



CITY OF DELAND
REGULAR MEETING OF THE CITY COMMISSION
AUGUST 15, 2022 AT 7:00 PM
CITY HALL, COMMISSION CHAMBERS
120 SOUTH FLORIDA AVENUE

AGENDA

CALL TO ORDER

INVOCATION-Pastor Kevin Caine, St. Paul's Missionary Baptist Church

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATIONS

1. Introduction of Fire Fighters: Julen Fernandez, Morgan Fambrough, Malik Alexander- Dunham.
2. Certificate of Recognition Presented to Mia Rhodes.
3. Certificate of Recognition Presented to Deandre Weston.
4. Certificate of Recognition Presented to Chelden Williams.
5. Presentation re Quarterly Financial Report for the Period Ending June 30, 2022.

CONSENT AGENDA

1. Resolution Approving the Sole Source Purchase and Installation of a Simulated Brick Paver Crosswalk at the Intersection of Florida Avenue and New York Avenue.

It is recommended that the City Commission approve the resolution authorizing the sole source purchase and installation of the simulated brick paver crosswalk from McShea Contracting, in the amount of \$49,503.00.

2. Consideration re County of Volusia Standard Interlocal Agreement for Municipal Services.

It is recommended that the City Commission approve the execution of the interlocal agreement with Volusia County for municipal services.

3. Consideration re Change Order No. 1, Melching Field.

Staff recommends that the City Commission approve Change Order # 1, in the amount of \$42,019.50, for the Melching Field – Field Improvements Contract.

4. Consideration re Amendment to Revised Cost Share Agreement with St. Johns River Water Management District for Alabama Avenue Reclaimed Water Main Extension.

Staff recommends that the City Commission approve the amendment addressing technical administrative matters to the Revised Cost Share Agreement with the St. Johns River Water Management District for the Alabama Avenue Reclaimed Water Main Extension.

5. Consideration re Change Order No. 1 to the Alabama Avenue Reclaimed Water Main Extension.

Staff recommends that the City Commission approve Change Order No. 1 to cover the additional expense for the Amelia Avenue road crossing for the Alabama Avenue Reclaim Project in the amount of \$42,519.39.

6. Consideration re Change Order # 1, Woodland Boulevard Lighting Improvements.

Staff recommends that the City Commission approve Change Order No. 1, in the amount of \$4,625.60, for Woodland Blvd. Lighting Improvements project.

7. Resolution Approving FDOT Joint Participation Agreement Supplemental Amendment # 2, Woodland Boulevard Lighting Improvements.

It is recommended the Commission approve the Resolution and Joint Participation Agreement Supplemental Amendment # 2 between the State of Florida Department of Transportation and the City of DeLand.

8. Consideration re Letter of Support For Volusia County Justice Assistance Grant (JAG) Nonprofit Agencies.

Consideration of approval of letter of support for the County JAG grant non-profit applications.

9. Resolution Authorizing Sole Source Purchase, Ferguson Water Works, Inc., FY 2022-2023.

Staff is seeking City Commission approval of a resolution to authorize the sole source purchase of Neptune meters, software, and parts from Ferguson Water Works, Inc.

PETITIONS AND REQUESTS FROM THE PUBLIC PRESENT

OLD BUSINESS

1. Second Reading of Ordinance No. 2022-14, Changing the Land Use for 1.45 Acres of Property, Located at 306 West Wisconsin Avenue from Low Density Residential & Institutional Overlay to Mixed Commercial.

Second Reading of Ordinance for a Comprehensive Plan Amendment, changing the Land Use from Low Density Residential & Institutional Overlay to Mixed Commercial, for approximately 1.45 acres of property, located at 306 West Wisconsin Avenue.

2. Second Reading of Ordinance No. 2022-15, Changing the Zoning from R-1B to North West Square PD, of Approximately 1.45 Acres of Property, Located at 306 West Wisconsin Avenue.

Second Reading of Ordinance for rezoning from R-1B to North West Square Planned Development to create a mixed use facility. The subject property is located at 306 West Wisconsin Avenue and contains approximately 1.45 acres.

3. Second Reading of Ordinance No. 2022-16, Changing the Zoning from Royal Oaks Planned Development PD to City of DeLand's E-1, Educational District on Property Located on the West Side of North Summit Avenue, Across from Daytona State College for an Administrative Rezone of 1.45 Acres of Property.

A rezone is being requested as part of a property exchange agreement to facilitate the construction of the future Beresford Extension to SR 44.

4. Second Reading of Ordinance No. 2022-17, Changing the Land Use of Approximately 0.949 Acre of Property, Located at the Southeast Corner of Dr. Martin Luther King, Jr. Beltway and Beresford Avenue Extension; from Low Density Residential to Commercial Highway.

This is a request to change the future land use of the subject property from Low Density Residential, to Highway Commercial, as part of the Beresford Extension project.

