



# City of Deltona

2345 Providence Blvd.  
Deltona, FL 32725

## Minutes

### City Commission

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Monday, April 19, 2021

6:30 PM

Deltona Commission Chambers

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- 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.

1. CALL TO ORDER:

The meeting was called to order at 6:30 p.m.

2. ROLL CALL – CITY CLERK:

**Present:** 9 - Commissioner Avila-Vazquez  
Commissioner King  
Commissioner McCool  
Commissioner Ramos  
Commissioner Sosa  
Vice Mayor Bradford  
Mayor Herzberg  
Acting City Manager  
City Attorney

3. INVOCATION AND PLEDGE TO THE FLAG:

A. Invocation Presented by Commissioner Ramos.

Commissioner Ramos introduced Nick Pizza with Pizza Ministries who led everyone in the invocation and the pledge to the flag.

The National Anthem was sung by Yaelis Santos a 6th Grade student at Trinity Christian Academy.

4. APPROVAL OF MINUTES & AGENDA:

None.

5. PRESENTATIONS/AWARDS/REPORTS:

A. Proclamation - PowerTalk 21® Day

The Mayor and Commission presented a Proclamation for PowerTalk 21 Day.

Mayor Herzberg passed the gavel to the Vice Mayor Bradford and she left the meeting at 6:25 p.m.

**B. Proclamation - National Borinqueneers Day - April 13, 2021**

The Mayor and Commission presented a Proclamation for National Borinqueneers Day, April 13, 2021.

**C. Proclamation - National Volunteer Appreciation Week - April 18-24, 2021**

Mayor Herzberg returned to the meeting at 6:43 p.m. and Vice Mayor Bradford passed the gavel.

The Mayor and Commission presented a Proclamation for National Volunteer Appreciation Week, April 18-24, 2021.

**D. Volusia County Tax Collector Update**

Volusia County Tax Collector Will Roberts provided an update to the Mayor and Commission to include an overview of tonight's presentation, the tax collector role, how the tax collector is funded, tax collector services, coming soon, three pillars, three priorities underway, and further down the road.

**6. ORDINANCES AND PUBLIC HEARINGS:**

**A. Public Hearing - Ordinance No. 06-2020, rezoning request (RZ20-0003) for a +110.43 acre tract from County Prime Agriculture (A-1) to City of Deltona Residential Planned Unit Development (RPUD), at second and final reading - Ron A. Paradise, Director, Planning and Development Services, (386) 878-8610.**

**Strategic Goal: Economic Development - Create more diversified & high-quality housing opportunities to provide for all market demands.**

Mayor Herzberg explained the process for a quasi-judicial hearing. City Attorney Segal-George asked everyone who would be offering testimony on this item to please stand, raise their right hand and she swore them in.

Each Commissioner provided their ex parte communications.

Planning and Development Services Director Ron Paradise gave a brief explanation of the item.

The Commission, Acting City Manager and staff discussed the number of traffic accidents, the TIA (Traffic Impact Analysis), characteristics of the roadway, the CUP (Consumptive

Use Permit), emergency resources and the cost to increase them, and placing the item on hold until a new traffic study can be done.

Attorney Mark Watts, representative for the applicant, Cobb Cole, 231 N. Woodland Blvd., DeLand, introduced Keith Trace who is the representative of the landowner and Dave Holden the project engineer. He gave a presentation to include the history of the property, when the property was annexed, the density cap, the approval of the LDR (Low Density Residential) classification, the Osteen JPA (Joint Planning Agreement) footprint, transitional use, units per acre, Osteen Commercial Village, commercial intensity, buffering, traffic, preservation, elimination of lots, wetlands, the TIA, intense land uses, and conservation and rural areas. He also gave a brief explanation of the TIA, the traffic accidents in the area and the demands on public safety.

The Commission, Attorney Watts and Mr. Holden discussed impact fees, traffic signals, houses per acre, the Code's net density definition, required open space, the JPA, commercial, the county's ruling, special design, open space, cost per house, other property owned by applicant, and the stub out.

