



# City of Deltona

2345 Providence Blvd.  
Deltona, FL 32725

## Regular Commission Meeting

### City Commission

*Mayor Avila*  
*Vice Mayor Heriot*  
*Commissioner Avila-Vazquez*  
*Commissioner Colwell*  
*Commissioner Howington*  
*Commissioner Lulli*  
*Commissioner Santiago*

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Monday, December 9, 2024

6:00 PM

Deltona Commission Chambers

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

**BUSINESS MEETING - 6:30 PM**

**1. CALL TO ORDER:**

**2. ROLL CALL – CITY CLERK:**

**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 \(Retired\)](#)

**Background:** N/A

**4. ADDITIONS AND DELETIONS:**

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

- A. [Presentation & Performance - Deltona High School Blue Brigade Marching Band](#)

**Background:** The Deltona High School band is made up of 80+ students ranging from freshmen to seniors. This year they competed in 2 competitions:

- October 19, 2024 - the FFCC Outdoor competition where they placed 4th and the Percussion Section placed 3rd.
- November 2, 2024 - the FBA District 6 Marching MPA where they earned a SUPERIOR Rating (the highest rating possible)

**B. [Florida Sunshine and Public Records Presentation by City Attorney.](#)****Background:**

This is a presentation on Florida Sunshine and public records laws prepared for the City of Deltona, Florida by the City Attorney TG Law, PLLC.

**6. DELTONA COMMUNITY EVENTS:****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.](#)****Background:**

Amendment to Section 110-806 "Fences, Walls, and Hedges" to correct discrepancies in regard to surveys.

**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.](#)****Background:**

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.

**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.](#)****Background:**

This project was before the City Commission earlier this year for the approval of Ordinance No. 03-2024, which approved the rezone from Office Residential to Retail Commercial. The applicant requests a Conditional Use for a quick service oil change facility at 3150 Howland Boulevard. Along with the request, the applicant requests a reduction in stacking from three (3) vehicles to two (2) vehicles. The site is zoned C-2, Retail Commercial, which requires a Conditional Use application to allow an Automobile Service Type A.

**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.](#)

**Background:**

Variance request to allow the construction of a single-family dwelling by waiving the requirements of the minimum lot size and width with the R1, Single Family Zoning Classification. The Parcel is comprised of two (2) 25-foot-wide lots (15 and 16), which are a product of antiquated plat, filed on October 5, 1925. On April 3, 1964, Deltona Lakes Unit 35 Plat was approved, excluding the now combined parcels from the overall plat. The proposed home is 1,710 square feet and will meet all requirements in the Land Development Code, except the lot size and width. The Planning and Zoning Board voted, 4 to 3 to recommend approval of the variance with 3 conditions. Staff recommends approval of variance.

- 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.](#)

**Background:**

Requesting a variance to allow an increase in maximum lot coverage from 35% to 44% for a 798 s.f. pool, deck and screen enclosure. The existing single-family home, has a total lot coverage of 2,546.82 s.f. which is 35% of the property. Property is currently in compliance with the Land Development Code. The total lot coverage with pool would result in lot coverage if 3,174.52 or 44%. Planning and Zoning voted 7 to 0 to recommend approval of the variance with a lot coverage not to exceed 40%. Staff recommends denial.

**8. CONSENT AGENDA:**

- A. [Approval of minutes of the Regular Commission Meeting of November 18, 2024, as presented.](#)

**Background:**

N/A

- B. [Request for approval of the reduction in fine provided by the Special Magistrate.](#)

**Background:**

On November 20, 2024, Property owner Mordy Weissman and property manager Michael Mathers, appeared before the Special Magistrate requesting a recommendation to reduce the fines. Ms. Eick is recommending a reduction of fines to \$38,250.00 for all 6 cases.

- 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](#)

**Background:**

Lift Station 7 has been in the process of being upgraded. It was designed by Mead and Hunt and was put out to bid. The project was awarded on 7/15/2024 to Clearwater Solutions Inc. In order to begin the project, oversight in the form of Construction, Engineering, and Inspection (CEI) services are required. CEI services ensure that the design of the Engineer of Record (EOR) is being executed according to plans to produce a quality finished project.

- 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.](#)

**Background:**

For FY 2024/ 2025 the City Commission approved Other Contractual Services, which anticipated the need for a one (1) year extension of software maintenance for Deltona Water SCADA systems as Deltona Water converts to VT SCADA system.

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

**Background:**

Zoning in progress is a legal status that is created when a change to a local government's zoning code is proposed. The purpose of zoning in progress is to prohibit development that will not conform to the proposed changes. Because this status does not require final legislative action by the governing body of the local government, it either expires upon the failure of the governing body to adopt the proposed legislation, or becomes law upon adoption of the changes. The local government announces its intention of changing the zoning code. At that time, the proposed changes are enforceable against new zoning applications not yet filed with the local government. All existing applications continue to be governed by the law in effect at the time the application was originally filed.

- F. [Request approval of Resolution No. 2024-72 to purchase a Squad engine and essential equipment with the approved budget funds.](#)

**Background:**

The Fire Department requests to spend no more than \$1,700,000 to

purchase a Squad Engine from the Sutphen Fire Truck Manufacturer. This was approved in this year's budget and this apparatus replaces both a fire engine and our squad. The \$1,700,000 will be used for the purchase of the vehicle, for necessary adjustments during the pre-build process and for equipment to place the unit in service.

- 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.](#)

**Background:**

This new Ford Explorer will be utilized by the Department of Planning and Development Services and Housing and Community Development for site visits, events and meetings. The department has not had a vehicle and has had to rely and borrow vehicles from other departments. The budgeted capital cost was \$38,000. Staff obtained a quote through Duval Ford using the competitively bid Florida Sheriffs Association Light Vehicle Contract #FSA-VEL-32.

