



# 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*

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Monday, July 15, 2024

6:30 PM

Deltona Commission Chambers

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**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.

**1. CALL TO ORDER:**

**2. ROLL CALL – CITY CLERK:**

**3. INVOCATION AND PLEDGE TO THE FLAG:**

**A. [Invocation Presented by District #6 Commissioner.](#)**

**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.

**4. APPROVAL OF MINUTES & AGENDA:**

- A. [Approval of minutes of the Regular Commission Meeting of July 1, 2024, as presented.](#)

**Background:** N/A

**Attachments:** [July 1, 2024 RCM Minutes](#)

**5. PRESENTATIONS/AWARDS/REPORTS:**

- A. [Presentation by Selys Rivera-Reyes - Halifax Health Programs: Hospice, Traumatic Loss and Children's Begin Again](#)

**Background:** Presentation by Halifax Health on three of their programs: Hospice, Children's BeginAgain and Traumatic Loss.

**Attachments:** [Halifax Health Hospice Grief Counseling Programs Presen](#)

- B. [FY2022/2023 Annual Audit Presentation: Annual Comprehensive Financial Report for the Year Ended September 30, 2023](#)

**Background:** The City undergoes a financial audit each year and issues an Annual Comprehensive Financial Report that includes the City's financial statements. The independent audit firm of Purvis Gray, Certified Public Accountants will present the City's audited Annual Comprehensive Financial Report for the year ended September 30, 2023.

**Attachments:** [FY 2023 ACFR FINAL](#)

- C. [Rainier Coomber, President of VEMA, will present a check to the Deltona Firefighters Foundation in the Amount of \\$6,274.92 from the 1st Annual Memorial Day Bike Ride Event on May 27th.](#)

**Background:** VEMA (Veterans Enforcers Motorcycle Association) partnered with the City of Deltona for the 1st Annual Memorial Day Bike Ride Event honoring Veterans and First Responders. The money raised was shared by VEMA with the Deltona Firefighters Foundation.

**6. 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.

**7. ORDINANCES AND PUBLIC HEARINGS:**

- A. [Public Hearing - Resolution No. 2024-35, Establishing the Proposed Millage Rate for levy of ad valorem taxes for FY 2024/2025.](#)

[Strategic Goal: Fiscal Issues](#)

**Background:**

The City Manager is proposing a millage rate of 7.0000 mills, which is reduced from the rate levied in FY2023/2024 and reflects an increase of 3.35% from the rolled-back rate of 6.7730 mills. Staff proposes the Commission adopt a proposed millage rate of 7.0000 mills for FY2024/2025. Attached is Resolution No. 2024-35 establishing a proposed millage rate. The adopted rate will be communicated to the Property Appraiser and used in the Notice of Proposed Property Taxes (TRIM Notices) issued to Deltona property owners in late August. If the commission votes to approve a higher millage rate at the first hearing in September, the City is required to send a revised TRIM notice to the property appraiser and to the residents at the City's expense (s. 200.065(2)(d), F.S.).

**Attachments:** [Resolution No. 2024-35](#)

- B. [Public Hearing - Resolution No. 2024-30, Establishing the Annual Rate Resolution - Stormwater Services for FY2024/2025.](#)

[Strategic Goal: Fiscal Issues](#)

**Background:**

The Stormwater Utility System is based on operation and capital needs and is funded by fees levied to the property owners in the City of Deltona. The current rate of \$128 was adopted six years ago and will not support the Stormwater Utility System for capital projects. The impacts of Hurricane Ian and Nicole resulted in approximately 250 homes being flooded, roadways closed and an overwhelming unprecedented impact on the stormwater infrastructure. The City has

identified a number of projects to begin the process of upgrading and improving the stormwater infrastructure that in some areas is nearly 60 years old. One major project is the Theresa Basin Study, which will result in identifying areas of greatest need and projects that can improve and enhance the flow of stormwater through the City of Deltona. Staff is pursuing every avenue of funding including grants, appropriations and similar to help off-set what is anticipated as a \$50M need for stormwater capital projects and upgrades and improvements.

