



# 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*

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Thursday, September 9, 2021

6:30 PM

Deltona Commission Chambers

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REVISED 09/08/2021

1. CALL TO ORDER:

2. ROLL CALL – CITY CLERK:

3. INVOCATION AND PLEDGE TO THE FLAG:

A. [Invocation Presented by Mayor Herzberg.](#)

**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 April 5th & 19th, 2021, as presented. - Joyce Raftery, City Clerk \(386\) 878-8502.](#)

**Background:**

N/A

**Attachments:**

[April 5, 2021 RCM Minutes](#)

[April 19, 2021 RCM Minutes & Emails](#)

5. PRESENTATIONS/AWARDS/REPORTS:

6. ORDINANCES AND PUBLIC HEARINGS:

A. [Public Hearing - Resolution No. 2021-48, adopting the Tentative Millage Rate for the levy of ad valorem taxes for Fiscal Year 2021/2022 - Mari Leisen,](#)

[Deputy Finance Department \(386\) 878-8553.](#)

[Strategic Goal: Fiscal Issues](#)

**Background:**

State law requires that the City hold a public hearing on the tentative budget and proposed millage rate between 65 and 80 days from the date (July 1, 2021) of certification of taxable value provided by the Property Appraiser. This hearing was publicized via the TRIM Notice mailed by the County Appraiser on or about August 24, 2021.

At this hearing, the City will:

- First discuss the percentage increase or decrease in millage over the rolled-back rate. The proposed millage rate of 7.8500 reflects a 9.31% increase from the rolled-back rate.
- Adopt a tentative millage (Resolution No. 2021-48) and budget (Resolution No. 2021-49) by separate vote, and in that order as required by State Law.
- Prior to adopting the millage-levy resolution, the name of the taxing authority (City of Deltona, Florida), the rolled-back rate (7.1812), and the percentage increase or decrease compared to the rolled-back rate (9.31% increase), and the millage rate to be levied (7.8500) must be publicly announced. The tentative millage rate and budget will be used to advertise the final budget scheduled for September 20, 2021.

Upon approval of this item authorizes any and all necessary actions, documents or budget transfers to facilitate Commission approval and further authorizes the Acting City Manager to sign any documents necessary to further Commission approval of this item.

**Attachments:** [2021-48 Resolution - Tentative Millage Rate - First Hearing](#)

- B. [Public Hearing - Resolution No. 2021-49 Adopting the tentative annual budget for FY 2021/2022 - Mari Leisen, Deputy Finance Department \(386\) 878-8553.](#)

[Strategic Goal: Fiscal Issues](#)

**Background:**

State law requires that the City hold a public hearing on the tentative budget and processed the millage rate between 65 and 80 days from the date (July 1, 2021) of certification of taxable value provided by the Property Appraiser. This hearing was publicized via the TRIM Notice mailed by the County Property Appraiser on or about August 24, 2021.

At this hearing, the City:

- May amend the tentative budget and re-compute its proposed

millage rate, and publicly announce the percent, if any, by which the recomputed proposed millage exceeds the rolled-back rate.

- Will adopt a tentative millage (Resolution No. 2021-48) and budget (Resolution No. 2021-49), in that order.
- The adopted tentative millage and budget will be used to advertise the final hearing scheduled for September 20, 2021.

Upon approval of this item authorizes any and all necessary actions, documents or budget transfers to facilitate Commission approval and further authorizes the Acting City Manager to sign any documents necessary to further Commission approval of this item.

**Attachments:** [2021-49 Resolution - Tentative Budget - First Hearing Sep/](#)  
[FY21-22 Proposed Budget 08192021](#)

- C. [Public Hearing - Ordinance No. 05-2021, Granting to Duke Energy Florida, LLC d/b/a Duke Energy, an Electric Utility Rights of Way Utilization Franchise, for first reading - Marsha Segal-George, Assistant City Attorney. \(386\) 878-8874.](#)

[Strategic Goal: Infrastructure](#)

**Background:**

On January 23, 2002, via Ordinance No. 01-2001, the City approved a ten year electric utility franchise with Florida Power Corporation granting them permission to occupy the City's right-of-ways for the purpose of providing electric services. The on November 7, 2011, via Ordinance 31-2011, the City approved another ten year electric utility franchise with Florida Power Corporation d/b/a Progress Energy Florida, Inc. granting them permission to occupy the City's right-of-ways for the purpose of providing electric services.