Attorney Shepard with Shepard, Smith, Kohlmyer & Hand, P.A., 2300 Maitland Center Parkway, #100, Maitland, stated he is representing opposed citizens with standing. He asked several questions of Mr. Paradise and he went over the questions that he addressed in his letter which was provided to the Commission. He gave a presentation to include the criteria for rezoning approval, staff supported reasons for denial, additional reasons to deny, this project is textbook sprawl, inconsistency with the Comprehensive Plan, Vision Deltona 2026, and it is the Commission's time to decide.

Attorney Shepard presented his expert Mr. James Smith who has been a planning consultant for 40 years and he provided his background. Attorney Shepard asked questions of Mr. Smith on his previous titles, whether the rezoning is consistent with all the criteria, whether he agrees or disagrees with items in the staff report, burden of proof, whether the City is required to deny the rezoning, that Mr. Smith was confused about the consistency, and the stub out.

**The Commission concurred to provide Attorney Shepard an additional four minutes for his evidence presenter.**

Mr. Smith continued discussing the future land use designation, MUV (Mixed Use Village) Zoning, the issue of compatibility, and allowable density.

Commissioner McCool left the meeting at 8:16 p.m. and returned at 8:17 p.m.

The Commission, Attorney Shepard and staff discussed the surrounding agricultural properties and what they are engaged in.

Commissioner Sosa left the meeting at 8:20 p.m. and returned at 8:22 p.m.

The Commission, Attorney Shepard and staff discussed Mr. Smith's title.

Commissioner Ramos left the meeting at 8:22 p.m. and returned at 8:22 p.m.

The Commission, Attorney Shepard and staff discussed Cove Estates' zoning or classification, Cove Estates' being auto dependent, the flood plain map, agricultural zoning parameters and conservation, the horse farm having a lot of open space, requirement to conserve trees or habitat, protecting lands & environment, City vs. County, the characteristics of the current area, lateral density, the landowner's request and having due process rights, the history of the property, the number of agricultural properties and their designation, Federal regulations, staff's consistency, what automobile dependent means, the Planning & Zoning Board decision, the Activity Center, diversity, and the developments that are in process.

Mayor Herzberg stated if a person wishes to participate in public participation and have been sworn in by the City Attorney please feel free to come forward to speak. If someone has not been sworn in and have filled out a form, that person will need to be sworn in.

The Deputy City Clerk and the Commission discussed how to proceed with the public forum which is made up of 44 requests to speak and 31 emails. Mayor Herzberg asked if the Commission was okay with entering the emails into the record and Commissioner Sosa replied no, he wanted every email read into the record at the residents' request.

Mayor Herzberg opened the public hearing.

Deputy City Clerk read two emails into the record from the following residents Patricia Northey and Joann Reed.

Commissioner McCool suggested allowing the resident who are present to speak first and then read the emails.

Elbert Bryan, Deltona, asked if the emails could be read into the record without the residents being sworn in. Mayor Herzberg asked the City Attorney for advise and City Attorney Segal-George replied historically the process has been to take written letters that are submitted and make them a part of the record, but not read them into the record which prevents the issue.

Vice Mayor Bradford left the meeting at 8:53 p.m. and returned at 8:55 p.m.

**Motion by Commissioner Avila-Vazquez, to add all the emails to the record and give the residents present the opportunity to speak. The motion died for lack of a second.**

After discussion, Mayor Herzberg stated the residents that are present could speak first and then staff would read in the additional emails.

Adam Meissner, 41 S. Courtland Blvd., Deltona, spoke about wildlife, kids, parks, crime, and money prevailing.

Commissioner McCool left the meeting at 9:04 p.m. and returned at 9:05 p.m.

Richard Bellach, Deltona, spoke about being escorted out of chambers, the project's revenue, residents, switching vote, God, suing the Mayor, free speech, and helping the residents.

Theresa Konash Luise, 2410 Lush Court, Deltona, spoke about Commissioner King's comments, denying the request, surrounding area, infrastructure, traffic accidents, Section 8, level of service, schools, the residents' interest and she thanked several Commissioners.

William Sell, 42 Seminole Drive, DeBary, spoke about development, not being over a barrel, car shopping, election promises, DeBary development, easy decision, and to deny the request.

