



CITY OF DELAND
REGULAR MEETING OF THE CITY COMMISSION
FEBRUARY 17, 2025 AT 7:00 PM
CITY HALL, COMMISSION CHAMBERS
120 SOUTH FLORIDA AVENUE

AGENDA

CALL TO ORDER

INVOCATION-Pastor Peter Migner, The Nazarene Church DeLand

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATIONS

1. Certificate of Recognition - Black History Month Pole Banner Honorees.
2. Proclamation, Encephalitis Awareness Day.
3. Proclamation, DeLand Less-Mow Spring.
4. Employee Years of Service Award.
5. Presentation on the City of DeLand Vulnerability Assessment and Adaptation Plan Results.
6. Equal Justice Initiative.

CONSENT AGENDA

1. Consideration re Utility Service Agreement for Coastline Power Solutions.

Staff recommends that the City Commission approve the Utility Service Agreement for Coastline Power Solutions.
2. Consideration re Task Order Assignment, Wiley M. Nash WRF Dewatering Improvements CEI and EOR Services.

Staff recommends that the City Commission approve the subject task order with Mead & Hunt to provide CEI and EOR services for the Wiley M. Nash WRF Biosolids Dewatering Improvements project subject to the approval of the CMAR contract change order approved by the City Commission and pending State approval.
3. Consideration re Recommended Final Selection of Engineering Consultant – DeLand Municipal Airport.

Staff recommends that the City Commission approve the recommended final selection of consultant for DeLand Municipal Airport professional services to Avcon, Inc. and authorize staff to begin negotiations on the contract.
4. Consideration re Approval of Minutes.

It is recommended that the City Commission approve the following minutes: Downtown Community Redevelopment Agency May 20, 2024, Downtown Community Redevelopment Agency September 16, 2024, Downtown Community Redevelopment Agency October 21, 2024, City Commission Regular Meeting November 04, 2024, City Commission Regular Meeting November 18, 2024.

PETITIONS AND REQUESTS FROM THE PUBLIC PRESENT

BOARD APPOINTMENT

1. Consideration re Appointment to DeLand Housing Authority.

It is recommended that the City Commission reappoint Ruth Stanley to Seat 2 on the DeLand Housing Authority, for a term to expire November 1, 2028.

NEW BUSINESS

1. Consideration re Appointment to Opioid Abatement Funding Advisory Board.

Appointment of a primary member and an alternate member to the Opioid Abatement Funding Advisory Board.

CITY COMMISSION REPORTS

1. Report re Elected Officials Round Table.
2. Report re Volusia-Flagler TPO.
3. Report re River of Lakes Heritage Corridor.

CITY MANAGER REPORT

CITY ATTORNEY REPORT

CITY CLERK REPORT

CITY COMMISSION

ADJOURNMENT

The DeLand City Commission holds its regular meetings on the first and third Mondays of each month at 7:00 p.m. in the DeLand City Commission Chambers, 120 South Florida Avenue, DeLand. Notice of special meetings, workshops, changes in dates, times or locations are provided by separate Public Notices, which are posted at City Hall and on the City's web site.

The City of DeLand may take action on any matter during this meeting, including items that are not set forth within this agenda.

Public participation is encouraged on any matter on the agenda. If you desire to be recognized by the Mayor, please fill out a Speaker's Card and present it to the City Clerk.

Minutes of the DeLand City Commission meetings are not transcribed verbatim. If any person decides to appeal a decision made by the City Commission with respect to any matter considered at a public meeting or hearing, he/she will need a record of the proceedings including all testimony and evidence upon which the appeal is to be based. To that end, such person will want to ensure that a verbatim record of the proceedings is made by a court reporter, at the person's own expense.

In accordance with the American Disabilities Act, persons needing a special accommodation in order to participate in the proceedings should notify the City Clerk's Office at least 48 hours in advance of the meeting: 626-7132.

Assisted Listening System receivers are available for the hearing impaired, and can be obtained from the City Clerk.

If you wish to obtain information regarding the City Commission's Agenda, please call the City Clerk's Office: 626-7132.

We respectfully request that all pagers and cell phones be turned OFF during City Commission meetings.

Electronic Information! City Commission agendas and short form minutes are now available on the City's web page: www.deland.org.



The CITY OF DELAND

Volusia County, Florida

Certificate of Recognition

Presented to

*Gwendolyn Monroe
Jerome Hill
Latisha Pasley
Martha E. Roberts
Andre Darby
Elder Eugene Johnson
Deacon Freddie Williams
Cpt. George Maddox*

*Minerva Griffin Watson
Regina White
Dr. Shilretha Dixon
Dr. Terrance Lane
Troy Harris, Jr.
Veronica Watson
Vonzelle Johnson
Wallace N. Lane*

Whereas, during the month of February in the City of DeLand's historical downtown you will see Black History Month banners displaying the faces and accomplishments of local black community members. The Black History Month banner program was created in 2019 by the Greater Union Life Center and local community leaders. Each year different recipients are chosen through an application and committee selection process; and

Whereas, the Greater Union Life Center felt the need in the community to showcase prominent black figures during black history month to educate, inform and inspire all who walk or drive through Downtown DeLand. The Black History Month banners have become a significant staple within our community and we are grateful for the opportunity to showcase such a great history.

Whereas, The City of DeLand is proud to honor the history and contributions of this year's honorees.

Done and proclaimed this 17th day of February 2025.

Christopher M. Cloudman, Mayor

Attest

Julia Hewitt, Interim City Clerk



The CITY OF DELAND

Volusia County, Florida

Proclamation

Whereas, encephalitis is inflammation of the brain; and

Whereas, encephalitis can strike anyone, anywhere, at any time, and at any age, resulting in a serious and sometimes life-threatening medical emergency; and

Whereas, encephalitis impacts an estimated 20,000 people in the United States and 500,000 people globally each year; and

Whereas, encephalitis leaves survivors with an acquired brain injury, affecting not only the diagnosed individual but the entire family and community at large; and

Whereas, the 501©(3) organization Encephalitis411 strives to improve the quality of life for all those impacted by encephalitis; and

Whereas, it is imperative that there be greater public awareness of this serious health issue.

Now, therefore, I, Christopher M. Cloudman, Mayor of the City of DeLand, do hereby proclaim February 22, 2025 as:

Encephalitis Awareness Day

in the City of DeLand and urge all citizens of DeLand to support World Encephalitis Day and to learn the symptoms of encephalitis in order to raise awareness and better support early diagnosis and treatment for those who become ill with this neurological condition.

Done and proclaimed this 17th day of February 2025.

Christopher M. Cloudman, Mayor

Attest:

Julie A. Hennessy, City Clerk - Auditor



Proclamation

Whereas, the City of DeLand has been recognized as a Green City by the Florida Green Building Coalition and values the importance of increasing green infrastructure and supporting our natural ecological systems; and

Whereas, Spring in Central Florida is a critical time for the emergence of pollinators -- bees, butterflies, moths, other insects and birds -- which provide economic and ecological benefits to our community,

Whereas, many pollinators are currently threatened due to a loss of habitat; and

Whereas, recent research demonstrates that pollinators utilize "No-Mow" or "Less-Mow" areas as critical sources of nutrients during early spring in Central Florida; and

Whereas, the City of DeLand currently recognizes the importance of pollinators as Florida's first Monarch City USA and a 37-year participant in the Tree City USA program; and

Whereas, The Firecracker Circle of the Garden Club of DeLand is requesting this proclamation to increase awareness of the importance of providing early pollinators (like bees) habitat and food sources during the early Spring season when ground cover is growing but upper-story vegetation is just emerging from dormancy; and

Whereas, "Less-Mow Spring" is a voluntary initiative that encourages property owners to limit lawn mowing during spring in DeLand to allow early foraging space for pollinators.

Now, therefore, I, Christopher M. Cloudman, Mayor of the City of DeLand, do hereby proclaim Sunday, March 1st, 2025 as the start of:

"DeLand Less-Mow Spring"

and urge all citizens to support efforts to protect and care for our native pollinator species.

Done and proclaimed this 17th day of February, 2025

Christopher M. Cloudman, Mayor

Attest:

Julie A. Hennessy, City Clerk – Auditor

CITY OF DELAND
Request for Commission Action
February 17, 2025

SUBJECT: Employee Years of Service Award.

DEPARTMENT: Human Resources

PREPARED BY: Mark Hayward, HR Director

ATTACHMENTS:

APPROVED BY: Michael Pleus, City Manager, February 13, 2025

SUMMARY/HIGHLIGHT:

The City of DeLand is fortunate to have so many dedicated employees who have served the DeLand community for many years. To honor these outstanding employees, the City Commission presents them with a plaque.

20 Years of Service

Salvatore LaGreca, Jr, Public Works

STRATEGIC PLAN FOCUS AREA/ACTION STEP:

N/A

SUSTAINABILITY:

N/A

FISCAL IMPACT:

None

RECOMMENDATION:

It is recommended the City Commission present the service award.

BACKGROUND/DISCUSSION:

N/A

City Commission Chambers, 120 South Florida Ave, DeLand, FL

City of DeLand Vulnerability Assessment and Adaptation Plan Results

City Commission Public Presentation

February 17, 2025

BACKGROUND

- DeLand received Resilient Florida funding in 2024 for a Vulnerability Assessment (VA) and Adaptation Plan (AP).
- Project was 100% funded by FDEP, meeting minimum requirements set forth in Section 380.093, Florida Statutes.
- Developed between 2024–2025 with input from consultants, local staff, and the public.
- Aims to position DeLand for flood mitigation projects and future implementation grants.
- Volusia County is also in the process of completing a similar assessment.



RESILIENT FLORIDA PROGRAM GRANTS



PLANNING GRANTS

\$20M (Annually)*



IMPLEMENTATION GRANTS

\$100M (Annually)*



REGIONAL GRANTS

\$2M (Annually)*

**Approximate/Minimum Funding Levels*

PROJECT GOALS

Vulnerability Assessment

- Identify and catalog publicly available GIS data applicable to critical and regionally significant assets, topographic conditions, and flood scenarios.
- Evaluate exposure and sensitivity of publicly-owned and/or maintained critical assets against each current and future flood scenario.
- Develop exposure maps to guide infrastructure and community investment decisions.
- Evaluate sensitivity of flooding to critical assets and prioritize capital improvements.

Adaptation Plan

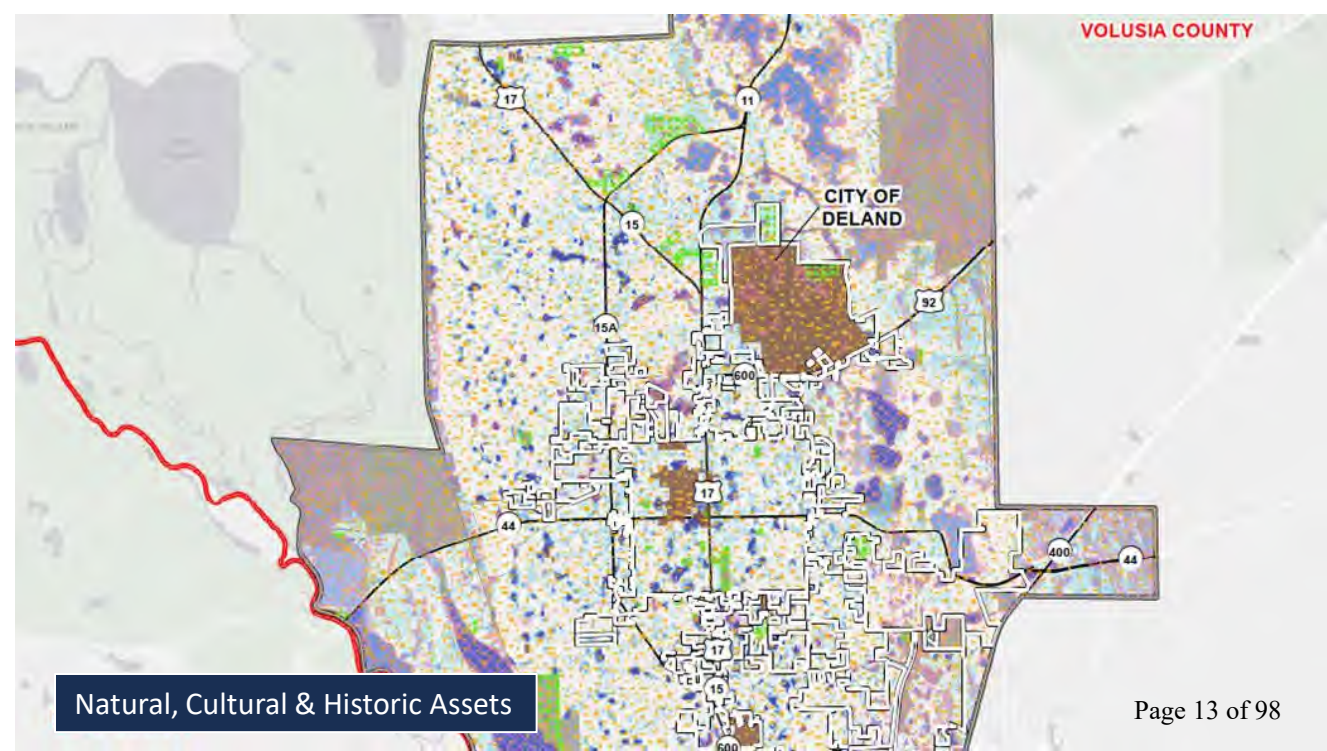
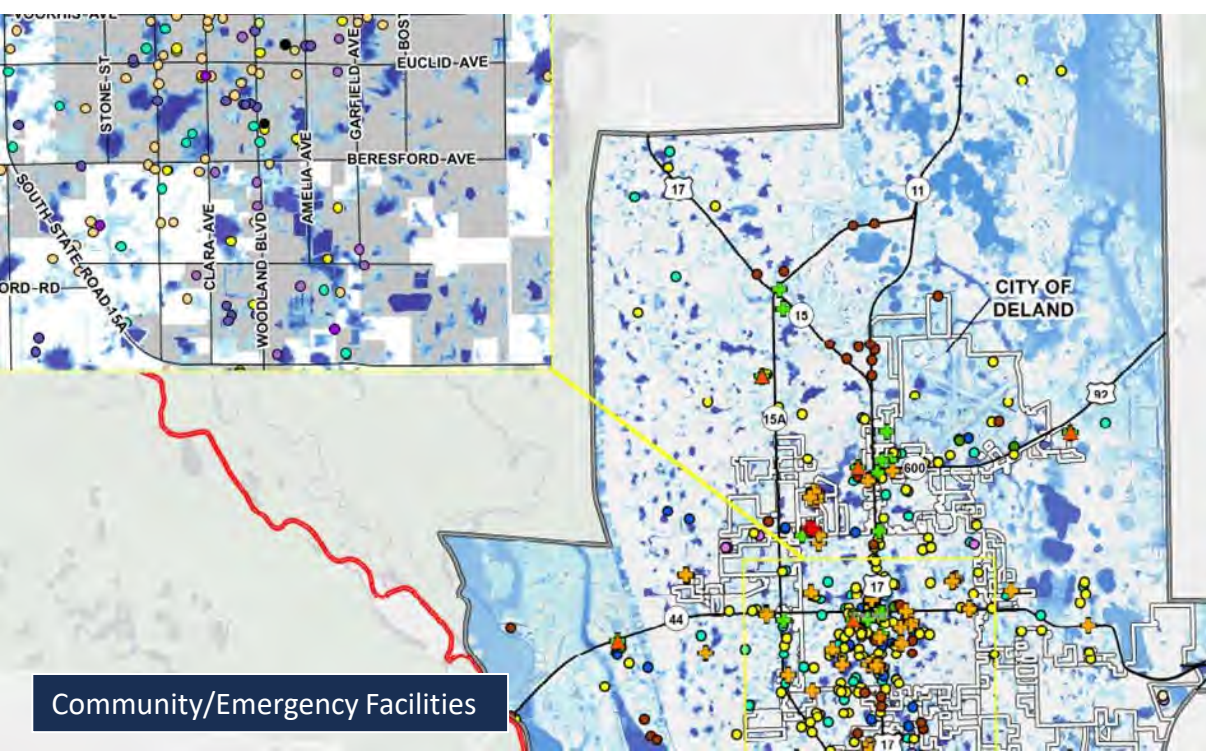
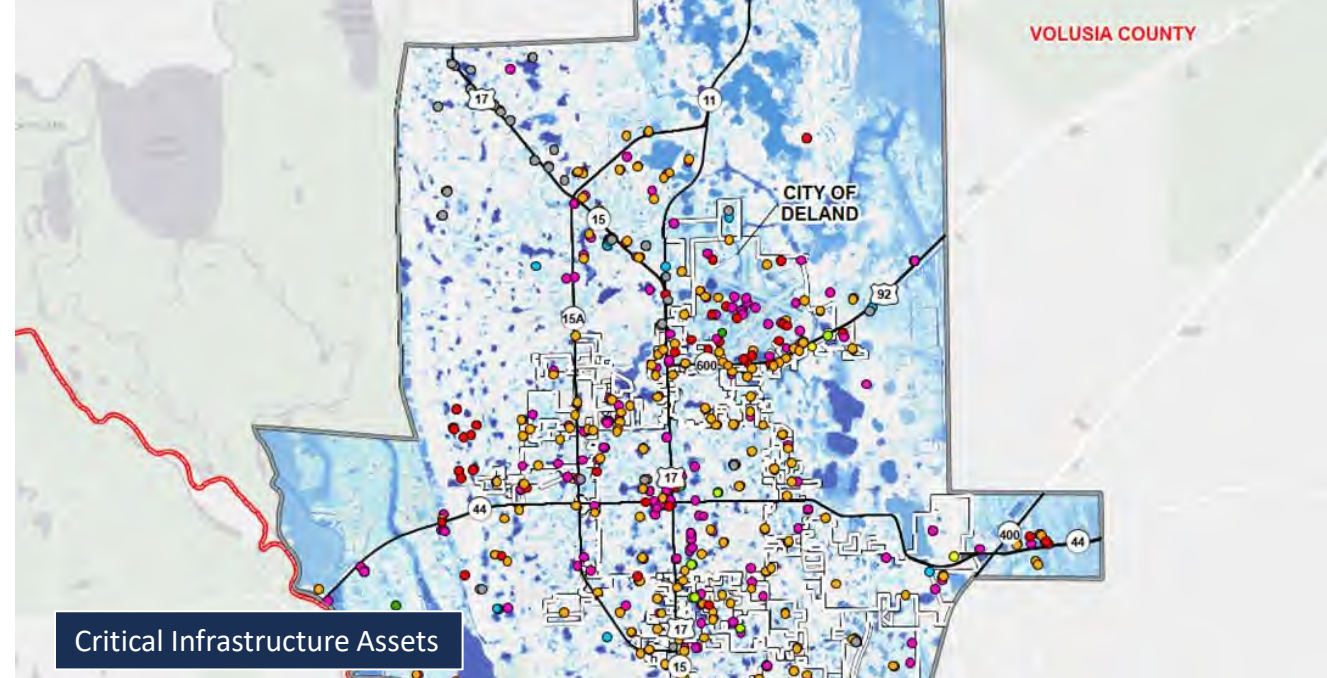
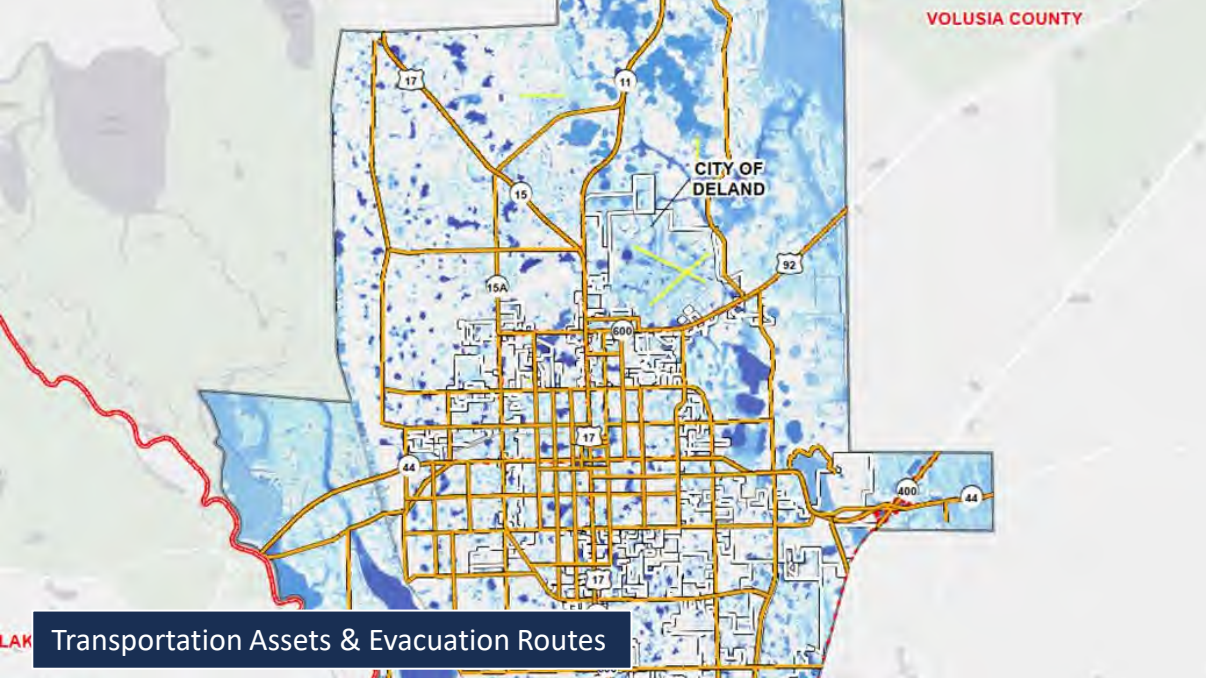
- Establish inventory of adaptation strategies to guide future implementation activities.
- Evaluate focus areas to ground recommendations in local neighborhood contexts.

