



City of Deltona

2345 Providence Blvd.
Deltona, FL 32725

Minutes

City Commission

Tuesday, January 20, 2026

6:30 PM

Deltona Commission Chambers

REVISED 1-16-2026

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: 6 - Mayor Avila
Vice Mayor Avila-Vazquez
Commissioner Heriot
Commissioner Howington
Commissioner Nabicht
Commissioner Santiago

Absent: 1 - Commissioner Colwell

3. INVOCATION AND PLEDGE TO THE FLAG:

A. Invocation Presented by District 4 Commissioner.

4. ADDITIONS AND DELETIONS:

5. PRESENTATIONS/AWARDS/REPORTS:

A. Presentation - Check Presentation from the Volusia County Hispanic Association.

B. Recognition of holiday parade winners.

C. Presentation - Deltona History by former Commissioner Tom Burbank.

The Mayor announced that because of unforeseen circumstances the presenter was unable to make the meeting.

6. DELTONA COMMUNITY EVENTS:

7. CONSENT AGENDA:

Vice Mayor Avila-Vazquez requested to pull Items 7-E and 7-H for discussion.

The Mayor opened the public comments and a resident addressed the City Commission.

Commissioner Nabicht requested to pull Item 7-C for discussion.

Motion by Commissioner Heriot, seconded by Commissioner Santiago, to approve Consent Agenda Items A through I excluding C, E and H. The motion carried by the following vote:

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

A. Request for approval of minutes of the Regular Commission Meeting of December 15, 2025, as presented.

Approved by Consent - to approve the minutes of the Regular Commission Meeting of December 15, 2025, as presented.

B. Request for approval of the Fourth Quarter 2025 Reports of City Advisory Boards/Committees.

Approved by Consent - to accept the Quarterly Reports as presented.

C. Request for approval of Resolution No. 2026-02 for the purchase and full outfitting of a replacement ambulance.

Commissioner Nabicht spoke about being in support of the purchase, build time, and the stats from 2024 to 2025. He highly recommended to find the money to order two (2) units with this purchase and not just the one and he provided an explanation.

The Commission and Interim Fire Chief spoke about the moratorium, growing population, needing more transport ability, vehicle age and replacement schedule, a fourth transport, and replacing multiple units.

The City Manager stated he has a meeting within the next week to discuss transport.

The Commission spoke about critical areas, the importance of residents' lives, transport is an enhanced service, transport is not cost effective, transport benefits surrounding communities, and the wear and tear on the units.

Motion by Commissioner Nabicht, seconded by Commissioner Howington, to direct the City Manager to find the funds to order two (2) units with this purchase. The motion carried by the following vote:

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

D. Request for approval of Resolution No. 2025-153, Investment Policy.

Approved by Consent - to approve Resolution No. 2025-153, Investment Policy.

E. Request for approval of Resolution No. 2026-07, Agreement with the Volusia County Tax Collector for the Utilization of the Uniform Method of Collection of the Non-Ad Valorem Assessments.

Vice Mayor Avila-Vazquez asked for an explanation of the item. Someone called her and questioned how it affects the tax bill and the residents.

The Finance Director stated several years ago, back in 2021 the Commission passed this similar agreement for the Volusia County Property Appraiser. Subsequently, there are several additional constitutional officers like the Volusia Sheriff, the Tax Collector, etc. So, when staff put the new potential fire assessment fee out there and had to provide the appropriate notice to both the Property Appraiser and the Tax Collector. The Tax Collector noticed the City had not done an interlocal agreement with the City since he became a constitutional officer. This item is only to put in that interlocal agreement with the Tax Collector as they are the agency that collects the ad valorem proceeds and non-ad valorem proceeds, nothing more.

Motion by Vice Mayor Avila-Vazquez, seconded by Commissioner Howington, to approve Item E on the Consent Agenda. The motion carried by the following vote:

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

F. Request for approval of Resolution No. 2026-08 Ratification of waiver of late fees and water shutoff due to the Utility Billing Online Payment Portal Outage.

Approved by Consent - to approve Resolution No. 2026-08.

G. Request authorization for the sale of a portion of Tract N - (0.023 acres +/- or 1,006.03 square feet) found in the Deltona Lakes Unit 20 plat. The overall acreage of Tract N is 11.23 acres. The appraised value of the property is \$800.

