



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

Monday, March 25, 2024

6:30 PM

Deltona Commission Chambers

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 #5 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 March 4, 2024, as presented. - Joyce Raftery, City Clerk \(386\) 878-8502.](#)

Background: N/A

Attachments: [March 4, 2024 RCM Minutes](#)

5. PRESENTATIONS/AWARDS/REPORTS:

- A. [Presentation - Hispanic Chamber of Commerce](#)

Background: Hispanic Chamber of Commerce presentation: New Chamber location at 505 Deltona Blvd., Suite 103, Chamber Alliances and Signature, Networking and Upcoming Events for 2024.

Attachments: [Hispanic Chamber Presentation-](#)

- B. [Presentation - Love Your Heart 5K Check Presentation to the American Heart Association](#)

Background: Check presentation in the amount of \$7,194.53 to the American Heart Association which includes funds gathered from Deltona's Love Your Heart 5K event and sponsors.

The City of Deltona would like to thank these sponsors for contributing their efforts in making this 5K possible.

Sponsors:

1. Halifax Health Medical Center of Deltona donated \$2500
2. Deltona Firefighters Foundation donated \$1500
3. Rue & Ziffra donated \$1000
4. Sollievo Health and Wellness Spa donated \$500
5. West Volusia Runners Group donated \$500
6. West Volusia Tourism donated \$500
7. Runners High Racing & Management (race director/management)
8. City of Deltona (Park Facilitation and staff to manage race)

- C. [Presentation - Duke Energy has a program titled Neighborhood Energy Saver Program that will help neighbors save energy and money. The program for income eligible neighborhoods can provide up to 20 free energy improvements.](#)

[Strategic Goal: Infrastructure](#)

Background:

Duke Energy has rolled at a program known as the Neighborhood Energy Saver Program that provides an opportunity for income eligible neighborhoods/residents to obtain up to 20 free energy improvements. Eligibility requirements are based on the Florida Department of Economic Opportunity's income guidelines. Both single family homes and apartments are eligibly; homeowners & renters are eligibly so long as the location is within the selected census data block group. Improvements for energy savings include replacement of lighting with LED light bulbs, weather-stripping & door sweeps, shower head replacements, water flow restrictors, water heater & pipe wrapping, air infiltration repairs (caulking), refrigerator temperature card, digital wall plate thermometer, A/C filters, duct leakage repair, insulation upgrades, and basic A/C maintenance.

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 - Ordinance No. 02-2024, amending the Deltona Village Business Planned Unit Development \(BPUD\) to rezone an additional + 25.96 acres of land to be included within the BPUD - Planning and Development Services \(386\) 878-8600.](#)

[Strategic Goal: Community Development](#)**Background:**

This item was included in Ordinance No. 04-2023 with the following meetings and dates:

- March 15, 2023 - Planning and Zoning Board recommended approval 6 to 1.
- April 3, 2023 - City Commission denied Ordinance No. 04-2023 with a 4 to 3 vote.
- May 1, 2023 - The applicant requested a rehearing at City Commission.
- May 22, 2023 - Applicant requested the item to be continued to the next meeting.

- June 19, 2023 - City Commission tabled 25.96 acres, but approved Ordinance No. 04-2023 at first reading.
- July 17, 2023 - City Commission approved Ordinance No. 04-2023 at Final Reading, amending the ODP/MDP, amending the DA to update the multifamily cap from 414 to 652 units, and to rezone and include 0.61 acres at first hearing.
- October 18, 2023 - Applicant requested to take the 25.96 acres off the table.
- December 13, 2023 - Planning and Zoning Board recommended approval 6 to 1.
- January 16, 2024 - City Commission approved Ordinance No. 02-2024 4 to 1 at first hearing.

In 2018 the first amendment for the Deltona Village BPUD was approved, to modify the minimum lot size standards and changed the 414 multi-family units from Conditional Use to a Permitted Use. In 2021, the second amendment was approved to add eight (8) parcels into the BPUD and vacate certain rights-of-way. In 2023, the third amendment was approved to update the overall Master Development Plan, amend the DA to update the multi-family cap to 652 units, and rezone and include \pm 0.61 acres of land into the BPUD.

To date, Deltona Village has developed the Epic movie theater, Race Trac gas station, Burger King, and a Starbucks. Various Site Plans have been approved, including a 52,800 square-foot Nutty Bavarian light manufacturing facility (SP22-0007) and a 2,600 square-foot Panda Express restaurant (SP23-0005). Staff is currently reviewing a 96,080 Store Space Self-Storage facility (SP23-0006).

The request is consistent with the Comprehensive Plan and does not add or request any additional trips from the original vested entitlements. The additional land will result in a more integrated and efficient development pattern, while unifying the former ICC PUD property. The request is consistent with the Activity Center Future Land Use designation, and provides a more complete package, able to support larger, more unified development products.