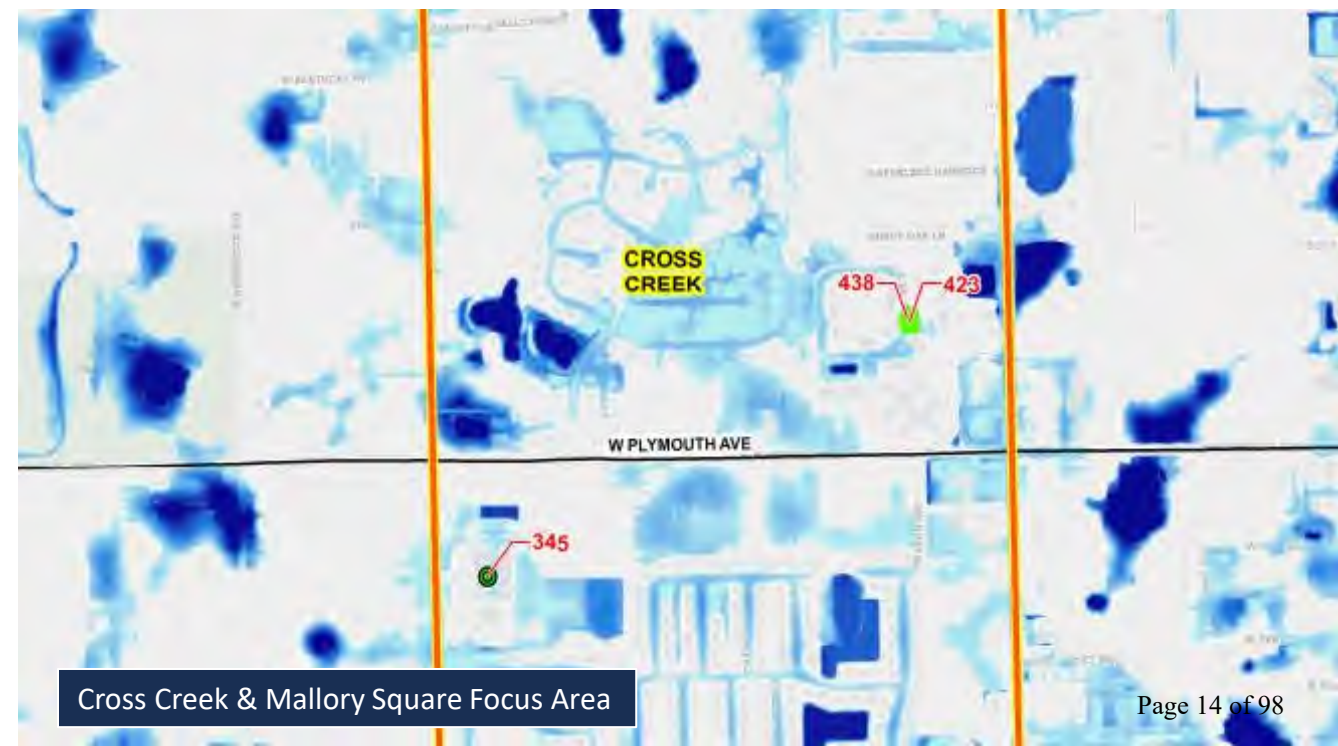
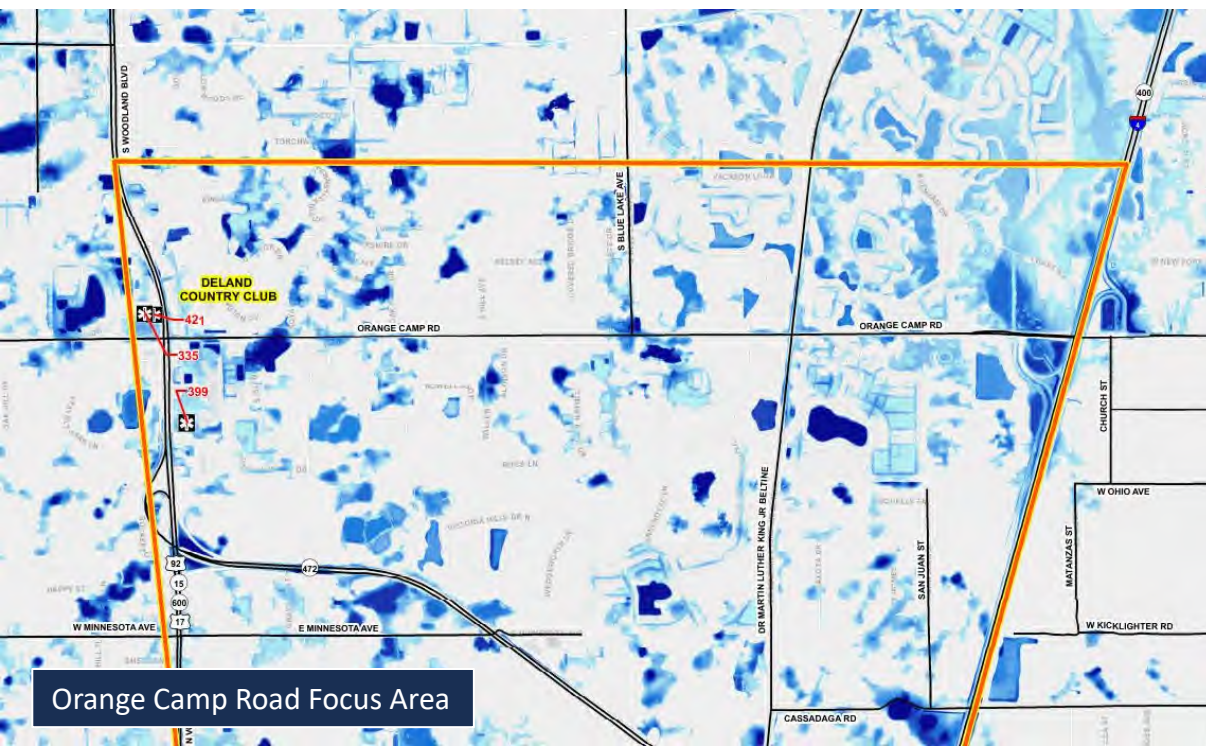
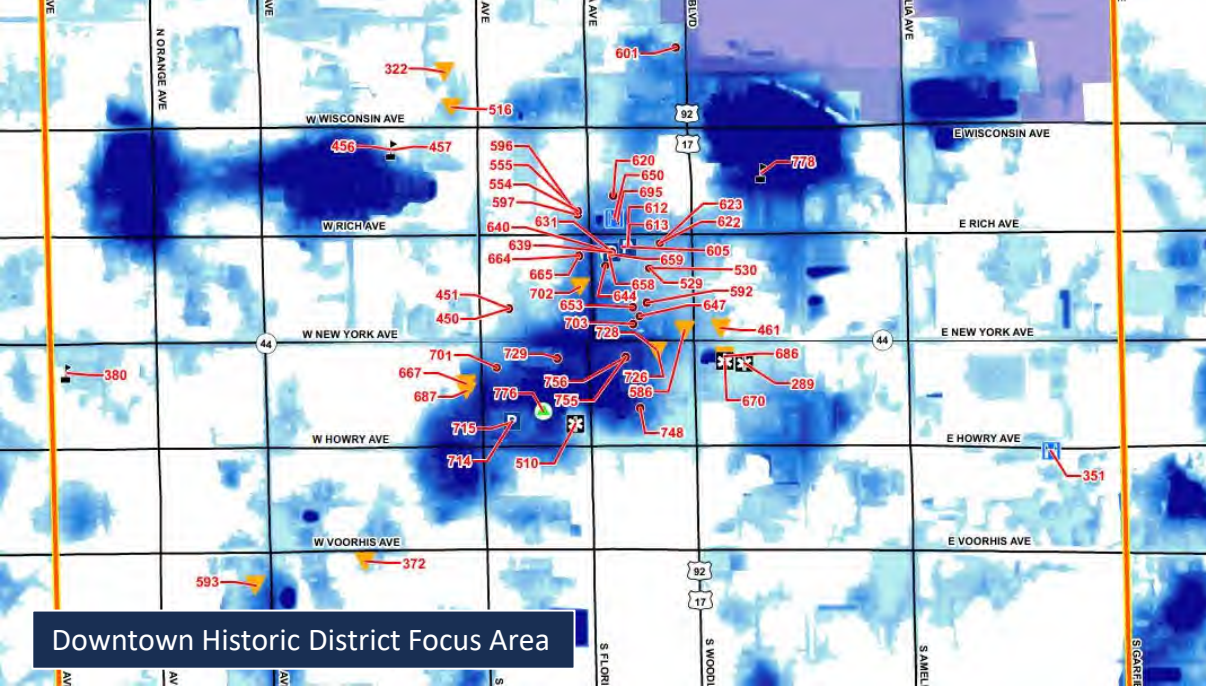


PROJECT OUTCOMES

- Established GIS-based inventory of critical assets in DeLand.
- Developed HEC-RAS flood model for current and future conditions (2050, 2080).
- Assessed risks and vulnerabilities through exposure and sensitivity analyses.
- Developed adaptation plan with strategies and policy recommendations.
- Held two public meetings: one for input, one for findings and recommendations.
- Complied with Florida Statutes and Resilient Florida Data Standards.









Protection Strategies



Accommodation Strategies



Managed Relocation Strategies



Avoidance Strategies

PARTNERSHIP OPPORTUNITIES



FINAL REPORTS



City of DeLand Resilient Florida Vulnerability Assessment (VA)

AVO 54774.001
January 2024

Prepared for the City of DeLand, Florida



City of DeLand Resilient Florida Adaptation Plan (AP)

AVO 54774.001
January 2024

Prepared for the City of DeLand, Florida



NEXT STEPS

- City of DeLand has immediately pursued next steps associated with flood mitigation capital improvements for Amelia Avenue, DeLand Middle School Water Reclamation Facility, Orange Camp Road, and Heritage Place.
- Project is currently in final Resilient Florida Program review stages to confirm state compliance and ensure eligibility for upcoming grants.
- Departments will now leverage findings from the assessment to inform grant applications, pursue mitigation improvements for specific sites, and integrate outcomes into local codes and ordinances.
- Local engagement with residents and business owners should continue to be prioritized to improve flood mitigation strategies across the community.
- Final reports, maps, and appendices will be made available to local government staff and elected officials.

GET IN TOUCH

Sean Lahav, MPA, WEDG, Project Manager, can be contacted at slahav@halff.com

904-730-9360
halff.com

CONNECT WITH US. LIKE US. FOLLOW US.



CITY OF DELAND
Request for Commission Action
February 17, 2025

SUBJECT: Consideration re Utility Service Agreement for Coastline Power Solutions.

DEPARTMENT: Utilities

PREPARED BY: Jim Ailes, Deputy Public Serv. Director/Utilities Director

ATTACHMENTS: Utility Service Agreement

APPROVED BY: Michael Pleus, City Manager, February 13, 2025

SUMMARY/HIGHLIGHT:

The Coastline Power Solutions commercial project will be located north of the intersection of Hamilton Road and Bennett Drive in DeLand. The proposed commercial project will provide for an expansion of the existing facility and lay down yard when completed. The attached Utility Service Agreement contains the usual terms and conditions required by the city for utility service. No reimbursement for oversizing of offsite utilities is provided.

STRATEGIC PLAN FOCUS AREA/ACTION STEP:

High Value Government.

SUSTAINABILITY:

Infrastructure.

FISCAL IMPACT:

At buildout, the city will receive water and sewer impact fees and ongoing utility revenue from the commercial project once constructed.

RECOMMENDATION:

Staff recommends that the City Commission approve the attached Utility Service Agreement for Coastline Power Solutions.

BACKGROUND/DISCUSSION:

N/A

**UTILITY SERVICE AGREEMENT
FOR
COASTLINE POWER SOLUTIONS**

THIS AGREEMENT is entered into this 20th day of JANUARY, 2025, between the City of DeLand (City) and Deland Genco Acquisition Company, Inc. (Developer) regarding utility service for the, Coastline Power Solutions project. In consideration of the mutual covenants and conditions in this Agreement, and subject to any necessary approval by any other governmental agency having jurisdiction, the parties agree as follows:

Section 1. City to furnish service. Upon the terms and conditions in this Agreement, and in accordance with the City's rules and regulations, the City shall provide and shall have the exclusive right to furnish potable water, domestic sewer and reuse irrigation services to the real property located at 1965 Bennett Drive DeLand, FL and described as:

TAX PARCEL NUMBERS
603311000270

33-16-30 LOTS 27 & 28 DELAND BUSINESS & INDUSTRIAL PARK MB 45 PGS 131-139 INC PER OR 4649 PG 0513 PER OR 5549 PG 0736 PER OR 7875 PG 2606 PER OR 7885 PG 4074

603311000260

LOT 26 DELAND BUSINESS & INDUSTRIAL PARK MB 45 PGS 131-139 INC PER OR 4520 PGS 0717-0720 INC PER OR 5774 PG 3541

603311000240

LOT 24 DELAND BUSINESS & INDUSTRIAL PARK MB 45 PGS 131 TO 139 INC PER OR 4520 PGS 0717-0720 PER OR 5774 PG 3541

603311000250

LOT 25 DELAND BUSINESS & INDUSTRIAL PARK MB 45 PGS 131 TO 139 INC PER OR 4520 PGS 0717-0720 PER OR 5774 PG 3541

603311000290

LOT 29 DELAND BUSINESS & INDUSTRIAL PARK MB 45 PGS 131-139 INC PER OR 4520 PGS 0717-0720 INC PER OR 5774 PG 3541

603311000300

LOT 30 DELAND BUSINESS & INDUSTRIAL PARK MB 45 PGS 131-139 INC PER OR 4520 PGS 0717-0720 INC PER OR 5774 PG 3541

603311000310

LOT 31 DELAND BUSINESS & INDUSTRIAL PARK MB 45 PGS 131-139 INC PER OR 5309 PG 0680 PER OR 5967 PG 0672

Section 2. Service conditioned on construction and acceptance of systems. No water, wastewater or reuse service shall be provided to any part of the property, and no connections to such systems shall be allowed, until the Developer has installed system facilities and improvements in accordance with approved plans and specifications and the City has accepted the conveyance of the systems in writing. The Developer shall apply in writing to the City Engineer

for acceptance of the systems. Upon acceptance of the systems, all construction guarantees in favor of the City shall be released.

Section 3. Installation of improvements. The Developer shall install, at its own initial cost and expense (including engineering costs), all lines, pipes, manholes, lift stations, generators, RTU, machinery and other facilities which may be required on and off Developer's property to provide the buildings and occupants with water, wastewater or reuse service and to connect the property to existing City facilities and systems. Upon completion, all off-site and onsite utility improvements shall be conveyed and dedicated to the City. The improvements to be constructed by the Developer off the Developer's property (off-site improvements) shall include:

- One 8" wet tap connection to existing 8" WM with an 8" x 8" x 8" stainless steel tapping sleeve, (1) 8" Gate Valve and approximately 40 LF+/- of 8" HDPE or PVC piping.
- One 2" wet tap connection to existing 8" WM with an 8" x 2" stainless steel tapping saddle, (1) 2" Gate Valve and approximately 40 LF+/- of 2" HDPE piping.
- One 6" cored sewer connection into existing manhole and approximately 15 LF of 6" PVC
- All onsite piping, valves, hydrants, fire department connections, double detector check valves, all potable mains and services beyond meter, all sewer gravity lines, and irrigation water piping shall be installed by the developer and will remain privately owned, operated and maintained in perpetuity by the property owner.
- All onsite piping, valves, hydrants, fire department connections, double detector check valves, all potable mains and services beyond meter, all sewer gravity lines, and irrigation water piping shall be installed by the developer and will remain privately owned, operated and maintained in perpetuity by the property owner.
- All connections to City facilities shall be made at Developer's expense. All water and reuse meters 2" and below will be installed by the city at the Developer's expense.
- Any other installations required in accordance with the plans and specifications for the subject development or which are otherwise required in accordance with sound utility engineering practices.

Section 4. Approval of design and plans. The design and construction of all facilities to be transferred to and owned and operated by the City shall be subject to prior approval by the City Engineer. The Developer's engineer shall incorporate all applicable standards and specifications of the City into the Developer's engineering design, plans and specifications. The City shall provide assistance to the Developer's engineers as to design and construction requirements and must approve all construction plans and specifications in writing prior to any construction being commenced. The Developer shall obtain all necessary state, county and local permits required for construction, acceptance and operation of the improvements.

Section 5. Access to construction; approval of work and materials. The City may inspect the construction to ensure compliance with the approved plans and specifications and shall retain the power of final approval of work and materials.

Section 6. Testing during and after construction. The Developer's engineer shall properly supervise construction and shall certify to the City Engineer that the systems are installed in accordance with the approved design plans and specifications. The Developer shall conduct at its own expense whatever tests are deemed by the City Engineer to be necessary and reasonable to ensure that the systems are being constructed in accordance with the approved engineering plans and specifications.

Section 7. Conveyance of easements and improvements. The Developer shall at its expense grant to the City adequate transferable easements for water, sewer and reuse lines, for access to lift stations and water stations and related appurtenances as may be deemed necessary by the City.

Section 8. Evidence of conveyance of facilities. By this Agreement Developer hereby transfers to the City the title to the water, wastewater and reuse systems, facilities and improvements to be installed pursuant to this Agreement, effective without further action upon the completion and acceptance by the City of the installation of those systems. As further evidence of this transfer of title, the Developer shall provide to the City a copy of the recorded plat, if any; a bill of sale for the facilities; written easements; deeds to the land on which lift stations, water stations or similar facilities are located; and other evidences of conveyance required by the City.

Section 9. Additional documents to be provided before acceptance of facilities. In addition to the documents of title listed in the previous paragraph, the Developer shall provide to the City the following documents prior to acceptance of the facilities: As-built drawings of utility improvements, (one hard copy signed and sealed, one PDF and one AUTOCAD delivered on a USB drive) furnished one week prior to final inspection; an accounting of the actual costs (schedule of values) for on-site and off-site construction; letters of acceptance from the appropriate regulatory agency for the systems; certification by the design engineer that the system was constructed as designed; and right-of-way use permits and other permits and licenses obtained from applicable government agencies.