Approved by Consent - to approve Resolution No. 2026-03.

H. Request authorization for the sale of a property in Pine View Estates - (0.126 acres +/- or 5,488.56 square feet). The appraised value of the property is \$9,900.

Vice Mayor Avila-Vazquez asked who is buying the property and what are their plans for the property?

The Community Development Services Director stated BNGA, LLC is the Halpins and Mr. Schweizer, and they are building an industrial project within the Activity Center. No plans have been submitted to date. It is located right by the Synergy project, it is 5,488 square feet, it is land-locked and there is no use for City purposes. The appraised value is \$9,900 and they are paying the appraisal fee and closing costs.

Motion by Commissioner Nabicht, seconded by Commissioner Heriot, to approve Item H. The motion carried by the following vote:

For: 5 - Mayor Avila, Vice Mayor Avila-Vazquez, Commissioner Heriot, Commissioner Nabicht, and Commissioner Santiago

Against: 1 - Commissioner Howington

I. Request for recognition(s) for the month of January.

The following recognition(s) has been requested:

Proclamation - National CRNA Week: January 18th - 24th, 2026

Approved by Consent - to approve the requested recognition for the month of January.

8. ORDINANCES AND PUBLIC HEARINGS:

A. Public Hearing - Ordinance No. 02-2026 Amending Chapter 66 "Traffic and Vehicles" establishing regulation regarding Micromobility devices at first reading.

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

Motion by Commissioner Heriot, seconded by Commissioner Howington, to approve Ordinance 02-2026 amending Chapter 66 "Traffic and Vehicles" establishing regulation regarding Micromobility devices, at first reading with updates to come at 2nd reading further restricting the use of e-bike devices to those under 18.

The City Attorney stated the motion is to change the age limit from 16 to 18. Commissioner Heriot replied for vehicles over 750 watts and that they stay off of the roadway, have to be on the sidewalk.

Commissioner Howington requested to include bike lanes and Commissioner Heriot

replied if they are old enough, over 18 then they can follow motorcycle laws.

Amended motion by Commissioner Heriot, seconded by Commissioner Howington, to approve Ordinance 02-2026 amending Chapter 66 "Traffic and Vehicles" establishing regulation regarding Micromobility devices, at first reading and between now and then we will update the changes.

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

The Commission and City Attorney discussed ADA (Americans with Disabilities Act) guidelines, restrictions, age limits, other mobile vehicles (golf carts), other cities and counties, weight limits, accidents, traffic safety data, types of electric vehicles and clear definitions.

The amended motion carried by the following vote:

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

B. Public Hearing - Ordinance No. 36-2025, Amending Section 110-814 "Additional Regulations for Certain Permitted Principal Uses and Structures." Of Chapter 110, "Zoning" and Chapter 74, "Administration" of the Land Development Code, at first reading.

The City Attorney read the title of Ordinance No. 36-2025 for the record.

Motion by Commissioner Nabicht, seconded by Commissioner Heriot, to approve Ordinance No. 36-2025, at first reading.

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

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

The Commission, City Attorney and staff discussed potential lawsuits, State law, SB180 claims, conflicting laws, the effect on residents, needing a process, local standards, group homes/assistant living facilities, residents' mobility, residential fire sprinkler requirement, drilling down on life safety components, and affects to surrounding property values.

The Community Development Services Director stated on Line 123, there is regulation that says must comply with applicable laws, building codes and fire codes and inspections will be allowed. Staff will work with the fire services on the language.

The City Attorney urged the Mayor and Commissioners to reach out to the delegation because this is a bill that will be challenging and will very likely create challenges. It ties our hands. It continues to strip our Home Rule authority as a local government, as a city.

So this is the type of law that severely ties our hands, will maybe conflict with another general law, but certainly creates a real restriction on the way the Commission regulates the community. She urged the Commission to speak to the elected delegation about this, as well as the public.

The City Attorney read the title of Ordinance No. 36-2025 for the record.