Section 54-158 of the Code of Ordinances requires that the City Commission adopt an Annual Rate Resolution during its budget adoption process for each fiscal year. On June 3rd, 2024, the Commission voted to approve the preliminary annual rate of \$170 per equivalent residential unit (ERU). The attached Resolution 2024-30 will establish an annual rate of \$170 per ERU for FY2024/2025 for stormwater utility assessments.

**Attachments:**     [Resolution No. 2024-30](#)  
                                 [Stormwater Rate Study Presentation](#)

- C. [Public Hearing - Resolution No. 2024-31, Establishing the Annual Rate of Assessment for Solid Waste \(Trash\) Services for FY 2024/2025.](#)

[Strategic Goal: Fiscal Issues](#)

**Background:**

The Solid Waste (Trash) Collection System is based on operational and capital needs and is funded by fees levied to the property owners in the City. Section 54-56 of the Code of Ordinances requires that the City Commission adopt an Annual Rate Resolution during its budget adoption process for each fiscal year. On June 3rd, 2024, the Commission voted to approve the preliminary annual rate of \$235.42 per residential unit. The attached Resolution 2024-31 will establish an annual rate of \$235.42 per residential unit for FY2024/2025 for Solid Waste (Trash) Collection Assessments.

The residential solid waste collection rates for FY 2024/2025 have been calculated based on the following criteria:

The Volusia County landfill cost increased as of October 1, 2023. The current rate for regular household garbage changed from \$34.00 per ton to \$37.00 per ton, household yard waste and bulk items went from \$23.00 per ton to \$30.00 per ton.

The Consumer Price Index is adjusted annually based on the Sewer, Water, Trash index of the percentage change from April of the previous year to April of the current year.

The fuel adjustment component is adjusted annually based on the change in the average monthly pricing of diesel fuel for the last 12 months and the current pricing.

The result of those calculations has a 17.78% decrease in fuel component, 11% increase in disposal cost component and a 5.31% increase in the collection consumer price index component.

The annual solid waste assessment rate for FY 2024/2025 is proposed at \$235.42 per Residential Unit, which is increased by \$32.62 or 16.09% from the current fiscal year rate. This is the first rate increase the City has implemented in six years, which calculates to a 2.40% increase annually.

**Attachments:**     [Resolution No. 2024-31](#)  
[Solid Waste Assessment Calculations](#)

- D.   [Public Hearing - Resolution No. 2024-32, Establishing the Annual Rate Resolution - Streetlighting Services for FY 2024/2025.](#)

[Strategic Goal: Fiscal Issues](#)

**Background:**     The Streetlighting Services System is based on operational and capital needs and is funded by fees levied to the property owners in the City.

Section 54-253 of the Code of Ordinances requires that the City Commission adopt an Annual Rate Resolution during its budget adoption process for each fiscal year. On June 3rd, 2024, the Commission voted to approve the preliminary rate. The attached Resolution 2024-32 will establish an annual rate for streetlighting assessments.

**Attachments:**     [Resolution No. 2024-32](#)

- E.   [Public Hearing - Resolution No. 2024-33, Establishing the Annual Rate Resolution - Lake McGarity Aquatic Weed Control Services for FY 2024/2025.](#)

[Strategic Goal: Fiscal Issues](#)

**Background:**     The Lake McGarity Special Assessment District was established to provide aquatic weed control services for the Lake. The cost of those services is apportioned to properties that will benefit from those services and will be levied to the property owners.

Section 54-16 of the Code of Ordinances requires that the City Commission adopt an Annual Rate Resolution during its budget

adoption. Attached is the Annual Rate Resolution for Aquatic Weed Control Services assessments for the Lake McGarity Special Assessment District for FY 2024/2025. The attached Resolution 2024-33 will establish an annual rate of \$60.00 per assessed parcel.