Section 10. Uninterrupted supply not guaranteed. The city does not guarantee an uninterrupted supply of water or reuse at any particular pressure, nor does it assume any duty or obligation to furnish water for extinguishing fires. The City reserves the right to shut off the water in its mains temporarily for necessary purposes. The City shall not be responsible for any damage caused by low pressure, interruption of service or variations in water quality or content.

Section 11. Connections subject to rates and fees. All connections to the water, wastewater and reuse systems shall be subject to the continuing operating rules and regulations of the City including, without limitation, the periodic payment of water, wastewater and reuse charges and fees as provided in the City's rate schedule, and payment of all deposits, meter charges and other fees, rates and charges, including development fees. The rates charged by the City for water, sewer, or reuse service shall be in accordance with its rate schedule, which shall be subject to change from time to time.

Section 12. Reimbursement for oversizing of off-site improvements. This Section Not Used

Section 13. Surcharge for non-domestic waste. The terms wastewater or sanitary sewage used in this agreement are meant to include only human waste, including liquids and solid matter carried from plumbing fixtures normally carried off by drains and sewers, and, except where specifically excluded, bath and toilet wastes, laundry wastes, kitchen wastes and other similar wastes. This service agreement, and any charges contained in this agreement, is based on normal domestic sewage, defined herein as containing not more than two hundred (200) parts per million biochemical oxygen demand or two hundred (200) parts per million suspended solids. Whenever water which contains more than these amounts is to be admitted to the sewers the City and all other pollution control agencies must specifically agree to the connection and an additional charge shall be imposed in accordance with City regulations.

Section 14. Developer to obtain permits. The Developer shall obtain all governmental approvals, licenses and permits necessary for the design, routing, construction, connection and use

of the water, wastewater and reuse systems to be installed under this agreement. The City shall render assistance to the Developer in obtaining these approvals, licenses and permits.

Section 15. Service of other properties. The City reserves the right to service other properties through the facilities conveyed by the Developer, and nothing in this Agreement shall be deemed to prohibit or prevent the City from extending its water, wastewater or reuse facilities to any other area.

Section 16. Default by Developer. The Developer's failure to carry out any provision in this agreement shall relieve the City from its obligation to provide water, wastewater or reuse service to the property.

Section 17. Covenant to support annexation. This Section Not Used

Section 18. Entire Agreement; amendment. It is expressly agreed and understood that this is the entire Agreement between the Developer and the City, and that there are no other written or verbal agreements applicable to the subject of this Agreement between the Developer and the City. This Agreement may be amended and modified from time to time by written agreement of the parties.

Section 19. Miscellaneous.

A. Successors. This Agreement shall be binding on the parties hereto, their heirs, administrators, executors, successors in interest and assigns.

B. Binding Nature and Covenants Running with the Land. The provisions of this Agreement shall be binding upon the parties hereto, and upon all successors in interest in the subject real property. And further, the provisions of this Agreement shall constitute covenants running with the land applicable to all of the subject real property comprising the Project.

C. Counterparts. This Agreement may be executed in one or more counterparts, each of which shall be deemed to be an original but all of which together shall constitute one and the same instrument. The delivery by email copy of an executed copy of this Agreement shall be deemed valid as if an original signature was delivered.

D. Governing Law; Venue. This Agreement shall be construed and interpreted according to the laws of the State of Florida, and all duly adopted ordinances, regulations, and policies of the City now in effect and those hereinafter adopted. The location for settlement of any and all claims, controversies, or disputes, arising out of or relating to any part of this Agreement, or any breach hereof, shall be Volusia County, Florida.

E. Severability. If any word, phrase, sentence, paragraph or other portion of this Agreement is finally determined by a court of competent jurisdiction to be void or unenforceable then such word, phrase, sentence, paragraph or other portion shall be severed from this Agreement and the balance shall remain in full force and effect to the greatest extent permitted by law.

F. Effective Date. The effective date of this agreement shall be the date that it is last executed by a party as set forth below.

DELAND GENCO ACQUISITION COMPANY, INC

Ron Bohm
Name: RON BOHM
Title: PRESIDENT/CEO

ATTEST:

Kevin L. Price
Name: Kevin Price
Secretary CFO
Heidi
Witness

Debra A. Naccarato
Witness

CITY OF DELAND

Christopher M. Cloudman
Mayor

ATTEST:

Julie A. Hennessy
City Clerk - Auditor

Witness

Witness

STATE OF FLORIDA
COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this _____ day of _____, 2025 by Christopher M. Cloudman, Mayor-Commissioner of the City of DeLand, Florida who is ☐ personally known to me or ☐ who has produced, _____ as identification

Notary Public - State of Florida

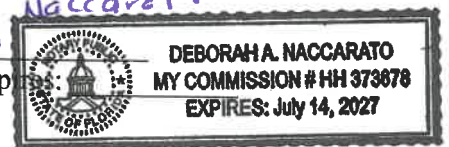
Name: _____
My Commission expires: _____

STATE OF FLORIDA
COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 20 day of JANUARY, 2025 by RON BOHM, the PRESIDENT/CEO of DELAND GENCO ACQUISITION COMPANY, INC who is ☒ personally known to me or ☐ who has produced, _____ as identification.

Debra A. Naccarato
Notary Public - State of Florida

Name: Deborah A. Naccarato
My Commission expires: _____



Contact Information:

Steven Anderson at sanderson@sacaseyconstruction.com replaces Mr. Nass

PROJECT OWNER AND CONSULTANTS

CIVIL ENGINEER/APPLICANT

KIANA NIEVES, P.E.
KIMLEY-HORN AND ASSOCIATES, INC.
200 SOUTH ORANGE AVE., STE. 600
ORLANDO, FL 32801
407-878-1511
KIANA.NIEVES@KIMLEY-HORN.COM

SURVEYOR

EARL GORDAN, PSM
GIA SURVEYOR
1 OLEANDER ST.
COCOA, FL 32922
(321) 806-3908
GIA@CFL.RR.COM

LANDSCAPE ARCHITECT

KIMLEY-HORN AND ASSOCIATES
JOHN GRIFFIN
200 SOUTH ORANGE AVE, STE 600
ORLANDO, FL 32801
(407) 427-1630
JOHN.GRIFFIN@KIMLEY-HORN.com

ARCHITECT

C4 ARCHITECTURE

OWNER

JASON BURNETT
DELAND GENCO ACQUISITION, INC
50 NORTH LAURA STREET, SUITE 1100
JACKSONVILLE, FL 32202

OWNER

ROBERT NASS
DELAND INDUSTRIAL PARK, LLC
905 BISCAYNE BLVD
DELAND, FL 32724

UTILITY PROVIDERS

WATER & SEWER

CITY OF DELAND
120 SOUTH FLORIDA AVE.,
DELAND, FL 32720
(386) 626-7528

ELECTRIC

DUKE ENERGY
400 N SPRING GARDEN AVE,
DELAND , FL 32720
(800) 700-8744

GAS

FLORIDA PUBLIC UTILITIES
COMPANY
(888) 220-9356

CITY OF DELAND
Request for Commission Action
February 17, 2025

SUBJECT: Consideration re Task Order Assignment, Wiley M. Nash WRF Dewatering Improvements CEI and EOR Services.

DEPARTMENT: Utilities

PREPARED BY: Jim Ailes, Deputy Public Serv. Director/Utilities Director

ATTACHMENTS: Task Order Proposal

APPROVED BY: Michael Pleus, City Manager, February 13, 2025

SUMMARY/HIGHLIGHT:

In the 23/24 fiscal budget, the City Commission approved a new capital project to design improvements to the Biosolids Dewatering Facility at the Wiley M. Nash Water Reclamation Facility. This was based on receiving an additional \$15,000,000 million dollar Water Quality Improvement (WQI) grant from the state. This project will replace and increase the capacity of the thirty-five-year-old biosolids handling building and its associated equipment.

The design task order was awarded to Mead & Hunt in February 2024. Their task assignment did not include any approval for additional funds for construction engineering and inspection (CEI) services in the task order that was approved by the City Commission. It was noted that once design and bidding was complete a new task assignment would be provided at a future meeting for approval.

Thus, after a year of design, permitting, grant and loan applications, and multiple meetings by the design team of engineers, city staff, and the CMAR team, we have reached the point of pending construction to commence. To ensure that all of the construction will be following permitting, grants, and loan documents over next 18 months, it is staff's opinion that a company should be hired to do so on behalf of the city.

An agreement is in place between the City and Mead & Hunt per RFQ #22-01 that places this scope of work in their proposal. The subject task order, if approved, will provide services for the project management, construction engineering and inspection (CEI) services, construction observation, project closeout, funding assistance, subconsultants and reimbursables, and a contingency allowance under city control for the 18 months of proposed construction duration by the CMAR contractor.

STRATEGIC PLAN FOCUS AREA/ACTION STEP:

High Value Government.

SUSTAINABILITY:

Facilities & Infrastructure.

FISCAL IMPACT:

This proposed task order, if approved, will result in an obligation of \$573,416.00 per the attached scope. Funds are currently available in the Utility Enterprise Account to cover this expense. This work will be reimbursed, separately and entirely, by the WQI grant and not by the SRF Loan.

RECOMMENDATION:

Staff recommends that the City Commission approve the subject task order with Mead & Hunt to provide CEI and EOR services for the Wiley M. Nash WRF Biosolids Dewatering Improvements project subject to the approval of the CMAR contract change order approved by the City Commission and pending State approval.

BACKGROUND/DISCUSSION:

This Biosolids Dewatering Improvements at the Wiley M. Nash WRF is a critical priority to remain complainant with. New equipment will speed up the process and produce a dryer load and required truck loads to haul off. It is also an important project to allow continued growth of the city and support the large utility service area and is critical to the proper operation of the system.



January 29, 2025

Jim Ailes
Utilities Director
City of DeLand
1101 S. Amelia Avenue
DeLand, FL 32724

Email: ailesj@deland.org

**Subject: City of DeLand Wiley M. Nash WRF Dewatering Improvements
Scope of Services and Fee Estimate for CEI and EOR services**

Dear Jim,

We are pleased to offer the enclosed scope of services and engineering fee estimate for construction, engineering, and inspection (CEI) services for the above referenced project. CEI services include contract administration, Resident Project Representative (RPR), funding assistance, and engineer of record (EOR) services. The guaranteed maximum price (GMP) from Wharton Smith for this Dewatering project is \$11.6M. The guaranteed maximum price (GMP) from Wharton Smith including the first phase of this project is \$90M and is the largest single project the City has undertaken.

The anticipated schedule has the plant expansion to finish construction in February 2026. The Dewatering project will add seven (7) months to the existing construction schedule, wrapping this project up in September of 2026. The scope of services contained herein encompasses technical services during construction for the additional project duration. I will serve as the Engineer of Record (EOR) and overall project manager. We intend to keep providing an on-site project engineer and full time RPR services for these additional seven (7) months. The project team includes our construction services supervisory and administrative team in addition to our design staff and funding experts.

This is a complex project with a very large project team. The scope of services contained herein defines tasks, deliverables, estimated fees, and schedules. We are proud to be assisting DeLand as part of this large-scale project. If you have any questions or require additional information, please contact me.

Sincerely,
MEAD & HUNT, Inc.

Brad T. Blais, PE
Vice President/Client Manager

Noah Adamoski
Construction Services Supervisor

Attachment – Scope of Services and Fee Estimate

**CITY OF DELAND
SCOPE OF SERVICES
FOR
WILEY M. NASH WRF DEWATERING IMPROVEMENTS
CEI & EOR SERVICES**

This proposal is in conformance with the Professional Services Agreement for City of DeLand Wiley M. Nash Water Reclamation Facility Expansion and Upgrades RFQ #22-01, between the City of DeLand (CITY) and Mead & Hunt, Inc. (MEAD & HUNT) dated March 15, 2022, and is referred to herein as the CONTRACT.

GENERAL

The project involves replacement of the existing sludge dewatering facilities originally constructed in 1991. The current expansion project does not include modifications to the sludge dewatering systems; however, the age of the existing equipment and future flow increases dictate the need for major improvements to the existing facilities. The existing CWSRF Facility Plan identifies this work as a required process upgrade. An FDEP grant has been received by the City to fund this work. The Dewatering Improvements project includes:

- Replace existing biosolids dewatering belt presses and building with three new centrifuges sized at 200 GPM each (600 GPM total)
- Replace existing river pumps with three new vertical turbine pumps will be installed rated for 2,100 GPM at 170' TDH each for two (2) duty, and one (1) standby to 6 MGD
- Install a bulk alum storage building with two 7,000 Gallon tanks and feed skids
- Removing a RAS/WAS pit and re-piping to existing pumps

SCOPE OF SERVICES

After receipt of authorization to proceed, MEAD & HUNT will provide the following services:

PHASE 1 – PROJECT MANAGEMENT

Project Coordination

MEAD & HUNT's Project Manager (PM) will monitor and manage the project budget, schedule, and scope throughout the estimated 18-month total project duration. The PM will manage the development of project work and subconsultant efforts.

Quality Assurance / Quality Control

MEAD & HUNT will implement, and the PM will monitor, a quality assurance and control process, which includes independent technical review of project technical work products before their submission to the CITY.

PHASE 2 – CONSTRUCTION ENGINEERING AND INSPECTION (CEI) SERVICES

MEAD & HUNT will provide the following CEI services to the CITY:

Issued for Construction Documents

MEAD & HUNT will prepare conformed drawings and technical specifications “Issued for Construction” by incorporating bidder questions and addendums and provide those to the CITY (in electronic format) for inclusion in the Contract documents.

Deliverables – Issued for Construction Documents

- Issued for Construction Drawings
- Issued for Construction Specifications

Pre-Construction Meeting

MEAD & HUNT will attend the pre-construction meeting with the CITY, contractor, and other project stakeholders.

Progress Meetings

MEAD & HUNT will attend regularly scheduled construction progress meetings. The CMAR contractor will preside over meetings, distribute agendas and minutes.

Construction Submittals

MEAD & HUNT will receive, review, and respond to CMAR Contractor construction submittals and resubmittals for conformance with construction and contract requirements. Such review or other action shall not extend to means, methods, sequences, techniques, or procedures of construction selected by the Contractor, or to safety precautions and programs.

MEAD & HUNT will receive, review, and respond to Contractor assembled submittals for operations and maintenance manuals, guarantees, and certificates of inspection (for general contents as required by the Contract documents).

MEAD & HUNT will maintain a log of submittals with submittal number, submittal name, date received, reviewer, action taken, and date returned. MEAD & HUNT will review and return shop drawings within fourteen (14) calendar days of receipt of the submittal. Contractor requests for substitute materials and/or

equipment shall be reviewed during the submittal process and MEAD & HUNT will provide a recommendation on the submittal response to the CITY.

Deliverables – Construction Submittals

- Construction submittal review packages
- Submittal log

Requests for Information (RFI's)

MEAD & HUNT will receive and respond to CMAR contractor RFI's related to clarification of the contract documents, design intent, or field conditions. MEAD & HUNT will prepare and maintain a RFI log, noting the date received, subject, resolution and date response was returned to the contractor.

Deliverables – RFIs

- RFI response packages
- RFI response log

Contingency Release Requests

MEAD & HUNT will review and respond to Contingency Release (CR) Requests and change orders in coordination with the CITY. MEAD & HUNT will maintain a log of changes, CR requests and pending changes. MEAD & HUNT will provide assistance during negotiations of contractor cost proposals and will review requests and provide recommendations to the CITY.

Pay Applications

MEAD & HUNT will review monthly payment applications from the contractor and provide a written recommendation for payment to the CITY based on construction progress. MEAD & HUNT will review pay application supporting documentation, including updated construction schedules, record drawings, stored materials, release of liens, and as approved change/field orders.

On-Site Field Engineering and Inspections

Mead & Hunt will provide a suitably qualified on-site field engineer for the duration of the project. The on-site engineer will have an office in an 'Engineer's' trailer, provided by the CMAR contractor. The CMAR provided trailer will have phone, internet, restroom facilities, and suitable accommodations for a field engineer and RPR. The field engineer, and/or designee, will be on site at least three (3) days per week for the additional 7-month duration of the project.

PHASE 3 – CONSTRUCTION OBSERVATION

MEAD & HUNT will supply a resident project representative (RPR) for construction observation and documentation for the additional seven (7) months of construction activity. At this time, the needed construction observation efforts are estimated to be forty (40) hours per week. The RPR will observe the

construction activities, review conformance with contract documents, observe quality assurance testing, maintain a detailed log including red-line construction drawings, field verify work quantities, and collect/forward and verify resolution of resident/property owner complaints. These efforts will be documented in electronic reports of construction and will include construction photographs. Quality control will be completed by an Inspection Supervisor and the Project Manager in the form of field visits and work product review.

Deliverables – Construction Observation

- Reports of Construction
- Construction Photographs
- Red-Line Construction Drawings

PHASE 4 – PROJECT CLOSEOUT

Substantial and Final Completion

MEAD & HUNT will determine substantial completion and attend substantial and final walkthroughs. RPR will document punchlist items at both substantial and final walkthroughs and verify completion of punchlist items before final closeout.

Deliverables – Substantial and Final Completion

- Substantial completion punchlist items (electronic PDF format)
- Final completion punchlist items (electronic PDF format)

As-Built Review and Record Drawings

MEAD & HUNT will review contractor final as-builts for compliance with the contract documents. MEAD & HUNT will prepare final record drawings utilizing contractor as-builts and inspector sketches, photographs, and other documentation. Record drawings to be provided electronically to the CITY.

Deliverables – As-Built Review and Record Drawings

- Record Drawings (Electronic PDF and AutoCAD Format)

Permitting Closeout

MEAD & HUNT will prepare and provide certifications of completion to the following permitting agencies for permit closeout:

- FDEP
- City of DeLand

PHASE 5 – FUNDING ASSISTANCE

MEAD & HUNT will provide funding assistance, compliance and close-out services for all funding categories; CWSRF, FDEP and SJRWMD. This will include final inspections, certificates of completion and copies of all documentation to CITY.

PHASE 6 – SUBCONSULTANTS AND REIMBURSABLES

Items under this phase include out-of-pocket direct job expenses such as subconsultants, reproductions, postage, etc. Items included in this phase will be billed at actual cost plus 10%

Geotechnical – An allowance is included for the project geotechnical engineer, Bechtol Engineering & Testing, to visit site and/or review submittals.

Survey – An allowance is included for the project surveyor, SSMC, to review the proposed site surveys and as-builts prepared by the CMAR contractor and their surveyors. This is intended to assist in conformance of standards, datum, benchmarks, etc.

PHASE 7 – CONTINGENCY

If additional services are identified as needed or required during the duration of the project, MEAD & HUNT will use the contingency funds for any additional work items. Contingency funds will be billed at time and expense. Additional work will be billed per the agreed upon contract hourly rates.

EXCLUSIONS

This scope of services excludes all items not specifically described herein.

SCHEDULE

Mead & Hunt estimates the work included in this task order will be completed in accordance with the following schedule:

Phase/Task	Duration to Complete (calendar days)	Commencing Upon
<i>Phase 1 – Project Management</i>	<i>18 months</i>	<i>Receipt of notice to proceed</i>
<i>Phase 2 – Construction Engineering and Inspection (CEI Services)</i>	<i>18 months</i>	<i>Receipt of notice to proceed</i>
<i>Phase 3 – Construction Observation</i>	<i>18 months</i>	<i>Construction start</i>
<i>Phase 4 – Project Closeout</i>	<i>2 months</i>	<i>Substantial completion by contractor</i>
<i>Phase 5 – Funding Assistance</i>	<i>18 months</i>	<i>Receipt of notice to proceed</i>

COMPENSATION

The below fee is based on the following breakdown:

Phase/Task	Fee/Cost	Basis
<i>Phase 1 – Project Management</i>	<i>\$39,204</i>	<i>Lump Sum</i>
<i>Phase 2 – Construction Engineering and Inspection (CEI) Services</i>	<i>\$200,734</i>	<i>Lump Sum</i>
<i>Phase 3 – Construction Observation</i>	<i>\$213,248</i>	<i>Time & Expense</i>
<i>Phase 4 – Project Closeout</i>	<i>\$40,875</i>	<i>Lump Sum</i>
<i>Phase 5 - Funding Assistance</i>	<i>\$44,430</i>	<i>Lump Sum</i>
<i>Subtotal</i>	<i>\$538,491</i>	
<i>Phase 6 – Subconsultants/Reimbursables</i>	<i>\$8,000</i>	<i>Actual cost + 10%</i>
<i>Phase 7 – Contingency @ 5%</i>	<i>26,925</i>	<i>Time & Expense</i>
<i>TOTAL</i>	<i>\$573,416</i>	

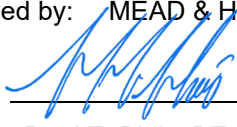
AUTHORIZATION:

The scope of services and compensation stated in this proposal are valid for a period of thirty (30) days from date of submission. If authorization to proceed is not received during this period, this proposal may be withdrawn or modified by MEAD & HUNT.

