



City of Deltona

2345 Providence Blvd.
Deltona, FL 32725

Minutes

City Commission

Monday, July 20, 2026

6:00 PM

Deltona Commission Chambers

REVISED 07-16-2026

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

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 - Commissioner Colwell
Commissioner Heriot
Commissioner Howington
Commissioner Nabicht
Commissioner Santiago
Vice Mayor Avila-Vazquez
Mayor Avila

3. INVOCATION AND PLEDGE TO THE FLAG:

A. Invocation Presented by District #1 Commissioner.

5. PRESENTATIONS/AWARDS/REPORTS:

A. Proclamation - Parks and Recreation Month

4. ADDITIONS AND DELETIONS:

Vice Mayor requested to add an item for Deltona Magazine asking for complimentary use of the Commission Chambers for their awards ceremony, same as we did last year. The Mayor stated the item will be added as Item 7-l.

6. DELTONA COMMUNITY EVENTS:

7. CONSENT AGENDA:

The Mayor asked if anyone wanted to pull any items for discussion.

Vice Mayor requested to pull all items from the consent agenda for discussion.

The Mayor opened the public comments and residents addressed the City Commission.

A. Request for approval of Resolution No. 2026-55 - Establishing the Maximum Lake McGarity Annual Assessment Rate for Fiscal 2026-27.

The Commission and staff discussed that since the streetlighting district was created by the residents of Lake McGarity the maximum amount for the assessment is zero (0) dollars and it will be advertised as zero (0) dollars on the TRIM notice.

Motion by Vice Mayor Avila-Vazquez, seconded by Commissioner Howington, to approve Item 7-A on the consent agenda. The motion carried by the following vote:

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

B. Request for approval of Resolution No. 2026-56 - Establishing the Maximum Solid Waste Annual Assessment Rate for Fiscal 2026-27.

Vice Mayor and staff discussed the rate assessment which includes all increases as well as a 7.98% increase from Volusia County on the landfill component and that it will increase every year.

Motion by Commissioner Heriot, seconded by Commissioner Nabicht, to approve the item, as presented. The motion carried by the following vote:

For: 4 - Commissioner Heriot, Commissioner Nabicht, Commissioner Santiago, and Mayor Avila

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

C. Request for approval of Resolution No. 2026-57 - Establishing the Maximum Stormwater Annual Assessment Rate for Fiscal 2026-27.

The Commission and staff discussed the amount being increased by \$20 in phases annually and this is the third of a five-year implementation.

Motion by Commissioner Heriot, seconded by Commissioner Santiago, to approve consent agenda Item 7-C. The motion carried by the following vote:

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

Against: 1 - Commissioner Howington

D. Request for approval of Resolution No. 2026-58 - Establishing the Maximum Streetlighting Annual Assessment Rate for Fiscal 2026-27.

The Commission and staff discussed that this assessment is for the streetlighting districts which were created by the residents within a specific neighborhood.

Motion by Commissioner Colwell, seconded by Commissioner Nabicht, to approve Item 7-D. The motion carried by the following vote:

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

E. Request for approval of Resolution No. 2026-59 - Establishing the Maximum Nuisance Abatement Annual Assessment Rate for Fiscal 2026-27.

The Commission and staff discussed that the item is related to nuisance abatements of three properties and not for code compliance.

Motion by Commissioner Colwell, seconded by Commissioner Nabicht, to approve Item 7-E. The motion carried by the following vote:

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

F. Request for approval of Resolution No. 2026-63 - Award ITB# 26023, Lawn and Landscaping Services to Quality By Design to provide Citywide Lawn and Landscaping Services for various Stormwater, Water and Wastewater Plants, Facility Maintenance, Parks and Recreation, and Fire Department locations.

The Commission and staff discussed the bid process, having multiple bidders and whether the company is local.

