



City of Deltona

2345 Providence Blvd.
Deltona, FL 32725

Minutes

City Commission

Monday, December 9, 2024

6:00 PM

Deltona Commission Chambers

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

Mayor Avila opened the public forum and Courtney Cross-Burgos, Elbert Bryan and Carolyn Hickerson addressed the City Commission.

Mayor Avila called a recess until 6:30 p.m.

BUSINESS MEETING - 6:30 PM

1. CALL TO ORDER:

2. ROLL CALL – CITY CLERK:

Present: 6 - Mayor Avila
Commissioner Avila-Vazquez
Commissioner Colwell
Commissioner Howington
Commissioner Lulli
Commissioner Santiago

Absent: 1 - Vice Mayor Heriot

3. INVOCATION AND PLEDGE TO THE FLAG:

- A. Invocation Presented by Pastor Nathaniel Colon -Iglesia Puerta Del Cielo Church**
Honoring Veteran - Harold Martin Howington, U.S. Army Staff Sergeant (Retired)

4. ADDITIONS AND DELETIONS:

5. PRESENTATIONS/AWARDS/REPORTS:

- A. Presentation & Performance - Deltona High School Blue Brigade Marching Band**

Mayor Avila called for a recess at 6:45 p.m. and reconvened at 6:50 p.m.

B. Florida Sunshine and Public Records Presentation by City Attorney.**6. DELTONA COMMUNITY EVENTS:**

The Public Information Officer announced the following upcoming events, December 14th - Selfies with Santa, December 14th - Christmas Parade, December 20th - Movie in the Park, and December 31st - News Year's Celebration.

7. ORDINANCES AND PUBLIC HEARINGS:**A. Public Hearing - Ordinance No. 17-2024, amending Section 110-806, "Fences, Walls, and Hedges", of Article VIII "Supplementary Regulations", at second and final reading.**

Motion by Commissioner Avila-Vazquez, seconded by Commissioner Howington, to approve Ordinance No. 17-2024, amending Section 110-806, 'Fences, Walls, and Hedges' of the City's Land Development Code, at second and final reading.

The Mayor opened and closed the public hearing as there were none.

City Attorney Good read the title of Ordinance No. 17-2024 for the record.

The motion carried by the following vote:

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

B. Public Hearing - Ordinance No. 02-2025, amending the zoning code, Chapter 70, of General Provision, amending Section 70-30 Definitions, and other terms use in Section 110-310, RM-1 Multiple Family Residential and Section 110-311, RM-2 Multiple Family Residential, to include additional standards, amending Chapter 76 Affordable Housing of Land Development Code, relating to Affordable Housing Regulations and The Live Local Act, at first reading.

The Planning & Development Services Director gave a brief presentation of the item.

The Commission and staff spoke about the P&Z Board, the CO (Certificate of Occupancy), the City having more power, and raising the bar for development.

Motion by Commissioner Lulli, seconded by Commissioner Colwell, to approve Ordinance No. 02-2025, amending the zoning code, Chapter 70, of General Provision, amending Section 70-30 Definitions, and other terms use in Section 110-310, RM-1 Multiple Family Residential and Section 110-311, RM-2 Multiple Family Residential, to include additional

standards, amending Chapter 76 Affordable Housing of Land Development Code, relating to Affordable Housing Regulations and The Live Local Act., at first reading.

The Mayor opened and closed the public hearing as there were none.

City Attorney Good read the title of Ordinance No. 02-2025 for the record.

The motion carried by the following vote:

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

C. Public Hearing - Resolution No. 2024-42, requesting a Conditional Use to permit a quick service oil change facility, within the C-1, Retail Commercial District for a property located at 3150 Howland Boulevard.

The Assistant Planning & Development Services Director gave a brief presentation on the item.

The Commission, staff and the applicant spoke about the entrance/exit and landscape buffer.

The Mayor opened and closed the public hearing as there were none.

Motion by Commissioner Santiago, seconded by Commissioner Howington, to approve Resolution No. 2024-42. The motion carried by the following vote:

City Attorney Good read the title of Resolution No. 2024-42 for the record.

The motion carried by the following vote:

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

D. Public Hearing - Resolution No. 2024-57, requesting a Variance to permit the development of a single-family dwelling on an existing 50-foot-wide lot with an area of 5,000 square feet within the R1, Single-Family Residential Zoning District located at 3394 St. James Avenue.

