



# City of Deltona

2345 Providence Blvd.  
Deltona, FL 32725

## Minutes

### Special City Commission Meeting

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**Saturday, March 29, 2025**

**9:00 AM**

**Deltona Commission Chambers**

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#### 1. CALL TO ORDER:

The meeting was called to order at 9:00 a.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. PLEDGE TO THE FLAG:

#### 4. ACTION ITEMS:

- A. Resolution No. 2025-48, Declaring Zoning in Progress to establish the “Keep Deltona Wild Overlay District” to encourage low impact residential development, protect environmentally sensitive lands, preserve biodiversity, preserve and encourage agrarian communities, and promote ecotourism and agritourism activities within certain unique areas of the City of Deltona, and determining that applications for Development Orders and Development Agreements shall be subject to the zoning in progress.**

City Attorney Torcivia read the title of Resolution No. 2025-48 for the record.

**Motion by Commissioner Avila-Vazquez, seconded by Commissioner Lulli, to approve Resolution No. 2025-48, for the Zoning in Progress for the "Keep Deltona Wild District Overlay".**

The Commission, City Attorney, and Planning & Development Services Director spoke about the ordinance language, the intent of the ordinance, tailoring to unique sub areas, outline of key characteristics, the three parts to the overlay, affects on flooding, needing more information, the impact to the area, zoning in progress, the JPA (Joint Planning Agency), wetlands, needing the areas broken out, people being left out, the Collingswood

Community, extending the zoning in progress, extending beyond District 6, the map and the overlay, potential lawsuits, applications in place, current regulations, denied applications, development rights, rushing, D-ranch being conservation, tabling the item, applications in these locations, the current density, future zoning, having a workshop, complaints from residents, the motion to include direction, viewing the areas, maintaining agricultural uses and rural character, conservation, affects to Vineland Reserve, rural protections, commercial, Comprehensive Plan amendments, keeping things contiguous, annexation, current entitlements, stormwater, traffic, school crowding, land use concerns, consultant providing a presentation, downtown overlay, vested rights, and not reducing commercial.

Commissioner Howington called point of order and she requested that staff display the map for everyone to see.

The Commission and City Attorney continued speaking about Fish Hawk, the zoning, amendment to include sub areas, public workshops, and opening the conversation.

**Commissioner Avila-Vazquez withdrew her motion and Commissioner Lulli withdrew his second.**

Mayor Avila opened the public comments and J. Christy Wilson III, Lori Warnicke, Kathy Bryan, Willow Bordner, Randi Priest, Katherine O'Brien, Rob Trombetta, David Sosa, Suzanne Scheiber, James McCully Jr., and Tamara Manly addressed the City Commission.

City Attorney Torcivia clarified after hearing the discussion and comments that the zoning in progress will allow for the creation of sub areas and once they are created they can have specific area characteristics. We do not have to make an amendment today to this resolution to have sub areas during the zoning. It is helpful to know that this is the intent of the Commission and make it clear during this discussion.

**Motion by Commissioner Lulli, seconded by Commissioner Avila-Vazquez, to approve Resolution No. 2025-48, for the Zoning in Progress for the "Keep Deltona Wild District Overlay" district and direct staff to subdivide the Comprehensive Plan amendments by the three areas and bring that back for consideration at future meetings, workshops, and public meetings. The motion carried by the following vote:**

City Attorney Torcivia read the title of Resolution No. 2025-48 for the record.

**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. Resolution No. 2025-49, Declaring Zoning in Progress to study and**

**amend the activity center overlay permitted uses, mix of uses, density/intensity and architectural design to establish a walkable, mixed-used environment have includes a diverse mix of retail, dining, lodging and housing options, and determining that applications for Development Orders and Development Agreements shall be subject to the zoning in progress.**

City Attorney Torcivia read the title of Resolution No. 2025-49 for the record.

**Motion by Vice Mayor Heriot, seconded by Commissioner Santiago, to approve Resolution No. 2025-49.**

The Commission, City Attorney and Planning & Development Services Director spoke about allowing a great variety of uses, single family residential, mixed use not required, variety of uses, current applications, not allowing houses, original intent, ad hoc basis, more walkable environment, Comprehensive Plan amendments, Heathrow, Colonial Town Park, having another workshop, current zonings, increasing density without sacrificing mixed use, a sense of community, a downtown area, family friendly dining, no high rises, discussion with the County, vacant land, Rhode Island extension, Amazon, available property, working with TPO (Transportation Planning Organization), Colonial Town Square, vertical vs. horizontal development, mixed use, current regulations, multi-family residential, current entitlements, zoning in progress, and comparable projects.

The Mayor opened the public comments and J. Christy Wilson III (representing Trafalgar Holdings), Scott Banta (representing 111 N. Ronald Reagan Blvd), Kathy Bryan, Lori Warnicke, Matt Bergens, and Terri Ellis addressed the City Commission.

The Commission, spoke about students and safety, TPO (Transportation Planning Organization) projects, County improvements to Howland Blvd., enhancing walkways, fencing to protect children; acceptance of applications, trips, no specific design, mixed use buildings, current applications, current regulations, and tabling the item.

**The motion carried by the following vote:**

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

**Against: 1 - Commissioner Howington**

**C. Resolution No. 2025-50, Approving the Settlement Agreement for the Espejo Litigation.**

City Attorney Torcivia read the title of Resolution No. 2025-50 for the record.

City Attorney Torcivia stated this was an unfortunate incident that occurred at the Dewey O. Boster Sports Complex in 2022. The child was injured and medical expenses that resulted

from the incident. A case was brought against the City and there was a mediation with Attorney David Blessing, Roper P.A. and we were able to come to what she believes is a very favorable outcome. One of the conditions of the settlement is that we brought this item to the Commission today so they could put this past them and move forward. To be clear the City's carrier, in this case PGCS, and the carrier representative is the one who authorizes amounts that the carrier will pay. This settlement is a \$100,000 payment for this incident and the City's deductible is only \$1,000. This is a favorable outcome for the City and the carrier.

**Motion by Vice Mayor Heriot, seconded by Commissioner Lulli, to approve the resolution as presented.**

The Commission and City Attorney spoke about the process, settlement negotiations, prior practice, trial prep, discovery, negotiations, being a good outcome, preparation for trial, phone calls received, public meetings, shade meetings, no discussion of settlement, settled in mediation, rate based on liability, cases settled vs. going to trial, cost and fees, the facts presented, park safety and maintaining parks, accidents do happen, and challenges.

**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

**5. PUBLIC COMMENTS: (2 minutes maximum length per speaker)**

**6. CITY MANAGER COMMENTS:**

**7. ADJOURNMENT:**

There being no further business, the meeting adjourned at 11:30 a.m.

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Santiago Avila, Jr., MAYOR

ATTEST:

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Joyce Raftery, CMC, MMC, CITY CLERK