Motion by Commissioner Santiago, seconded by Commissioner Nabicht, to approve Resolution No. 2026-63 the award of ITB# 26023 to Quality By Design, to provide Lawn and Landscaping Services. The motion carried by the following vote:

G. Request for approval of the Second Quarter 2026 Reports of City Advisory Boards/Committees.

Motion by Vice Mayor Avila-Vazquez, seconded by Commissioner Heriot, to approve Item 7-G. The motion carried by the following vote:

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

H. Request for recognition(s):

The following recognition(s) has been requested:

1. Proclamation - Faith & Freedom 250

Vice Mayor requested more information for this item and the Mayor replied the organization sent out an email requesting in celebration of America's 250th Anniversary and it is being done by local churches.

Motion by Vice Mayor Avila-Vazquez, seconded by Commissioner Howington, to approve Item 7-H. The motion carried by the following vote:

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

I. ADD ON: Approval of a request from Deltona Magazine for complimentary use of the Commission Chambers for their awards ceremony.

Vice Mayor stated this magazine promotes local businesses, does not take anything from the residents, and it did a great job last year when 14 businesses were acknowledged on Deltona Blvd.

Motion by Vice Mayor Avila-Vazquez, seconded by Commissioner Nabicht, to approve Item 7-I. The motion carried by the following vote:

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

Against: 1 - Commissioner Howington

8. ORDINANCES AND PUBLIC HEARINGS:**A. Public Hearing - Ordinance No. 14-2026, Amending and Updating the City's Special Assessments and Creating a Fire Rescue Services Assessment based on the 2026 Fire Assessment Study Prepared by Benesch Financial Consultants, Inc., at First Reading.**

The City Attorney read the title of Ordinance No. 14-2026 for the record.

Commissioner Heriot stated over the weekend, he had the chance and opportunity to speak with dozens of residents from not only District One but across the City. A lot of them expressed confusion with the information that was being discussed around this item, and after lengthy discussions with many of them, the need for capital funding is definitely acknowledged, but a lot of them express concerns with the mechanism in which this item does that.

Motion by Commissioner Heriot, seconded by Commissioner Santiago, to deny this item.

The Mayor opened public comments and residents addressed the City Commission.

The motion carried by the following vote:

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

Commissioner Nabicht asked what happens to Item 9-A, does the Commission just pull that item at this point? The City Attorney replied the Commission could take a vote to delete Item 9-A from the agenda at this point.

Commissioner Nabicht, seconded by Commissioner Heriot, to delete Item 9-A from the agenda. The motion carried by the following vote:

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

B. Public Hearing - Ordinance No. 02-2026 Amending Chapter 66 "Traffic and Vehicles" establishing regulation regarding Micromobility devices, at second and final reading.

The City Attorney read the title of Ordinance No. 02-2026 for the record.

Motion by Commissioner Nabicht, seconded by Commissioner Howington, to approved Ordinance No. 02-2026, amending Chapter 66 "Traffic and Vehicles" establishing regulation regarding Micromobility

devices, at second and final reading.

The Mayor opened the public comments and residents addressed the City Commission.

The Commission and City Attorney discussed meeting state law requirements, being consistent with the Americans with Disabilities Act and 28 CFR Part 35, Title 2 of the ADA, the Ordinance Review Committee (ORC) reviewing the ordinance, getting the ordinance on the books, and additional review of Chapter 66.

The motion carried by the following vote:

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

C. Public Hearing- Ordinance No. 15-2026, Animal Abandonment with Enhanced Penalties, at first reading.

The City Attorney read the title of Ordinance No. 15-2026 for the record and that this is first reading of the ordinance. Commissioner Heriot had made a motion at a previous Commission meeting, directing City staff to look at providing for enhanced penalties for abandonment and in this past legislative session, there was actually a state bill that allowed that to happen. So, this has been drafted in accordance with the state bill and would have an effective date of October 1st in accordance with the effective date of that state bill.

