



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

Wednesday, September 4, 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 #1 Commissioner.](#)
[Honoring Veteran -](#)**

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.

At the February 19, 2024, Regular City Commission Meeting the Commission voted to honor Veterans in the community each month which was added as part of the Invocation for each member of the Commission.

4. PRESENTATIONS/AWARDS/REPORTS:

5. 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.

6. ORDINANCES AND PUBLIC HEARINGS:

- A. [Public Hearing - Resolution No. 2024-46, Adopting the Tentative Millage Rate - Levy of Ad Valorem taxes for FY 2024/2025.](#)

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

Background:

State law requires that the City hold a public hearing on the tentative budget and millage rate between 65 and 80 days from the date (July 1, 2024) 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 21, 2024.

At this hearing, the City will:

- First discuss the percentage increase in millage over the rolled-back rate. The tentative millage rate of 7.0000 reflects a 3.35% increase from the rolled-back rate of 6.7730 mills.
- Adopt a tentative millage (Resolution No. 2024-46) and tentative budget (Resolution No. 2024-47) 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 (6.7730), and the percentage increase or decrease compared to the rolled-back rate (3.35% increase), and the millage rate to be levied

(7.0000) must be publicly announced. The tentative millage rate and budget will be used to advertise the final budget scheduled for September 16, 2024.

Attachments: [Reso 2024-46 Tentative Millage Rate](#)

- B. [Public Hearing - Resolution No. 2024-47, Adopting the Tentative Annual Budget - Annual Budget for FY 2024/2025.](#)

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

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, 2024) 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 21, 2024.

At this hearing, the City:

- May amend the tentative budget and re-compute its tentative millage rate, and publicly announce the percent, if any, by which the recomputed tentative millage exceeds the rolled-back rate.
- Will adopt a tentative millage (Resolution No. 2024-46) and budget (Resolution No. 2024-47), in that order.
- The adopted tentative millage and budget will be used to advertise the final hearing scheduled for September 16, 2024.

Attachments: [Reso 2024-47 Tentative Budget](#)
 [FY24-25 Tentative Budget Summary](#)

- C. [Public Hearing - Ordinance No. 10-2024, vacating portions of the rights-of-way known as Florida Avenue and Clara Street associated with the Davis Park Plat, at final hearing.](#)

[Strategic Goal: Economic Development](#)

Background:

The applicant is requesting to vacate portions of the rights-of-way (ROW) within the Deltona Village, as they are part of an antiquated plat from 1925. The City received the required no-objection letters from all utility providers within the area. The vacation of ROW does not change the zoning, but will allow the owner to develop the land, as it is currently too constrained. The current ROWs are too small to be used as roadway, and Volusia County has signed a no objection letter for utility use in the area. Please refer to the Staff Report for more information.

Attachments: [Staff Report AROW24-0001](#)
[Ordinance No 10-2024](#)
[Maps](#)
[Non Objection Letters](#)
[Davis Park Plat 1925](#)
[Deltona Village Vacation of ROW PPT](#)

- D. [Public Hearing- Ordinance No. 09-2024, amending the Official Zoning Map to rezone + 10.10 acres of land located at 3141 Howland Boulevard from General Commercial \(C-2\) and Business Planned Unit Development \(BPUD\) to BPUD, at first hearing.](#)

[Strategic Goal: Economic Development](#)

Background:

Ordinance No. 09-2024, requests to rezone the property at 3141 Howland Boulevard from C-2 and BPUD to a BPUD. The current C-2 zoning does not allow for the RV Storage Facility. The request is consistent with the Comprehensive Plan, as the parcel is located off Howland Boulevard near other Commercial zoned properties and will provide employment opportunities for the community.

The property will provide uses that are needed within the City of Deltona. The Business Park will have not only medical-type offices but also provide RV and Boat storage. The City currently does not have any RV or Boat parking facilities, with residents having to park these in their backyards or side yards.

