



CITY OF DELAND
REGULAR MEETING OF THE CITY COMMISSION
NOVEMBER 20, 2023 AT 7:00 PM
CITY HALL, COMMISSION CHAMBERS
120 SOUTH FLORIDA AVENUE

AGENDA

CALL TO ORDER

INVOCATION-Rabbi Ruthven Silverman, Temple Israel DeLand

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATIONS

1. Proclamation, Shop Small Saturday.

2. Employee Years of Service Awards.

Presentation of Employee Service Awards.

CONSENT AGENDA

1. Resolution Approving Final Budget Amendment FY 2022-2023.

Presentation of the final budget amendment for FY 2022/2023.

2. Resolution Approving FDOT Public Transportation Grant Award 438416-2 for Airport East Hangar Complex Phase 1b Design Project.

Staff recommends that the City Commission approve the resolution and PTGA (Public Transportation Grant Agreement).

3. Consideration re Award of Bid for West Apron Rehabilitation.

Staff recommends that the City Commission award the West Apron Rehabilitation Construction Project to Halifax Paving, Inc in the amount of \$2,429,311.95.

4. Consideration re Award of Bid, Old Fire Station Demolition and New Parking Lot.

Staff recommends that the City Commission award Base and Alternate Bid items 1 and 2 to JBI Contractors to construct Old Fire Station Demolition and New Parking Lot in the amount of \$1,184,377.23.

5. Consideration re Utility Service Agreement for Meadowlea Village.

Staff recommends that the City Commission approve the Utility Service Agreement for Meadowlea Village.

6. Consideration re Cost Share Agreement with St. John's River Water Management District for DeLand Wiley M. Nash Water Reclamation Facility Project.

Staff recommends that the City Commission approve the Cost Share Agreement between the St. Johns River Water Management District and the City of DeLand for the DeLand Wiley M. Nash Water Reclamation Facility project.

7. Resolution Approving the Authorization of the City Manager to Execute Deductive Change Orders for Owner Direct Purchases Related Solely to the Contract for Construction Management / General Contracting Services for Construction Phase Services for the City of DeLand Water Reclamation Facility (WRF) Upgrades and Plant Expansion.

Resolution authorizing the City Manager to execute deductive change orders to WRF Construction Contract related to owner direct purchases.

8. Consideration re Professional Services Agreement for Transportation Engineering Services with LTG Engineering and Planning.

Staff recommends the City Commission approve the Professional Services Agreement between LTG Engineering & Planning and the City of DeLand for continuing transportation engineering services.

9. Consideration re Professional Services Agreement for Civil Engineering Services with CPH, Inc.

Staff recommends the City Commission approve the Professional Services Agreement between CPH and the City of DeLand for continuing civil engineering services.

10. Consideration re Professional Services Agreement for Civil Engineering Services with Freese and Nichols.

Staff recommends the City Commission approve the Professional Services Agreement between Freese and Nichols and the City of DeLand for continuing civil engineering services.

11. Consideration re Enrollment in CARFAX Investigative Tools.

It is recommended the City Commission approve the enrollment for DeLand Police Department to access Carfax's Investigative Tools.

12. Consideration re Miller-Fish Building (Fish Building) Historical Plaque.

The verbiage of the plaque is as follows:

On February 9, 1960, students from DeLand's all-Black Euclid High School staged a sit-in at the lunch counter in the Woolworth's store which occupied this building. One of the leaders was Joyce Cummings Cusak, who went on to become the first Black person to be elected to the Florida legislature from Volusia County. Although lunch counter sit-ins had begun in other Southern cities, DeLand's was only the second in Florida. The students also sat in at McCrory's located across the street. They continued their protest for a week, causing the lunch counters to shut down. During their action, the students were protected by the City of DeLand Police. Eventually, Woolworth's and McCrory's reopened their lunch counters, serving customers regardless of color.

PETITIONS AND REQUESTS FROM THE PUBLIC PRESENT

OLD BUSINESS

1. Second Reading of Ordinance No. 2023-23, Amending the Zoning of Approximately 38.5 Acres of Property, Located at 801 Sol Y Sombra for the Manchester Neighborhood Planned Development. First Reading on 10-16-2023.

The City Commission is requested to approve the amendment to the Manchester PD, for the development of 37 multi-family units and permitting 4 single-family units.