Motion by Commissioner Santiago, seconded by Commissioner Lulli, to approve Resolution No. 2024-57.

The Commission, staff and the applicant spoke about setbacks and flooding.

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

City Attorney Good read the title of Resolution No. 2024-57 for the record.

The motion carried by the following vote:

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

Against: 1 - Commissioner Colwell

E. Public Hearing - Resolution No. 2024-65, requesting a Variance to allow for an increase in maximum lot coverage to accommodate a 798 square foot in-ground pool, deck, and screen enclosure on an approximate 7,209 square foot lot within the R1, Single-Family Residential Zoning Classification, located at 3469 Berkshire Terrace.

The Planning & Development Services Director gave a brief presentation of the item.

Motion by Commissioner Howington, seconded by Commissioner Colwell, to deny Resolution No. 2024-65.

The Commission and staff spoke about zero lot lines, lot coverage, additional revenue, location, HOA (Home Owners Association), impervious surface space and flooding, past variances and maximum coverage, stormwater retention pond, HOA architectural review committee, and the builder.

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

City Attorney Good read the title of Resolution No. 2024-65 for the record.

The motion failed by the following vote:

For: 3 - Commissioner Avila-Vazquez, Commissioner Colwell, and Commissioner Howington

Against: 3 - Mayor Avila, Commissioner Lulli, and Commissioner Santiago

Motion by Commissioner Colwell, seconded by Commissioner Avila-Vazquez, to reconsider Resolution No. 2024-65. The motion carried by the following vote:

For: 4 - Mayor Avila, Commissioner Avila-Vazquez, Commissioner Howington, and Commissioner Lulli

Against: 2 - Commissioner Colwell, and Commissioner Santiago

The Mayor passed the gavel to Commissioner Avila-Vazquez.

Motion by Mayor Avila, seconded by Commissioner Lulli, to approve

Resolution No. 2024-65. The motion failed by the following vote:

For: 3 - Mayor Avila, Commissioner Lulli, and Commissioner Santiago

Against: 3 - Commissioner Avila-Vazquez, Commissioner Colwell, and Commissioner Howington

Motion by Commissioner Santiago, seconded by Commissioner Lulli, to table Resolution No. 2024-65. The motion carried by the following vote:

For: 4 - Mayor Avila, Commissioner Avila-Vazquez, Commissioner Lulli, and Commissioner Santiago

Against: 2 - Commissioner Colwell, and Commissioner Howington

8. CONSENT AGENDA:

Mayor Avila requested to pull Item 8-E and Commissioner Howington requested to pull Items 8-G, 8-H and 8-I.

Motion by Commissioner Avila-Vazquez, seconded by Commissioner Santiago, to approve the Consent Agenda with the exception of Items 8-E, 8-G, 8-H, and 8-I. The motion carried by the following vote:

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

A. Approval of minutes of the Regular Commission Meeting of November 18, 2024, as presented.

Approved by Consent - to approve the minutes of the Regular Commission Meeting of November 18, 2024, as presented.

B. Request for approval of the reduction in fine provided by the Special Magistrate.

Approved by Consent - to approve the recommendation provided by the Special Magistrate for the reduction of fines.

C. Request approval of Resolution No. 2024-75 awarding the Construction, Engineering, and Inspection services (CEI) contract for the Lift Station 7 Upgrade, to Mead and Hunt, in accordance with Continuing On-Call Engineering Water & Wastewater Utility Plant Engineering Services in the amount of \$152,522.29

Approved by Consent - to approve Resolution No. 2024-75 awarding the

Construction, Engineering, and Inspection services (CEI) contract for the Lift Station 7 Upgrade, to Mead and Hunt, in accordance with Continuing On-Call Engineering Water & Wastewater Utility Plant Engineering Services in the amount of \$152,522.29.

- D. Request approval of Resolution No. 2024-74 and authorize the agreement with InSource Solutions, whose corporate office is located in Richmond, Virginia, to provide continuing software maintenance for the existing Deltona Water SCADA system, in an amount not to exceed \$29,268.46.**

Approved by Consent - to approve Resolution No. 2024-74 and authorize the agreement with InSource Solutions whose corporate office is located in Richmond, Virginia, to provide continuing software maintenance for the existing Deltona Water SCADA system, in an amount not to exceed \$29,268.46.