The motion carried by the following vote:

For: 5 - Mayor Avila, Vice Mayor Avila-Vazquez, Commissioner Heriot, Commissioner Howington, and Commissioner Nabicht

Against: 1 - Commissioner Santiago

9. ACTION ITEMS:

A. Request for approval of Resolution No. 2025-169 Adopting the updated Master Fee Schedule for FY 2025 - 2026 that incorporates the Utility Rate Study for Water and Wastewater (W/WW).

The City Attorney read the title of Resolution No. 2025-169 for the record.

Commissioner Heriot requested a consensus of the Commission to have the presentation before making a motion.

Bryan A. Mantz, CMC, CGFM, GovRates, Inc. President gave a brief PowerPoint Presentation on the item.

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

The Commission, Mr. Mantz, and staff discussed repayment of debt, building rates to support debt, gradual increases, no increase done last year, capital funds and projects, compliance and water quality improvements, being in compliance is non-negotiable, and investing in the infrastructure.

Motion by Commissioner Howington, Vice Mayor Avila-Vazquez, to deny Resolution No. 2025-169.

The Commission, Mr. Mantz, City Attorney and staff discussed no increases last year, the rate study, increasing water quality and replace infrastructure, level funding strategy, prioritizing projects, the water not containing fluoride, 6% on all usage and base rates, making it more equitable, relieving sewer customers, maximizing the impact fee, tools to manage growth, the analysis not being high enough, growth paying for itself, winter residents, how impact fees are calculated, the justifiable maximum increase, growth related fees, grant conditions, and a defensible impact fee rate.

The Mayor called point of order, Commissioner Nabicht wants to make sure that the \$9,060 is the maximum allowed to charge per statute and Mr. Mantz agreed. The City

Attorney stated the study governs what the City can charge and then there is a statutory basis for phase in for certain types of increases.

The Mayor called for a recess at 8:10 p.m. and reconvened at 8:19 p.m.

The Deputy Utilities Directed suggested to pause this item so staff analyze the information and put the information into the spreadsheet that it was calculated in and come back with a correct number tonight.

Commissioner Howington withdrew her motion and Vice Mayor Avila-Vazquez withdrew her second.

Commissioner Howington provided her feedback and the changes she would like included.

The City Attorney stated as long as the City's impact fees are inline with Florida Statutes it should not be affected by SB180.

The Mayor requested a consensus of the Commission to move this item just before City Attorney Comments and the Commission concurred.

B. Request for Consideration of all reappointments/appointments to the Affordable Housing Advisory Committee.

Motion by Commissioner Heriot, to approve Rachel Amoroso. The motion died for lack of a second.

Motion by Commissioner Heriot, seconded by Commissioner Nabicht, to reappoint Rachel Amoroso, Jean Armstrong, Jodi Pena-Castaldi, Sylvia Hayes and Michelle Wallace-Chin. The motion carried by the following vote:

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

Motion by Commissioner Santiago, seconded by Commissioner Nabicht, to appoint Ashley Hill.. The motion carried by the following vote:

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

Motion by Commissioner Nabicht, seconded by Vice Mayor Avila-Vazquez, to appoint Timothy Griffin. The motion carried by the following vote:

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

Motion by Vice Mayor Avila-Vazquez, seconded by Commissioner Nabicht, to appoint Grace Mojica. The motion carried by the following vote:

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

Motion by Mayor Avila, seconded by Commissioner Nabicht, to appoint Joseph Somerville. The motion carried by the following vote:

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

Motion by Commissioner Howington, seconded by Vice Mayor Avila-Vazquez, to appoint Brandi Weeden. The motion carried by the following vote:

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

Motion by Commissioner Heriot, seconded by Commissioner Nabicht, to appoint Maria Pizarro. The motion carried by the following vote:

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

C. Request for discussion - Rhode Island Avenue Extension - City Led vs. County Led Project.

The Community Development Services Director stated he is seeking Commission direction on how to move the project forward and he gave a brief presentation on the item.

The Commission and staff discussed the Transportation Planning Organization (TPO), the Technical Coordinating Committee (TCC), eligibility for project list, the I-4 Beyond Ultimate project, lack of staff, being a multi-jurisdictional project, doing an Interlocal Agreement, having fair representation/input, and design time frame.

Motion by Commissioner Nabicht, seconded by Commissioner Santiago, to do an interlocal agreement and let the county take the lead on this.