Motion by Commissioner Heriot, seconded by Commissioner Howington, to approved Ordinance No. 15-2026, Animal Abandonment with Enhanced Penalties.

The Mayor opened the public comments and residents addressed the City Commission.

The motion carried by the following vote:

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

9. ACTION ITEMS:

A. Request for approval of Resolution No. 2026-54 - Establishing the Maximum Fire Rescue Services Annual Assessment Rate for Fiscal 2026-27

This item was not discussed as a motion was made to remove the item from the agenda.

B. Request for approval of Resolution No. 2026-60 - Maximum Millage Rate for Fiscal 2026-27.

The City Attorney read the title of Resolution No. 2026-60 for the record.

The Mayor stated if the plan is to go to full roll-back, he recommends setting the maximum millage at the full roll-back so as to not confuse the residents.

The Finance Director stated staff recommends going to 6.7000 as the maximum millage. What that does is, for some unforeseen reason the state revenues come in less than anticipated, et cetera, then if we did have to raise the rate above the roll-back rate we would not have to send out a letter to each individual parcel owner notifying them that there is a change in the TRIM notice. If the Commission wants to set the maximum millage at the roll-back rate, then he would need to go and run the numbers to give the Commission the official reading is for the increase/decrease.

Motion by Commissioner Nabicht, seconded by Commissioner Heriot, that Resolution No. 2026-60, we set the maximum millage rate for the roll-back rate of 6.4948.

The Mayor called a recess at 8:02 p.m. and reconvened at 8:12 p.m.

Commissioner Nabicht confirmed that his motion is for the roll-back rate of 6.4948.

The Finance Director stated he confirmed at 6.4948, at that roll-back rate, it would be a 0% increase over the current year's taxes.

The Mayor opened the public comments and residents addressed the City Commission.

Commissioner Howington discussed last year's roll-back rate, a \$1 million moratorium lawsuit, and Amazon payback of approximately \$500,000. She challenged staff to come back with even less than the 6.4948 roll-back rate by removing fluff from the budget. She also requested the table of the Amazon repayments and whether those have ever been factored into the millage rate.

The Finance Director replied the repayment on the tax increment was built into the budget as an expense in your non-departmental's every year. The City received it from Amazon through the tax collector, then we had to cut a check for it. So, in order to cut the check staff had to have an approved line item to cut it against.

Commissioner Heriot requested that staff evaluate the additional cost for the land purchase next to The Center and the settlement of that lawsuit when they do that analysis.

The motion carried by the following vote:

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

C. Request for approval of Resolution No. 2026-61 Authorizing the City Manager or His Designee to Identify Properties Suitable for

Conservation and Pursue Grant and Other Funding Opportunities for the Acquisition of Property for Conservation Purposes.

The City Attorney read Resolution No. 2026-61 for the record.

Motion by Commissioner Heriot, seconded by Commissioner Santiago, to approve Item 9-C.

The Mayor opened the public comments and residents addressed the City Commission.

Commissioner Nabicht discussed the Keep Deltona Wild initiative and identified properties by the consultant. A couple of meetings ago he requested a consensus to start moving forward and this is the next step which authorizes the City Manager to start the conversations with Volusia Forever and landowners to see if there is interest in doing this.

The Commission and City Attorney discussed similar requests related to conservation, deed restrictions, localized control, looking at properties citywide, items coming back to the Commission for approval, and the Commission making recommendations to the City Manager.

Motion by Commissioner Heriot, seconded by Commissioner Nabicht, to extend the meeting by 15 minutes. The motion carried by the following vote:

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

The Commission and City Attorney discussed Keep Deltona Wild and Volusia Forever, key areas and stormwater management, revisiting the consultant's findings, and amending the motion to include Volusia Forever as a resource.

Amended motion by Commissioner Nabicht, seconded by Commissioner Heriot, to include Volusia Forever as a resource.

The Commission discussed having public information workshops, list of property uses, and deed restrictions.