- E. Request for approval of Resolution No. 2024-71, declaring Zoning in Progress regarding amendments to the Land Development Code Article IV, Stormwater Management.**

The Mayor requested that these type of agenda items not be on the consent agenda. He spoke about the County's study and possible moratorium. He suggested tabling the item until the study is done.

The Mayor passed the gavel to Commissioner Avila-Vazquez.

Motion by Mayor Avila, seconded by Commissioner Howington, to table Legislation in Progress and approve Resolution No. 2024-71.

Commissioner Avila-Vazquez opened and closed the public comments as there were none.

The motion carried by the following vote:

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

- F. Request approval of Resolution No. 2024-72 to purchase a Squad engine and essential equipment with the approved budget funds.**

Commissioner Avila-Vazquez passed the gavel back to the Mayor.

Approved by Consent - to approve Resolution No. 2024-72 to purchase a Squad Engine in the amount of \$1,700,000.

G. Request for approval of Resolution No. 2024-78 authorizing the purchase of a new 2024 Ford Explorer from Duval Ford as found on the Florida Sheriffs Association Light Vehicle Contract #FSA-VEL-32 in the amount of \$37,441.

The Commission and staff spoke about smaller vehicles, County buying power, bulk purchases, going out to bid, pricing, Jacksonville being a bulk location, and paying more locally.

Motion by Commissioner Santiago, seconded by Commissioner Avila-Vazquez, to approve Resolution No. 2024-78 authorizing the purchase of a new 2024 Ford Explorer from Duval Ford as found on the Florida Sheriffs Association Light Vehicle Contract #FSA-VEL-32 in the amount of \$37,441.

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

City Attorney Good read the title of Resolution No. 2024-78 for the record.

The motion carried by the following vote:

For: 5 - Mayor Avila, Commissioner Avila-Vazquez, Commissioner Colwell, Commissioner Lulli, and Commissioner Santiago

Against: 1 - Commissioner Howington

H. Request approval of Resolution No. 2024-73 to purchase new Park Maintenance replacement vehicles from Duval Ford using approved budgeted funds for vehicle replacement & new vehicles not to exceed \$330,000.00.

Commissioner Howington spoke about buying local and in bulk.

Motion by Commissioner Santiago, seconded by Commissioner Avila-Vazquez, to approve Resolution No. 2024-73 to purchase new Park Maintenance replacement vehicles from Duval Ford using approved budgeted funds, not to exceed \$330,000.00."

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

City Attorney Good read the title of Resolution No. 2024-73 for the record.

The motion carried by the following vote:

For: 5 - Mayor Avila, Commissioner Avila-Vazquez, Commissioner Colwell, Commissioner Lulli, and Commissioner Santiago

Against: 1 - Commissioner Howington

I. Request approval of Resolution No. 2024-79 authorizing the purchase of

two (2) new 2024 Ford Maverick 2x4, two (2) 2024 F-150 Regular Cab 2x4, and one (1) 2024 F250 with Utility Body from Duval Ford as found on the Florida Sheriffs Association Light Vehicle Contract # FSA-VEL31.0 in the amount of \$210,924.00.

The Commission, staff and City Manager spoke about online pricing, wasting money, going out to bid, the Florida Sheriff's Contract, competitive bid, vehicle equipment and retrofitting, and future processes.

Motion by Commissioner Santiago, seconded by Commissioner Avila-Vazquez, to approve Resolution No. 2024-79 authorizing the purchase of two (2) new 2024 Ford Maverick 4x2, two (2) 2024 F-150 Regular Cab 4x2, and one (1) 2024 F250 4x4 with Utility Body from Duval Ford as found on the Florida Sheriffs Association Light Vehicle Contract# FSA-VEL31.0 in the amount of \$210,924.00.

The Commission and staff discussed bulk purchasing, discounts, types of vehicles and models.

City Attorney Good read the title of Resolution No. 2024-79 for the record.

The motion carried by the following vote:

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

J. Request for approval of Resolution No. 2024-69, Capital Encumbrance and Project Balance Roll forward Budget Amendment for Fiscal Year 2024-2025.

Approved by Consent - to adopt Resolution No. 2024-69 for the Capital Encumbrance and Project Balance Roll forward Budget Amendment for Fiscal Year 2024-2025.

