





**THE CITY OF DAYTONA BEACH
REGULAR MEETING - CITY COMMISSION
FEBRUARY 21, 2018
COMMISSION CHAMBERS
6:00 PM**

AGENDA

Website Address - www.codb.us (City Clerk)

NOTICE- If any person decides to appeal any decision of the City Commission at this meeting, he will need a record of the proceedings and, for that purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The City does not prepare or provide such a record.

	<p>For special accommodations, please notify the City Clerk's Office at least 72 hours in advance. (386) 671-8020</p>		<p>Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained from the City Clerk's Office.</p>
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In accordance with the Americans with Disabilities Act (ADA), persons needing a special accommodation to participate in the Commission proceedings should contact the City Clerk's Office not later than three days prior to the proceedings.

- 1. ROLL CALL.**
- 2. INVOCATION.**

AGENDA

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- 1. ROLL CALL.**
- 2. INVOCATION.**
- 3. PLEDGE OF ALLEGIANCE TO THE FLAG.**
- 4. APPROVAL OF MINUTES.**

4.A. [Approval of Minutes](#)

Approval of the minutes of the February 7, 2018 Regular City Commission Meeting Minutes held at City Hall, 301 South Ridgewood Avenue, Daytona Beach, Florida.

5. AGENDA APPROVAL.

THOSE MATTERS INCLUDED UNDER THE CONSENT AGENDA ARE SELF-EXPLANATORY AND ARE NOT EXPECTED TO REQUIRE REVIEW OR DISCUSSION. ITEMS WILL BE ENACTED BY ONE MOTION. IF DISCUSSION IS DESIRED BY ANY MEMBER OF THE COMMISSION, THAT ITEM MUST BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

6. PRESENTATION.

6.A. [BEAUTIFICATION AWARDS - FEBRUARY 2018 \(pp. 18-20\)](#)

Residential Award:

Mary A. Williams, 109 Bluestem Circle, Commissioner Dannette Henry, Zone 5, to present.

Commercial Award: Space Coast Credit Union, 200 Bill France Boulevard, Mayor Derrick L. Henry to present.

7. CITIZENS.

7.A. PUBLIC COMMENTS BY THE PEOPLE ADDRESSING THE CITY COMMISSION

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During this time Citizens have the opportunity to address the City Commission on any item on the Consent Agenda. Items or discussions not listed on the Agenda will not be heard during this comment section.

8. CONSENT AGENDA.

PLEASE NOTE: ITEMS PULLED FROM THE CONSENT AGENDA MAY BE REMOVED FROM CONSIDERATION BY THE CITY COMMISSION AND CONTINUED FOR TWO (2) WEEKS UNTIL THE NEXT REGULARLY SCHEDULED CITY COMMISSION MEETING. (ONLY MEMBERS OF THE CITY COMMISSION MAY REMOVE ITEMS FROM THE AGENDA).

8.A. Legal Department - Gatlin Brothers of Daytona, LLC - Settlement of Litigation (pp. 22-30)

Resolution approving settlement in City of Daytona Beach v. Gatlin Brothers of Daytona, LLC, case number 2017-31129- CICI, brought by the City of Daytona Beach to foreclosure a code enforcement lien against the property located at 600 N. Ridgewood Avenue which totals \$20,000. The Defendant has brought the property into compliance and expended \$14,675.00 in costs to bring said property into compliance. The Defendant is offering \$10,000 as full settlement to resolve the foreclosure action.

Recommendation: City Attorney recommends adoption of Resolution.

8.B. Legal Department - Estate of Lester A. Euell - Demolition of 1057 North Street - Petition for Administration (pp. 31-41)

Resolution authorizing the City Attorney's Office to file a petition on behalf of the City for administration of the estate of Lester A. Euell, for the purpose of establishing ownership and accomplishing the demolition of the building at 1057 North Street in accordance with legal requirements.

Recommendation: City Attorney recommends adoption of the Resolution.