Lorrie Shue, 2590 Enterprise Osteen Road, Osteen, spoke about Hickory Lakes, home placement, wetlands, flood plains, 39 buildable acres, reality, adjoining property, natural disasters, Courtland Park, turn lanes, site compatibility, comprehensive plan, and to deny the project.

Ed Sullivan, 165 Oaklea Drive, Enterprise, spoke about imposing a cap, number of units, the JPA, barriers, developers rights, the quasi-judicial process, changing the law, rights of neighbors, and reasons for the Commission's decision.

Christine Peacock, 1190 July Circle, Deltona, spoke about good employers, upgrading the community, development, downgrading the community, Section 8, satellite picture, environment, wildlife, larger acre lots, conservation, high end property, and to deny the request.

Joanne Bradow, 201 Sheryl Drive, Deltona, spoke about rural area, Doyle Road, number of homes, farm animals, infrastructure, and to deny the request.

Janis Graves, 500 Lemon Bluff Road, Osteen, spoke about reasons to deny the request, need for more homes, comprehensive plan, P&Z Board decision, surplus of homes, over allocation of 24%, Courtland Park, Vineland project, Acting City Manager's letter, relocating the project, and to deny the request.

Carl Hopf, Enterprise, spoke about the study, roads, water, polluting a lake, overloading everything, traffic accidents, and considering the residents.

Sue Burks, 8 Pine Drive, Osteen, spoke about wildlife, Commissioners' educating themselves, RV park, no growth, affect to residents, affect to nature, destroying the lake,

destruction of the community, negative affects, schools, sewer and roads.

Henry Hardy, 215 Rabbit Run, Osteen, spoke about acknowledged the Commission, informed choices, wildlife, fishing, conservation area, development, his property, zero lot lines, initial development, property costs, dividing property, and a park.

John Lenius, 51 Eagle Point North, Osteen, spoke about his family, Enterprise Road, FEMA map, flood zones,

Betty McKee, 81 S, Courtland Blvd., spoke about denying the request.

Jeff Brower, 310 Dawson Brown Road, DeLeon Springs, spoke about knowing Vice Mayor and her husband, the Commission's struggle, growth not paying for itself, roads, saving the City, maintenance costs, water, raising the CUP, toilet to tap water, building, environment, voting for Volusia County, farm land, and stopping development.

Commissioner Avila-Vazquez left the meeting at 9:48 p.m. and returned at 9:51 p.m.

Lee Giddens, 470 Giddens Lane, Osteen, spoke about development, neighbors, Osteen residents, low density housing, crime, change zoning to acreage lots, opposing the request, rural life, residents being scared, and to deny the request.

Tom Kleinknight, 2469 Reed Ellis Road, Osteen, spoke about road washouts, Enterprise Road, Cove Estates, City's code, water shed, cropped map, traffic issues, road rage, acreage lots, preserve, and recreation.

Glenda Ross, 80 Bethel Loop Circle, Enterprise, spoke about roads, safety, signs, traffic, soft shoulders, accidents and fatalities, and to deny the request.

Wanda Van Dam, 932 Indian Hammock Drive, Osteen, spoke about Enterprise Road, road curves, speed limits, capacity and safety, public safety, compatibility, and taking public safety into consideration.

Alicia Gordon, 67 Pelly Lane, Enterprise, spoke about children and families, roads and safety, not wanting change, agricultural lands, tax dollars, homestead vs. agricultural benefits, zero lot lines, the invocation, elections, development and this not being the place for it.

Barby Shrachman, 2490 Enterprise Osteen Road, spoke about Green Springs and manatees, wildlife, Hickory Preserve, zoo biologist, traffic accident, protected wildlife, horse farm, sensitive property, Lake Monroe Preserve, flood zone, wetlands, Gemini Springs, toilet water, and to preserve the wilderness.

Janet Deyette, 2451 Timbercrest Drive, Deltona, spoke about JPA, commercial and high density uses, rural areas, neighbors, doing the right thing, River of Lakes Heritage Corridor,

saying no, reasons for denial, commercial zoning, soils map, uplands, P&Z Board, and to deny the request.

