical challenges they face. It includes educational materials on over 60 behavioral health topics, direct access to support services, and resources on cancer prevention and

physical fitness.

Lexipol's solutions will enhance our department's accountability and safety. The program is a sole source, with pricing under Sourcewell Contract 011822-LXP, expiring March 23, 2026. The quoted cost is \$48,224.70 for implementation and a 12-month subscription. There is \$51,000 budgeted for this project. Annual renewal will depend on future budget approvals.

Attachments: [Lexipol Master Service Agreement](#)
[Lexipol Sole Source Letter](#)
[Sourcewell Contract 011822](#)
[Sourcewell Price File 011822-LXP](#)

- (f) [Request approval for the purchase and implementation of the updated Station Alerting System.](#)

Background:

The Fire Department seeks approval to update the current station alerting system to ensure compliance with the new Volusia County Computer-Aided Dispatch (CAD) system, which will be implemented this year.

This update is mandated to synchronize our station alerting system with the new CAD, enhancing efficiency, coordination during emergency responses, and improving communication, ultimately benefiting our community. The county is paying for the backbone of the system for each fire station at approximately \$50,000 each and the city is responsible for the remainder.

Motorola Solutions has been selected by the County as the vendor for this update, utilizing Sourcewell Contract Pricing 042021. The budgeted amount for this project is \$250,000, with a quoted cost of \$178,955.

Attachments: [Motorola Sourcewell Contract 042021](#)
[Station Alerting System Quote](#)

- (g) [Request approval to purchase a transport unit and essential equipment with approved budgeted funds.](#)

Background:

The Fire Department requests approval to purchase a 2024 Frazer International ambulance to maintain our fleet's readiness status. Our reserve units have exceeded their recommended life span, and with current build times ranging between 12-24 months, it is critical to begin this process immediately.

We received Estimate #Q3980-0001 from Frazer for the ambulance,

totaling \$481,541. The pricing follows Buy-board Purchase Co-Op, contract #650-21. To secure our position in the build line, we have provided Frazer with a letter of intent, allowing us to receive the ambulance within 4-6 months once the order is placed, pending Commission approval.

The total budget allocated for this purchase is \$655,500. The remaining \$173,959 will be utilized to purchase essential equipment required to make the ambulance ready for service. This includes, but is not limited to, a Stryker stretcher in the amount of \$34,102.35 and a Zoll monitor for approximately \$58,831.51 (see attached quotes). We have attached a previous quote for the Zoll monitor as an estimate, though we expect the final cost to be slightly higher. Our representative has been impacted by the recent hurricanes and has been unable to provide an updated quote at this time.

Attachments: [Buy Board 650-21 Award Report](#)
[Buy Board Extension Letter Frazer Ltd](#)
[Buy-Board Contract Email](#)
[Frazer Ambulance Quote Q3980-0001](#)
[Stryker Stretcher Q#11004012](#)
[Zoll Monitor Quote](#)

(h) [Request for recognitions for the month of October.](#)

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 October:
1. Proclamation - Pregnancy and Infant Loss Awareness Month

8-B. ACTION ITEMS:

(a) [Request approval of Resolution No. 2024-64, expenses related to Hurricane Milton.](#)

Background: City of Deltona Commission requested a transparency report of associated cost with Hurricane Milton.

Attachments: [Resolution No. 2024-64](#)
[Hurricane Milton EPO's](#)

(b) [Resolution No. 2024-60, Declaring Zoning in Progress regarding amendments to the Land Development Code to clarify provisions in the Live Local Act, which amended Fla. Stat. 166.04151.](#)

Background: During the 2023 Legislative Session, the Florida Legislature adopted,

and Governor DeSantis signed into law, Chapter 2023-17, known as the Live Local Act, amending Fla. Stat. 166.04151. The amendments to the Live Local Act (the Act) require the City to define terms and update regulations for multi-family development.

The Live Local preempts local governments and the public from applying the City comprehensive plan and zoning code when a developer proposes to erect “affordable housing,” as defined in the Act. However, many terms in the Act are undefined and confusing. Further, the Act permits the City to apply its multi-family regulations to affordable housing developments, except for height, density and zoning. As more fully described in the Resolution, Staff proposed the following amendments to the Land Development Code:

1. Define the terms used in the Act, including “designates”; “zoned”; “Mixed Use Residential”; and “Mixed Use Zoning” in the Land Development Code.
2. Update Land Development Code Section 110-310 and 110-311 adding development standards and requirements to ensure multi-family developments are compatible and consistent with specific future land use designations.

Attachments: [Resolution 2024-60 Zoning In Progress Live Local](#)

- (c) [Request for approval of purchases for FY24-25 contingent on approval of final budget.](#)

Background:

In accordance with the City’s Procurement Policy, the Commission must approve any purchase over \$25,000 regardless of if it has already been approved in the budget. The attached list represents purchases that will need to be approved, they were included in the FY 24/25 final budget. Additional purchases over \$25,000 will be brought to the Commission as needed. Some of the contracts are invoiced at specific intervals throughout the year and must be paid in accordance with the Prompt Payment Act (see attached).

Attachments: [Florida Prompt Payment Act](#)
[PURCHASE ORDER BY VENDOR 10-15-24](#)

- (d) [City Commission discussion and selection of City Attorney applicants to move forward to the interview process.](#)

Background:

On August 16, 2024, Colin Baenziger & Associates (CB&A) started the recruiting process for a City Attorney. The original closing date was September 6, 2024, and was extended to September 27, 2024. CB&A has received twelve (12) applications of which three (3) are firms. CB&A has narrowed down the selection to four (4) individuals and the three (3) firms for the City Attorney position. The City Commission was provided information on each of the four (4) individuals and three (3) firms on September 17, 2024. This item is for the City Commission to

discuss and select the finalists to be individually interviewed.

On October 28, 2024, a Special Commission Meeting will be held for the City Commission to discuss, rank and select a new City Attorney.

Attachments:

[Anastasio, John](#)

[Fuino, Michael](#)

[Mueller, Ernest](#)

[Rodriguez, Michael](#)

[Blocker, Jeremiah - Douglas Law Firm](#)

[Simpson, Scott - Korey, Sweet, McKinnon & Simpson](#)

[Torcivia - TG Law](#)

9. CITY ATTORNEY COMMENTS:

10. CITY MANAGER COMMENTS:

11. CITY COMMISSION COMMENTS & REPORTS:

12. 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.

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 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.

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.

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.