**Attachments:**     [Resolution No. 2024-33](#)

- F.   [Public Hearing - Resolution No. 2024-34, Establishing the Annual Rate Resolution - Nuisance Abatement Services for FY 2024/2025.](#)

[Strategic Goal: Strengthen Code Compliance and focus on the City's Beautification Program.](#)

**Background:**

The Nuisance Abatement Assessment was established in 2018 for the collection of unpaid costs and expenses incurred by the City for nuisance and lot clean-up. This is an effort for the City to recoup the costs associated with the abatement of the property for clean-up that is a nuisance and a threat to public health, safety, and welfare.

Section 54 of the Code of Ordinances requires that the City Commission adopt an Annual Rate Resolution during its budget adoption process for each fiscal year. Attached is the Annual Rate Resolution for Nuisance Abatement Services for FY 2024/2025. The total outstanding and unpaid assessments for the provision of Nuisance Abatement Services for FY 2024/2025 is \$43,698.01.

**Attachments:**     [Resolution No. 2024-34](#)

- G.   [Public Hearing - Resolution No. 2024-29, Granting an Appeal to permit a Tattoo Establishment within the Retail Commercial District \(C-1\) located at 1382 Howland Boulevard, Suite 108, within the City of Deltona; providing conditions, conflicts, severability, and an effective date.](#)

[Strategic Goal: Economic Development](#)

**Background:**

The applicant, Charles Castro, entered into a lease agreement for Suite 108 in the plaza located at 1382 Howland Boulevard. This location in whole, is zoned C-1, Retail Commercial, and does not allow tattoo establishments. The current Land Development Code affords tattoo establishments in C-2, General Commercial zoning with a Conditional Use Approval and in C-3, Heavy Commercial zoning with no additional approvals required.

**Attachments:**     [Resolution No 2024-29](#)  
                              [Appeal Application 6.5.24](#)  
                              [Appeal Appl Owner Letter No OBJ](#)  
                              [Appeal Appl Attchmnt A From Appl](#)  
                              [Appeal Appl Attchmnt B Photos](#)

- H. [Public Hearing - Ordinance No. 10-2024, vacating portions of the rights-of-way known as Florida Avenue and Clara Street associated with the Davis Park Plat.](#)

[Strategic Goal: Economic Development](#)

**Background:**     The applicant is requesting to vacate portions of the rights-of-way (ROW) within the Deltona Village, as they are part of an antiquated plat from 1925. The City received the required no-objection letters from all utilities within the area. The vacation of ROW does not change the zoning but will allow the owner to develop the land, as it is currently too constrained. Please refer to the Staff Report for more information.

**Attachments:**     [Staff Report AROW24-0001](#)  
                              [Ordinance No 10-2024](#)  
                              [Exhibit A - Legal Description](#)  
                              [Maps](#)  
                              [Non-objection Letters](#)  
                              [Davis Park Plat 1925](#)  
                              [Deltona Village Vacation of ROW](#)

**8. OLD BUSINESS:**

**9. NEW BUSINESS:**

**10. 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.

**11. 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.

- A. [Request approval for the replacement of the existing restroom at Timber Ridge Park with a new restroom facility. The entire project is not to exceed the budgeted amount of \\$225,000.00.](#)

[Strategic Goal: Infrastructure](#)

**Background:**

The restrooms at Timber Ridge Park are 25 years old, not in compliance with ADA accessibility and have reached the end of their useful service life. This capital project, approved in the budget, provides for an ADA accessible restroom. In addition, this project will also upgrade the security cameras. Once the restroom is delivered, the Contractors will install the electrical, plumbing and security cameras. The entire cost of this project, including the camera upgrades will not exceed the budgeted amount of \$225,000 dollars.

