



City of Deltona

2345 Providence Blvd.
Deltona, FL 32725

Regular Commission Meeting

City Commission

Mayor Herzberg
Vice Mayor Bradford
Commissioner Avila-Vazquez
Commissioner King
Commissioner McCool
Commissioner Ramos
Commissioner Sosa

Monday, January 4, 2021

6:30 PM

Deltona Commission Chambers

- A. [In an effort to reduce the possibility of exposure of residents to the COVID-19 \(Coronavirus\) we have limited public seating inside the Commission Chambers and are practicing social distancing with the City Commission, staff and residents.](#)

Background:

*****NOTE*****

The City Commission is dedicated to working hard and keeping our city moving forward, and a top priority during the COVID-19 pandemic is to help maintain the health of our employees and residents. Another top priority is being able to maintain public participation in our City meetings. Following CDC Guidelines, we have limited public seating inside the Commission Chambers and are practicing social distancing with the City Commissioners, staff and residents. Though there are restrictions when it comes to public gatherings, we are dedicated to making sure those who would like to make their voice heard are able to.

Please note your public comments can be submitted via one of the following mediums no later than 3:00 p.m. on December 31, 2020 to ensure they are available for the Commissioners to review prior to the meeting.

- eComment
 - Click the "Agenda & Minutes" icon on the homepage;
 - Chose the meeting you want to comment on and click on "eComment" in the last column; and
 - Go to the item and click on the speech balloon marked "Comment" to make your comment.
 - To view all comments made on an item chose the speech balloon to the left.
- Visit the "Request To Speak" page of the website at <https://www.deltonafl.gov/city-commission/webforms/request-speak>
 - Under the Commission Meetings tab

- Fill out the "Request To Speak" form - which will be submitted.
- Email: cityclerkdept@deltonafl.gov
[<mailto:cityclerkdept@deltonafl.gov>](mailto:cityclerkdept@deltonafl.gov)
- Fax: 386-878-8501

All submitted comments will become part of the official City record, and be attached to the meeting minutes. This is a fluid situation and as procedures change, we will be sure to update you.

Attachments: [Instructions for eComment](#)

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 Special Commission Meeting of November 19, 2020, as presented. - Joyce Raftery, City Clerk \(386\) 878-8502.](#)

Background:

N/A

Attachments: [November 19, 2020 SCM Minutes](#)

5. PRESENTATIONS/AWARDS/REPORTS:

A. [Proclamation - Human Trafficking Awareness Month](#)

Background:

Human trafficking is a form of modern day slavery and is a crime against humanity that violates the most basic human rights and deprives victims of their freedom. The City of Deltona recognizes January as National Human Trafficking Awareness Month.

Attachments: [Human Trafficking Month 2020.doc](#)

B. [Presentation - Storm Water Update - Acting City Manager John A. Peters, III, P.E., \(386\) 878-8858.](#)

Background:

This presentation is a stormwater update to be presented by David W. Hamstra, P.E., CFM, Stormwater Department Manager with Pegasus Engineering, LLC. and will also cover the following projects:

1. Lake Windsor/Elston Lake Watershed Management Plan
2. Lamplighter Avenue Small Area Study
3. Leland Drive/Nardello Drive Drainage Improvements

C. [Presentation - Quarterly Reports of City Advisory Boards/Committees - Joyce Raftery, City Clerk \(386\) 878-8502.](#)

Background:

Quarterly Reports of City Advisory Boards/Committees:

- 1) Firefighters' Pension Plan Board of Trustees (Written Report Only)
- 2) Planning and Zoning Board - (Written Report Only)
- 3) Team Volusia - (Written Report Only)
- 4) William S. Harvey Deltona Scholarship - (Written Report Only)

Attachments:

[FPP 4th Quarter Report](#)
[P & Z Board 4th Quarter Report](#)
[Team Volusia 4th Quarter Report](#)
[WSHDSAB 4th Quarter Report](#)