Accepted by: CITY OF DELAND

Approved by: MEAD & HUNT, INC.

By: _____

By:  _____

Name: _____

Name: Brad T. Blais, PE

Title: _____

Title: Vice President/Client Manager

The above person is authorized to sign for Owner and bind the Owner to the terms hereof.

Date: _____

Date: January 29, 2025

PURSUANT TO FLORIDA STATUTE SECTION 558.0035, AN INDIVIDUAL EMPLOYEE OR AGENT OF MEAD & HUNT INC. MAY NOT BE HELD INDIVIDUALLY LIABLE FOR NEGLIGENCE.

IF THE CONTRACTOR (MEAD & HUNT, INC.) HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S (MEAD & HUNT, INC.'s) DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT (PROPOSAL), CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT CITY HALL, CITY OF DELAND, 120 SOUTH FLORIDA AVENUE, DELAND, FL 32720, City Clerk, Julie A. Hennessy, MMC (386) 626-7132, Hennessy@deland.org.

CITY OF DELAND
Request for Commission Action
February 17, 2025

SUBJECT: Consideration re Recommended Final Selection of Engineering Consultant – DeLand Municipal Airport.

DEPARTMENT: Engineering

PREPARED BY: Ray Bahrami, City Engineer

ATTACHMENTS: RFQ

APPROVED BY: Michael Pleus, City Manager, February 13, 2025

SUMMARY/HIGHLIGHT:

Staff initiated a selection process for professional Engineering Consulting firms to render continuing services required at the DeLand Municipal Airport. According to State requirements for consultant selection, the Expressions of Interest, when received, need to be reviewed and ranked by a Selection Committee, interviews conducted if deemed necessary, and a final ranking recommended and approved by the City Commission prior to beginning negotiation of a contract and fee with the top ranked firm.

The request for Expression of Interest was advertised in the local newspaper and via the internet-based DemandStar system. Staff issued a Request for Expressions of Interest and Statement of Qualifications which is attached to this RCA. One submittal was received from Avcon, Inc.

A selection committee composed of Commissioner Paiva, Mindy Considine, John Eiff and Ray Bahrami reviewed and evaluated the submittal in publicly noticed meeting held on February 6, 2025. The committee, by consensus, recommended that the Avcon, Inc., be selected as the engineering consultant for DeLand Airport. Please note that Avcon's staff have done a very good job of providing quality work during design and construction phases of the project and assisting City Staff with FAA & FDOT grants preparation in the past five years.

STRATEGIC PLAN FOCUS AREA/ACTION STEP:

Sustainability.

SUSTAINABILITY:

N/A

FISCAL IMPACT:

Approval of the final ranking of consultant has no fiscal impact at this time. Once the final ranking is approved by the City Commission, staff will attempt to negotiate a scope of services and fee with Avcon.

RECOMMENDATION:

Staff recommends that the City Commission approve the recommended final selection of consultant for DeLand Municipal Airport professional services to Avcon, Inc. and authorize staff to begin negotiations on the contract.

BACKGROUND/DISCUSSION:

N/A



City of DeLand

REQUEST FOR QUALIFICATIONS

RFQ-25-01

DeLand Airport Consulting Services

City of DeLand
120 S. Florida Ave.
DeLand, Florida 32720
(321) 626-7000

TABLE OF CONTENTS

- I. INTRODUCTION
- II. SCOPE OF SERVICES
- III. RECORD INFORMATION AND SITE VIEWING EVALUATION OF PROPOSALS
- IV. SPECIAL TERMS AND CONDITIONS OF THE SOLICITATION
- V. SUBMITTAL REQUIREMENTS
- VI. EVALUATION CRITERIA

REQUEST FOR QUALIFICATIONS (RFQ)

RFQ-25-01

DeLand Airport Consulting Services

I. INTRODUCTION

The City of DeLand ("City") is issuing a request for qualifications to provide professional engineering consulting services at the DeLand Municipal Airport and its associated Industrial Park. Services shall include, but not limited to, General Consulting; Funding Procurement & Grant Administration; Economic Feasibility & Impact Analysis; Planning; Engineering; Design; Permitting; Construction Phase Services; Environmental Analysis; Preparation of DBE Plans and other associated services. Expected contract length is three (3) years with two (2), one (1) year renewals.

II. SCOPE OF SERVICES

The City has an extensive capital improvements program and most project assignments will be in the area of engineering. Attached (Attachment A) is a copy of the City's current Airport Capital Improvement Plan. This plan is subject to change.

Project Scope

Professional services required to accomplish various projects at the DeLand Municipal Airport may include but are not limited to:

1. Runway, taxiway and apron construction and rehabilitation
2. Airport navigational aids
3. Airport lighting and signage
4. Fuel Farm
5. Road construction
6. Aircraft hangar construction
7. Industrial Park infrastructure

Attachments

Attachment A – Airport Capital Improvement Plan

Attachment B – Draft Contract

The procurement of these services will be done by competitive selection and negotiation consistent with Chapter 287.055 of the Florida Statutes, "Consultants' Competitive Negotiation Act," and City of DeLand Purchasing Policy.

Qualified responses will be reviewed and ranked by the City's Selection Committee at a Public Meeting. At this meeting, the Selection Committee may make a final selection of the firm or firms; or the Selection Committee may choose to shortlist a minimum of the three (3) top-ranked firms. If shortlisting is done, the shortlisted firms will be requested to make a presentation to the Selection Committee followed by an interview by the Selection Committee.

At least five (5) business days prior to the presentations/interviews the Selection Committee will provide those firms selected for a presentation/interview with a document that sets forth information regarding how the presentation and interview will be conducted, evaluated and ranked.

After the interviews, the Selection Committee will rank the finalists to determine the selected firm(s). The Negotiating Committee will then negotiate with the top-ranked firm(s). Selection will be made in accordance with the Florida "Consultants' Competitive Negotiations Act" (§ 287.055, F.S.) and City of DeLand Purchasing Policy. The City reserves the right to revise, delete portions, and/or limit the scope of professional services and to reject any and all Responses.

Responses to this Request for Qualifications for **DeLand Airport Consulting Services** will be received until **3:00 PM on January 28, 2025**.

Qualifications shall be submitted to the City of DeLand, Attn: Corey McMillen, 120 S. Florida Ave., DeLand, Florida 32720.

*NOTE: Please ensure that if you use a third-party carrier (DHL Express, FedEx, UPS, USPS, etc.) that they are properly instructed to deliver your bid only to the City of DeLand at the address above. To be considered, an RFQ must be accepted by the Purchasing Manager or designee no later than the closing date and time.

All firms and their agents are hereby placed on notice that they are not to contact members of the DeLand City Commission or staff regarding this RFQ, with the exception of the designated liaison. Public meetings of the Selection Committee are the only acceptable forum for the discussion of merits of products/services requested by this Request for Qualifications and written correspondence in regards to this Request for Qualifications is to be submitted to the designated liaison.

The staff member designated as the liaison for this Request for Qualifications is Corey McMillen, Purchasing Manager, (386) 626-7078; e-mail mcmillenc@deland.org and purchasing@deland.org.

TIMELINE

Event	Date
Solicitation Date	January 6, 2025
Question Deadline	January 21, 2025 @ 5:00 P.M.
Submission Deadline	January 28, 2025 @ 3:00 P.M.

III. RECORD INFORMATION AND SITE VIEWING

Complete package is available on DemandStar® (<https://www.demandstar.com>) & VendorLink <https://www.myvendorlink.com/common/default.aspx>.

You may also contact the Purchasing Manager office at:

City of DeLand – Finance Department
Attn: Corey McMillen
120 S. Florida Ave.
DeLand, Florida 32720
(386) 626-7078 / Email: mcmillenc@deland.org

The City will not provide access to these sites before the Contractors submittal of their qualifications. Contractors that make the shortlist will be allowed limited access to the sites prior to their presentations and interviews.

1. All responses shall become the property of the City. The details of the sealed response documents submitted by a respondent will remain exempt from public inspection consistent with Chapter 119.071 of the Florida Statutes, General Exemptions from Inspection or Copying of Public Records.

2. All Contractors must acknowledge and conform to the statement on Public Entity Crimes prior to entering into a Contract with the City.
3. The City will not reimburse a respondent for any costs associated with preparation and submittal of responses to this solicitation.
4. Contractors acknowledge that all information contained within their responses are ultimately public records to the extent required by the State of Florida Public Records Laws.
5. Awards made pursuant to this Request for Qualifications are subject to the provisions of Chapter 112, Part III, Florida Statutes, "Code of Ethics for Public Officers and Employees." All respondents must disclose in their responses the name of any officer, director, or agent who is also an employee of the City. Furthermore, all Contractors must disclose the name of any City employee who owns, directly or indirectly, any interest of five percent (5%) or more in the Contractor's firm or any of the respondent's branches or subsidiaries.
6. Contractors, their agents, and associates shall not contact any City official or member of the City staff regarding this Request for Qualifications during the selection process. Failure to comply with this provision will result in disqualification of the Contractor. Only the designated liaison identified in this response may be contacted.
7. Contractor shall not discriminate with respect to age, race, color, gender, religion, disability, or national origin in any manner with regard to this solicitation.
8. The responsibility for determining the extent of the professional engineering services required rests solely with the respondent. Neither the City nor its representatives shall be responsible for determining the final scope of services that may be required.
9. All timely responses will be considered. Contractors are requested to clearly indicate any deviations from the submittal requirements.
10. Each Contractor is responsible for full and complete compliance with all laws, rules and regulations including those of the Federal Government, State of Florida and applicable local ordinances. Failure or inability on the part of the respondent to have complete knowledge and intent to comply with such laws, rules and regulations shall not relieve any Contractor from its obligation to honor its response and to perform completely in accordance with its response.
11. The City, at its discretion, reserves the right to waive minor informalities or irregularities in any response, request clarification of information from Contractors, to reject any and all responses in whole or in part, with or without cause, and to accept any response, which, in the City's judgment, will be in the City's best interest.
12. Any interpretation, clarification, correction or change to the Request for Qualifications will be made by written addendum issued by the City Purchasing Manager or designee. Any oral or other type of communication concerning the Request for Qualifications shall not be binding upon the City.
13. Responses must be signed by an individual of the Contractor's organization legally authorized to commit the Contractor's organization to the performance of the services contemplated by this Request for Qualifications.
14. Any Responses submitted before the deadline may be withdrawn by written request received by the City before the time fixed for receipt of Responses. Withdrawal of any

Response will not prejudice the right of the respondent to submit a new or amended Response as long as the City receives the Response by the deadline as provided herein.

15. For good and sufficient reason, up to forty-eight (48) hours before the advertised deadline, the City may extend the Response deadline.
16. Any consultant or subconsultant selected to prepare the design criteria package for this project will not be allowed to propose or perform design or consultant services as part of the design/build team.
17. **E-VERIFY:** In accordance with Florida State Law, Executive Order 11-116, any vendor or company that the City enters into contract with, or issues a purchase order, must utilize the E-Verify system.

SCRUTINIZED CONTRACTORS

Awarded Contractor shall certify that it and its subcontractors are not on the Scrutinized Companies that Boycott Israel List. Pursuant to Section 287.135, F.S. If the Agreement is for more than \$1,000,000 the Contractor further certifies that it and its subcontractors are also not on the Scrutinized Companies with Activities in Sudan, Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or engaged with business operations in Cuba or Syria as identified in Section 287.135, F.S.

For Contracts of any amount, if the City determines the Contractor submitted a false certification under Section 287.135(5) of the Florida Statutes, or if the Contractor has been placed on the Scrutinized Companies that Boycott Israel List, or is engaged in a boycott of Israel, the City shall either terminate the Contract after it has given the Contractor notice and an opportunity to demonstrate the City's determination of false certification was in error pursuant to Section 287.135(5)(a) of the Florida Statutes, or on a case-by-case basis the City may choose to maintain the Contract if the conditions of Section 287.135(4) of the Florida Statutes are met. For Contracts \$1,000,000 and greater, if the City determines the Contractor submitted a false certification under Section 287.135(5) of the Florida Statutes, or if the Contractor has been placed on the Scrutinized Companies with Activities in the Sudan List, or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, the City shall either terminate the Contract after it has given the Contractor notice and an opportunity to demonstrate the City's determination of false certification was in error pursuant to Section 287.135(5)(a) of the Florida Statutes, or on a case-by-case basis the City may choose to maintain the Contract if the conditions of Section 287.135(4) of the Florida Statutes are met.

The Contractor agrees to observe the above requirements for applicable subcontracts entered into for the performance of work under this Agreement.

As provided in Subsection 287.135(8), F.S., if federal law ceases to authorize these contracting prohibitions, this section shall become inoperative and unenforceable.

VI. SPECIAL TERMS AND CONDITIONS OF THE SOLICITATION

1. A Contractor with which the City successfully negotiates terms and conditions for the Work shall be required to enter into a contract with the City that incorporates the requirements of this Request for Qualifications and terms and conditions. If the parties cannot agree to the services and/or fees for the project, the City reserves the right to cease negotiations with the subject Contractor and initiate negotiations with the Second-ranked Contractor (and so on).

2. The successful Contractor shall hold harmless, indemnify and defend the City, its Council members, employees, representatives and agents against any claim, action, loss, damage, injury, liability, cost and/or expense arising out of or incidental to respondent's services under this Agreement. Consideration for this indemnification provision will be included in the Contractor's hourly rate.
3. **The successful Contractor shall not be allowed to substitute project team members named in this response during the course of the contract without prior written permission of the City. This requirement is not negotiable.**
4. The successful Contractor, prior to signing of the contract, and before starting work on any projects, shall be required to submit all certificates of insurance as follows:
 - a. Workers' Compensation – Workers Compensation insurance providing statutory benefits as required in the State of Florida. The Contractor shall require any subcontractor to provide evidence of this coverage. Additionally, if the contract requires working on or around a navigable waterway, the Contractor and all subcontractors shall provide evidence of United States Longshoremen's and Harbor Workers (USL&H) coverage and contingent coverage of Jones Act (Marine Employers Liability) in compliance with Federal statutes or proof of exemption. The Contractor shall be responsible for compliance with these requirements by each subcontractor, Contractor or supplier when applicable.
 - b. Comprehensive General Liability and Auto Liability – Including but not limited to bodily injury, property damage, and personal injury with limits of not less than \$1,000,000 combined single limit per occurrence including Contractual Liability incurred under this Contract.
 - c. Professional Liability Insurance – For errors and omissions in the amounts of \$3,000,000 per claim.
5. Tie - Award of all tie rankings shall be made by the Purchasing Manager in accordance with State Statutes, which allows a respondent certified as a Drug-Free Workplace to have precedence. When evaluation of responses to solicitations results in the identical ranking with regards to the responses from two or more Contractors, the City shall determine the order of award using the following criteria in order of preference listed below (from highest priority to lowest priority):
 - a. Priority shall be given to the respondent certifying that it is a Drug-Free Workplace as defined within §287.087, Florida Statutes;
 - b. Should a tie still exist, priority shall be given until the tie is broken, to the respondent with the highest total of raw scores for each evaluation criteria, progressing from the highest weighted criteria to the lowest rated criteria. If multiple evaluation criteria have identical weights, the combined total weights of the identically weighted criteria shall be used;
 - c. In the event that a tie still exists after progressing through a-b, the decision shall be made by lot or coin toss. The drawing of lots or coin toss shall be conducted in the presence of the affected Contractors if they elect to be present.

V. SUBMITTAL REQUIREMENTS

Responses will be evaluated based on the written document submitted as the response to this RFQ; therefore, the response must give a clear, concise, and complete statement of qualifications. For reasons of maintaining fairness and for ease of evaluation, responses to this Request for Qualifications must comply with the following directions and must be presented in this format and in this order:

SUBMITTAL FORMAT:

Submittals shall be printed on 8-1/2 × 11-inch paper, bound, typed in Arial, Century, Courier,

or Verdana typeface, in at least 12-point size. Both sides of the page may be printed. Number all pages (limit proposals to 75 pages). Covers, tables of contents, and divider tabs will not be counted in the section page limits. **Please submit four (4) paper executed signed copies with the original clearly marked and one (1) electronic copy on USB flash drive.** The proposal shall be divided and organized with tabs as follows:

Tab 1: Introduction

Letter of Introduction – include the name and address of the firm and indicate whether the respondent is a subsidiary, individual, partnership, corporation, or joint venture. Name the person or persons authorized to make representation for the respondent and give addresses and telephone numbers for same. If this proposal is a joint venture or involves subcontracting, this should be so stated and all parties must be identified. The letter must be signed by an individual, partner or officer of the organization who is authorized to bind the organization.

Tab 2: Table of Contents

Provide a Table of Contents for material included in the submittal.

Tab 3: Business Experience and Qualifications

Please furnish such information concerning the firm's finances, facilities, personnel and experience necessary to determine its responsibility and competency to execute the work covered in the submittal. Include the following:

- The number of years the respondent has been in the consulting engineering business
- List of recent clients and projects similar to those contemplated by the City of DeLand. Summarize the projects relative to length, status and provide contracts. Include the names, addresses, telephone numbers and email addresses for key contact personnel for clients served
- Listing of key personnel who have worked on these projects and are expected to work on City of DeLand projects along with résumés detailing their related experience
- List other key personnel, technical consultants and subcontractor firms employed (or to be retained by) the respondent to be involved with this project, along with a detailed description of their role in this project
- Standard GSA Form SF330
- Provide information on the firm's insurance status including typical Certificates of Insurance for general liability, workers compensation and professional liability.
- The total numbers of full-time employees in the firm, nationally and locally.
- Provide EEO information, as applicable

Tab 4: Required Proposal Forms

- Public Entity Crime Form
- Non-Collusion Affidavit
- Proposer's Certification
- Human Trafficking Affidavit
- Drug-Free Workplace Form
- Financial Statement (separate envelope is acceptable)
- W-9 Form
- Contractor Affidavit Regarding Scrutinized Company List

VI. EVALUATION CRITERIA

In accordance with Section 287.055, Florida Statutes or most recent supplement, final rankings of the firm will be presented to The DeLand City Commission for approval and authorization to negotiate with top-ranked firms. Each response will be evaluated by the Selection Committee

members and subjectively scored on Compliance with Instructions, Introduction, Organizational Profile and Subcontractors, Experience, and Design Approach for a maximum of 100 points as outlined below. The format of the submittal constitutes part of the RFQ response.

Criteria

1. Experience to the proposed firm in providing full consulting services for small to medium sized General Aviation (GA) airports in Florida and the Southeast US.
(30 points possible)
2. Experience of the firm in obtaining and administering FAA and FDOT grants.
(20 points possible)
3. Perceived ability of the firm to coordinate work assignment through a single point of contact (Project Manager)
(20 points possible)
4. Knowledge of DeLand Airport infrastructure
(10 possible points)
5. Construction inspection/administration experience on GA airports.
(20 possible points)

100 Points (Maximum)

PUBLIC ENTITY CRIME FORM

Section 287.133(3)(a), Florida Statutes, on Public Entity Crimes:

A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid/quote/proposal on a contract to provide goods or services to a public entity, may not submit a bid/quote/proposal on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids/quotes/proposals on leases of rental property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list.