**Attachments:**

[CXT Contract 081721 thru 10.15.2025](#)  
[Timber Ridge](#)  
[WO#795899 Timber Ridge Park](#)  
[ROA 22-B-161MC Plumbing Services](#)  
[Est#1172 - Vann Park Clubhouse HVAC](#)  
[Bid#23025 Electrical Service](#)  
[COD Verkada 6 Quote 19694](#)  
[P-20-20-COC EMPIRE AMENDMENT 1](#)

- B. [Request for approval of the Proportionate Fair Share Agreement with Catalina Pointe, LLC, and Volusia County, for the Catalina Pointe RPUD.](#)

[Strategic Goal: Impact Fees](#)

**Background:**

Catalina Pointe RPUD was approved in January of 2023 for 277 detached residential units that shall remain under ownership as a multi-family rental complex. If the Developer does not pay the total Proportionate Fair Share amount within one (1) year of the date of the execution of this Agreement by all parties hereto, then the outstanding balance of the Proportionate Fair Share shall be revised based on the applicable Consumer Price Index published inflationary rate. If the



proportionate fair-share amount is not paid before December 31, 2025, then the TIA must be updated, and the proportionate fair-share amount recalculated. The City will receive approximately \$277,596.00 in impact fees from the development. The City is required to approve and sign the agreement before the County can sign the agreement.

**Attachments:**     [Proportionate Share Agreement](#)  
[Exhibit B - Updated Prop. share calcs](#)

- C. [Request for approval of Resolution No. 2024-26 Budget Amendment for chemical purchases from Odyssey Manufacturing Co. of Tampa Fl. utilizing piggyback of the Marion County \\$78,500.00 contract.](#)

[Strategic Goal: Public Safety](#)

**Background:**     On September 9th of 2023, the City of Deltona was notified by Odyssey Manufacturing of a price increase of sodium hypochlorite (bleach) from \$1.25 to \$1.65 per gallon. Sodium hypochlorite is used as a required disinfectant in the wastewater process.

The City of Deltona is using a piggyback contract of Marion County which was renewed on September 30th, 2023, with the increased cost valid until September 30, 2024.

Many factors such as distance from manufacture by rail and roadway as well as volume purchased influence this adjusted cost. Similar utility's experienced prices of \$1.69 and \$1.75 per gallon.

At the time of the notification, the 23/24 FY budget was in the final stages of approval. Sodium Hypochlorite usage has been monitored very closely to attempt to utilize the approved funds while still maintaining adequate disinfection per FDEP requirements. Those funds are exhausted, and the budget resolution provides the additional funds to continue to meet disinfection requirements through FY 23/24.

**Attachments:**     [Deltona Cvr Ltr](#)  
[Resolution No. 2024-26](#)  
[BA2024-049 WW Chemicals - 362](#)

- D. [Request approval to increase the existing Purchase Order for General Legal Services.](#)

[Strategic Goal: Internal and External Communication](#)

**Background:**     At the Regular Commission Meeting held on July 1, 2024, the City Commission approved by consensus that the City Attorney will be paid

for no more than 40 hours a week until the effective date of her resignation letter, September 30, 2024. There is currently an invoice due for work done for the month of June in the amount of \$38,203.50. There are currently no funds remaining on the purchase order to pay this invoice. However, there is \$153,700 remaining on the line item which can be used to increase the existing purchase order.

**E. [Request for removal of the Mayor and City Commission offices at City Hall.](#)**

**[Strategic Goal: Internal and External Communication](#)**

**Background:**

At the Regular Commission Meeting held on July 1, 2024, Commissioner McCool requested that the Mayor and City Commission consider the removal of their offices at City Hall. Over the last few months several Commissioners have made this same suggestion. This item is so the City Commission can vote on the removal of all three offices at City Hall or to leave the offices as is.

**12. CITY ATTORNEY COMMENTS:**

**13. CITY MANAGER COMMENTS:**

**14. CITY COMMISSION COMMENTS & REPORTS:**

**15. 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](mailto: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.*