Lelia, Deltona, spoke about Wall Street Journal article, new homes, individual buyers, economic growth, first time buyers, foreign governments, investors, renters, tax base, influx of homes, running the community in the ground, listening to the residents, reasons to say yes, and interest in the development.

Bob Sayre, 1840 Turtle Hill Road, Enterprise, spoke about Volusia Forever, equity, conservation, Blue Springs, zero lot lines, right to develop, acreage lots, being great and recommendations, and voting the request down.

Gordan Crowhurst, 101 S. Courtland Blvd., spoke about development, the environment, roads, infrastructure, wildlife, his kids, volunteer fire departments, stepping back, 30 year resident, Courtland Blvd., repaving roads, housing developments, 1,000 new homes, no commercial, Kissimmee, children's future, looking elsewhere for property, and voting no.

Laura Finn, 431 Sheryl Drive, Deltona, spoke about neighbors, roads, home development, and reasons for living here.

Carole Kraw, 2555 Enterprise Osteen Road, Osteen, spoke about being from Winter Park, growing up, Disney, camps, her grandchildren, wildlife, animal habitat, voting no, thanked several Commissioners, and voting no because of the residents.

Allan Dayton, 926 Blue Heron Blvd., Osteen, spoke about wildlife, Kove Estates, water and stormwater, sewer system, Little Lake, hurricanes, not having resources, voting no, developer and City planner, Kove Estates zoning, and voting no.

Commissioner McCool left the meeting at 10:25 p.m. and returned at 10:27 p.m.

**Motion by Commissioner King, seconded by Commissioner McCool, to extend the meeting to Midnight. The motion carried by the following vote:**

**For: 7 -** Commissioner Avila-Vazquez, Commissioner King, Commissioner McCool, Commissioner Ramos, Commissioner Sosa, Vice Mayor Bradford, and Mayor Herzberg

Commissioner Avila-Vazquez left the meeting at 10:28 p.m. and returned at 10:29 p.m.

Megan Forte, 41 S. Courtland Blvd., spoke about the residents and its interest, protection of habitats, 4 to 3 favor ability, every resident saying no, traffic accidents, infrastructure, racing, the future, wildlife, flooding, representing the residents, residents not being in favor of the request, thanked several Commissioners, quality of life, wetlands, nature, Commissioner's oath, resources, and financial gain.

Marion Dale Carraher, 697 River Run Road, spoke about fertilizer, wetlands, and opposing the request.

Chris Anderson, 2716 Ancho Court, Deltona, spoke about new developments, roads, not understanding and voting no.

Yorelis Navas, spoke about organizational chart, traffic, elementary schools, Fisher Plant, water, public safety, resident input, permit, buyer's rezoning property, 2022 election, and representatives for the people.

Carol Lawrence, 522 Newhall Lane, DeBary, spoke about being a realtor, opposing the development, gateway development, fleeing Broward County, project not surprising her, not anti growth, needing vertical growth, rural areas, community history, ecologically sensitive, old Florida disappearing, trees, and to deny the request.

Donald Freeman, 2929 Nobleton Street, Deltona, spoke about residents' saying no, voting the right way, crime, learning from mistakes, flood areas, the future, wetlands, vacant land, wildlife, City of Maitland, zero lot lines, land being valuable, development, water conservation, toilet water, and doing the right thing, vote no.

Elbert Bryan, Deltona, spoke about infrastructure, proposed project, diversity, environmentally sensitive lands, wetlands, mitigation, smart growth, existing neighborhoods, distance from retail, voting no, respecting the community, reuse material, one evacuation route, and Dollar Stores.

Ingeborg Montalvo, 2650 Doyle Road, Deltona, spoke about development, number of homes, car dependent, Doyle Road, lakes and wildlife, street racing, environment, Section 8, not attracting families, rentals, what will be destroyed, doing more for the residents, City Center, commercial, no amenities, and voting no.