Acknowledged: _____ Date: _____

NON-COLLUSION AFFIDAVIT

State of _____)

County of _____)

_____ being first duly sworn, deposes and says that:

- (1) He/she is the _____, (Owner, Partner, Officer, Representative or Agent) of _____, the Contractor that has submitted the attached Proposal;
- (2) He/she is fully informed respecting the preparation and contents of the attached Proposal and of all pertinent circumstances respecting such Proposal;
- (3) Such Proposal is genuine and is not a collusive or sham Proposal;
- (4) Neither the said Contractor nor any of its officers, partners, owners, agents, representatives, employees or parties in interest, including this affiant, have in any way colluded, conspired, connived or agreed, directly or indirectly, with any other Contractor, firm, or person to submit a collusive or sham Proposal in connection with the Work for which the attached Proposal has been submitted; or to refrain from bidding in connection with such Work; or have in any manner, directly or indirectly, sought by agreement or collusion, or communication, or conference with any Contractor, firm, or person to fix the price or prices in the attached Proposal or of any other Contractor, or to fix any overhead, profit, or cost elements of the Proposal price or the Proposal price of any other Contractor, or to secure through any collusion, conspiracy, connivance, or unlawful agreement any advantage against (Recipient), or any person interested in the proposed Work;
- (5) The price or prices quoted in the attached Proposal are fair and proper and are not tainted by any collusion, conspiracy, connivance, or unlawful agreement on the part of the Contractor or any other of its agents, representatives, owners, employees or parties in interest, including this affiant.

By: _____
Signature of Individual

Printed Name of Individual

Title of Individual

Signed, sealed and delivered in the presence of:

Witness

Witness

State of _____

County of _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20____
by _____, who is personally known to me or
who has produced _____ as identification and who did (did not) take an oath.

WITNESS my hand and official seal.

NOTARY PUBLIC

(Name of Notary Public: Print, Stamp,
or Type as Commissioned)

PROPOSER'S CERTIFICATION

IN WITNESS WHEREOF, the Proposer hereto has executed this Proposal Form this

_____ day of _____, 20__.

By: _____

Signature of Individual

Printed Name of Individual

Witness

Business Address _____

City/State/Zip _____

Business Phone Number _____ Fax Number _____

State of _____

County of _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20
by _____, who is personally known to me or
who has produced _____ as identification and who did (did not) take an oath.

WITNESS my hand and official seal.

NOTARY PUBLIC

(Name of Notary Public: Print, Stamp,
or Type as Commissioned)

CITY OF DeLAND
CONFIRMATION OF DRUG-FREE WORKPLACE FORM

In accordance with Section 287.087, Florida Statutes, "[w]henver two or more bids are equal with respect to price, quality, and service which are received by any political subdivision for the procurement of commodities or contractual services, a bid received from a business that certifies that it has implemented a drug-free workplace program shall be given preference in the award process. In order to have a drug-free workplace program, a business shall:

- (1) Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
- (2) Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations.
- (3) Give each employee engaged in providing the commodities or contractual services that are under bid a copy of the statement specified in subsection one (1).
- (4) In the statement specified in subsection one (1), notify the employees that, as a condition of working on the commodities or contractual services that are under bid, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation of chapter 893 or of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than five (5) days after such conviction.
- (5) Impose a sanction on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community by, any employee who is so convicted.
- (6) Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section."

As the person authorized to sign the statement, I certify that this firm complies with the above requirements and the Florida Statutes Section 287.087. This form is in conjunction with The City of DeLand's General Conditions, Drug-Free Workplace.

Business Name

Bid Number and Name

Authorized Representative's Signature

Date

Name

Position

CONTRACTOR AFFIDAVIT REGARDING SCRUTINIZED COMPANY LIST

Awarded Contractor shall certify that it and its subcontractors are not on the Scrutinized Companies that Boycott Israel List. Pursuant to Section 287.135, F.S. If the Agreement is for more than \$1,000,000 the Contractor further certifies that it and its subcontractors are also not on the Scrutinized Companies with Activities in Sudan, Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or engaged with business operations in Cuba or Syria as identified in Section 287.135, F.S.

For Contracts of any amount, if the City determines the Contractor submitted a false certification under Section 287.135(5) of the Florida Statutes, or if the Contractor has been placed on the Scrutinized Companies that Boycott Israel List, or is engaged in a boycott of Israel, the City shall either terminate the Contract after it has given the Contractor notice and an opportunity to demonstrate the City's determination of false certification was in error pursuant to Section 287.135(5)(a) of the Florida Statutes, or on a case-by-case basis the City may choose to maintain the Contract if the conditions of Section 287.135(4) of the Florida Statutes are met. For Contracts \$1,000,000 and greater, if the City determines the Contractor submitted a false certification under Section 287.135(5) of the Florida Statutes, or if the Contractor has been placed on the Scrutinized Companies with Activities in the Sudan List, or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, the City shall either terminate the Contract after it has given the Contractor notice and an opportunity to demonstrate the City's determination of false certification was in error pursuant to Section 287.135(5)(a) of the Florida Statutes, or on a case-by-case basis the City may choose to maintain the Contract if the conditions of Section 287.135(4) of the Florida Statutes are met.

STATE OF FLORIDA

COUNTY OF _____

BEFORE ME, the undersigned authority, personally appeared

_____, who, being by me first duly sworn, made the following statement:

1. The Business address of _____ (name of bidder or contractor) is _____.
2. My relationship to _____ (name of bidder or contractor) is _____ (relationship such as sole proprietor, partner, president, vice president).
3. I understand that "Boycott of Israel" has the same meaning as defined in §215.4725, Florida Statutes, and means refusing to deal, terminating business activities, or taking other actions to limit commercial relations with Israel, or persons or entities doing business in Israel or in Israeli-controlled territories, in a discriminatory manner. A statement by a

company that it is participating in a boycott of Israel, or that it has initiated a boycott in response to a request for a boycott of Israel or in compliance with, or in furtherance of, calls for a boycott of Israel, may be considered by the State Board of Administration to be evidence that a company is participating in a boycott of Israel. The term does not include restrictive trade practices or boycotts fostered or imposed by foreign countries against Israel.

4. I understand that "business operations" means, for purposes specifically related to Cuba or Syria, engaging in commerce in any form in Cuba or Syria, including, but not limited to, acquiring, developing, maintaining, owning, selling, possessing, leasing, or operating equipment, facilities, personnel, products, services, personal property, real property, military equipment, or any other apparatus of business or commerce.
5. _____ (name of the bidder or contractor) is not on the Scrutinized Companies that Boycott Israel List, created pursuant to s. 215.4725, Florida Statutes, or is engaged in a boycott of Israel.
6. _____ (name of the bidder or contractor) is not on the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, created pursuant to s. 215.473, Florida Statutes.
7. _____ (name of the bidder or contractor) is not engaged in business operations in Cuba or Syria.

Signature

Sworn to and subscribed before me in the state and county first mentioned above on the _____ day of _____, 20____.

(AFFIX SEAL or STAMP)

Notary Public

My commission expires:

HUMAN TRAFFICKING AFFIDAVIT

1. I am over the age of 18 and I have personal knowledge of the matters set forth herein and execute this affidavit in order to comply with the requirements of Section 787.06(13), Florida Statutes.

2. I currently serve in the capacity listed below on behalf of the company listed below.

3. The company listed below does not use coercion for labor or services, as those terms are defined in Florida Statute 787.06.

4. This declaration is made in accordance with Florida Statute 92.525. I understand that making a false statement in this declaration may subject me to criminal penalties.

Under penalties of perjury, I declare that I have read the foregoing Human Trafficking Affidavit and that the facts stated in it are true.

Further Affiant sayeth naught.

Date executed _____.

COMPANY

NAME OF BUSINESS ENTITY

SIGNATURE

NAME AND TITLE

**MINUTES FOR A REGULAR MEETING OF
THE DOWNTOWN CRA GOVERNING BOARD OF THE CITY OF DELAND
HELD ON MONDAY, MAY 20, 2024, AT 6:30 P.M.
CITY HALL, COMMISSION CHAMBERS
120 SOUTH FLORIDA AVENUE**

CALL TO ORDER

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

Mayor Cloudman requested that anyone present who wishes to address the CRA Board on an item appearing on tonight's agenda, or with regard to an item not on the agenda, please fill out a Speaker's Card and give it to the City Clerk. The public has a right to speak with regard to any item on which the CRA Board is to take action.

ROLL CALL

Commissioner Paiva	Present
Commissioner Davis	Present
Commissioner Dan Reed	Present
Commissioner Kevin Reid	Present
Ella Ran	Present
Bill Budzinski	Absent
Mayor Cloudman	Present

ALSO PRESENT: Michael Pleus, City Manager; Darren J. Elkind, City Attorney; Julie A. Hennessy, City Clerk-Auditor; Rick Werbiskis, Community Development Director; Alberto Cirelli; members of the public and press.

PUBLIC HEARING

1. Resolution Approving Budget Amendment for Fiscal Year 2023-2024.

Michael Grebosz, Assistant City Manager, provided a brief background detailing the budget amendment for Fiscal Year 2023-2024. He stated the budget had been revised, and there were adjustments, increases in the contractual services related to special overtime adjustments, and parking lot enhancements at 201 W. Howey Avenue lines. He noted there were decreases in the contingency and serve contingency lines.

Mayor Cloudman asked how much of the increase in overtime would be reimbursable. Mr. Grebosz stated that it would depend on the type of event.

Commissioner Paiva made a motion to approve the resolution. Commissioner Dan Reed seconded the motion, which carried unanimously, 6-0.

2. Consideration re Approval of Extra Work Authorization for CPH Consulting, LLC, West Voorhis Avenue Streetscape Design.

Mr. Grebosz stated that this item was for a request of modification to the final design for the West Voorhis Avenue Streetscape Design. He referred to a recent meeting between the City of DeLand, Volusia County, River to Sea Loop Alliance and Florida Department of Transportation regarding connection of the SunRail station to the Paiva Greenway through downtown. He noted that in order to better adjust the trail to accommodate more multi-modal activity, DeLand staff and CPH Consulting have prepared a design that would increase the size of the north side sidewalk, which would help with the alignment of the trail. The north side sidewalk on Voorhis would be nine feet at its narrowest point, rather than six feet.

Mr. Grebosz stated that the proposed design modifications would accomplish two objectives: the increase in width on the north side sidewalk to better accommodate trail type of usage and there would still be a symmetrical-like appearance on the south side of the streetscape, which was the desire of the CRA when the original final design was approved. Additionally, this new design would give staff the ability to pursue trial-related grants to offset the cost of construction for the Voorhis Avenue Streetscape project.

Michael Pleus, City Manager, added that staff had studied another options which were not viable options.

Mayor Cloudman noted that his original preference was to have a wider trail on one side. However, the real reason behind this request was to allow grant funding applications to help offset the overall cost of the project.

Fred Pease, 1571 Alanson Drive, spoke in support of the request by CPH Consulting for additional funding. He did not know exactly what changes were being proposed for Euclid and the Voorhis streetscape.

Joan Carter, 122 Michigan Avenue, was concerned about the lack of knowledge and also felt that she did not know what changes were being proposed. She also thought that what had been decided was two evenly balanced sidewalks, eleven feet on each side. She spoke about how the narrower curve lines and pedestrian crossings impact traffic.

Mark Shuttleworth, property owner at 247 West Voorhis, stated concerns with the Voorhis Avenue Streetscape project. He agreed with previously stated comments and felt it was unwise to change the plan immediately.

Maggie Ardito, 532 West Florence Avenue, spoke in support of connecting the SunRail Station with Downtown DeLand. She said this project would open the area up to economic development, and she did not want to see the opportunity escape.

Mr. Pleus said that the design process is halfway finished and the only way to stop the process would be to ask the CRA Board if they wanted to consider the new design that would allow for a multi-use trail on the north side.

Ms. Ran stated that she was unsure what the safety concerns were with the design, or what the issue was with this proposal. Mr. Grebosz reiterated that to get the expansion, the southern side had to get a little smaller.

Commissioner Davis asked if applying for grant funding would increase the scope of the design. Mr. Pleus said having a multi-use path as part of the design of this project would increase the City's ability to apply for grant funding. Commissioner Davis asked what the difference is between the proposed project and what had originally been proposed. Mr. Pleus did not think it was much different, he said this new design just removed a few feet from the south side and added a few feet to the north side.

Commissioner Paiva noted that there was no full consensus at any of the meetings regarding the project. One of the project's challenges is that it removes CRA funding from other valuable projects. He stated the reasons he felt this project was worthy.

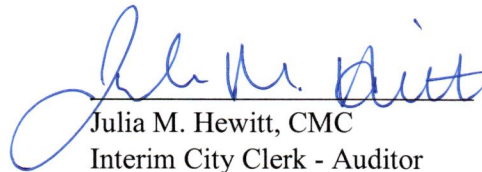
Commissioner Kevin Reid said the project may get approved more quickly since it becomes part of the trail network.

Commissioner Dan Reed asked if there was a plan for the stretch of 17-92 to Florida Avenue. Mr. Grebosz stated the proposed is a concept plan for the design. If the Change Order is approved, the design will encompass the entire area from Florida Avenue to 17-92.

Commissioner Paiva made a motion to approve the resolution. Commissioner Kevin Reid seconded the motion, which carried unanimously, 6-0.

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:15 p.m.



Julia M. Hewitt, CMC
Interim City Clerk - Auditor

**MINUTES FOR A REGULAR MEETING OF
THE DOWNTOWN CRA GOVERNING BOARD OF THE CITY OF DELAND
HELD ON MONDAY, SEPTEMBER 16, 2024, AT 6:00 P.M.
CITY HALL, COMMISSION CHAMBERS
120 SOUTH FLORIDA AVENUE**

CALL TO ORDER

Mayor Cloudman called the meeting to order at 6:00 p.m.

Mayor Cloudman requested that anyone present who wishes to address the CRA Board on an item appearing on tonight's agenda, or with regard to an item not on the agenda, please fill out a Speaker's Card and give it to the City Clerk. The public has a right to speak with regard to any item on which the CRA Board is to take action.

ROLL CALL

Commissioner Paiva	Present
Commissioner Davis	Present
Commissioner Dan Reed	Present
Commissioner Kevin Reid	Present
Ella Ran	Absent
Bill Budzinski	Present
Mayor Cloudman	Present

ALSO PRESENT: Michael Pleus, City Manager; Darren J. Elkind, City Attorney; Julie A. Hennessy, City Clerk-Auditor; Michael Grebosz, Assistant City Manager; Dan Stauffer, Finance Director; Chris Graham, Community Information Manager, members of the public and press

NEW BUSINESS

1. Resolution Approving Downtown Community Redevelopment Agency Budget for Fiscal Year 2024-2025

Mayor Cloudman opened the public hearing.

RESOLUTION NO. 2024 - 83

**A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY
OF DELAND, FLORIDA, ADOPTING THE FINAL BUDGET FOR THE
FISCAL YEAR 2024-25; PROVIDING FOR REPEALER AND AN
EFFECTIVE DATE.**

WHEREAS, the Board of the Community Redevelopment Agency of the City of DeLand, after holding several budget sessions and carefully considering the financial needs of the tax increment district and the sources of revenue available to the Agency to meet such needs, is ready to adopt a budget; and

WHEREAS, a public hearing to finalize the budget was held on September 16, 2024; and

WHEREAS, it is necessary for the Agency to approve and adopt its budget for the fiscal year 2024-25; and

WHEREAS, the City Manager recommends approval of the budget.

NOW THEREFORE, BE IT RESOLVED BY THE COMMUNITY REDEVELOPMENT AGENCY OF DELAND, FLORIDA:

Section 1. The budget for the Community Redevelopment Agency for the City of DeLand at \$837,434 for fiscal year 2024-25, as submitted, is hereby approved.

Section 2. Any resolution or part of resolution in conflict herewith is hereby repealed.

Section 3. This resolution shall become effective upon its adoption.

PASSED AND DULY ADOPTED this 16th day of September 2024.

/s/ Christopher M. Cloudman

Christopher M. Cloudman

Mayor – Commissioner

ATTEST:

/s/ Julie A. Hennessy

Julie A. Hennessy

City Clerk – Auditor

Mr. Grebosz, Assistant City Manager, presented an overview of the Downtown CRA Budget for fiscal year 2024-2025. He discussed revenues, expenditures, and highlighted the Fiscal Year 2023-2024 accomplishments.

Commissioner Kevin Reid asked if the budget included funds for improving the downtown curbing, particularly where the street sweeper has discolored the curbs. Mr. Grebosz confirmed that there is a line item under operating supplies, and a project would be scheduled to refresh the curbs.

Commissioner Paiva made a motion to approve the Resolution. Commissioner Dan Reed seconded the motion, which carried by a unanimous vote of 6-0.

NEW BUSINESS

1. Consideration re Direction on the SunRail Connector Service.

Mr. Grebosz referenced the Downtown CRA meeting held on August 5th, where several options for potential last-mile connector services were presented to the Board for consideration to have ready for when SunRail started service at the DeLand station on August 12, 2024. After analysis and discussion of the options, it

was determined that for at least one month, a Votran-operated connector shuttle would provide free transportation to SunRail riders wanting to visit the downtown and would either be continued, modified, or ceased based upon the ridership data.

Mr. Grebosz advised that currently, there are approximately 400 riders per day using the SunRail DeLand station. Out of those, approximately 20 riders are using the connector shuttle to get to downtown DeLand. He said staff was seeking further direction from the CRA Board on whether or not to continue the connector shuttle service. FDOT covered the cost associated with the shuttle for the first month, which costs approximately \$12,000 per month. He said the CRA could accommodate that cost, but that would require the use of all contingency funds.

Staff had spoken with MainStreet DeLand, and they requested that more time be approved with the current shuttle system to allow for marketing and messaging about the shuttle to saturate target audiences. MainStreet DeLand was also tasked with trying to find a sponsor(s) to help reduce the cost of the service to the City/CRA. In the meantime, the CRA can fund the shuttle through December.

Mr. Grebosz said that staff had researched other alternatives that could be more economical and still provide connectivity to the downtown. He presented four options.

Mr. Budzinski asked if the \$12,000 was being paid for by the CRA. Mr. Grebosz said that if the current route is chosen, that would be the monthly cost, and there would be no financial assistance from FDOT or Volusia County.

MainStreet DeLand, made a presentation to the City Commission.

Commissioner Davis asked if anyone was showing interest in sponsoring the shuttle. Stephanie Mullins, Main Street DeLand Association stated that their staff had not been prepared to engage in a conversation about sponsorship. However, once the association knows what it sells, the staff will be ready to discuss potential sponsorship opportunities.

Randy Williams, who provided no address of record, shared his opinion about using public funds.

Commissioner Dan Reed favored the first option presented, which would include costs to the CRA, the City, and the County, expand the footprint, and encourage additional ridership. He also thought the CRA should try to reallocate the funds from Votran.

Mr. Budzinski agreed with Commissioner Reed. He asked if additional stops would be added, and Ms. King said yes, several stops were planned.

Commissioner Kevin Reid only considered the first option proposed. He asked if it would allow park-and-ride from the intermodal to SunRail, to which Mr. Grebosz responded yes. He also expressed concern about future SunRail growth.

Commissioner Davis liked that Votran had expanded its options and was offering a no-commitment monthly service to allow the City time to determine what works best.

Vice Mayor Paiva expressed concern about the monthly cost of \$12,000 for three months but favored the first option and looked forward to receiving sponsorship money to help offset the expense.

Commissioner Kevin Reid wondered how future sponsorships would be shared. Mr. Grebosz said any savings from a sponsorship benefits everyone, especially the Main Street group. Commissioner Reid asked about the FDOT funding for Votran. Ms. King said that FDOT does provide some funding, but Votran is not the most effective service. She said FDOT has been approached about shifting their funds to a different service. She said if the operation were going to be run without CRA funds, it would only be operational during peak service times. She said that the CRA would not want the service only during peak times, so the Board is being asked to consider paying for the extra hours.

Mayor Cloudman was also supportive of the first option, and he was willing to look at extending it for several months to gather additional data. However, he would not be in favor of making a long-term commitment for CRA funding.

Vice Mayor Paiva made a motion to fund the current situation through December using the \$12,000 sponsorship money, which would require the CRA to pay the additional \$24,000; subsequently formulating an agreement with Votran to perform the service after that period of time. Mr. Budzinski seconded the motion, which carried unanimously.

2. Consideration re Updating the Downtown CRA Redevelopment Grant Criteria.

Mr. Grebosz presented the contract and stated that the CRA match would increase. However, the overall grant funds would not change.