A new agreement has been negotiated via Ordinance # 05-2021 with Duke Energy Florida, LLC d/b/a Duke Energy granting them permission to occupy the City's right-of-ways for the purpose of providing electrical services. The term of this franchise is 10 years with two (2) successive five (5) year periods. The City will receive a monthly franchise amount that will equal six percent (6%) of the base revenues for the preceding month.

The Acting City Manager has the authority to make corrections of scrivener's errors and the like.

**OPTIONS:**

1. Approved Ordinance No. 05-2021
2. Disapprove Ordinance No. 05-2021

**Attachments:** [Deltona-Duke Franchise Agreement 7-19-21 redlinea](#)

**7. OLD BUSINESS:****8. NEW BUSINESS:**

- A.** [Request for approval of the contract renewal of Team Volusia Economic Development Corporation \(TVEDC\) Contract 2021-2022 - Jerry Mayes, Economic Development and Ecological Tourism Sustainability Manager, \(386\) 878-8619.](#)

[Strategic Goal: Economic Development - Team Volusia coordination.](#)

**Background:**

The City of Deltona has received the contract from TVEDC for contractual year 2021-2022. The City has been a member of TVEDC since its inception in 2010. TVEDC is one of the City's primary recruiting agencies and plays a major part in the recruitment of businesses to the City of Deltona, like Amazon, and Volusia County. TVEDC is also serves as a primary source of business recruitment leads from Enterprise Florida, the State of Florida's economic development recruitment department. The contract amount of \$46,835.50 is based on the population of the City. The subject contract is attached.

**OPTIONS:****SCENARIOS FOR AND AGAINST:**

1. Do not Approve the Contract with TVEDC

The City of Deltona's Office of Economic Development would bear sole responsibility for the recruitment of businesses into the City of Deltona. To remain competitive, the City would need to prepare to attend out of state and out of country trade conferences at a cost to the City. In addition, the City of Deltona would lose the ability to utilize the State of Florida Enterprise Florida leads, as the City of Deltona is not eligible to receive said leads. The City of Deltona's Office of Economic Development would need to increase staff to manage leads and recruitment now done by TVEDC.

2. Approve the Contract with TVDEC

The City of Deltona's Office of Economic Development would continue to receive the assistance of TVEDC, consisting of the recruitment of businesses into the City of Deltona. This City would not need to send representatives to attend out of state and out of country trade conferences that are currently handled by TVEDC. The City of Deltona would retain access to State of

Florida Enterprise Florida leads, as the City of Deltona is not within the reception list for said leads. The City of Deltona's Office of Economic Development would not need to increase staff to handle development recruitment activities.

**Attachments:**     [TVEDC 2021-2022 Contract](#)

- B. [Request for approval of an alternative sign proposal as per Sec. 102-11 of the City Land Development Code - Ron A. Paradise, Director, Planning and Development Services \(386\) 878-8610.](#)

[Strategic Goal: Public Safety - Focus on City Beautification](#)

**Background:**

Earlier in the year, a traffic accident toppled an old pole sign located at 916 Deltona Blvd. The sign served the dental practice of Dr. Michael Zerivitz (owner). After the toppled sign was removed, the owner proposed a new monument sign. However, the new sign fell under modern City sign regulations, and in order to adhere to the required setbacks the sign was to be located within a retention area. In addition, based on the curvature of the Deltona Blvd. corridor within the 900 block, maintaining an appropriate sight visibility triangle needed to be addressed. To reconcile the location of the sign within the retention area, and to protect the sight visibility triangle, the sign and location was forwarded to the City Development Review Committee (DRC) for review under Sec. 102-11, "Alternative sign approval process". On May 20, 2021 the DRC voted to recommend approval of the sign and location with a condition that a scaled site plan would be submitted illustrating protection of the sight visibility triangle for City Commission review.

An up to date survey was conducted for the property and a site plan was generated. The site plan is attached. There is also an elevation of the sign included as part of the attached site plan material. The site plan depicts the location of the sign and the sight visibility triangle. The location of the sign will not interfere with the sight triangle and the sign does comply with the DRC determination and other City sign regulations.