Executive Assistant Bridgette Lodwig read 27 emails into the record that will be attached to the adopted minutes of this meeting. The emails were from the following individuals: Deborah Nader, Georgia Smith, Debey Von, Laura & Jeremy Jordan, Carmino A. Petracca Jr., Julie Maring, Tom Burbank, Jamie Goodrich, Karyn Kingston, Linda White, Myra Snell, Phil Baughman, Jean Treusch, Susan Hopf, Ken Brauman, Patricia Arnold, Jessica Scolaro, Christy & Dennis Jefferson, Casmera Norwich, Richard Tracey, Larry French, Sharon Harper, Jessica, Cheryl Lataille, Laura Evans, Jennifer Chasteen, and Cathy Robertson.

Commissioner Sosa left the meeting at 10:54 p.m. and returned at 10:56 p.m.

Commissioner Ramos left the meeting at 10:56 p.m. and returned at 11:05 p.m.

Mayor Herzberg left the meeting at 10:57 p.m. and returned at 11:02 p.m.



Mayor Herzberg left the meeting at 11:04 p.m. and returned at 11:09 p.m.

Commissioner McCool left the meeting at 11:06 p.m. and returned at 11:08 p.m.

Commissioner King left the meeting at 11:09 p.m. and returned at 11:13 p.m.

Mayor Herzberg closed the public hearing.

Attorney Watts spoke about flood plains, density, flood elevation, quasi judicial hearings, the staff report, staff's recommendation, the JPA, agricultural zoning, Kove Estates, walkability, mixed use, preservation, transition and comprehensive plan.

**Motion by Commissioner King, seconded by Commissioner McCool, to deny Ordinance No. 06-2020 to rezone a 110.43 acre property at second and final reading from the County Prime Agriculture classification to Residential Planned Unit Development.**

Commissioner Bradford asked if she needed to recuse herself from the vote because she owns a business in the City and City Attorney Segal-George replied the law is clear and she would have to have a financial interest in the project.

**The motion failed by the following vote:**

**For:** 3 - Commissioner King, Commissioner McCool, and Commissioner Sosa

**Against:** 4 - Commissioner Avila-Vazquez, Commissioner Ramos, Vice Mayor Bradford, and Mayor Herzberg

Commissioner McCool called for a point of order and she asked if the Commission needed to state their reasons for voting the way they did. Mayor Herzberg replied no and City Attorney Segal-George replied three of the Commissioners already spoke with regards to their denial. Commissioner McCool asked the four Commissioners who voted against the motion to state their reasons for voting the way they did.

**Motion by Vice Mayor Bradford, seconded by Mayor Herzberg, to adopt Ordinance No. 06-2020 to rezone a 110.43 acre property at second and final reading from the County Prime Agriculture classification to Residential Planned Unit Development featuring no more than 189 units; with all proposed changes to the written development agreement, based on the following:**

- a) There is adequate infrastructure to support the development including roadway, school, and utility capacity;**
- b) Environmental resources like wetlands, waterbodies and floodplains will be safeguarded;**

- c) Based on a preponderance of urban entitlements allocated to the area by both the County and the City, including but not limited to, the Osteen Local Plan, the rezoning request is compatible with the envisioned urban development of the area;
  - d) Significant buffers will be afforded to protect scenic vistas, adjacent agricultural uses and abutting conservation land; and
  - e) The requested RPUD is consistent with the Comprehensive Plan.
- The Acting City Manager has the authority to make corrections of scrivener's errors and the like.

The Commission discussed the residents, reasons for voting for or against, accountability, Kove Estates, the Commission's requirement, mobile homes, having a roll call vote, fish camp, representing the people, PUD, exemption for agricultural use, the space overlay district, future land use map, planning and development disasters, infill lots, making the same mistakes, Lake Baton Estates, the character of the area, the message to residents, and the developers contribution to the community.

**Motion by Vice Mayor Bradford, seconded by Commissioner Ramos, to extend the meeting to 1:00 a.m. The motion carried by the following vote:**

**For:** 7 - Commissioner Avila-Vazquez, Commissioner King, Commissioner McCool, Commissioner Ramos, Commissioner Sosa, Vice Mayor Bradford, and Mayor Herzberg

The City Attorney read the title of Ordinance No. 06-2020 for the record.

AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA, AMENDING THE OFFICIAL ZONING MAP TO REZONE +/-13.06 ACRES OF LAND LOCATED WEST SIDE OF HOWLAND BLVD. ACROSS FROM PINE RIDGE HIGH SCHOOL FROM CITY OF DELTONA RESIDENTIAL ESTATE ONE (RE-1) TO RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD); PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

**The motion carried by the following vote:**

**For:** 4 - Commissioner Avila-Vazquez, Commissioner Ramos, Vice Mayor Bradford, and Mayor Herzberg

**Against:** 3 - Commissioner King, Commissioner McCool, and Commissioner Sosa

Ordinance No. 06-2020 was approved at 12:17 p.m.

Mayor Herzberg called for a recess at 12:17 p.m and reconvened at 12:23 p.m.

**B. Public Hearing - Acceptance of Final Plat SD20-0018, Courtland Park Phase I - Ron A. Paradise, Director of Planning and Development Services, (386) 878-8610.**

**Strategic Goal: Create more diversified and high-quality housing opportunities.**

Planning and Development Services Director Ron Paradise gave a brief explanation of the item.

Vice Mayor Bradford, Mr. Paradise and Candice Hawks (Developer Consultant) with Poulos & Bennett discussed the number of units per phase, ownership changes since the rezoning, no material changes, no changes to the approved PUD (Planned Unit Development) and the changes made.

Mayor Herzberg opened and closed the public comments as there were none.

**Motion by Vice Mayor Bradford, seconded by Mayor Herzberg, to accept Final Plat SD20-0018, Courtland Park Phase I and approve the Mayor to sign the Plat. The Acting City Manager has the authority to make corrections of scrivener's errors and the like. The motion carried by the following vote:**

**For:** 5 - Commissioner Avila-Vazquez, Commissioner Ramos, Commissioner Sosa, Vice Mayor Bradford, and Mayor Herzberg

**Against:** 2 - Commissioner King, and Commissioner McCool

**7. OLD BUSINESS:**

None.

**8. NEW BUSINESS:**

**A. Discussion re: City Manager's Evaluation - John A. Peters, III, P.E., Acting City Manager, (386) 878-8858.**

**Strategic Goal: Internal and External Communication**

Mayor Herzberg gave a brief explanation of the item.

Vice Mayor Bradford stated that she read the comments in the City Managers reviews and was happy to see the diverse amount of positive comments and thanked the Acting City Manager for his hard work.

Mayor Herzberg thanked the Commission for moving forward with this type of evaluation and that this forces the Commission to look at the performance of the Acting City Manager and their own performance.

Mayor Herzberg opened the public comments.

Elbert Bryan, Deltona, spoke about the agenda, the last vote, the residents and taking the job seriously.

Mayor Herzberg closed the public comments.

**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. 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.**

Elbert Bryan, Deltona, spoke about earth week, suggested motion, smart growth, the final plat, property taxes, mobile homes, and densities.

Wanda Van Dam, 932 Indian Hammock Drive, Deltona, spoke about Cove Estates, ignoring surrounding property, planned for development, rural categories, traffic, down zoning, dense and intense development, the Commissions time and efforts and the vote on Item 6-A.

**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.**

None.

**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.**

Mayor Herzberg requested to pull Consent Agenda Item 10 - C and Commissioner McCool

requested to pull Consent Agenda Item 10-D for discussion.

**Motion by Commissioner Ramos, seconded by Vice Mayor Bradford, to approve Consent Agenda Items 11-A, 11-B, 11-E and 11-F. The motion carried by the following vote:**

**For:** 7 - Commissioner Avila-Vazquez, Commissioner King, Commissioner McCool, Commissioner Ramos, Commissioner Sosa, Vice Mayor Bradford, and Mayor Herzberg

- A. Request approval of the Task Authorization with Rocha Controls for the IP Video System Improvement projects at 11 Water Treatment Plant Sites, in accordance with their Agreement with the City of Deltona and RFQ# PW 18-04 for Supervisory Control and Data Acquisition (SADA) System Upgrades and Maintenance. - Steven Danskine, Public Works/Deltona Water (386) 878-8998.**

**Strategic Goal: Public Safety and Security**

Approved by Consent - to approve the Task Authorization with Rocha Controls for the IP Video System Improvements projects at 11 Water Treatment Plant Sites, in the amount of \$322,045.00. The Acting City Manager has the authority to make corrections of scrivener's errors and the like.