The uses being proposed will be beneficial for the residents of Deltona and provide jobs within the City. The requested BPUD request is neighborhood-oriented and represents a logical progression of land use intensity. As stated in the staff report, the developer will be required to perform a full environmental study during the Final Site Plan. A field review and single warrant analysis will be required for the intersection of Howland Boulevard and Roseapple Avenue to ensure no further improvements are required.

Attachments: [LEHA Staff Report](#)
[Ordinance No. 09-2024 Leha BPUD](#)
[Exhibit B - Legal Description](#)
[Exhibit C - MDP](#)
[Exhibit D - Elevations](#)
[Maps](#)
[LEHA BPUD PPT](#)

- E. [Public Hearing - Resolution No. 2024-37, accepting the Final Plat for Catalina](#)

[Pointe RPUD to subdivide the commercial outparcel from the multifamily parcel on 36.6-acres of land, located at 2965 Howland Boulevard.](#)

[Strategic Goal: Economic Development](#)

Background:

The Catalina Pointe Final Plat application proposes to subdivide a 36.6-acre parcel of land, by legally separating the commercial outparcel from the parent residential parcel of the Catalina Pointe RPUD. The Final Plat complies with the Florida Statutes Chapter 177, and the City's Land Development Code Chapter 106.

The Final Plat was submitted on December 8, 2023, and after three (3) rounds of comments and reviews the application was deemed complete on July 11, 2024. The Development Review Committee recommended the City Commission accept the Final Plat on July 17, 2024, with the condition that the Development Order shall be recorded into the public records concurrently with the Final Plat Mylar within 20 working days of the effective date of Resolution No. 2024-37.

Attachments:

[DRC Staff Report - Catalina Pointe Final Plat](#)

[Resolution No 2024-37](#)

[Catalina Pointe Final Plat](#)

[Catalina Pointe Final Plat PPT](#)

7. OLD BUSINESS:

- A. [Request approval for the Proportionate Fair Share Agreement for Catalina Pointe Residential Planned Unit Development \(RPUD\).](#)

[Strategic Goal: Economic Development](#)

Background:

Catalina Pointe RPUD was approved by the Commission in January 2023, for 277 detached residential units. The agreement is to pay the impact fees required for the City and Volusia County. The Traffic Impact Analysis (TIA) was reviewed by the City and County for the RPUD. The Commercial section will require its own TIA, review, and impact fees. If the Proportionate Fair Share amount is not paid before December 31, 2025, the TIA shall be updated, and the impact fee amount shall be recalculated. The City will receive approximately \$277,596.00 in impact fees from the RPUD. Since the project is within the City but on a Volusia County Road, the City is required to approve the agreement before the County can move forward.

Attachments:

[Proportionate Share Agreement - Clean](#)

- B. [Request to approve award of RFP#24014 for a Time and Attendance Solution to Andrews Technology HMS, Inc.](#)

Strategic Goal: Effective Governance and Productive Government

Background:

Staff solicited proposals from firms to provide a Time and Attendance Solution for the City. Five responses were received. Proposals were completely reviewed and scored by the Selection Committee members below:

- Julia Johnson, Deputy Finance Director,
- Rachel Wheaton, Financial Systems Manager
- Robert Cordero, IT Director
- Asheli Bragg, Payroll Administrator

The Selection Committee then met to discuss their scoring of the responses and requested confirmation from the top three highest scoring firms that our current badges would work with their clocks. All firms confirmed that they would. A second Selection Committee meeting was held and the Committee came to a consensus on recommending award to Andrews Technology HMS, Inc. The City has budgeted \$50,000 for this fiscal year for Phase 1 and \$50,000 will be budgeted for next fiscal year for remaining clocks and services and an estimated \$30,000 for cabling and installation. The 2023/2024 fiscal year costs are as follows:

Fiscal Year 2023/2024 -

Application Software	\$10,080
Implementation	\$16,500
Hardware Maintenance	\$ 2,275
Hardware (7 clocks for testing)	<u>\$19,600</u>
	\$48,455