8.C. City Manager/Human Resources/Risk Management Division - Florida Health Care Plan - Pre-Employment Physicals and Medical Screenings - Contract (pp. 42-51)

Resolution authorizing the City of Daytona Beach to enter into a contract with Florida Health Care Plans (FHCP), 1340 Ridgewood Ave., Holly Hill, FL 32117 to perform pre-employment physicals and other medical screenings on individuals offered employment by the City. The contract

with Dr. Eugene Crouch to act as Medical Director for the City expires on February 28, 2018. As a part of his duties, Dr. Crouch performed pre-employment physicals and other medical screenings as requested by the City. The City is looking to contract with FHCP to perform said duties. The purchasing Code allows for contracting for medical services such as pre-employment physicals and other medical screenings without competitive selection process. FHCP is aware of the City's current pre-employment and other medical screening processes as they have performed medical screenings for the City in the past. FHCP also has a network of facilities and doctors in place to reduce the need to go to multiple locations to complete a physical. The annual cost of pre-employment physicals will exceed \$25,000 and therefore will need City Commission approval. If approved, the annual contract is expected to commence on March 1, 2018. It is requested that the City Manager and City Clerk be authorized to execute any contract documents with FHCP needed to implement the services. Funds in the amount of \$30,000 for FY 2018 are available in the Consolidated Insurance Fund. The remaining \$20,000 is contingent upon the adoption of the FY 2019 budget.

Recommendation: Human Resources Director recommends adoption of the Resolution.

8.D. [Development Services/Cultural Services and Community Events Department - Hawkins Inc – Contract Amendment \(pp. 52-79\)](#)

Resolution amending General Services Contract No. 0116-0630 between the City of Daytona Beach and Hawkins, Inc. (dba Hawkins Water Treatment Group), 2381 Rosegate, Roseville, MN 55113. The amended contract would approve contractor to supply and deliver additional quantities of swimming pool chemicals to Cypress Aquatic Center and Campbell Pool, increasing the annual not to exceed amount of \$13,070 by \$21,930 totaling \$35,000. The current estimate amount needed for FY 2018 is \$25,723. The \$35,000 is based on the projected amount of chemicals that will be needed which fluctuate depending on pool usage and weather conditions. The contract provides one additional one-year option to renew. It is requested that the City Manager be authorized to exercise the Contract renewal on behalf of the City. Funds available in the General Fund.

Recommendation: Cultural & Leisure Service Director recommends adoption of the Resolution.

8.E. [Public Works Technical Services Division - City of Daytona Beach and Florida Department of Transportation \(FDOT\) - Acceptance of FDOT SUNTrail Network Agreement No. 1 \(FPN 439869-1-34-01\) - Beach Street between Marina Point and Orange Avenue \(pp. 80-89\)](#)

Resolution approving Supplemental Amendment No. 1 to FDOT SUNTrail Network Agreement No. 439869-1-34-01 between the City of Daytona Beach and the Florida Department of Transportation (FDOT), decreasing the amount eligible for reimbursement to the City to \$71,455 for the design of a 12 foot wide multi-use trail (Beach Street between Marina Point and Orange Avenue); to extend the time to complete the design to October 31, 2018; and authorizing the City Manager and City Clerk to execute any further amendments to the Agreement referenced above, however characterized, which may be needed to adjust maximum grant amounts, budget allocations, or deadlines set forth in the Agreement. The decrease in funding is due to the negotiated design fee of \$74,605 being lower than the original FDOT SUNTrail Network Agreement of \$100,000. The Supplemental Amendment provides sufficient funding to design the above referenced trail. The ineligible expense items totaling \$3,150 will be the City's responsibility.

Recommendation: Deputy Public Works Director recommends adoption of the Resolution.

8.F. [Public Works, Technical Services Division - City of Daytona Beach and Florida Department of Transportation \(FDOT\) - Acceptance of FDOT SUNTrail Network Agreement No. 1 \(FPN 439870-1-34-01\) - Ballough Road that crosses over the Ballough Road Bridge \(pp. 90-98\)](#)

Resolution approving Supplemental Amendment No. 1 to FDOT SUNTrail Network Agreement No. 439870-1-34-01 between the City of Daytona Beach and Florida Department of Transportation (FDOT), providing an increase to the amount eligible for reimbursement to the City of up to \$19,440 for the design of a 12 foot wide multi-use trail (Ballough Road that's crosses over the Ballough Road Bridge); and to also extend the time to complete the design to October 31, 2018; and authorizing the City Manager and City Clerk to execute any further amendments to the Agreement referenced above, however characterized, which may be needed to adjust maximum grant amounts, budget allocations, or deadlines set forth in the Agreement. The increase in funding is due to the negotiated design fee of \$20,540 being higher than the original FDOT SUNTrail Network Agreement of \$6,600. The ineligible expense items totaling \$1,100 will be the City's responsibility.

Recommendation: Deputy Public Works Director recommends adoption of the Resolution.