6. ORDINANCES AND PUBLIC HEARINGS:

A. [Public Hearing - Ordinance No. 01-2021, updating Water and Wastewater Impact Fees, at first reading and to schedule second reading for January 19, 2021 - John Peters III, Public Works, \(386\) 878-8973.](#)

[Strategic Goal: Infrastructure/Fiscal Issues.](#)

Background:

GovRates, Inc., presented its 2020 City of Deltona Water & Sewer Rate Study Final Report ("Report") to the Deltona City Commission on September 28, 2020. That Study included an analysis of the City's water and wastewater impact fees. The Study recommended that the City adjust its existing impact fees into separate water and wastewater capital financing recovery fees. These adjustments are recommended to help the utility to meet its debt service coverage requirements and provide for needed capital improvements. This ordinance is presented to implement the updated water and sewer impact fees.

Attachments:

[Ordinance 01-2021 20201230](#)

7. OLD BUSINESS:

- A. [Request for approval of Resolution No. 2020-64, providing for an adjustment to Wastewater and Reclaimed Water base facility charges beginning 1 April 2021, eliminating the 10,000 cap on Wastewater Usage Charges effective 1 April 2021, and providing for annual rate indexing of Wastewater and Reclaimed Water base facility and water and irrigation usage charges equivalent to the Engineering News Record \(ENR\) Construction Cost Index beginning 1 October 2024. - John Peters, Public Works/Deltona Water \(386\) 878-8973.](#)

[Strategic Goal: Infrastructure/Fiscal Issues](#)

Background:

The City of Deltona engaged GovRates, Inc. to complete a Rate Study of Deltona Water's Potable Water, Irrigation, Wastewater and Reclaimed Water Base Facility Charge and Usage Rates. In order to maintain sufficient funding to complete regulatorily mandated capital projects and an adequate level of repair and replacement projects, GovRates determined that the City of Deltona needed to modify the current Base Charges for Wastewater and Reclaimed Water, eliminate the 10,000 gallon cap on Wastewater Usage Charges, and provide for indexing of base fees and usage charges beyond 2023 based on the Engineering News Record (ENR) Construction Cost Index.

The City of Deltona Commission conducted a workshop (28 September 2020) to review all aspects of the proposed adjustments inclusive of capital projects, repair and replacement, and operation expenses. In accordance with Florida Statute 180.136, the City of Deltona will include a notification in the monthly bills informing ratepayers of the recommended rate increases. In addition, 68.65 of the City of Deltona Code of Ordinances requires that utility rate increases for water and wastewater must be considered in separate resolutions, and 68.64 of the Code of Ordinances allows the City Commission to consider annual indexing of Utility Rates.

Attachments:

[Deltona WS Rate Study Presentation 9 22 2020 - JAP III](#)
[2020-64 Resolution - Wastewater Rates](#)

- B. [Request for approval of Resolution No. 2020-65, providing for an adjustment to Water base facility charges beginning 1 April 2021 and annual rate indexing of Potable Water base facility and water and irrigation usage charges equivalent to the Engineering News Record \(ENR\) Construction Cost Index beginning 1 October 2024. - John Peters, Acting City Manager/Deltona Water \(386\) 878-8973.](#)

Strategic Goal: Infrastructure/Fiscal Issues**Background:**

The City of Deltona engaged GovRates, Inc., to complete a Rate Study of Deltona Water's Potable Water, Irrigation, Wastewater and Reclaimed Water Base Facility Charge and Usage Rates. In order to maintain sufficient funding to complete regulatory mandated capital projects and an adequate level of repair and replacement projects, GovRates determined that the City of Deltona should to adjust the combined Impact Fee and Capital Fund Recovery Fees, and provide for indexing of base fees and usage charges beyond 2023 based on the Engineering News Record (ENR) Construction Cost Index.