The amended motion carried by the following vote:

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

10. CITY ATTORNEY COMMENTS:

The City Attorney stated he just wanted to flag for everyone here that there is a bill that was passed this last session, SB 1134, which deals with DEI (Diversity, Equity, and Inclusion) and provides some very strict guidelines for local governments coming into effect January

1, 2027. So, we are preparing a legal memorandum that will be provided to the Commission as well as the City Manager and professional staff that provides the guidelines for what constitutes an official action and what actions going forward may no longer be permitted, as well as what falls within exceptions such as federal observances, etc.

11. CITY MANAGER COMMENTS:

The City Manager stated provided an update on the 4B Project, the Lakeshore Boat Ramp, which included the project timeline, cause of delays, the first bidding process, the revised bidding process, current status, project scope, current conditions, and future phases. He also reminded everyone of the Joint Commission Workshop as part of the continued discussion of the Comprehensive Plan on Monday, July 27th at 5:30 p.m. which will include a presentation of the proposed mixed-use future land use category.

12. CITY COMMISSION COMMENTS, REQUESTS & REPORTS:

Commissioner Colwell requested at the next City Commission meeting, to bring back Resolution No. 2026-48 in regards to the property at 271 Fort Smith Boulevard and the Commission concurred.

Commissioner Colwell and the City Manager spoke about the responsibility of the sidewalks on Howland Blvd.

Commissioner Howington spoke about issues with the election qualifying process and if the Commission would have an appetite to allowing the residents to vote on the ballot to move the Supervisor of Elections to the City's qualifying officer and the Commission concurred.

The City Attorney stated in order to get a charter amendment on the November ballot, if you wanted to include this in the charter, he believes the Commission is probably not timely with that. However, he needs to double check with the deadlines with the supervisor's office. The City's qualifying official is actually set by ordinance, so that is something that the Commission could consider changing via ordinance. He would need more time to evaluate the charter and see if there any other provisions of the charter that would need to be changed as far as the qualifying procedures but, that is something that can be looked at and he will get back to the Commission.

The City Manager stated staff would encourage that decision to move forward and pass it on to the Supervisor of Elections. That is what they do full-time, elections, and it is not something we do as a City.

Motion by Commissioner Howington, seconded by Commissioner Heriot, to extend the meeting. The motion carried by the following vote:

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

Commissioner Santiago spoke about the upcoming Back to School Fair and the Wig Out Event.

Commissioner Heriot requested an update on the installation of additional streetlighting on the boulevards specifically Haulover Blvd. He asked if there was a policy that governs the naming of City infrastructure and if there is to bring it back for review. If there is no policy then he would like to see the Commission create a policy for that.

Commissioner Heriot asked if the City Attorneys could look into a potential moratorium on data centers within the city limits. The City Attorney replied as far as a moratorium on data centers within city limits, that would likely be a violation of Senate Bill 180. However, the City's zoning code does not currently recognize data centers as an approved principal use. So, he believes there is an argument to be made that a zoning code amendment, at a minimum, would be required to permit a data center from coming in. If the Commission would like to provide direction to staff to evaluate the City's zoning code and look at and develop a memorandum about data centers and whether they are permitted use to continue to do that.

Commissioner Heriot requested a consensus to direct legal to provide a memorandum on what our code says regarding the land use for data centers and the Commission concurred.

The Vice Mayor spoke about the Lakeshore Drive Boat Ramp. She stated the Lake Gleason boat ramp had some issues which Parks & Recreation reacted to immediately but, she would like a follow-up on the status of that boat ramp.

The Mayor spoke about receiving 200 official FIFA (International Federation of Association Football) soccer balls at no cost to the City at the US Conference of Mayors.

13. ADJOURNMENT:

There being no further business, the meeting adjourned at 8:50 p.m.

Santiago Avila, Jr., MAYOR

ATTEST:

Joyce Raftery, CMC, MMC, CITY CLERK