8.G. [Public Works, Technical Services Division - McKim & Creed – Amendment No. 3 to Work Authorization No. 2 \(pp. 99-124\)](#)

Resolution approving Amendment No. 3 to Work Authorization No. 2 (Contract No. 0111-0740-MC, Res No. 15-259 and 16-332) for a total Not to

Exceed cost of \$50,546.31 with McKim & Creed, 139 Executive Circle, Suite 201, Daytona Beach, FL 32114, to modify the lighting plans. This amendment is necessary due to misrepresentation of the construction specifications for the system and cost information for the proposed solar lighting which has created the need to re-engineer the lighting system to use conventional power. This is related to the Dr. Martin Luther King, Jr. Boulevard and Pedestrian Improvements Project, City Project No. 2015-085. Funds available in the Capital Projects Fund.

Recommendation: Deputy Public Works Director recommends adoption of the Resolution.

8.H. [Utilities Department - Carollo Engineers - Work Authorization No. 24 - Contract No. 1307-1022 \(pp. 125-141\)](#)

Resolution approving Work Authorization No. 24 under contract No. 1307-1022 with Carollo Engineers, 1089 W. Morse Boulevard, Suite A, Winter Park, FL 32789, in an amount not to exceed \$108,718 for Engineering Services for the design of In-Plant Reuse Pump Station at Westside Regional Wastewater Treatment Plant. Pump Station 100 supplies reuse water to LPGA golf course, the Florida Tennis Center and wash water throughout the Regional Wastewater Treatment Plant including the belt filter presses. Pump Station 100 must maintain a minimum pressure of 85 pounds per square inch (psi) during pumping operations to all facilities. Currently, Pump Station 100 maintains 30 psi during pumping operations to all facilities, which is not optimum. The belt filter presses requires the greatest amount of pressure relative to reuse water for cleaning purposes in order to properly maintain the equipment on a daily basis. In order to accomplish this requirement, a new pump station needs to be built that will have a dedicated supply of reuse water at the minimum pressure of 85 psi. Funds available in the State Revolving Loan - Water & Sewer Construction Fund.

Recommendation: Business Enterprise Management Director recommends adoption of the Resolution.

8.I. [Utilities Department - McMahan Construction Co., Inc. - Reuse Water System, Storage Tank and Pump Station Project - Change Order No. 1 to Contract No. 0317-1180 \(pp. 142-214\)](#)

Resolution approving Change Order No. 1 to Contract No. 0317-1180 with McMahan Construction Co., Inc., 123 East Indiana Avenue, DeLand, FL 32724 in the amount of \$84,545.67 with an extension of 52 days of contract time. This request is needed to provide compensation for the horizontal directional drill of a 14-inch reuse main to be constructed with the Reuse Water System, Storage Tank and Pump Station Project located behind the Police Station on Valor Boulevard. Funds available in the Water and Sewer

Improvement Fund and Renewal and Replacement 8% Fund.

Recommendation: Business Enterprise Management Director recommends adoption of the Resolution.

8.J. [Public Works/Engineering Department - Certified Signage, Inc., D/B/A Central Signs - Municipal Stadium Entrance Sign Improvements - Change Order No. 2 \(pp. 215-222\)](#)

Resolution approving Change Order No. 2 to Contract No. ITB 0317-2000 in the amount of \$17,800 with Certified Signage, Inc., D/B/A Central Signs, 517 Mason Avenue, Daytona Beach, FL 32117. The change order will secure a 10-year warranty on the new electronic message board at Municipal Stadium. Per Resolution 17-338, the City approved a Contract with Central Signs in the amount of \$111,980 to furnish, construct and install a new entrance sign at Municipal Stadium. Electronic products usually experience from 16% - 25% expense annually for software/hardware maintenance. This onetime expense locks in the warranty protection at approximately 25% of the electronic display purchase price. Funds available in the Capital Projects Fund.

Recommendation: Deputy Public Works Director recommends adoption of the Resolution.

8.K. [Utilities Department - Atlas Copco Compressors, LLC - Brennan Water Treatment Plant Ozone Water Treatment - Emergency Ratification - Sole Source Purchase \(pp. 223-236\)](#)

Resolution ratifying an emergency purchase from Atlas Copco Compressors, LLC, 9655 Florida Mining Boulevard West, No. 301, Jacksonville, FL 32257, in the amount of \$30,606. The Brennan Water Treatment Plant utilizes three air compressors for Ozone generation as part of the water treatment process. To meet our current water quality standards, two air compressors must be in generation at all times. In order to assure compliance with these quality standards it was necessary to immediately purchase a replacement compressor motor. This is a Sole Source request as the motor in Compressor one is in an Atlas Copco compressor, which can only be repaired with Atlas Copco parts. Funds available in the 5% Renewal & Replacement Fund.