On December 13, 2023, the Planning and Zoning Board voted to recommend the City Commission approve Ordinance No. 02-2024, with a 6 to 1 vote. The City Commission approved Ordinance No. 02-2024 at first reading with a 4 to 1 vote.

For more information, please refer to the attached staff report and attachments.

Attachments:

[Staff Report](#)
[Deltona BPUD Maps](#)
[Ordinance 02-2024](#)
[Deltona Village CLEAN DA](#)
[Underline Strikethrough DA](#)
[Legal Description](#)
[Master Development Plan](#)
[Recorded Ordinance No. 04-2023](#)
[Deltona Village PowerPoint CC 03.25.2024](#)

- B. [Public Hearing - Ordinance No. 03-2024- Amending the official Zoning Map to Rezone an approximately 1.37 - acre parcel of land located at 3150 Howland Boulevard from Professional Business Zoning District \(PB\) to the City of Deltona Retail Commercial District \(C-1\). - Planning & Development Services \(386\) 878-8600.](#)

[Strategic Goal: Economic Development](#)

Background:

The City received an application to rezone a ±1.37-acre parcel located at 3150 Howland Boulevard, from PB to C-1. The Future Land Use Designation is Commercial, which is consistent with the request. The parcel is currently wooded, vacant parcel between two development parcels, a House of Worship and Dunkin Donuts.

This application came before the City Commission on August 26, 2023. The Commission voted to send the rezone back to the Planning and Zoning Board to allow the applicant to work through some issues and supply sufficient information regarding an end user. On December 13, 2023, the Planning and Zoning Board unanimously recommended approval. On January 16, 2024, the City Commission voted 2-3 for approval, causing the Ordinance to fail. On January 29, 2024, the applicant requested a rehearing, and on February 9, 2024, the Commission voted to allow the applicant to bring the application back with a 4 to 2 vote.

The applicant is requesting to build a ± 5,000 square foot Take 5 Oil Change and a ± 5,000 square foot retail building. The applicant has provided Exhibit B, prohibited uses to ensure certain uses cannot go into this location. The preliminary Site Plan has been provided for review. The Site Plan illustrates a cross access with the Dunkin Donuts and internal circulation. It's important to note that the application will come back before the City Commission because an Oil Change requires a Conditional Use application within the C-1 zoning. The

applicant will be required to do a Traffic Study during the Conditional Use process for approval.

Staff has reviewed the rezoning application using the Land Development Code Section 110-1011 for consistency with the Comprehensive Plan, environmental requirements, traffic concurrency, and public health, safety, and welfare.

Attachments: [3150 Howland Rezoning Staff Report Jess 10.25.2023](#)
[Ordinance 03-2024](#)
[Legal Description 3150 Howland](#)
[Exhibit B - Prohibited Uses](#)
[3150 Howland Blvd Combined Maps](#)
[Take 5 and Retail Shop - 3150 Howland Blvd](#)
[3150 Howland Blvd PowerPoint](#)

8. OLD BUSINESS:

9. NEW BUSINESS:

- A. [Request for approval to award Bid # 24007- Citywide Heating, Ventilating and Air-Conditioning Repair and Preventative Maintenance Services, to Air Current, Inc. Service under this bid contract is to be used as needed and within appropriated funding for each department for each fiscal year throughout the award term. - Mark Manning, Parks & Recreation \(386\) 878-8905.](#)

[Strategic Goal: Infrastructure](#)

Background:

Staff solicited bids seeking licensed and qualified HVAC contractors to provide full spectrum services consisting of preventative maintenance, repairs and replacements of HVAC units, systems or components for all City owned facilities and buildings on an annual and as needed basis. The bid was posted on www.demandstar.com and received eight (8) bids. Out of the 8 bidders, three (3) were responsive. Air Current was awarded using the City's Bidding Preference for Local Vendors Ordinance No. 05-2016. The bids and the bid tabulation are attached.

Attachments: [ITB # 24007](#)

- B. [Request for approval of Resolution No. 2024-17 and a budget amendment for purchase of IP phone migration to Webex cloud - Robert Cordero, IT Department \(386\) 878-8807.](#)

[Strategic Goal: Effective Governance & Productive Government](#)

Background:

In 2022, our IT department identified the imminent need to upgrade our phone system, which is nearing its end-of-life and will soon no longer be supported by the vendor. Our current system not only provides IP phones for all city staff but also manages voicemail, facilitates our contact center, and serves as the IVR (Interactive Voice Response) system for our utility billing department, enabling water customers to check balances and make payments.