Therefore, staff recommends the City Commission approve the sign as depicted as part of the attached site plan and elevation consistent with Sec. 102-11, Alternative sign process of the City Land Development Code.

Note: Construction of the sign will require that a building permit be issued.

The Acting City Manager has the authority to make corrections of scrivener's errors and the like.

**OPTIONS:**

1. Approve the proposed sign and location

Advantages:

- a. The sign will represent new investment along the Deltona Blvd. corridor.
- b. The sign will help maintain a long standing viable business and community service within the City Community Redevelopment Area along Deltona Blvd.

Disadvantages:

- a. None.

2. Do not approve the sign and location as proposed.

Advantages:

- a. None

Disadvantages:

- a. The area along Deltona Blvd. will not be treated with a new modern sign.
- b. A viable business will be forced to continue without appropriate advertising and wayfinding as sign design is changed to address any comments or concerns.

**Attachments:**     [Survey Site Plan Elevation 916 Deltona Blvd - August 2021](#)

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

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

**Background:**

On June 24, 2021 Gem Loranger resigned from the Firefighters' Pension Plan Board of Trustees.

The Board opening has 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: Jeffrey Brower, Lyman Wescott and Mari Leisen.

**OPTIONS:**

1. Appoint one of the applicants to the board.

2. Table and re-advertise for 60 days.

**Attachments:**     [Member List - FPP Board](#)  
[Applicant Jeffrey Brower](#)  
[Applicant Lyman Wescott](#)  
[Applicant Mari Leisen](#)

- D. [Request for consideration of all reappointments/appointments to the Affordable Housing Advisory Committee - Joyce Raftery, City Clerk's Office, \(386\) 878-8502.](#)

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

**Background:**

The terms of all eleven (11) members of the Affordable Housing Advisory Committee will expire on October 5, 2021. Staff has heard from the following members who wish to be re-appointed. Terri Ellis, Dolores Guzman, Sylvia Hayes, Eric James, Cassie Landron, Jodi Pena-Castaldi, Manny Rodriguez, Patricia Ulicny-Hoback, and Michael Williams. Staff has also heard from the following applicants who wish to be appointed. Tyran Basil, John Crosson, Gino Hanco, Victoria Justiniano, Alexa Pantoja-Rodriguez, Kelly Pisciotta, Debbie Soto and Michelle Wallace-Chin.

The City has run press releases, posted the openings on D-TV, the City's web page and bulletin boards. To date the City has received applications from the following individuals:

The SHIP Act and Rule requirement has been reinstated per SHIP statute (F.S. 420.907676 and Rule 67-37.010) that in order to continue to qualify for funding, the local government must appoint an Affordable Housing Advisory Committee.

The proposed Housing and Community Development staff recommendations and the eleven (11) member Committee shall include:

- (a) One citizen who is actively engaged in the residential home building industry in connection with affordable housing.
- (b) One citizen who is actively engaged in the banking or mortgage banking industry in connection with affordable housing.
- (c) One citizen who is representative of those areas of labor actively engaged in home building in connection with affordable housing.
- (d) One citizen who is actively engaged as an advocate for low-income persons in connection with affordable housing.

- (e) One citizen who is actively engaged as a for-profit provider of affordable housing.
- (f) One citizen who is actively engaged as a not-for-profit provider of affordable housing.
- (g) One citizen who is actively engaged as a real estate professional in connection with affordable housing.
- (h) One citizen who actively serves on the local planning agency pursuant to § 163.3174.
- (i) One citizen who resides within the City of Deltona.
- (j) One citizen who represents employers within the City of Deltona.
- (k) One citizen who represents essential services personnel, as defined in the local housing assistance plan.

If, due to reasonable factors, a citizen actively engaged in these activities in connection with affordable housing is not available for appointment to the Committee, a citizen engaged in the activity without regard to affordable housing may be appointed.

The AHAC Committee shall evaluate and report to the City Commission on established policies, procedures, ordinances, land development regulations, and review the comprehensive plan; to include, recommended changes as established in Section 420.9076, F.A.C.

The City shall transmit an electronic copy of the report, which was presented to the City Commission for consideration, to Florida Housing Finance Corporation.