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

The Commission and staff discussed needing county approval, the original plan, traffic and pedestrians, already allocated funds and the use, TPO discussions, diverting traffic, not rushing, project discussions, pedestrian safety, synergy discussions, maintenance of roads within the City, needing a seat at the table, connectivity, the county being better equipped, providing project updates and traffic studies.

The motion carried by the following vote:

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

D. Request for approval of Resolution No. 2026-05 recognizing Ordinance No. 29-2025 as void ab initio pursuant to SB 180.

Motion by Commissioner Howington, seconded by Commissioner Heriot, to extend the meeting to 9:30 pm. The motion carried by the following vote:

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

The City Attorney gave a brief explanation of the item to include seeking direction from the Commission if they want to take action and then she read the title of Resolution No. 2026-05 for the record.

Motion by Commissioner Heriot, to withdraw the moratorium pursuant to the allegations made within this resolution, Resolution No. 2026-05. The motion died for lack of a second.

Motion by Commissioner Heriot, seconded by Commissioner Santiago, to approve Resolution No. .2026-05.

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

Motion to . The motion carried by the following vote:

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

E. Request for approval of Resolution No. 2026-06 Howland Station Condo Developers LLC Settlement.

The City Attorney read the title of Resolution No. 2026-06 and she gave a brief explanation of the item.

Motion by Commissioner Nabicht, seconded by Commissioner Howington, to approve Resolution No. 2026-06.

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

The City Attorney explained the Memorandum of Law which was included in the agenda packet.

Commissioner Heriot called point of order, the Commission was briefed on the item and he does not want to take any time away from explaining it to the public but, we are getting to the point where the Commission will not get to the rest of the agenda items.

The motion carried by the following vote:

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

A. Request for approval of Resolution No. 2025-169 Adopting the updated Master Fee Schedule for FY 2025 - 2026 that incorporates the Utility Rate Study for Water and Wastewater (W/WW).

The Finance Director stated he was able to go back and look at the five (5) year projection. The previous staff recommendations was 6% on all fees across the board. If we were to go based on what Commissioner Nabicht stated for all base fees only it would go from 6% to 9.13% which is increasing the tiers by 3%. So, 9.13% for five (5) years would be the necessary increase in base fees to bring in the same amount of revenue in a five (5) year period.

The Commission and staff discussed the base fee, consumption, and reducing the excess usage of water.

Motion by Commissioner Heriot, seconded by Commissioner Santiago, to approve Resolution No. 2025-169 adopting the updated Master Fee Schedule for FY 2025 - 2026 that incorporates the Utility Rate Study for Water and Wastewater (W/WW). The motion failed by the following vote:

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

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

**Motion by Commissioner Nabicht, seconded by Commissioner Howington, to approve the impact fees only at a rate of \$9,060 per study.
The motion carried by the following vote:**

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

The Finance Director stated in order to comply with our bond resolutions and the grant application that we currently have outstanding. Based on what is in the fee resolution, Page 8, it talks about the automatic future rate adjustment. Mr. Mantz is confident that if we at least adopt the increase that is based on the Engineering News-Record (ENR) which is currently at 1.6% increase which is similar to the Consumer Price Index (CPI) the City would at least be in compliance with all of our granting agencies that require an increase to be in compliance with our requirements.

Motion by Commissioner Heriot, seconded by Commissioner Nabicht, to adopt the 1.6% ENR from January with the stipulation that this be put back on a, like to see this on a priority workshop and presented with the capital five (5) year plan, with the rate study as well, and I'd like to see a list of projects that were completed from the last five (5) years with the CIP for the next five (5) years, date specific February 16th workshop. The motion carried by the following vote:

For: 5 - Mayor Avila, Vice Mayor Avila-Vazquez, Commissioner Heriot, Commissioner Nabicht, and Commissioner Santiago

Against: 1 - Commissioner Howington

10. CITY ATTORNEY COMMENTS:

11. CITY MANAGER COMMENTS:

12. CITY COMMISSION COMMENTS, REQUESTS & REPORTS:

13. ADJOURNMENT:

There being no further business, the meeting adjourned at 9:30 p.m.

Santiago Avila, Jr., MAYOR

ATTEST:

Joyce Raftery, CMC, MMC, CITY CLERK