2. Second Reading of Ordinance No. 2023-24, Amending the Zoning of Approximately 14.57 Acres of Property, Located at the Intersection of Clear Lake Road and North Spring Garden Avenue, the Pointe Grand Apartments Planned Development. First Reading 10-16-2023.

The applicant is proposing an amendment to the Pointe Grand Apartments PD for the purpose of reducing the number of guest parking spaces to convert into approximately 27 covered parking stalls.

3. Second Reading of Ordinance No. 2023-25, Abandoning a 50-Foot Wide by 255-Foot Long Portion of the Pine Avenue Right-of-Way Running along the Western Boundary of 1632 Parade Circle, and along the Eastern Boundary of 1615 and 1607 North Woodland Boulevard. First Reading 10-16-2023.

The City Commission is requested to approve the abandonment of a 50-foot wide by 255 linear feet of the Pine Ave right-of-way running along the western boundary of 1632 Parade Circle, and along the eastern boundary of 1615 and 1607 N. Woodland Boulevard and reserving a utility easement over the southerly fifteen feet (15') of the abandoned right-of-way.

4. Second Reading of Ordinance No. 2023-26, Granting a Petition to Create the Cresswind DeLand Community Development District. First Reading 11-6-2023.

Second Reading of Ordinance Granting A Petition To Create The Cresswind DeLand Community Development District.

5. Consideration re Interlocal Agreement for the Cresswind DeLand Community Development District.

This is a companion resolution to Ordinance 2023-1486 which established the Cresswind DeLand Community Development District. The adopted ordinance provides that the CDD will have to enter into an interlocal agreement with the City. The ordinance provides a 60-day time limit from adoption of this Ordinance for execution of the interlocal agreement. This interlocal agreement provides for a host of specific requirements for the CDD which are consistent with the types of enhanced amenities and infrastructure maintenance responsibilities set forth in the City's CDD policy resolution.

6. Second Reading of Ordinance No. 2023-27, Granting a Petition to Create the Kepler Road Community Development District. First Reading 11-06-2023.

Second Reading of Ordinance Granting A Petition To Create The Kepler Road Community Development District.

7. Consideration re Interlocal Agreement for the Kepler Road Community Development District.

This is a companion resolution to Ordinance 2023-1485 which established the Kepler Road Community Development District. The adopted ordinance provides that the CDD will have to enter into an interlocal agreement with the City. The ordinance provides a 60-day time limit from

adoption of this Ordinance for execution of the interlocal agreement. This interlocal agreement provides for a host of specific requirements for the CDD which are consistent with the types of enhanced amenities and infrastructure maintenance responsibilities set forth in the City's CDD policy resolution.

NEW BUSINESS

1. First Reading of an Ordinance Amending Land Development Regulations to Add Doggie Daycare as an Allowed Use where Veterinary Clinics are Allowed and Adding Veterinary Clinics and Doggie Daycare Facilities with no Outside Runs or Kennels as a Conditional Use in C-2A.

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. The proposed draft also adds Veterinary Clinics and Doggie Daycare facilities with no outside runs or kennels as a conditional use in C-2A.

2. First Reading of Ordinance, Changing the Zoning Amending the DeLand Toyota PD, for +-10.43 Acres of Property, Located at 1701 South Woodland Boulevard, to Amend and Restate DeLand Toyota Planned Development, for the Purposes of Creating One Overall Development Plan with the Addition of a Proposed 8,000 Square Foot Building.

This is a request to approve the Amended and Restated DeLand Toyota PD Agreement on first reading.

3. Resolution Approving a Class IV Site Plan, Hillpointe/Pointe Grand Apartments, Located Southeast of the Intersection of Clear Lake Road and North Spring Garden Avenue.

The City Commission is requested to approve the Class IV site plan for the Pointe Grand Apartments.

4. Resolution Approving Final Plat, Lakewood Park Phase 3 Located at Dr. Martin Luther King, Jr. Beltway and County Road 4139.

The applicant, Richard Brown, Johnston's Surveying, Inc, is requesting approval of a Final Plat for Phases 3a and 3b of the Lakewood Park residential subdivision to subdivide a 79.74-acre parcel into 123 single-family residential lots, stormwater, open space tracts, tree protection areas.

5. Consideration re Utility Service Agreement for DeLand Commons.

Staff recommends that the City Commission approve the Utility Service Agreement for DeLand Commons.

CITY COMMISSION REPORTS

1. Report re Elected Officials Round 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

1. Announcement of Board Vacancies.

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.