Historically, the City Commission has entered into a 3-year pricing agreement with Cisco for licenses, funded through our operating budget. As this agreement approaches its renewal this August, we have encountered a significant development. Our vendor has informed us of a delay in the product development for the next on-premise version. Given our imperative to upgrade this year, our most fiscally responsible choice is to transition to their cloud IP phone platform, Webex. Opting for an on-premise upgrade would necessitate consecutive upgrades this year and the next, incurring higher costs compared to a single migration to a cloud vendor.

The advantages of transitioning to a cloud-based provider for our IP phone system and contact center are multifold. This includes substantial infrastructure savings in the upcoming hardware refresh, annual savings on software licenses with the elimination of on-premise servers, a more stable platform resulting in less downtime, improved cost allocation of licenses, and reduced dependency on physical locations, enhancing disaster recovery recoverability and Emergency Operations Center (EOC) operations. Our thorough research into various IP phone providers, including Microsoft Teams and Spectrum, indicates that we stand to benefit the most by avoiding the procurement of new handsets and leveraging the expertise of our top-tier provider, Cisco.

We are currently leveraging the Florida NASPO ValuePoint Cisco AR3227 FL# 43220000-NASPO-19-ACS agreement with our authorized reseller, Presidio. Having been our trusted IP Phone reseller for several years, Presidio possesses a deep understanding of the intricacies of our contact center and holds the esteemed status of being a Cisco Gold partner with offices in Orlando, Florida.

The IT department has allocated funds for this crucial project in the capital budget for FY 2023/24 for City Hall and Deltona Water. While sufficient funding is available for City Hall, we have identified a shortfall of \$70,000 for Deltona Water to cover the necessary expenses associated with Year 1 of this project. We, therefore, request a budget amendment and approval of this contract with Presidio to secure the essential funding and ensure the seamless progression of this

imperative upgrade.

Attachments:

[Quote For Webex](#)

[Quote for Call Cabinet](#)

[Cost Analysis](#)

[Informal Memo](#)

[Statement of Work for Call Center](#)

[Statement of Work for WebEx Calling](#)

[BA2024-034 Cisco Phone Migration](#)

[2024-17 Reso - BA 2024-034 Cisco IP Phone Migration](#)

- C. [Request approval of the Task Authorization between the City of Deltona & Pegasus Engineering for preparation of the FEMA - Hazard Mitigation Grant Program submittal for Hurricane Idalia related to the East Brooke Drainage Improvements Project in the amount of \\$30,500.00 - Phyllis Wallace, Interim Public Works Director 386/878-8965](#)

[Strategic Goal: Infrastructure](#)

Background:

The East Brooke drainage improvements imply lowering the flood elevation by increasing the area of the existing East Brooke DRA and adjusting the existing outfall. Currently, the DRA has an outfall that discharges to Lake Catherine. The project proposes an increase in the East Brooke DRA volume by purchase of a nearby parcel of land that can be converted into additional pond storage.

The City is looking for funding from FEMA via the Hazard Mitigation Grant Program and has secured a positive approval from the Local Mitigation Selection committee. The next steps is the detailed & technical application submittal process requiring assistance from Pegasus Engineering to ensure the City's submittal is complete and results in an unquestionable approval from FEMA & the Hazard Mitigation Grant Program.

Attachments:

[P-229833 East Brook Drainage Improvements](#)

- D. [Request approval of the Task Authorization between the City of Deltona & Pegasus Engineering for preparation of the FEMA - Hazard Mitigation Grant Program submittal for Hurricane Idalia related to Property Acquisition & Demolition of 3101 Riverhead Drive in the amount of \\$19,895.00- Phyllis Wallace, Interim Public Works Director 386/878-8965](#)

[Strategic Goal: Infrastructure](#)

Background:

3101 Riverhead Drive is located near Lake Elston and during extreme events, Lake Elston floods Dwight Hawkins Park and eventually overtops Riverhead Drive, which causes discharges into Windsor Lake. This specific home has suffered flooding during extreme rain events such as Hurricane Ian and the homeowners have asked for the City to consider the acquisition and demolition of the property. If the parcel is secured under the HMGP grant, and after the acquisition and demolition tasks take place, the City can consider keeping the property as undeveloped land, in perpetuity, the conversion of the parcel into a stormwater pond site or excavate it for additional flood storage, which could potentially lower the Base Flood Elevation.

The City is looking for funding from FEMA via the Hazard Mitigation Grant Program and has secured a positive approval from the Local Mitigation Selection committee. The next steps is the detailed & technical application submittal process requiring assistance from Pegasus Engineering to ensure the City's submittal is complete and results in an unquestionable approval from FEMA & the Hazard Mitigation Grant Program.

Attachments:

[P- 229832 Acquisition - Demolition of 1 FP Home](#)

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.

12. CITY COMMISSION SPECIAL REPORTS AND REQUESTS:

13. CITY ATTORNEY COMMENTS:

14. CITY MANAGER COMMENTS:

15. CITY COMMISSION COMMENTS:**16. 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 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.