



# 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*

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Monday, September 16, 2024

6:30 PM

Deltona Commission Chambers

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**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 #2 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. 2024-50, Adopting the Final 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 final budget and millage rate within 15 days after the adopting the tentative budget, the taxing authority shall advertise in a newspaper of general circulation in the county, its intent to finally adopt a millage rate and budget. A public hearing to finalize the budget and adopt a millage rate shall be held not to less than 2 days nor more than 5 days after the day that the advertisement is first published. During the hearing, the governing body of the taxing authority shall amend the adopted tentative budget as it sees fit, adopt a final budget, and adopt a resolution stating the millage rate to be levied.

At this hearing, the City will:

- First discuss the percentage increase in millage over the rolled-back rate. The final millage rate of 7.0000 reflects a 3.35% increase from the rolled-back rate of 6.7730 mills.
- Adopt a final millage (Resolution No. 2024-50) and final budget (Resolution No. 2024-51) by separate vote, and in that order as

required by State Law.

- Prior to adopting the millage-levy resolution publicly announce:
  - The City of Deltona, Florida
  - The rolled-back rate is 6.7730
  - The percentage increase over the rolled-back rate is 3.35%
  - The millage rate to be levied is 7.0000.

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

**Attachments:**     [2024-50 Reso - Final Millage](#)

- B. [Public Hearing - Resolution No. 2024-51, Adopting the Final 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 final budget within 15 days after the adopting the tentative budget, the taxing authority shall advertise in a newspaper of general circulation in the county, its intent to finally adopt a millage rate and budget. A public hearing to finalize the budget and adopt a millage rate shall be held not to less than 2 days nor more than 5 days after the day that the advertisement is first published. During the hearing, the governing body of the taxing authority shall amend the adopted tentative budget as it sees fit, adopt a final budget, and adopt a resolution stating the millage rate to be levied.

At this hearing, the City:

- Will adopt a final budget for Fiscal Year 2024/2025.
- Will adopt a budget Resolution Number 2024-51.

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

**Attachments:**     [2024-51 Reso - Final Budget](#)  
                              [FY24-25 Final Budget Summary](#)

- C. [Public Hearing - Ordinance No. 07-2024, amending Section 22-186 to 22-191, of Article VI, "Street Vendors" of Chapter 22 "Businesses" of the Land Development Code, at first reading.](#)

[Strategic Goal: Update the Land Development Code and Economic](#)

## Development

### **Background:**

The City has an adopted, citywide Land Development Code (LDC). The City LDC regulations change over time based on current trends, state preemptions, public input, and regulatory reviews, amongst other things. The City Commission adopted the latest revision to the Street Vendor Sections on May 2, 2022.

The Commission has requested staff to update the Street Vendor section in the LDC, as some Sections needed to be updated to follow Florida Statutes and update the regulations.

Highlights of proposed Ordinance No. 07-2024 are as follows:

1. Adding Mobile Vendors.
2. Updating language regarding Mobile Food Dispensing Vehicles (MFDV) and Mobile Vendors to reflect current Florida Statutes.
3. Fixing spelling errors and grammar issues.
4. Requiring a Special Event Permit for any MFDV or Mobile Vendor using tables and chairs for customers.
5. Adding restrictions within the Section, which includes no overnight parking and equipment that may be used for vending.
6. Restricting any alcohol sales without a Special Event Permit.

### **Attachments:**

[Ordinance No. 07-2024](#)

[Article VI. Street Vendors - Redline](#)

[Article VI. Street Vendors - Clean](#)

[Ordinance No. 07-2024 Presentation](#)

- D. [Public Hearing - Ordinance No. 13-2024, amendment to Sections 110-300 to 110-320, of Article III, "Establishment of Classifications and Official Zoning Map", of Chapter 110 "Zoning", of the Land Development Code.](#)

### **Strategic Goal: Economic Development**

### **Background:**

The City has an adopted, citywide Land Development Code (LDC). The City Land Development Code regulations change over time based on current trends, state preemptions, public input, and regulatory reviews, amongst other things. The City Commission adopted the latest revision to the Zoning Sections on August 20, 2018.

On May 7, 2024, the City Commission requested staff to update the Zoning Sections in the LDC, as some of the Sections were outdated. The City Commission explained that the current C-,1 Retail Commercial Zoning, is too restrictive and would like there to be more allowable uses.

Attached is the proposed Ordinance No. 13-2024, which includes changes to Sections 110-300 to 110-320 of the Land Development

Code.

Highlights of proposed Ordinance No. 13-2024 are as follows:

1. Updating language regarding Community Residential Homes to reflect current Florida Statutes.
2. Granting agricultural type uses on RE-5, Residential Estate Five, and RE-1, Residential Estate One, zonings, if the parcel is more than three (3) acres in size.
3. Allowing more commercial uses within the C-1, Retail Commercial Zoning District.
4. Allowing more commercial uses within the C-2, General Commercial Zoning District.
5. Providing more uniform uses for the Commercial Zoning Districts
6. Adding additional regulations for multiple-family dwelling
7. Clarifying the design for vertical and horizontal mixing of residential uses with nonresidential uses.
8. Providing the minimum commercial building area required based on overall project size.

**Attachments:** [Ordinance No. 13-2024 LDC Update](#)  
[Zoning Codes Redline Rev](#)  
[Zoning Codes Clean](#)  
[Land Development Code Update PPT](#)

- E. [Request for approval of Ordinance No. 15-2024, amending Chapter 30-31, Elections and adding Sec. 30-38, Filing Officer, at first reading.](#)

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

**Background:** This Ordinance is to amend Chapter 30-31, Elections, of the City's Code of Ordinances: Section 30-1, Early Voting; Section 30-31, Qualifying period; and Section 30-34, Filing of other items. Additionally, this ordinance is to add a new section: Section 30-38, Filing Officer. These changes will make the City consistent with Florida Statutes, the City Charter, House Bill 1515, and the City of Deltona Articles of Incorporation.