Attachments: [Purchasing Division Memo](#)

8. NEW BUSINESS:

- A. [Request approval for reimbursement to Starlight Homes Florida, LLC an amount not to exceed \\$74,157.72 as agreed upon in the Municipal Utility Installation & Reimbursement Agreement. This agreement was approved by the Commission on May 16, 2022 to cover the cost of upsizing the sanitary sewer infrastructure and available capacity.](#)

Strategic Goal: Economic Development - Infrastructure

Background:

The City of Deltona and Starlight Homes Florida, LLC entered into the Municipal Utility Installation & Reimbursement Agreement on May 16, 2022. This agreement provided for the developer to upsize and extend the sanitary sewer forcemain with the agreement that the City would

reimburse for the costs not to exceed \$74,157.72. The developer has completed the agreed upon work and the infrastructure has been dedicated to the City of Deltona.

Attachments: [Municipal Utility Installation & Reimbursement Agreement](#)

9. 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.

10. 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. [Approval of minutes of the Regular Commission Meeting of August 5, 2024, as presented.](#)

[Strategic Goal: Accurate, Timely and Identifying Communication](#)

Background: N/A

Attachments: [August 5, 2024 RCM Minutes](#)

B. [Request approval for the Interlocal Agreement Regarding Transportation Impact Coordination between the City of Deltona and the County of Volusia.](#)

[Strategic Goal: Economic Development](#)

Background: Governor DeSantis signed House Bill, 479, Alternative Mobility Funding Systems and Impact Fees, on June 25, 2024. The new law takes effect on October 1, 2024. The bill provides that if a County and/or a municipality charge developers of a new development or redevelopment a fee for transportation capacity impacts, the County and/or municipality must, by October 1, 2024:

1. Create and execute an interlocal agreement to coordinate the mitigation of transportation capacity impacts; and
2. Establish a process to collect and distribute the collected

revenue.

The bill does not eliminate County transportation impact fees; however, it does encourage coordination between counties and municipalities regarding transportation impacts. If there is **NO** interlocal agreement, the developer receives a ten percent (10%) reduction in the impact fees and proportionate fare share agreements. In addition, the entity that issues the builder permit must collect the transportation impacts fees and distribute the proceeds to the relevant county or municipality within 60 days of payment receipt.

Currently, an applicant pays their applicable County impact fees to the County and provides a receipt to the City that accompanies their permit application showing that the other agency fees have been paid. The City then collects only those fees applicable to the City and is therefore not responsible for collection or transmission of other agency fees.

The Interlocal Agreement secures the status quo existing system between the City of Deltona and Volusia County. It confirms that the preferred option for developers to pay impact fees directly to the County, rather than being collected by the City and then remitted to the County.

Attachments: [Transportation Impact Fee ILA Template 2024.06.28 For E HB 479-Deltona-Daugherty](#)

- C. [Request for approval of bid award for fiber optic cable expansion from Eastern Water Reclamation Facility to Public Works.](#)

[Strategic Goal: Accurate, Timely, and Identifying Communication](#)

Background: The Commission approved funding in the budget for Fiber Initiative and Road Conduits in order to continue to expand our fiber network. Funding is available and budgeted for in the account line 501-640100. The IT department went out to bid for fiber optic cables to be installed from Eastern Water Reclamation Facility to Public Works. This will eliminate circuits, extend our fiber network, and allow us to increase bandwidth to improve site resilience and performance for both EWRF and Public Works. Increased bandwidth allows us to add services that require high speed connectivity to the area. The IT Department went out to RFP, a total of (6) bids were received, and the lowest bidder was RKC Site Solutions, LLC for a total bid of \$147,742.52. We are requesting the City Commission award the bid to RKC Site Solutions, LLC.