Vice Mayor Paiva made a motion to approve the Contract. Commissioner Kevin Reid seconded the motion, which carried by a unanimous vote.

3. Consideration re Holiday Lighting Contract, Shellard Lighting Designs, Inc.

Mr. Grebosz presented the lighting contract. He said that the Winter Wonder DeLand program has grown, and the lighting needs have increased. Since the project scope had grown, the contract had to be put out to bid. The recommended bidder was Shellard Lighting. He explained that the contract would be a 3-year initial term with 2 one-year renewals. Mr. Grebosz noted that Chris Graham had successfully secured a sponsorship to help offset the cost.

Vice Mayor Paiva made a motion to approve the Contract. Commissioner Dan Reed seconded the motion, which carried by a unanimous vote.

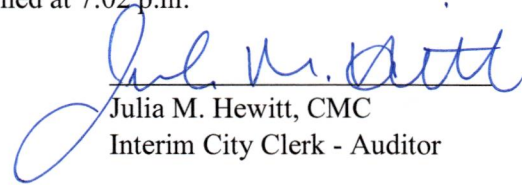
4. Consideration re MainStreet DeLand Agreement

Mr. Grebosz provided a summary of the request for annual renewal of the agreement between the City of DeLand and MainStreet DeLand.

Vice Mayor Paiva made a motion to approve the Agreement. Commissioner Dan Reed seconded the motion, which carried by a unanimous vote

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:02 p.m.



Julia M. Hewitt, CMC
Interim City Clerk - Auditor

**MINUTES FOR A REGULAR MEETING OF
THE DOWNTOWN CRA GOVERNING BOARD OF THE CITY OF DELAND
HELD ON MONDAY, OCTOBER 21, 2024, AT 6:30 P.M.
CITY HALL, COMMISSION CHAMBERS
120 SOUTH FLORIDA AVENUE**

CALL TO ORDER

Mayor Cloudman called the meeting to order at 6:30 p.m.

Mayor Cloudman requested that anyone present who wishes to address the CRA Board on an item appearing on tonight's agenda, or with regard to an item not on the agenda, please fill out a Speaker's Card and give it to the City Clerk. The public has a right to speak with regard to any item on which the CRA Board is to take action.

ROLL CALL

Commissioner Paiva	Present
Commissioner Davis	Present
Commissioner Dan Reed	Present
Commissioner Kevin Reid	Present
Ella Ran	Present
Bill Budzinski	Present
Mayor Cloudman	Present

ALSO PRESENT: Michael Pleus, City Manager; Darren J. Elkind, City Attorney; Julie A. Hennessy, City Clerk-Auditor; Michael Grebosz, Assistant City Manager; Rick Werbiskis, Community Development Director; Kieu Moses, Risk/Safety/Events Manager, members of the public and press

NEW BUSINESS

1. Resolution Approving Budget Amendment for FY 2023-2024.

Mr. Grebosz explained the budget amendment that will cover some of the changes reflected at year-end. He provided the details.

Vice Mayor Paiva made a motion to approve the Resolution. Commissioner Dan Reed seconded the motion, which carried by a unanimous vote of 7-0.

2. Consideration re Museum of Art DeLand Rent Request.

Mr. Grebosz advised that the City received a letter from the Museum of Art DeLand in early September requesting a waiver of rent payments for two years. The reasoning behind this request was that the State of Florida cut the budget for arts and culture. The Museum had a deficit of approximately \$60,000 in their fiscal year which starts October 1, 2024. The requested rent waiver would equal approximately \$112,000. Mr. Grebosz reviewed the background information related to this project since an ECHO Grant Commitment was involved. He explained what the potential liability could be to the City if the terms of the

ECHO Grant were not met. He also noted that the grant coordinator had indicated that the 20-year ECHO period would end in 2029.

Commissioner Kevin Reid asked about the exact requirements of the ECHO grant. Mr. Grebosz said it was related to the second-floor space the project had to meet the general basic ECHO grant requirements, which he reviewed.

Commissioner Davis asked if a modified rent adjustment had been considered. Mr. Grebosz said the request was being presented to the CRA Governing Board, as submitted.

Mr. Budzinski confirmed that the CRA would be liable for approximately \$75,000 if the museum were no longer in business. Mr. Grebosz affirmed. Mr. Budzinski asked how the waiver would impact the recently approved budget. Mr. Grebosz responded that reserve funding would be used, but the CRA would be okay.

Commissioner Kevin Reid asked if the lease agreement stipulated a per-square-foot rate. Mr. Grebosz responded.

Patti Pardee, Executive Director of the Museum of Art—DeLand, provided additional information regarding the Governor's veto of all general program support for art/culture/history across the state. She advocated for the requested rent waiver and reviewed the benefits to the citizens of DeLand. She also talked about ongoing fundraising efforts.

Linda Dorian, 780 Onyx Parkway, advocated for the waiver of rent requested.

Mr. Budzinski acknowledged that the museum is a huge part of the community. He was supportive of helping them.

Ms. Ran stated that her businesses had taken advantage of grant funds. She understood the issue and was supportive of helping the museum.

Commissioner Kevin Reid said yes there is currently money in the reserves, but there were major fund shortages for other projects around the CRA. He noted that there was already an established reduction in rent for the museum.

Commissioner Dan Reed expressed concern about the CRA's budget shortfalls because of this issue. He mirrored the sentiment of the already significantly reduced rental rate.

Commissioner Davis expressed concern about other funding reductions that may be mandated by the state. She was unsure who would be next and how much the City could be extended.

Vice Mayor Paiva said his concern was that \$56,000 was already budgeted for this year. He said he did not hear a plan for year 2 or year 3, for how the CRA would recover the funds. He said there needed to be a plan for year 3 and he would be comfortable with a deferment to figure out a plan. He was uncomfortable granting a two-year waiver, although he recognized the value of the museum.

Mayor Cloudman said this was a unique situation, and he would not mind seeing a compromise, such as looking at a one-year waiver with reconsideration for the second year.

Ms. Pardee expressed she would be comfortable with year-to-year consideration.

Commissioner Kevin Reid made a motion to offer a \$30,000 one-year waiver of rent with a re-evaluation in one year. Vice Mayor Paiva seconded the motion for discussion.

Vice Mayor Paiva said he was going to make a motion for one-half of the \$56,000 as a waiver of rent with re-evaluation in six months. He requested that the motion be amended to require a presentation be made by the museum in six months.

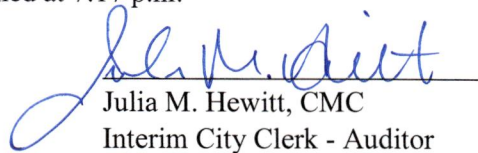
Mr. Budzinski noted that there was no lack of effort on the part of the museum in trying to make ends meet. He was hoping that the rent waiver would be approved for one year. He said the museum is very important to the community, and he did not believe this would have been too detrimental to the budget.

Commissioner Kevin Reid made a motion to offer a \$30,000 one-year waiver of rent with a re-evaluation in one year and a six-month status presentation to the City Commission by the Museum of Art—DeLand. Vice Mayor Paiva seconded the motion for discussion. The motion was approved by a vote of 4-3. Mayor Cloudman, Ms. Ran, and Mr. Budzinski dissenting.

Commissioner Paiva	YES
Commissioner Davis	YES
Commissioner Dan Reed	YES
Commissioner Kevin Reed	YES
Ms. Ran	NO
Mr. Budzinski	NO
Mayor Cloudman	NO

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:17 p.m.


Julia M. Hewitt, CMC
Interim City Clerk - Auditor

**MINUTES FOR A REGULAR MEETING OF
THE CITY COMMISSION OF THE CITY OF DELAND
HELD ON MONDAY, NOVEMBER 4, 2024, AT 7:00 PM
CITY HALL, COMMISSION CHAMBERS
120 SOUTH FLORIDA AVENUE**

CALL TO ORDER

The meeting was called to order by Mayor Cloudman at 7:17 p.m.

Mayor Cloudman requested that anyone present who wishes to address the City Commission on an item appearing on tonight's agenda, or with regard to an item not on the agenda, please fill out a Speaker's Card and give it to the City Clerk. The public has a right to speak with regard to any item on which the City Commission is to take action.

INVOCATION:

Pastor Sam Neal, First Assembly DeLand Church, gave the Invocation.

PLEDGE OF ALLEGIANCE: Mayor Cloudman led the Pledge of Allegiance.

ROLL CALL

Commissioner Charles Paiva	Present
Commissioner Jessica Davis	Absent
Commissioner Dan Reed	Present
Commissioner Kevin Reid	Present
Mayor Chris Cloudman	Present

ALSO PRESENT: Michael Pleus, City Manager; Aerial A. McCann, Acting City Attorney; Julie A. Hennessy, City Clerk-Auditor; Michael Grebosz, Assistant City Manager; Jason Umberger, Police Chief; Todd Allen, Fire Chief; Dan Stauffer, Finance Director; Rick Werbiskis, Community Development Director; Jim Ailes, Deputy Public Service/Utilities Director; Ray Bahrami, City Engineer; Rick Hall, Parks and Recreation Director; Ray Underwood, Public Works Director; Alberto Cirelli, Information Technology Director; Chris Graham, Community Information Manager; members of the public and press.

PRESENTATIONS

Mayor Cloudman announced the annual statewide essay contest with the Florida League of Mayors. He stated that middle school students are eligible to participate.

1. City of DeLand Super Star Students of the Month.

Mayor Cloudman read about each Super Star Student, and Vice Mayor Paiva presented the certificates.

2. Police Promotion – Lieutenant Jean Casseus.

Jason Umberger, Police Chief, read a biography of Lieutenant Jean Casseus and announced his promotion to Lieutenant. Lt. Casseus' wife pinned his badge.

3. Employee Years of Service Awards.

Commissioner Kevin Reid presented an award to Keith J. Bass, in recognition of ten years of service with the City of DeLand.

Commissioner Dan Reed presented an award to Christopher M. Murray, in recognition of ten years of service with the City of DeLand.

CONSENT AGENDA

1. Consideration re: State Revolving Fund Amendment #1 to Loan Agreement, WW641120 for Wastewater Treatment Facility Construction.
2. Consideration re Utility Service Agreement for Volusia County Fire Station #42.
3. Consideration re: Contract Approving Debris Monitoring Services with DebrisTech, LLC.
4. Resolution Approving the Removal of One Historic Tree located the Proposed Taylor Ridge Subdivision on the Northwest Corner of South Blue Lake Avenue and Taylor Road East.
5. Resolution Approving the Removal of One Historic Tree located in the Victoria Commons Subdivision, around Lake Victoria near the Intersection of West Lake Victoria and Endicott Way.
6. Consideration re: Scope of Services, Lead and Copper At-Risk Population Material Investigation Services.
7. Resolution re: Surplus Equipment.

Vice Mayor Paiva made a motion to approve consent agenda items 1-7. Commissioner Dan Reed seconded the motion, which carried unanimously, 4-0. *Commissioner Davis was not present.*

PETITIONS AND REQUESTS FROM THE PUBLIC PRESENT

Julie Garrett, SBA Disaster Loans, spoke about hurricane recovery and stated that, due to Hurricane Milton's declaration, many individuals and businesses may be eligible to apply for low-interest disaster loans. These loans would be appropriate for uncompensated losses.

Michael Pleus, City Manager, added that information has also been pushed out to residents through Community Development and Permitting Departments.

BOARD APPOINTMENT

1. Consideration re: Appointment to Spring Hill Community Redevelopment Agency (SHCRA).

City Clerk/Auditor Hennessy stated that the seat on the joint City/County Spring Hill CRA had been vacant for a while. Staff received an application from Markesha Lewis. The application meets the requirements for the vacant seat, and no other applications were received.

Vice Mayor Paiva made a motion to appoint Markesha Lewis to the SHCRA. Commissioner Kevin Reid seconded the motion, which carried unanimously, 4-0. *Commissioner Davis was not present.*

2. Announcement of Board Vacancies.

City Clerk/Auditor Hennessy announced Board Vacancies for the Brownfield Advisory Committee for the Beresford Reserve Development.

Mr. Pleus noted four (4) application submittals. He noted that the Commission had said five (5) would be ideal but that the committee should be appointed so they could begin working. He stated that staff would continue to push for additional applications at the City Commission's desire. Mr. Pleus said testing is continuing to be done and is a very iterative process. Ideally, the committee should be in place when a developer submits a remediation plan.

OLD BUSINESS

1. Continuation of Second Reading of Ordinance No. 2024-41, Annexing ±0.99 Acre of Property located on the South Side of Cassadaga Road, West of Interstate 4 (DeLand Tech Park).

Vice Mayor Paiva made a motion to grant a request by the applicant to continue the Second Reading of Ordinance No. 2024-41, to the December 16, 2024, City Commission meeting. Commissioner Dan Reed seconded the motion, which carried unanimously, 4—0. *Commissioner Davis was not present.*

2. Continuation of Second Reading of Ordinance No. 2024-42, Changing the Land Use for Approximately 0.987 Acre of Property, located on the South Side of Cassadaga Road, West of Interstate 4, from Volusia County Urban Low Intensity to City of DeLand Commerce (DeLand Tech Park).

Vice Mayor Paiva made a motion to grant a request by the applicant to continue the Second Reading of Ordinance No 2024-42, to the December 16, 2024, City Commission Meeting. Commissioner Dan Reed seconded the motion, which was carried unanimously, 4-0. *Commissioner Davis was not present.*

3. Continuation of Second Reading of Ordinance No. 2024-43, First Amendment to the DeLand Tech Park Planned Development; Approximately 143.24 Acres of Property located on the South Side of Cassadaga Road, West of Interstate 4, to Add 3.73 Acres of Property to Allow for off-site Tree Protection Areas (DeLand Tech Park)..

Vice Mayor Paiva made a motion to grant a request by the applicant to continue the Second Reading of Ordinance No 2024-43, to the December 16, 2024, City Commission Meeting. Commissioner Dan Reed seconded the motion, which was carried unanimously, 4-0. *Commissioner Davis was not present.*

4. Continuation of Second Reading of the Ordinance to Repeal and Replace a Portion of the I-4 Automall PD with Orange Camp DeLand PD.

Vice Mayor Paiva made a motion to continue the Second Reading of the Ordinance to the November 18, 2024, City Commission meeting. Commissioner Dan Reed seconded the motion, which carried unanimously, 4-0. *Commissioner Davis was not present.*

NEW BUSINESS

1. Request to Schedule Organizational Meeting.

City Clerk/Auditor Hennessy announced a general election was held on August 20, 2024, for the election of City Commission (Seat 2); the incumbent for Seta 4 was unopposed and automatically re-elected. She requested that an Organizational Meeting be scheduled on Tuesday, November 19, 2024, at 7:00 p.m.

Vice Mayor Paiva made a motion to schedule an Organizational Meeting on Tuesday, November 19, 2024, at 7:00 p.m. Commissioner Kevin Reid seconded the motion, which carried unanimously, 4-0. *Commissioner Davis was not present.*

Mayor Cloudman stated that a speaker card was submitted from Mr. Williams. He spoke about Kensington Church and invited anyone interested to attend.

CITY MANAGER REPORT

Mr. Pleus spoke about the following topics:

- Storm update.

CITY ATTORNEY REPORT

Mr. McCann had nothing to report.

CITY CLERK REPORT

Ms. Hennessy had nothing to report.

CITY COMMISSION

Commissioner Kevin Reid had nothing to report.

Commissioner Dan Reid had nothing to report.

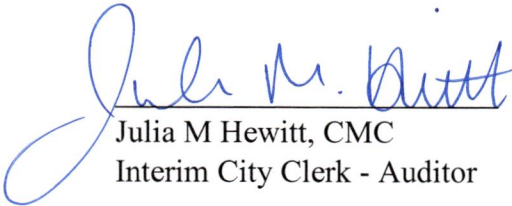
Vice Mayor Paiva thanked Mayor Cloudman and the City staff for the dedication of Charles Paiva Greenway. He stated his appreciation for such great honor.

Mayor Cloudman spoke about a recent meeting of the DeLand Youth Council. They have elected their officers for the new year, and they have helped judge an art contest at local elementary schools. He announced the winners of the contest. He also mentioned their first service project for the year at Earl Brown Park.

Mayor Cloudman announced upcoming events: Volusia County Veteran's Day Parade; and the Annual Ceremony at Dreggors Park.

ADJOURNMENT

There being no further business, the meeting was adjourned at approximately 7:53 p.m.


Julia M Hewitt, CMC
Interim City Clerk - Auditor

**MINUTES FOR A REGULAR MEETING OF
THE CITY COMMISSION OF THE CITY OF DELAND
HELD ON MONDAY, NOVEMBER 18, 2024, AT 7:00 PM
CITY HALL, COMMISSION CHAMBERS
120 SOUTH FLORIDA AVENUE**

CALL TO ORDER

The meeting was called to order by Mayor Cloudman at 7:00 p.m.

Mayor Cloudman requested that anyone present who wishes to address the City Commission on an item appearing on tonight's agenda, or with regard to an item not on the agenda, please fill out a Speaker's Card and give it to the City Clerk. The public has a right to speak with regard to any item on which the City Commission is to take action.

INVOCATION:

Pastor Dan Glenn, Stetson Baptist Church, gave the Invocation.

PLEDGE OF ALLEGIANCE: Mayor Cloudman led the Pledge of Allegiance.

ROLL CALL

Commissioner Charles Paiva	Present
Commissioner Jessica Davis	Present
Commissioner Dan Reed	Present
Commissioner Kevin Reid	Absent
Mayor Chris Cloudman	Present

ALSO PRESENT: Michael Pleus, City Manager; Darren Elkind, City Attorney; Julia M. Hewitt, Deputy City Clerk; Jason Umberger, Police Chief; Todd Allen, Fire Chief; Michael Grebosz, Assistant City Manager; Dan Stauffer, Finance Director; Rick Werbiskis, Community Development Director; Jim Ailes, Deputy Public Service/Utilities Director; Ray Bahrami, City Engineer; Rick Hall, Parks and Recreation Director; Ray Underwood, Public Works Director; Mark Hayward, Human Resources Director; Chris Graham, Community Information Manager; Debi Glick, Land Development Manager; Belinda Williams-Collins, Senior Planner; Kieu Moses, Risk/Safety/Events Manager; members of the public and press.

PRESENTATIONS

1. Police Promotion – Corporal Stephanie Nelson.

Jason Umberger, Police Chief, read a biography about Officer Stephanie Nelson, who has been promoted to Corporal Stephanie Nelson. Her father pinned her badge.

Mayor Cloudman congratulated Corporal Stephanie Nelson on behalf of the City Commission.

2. Proclamation, Wayne Carter Day.

Vice Mayor Paiva read the Proclamation for Wayne Carter Day, November 18, 2024, and Commissioner Dan Reed presented the Proclamation to representatives from MainStreet DeLand. Wayne Carter served as the Executive Director for MainStreet DeLand. Mr. Carter passed away on Thursday, November 14, 2024. He served the DeLand community with honor and dedication.

Mayor Cloudman stated that he had received several emails and letters from colleagues around the state who wished to echo sentiment about Wayne Carter and his impact on the State of Florida and MainStreet Associations across the state.

3. Resolution Honoring Jim Ailes.

Commissioner Dan Reed read Resolution No. 2024-101, designating a name for the new Utility Administration Building as the James V. Ailes Utility Administration Building.

Vice Mayor Paiva made a motion to approve Resolution No. 2024-101. Commissioner Davis seconded the motion, which carried by a unanimous vote, 4-0. *Commissioner Kevin Reid was not present.*

Mayor Cloudman announced a ribbon-cutting for the James V. Ailes Utility Administration Building to be held on Thursday, November 21, 2024, at 9:00 a.m.

Mr. Ailes thanked the City Commission of DeLand, Florida, for such a great honor.

4. Resolution Honoring the Retirement of Charles Paiva.

Mayor Cloudman opened the floor for the City Commissioners to share their sentiments with Commissioner Paiva upon his retirement.

Commissioner Davis read Resolution No. 2024-100.