**Attachments:** [Ord No. 15-2024 - Redlined](#)  
[Ord No. 15-2024 - Clean Version](#)

7. OLD BUSINESS:

8. NEW BUSINESS:

- A. [Request for approval of a designated government official for the City of Deltona to the opioid settlement government committee.](#)

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

**Background:**

At the Regular Commission Committee held on May 2, 2022, the City Commission appointed Sheriff Chitwood as the designated government official for the City to the opioid settlement government committee.

At the Opioid Abatement Advisory Board meeting on March 18, 2024, the advisory board approved an amendment to the interlocal agreement and on July 21, 2024, the board approved an amendment to the bylaws (attached). The amendments to the interlocal agreement and bylaws will allow appointments and/or reappointments of primary board members to begin on October 1st (instead of January) for a 2-year term and will allow for the appointment of an alternate voting member with the same term expiration date.

**Attachments:**

[Volusia County Request \(Email\)](#)  
[Opioid Board Updated Bylaws](#)

**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. [Request for approval of minutes of the Regular Commission Meeting of September 4, 2024, as presented.](#)

**Background:**

N/A

**Attachments:**

[September 4, 2024 RCM Minutes](#)

- B. [Request for approval of engagement with Purvis Gray, LLC to provide professional external audit services.](#)

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

**Background:**

The City is required to obtain an annual audit of its financial statements. Purvis Gray and Company, LLC, is offering an engagement with the City to perform the annual audit through fiscal year 2023-2024 with the option to further extend the contract for subsequent years pending appropriation of funding for each additional fiscal year.

Continuance of these professional services allows for efficiency provided by the firm's knowledge of the City and ensures objectivity via rotation of assigned audit staff. The rates proposed in this extension are comparable to those charged for audit services to other entities, and the vendor has demonstrated experience performing equivalent services for Deltona and other governments.

**Attachments:** [Engagement Letter - for FY 2024, 2025 & 2026 dated 3-25](#)

- C. [Request for approval of award of RFP# 24027 for Property & Casualty Insurance.](#)

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

**Background:**

Staff solicited proposals from firms to provide Property Casualty Insurance for the City and three responses were received. Proposals were completely reviewed and scored by the selection committee members below:

- Floris Johnson - Human Resources Director
- Marsha Segal-George - City Attorney
- Lyne Koerick - Human Resources Manager
- Ben Few & Associates - Insurance Consultant

The selection Committee then met to discuss their scoring and came to a consensus on recommending the award to Acentria Public Risk at a total cost of \$1,673,468. This will be a savings of 18% to the City based on last year's cost.

**Attachments:** [RFP#24027 Renewal Comparison](#)

- D. [Request for approval of the Team Volusia Economic Development Corporation Cooperative Agreement for 2024-2025.](#)

### Strategic Goal: Economic Development

**Background:**

The purpose of this annual Agreement is for the City of Deltona and Team Volusia Economic Development Corporation to continue to support and implement a program of economic and business development as well as expansion within the City of Deltona and throughout Volusia County to enhance the economic well-being of the citizens of the City of Deltona and Volusia County.

**Attachments:** [Team Volusia Agreement](#)

- E. [Request for approval of the Municipal Transport Agreement and its associated business agreement between the City of Deltona and Volusia County.](#)

### Strategic Goal: Public Safety

**Background:**

The municipalities involved in the current Municipal Transport Agreement in Volusia County have collaborated with the County to update the arrangement.

The agreement includes three changes of significance:

- Improved clarification on how to add additional ambulances to the transport system.
- Extension of the required notice period for discontinuing participation in the Municipal Transport Agreement from 30 to 180 days.
- A reduction in the cost for the County to provide billing services from ten percent (10%) to seven and one-half percent (7.5%).

Additionally, attached is a business agreement referenced in paragraph 14 of the Municipal Transport Agreement. This agreement, unchanged since its original approval in 2019, allows for the sharing of protected health information in compliance with federal and state laws. Staff is requesting approval of the updated Municipal Transport Agreement and its associated business agreement.

**Attachments:** [Municipal Transport Program](#)  
[Combined HIPAA Privacy Agreement](#)

- F. [Request for approval of purchases for FY24-25 contingent on approval of final budget.](#)

### Strategic Goal: Effective Governance and Productive Government

**Background:**

In accordance with the City's Procurement Policy, the Commission must approve any purchase over \$25,000 regardless of if it has already been approved in the budget. The attached list represents purchases



that will need to be made in the upcoming fiscal year contingent on the approval of the final budget. Additional purchases over \$25,000 will be brought to the Commission as needed.

**Attachments:**     [2024-2025 Purchase Orders](#)

**G.**     [Request for approval of recognitions for the month of September.](#)

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

**Background:**

Per the City Recognition Policy adopted by the City Commission at the Regular Commission Meeting held on Monday, June 17, 2024, the following recognitions are being requested for the month of September:

1. Proclamation - National Senior Center Month
2. Proclamation - Italian Heritage Month
3. Proclamation - Childhood Cancer Awareness Month

**11. CITY ATTORNEY COMMENTS:**

**12. CITY MANAGER COMMENTS:**

**13. CITY COMMISSION COMMENTS & REPORTS:**

**14. 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](mailto: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.*