5. Second Reading of Ordinance No. 2022-18, Changing the Zoning from Royal Oaks PD, to C-2, General Commercial, for Approximately 0.949 Acre of Property, Located at the Southeast Corner of Dr. Martin Luther King Jr. Beltway and Beresford Avenue Extension.

A rezone is being requested as part of a property exchange agreement to facilitate the construction of the future Beresford Avenue Extension to SR 44.

NEW BUSINESS

1. First Reading of Ordinance Relating to Gas System Franchise for Florida Public Utilities Company.

Ordinance relating to gas utility system franchise for Florida Public Utilities Company.

2. First Reading of Ordinance Amending Chapter 15 of the Code of Ordinances re Solid Waste Rates.

Based on the negotiated pricing discussed herein, Staff recommends the City Commission conceptually agree to amend the current rates and adopt the new Ordinance with a new contract with GFL for a period of 7 years (October 1, 2022 – September 30, 2029) for residential solid waste, yard waste, recyclable collection services and commercial solid waste collection.

3. First Reading of Ordinance Amending Chapter 12; Chapter 15, Section 15-15; and Chapter 33, Section 33-12; of the Code of Ordinances Relating to Open Burning.

City staff recommends that the City Commission approve the proposed Ordinance relating to open burning.

4. First Reading of Ordinance Amending Article II, Chapter 2A of the Code of Ordinances Relating to the City's Economic Development Committee and Brownfield Advisory Committees.

Ordinance relating to the City's Economic Development Committee and Brownfield Advisory Committees.

5. CONTINUATION of First Reading of Ordinance Changing the Zoning of Approximately 28.64 Acres of Property, Located at the Southeast Corner of Martin Luther King Boulevard and Cassadaga Road, from County R-4C & R-4 to CTC DeLand PD to Develop a Multi-Family Residential Project (1st Rdg. 6/20/22 - CONT'D).

Continuation of first reading of Ordinance to rezone 28.64 acres from County R-4C & R-4 to CTC DeLand PD to develop a multi-family residential project, located at the Southeast Corner of Martin Luther King Boulevard and Cassadaga Road. This application is for the development of a 238-unit multi-family residential project.

6. First Reading of Ordinance Changing the Zoning from The Cascades PD to Pointe Grand Apartments PD to Develop a Multi-Family Residential Project, on Approximately 14.57 Acres of Property, Located on North Spring Garden Avenue, South of Clear Lake Drive.

This is a request to approve the rezoning of the subject property to the Pointe Grand Apartments PD, for the development of a 204-unit apartment complex, which will include amenities such as a pool, fitness center and walking trails.

7. First Reading of Ordinance Changing the Zoning from Volusia County R-4C, R-4, A-1C, A-1, I-1C & I-1 to DeLand Tech Park PD, Located in the Northwest Quadrant of SR 472 and Interstate 4, for Approximately 143.2 Acres of Property,

The applicant, Mark Watts, from Cobb Cole, is requesting to rezone the subject property to better align with the vision of the South West Activity Center (SWAC) land use, and to develop the property into the DeLand Tech Park PD.

8. First Reading of Ordinance Changing the Land Use for Approximately 1.47 Acres of Property, Located on the Southeast Corner of South Clake Street and Voorhis Avenue, from Medium Density Residential to Downtown Commercial (Palm Garden Cottages PD).

The site is currently vacant and the applicant, Mark Watts, attorney for the owner, requests that the property be amended from a Medium Density Residential land use designation to the Downtown Commercial future land use designation. The property contains approximately 1.47 acres and is located at the Southeast Corner of Voorhis Avenue and Clake Street.

9. First Reading of Ordinance Changing the Zoning from Palm Garden Cottages PD to C-2A, Downtown Commercial, on Approximately 1.47 Acres of Property, Located on the Southeast Corner of South Clake Street and Voorhis Avenue.

The applicant is requesting a rezoning from Palm Garden Cottages PD to C-2A, (Downtown Commercial), to allow for the redevelopment of the property as part of a coordinated redevelopment project north of Voorhis Avenue. The subject property is located at the Southeast Corner of Voorhis Avenue and Clake Street and contains 1.47 acres.

10. First Reading of Ordinance Amending 425 South PD for LAM Development, on Approximately 2.09 Acres of Property, Located at 425 South Woodland Boulevard.

First Reading of Ordinance Amending 425 South PD for LAM Development, on Approximately 2.09 Acres of Property, Located at 425 S. Woodland Blvd. to allow for an accessory storage building.

11. Resolution Approving Lakewood Park Subdivision, Phase 2 Final Plat.

The Lakewood Park, Phase 2 subdivision has been submitted as a final plat for the purpose of recording the plat in order to commence the sale of the individual lots. Phase 2 contains 124 lots on 41.64 acres.

CITY COMMISSION REPORTS

1. Report re Elected Officials Rounds Table.
2. Report re River-to-Sea 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.