**OPTIONS:**

1. Reappoint members currently serving on the board and appoint new members to the board.
2. Do not appoint members to the board and lose SHIP funding.



**Attachments:**

[AHAC Spread Sheet](#)  
[AHAC Member List 05-19-2021](#)  
[AHAC By Laws](#)  
[Michael Putkowski - resignation](#)  
[Member Terri Ellis](#)  
[Member Dolores Guzman](#)  
[Member Sylvia Hayes](#)  
[Member Eric James](#)  
[Member Cassie Landron](#)  
[Member Jodi Pena-Castaldi](#)  
[Member Manny Rodriguez](#)  
[Member Patricia Ulicny Hoback](#)  
[Member Michael Williams](#)  
[Applicant Tyran Basil](#)  
[Applicant John Crosson](#)  
[Applicant Gino Hanco](#)  
[Applicant Victoria Justiniano](#)  
[Applicant Alexza Pantoja-Rodriguez](#)  
[Applicant Kelly Pisciotta](#)  
[Applicant Debbie Soto](#)  
[Applicant Michelle Wallace-Chin](#)

- E. [Request for approval of the Task Authorization with BESH Halff Inc. to conduct a Wastewater Feasibility Analysis of the areas adjacent to Saxon Boulevard and Deltona Boulevard for commercial development, in accordance with their Agreement with the City of Deltona and RFQ# PW 2020-09 for Continuing On-Call Water & Wastewater Utility Line Engineering Services in the amount of \\$29,980.00. - Steven Danskine, Public Works/Deltona Water \(386\) 878-8998.](#)

[Strategic Goal: Infrastructure](#)

**Background:**

This project is to conduct a Wastewater Feasibility Analysis of the areas adjacent to Saxon Boulevard and Deltona Boulevard for commercial development.

The City of Deltona has a desire to accommodate additional commercial development particularly along busier thoroughfares such as Saxon Boulevard and Deltona Boulevard. However, such commercial development is not feasible without the installation of a central sewer system. This study will also look at the feasibility of the

City participating in the consolidation of existing residential properties and converting them to commercial lots which would increase the ad valorem tax base in the City and increase job opportunities for City residents. Also, it would remove residential homes from major thoroughfares. To that end, this study includes a Real Estate Market Analysis and Commercial Viability component provided by a local licensed Commercial Real Estate Broker.

The Wastewater feasibility Analysis will include a conceptual plan for each area illustrating proposed locations for lift stations, force main routes from the lift stations to existing points of connection and needed gravity sewer line locations. The analysis shall include preliminary cost estimates for providing sewer service to the subject areas, including cost of new construction, as well as upgrades to existing facilities needed to serve the subject areas. A final report will be provided outlining the anticipated cost of the improvements.

BESH Halff will provide project administration services necessary to coordinate all aspects of the project and will provide a Real Estate Analysis and Commercial Viability Report.

The following areas are to be included in the report:

1. Saxon Boulevard from Finland to Normandy Boulevard.
2. Saxon Boulevard just west of Falmouth Avenue to Fruitland Drive.
3. Deltona Boulevard from Enterprise Road to East Cloverleaf Boulevard.

**OPTIONS:**

1. Approve - Proceed with the project and determine the feasibility of adding sewer to the area on Saxon Boulevard and Deltona Boulevard for commercial development.
2. Deny - Project will not be completed and we will not have additional commercial development on Saxon Boulevard and Deltona Boulevard.

**Attachments:**

[TA - Comercial Development Enhancement WW SStudy \(1`  
Fee Estimate Worksheet\\_WW Study](#)

**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. 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. However, individual Commissioners may wish to respond under their "City Commission Comments". 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)*

**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 for approval of the Task Authorization with Besh Halff Inc. for the design, permitting and pre-construction bidding services for Water Main Replacements, in accordance with their Agreement with the City of Deltona and RFQ# PW 2020-09 for Continuing On-Call Water & Wastewater Utility Line Engineering Services in the amount of \\$125,880.00. - Steven Danskine, Public Works/Deltona Water \(386\) 878-8998.](#)

[Strategic Goal: Infrastructure](#)

**Background:**

This project is to design, permit and provide pre-construction bidding services for replacement of water mains in various locations throughout the City of Deltona.