- B. Request approval of the Task Authorization with Dewberry Engineers for the Post Design Services for the Elkcarn Paved Shoulders-Segment 1 project, in accordance with their Agreement with the City of Deltona and RFQ# PW 17-06 for On-Call Civil Engineering Services - Steven Danskine, Public Works/Deltona Water (386) 878-8998.**

**Strategic Goal: Infrastructure/Transportation**

Approved by Consent - to approve the Task Authorization with Dewberry Engineers to provide Post Design Services for the Elkcarn Paved Shoulders - Segment 1 project, in the amount of \$36,400. The Acting City Manager has the authority to make corrections of scrivener's errors and the like.

- C. Request approval of the Task Authorization with Mead & Hunt, Inc. for the procurement of Elevation Certificates for properties constructed since 2014 with a Special Flood Hazard designation attached to the property, in**

**accordance with their Agreement with the City of Deltona and RFQ# PW 2020-08 for On-Call Stormwater Engineering Services - Steven Danskine, Public Works/Deltona Water (386) 878-8998.**

**Strategic Goal: Public Safety**

Mayor Herzberg stated this item was mentioned in the last commentary for the rezoning. She asked why this item is on the Consent Agenda and why is this being done. Acting City Manager Peters stated that there was a recent review of the Community Rating System and that there were elevation certificates missing which are required as part of the building permit process.

The Commission and Acting City Manager Peters discussed the missing elevation certificates, future prevention, the City's compliance status, any other issues found, the City's accreditation and the number of houses in the floodplain. Also discussed was what triggers the need for elevation certificates and the mortgage companies' requirements for flood insurance.

**Motion by Commissioner Ramos, seconded by Vice Mayor Bradford, to approve the Task Authorization with Mead & Hunt, Inc. for the procurement of Elevation Certificates for properties constructed since 2014 with a Special Flood Hazard designation attached to the property, in accordance with their Agreement with the City of Deltona and RFQ# PW 2020-08 for On-Call Stormwater Engineering Services in the amount of \$34,949.00. The Acting City Manager has the authority to make corrections of scrivener's errors and the like. The motion carried by the following vote:**

**For: 7 - Commissioner Avila-Vazquez, Commissioner King, Commissioner McCool, Commissioner Ramos, Commissioner Sosa, Vice Mayor Bradford, and Mayor Herzberg**

- D. Request approval to award Bid# PW 2020-12 to P&S Paving, Inc. in the amount of \$1,062,300.62 for the construction of the Elkcam Paved Shoulders Segment 1 from Sylvia Dr. to Ft Smith Blvd project. - Steven Danskine, Public Works/Deltona Water (386) 878-8998.**

**Strategic Goal: Infrastructure/Transportation**

Commissioner McCool requested the number of bids that were received and she asked if staff always takes the lowest bid. Acting City Manager Peters explained the bid process and that the bid accepted was the low bid and DOT (Department of Transportation) also agreed.

Motion by Commissioner Avila-Vazquez, seconded by Vice Mayor Bradford, to approve the award of Bid# PW 2020-12 to P&S Paving, Inc. in the amount of \$1,062,300.62 for the construction of the Elkcam Paved Shoulders Segment 1 from Sylvia Dr. to Ft Smith Blvd project. The Acting City Manager has the authority to make corrections of scrivener's errors and the like. The motion carried by the following vote:

For: 7 - Commissioner Avila-Vazquez, Commissioner King, Commissioner McCool, Commissioner Ramos, Commissioner Sosa, Vice Mayor Bradford, and Mayor Herzberg

- E. Request approval to award Bid# PW 2021-04, Lawn and Landscaping Services to McMaster Lawn and Pest Services to provide Citywide Lawn and Landscaping Services for the various Stormwater, Water and Wastewater Plants and Parks and Recreation locations. - Steven Danskine, Public Works/Deltona Water (386) 878-8998.