K. Requests for presentations before the City Commission.

Approved by Consent - to approve the following presentations be made before the City Commission on the next available agenda and shall not exceed 10 minutes.

L. Requests for recognitions for the month of December.

Approved by Consent - to approve the requested recognitions for the month of December.

9. ACTION ITEMS:**A. Request approval of Resolution No. 2024-77 awarding the Water and Wastewater Plants SCADA Improvements project to Rocha Controls of Tampa Florida in the amount of \$2,958,215.00.**

The Interim Deputy Utility Director gave a brief presentation of the item.

The Commission and staff spoke about vendors, the current system vs. new system, lift stations, generators, and power outages.

Motion by Commissioner Santiago, seconded by Commissioner Lulli, to approve Resolution No. 2024-77 awarding of the Water and Wastewater Plants SCADA Improvements project to Rocha Controls of Tampa Florida in the amount of \$2,958,215.00.

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

City Attorney Good read the title of Resolution No. 2024-77 for the record.

The motion carried by the following vote:

For: 5 - Mayor Avila, Commissioner Avila-Vazquez, Commissioner Colwell, Commissioner Lulli, and Commissioner Santiago

Abstain: 1 - Commissioner Howington

Commissioner Howington stated due to the communication system depending on network transmissions within various carriers she abstained due to her employment. She is not comfortable with the fact it is communications and it does rely on network technology.

B. Request approval of Resolution No. 2024-76 awarding the Water and Wastewater Plants SCADA Improvements project CEI Services to WSP in accordance with Continuing On-Call Engineering Water & Wastewater Utility Plant Engineering Services in the amount of \$347,554.00

The Interim Deputy Utility Director gave a brief presentation of the item.

Motion by Commissioner Avila-Vazquez, seconded by Commissioner Lulli, to approve Resolution No. 2024-76 awarding of the Water and Wastewater Plants SCADA Improvements project CEI Services to WSP in accordance with Continuing On-Call Engineering Water & Wastewater Utility Plant Engineering Services in the amount of \$347,554.00.

The Mayor opened and closed the public comment as there were none.

City Attorney Good read the title of Resolution No. 2024-76 for the record.

The motion carried by the following vote:

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

C. Request approval of Resolution No. 2024-80 authorizing a purchase order with Ferguson Waterworks for the annual subscription of Neptune 360 meter reading software by Deltona Water in the amount of \$28,271.96.

Motion by Commissioner Avila-Vazquez, seconded by Commissioner Colwell, to approve Resolution No. 2024-80 authorizing a Purchase Order with Ferguson Waterworks for the annual subscription of Neptune 360 meter reading software by Deltona Water in the amount of \$28,271.96.

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

City Attorney Good read the title of Resolution No. 2024-80 for the record.

The motion carried by the following vote:

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

10. CITY ATTORNEY COMMENTS:

City Attorney Torcivia wished everyone Happy Holidays and thanked the Commission for their service.

11. CITY MANAGER COMMENTS:

The City Manager recognized the Deltona High School Band ensemble and that he and his family will be attending the Army/Navy football game in Washington, D.C.

12. CITY COMMISSION COMMENTS, REQUESTS & REPORTS:

Commissioner Lulli spoke about his communication with a resident, last year's budget, and his hearing device.

Commissioner Howington spoke about public comments, a community tragedy and communications, board vacancies, Manny Rodriguez Park, and unencumbered funds.

Commissioner Avila-Vazquez asked for a consensus of the Commission to change public comments back to 6:30 p.m. and the Commission did not concur.

Commissioner Avila-Vazquez spoke about VSO (Volusia Sheriff's Office) communications, Fire Department Foundation donations, and upcoming self defense class.

Commissioner Emma spoke about Deltona High School Brigade Marching Band, recognizing Deltona Wolves in January, the holiday concert, and Three Kings Festival.

The City Manager explained the process for recognitions.

The Commission concurred to recognize the Deltona Wolves at a January meeting.

Mayor Avila spoke about Wreaths Across America, workshop topics, support from Volusia County regarding the weir, duplicating events from last year, and he asked that the County and City Attorney keep the Commission updated.

13. ADJOURNMENT:

There being no further business, the meeting adjourned at 9:02 p.m.

Santiago Avila, Jr., MAYOR

ATTEST:

Joyce Raftery, CMC, MMC, CITY CLERK

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.