- 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.](#)

**Background:**

The Parks & Recreation Department has allocated monies in the budget to replace multiple park maintenance vehicles this fiscal year. The City has a policy in place that all vehicles that have either reached 10 years in service or 100,000 miles are eligible for replacement. The following five (5) vehicles meet or exceed the City's replacement policy for years of service and/or mileage: #0561 (19 years), #0922 and #0923 (15 years) #0924 (15 years), and #0925. The department has allocated \$400,000 for replacement vehicle procurement in the FY24/25 budget. The quote received from Duval Ford references the FLORIDA SHERIFFS ASSOCIATION LIGHT VEHICLE CONTRACT FSA 24-VEL-32 . This Florida-based government contract enables the City of Deltona the ability for a direct purchase.

- 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.](#)

**Background:**

This agenda item is for 2 new F150 vehicles to be used for service orders that do not require a F250 vehicle. This will allow the bigger heavier F-250's to be used by crew members performing duties that require more hauling and towing capacity. This agenda item also is for replacement of vehicle #1554. This F150 vehicle was purchased in

2015 and has 191,039 miles. Vehicle #1554 will be replaced with a 4x2 Ford Maverick. Additionally, this agenda item replaces vehicle #1803. This F150 vehicle was purchased in 2018 and has 99,568 miles. Vehicle #1803 will be replaced with a 4x2 Ford Maverick. Finally, this agenda item includes replacement of vehicle #1874. This F250 4x4 Utility Body vehicle was purchased in 2018 and has 96,659 miles. Vehicle # 1874 will be replaced with a 4x4 F-250 Utility Body. The above mentioned vehicles have exceeded their useful life per policy CW10-03 - City Vehicle/Equipment Replacement Guidelines. Staff obtained a quote using the Florida Sheriffs Association Light Vehicle Contract# FSA-VEL31.0 providing a quote for the purchase in the amount of \$210,924.00. Budgeted fund for these replacements is \$212,200.00.

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

**Background:**

This is the Capital Encumbrance and Project Balance Roll forward budget amendment from Fiscal Year 2023-2024. The Commission approved the annual budget for FY 2024-2025 on September 16, 2024. Occasionally, certain capital projects are not finalized within the designated 12-month timeframe. The approval of this budget amendments will allow for the continuation of these capital projects, thereby enhancing service delivery to the citizens. The budget amendment itemization is contained as part of the Resolution attached documentation.

K. [Requests for presentations before the City Commission.](#)

**Background:**

Per the City Commission Operating Guidelines & Meeting Rules and Procedures adopted by the City Commission "Any group or organization, other than staff, wishing to make a presentation to the City Commission must submit their request to the City Manager and obtain Commission approval to have the item placed on the next available City agenda." Also, all documentation to be presented must be submitted to the City Clerk by 5:00 p.m. on the Thursday, eleven (11) days prior to the regular meeting.

The following presentations have been requested:

1. WIN NAACP West Volusia -Initiatives of Available Programs.  
Requested Date: January 6th, 2025

L. [Requests for recognitions for the month of December.](#)

**Background:**

Per the City Recognition Policy adopted by the City Commission at the Regular Commission Meeting held on Monday, June 17, 2024, the

following recognitions are being requested for the month of December:

1. Dr. Martin Luther King, Jr. Day
2. Human Trafficking Awareness Month
3. Deltona Wolves 12U Football Team-East Coast Conference Championship

## 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.](#)

**Background:**

SCADA is a communications system that allows for monitoring of pumps, motors, levels, chemical dosages, and alarms at the wastewater plants, water plants, and lift stations. Our current system is antiquated and has been under development for upgrade for the past three years. The design of this project was carried out by WSP and Carollo. Throughout this design effort, Rocha Controls who has been the City's SCADA Integrator since 2019, was consulted by WSP and Carollo on the technical aspects of the current system. Due to the highly technical aspect of this project and the vast understanding of the City's SCADA infrastructure, it has been determined that Rocha Controls understands the complexities and can accomplish the integration and project in a manner that is more efficient and less time consuming than thus saving the City. This entire project has more than \$4,621,900 available including the FY 2023/2024 carry forward funding request as proposed, and the project is approximately \$1,189,201.44 under budget.

- 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](#)

**Background:**

SCADA is a communications system that allows for monitoring of pumps, motors, levels, chemical dosages, and alarms at the wastewater plants, water plants, and lift stations. Our current system is antiquated and has been under development for upgrade for the past three years. The design of this project was carried out by WSP and Carollo. During the implementation of this project, oversight in the form of construction, engineering, and inspection (CEI) services are needed. As WSP and Carollo are the Engineer Of Record (EOR), CEI services by the EOR are preferred. This agenda item is for only the CEI services portion of this project. This entire project has more than \$4,621,900 available including the FY 2023/2024 carry forward funding request as

proposed, and the project is approximately \$1,189,201.44 under budget.

- 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.](#)

**Background:**

For FY 2024/ 2025 the City Commission approved the operating budget for annual subscription of the Neptune 360 meter reading software that allows for the reading of meters via radio read. Budgeted cost of \$37,500 verse actual cost of \$28,271.96 due to a reduction in the quantity of total projected installed meters for the fiscal year.

**10. CITY ATTORNEY COMMENTS:**

**11. CITY MANAGER COMMENTS:**

**12. CITY COMMISSION COMMENTS, REQUESTS & REPORTS:**

**13. ADJOURNMENT:**

*CONTINUATION OF PUBLIC FORUM*

*\*This is only for individuals who submitted a request to speak form during the 6:00 p.m. Public Forum and were not afforded the opportunity to speak.*

*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 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.*

**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.