The City of Deltona Commission conducted a workshop (28 September 2020) to review all aspects of the proposed adjustments inclusive of capital projects, repair and replacement, and operation expenses. In accordance with Florida Statute 180.136, the City of Deltona will include a notification in the monthly bills informing ratepayers of the recommended rate increases. In addition, 68.65 of the City of Deltona Code of Ordinances requires that utility rate increases for water and wastewater must be considered in separate resolutions, and 68.64 of the Code of Ordinances allows the City Commission to consider annual indexing of Utility Rates.

Attachments:

[Deltona WS Rate Study Presentation 9 22 2020 - JAP III Resolution 2020-65 20201216](#)

8. NEW BUSINESS:

- A. [Request for approval of appointment of members to the Firefighters' Pension Plan, Board of Trustees - Joyce Raftery, City Clerk's Department \(386\) 878-8502.](#)

Background:

The terms of two (2) citizen members of the Firefighters' Pension Plan, Board of Trustees, Gene Gizzi and Janet Deyette, expire on January 15, 2021. Mr. Gizzi has indicated that he would like to be re-appointed. The Board openings have been advertised via press releases, posting on the City's website and DTV. The following individuals have submitted applications for consideration of appointment to this Board: Gene Gizzi, Robert B. Lindemann and Gem Loranger.

In accordance with the City's Code of Ordinances, Sec. 46-28(a), "The board shall consist of five members, two of whom, unless otherwise prohibited by law, shall be legal residents of the City who shall be appointed by the governing body of the City, and two of whom shall be a full-time firefighter as defined in F.S. §175.032, who shall be elected by the majority of the active firefighters who are participants in the plan."

Attachments: [Member List - FPP Board](#)
[Application - Gene Gizzi](#)
[Application - Robert B Lindemann](#)
[Application - Gem Loranger](#)

9. PUBLIC FORUM: Citizen comments are limited to issues and concerns not on the agenda and comments on items listed on the agenda will take place after discussion of each item. 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.

Citizen comments for any items. (4 minute maximum length per speaker)

CONSENT AGENDA: The consent agenda contains items that have been determined to be routine and non-controversial. If anyone in the audience wishes to address a particular item on the consent agenda, now is the opportunity for you to do so. Additionally, if staff or members of the City Commission wish to speak on a consent item, they have the same opportunity.

10. CONSENT AGENDA:

- A. [Request for approval of Resolution No. 2021-01, Budget Amendments for General, Stormwater, State Housing Initiatives Partnership \(SHIP\), Community Development Block Grant \(CDBG\), Transportation, Community Redevelopment Area \(CRA\), Municipal Complex, Water/Sewer Utility, and Equipment Replacement Fund for FY 2020-2021 - Camille Hooper, Finance Director, \(386\) 878-8552.](#)

[Strategic Goal: Fiscal Issues - Maintain a Balanced Budget](#)

Background:

The Commission approved the annual budget for FY 2020-21 on September 21, 2020. Staff has submitted the attached budget amendments for the 2020-21 fiscal year as detailed in attached Exhibits A-J to

- Adjust budgeted amounts for line items in the General (Attachment A) to reflect receipt of CARES Act reimbursement from Volusia County and provide for other anticipated expenditures;
- Carry forward remaining FY 2019-20 budget for Stormwater capital projects still in progress in FY 2020-21 (Attachment B);
- Carry forward remaining FY 2019-20 budget for Community Development Block Grants (CDBG) capital projects still in progress in FY 2020-21 (Attachment C);

- Carry forward remaining FY 2019-20 budget for Transportation capital projects still in progress in FY 2020-21 (Attachment D);
- Carry forward remaining FY 2019-20 budget for Municipal Complex capital project still in progress in FY 2020-21 (Attachment E).
- Carry forward remaining FY 2019-20 budget for Water/Sewer Utility capital projects still in progress in FY 2020-21 (Attachment F).
- Carry forward remaining FY 2019-20 budget for Equipment Replacement capital projects still in progress in FY 2020-21 (Attachment G).
- Carry forward remaining FY 2019-20 budget for Community Redevelopment Area capital projects still in progress in FY 2020-21 (Attachment H).
- Carry forward remaining FY 2019-20 budget for SHIP funds (Attachment I).
- Carry forward remaining FY 2019-20 budget for CDBG funds (Attachment J).