Recommendation: Business Enterprise Management Director recommends adoption of the Resolution.

8.L. [Finance - Information Technology Division - Kronos Inc. - Kronos-TeleStaff Police and Fire Time and Attendance System - Sole Source Purchase \(pp. 237-258\)](#)

Resolution approving the purchase of an upgraded Kronos-TeleStaff Police and Fire time and attendance system from Kronos Inc., 297 Billerica Road, Chelmsford MA 01824 at a cost of \$17,045 for Police and \$9,485 for Fire, totaling \$26,530. The upgrade includes Workforce TeleStaff Global Access version six software licensing, support services, a subscription to Kronos Education Services, and professional services from Vendor No.101432. This purchase is considered sole source, since the City Police and Fire Departments currently utilize Kronos-TeleStaff to manage employee time, attendance, vacation scheduling, and daily rosters. Kronos-TeleStaff Licenses and Services are subject to the terms and conditions of the Kronos Sales, Software Licensing, and Services Agreement approved by Resolution 14-25, executed on February 7, 2014. The TeleStaff system assists the City's public safety agencies in controlling labor costs, minimizing compliance risks, improving productivity, and provides employees with communications and online accessibility to rosters, and schedules. The web-based solution tracks employee certifications, ensures staffing does not fall below requirements, supports union and business rules, tracks overtime, contacts employees by telephone, email, or mobile devices for emergency responses and for backfilling vacant shifts, and automates time card submittal and workflow to the City payroll system. Funds available in the Information Technology Fund.

Recommendation: Chief Financial Officer recommends adoption of the Resolution.

8.M. [Finance - Information Technology - Continuant, Inc. - Telephone System Maintenance - Purchase \(pp. 259-274\)](#)

Resolution approving the purchase of telephone system maintenance services from Continuant Inc., 5050 20th Street East, Fife, WA 98424, City Vendor No. 103871, pursuant to General Services Administration (GSA) contract number GS-35F-552AA Schedule 70, at the rate of \$2,352.98 per month, annual cost of \$28,235.76, which is a reduction of \$1,286.28 in expense compared to last year. Pricing is based on a 12-month term beginning March 1, 2018 and ending February 28, 2019. The GSA contract includes a provision for termination of the contract, or any part thereof, solely for convenience. The Continuant Maintenance Advantage Plan includes: 24/7 event monitoring, incident management, hardware replacement, access to a technical assistance center and customer portal, and a dedicated account manager to support the City's four private branch exchange (PBX) telephone systems. Since services are paid monthly, the cost for Fiscal Year 2018, the first seven months of the term, will be \$16,470.86, however, due to the receipt of a vendor credit in the amount of \$2,460.17, the actual cost for Fiscal Year 2018 is \$14,010.69. The cost for Fiscal Year 2019, the remaining five months of the term, will be \$11,764.90,

subject to future appropriations. Funds available in the Information Technology Fund.

Recommendation: Chief Financial Officer recommends adoption of the Resolution.

8.N. [Public Works, Technical Services Division - P&S Paving, Inc., - Sweetheart Trail-Donnelly Place - Bid Award \(pp. 275-289\)](#)

Resolution awarding a Construction Contract to P&S Paving, Inc., 3701 Olson Drive, Daytona Beach, FL 32124, the lowest, responsive and most responsible bidder for the Sweetheart Trail – Donnelly Place Project. This is an Florida Department of Transportation (FDOT) SUNTrail Grant funded project to construct a 12 foot wide concrete trail along Donnelly Place between Shady Place and Bellevue Avenue. It is staff’s recommendation that the construction contract be awarded to P&S Paving, Inc., the second lowest bidder as staff finds them to be the lowest, responsive and most responsible bidder. Staff also recommends that the award to P&S Paving, Inc. only include the Base Bid which will be fully reimbursed by the FDOT SUNTrail Grant. The lowest bidder by dollar amount is Thadcon, LLC however their performance on the Orange Avenue Improvements project has not shown them to be a responsible bidder. The Orange Avenue project contracted work has had too many delays and is still not completed, which has resulted in a first-of-its-kind-for-the-City interim Partial Final Estimate and Reconciliation Agreement. Their performance has shown them to require the commitment of extraordinary City staff and consultant CEI material and management resources to coordinate, schedule and complete contracted work in a timely manner. City experience has also shown that Thadcon has routinely had significant and frequent changes in key project personnel during the life of this project that contributed to their inability to properly execute their work in a timely manner.