Attachments: [Signed award memo and bid](#)

- D. [Request approval of Resolution No. 2024-45 and Budget Amendment to increase the economic development initiative account to fund the reimbursement of taxes to Amazon for the Fiscal Year 2024.](#)

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

Background:

On December 16, 2019, the Commission approved Resolution Number 2019-68 and the Economic Development Agreement between the City of Deltona and Amazon.com Services, LLC. Amazon invested approximately \$122,000,000 in the construction and equipping of a warehouse, which resulted in new job creation. The agreement provided for ad valorem tax reimbursement for both real property and tangible property taxes to the company over a period of five years, for an amount not to exceed the sum of \$3,000,000.

As of December 31, 2023, Amazon has reported 1,550 jobs at the project site, with an average wage of new employees at \$41,726.72. The estimate cost of benefits as a percentage of the wage is 17%. Amazon has provided community service activities as required in the Economic Development Agreement and has paid \$788,246.41 in real and tangible property taxes for the year 2023. The budgeted funds for the Amazon tax reimbursement is \$730,000, a shortfall of \$58,500. A budget amendment has been prepared to move \$58,500 from General Fund balance to reimburse Amazon in accordance with the terms of the agreement.

Attachments:

[BA2024-069 AMAZON REIMBURSEMENT](#)
[2024-45 Reso - BA 2024-069 Amazon Reimbursement](#)
[Amazon Annual Report \(2023 Performance Year\)](#)

- E. [Request for approval of Resolution No. 2024-48, adopting amended Procurement Policies and Procedures Manual.](#)

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

Background:

The Commission approved and adopted the Resolution 2021-11 Procurement Policies and Procedures Manual on February 1, 2021. Staff has made changes to more effectively allow staff to expeditiously carry out their responsibilities while ensuring compliance with the laws of Florida, the Procurement Policies of the City and the Commission approved budget.

Attachments:

[Resolution 2024-48](#)
[PROCUREMENT POLICIES AND PROCEDURES MANU/](#)
[Changes to the Policy](#)

- F. [Request approval of Resolution No. 2024-49 and Budget Amendment for temporary services for Human Resources.](#)

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

Background: Cost is needed to finalize the HR Audit for Departmental Compliance with Legal Regulations. There is currently \$11,173.76 remaining on GL 001160-523401 that needs to be added to the Robert Half Purchase Order 240660. The additional \$22,000 requested in the budget amendment and resolution will also be added to the Robert Half Purchase Order 240660, for a total of \$33,173.76.

Attachments: [BA2024-072 HR Temp Services](#)
[2024-49 Reso - BA 2024-072 HR Temporary Staff](#)

- G. [Request approval of Resolution No. 2024-44 and budget amendment to reduce the operating budget for Division 364 \(Deltona Water Field Operations\) by 25K and move the funds to capital equipment for the purchase of an additional ground penetrating radar used for locates of utility lines.](#)

[Strategic Goal: Public Safety](#)

Background: Deltona Water currently is fulfilling in excess of 11K locate ticket per year. One of the current production ground penetrating radar units is beyond its useful lifespan. Operating budget GL 401364-524607 has a remainder of \$95,431.53 that is not anticipated to be exhausted this Fiscal Year. We would like to reduce PO 240192 by 25K in order to move those funds to the capital equipment budget to purchase a more productive GPR unit.

Attachments: [Impulse Radar - PinPointR GPR Cart](#)
[BA2024-067 GPR Location 364](#)
[2024-44 Reso - BA 2024-067 GPR Locator 364](#)

- H. [Request approval of Resolution No. 2024-43 and budget amendment to transfer unencumbered budgeted funds to the Hawkins Inc. purchase order for Water Plant Chemicals needed for the remainder of the FY 23/24 year.](#)

[Strategic Goal: Public Safety](#)

Background: For the FY 23/24 budgeted chemical cost were based on previous year's spending and flow estimations. Actual cost for FY 23/24 is increased due to higher than projected flow and increased cost from suppliers. The requested budget transfers are from unencumbered funds in the approved budget for areas that were underspent throughout

the FY 23/24.

Attachments: [BA2024-068 Chemicals for 361](#)
[2024-43 Reso - BA 2024-068 Chemicals 361](#)

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 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.