



**CITY OF DELAND
REGULAR MEETING OF THE CITY COMMISSION
NOVEMBER 6, 2023 AT 7:00 PM
CITY HALL, COMMISSION CHAMBERS
120 SOUTH FLORIDA AVENUE**

AGENDA

CALL TO ORDER

INVOCATION-Pastor T. L. Jackson, DeLand Community Church

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATIONS

1. City of DeLand Super Star Student of the Month.
2. Presentation re Hometown Heros.
3. Introduction of New Police Officer Rafael Alfonso.
4. Employee Years of Service Awards.
5. Presentation re Medical Marijuana Dispensaries.

CONSENT AGENDA

1. Consideration re Final Ranking of Utility Engineering Consultants.

Staff recommends that the City Commission approve the recommended final ranking of utility engineering consultants in the order which follows: (1) Mead & Hunt, (2) McKim & Creed, (3) Freese & Nichols, and (4) Atkins & Wright Pierce (Tied) and authorize staff to begin negotiations with the top three ranked firms, Mead & Hunt, McKim & Creed and Freese & Nichols, on contracts for Utility Engineering Services.

2. Consideration re Agreement with New Hope Animal Shelter.

It is recommended the City Commission approve the Agreement for Services between West Volusia Humane Society, Inc. DBA New Hope Animal Shelter and The City of DeLand.

3. Consideration re Amendment to the West Volusia Water Suppliers Interlocal Agreement and Change Order No. 1 for Capital Project Planning and Programming.

Staff recommends that the City Commission approve the First Amendment to the Interlocal Agreement to Conduct a Capital Improvement Plan Coordination Study as well as the Mead & Hunt Scope Change Request in the total amount of \$92,100.00 pending approval of the First Amendment to the Interlocal Agreement by the remaining West Volusia Water Suppliers.

4. Consideration re Approval of Minutes.

It is recommended that the City Commission approve the minutes.

5. Consideration re Approval of Yardly DeLand Proportionate Fair Share Agreement.

Approval of Proportionate Fair Share Agreement for Yardly DeLand project.

PETITIONS AND REQUESTS FROM THE PUBLIC PRESENT

NEW BUSINESS

1. First Reading of Ordinance Granting a Petition to Create the Cresswind DeLand Community Development District.

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2. First Reading of Ordinance Granting a Petition to Create the Kepler Road Community Development District.

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3. First Reading of an Ordinance Amending Land Development Regulations to Add Doggie Daycare as an Allowed Use where Veterinary Clinics are Allowed.

The City's current Land Development Regulations do not include Doggie Daycare as an allowed use in any of the City's zone districts. Over the past few years there have been several inquiries regarding doggie daycare facilities. Staff has evaluated the anticipated impact of a doggie daycare facility with no outdoor runs or kennels and determined that "Veterinary Clinics allowing inside overnight boarding, no outside runs or kennels" is a similar use with similar impacts. Section 33-12 will be updated to add a definition for doggie daycare, and clarify the parking requirements in Section 33-91.03 for veterinary clinics to include doggie daycare. The parking requirements for veterinary clinics have also been revised to add doggie daycare uses.

4. Resolution Approving a Preliminary Plat for Spring Garden Townhomes Located on the West Side of North Spring Garden Avenue, South of Plymouth Avenue and North of Minnesota Avenue.

The City Commission is requested to approve the preliminary plat for Spring Garden Townhomes for the development of a mixed-use residential (townhouse) and commercial project which will contain 90 multi-family residential units (Spring Gardens Townhomes) and a commercial parcel.

5. Resolution Approving Demolition of an Historic Single-Family Structure Located at 135 South Chandler Avenue.

This property is located within the Downtown Support District and renovations began in May 2023, resulting in a structural engineer deeming the structure unsafe and recommending demolition. The proposed future use of this property is to build a 2,060 square foot single-family house, contingent upon meeting all required zoning, density, parking, Land Development Regulations, and applicable Building Code requirements.

6. Resolution Approving Demolition of an Historic Multi-Family Structure Located at 114 West Walts Avenue.

This property is located within the Historic Support District and the Downtown Support District. The residence was renovated in 2013 from a single-family residence to a four-unit multi-family residence, which was used as a Family Emergency Shelter. In 2022, the property owners had the property inspected for additional renovations, but the residence was deemed unsafe by two different contractors due to a weak foundation contributed by termite damage. The proposed future use of this property is to build an affordable housing community, contingent upon meeting all required zoning, density, Land Development Regulations and applicable Building Code requirements.

7. Resolution Approving the Removal of One Historic Tree Located at 800 North Hill Avenue.

The applicant, Daniel Hickey's Tree Service LLC, has requested that one historic tree located at the DeLand High School campus at 800 North Hill Avenue be allowed to be removed.

8. Consideration re Acquisition of Easement to Accommodate Saving an Historic Live Oak Tree for Construction of the Paiva Greenway.

Consideration of agreement and easement to accommodate live oak tree for Paiva Greenway.

9. Consideration re Charter Review 2023/24.

Staff is requesting direction regarding the 2023/24 Charter Review Committee.

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.