The City of Deltona has identified several areas in the city that is served by old pipes that are in need of replacement. Some of the pipes are asbestos concrete pipe and thin wall class pvc pipe that were installed

in the 1960's and 1970's and are failing causing numerous water leaks.

Additionally some areas served by these pipes in the distribution system are too small to provide adequate fire protection. The 4 inch pipes will be upsized to 6 inch pipes to accommodate the installation of fire hydrants which in turn will improve fire protection in the area.

The City requested a proposal for the survey, design, permitting and construction administration for replacement of the following areas in Groups 2,3 and 4 totaling approximately 10,600 linear feet:

**Group 2**

1. 4" on Mayflower Ave from Arab St to Quail Roost St. - 1,200 LF
2. 4" on Eagles Nest Ave from Arab St to Quail Roost St. - 1,041 LF
3. 4" on Quail Roost St to Embassy Dr to Deltona Blvd. - 774 LF

**Group 3**

1. 4" on Brady Dr from Saxon Blvd to Persian St - 585 LF
2. 6" on Persian St from Brady Dr to Waycross Cir - 830 LF
3. 4" on Canfield Ter from Persian St to Saxon Blvd - 490 LF
4. 4" on Moreno Ter from Persian St to Saxon Blvd - 383 LF

**Group 4**

1. 6" on Clearfield St from Providence Blvd to West Page Dr - 843 LF
2. 8" on North Page Dr from Providence Blvd to Saxon Blvd - 1,369 LF
3. 4" on Fieldstone Ave from North Page Dr. to Findlay St - 888 LF
4. 6" & 4" on Findlay St from Agatha Dr to Bloomfield Ave - 1,449 LF
5. 6" on Fergason Ave from Findlay St to Providence Blvd - 725 LF

**OPTIONS:**

1. Approve - Proceed with the project and make necessary improvements to the Water Distribution System throughout the City.
2. Deny - Project will not be completed and we will continue to have water main failures.

**Attachments:**

[Fully Executed Agreement-BESH HALFF, RFQ# PW 2020](#)  
[Partial Sign TA-BESH-Group 2,3,4 WM](#)  
[Copy of Fee Estimate Worksheet](#)

- B.** [Request for approval to procure planned and scheduled replacement desktops and laptops for all departments from Dell Technologies. - Robert Cordero, IT Director \(386\) 878-8807](#)

[Strategic Goal: Infrastructure](#)

**Background:**

The IT department places computers on a replacement schedule to ensure all equipment is under warranty and will not cause downtime for staff. This equipment is planned in our budget for replacement each fiscal year. We've identified desktops and laptops for replacement being end of life and no longer supported by our vendor, Dell Technologies. We are replacing 18 laptops and 46 desktops. The purchase includes docking stations and peripherals. Dell Technologies is our standardized vendor for desktops and laptops. Pricing was provided as per State of Florida contract MNWNC-108 / 43211500 WSCA-15-ACS. This is a planned procurement in the fiscal year 2021 and sufficient funds exist in our capital line items for this procurement

**OPTIONS:**

1. Approve - Proceed with the procurement
2. Deny - Don't procure the equipment and continue with aging equipment that has no warranty and run the risk of causing downtime with staff.

**Attachments:**

[3080-US QUOTE 3000089795284.2](#)

[5520-US QUOTE 3000089795283.2](#)

- C. [Request for approval of the annual one-year renewal for agenda management software - Joyce Raftery, City Clerk's Department \(386\) 878-8502.](#)

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

**Background:**

This is a request to approve the annual renewal for the City's agenda management software for agenda, minutes and voting of all City meeting bodies. The vendor has 40+ years of government focused experience in providing a complete, end-to-end legislative management solution. Some key features are unlimited storage, software integration with existing City software and archived meeting content. The City Clerk budgets annual for this expenditure.

**OPTIONS:**

1. Approve - to approve the annual renewal for the agenda management software.
2. Deny - to deny the annual renewal for the agenda management software.

**Attachments:**

[Agenda Management Software](#)

**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 Clerk, Joyce Raftery 3 business days in advance of the meeting date and time at (386) 878-8500.*