RESOLUTION NO. 2024-100

A RESOLUTION OF APPRECIATION AND RECOGNITION BY THE CITY COMMISSION OF THE CITY OF DELAND, FLORIDA, TO CHARLES D. PAIVA IN RECOGNITION AND APPRECIATION OF OUTSTANDING SERVICE AS COMMISSIONER WITH ABSOLUTE INTEGRITY AND DEDICATION TO THE CITY OF DELAND; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Charles D. Paiva has served the City of DeLand with dedication and distinction for nineteen years, He served from 2001 to 2005, and was again elected in 2007 to Seat 2 of the DeLand City Commission, and has served as a City Commissioner until November 15, 2016 and 2018 to 2024 serving as Vice Mayor; and

WHEREAS, Commissioner Paiva has continuously demonstrated his commitment as a legislative official by taking a lead role in advocating for the trail system to include the DeLand Greenway, and was a significant proponent of the rejuvenation of Earl Brown Park and reconstruction of the Wayne G. Sanborn Center; and

WHEREAS, Commissioner Paiva recognized early, the importance of improving our City Customer Service and revitalizing the Downtown, Spring Hill and City parks; and

WHEREAS, Commissioner Paiva was an outstanding steward of the taxpayer's money and carefully examined the City's expenditures and explored and suggested ways to save money; and

WHEREAS, Commissioner Paiva has served on other city boards and as the commission's representative on certain selection committees to include the Airport Master Plan Committee, Charter Review Committee two times, DeLand Downtown Redevelopment Agency, and the Spring Hill Redevelopment Agency; and

WHEREAS, Commissioner Paiva was a strong supporter of our citizen's First Amendment Right; and

WHEREAS, his performance of the duties and responsibilities as a member of the City Commission, especially his leadership in providing a long term vision for the City has been characterized by excellent and constructive contributions to Deland Municipal Government. He has earned the admiration and high regard of all of those with whom he has come into contact, as well as the affection of his fellow public servants who are proud to call him a friend. His peers recognize him as someone who makes his decisions on personal values and integrity; and

WHEREAS, this Commission deems it fitting and proper to honor Charles D. Paiva and recognize him for his leadership, professionalism, and devotion to the preservation of the quality of life in the City of DeLand.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF DELAND, FLORIDA:

Section 1. That the City Commission of the City of DeLand does hereby commend Charles D. Paiva for his valuable service to this community and for the faithful, diligent and responsible manner in which he performed his duties.

Section 2. This resolution shall be spread upon the minutes of the City Commission of the City of DeLand as part of the permanent memento of the City's thanks and appreciation to Charles D. Paiva.

Section 3. This Resolution shall become effective immediately upon its adoption.

PASSED AND DULY ADOPTED this 18th day of November 2024.

/s/ Christopher M. Cloudman
Mayor - Commissioner

Attest:

/s/ Julie A. Hennessy
City Clerk – Auditor

Mayor Cloudman made a motion to approve Resolution No. 2024-101. Commissioner Davis seconded the motion, which carried unanimously, 4-0. *Commissioner Kevin Reid was not present.*

Vice Mayor Paiva shared his thoughts with the Commission, City Staff, and members of the community. He thanked everyone for giving him a chance in 2021 when he was only 26 years of age. He mentioned projects that stand out to him over the past twenty-three years, including the renovation of the Spec Martin Stadium, the forming of Spring Hill, the purchase of 128 acres of land for conservation in the area of Martin Luther King Road, the construction of downtown residential development, fire stations, city hall renovation, and the Greenway. He thanked the Planning Department for pushing developers for a product that is in the best interest of the City within the limits that must be abided by with state and federal regulations. He noted that his focus has always been on the City. He said the best action he had while serving on the City Commission was the motion to hire Michael Pleus as the City Manager. He noted that Mr. Pleus has guided the City admirably and with integrity. He also stated that he has enjoyed serving with his fellow commissioners. Vice Mayor Paiva noted that in the future, he would like to have so many police officers that funding has to be pulled from reserves to pay the salaries, aggressively pursuing land acquisitions for conservation for water recharge and passive recreation and demolition of the jail. Vice Mayor Paiva stated he was glad that his dad would be taking his seat on the commission.

CONSENT AGENDA

1. Resolution Approving Final Budget Amendment FY 2023-2024.
2. Resolution Approving Sole Source Purchase for Selectron Technologies, Inc. Managed Services.
3. Resolution Approving Sole Source Purchase of Airfield Safety Equipment from Hali-Brite, Inc.
4. Consideration re Utility Service Agreement for Summit Place.
5. Consideration re Freese and Nichols Professional Design Services for David E. Disney Tennis Center/Pickleball Court Expansion and Upgrade.
6. Consideration re Amendment #1, Construction Contract for Wiley M. Nash Water Reclamation Facility Upgrade.

7. Consideration re Collective Bargaining Agreement (CBA) with the International Union of Police Associations (IUPA) for Fiscal Year 2024-2025.

Vice Mayor Paiva requested that item 5 on the consent agenda be pulled for discussion.

Vice Mayor Paiva made a motion to approve items 1- 4 and 6-7 on the consent agenda. Commissioner Dan Reed seconded the motion, which carried by a unanimous vote, 4-0. *Commissioner Kevin Reid was not present.*

Vice Mayor Paiva thanked staff for recognizing the popularity of pickleball and he said this design and expansion was very exciting.

Vice Mayor Paiva made a motion to approve items 5 on the consent agenda. Commissioner Dan Reed seconded the motion, which carried by a unanimous vote, 4-0. *Commissioner Kevin Reid was not present.*

PETITIONS AND REQUESTS FROM THE PUBLIC PRESENT

The following individuals spoke regarding the stormwater and flooding issues in the City of DeLand. Several photographs were shown, and inquiries were made about how the city would address the problem. Speakers discussed the reason for the flooding issues, and there was consensus that development was creating the issue. One person thought the flooding was related to the construction of Starke Elementary School.

Lisa Smith, 1520 Rockingham Lane

Pat Joslin, 1330 E. Taylor Road

Tamika Joyce, 647 S. Thompson Avenue

Ann Miller, 1505 Rockingham Lane

Jorge Figueredo, Sr., 723 Ravenshill Way

J.C. Figueredo, 1359 Jackson Woods Road

Alex Dimitriu, 645 S. Thompson Avenue

Marywayne Wright, 960 S. Massachusetts Avenue

Reggie Williams, 505 W. Volusia Avenue

Kurt Backstrom, 534 N. Adelle Avenue, advocated for an ordinance to allow for tiny homes.

George Wright, 960 S. Massachusetts Avenue, spoke about a proposed development, Blue Lake Cove.

Michael Pleus, City Manager, stated that he had been working with Volusia County staff to identify a long-term solution to the flooding. He explained the areas that had been discussed and how the areas would be divided between the City and the County. He noted that applications had been submitted for grant funding to assist in addressing the flooding issues. He said part of what the study calls for is the identification and modeling of potential solutions to alleviate flooding.

Mayor Cloudman stated that the Round Table met this morning which includes representatives from the County and every City in the county. There has been discussion about what has occurred during and since Hurricane Milton and the need for collaborative work in finding long-term solutions to address the flooding now and in the future.

Mr. Pleus said the grant request included the identification of intermediate solutions that could be implemented short-term.

Commissioner Davis stated that she was pleased there were conversations about solutions. She works at Starke Elementary and sees the development. She noted that sometimes the information isn't shared right away, but she is looking forward to collaborative solutions.

OLD BUSINESS

1. Second Reading of Ordinance No. 2024-40, to Repeal and Replace a Portion of the I-4 Automall Planned Development with the Orange Camp DeLand Planned Development (1st Reading 10/07/24)

Mr. Elkind read Ordinance No. 2024-40 by title only.

ORDINANCE NO. 2024-40

AN ORDINANCE OF THE CITY COMMISSION OF DELAND, FLORIDA, AMENDING THE I-4 AUTOMALL, PLANNED DEVELOPMENT (PD) BY CHANGING THE ZONING OF APPROXIMATELY ±9.02 ACRES OF LAND FROM I-4 AUTOMALL PLANNED DEVELOPMENT (PD) TO ORANGE CAMP DELAND PLANNED DEVELOPMENT (PD) ON PROPERTY LOCATED AT 1600 ORANGE CAMP ROAD; APPROVING AN AMENDMENT TO A PLANNED DEVELOPMENT PLAN CONSISTING OF APPROXIMATELY ±9.02 ACRES OF PROPERTY; MAKING FINDINGS OF CONSISTENCY WITH THE COMPREHENSIVE LAND USE PLAN FOR THE CITY OF DELAND; DIRECTING CHANGE IN THE COMPREHENSIVE ZONING MAP; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Mayor Cloudman opened the public hearing.

Belinda Williams-Collins, Senior Planner, gave the staff presentation. She provided background details of the Ordinance.

Michael Woods, Cobb Cole, 231 Woodland Blvd, spoke about the ordinance. He stated that the main frontage road is the access point in the concept plan. There is a provision for a right-hand turn lane, subject to final approval by FDOT. He said Stewart Road has to remain to keep access rights for the people located north of the property until the new frontage road is constructed.

Thomas Totin, 214 Stonington Way, asked how much the property would be raised for development. He did not think the retention pond for his development could handle more stormwater. He was also interested in buffering around the project.

John Serrao, 228 Stonington Way, asked about the exact property boundaries. He also wondered where the eight (8) foot wall would be located.

Mr. Woods and his team provided responses to the inquiries from public participants. The boundaries are the same as the automall property but the entirety of the automall will not be used. The eight (8) foot wall will be located right on the edge of the property where the roadway hugs the common boundary line. The gap between where the wall is and the development of the commercial parcel, there is approximately 120 feet of roadway and a buffer before the automall parcel. A concept plan was displayed to demonstrate the proposed configuration of the project.

With regard to stormwater, the project is designed within the higher stormwater volume measurement for 100-year storm 24-hour event, as required within the City's comprehensive plan. Also, the PD also included language to ensure that historic flows would not be impeded.

Mayor Cloudman stated that an elected official from Lake Helen raised concerns about projects being developed under 25-year storm events. He asked Mr. Woods if he had any knowledge about the other part of the site. Mr. Woods did not have immediate knowledge.

Commissioner Davis pointed out that residents are more pleased with this project than with the automall project. She felt the use was more compatible with what the neighbors wanted to see in the area.

The public hearing was closed.

Vice Mayor Paiva made a motion to approve the second reading of Ordinance No 2024-40. Commissioner Dan Reed seconded the motion, which was carried with a unanimous vote of 4-0. *Commissioner Kevin Reid was not present.*

NEW BUSINESS

1. First Reading of Ordinance Amending the DeLand Cloisters Planned Development to Add a 1.0-Acre Lot to the Planned Development, Remove the 55+ Age Restriction, and Add Uses. (DeLand Cloisters).

Mr. Elkind read the Ordinance by title only.

ORDINANCE NO. 2024-__

AN ORDINANCE OF THE CITY COMMISSION OF DELAND, FLORIDA, AMENDING THE CLOISTERS PLANNED DEVELOPMENT (PD), ON PROPERTY LOCATED AT 400 EAST HOWRY AVENUE AND 137 SOUTH ARLINGTON STREET; APPROVING AN AMENDMENT TO A PLANNED DEVELOPMENT PLAN CONSISTING OF APPROXIMATELY 14.17 +/- ACRES OF PROPERTY; MAKING FINDINGS OF CONSISTENCY WITH THE COMPREHENSIVE LAND USE PLAN FOR THE CITY OF DELAND; DIRECTING CHANGE IN THE COMPREHENSIVE ZONING MAP; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Mayor Cloudman opened the public hearing.

Belinda Williams-Collins, Senior Planner, gave the staff presentation. She provided background details of the Ordinance.

Commissioner Davis asked why the age requirement was being changed. Ms. Collins said there were vacancies and the thought that if the age requirements were changed, there would be fewer vacancies. Commissioner Davis asked if the property was appropriate for multi-family. Ms. Collins said the units would remain as they are, and she thought they could accommodate multi-family uses.

Commissioner Dan Reed asked about parking on the additional parcel. He wondered if that parking was for the taller building, and Ms. Collins said that the parking area was for residents' use. Commissioner Reed asked if all of the residents under 55 years of age would be in affordable housing.

Mayor Cloudman noted that strong concerns were expressed about parking at this site. Ms. Collins said the existing parking situation was permitted because of the PD, and this situation was unique because the property was built out. She said one thing the applicant had suggested was that some of the spaces be updated to accommodate compact vehicles.

Jack Straw, Project Manager with Pacifica, was present representing the Cloisters project. He presented a history of the project and discussed the change of use and vacancies experienced in the development. He stated that the pursuit of a change of use to multi-family was the most financially feasible option. He stated that the Cloisters Planned Development Agreement would need to be amended to accommodate a change of use for the site. Mr. Straw explained the parking requirements and parking accommodation, as well as bicycle parking and transit.

Mr. Straw said the new parking lot was across the street, the shortest possible distance residents could walk to access off-site parking.

There was discussion among the commissioners about the parking issues and whether the parking was adequate to accommodate the requested PD amendment.

Deirdre Safikhani, 400 E. Howry Avenue #20, referred to an email she sent to the City Commissioners. She expressed concern about the massive lack of parking now and noted that the development is not occupied to capacity. She also noted that no services were provided.

Karen Crawford, 400 E. Howry Avenue, #320, expressed concern with the challenges she has experienced within the development. She noted that people race to get to the apartments because the parking lot is full after 4:00 p.m. She also mentioned that people sleep in the building on the third floor because the building is not secure. She urged the City Commission to pause this request until the parking can be more appropriately addressed.

Rich Pernell, 400 E. Howry Avenue, #717, also expressed concerns echoing those already mentioned. He also suggested that some amenities would need to be in place for multi-family. He said that if children were going to be permitted in the neighborhood, there should be places for them to go. Even though the parking lot is lit, he said there was no lighting provided for crossing Howry Avenue.

Mr. Straw addressed concerns raised by public participants. He continued to advocate for the PD amendment request.

The public hearing was closed.

Vice Mayor Paiva made a motion to Deny the first reading of the Ordinance due to the lack of continuity between various age blending and the lack of safe and convenient parking, which go against the design of the initial PD. Commissioner Dan Reed seconded the motion, which carried by a unanimous vote of 4-0. *Commissioner Kevin Reid was not present.*

Commissioner Paiva	YES
Commissioner Davis	YES
Commissioner Dan Reed	YES
Mayor Cloudman	YES

2. First Reading of Ordinance Changing the Land Use Designation of Approximately ±0.2 Acre of Property, located at 400 East Howry Avenue from Medium Density Residential to High Density Residential (DeLand Cloisters).

Mr. Elkind read the Ordinance by title only.

ORDINANCE NO. 2024-__

AN ORDINANCE OF THE CITY COMMISSION OF DELAND, FLORIDA, AMENDING THE COMPREHENSIVE PLAN FOR THE CITY OF DELAND BY CHANGING THE LAND USE DESIGNATION OF CERTAIN PROPERTIES LOCATED AT 400 EAST HOWRY AVENUE; FROM MEDIUM-DENSITY RESIDENTIAL TO HIGH-DENSITY

RESIDENTIAL FUTURE LAND USE DESIGNATION, PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Mayor Cloudman opened the public hearing.

Belinda Williams-Collins, Senior Planner, gave the staff presentation. She provided background details of the Ordinance.

The public hearing was closed.

Vice Mayor Paiva made a motion to Deny the first reading of the Ordinance. Commissioner Dan Reed seconded the motion, which carried by a unanimous vote of 4-0. *Commissioner Kevin Reid was not present.*

Commissioner Paiva	YES
Commissioner Davis	YES
Commissioner Dan Reed	YES
Mayor Cloudman	YES

3. First Reading of Ordinance to Update Land Development Regulations Related to Off-Street Parking Reduction for Added Bicycle Parking.

Mr. Elkind read the Ordinance by title only.

ORDINANCE NO. 2024-__

AN ORDINANCE OF THE CITY COMMISSION OF DELAND, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF DELAND LAND DEVELOPMENT REGULATIONS BY AMENDING SECTION 33-91.03(L) “BICYCLE PARKING” AND PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

Mayor Cloudman opened the public hearing.

Deborah Glick, Development Services Manager, gave the staff presentation. She provided background details of the Ordinance.

Vice Mayor Paiva thanked Carol Kuhn and the Planning Department for bring this amendment back to the City Commission.

Vice Mayor Paiva made a motion to approve the first reading of the Ordinance. Commissioner Davis seconded the motion, which carried by a unanimous vote of 4-0. *Commissioner Kevin Reid was not present.*

Commissioner Paiva	YES
Commissioner Davis	YES
Commissioner Dan Reed	YES
Mayor Cloudman	YES

4. Consideration re Recission of Automall Settlement Agreement with Lake Helen and Adoption of New Interlocal Agreement with Lake Helen.

Mr. Elkind, City Attorney, gave the presentation, providing background details about the Recission of the Automall Settlement Agreement and Adoption of a new Interlocal Agreement with Lake Helen. He said the interlocal agreement confirms the settlement of the case and that each city would provide notice to the other city about development applications in the spirit of cooperation. He further explained the acknowledgement of a right-in-only proposed lane. One of the DeLand City Staff's concerns was developing the property without installing more of the frontage road. It was agreed that the frontage road needed to be the focal access point for the rest of the property, most of which is in Lake Helen.

Vice Mayor Paiva made a motion to approve the Recission of the Automall Settlement Agreement with Lake Helen and the Adoption of a New Interlocal Agreement with Lake Helen. Commissioner Dan Reed seconded the motion, which carried by a unanimous vote of 4-0. *Commissioner Kevin Reid was not present.*

5. Resolution Certifying the Result of 2024 General Election.

Vice Mayor Paiva made a motion to approve the Resolution . Commissioner Dan Reed seconded the motion, which carried by a unanimous vote of 4-0. *Commissioner Kevin Reid was not present.*

6. Resolution Certifying the Result of 2024 Charter Referendum.

Vice Mayor Paiva made a motion to approve the Resolution. Commissioner Davis seconded the motion, which carried by a unanimous vote of 4-0. *Commissioner Kevin Reid was not present.*

7. Resolution Certifying the Results of 2024 Tax Abatement Referendum.

Vice Mayor Paiva made a motion to approve the Resolution. Commissioner Davis seconded the motion, which carried by a unanimous vote of 4-0. *Commissioner Kevin Reid was not present.*

CITY COMMISSION REPORTS

1. Report re Elected Officials Round Table - Mayor Cloudman gave a report.
2. Report re River-to-Sea TPO - Mayor Cloudman gave a report.
3. Report re River of Lakes Heritage Corridor - Commissioner Dan Reed gave a report.

CITY MANAGER REPORT

Nothing to report.

CITY ATTORNEY REPORT

Nothing to report.

CITY CLERK REPORT

Nothing to report.

CITY COMMISSION

Commissioner Dan Reed wished everyone a Happy Thanksgiving.

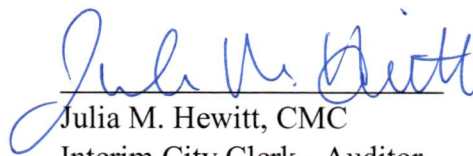
Commissioner Davis stated that she had presented a Proclamation for the 30th Anniversary of the African American Museum of Arts. She thanked Chris Graham for the Touch a Truck Event for the Starke Elementary Students.

Vice Mayor Paiva stated DeLand is a wonderful city and thanked everyone for the kind words of recognition.

Mayor Cloudman wished everyone a Happy Thanksgiving. He also thanked Vice Mayor Paiva for his steadfast friendship and service to the City of DeLand.

ADJOURNMENT

There being no further business, the meeting was adjourned at 10:50 p.m.


Julia M. Hewitt, CMC
Interim City Clerk - Auditor

CITY OF DELAND
Request for Commission Action
February 17, 2025

SUBJECT: Consideration re Appointment to DeLand Housing Authority.

DEPARTMENT: City Clerk

PREPARED BY: Julia Hewitt, Deputy City Clerk

ATTACHMENTS: Ruth Stanley Re-Appointment Email, Ruth Stanley Original Application, Member List

APPROVED BY: Michael Pleus, City Manager, February 13, 2025

SUMMARY/HIGHLIGHT:

The term for Seat 2 on the DeLand Housing Authority has expired. Terms are for four (4) years. A majority of the Board Members are required to be residents of the City of DeLand. Staff has not received any applications, but has received a request for reappointment from Ruth Stanley (current Seat 2 member), who is a City resident.