Attachments: [2021-01 Resolution - Carry Forward Budget Amendment 2](#)
[2021-019 Exhibit A Cares Act](#)
[2021-015 Exhibit E Muni Comp](#)
[2021-016 Exhibit G Equip Replacement](#)
[2021-023 Exhibit H CRA](#)
[2021-024 Exhibit I SHIP](#)
[2021-025 Exhibit J CDBG](#)
[2021-012 Exhibit B SW](#)
[2021-014 Exhibit C CDBG](#)
[2021-013 Exhibit D TS](#)
[2021-011 Exhibit F DWS](#)

- B. [Request for approval of Resolution No. 2021-05, Budget Amendment #2021-022 for the General Fund for FY 2020-21 - Camille Hooper, Director, Finance, \(386\) 878-8552.](#)

[Strategic Goal: Fiscal Issues/Balanced Budget](#)

Background:

The City Manager Department is preparing for a strategic planning meeting in January 2021. The City will engage the services of a professional consultant to facilitate a comprehensive strategy and budget planning effort for fiscal year 2021-2022. The budgeted funds

will be adjusted to the cover the cost of the scope of services.

Attachments: [Exhibit A - 2021-022 Strategic Planning](#)
[2021-05 - Resolution - Budget Amendment 022 FY20-21 -](#)

- C. [Request for approval of Resolution No. 2020-69, declaring certain tangible personal property owned by the City as surplus and authorizing the Acting City Manager to dispose of them. - Camille Hooper, Finance Department \(386\) 878-8552.](#)

[Strategic Goal: Fiscal issues - Maintain current fiscal stability, maximize alternative funding sources, and promote and effective system of checks and balances.](#)

Background: Over time, certain tangible personal property items owned by the City become obsolete or lose their usefulness due to age, usage, upgrade, or damage. Staff regularly compile lists of such items to present to the Commission for approval as required by Florida Statutes. Surplus items are disposed of by the most appropriate available means available. The attached Resolution contains a list of items to be declared surplus and authorizes their disposal.

Attachments: [2020-69 Resolution - Declaration of Surplus Property](#)
[Disposals through December 2020 20210104](#)

- D. [Request for approval of First Amendment to Site Agreement for Land and Colocation on Tower \(at 2147 Howland Blvd, Deltona, Florida, at Fire Station 63\) with New Cingular Wireless by AT&T, as proposed by Neel-Schaffer, Inc., cell tower consultants. - John Peters, Acting, City Manager \(386\) 878-8850.](#)

[Strategic Goal: Fiscal Issues](#)

Background: This is an extension of the Site Agreement for Land with New Cingular Wireless by AT&T for a cell tower at 2147 Howland Blvd., Deltona, Florida at Fire Station 63. This cell tower provides cell tower services to residents and businesses in the areas near the tower. The extension provides annual revenue to the City in the amount of Twenty-Six Thousand Four Hundred Dollars (\$26,400.00), with a 10% rent increase every five years. This agreement gives the City six (6) additional five (5) year renewal terms. This extension was negotiated by the City's cell tower consultant, Neel-Schaffer, Inc.

Attachments: [227702 ATT PE 1st Amdt and MOL 227702 11.30.2020](#)

11. CITY COMMISSION SPECIAL REPORTS AND REQUESTS:

12. CITY ATTORNEY COMMENTS:**13. CITY MANAGER COMMENTS:****14. CITY COMMISSION COMMENTS:****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 Clerk, Joyce Raftery 48 hours in advance of the meeting date and time at (386) 878-8500.