



CITY OF DELAND
REGULAR MEETING OF THE CITY COMMISSION
APRIL 4, 2022 AT 7:00 PM
CITY HALL, COMMISSION CHAMBERS
120 SOUTH FLORIDA AVENUE

AGENDA

CALL TO ORDER

INVOCATION-Pastor Mike Carroll, First Assembly DeLand

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATIONS

1. Art in Public Places, Blue Lake Elementary.
2. Proclamation, National Healthcare Decisions Month.
3. Proclamation, Water Conservation Month.
4. Introduction of New Police Officer, Griffen Bernardo.
5. Certificate of Appreciation in Honor of the Retirement of Detective Thomas Gillan.
6. Resolution No. 2022-23, in Honor of the Retirement of Lieutenant Chris Jaques.

CONSENT AGENDA

1. Resolution Approving Surplus of Glock Firearm for Detective Thomas Gillan Upon His Retirement.

It is recommended that the City Commission adopt the Resolution declaring the referenced Glock firearm as surplus and present it to Det. Thomas Gillan for his years of service to the City of DeLand.

2. Resolution Approving Surplus of Glock Firearm for Lieutenant Chris Jaques Upon His Retirement.

It is recommended that the City Commission adopt the Resolution declaring the referenced Glock firearm as surplus and present it to Lt. Chris Jaques for his years of service to the City of DeLand.

3. Resolution Approving Budget Amendment for FY 21-22.

Presentation of second quarter budget amendment recognizing anticipated actual revenues and expenditures.

4. Resolution Approving Sole Source Purchase, ESRI 3-Year Agreement.

ESRI is the owner and manufacturer, and the sole source provider of all US domestic Small Municipal and County Government Enterprise Agreements.

5. Consideration re Settlement re John Anderson, et al vs. City of DeLand (Workman Compansation Case).

It is recommended the City Commission approve the settlement in the amount of \$75,000.00.

6. Consideration re First Amendment to Property Access Agreement for Brownfield Program Groundwater Testing.

Granting access to CR Florida Real Estate, LLC to city right-of-way for installation of an additional ground water well for sampling.

7. Consideration re Award of Bid for South Reclaim Pump House & Reclaimed Water Main Extension.

Staff recommends that the City Commission award the South Reclaim Pump House and Reclaimed Water Main Extension Project to McMahon Construction Co., Inc. in the amount of \$2,641,000.00.

8. Consideration re Task Order Assignment, South Reclaim Pump Station CEI Services.

Staff recommends that the City Commission approve the subject task order with Mead & Hunt to provide CEI Services for the south Reclaim Pump Station and Reclaimed Water Main Extension.

9. Consideration re West Volusia Water Suppliers Interlocal Agreement for Water Capital Project Planning and Programming.

Staff recommends that the City Commission approve execution of the interlocal agreement and approval to enter into the contract with Mead and Hunt (pending approval of the interlocal agreement by all parties) for the purposes of delivering the aforementioned proposal scope items.

10. Consideration re Award of Bid for Melching Field – Field Improvements - Bid No. 22-08.

Staff recommends that the City Commission award the Melching Field – Field Improvements Bid No. 22-08 to Burke Construction Group, Inc. for the amount negotiated and agreed to by City Staff. This amount will be lower than the bid amount of \$1,333,600.00.

11. Consideration re Recognition of “Right of First Refusal” between MT Propeller USA, Inc. and the City of DeLand.

Staff recommends approval of the “Right of First Refusal” agreement between MT Propeller USA and the City of DeLand and authorize the Mayor Commissioner to execute the “Right of First Refusal” agreement.

12. Consideration re Agreement for Acquisition of Parcels from Jose Ramirez, Relating to the Utility Administration Center and the Upgrading and Improvement of the Utility Plant Complex and Facilities.

Approval of a purchase and sale agreement with property owner, Jose Ramirez, for acquisition of parcels relating to the Utility Administration Center and the upgrading and improvement of the utility plant complex and facilities.

PETITIONS AND REQUESTS FROM THE PUBLIC PRESENT

OLD BUSINESS

1. Second Reading of Ordinance No. 2022-04, Changing the Zoning from C-2, Commercial and R-1, Single Family to 425 South Planned Development at 425 South Woodland Boulevard.

The City Commission is requested to approve the rezoning of this property to 425 South PD for the development of a 2-story office/business building, parking and stormwater retention area on 2.09 acres.

2. Second Reading of Ordinance No. 2022-05, Changing the Zoning from Volusia County's R-4, Urban Single-Family, to City of DeLand Park's Toyota PD, Located at 230 East Taylor Road, for Approximately 2.36 Acres of Property.

The applicant, Michael Wojtuniak, P.E., is requesting to amend the zoning designation of the subject properties from Volusia County's – R-4, Urban Single-Family, to City of DeLand Park's Toyota PD, as the second amendment to the existing PD.

3. Second Reading of Ordinance No. 2022-06, Amending Chapter 33 "Land Development Regulations" Amending Section 33-17.23 "Allowed Uses in Commercial and Industrial Zoning Districts" to Allow Veterinary Services use in a P-1 Classification.

This is the second reading of the ordinance amending Chapter 33 "Land Development Regulations" Amending Section 33-17.23 "Allowed Uses in Commercial and Industrial Zoning Districts" to allow Veterinary Services use in a P-1 Classification. First reading was heard and approved by the City Commission on March 21, 2022.

NEW BUSINESS

1. Resolution Approving Community Development Block Grant (CDBG) Budget for Fiscal Year 2022-2023.

The proposed CDBG Budget for Fiscal Year 2021-2022 will result in the expenditure of funds for the benefit of targeted areas of the City of DeLand upon approval of grant applications submitted to Volusia County.

2. Resolution Approving Final Subdivision Plat-Victoria Oaks Phase D, Located West of the Terminus of Camilla Drive and Diana Way.

The applicant, Brian Hefner, Colliers Engineering, has applied for the purpose of approving a final plat for Victoria Oaks – Phase D.

3. Consideration re Tree Replacement/Funding Agreement for Cresswind DeLand Phase 1.

Consideration of Tree Replacement/Funding Agreement for Cresswind DeLand Phase 1.

4. Consideration re Agreement to Exchange Real Property with DEPROP, LLC, Relating to the Beresford Avenue Extension Road Improvement Project.

Approval of agreement to exchange real property with DEPROP, LLC, relating to the Beresford Avenue Extension road improvement project.

5. Consideration re Agreement with Volusia County School Board for Use of Athletic Facilities.

Approval of the Athletic Facilities Temporary Use Agreement with the Volusia County School Board.

6. Resolution Calling for General, Special and Run-off Elections.

It is recommended that the City Commission adopt the Resolution.

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.