STRATEGIC PLAN FOCUS AREA/ACTION STEP:

Citizen Advisory Boards support the focus area of "High Value Government."

SUSTAINABILITY:

N/A

FISCAL IMPACT:

N/A

RECOMMENDATION:

It is recommended that the City Commission reappoint Ruth Stanley to Seat 2 on the DeLand Housing Authority, for a term to expire November 1, 2028.

BACKGROUND/DISCUSSION:

N/A

August 20, 2024

Dear Ms. Hennessy,

I am on the board for the Deland Housing Authority and my term expires on November 1, 2024. It has been my privilege to be part of the growing process with development and the ongoing mission of the Deland Housing Authority in assisting families in need. It is a community within a community and one of which I and the city can be proud of.

I am grateful to be on the board and I am respectfully asking to be reappointed to serve another four years.

Thank you for your kind consideration of my request.

Sincerely,


Ruth Stanley

4124 Huckleberry Lane

Deland, Florida 32724

To: Kimberly Cline
Deputy City Clerk
626-7140
4 pgs.



CITY OF DeLAND

APPLICATION FOR APPOINTMENT

DeLAND HOUSING AUTHORITY

CRITERIA: Majority must be City residents.

DUTY: A local public housing agency for undertaking and carrying out preliminary planning of low-rent housing projects and financial assistance in providing low-rent housing by leasing dwelling units in existing privately-owned structures.

APPLICANT INFORMATION

Please Type, if possible (or print clearly)

Date: Dec. 30, 2008

Name: Stanley Ruth D
(Last) (First) (Middle)

Address: (H) 100 E Kentucky Ave # G2 Zip Code: 32724

(O) 100 E Kentucky Ave. Zip Code: 32724

Phone: (H) (386) 738-2455 (O) (386) 738-0409

Employer: DeLand Oaks Assoc., Inc.

Position: CAM MANAGER How Long: 3 yrs

Education: School Yrs. Completed Degrees

High School: Hope High School 3 Yes

Colleges: D Daytona Beach Comm. College 2 Yes AA
U.C.F. 2 BA

1. Are you a City of DeLand resident? Yes ☒ No ☐
2. Do you own property in DeLand? Yes ☒ No ☐
3. Are you currently serving on a City Board? Yes ☐ No ☒
4. Have you ever served on a City Board? Yes ☐ No ☒
If yes, when and which board? _____
5. How long have you lived in the DeLand area? Years over 30

Work Experience:

See attached resume.

Community Involvement:

See attached resume.

Interests/Activities:

See attached resume.

Why do you desire to serve on this Board?

It would be my pleasure to serve on a Board with ladies and gentlemen who continue to make a difference in our community.

A resume or separate sheet with additional information may be included.

I understand the responsibilities associated with being a Board member, and I have adequate time to serve on the above Board(s).

Ruth D. Stanley

Signature

If you have questions, please call the Office of City Clerk (626-7130). Return this form to City Hall, 120 South Florida Avenue, DeLand 32720 ATTN CITY CLERK.

RUTH D. STANLEY, CLA
100 E. Kentucky Ave., G2,
DeLand, FL 32724
386-738-2455(h)/386-235-3403(m)
rstanley6@cfl.rr.com

Education:

University of Central Florida	Bachelor of Arts	May 1991
Continued Legal Education Credits		Ongoing

Experience:

DeLand Oaks Association	Feb. 2006 – Present
Property Manager	

Responsibilities: Volunteered when serving as Board President. Obtained CAM license to manage property and maintenance personnel. Duties include all accounts receivable, accounts payable, work with vendors to obtain quotes for Board consideration. Work with Board, owners and renters to maintain a workable community. Prepare notices and agendas for Board meetings and annual meeting and any other such duties as directed by the Board.

Astrid deParry, P.A.	Oct. 10, 2005 – Nov. 8, 2006
Paralegal/Bookkeeper	

Responsibilities: Assisted the attorney in the preparation of estate planning documents, matters of probate; also handled all accounting including payables, receivables, sales taxes, and Florida Department of Revenue reports; maintained all records, and other various secretarial/bookkeeping duties.

EBI/Exhibit Builders, Inc.	April 91 – Dec. 04
Manager, Business & Legal Affairs	

Responsibilities: Part-time developed into full time position. Managed licensing and accounting departments, maintained corporate books, contracts, licensing, royalty reports, property updates and maintained good Licensee/licensor communication both oral and written.

Handled all accounting including payables, receivables, sales taxes, and Florida Department of Revenue reportings; maintained all records, and other various secretarial/bookkeeping duties. Position terminated due to economic turndown.

Landis, Graham, French et al	4 Years
Paralegal	

Responsibilities: Paralegal to tax attorney, assisted in estate planning, probate, and some real estate and municipality law. Scheduled all appointments; drafted correspondence and documents, maintained calendar, and good relations and communications with clients both written and oral.

RUTH D. STANLEY, CLA
100 E. Kentucky Ave., G2,
DeLand, FL 32724
386-738-2455(h)/386-235-3403(m)
rstanley6@cfl.rr.com

Professional/Personal Accomplishments:

FL Dept. of Business & Professional Regulations
CAM License No. CAM30370 License Expires Sept. 2010

BAM/Business Association Managers Member 2008 - 2009

NALA/National Association of Legal Assistants
Certified Paralegal designation Certificate Expires April 2009

Notary Public, State of Florida Commission Expires May 2009

NALA Liaison for Volusia Association of Paralegals 2008 - Present
DeLand Oaks Condominium Association President 2006
DeLand Oaks Condominium Association Vice President 2005
2nd Vice President, VAP/Volusia Association of Paralegals 2005
Published Poet - 2004, 2005
Organized and Chaired RI High School Reunion October 2003
Instrumental in the Mural Project for MainStreet DeLand 1996

References: Available upon request.

DELAND HOUSING AUTHORITY

Revised 01-24-25

Four Year Terms

SEAT	MEMBER	ZIP CODE	TELEPHONE	APPOINTED	TERM EXPIRE
1 (R)	Trude Cole Chairwoman (Lake County) 33125 Forest Drive DeLand FL trude.cole@td.com	32720	(386) 624-8266 (C) (386) 428-3926 (W)		03-17-13 11-01-2026
2 (R)	Ruth Stanley, Vice-Chair (City) 100 E. Kentucky Ave., G2 DeLand FL ruth@delandoaks.com	32724	(386) 738-2455 (H) (386) 235-3403 (C)	02-02-09	11-01-2024
3 (R)	Damion Jones (City) 522 Anne St. DeLand FL damethadbiz@gmail.com	32724	(832) 703-9783 (C)	12-19-11	11-01-2025
4**	Hilma Blair 339 Downstream Loop Orange City blairhilma@yahoo.com	32763	(386) 846-0289	12-19-11	11-01-2026
5 (R)	Mike Newberry (City) 1508 Ginger Snap Trail DeLand FL mnewberry@contractorsbusinesssys.com	32720	(386) 801-2441	07-21-14	11-01-2025

(R): City resident

Membership requirements:

Florida Statutes require that one member be a resident of the Housing Authority.

Resolution 90-52 requires that a majority of the membership be City residents (3 of the 5 members)

**This is the seat reserved for Housing Authority resident or Section 8 recipient.

Millie Quinones, Executive Director
DeLand Housing Authority
1450 South Woodland Blvd., Suite 200A
DeLand, FL 32720
386-736-1696
mquinones@delandhousing.com

CITY OF DELAND
Request for Commission Action
February 17, 2025

SUBJECT: Consideration re Appointment to Opioid Abatement Funding Advisory Board.

DEPARTMENT: Legal

PREPARED BY: Darren Elkind, City Attorney

ATTACHMENTS: Opioid-Board-UpdatedBylaws-Approved-6-21-24-signed

APPROVED BY: Michael Pleus, City Manager, February 13, 2025

SUMMARY/HIGHLIGHT:

The appointment of a primary and alternate member to the Opioid Abatement Funding Advisory Board is requested. Staff recommends reappointing Michael Grebosz, Assistant City Manager, as primary member and Todd Allen, Fire Chief, as an alternate member to the Opioid Abatement Funding Advisory Board.

STRATEGIC PLAN FOCUS AREA/ACTION STEP:

High value government.

SUSTAINABILITY:

N/A

FISCAL IMPACT:

There are no costs associated with this item except for the devotion of administrative time to the matter. The funds that ultimately derive from the resolution of the Opioid Litigation will be targeted to activities, actions and uses that relate to the harm resulting to the City and its citizens.

RECOMMENDATION:

City staff recommends that the City Commission reappoint Michael Grebosz, Assistant City Manager, as the primary member and Todd Allen, Fire Chief, as an alternate member to the Opioid Abatement Funding Advisory Board.

BACKGROUND/DISCUSSION:

The Florida Legislature enacted House Bill 5013 and created the Opioid Settlement Clearing Trust Fund in the Department of Financial Services. The bill provides that funds credited to the Trust Fund shall consist of payments received by the State from settlements reached from opioid related litigation or bankruptcy actions. The bill specifies that the monies disbursed or transferred from the Trust Fund must be used to abate the opioid epidemic and each county must have an opioid task force in place to collect information related to substance abuse disorders in the county and provide that information to the county, along with recommendations on responding to the opioid epidemic with all municipalities participating in the process.

The Advisory Board is to assist in the distribution of City/County and Regional Settlement funds within Florida, the requirements to receive and manage Regional funds and the purposes for which Regional funds may be used. The Advisory Board will continue to provide local governments with relevant information on the

opioid national crisis as well as information and analysis on the nature, extent and problems in Volusia County.

The Advisory Board was established by Interlocal Agreement Governing Use of Volusia County Regional Opioid Settlement Funds on January 26, 2022, by and between Volusia County, and the City of Daytona Beach, the City of Daytona Beach Shores, the City of DeBary, the City of DeLand, the City of Deltona, the City of Edgewater, the City of Holly Hill, the City of Lake Helen, the City of New Smyrna Beach, the City of Orange City, the City of Ormond Beach, the Town of Ponce-Inlet, and the City of Port Orange.

BYLAWS
OPIOID ABATEMENT FUNDING ADVISORY BOARD
“ADIVSORY BOARD”

Adopted: February 24, 2023
Revised: _____

ARTICLE I. NAME.

The name of this organization shall be the Opioid Abatement Funding Advisory Board (“Advisory Board”).

ARTICLE II. AUTHORITY AND PURPOSE.

SECTION 2.01. AUTHORITY.

The Advisory Board was established by the Interlocal Agreement Governing Use of Volusia County Regional Opioid Settlement Funds (“Agreement”) as entered into on January 26, 2022, by and between Volusia County, a political subdivision of the State of Florida, hereinafter referred to as the “County,” and the City of Daytona Beach, the City of Daytona Beach Shores, the City of DeBary, the City of DeLand, the City of Deltona, the City of Edgewater, the City of Holly Hill, the City of Lake Helen, the City of New Smyrna Beach, the City of Orange City, the City of Ormond Beach, the Town of Ponce-Inlet, and the City of Port Orange, hereinafter referred to as the “Cities.”

SECTION 2.02. PURPOSE.

The purpose of the Advisory Board is to assist in the distribution of City/County and Regional Settlement funds within Florida, the requirements to receive and manage Regional funds and the purposes for which Regional funds may be used. The Advisory Board will continue to provide local governments with relevant information on the opioid national crisis as well as information and analysis on the nature, extent and problems in Volusia County and on opioid-related programs consistent with the State Memorandum of Understanding and Interlocal Agreement.

1. The Advisory Board shall establish an annual process which must include the following:
 - a. A date certain each year by which the Opioid Abatement Funding Advisory Board must meet and review the data available from previous years, tending to evidence the local status of the opioid epidemic and the effect of abatement programing.
 - b. A member of the Advisory Board shall abstain from voting on a proposal for funding a program or service provided by that member’s local government.

- c. The Advisory Board must review the programs and services of the beneficiaries of Volusia County Regional Funds to determine the outcome of such programs and services in order to hold beneficiaries accountable.
- d. The Advisory Board must annually make recommendations on funding, programs, services, and location priorities for the upcoming year(s) (“Opioid Abatement Funding Advisory Board Priority List, “Priority List,” or “Abatement Plan”). County Council shall have final approval of the Abatement Plan, or any amendments thereto.
- e. Final Review recommendations will be approved by the Advisory Board, who shall present recommendations to the County Council for approval.
- f. The Advisory Board shall recommend, and the County Council shall use its best efforts to fund services and programs that are available to all residents of Volusia County and shall strive to allocate funding and services in a manner that equally benefits all residents of Volusia County.

SECTION 2.02. ADMINISTRATIVE COSTS.

The County is responsible for administering the “Regional Funds” remitted pursuant to the State MOU and, therefore County staff will support the Opioid Abatement Funding Advisory Board and shall provide all support services including but not limited to legal services, as well as contract management, program monitoring, and reporting required by the State MOU and is entitled to the maximum allowable administrative fee pursuant to the State MOU. The administrative fee will be deducted annually from the amount of available Volusia County Regional Funds, and the remaining Volusia County Regional Funds will be spent as provided in the State MOU and as provided herein.

SECTION 2.03 INDEMNIFICATION.

Each City and the County shall be responsible for their respective employees’ acts of negligence when such employees are acting within the scope of their employment and shall only be liable for any damages resulting from said negligence to the extent permitted by Section 768.28, Florida Statutes. Nothing herein shall be construed as a waiver of sovereign immunity, or the provisions of F.S. § 768.28, by either Party. Nothing herein shall be construed as consent by either Party to be sued by third parties for any matter arising out of this Agreement.

ARTICLE III. MEMBERSHIP.

SECTION 3.01 COMPOSITION.

The Advisory Board members shall be comprised of members who should have experience with law enforcement, fire rescue, substance abuse treatment, or other relevant experience:

1. One member appointed by the City of Daytona Beach;
2. One member appointed by the City of Daytona Beach Shores;
3. One member appointed by the City of DeBary;
4. One member appointed by the City of DeLand;
5. One member appointed by the City of Deltona;
6. One member appointed by the City of Edgewater;
7. One member appointed by the City of Holly Hill;
8. One member appointed by the City of Lake Helen;
9. One member appointed by the City of New Smyrna Beach;
10. One member appointed by the City of Orange City;
11. One member appointed by the City of Ormond Beach;
12. One member appointed by the Town of Ponce Inlet;
13. One member appointed by the City of Port Orange;
14. One member appointed by the Volusia County Council.

Members are appointed for two-year terms beginning October 1, 2024 and every two years thereafter. The County and each City may also appoint an alternate member, who may participate in the same manner as a primary appointed member in the event that member is absent from a noticed public hearing. The alternate member is subject to the same duties and responsibilities, including subject to the Sunshine Law and Open Records requirements, as the appointed member. The composition of the Advisory Board shall also accord with rules and guidance of the Interlocal Agreement Governing Use of Volusia County Regional Opioid Settlement Funds ("Agreement") and the State Memorandum of Understanding ("MOU") and in the event of any conflict between these Bylaws and the Agreement and MOU, the Agreement and MOU shall take precedence and these Bylaws shall be promptly amended.

SECTION 3.02 OFFICERS

At the first meeting of the Advisory Board in any fiscal year, the Advisory Board shall elect from their own membership a Chairperson and a Vice-Chairperson. The Chairperson shall preside over meetings of the Advisory Board and shall forward applicable actions taken by the Advisory Board to the Volusia County Council for whatever action the Advisory Board deems appropriate. In absence of the Chairman or in the event of his or her inability to act, the Vice-Chairman shall exercise all powers and duties of the Chairman. The terms of office for all officers shall begin upon election and terminate at the time successors are elected at first meeting of a new fiscal year. Any officer may be re-elected for the same office and may serve consecutive terms as, if so elected. A vacancy in any office may be filled by the Advisory Board at any regular meeting.

ARTICLE IV. FUNCTIONS AND RESPONSIBILITIES.

The Advisory Board shall act, at all times, in accordance with the Interlocal Agreement Governing Use of Volusia County Regional Opioid Settlement Funds as entered into on January 26, 2022, and shall have those power, duties, functions, and responsibilities set forth therein.

The Advisory Board shall, without limitation, further the goals in the Opioid Abatement Funding Advisory Board Priority List, as reflected in Schedules A and B in the Interlocal Agreement and generally, but not limited to:

- (a) Assist in the distribution of City/County and Regional Settlement funds within Florida, the requirements to receive and manage Regional Funds and the purposes for which Regional Funds may be used.
- (b) Provide local governments with relevant information on the opioid national crisis as well as information and analysis on the nature, extent and problems in Volusia County and on opioid-related programs
- (c) Combat the opioid epidemic, to mitigate the harmful effects of the opioid epidemic in the community, and to increase educational campaigns to counteract misinformation about the addictive nature and harmful effects of opioids.
- (d) Provide or contract to provide substance abuse, prevention, recovery, and/or treatment services to citizens in Volusia County.
- (e) Enhance or supplement any current programs and policies for the abatement of opioid, including but not limited to: carrying Narcan by law enforcement officers, first responders, and corrections officers.
- (f) Provide pro-active support systems such as educational materials and services to reach at-risk individuals identified through historical opioid events and historical locations of events; as well as intervention for individuals suffering from opioid abuse in the criminal justice system.
- (g) Use data driven abatement programs based upon community impacts without regard to governmental jurisdictional boundaries.
- (h) Review and consider data provided by the Opioid Task Force.

ARTICLE V. MEETINGS.

SECTION 5.01. SCHEDULE.

The Opioid Abatement Funding Advisory Board shall meet regularly and as often as needed to effectuate its responsibilities, but no less than semi-annually and on a schedule which allows the Opioid Task Force to provide the data compiled for and arising out of its semi-annual meeting to the Opioid Abatement Funding Advisory Board for review and consideration. A majority of the total membership of the Opioid Abatement Funding Advisory Board constitutes a quorum. Not less than three (3) days notice shall be given for all regular meetings and not less than forty-eight (48) hours' notice shall be given for all special meetings of the Advisory Board. Meetings shall be accessible, noticed, and open to the public in accordance with Florida law.

SECTION 5.02. NOTICE.

Except as otherwise stated herein, meetings of the Advisory Board shall be noticed to the public in accordance with County of Volusia procedures and in substantially the same manner as meetings of the Volusia County Council are noticed. All meetings shall be open to the public and news media. Advisory Board members shall not discuss matters with each other outside of a public meeting that are related to their duties and functions as members of the board, all in accordance with Section 286.011, Florida Statute.

SECTION 5.03. QUORUM.

A majority of the members of the Advisory Board shall constitute a quorum for the transaction of any business at any meeting of the Advisory Board.

SECTION 5.04. VOTING.

Each member of the Advisory Board will have an equal vote, assuming a quorum is present. Except as otherwise stated in these Bylaws, an affirmative vote on an issue or decision is by a simple majority of the voting members in attendance at any Advisory Board meeting. So long as there is a quorum physically present, the present members may allow a member to participate and vote by teleconferencing or other technological means if in their good judgement that member is unable to attend due to extraordinary circumstances.

SECTION 5.05. MINUTES.

Minutes shall be kept in accordance with County of Volusia procedures and in substantially the same manner as meetings of the Volusia County Council.

SECTION 5.06. PROCEDURE.

Except as otherwise provided in these Bylaws, Roberts Rules of Order latest edition shall be followed at all meetings.

ARTICLE VI. REVISION OF BYLAWS.

The Advisory Board shall review these Bylaws from time to time and update them as needed. The Bylaws may be revised by an affirmative vote of at least two-thirds of the Advisory Board members present at a regular or special meeting of the Advisory Board, provided that a copy of the proposed revisions are furnished to every member of the Advisory Board no fewer than three (3) business days prior to the meeting at which a vote to revise is taken. For the purposes of these Bylaws, the term "business day" means any weekday (to exclude Saturday and Sunday) that is not designated as a work holiday by the County of Volusia.

ARTICLE VII. GOVERNING LAWS.

The laws of the State of Florida shall govern the bylaws.

Bill Pantingto Vice Chair
for Danny Robins, Chair

Attest: Alex Fox - Special Projects Coordinator
County of Volusia

Michael Fox