Strategic Goal: Infrastructure

Approved by Consent - to approve the award of Bid# PW 2021-04 to McMaster Lawn and Pest Services to provide Lawn and Landscaping Services in the amount of \$188,200.00 and as approved by the City Commission up to the approved budget amounts for each fiscal year. Award shall be for an initial period of three (3) years with the option to renew for two (2) additional one (1) year terms upon mutual agreement of both parties. The Acting City Manager has the authority to make corrections of scrivener's errors and the like.

- F. Request for approval to purchase computers and accessories for the Mobile Computer Upgrade project. - Bill Snyder, Fire Department, (386) 575-6902.

Strategic Goal: Public Safety/Internal & External Communication

Approved by Consent - to approve the purchase of the computers and accessories for the Mobile Computer upgrade project. The Acting City Manager has the authority to make corrections of scrivener's errors and the like.

**12. CITY COMMISSION SPECIAL REPORTS AND REQUESTS:**

Commissioner McCool requested the manager start constructing the different stages of density and how it applies to the project that was just passed as far as their vested rights interest goes.

**The Commission concurred to have the Acting City Manager look at the different definitions of density.**

Acting City Manager Peters asked for clarification on looking at vs. doing vs. bringing back and Commissioner McCool replied doing and bringing back.

Commissioner McCool requested that a motion to deny be added to the staff report. Mr. Paradise suggested putting on a workshop the future land use map and future land use designations to include any legal ramifications, vesting and Burt J. Harris, Jr. Act. Acting City Manager Peters stated he will likely recommend bringing in a consultant to do the majority of the work and staff will oversee and advise.

Commissioner King requested putting a pause on residential development until the Strategic Plan and Comprehensive Plan are worked out.

Commissioner Avila-Vazquez requested a list for District #3 of all the approved projects started and on hold.

Vice Mayor Bradford requested staff look at Universal Home Inspectors for inspections and look into other firms to do the work because she has been receiving complaints. Acting City Manager Peters replied staff is looking into it and there are a number of firms that do this type work. One of the struggles is the private sector is paying very competitive salaries and the City is struggling to keep staff, but it is something that needs to be looked at.

### **13. CITY ATTORNEY COMMENTS:**

None.

### **14. CITY MANAGER COMMENTS:**

Acting City Manager Peters reminded everyone that this Wednesday at 8:00-8:30 a.m. at The Center is the Annual Ethics Training by the League of Cities and it is open to all local municipalities.

### **15. CITY COMMISSION COMMENTS:**

Commissioner Avila-Vazquez stated the people who played in the tournament on Saturday loved The Center and they could not believe how beautiful it is inside.

Commissioner Ramos reminded everyone that tomorrow is the District 5 Code Enforcement Town Hall at Wes Crile Park. There is a blood drive Thursday from 9:00 a.m. to 2:00 p.m. at Halifax UF Health - Medical Center of Deltona. He thanked the manager and Parks & Recreation, he thinks there was pretty good success with Family Health Source with the vaccine. There was a last minute change, but they serviced 234 individuals with the



vaccine and they will be using the site again for individuals to get their second shot.

Commissioner McCool stated she will be out of town Wednesday and she asked if she could take the ethics training online again, it has been within six months since she had it. Mayor Herzberg replied to look at the Florida League of Cities who should have something available online.

Vice Mayor Bradford apologized for not turning in the manager's evaluation on time. She was having a problem printing it out, but that is no excuse. She is very sorry and she thanked Mr. Bryan for pointing it out.

Mayor Herzberg stated she did a State of the Region in Seminole County last Friday and the gentleman went completely off script and he stated he was not going to follow whatever they were told. He stated he knew something about each one of the attendees cities and the thing he pointed out about Deltona was The Center. She thought that it was cool that he picked The Center and he called it "an architectural marvel". He talked to her about getting The Center more business from the whole region.

#### **16. ADJOURNMENT:**

There being no further business, the meeting adjourned at 1:20 p.m.

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Heidi K. Herzberg, MAYOR

ATTEST:

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Joyce Raftery, CMC, MMC, CITY CLERK