Recommendation: Deputy Public Works Director recommends adoption of the Resolution.

8.O. [Finance Department - Allocation of Bike Week Sponsorship Funds \(pp. 290-291\)](#)

Resolution authorizing payment in the amount of:

\$150 to Daytona Beach Alumnae Chapter of Delta Sigma Theta Sorority, Inc., for Evening of Elegance Dinner and Dance Scholarship Fundraising Event, Crimson Sponsorship from the Bike Week Sponsorship Funds of Commissioner Dannette Henry.

Recommendation: Chief Financial Officer recommends adoption of the

Resolution.

9. PUBLIC HEARINGS.

9.A. [Development and Administrative Services, Planning Division - Future Land Use Element Amendment - Mixed Uses - Large Scale Comprehensive Plan Amendment \(pp. 292-384\)](#)

Ordinance on second reading - PUBLIC HEARING - adopting a Large Scale Comprehensive Plan Amendment (LSCPA) removing the requirement of Volusia Growth Management Commission (VGMC) review of all Planned Development applications on properties with a Mixed Uses future land use designation located east of Interstate 95 (I-95). Applicant: Development and Administrative Services Department, Planning Division.

Richard Walton, Planning Director, to report.

Recommendation: Applicant request that this item be continued to the April 4, 2018 Regular City Commission Meeting.

9.B. [Development and Administrative Services, Planning Division - Neighborhood A, B, & C - Restaurants on Oceanfront as a Principal Use - Large Scale Comprehensive Plan Amendment \(pp. 385-393\)](#)

Ordinance on second reading - PUBLIC HEARING - adopting a Large Scale Comprehensive Plan Amendment (LSCPA) amending policies in Neighborhood A, B, and C to permit restaurants as a principal use on the east side of A1A along the oceanfront. Applicant: Development and Administrative Services Department, Planning Division.

Richard Walton, Planning Director, to report.

Recommendation: Planning Board recommends approval 4-to-0.

Action: Motion to adopt the Ordinance.

9.C. [Development and Administrative Services, Planning Division - Land Development Code Text Amendment - Amend Article 5 \(Principal Use Tables\) and Article 11 \(Definitions\) \(pp. 394-412\)](#)

Ordinance on second reading - PUBLIC HEARING - amending Article 5.2.A (Principal Use Tables) of the Land Development Code to combine Warehouse distribution and Warehouse storage into one use type (Warehouse, storage & distribution) and to permit by right in all Industrial zoning districts and the Business Automotive (BA) zoning district and as a Special Use Permit in the Business Retail (BR-1) zoning district, and apply the use specific standards from 5.2.B.27.b. and amending Article 11

(Definitions) other LDC provisions for consistency of items. Applicant: Development and Administrative Services Department, Planning Division.

Richard Walton, Planning Director, to report.

Recommendation: Planning Board recommends approval 6-to-0.

Action: Motion to adopt the Ordinance.

9.D. [Engineering/Public Works Department - Birchwood Subdivision - Final Plat Approval \(pp. 413-443\)](#)

Resolution - Quasi-Judicial Hearing - approving the Final Plat and Contract for Plat Recording for the Birchwood Subdivision on 48.4 ± acres of land for development of a residential subdivision. The project is located on the east side of Clyde Morris Boulevard, north of Strickland Range Road, and south of Hand Avenue. The subdivision will allow for 66 single family residential lots. There are public improvements associated with this Plat, therefore, approval of the Contracts for Plat recording is required.

David Waller, Deputy Public Works Director recommends adoption of the Resolution.

Recommendation: Planning Board recommended approval 4-to-0 at their August 24, 2017 meeting.

Action: Motion to adopt the Resolution.

10. ADMINISTRATIVE ITEMS.

10.A. [Development and Administrative Services, Planning Division - Buc-ee's - Rezoning, Planned Development-General and Preliminary Plat for 95-LPGA \(pp. 444-510\)](#)

Ordinance on first reading - approving a request to rezone 35± acres of land generally located north of LPGA Boulevard and east of I-95 from "County" Urban Single-Family Residential (R-2) and "City" Industrial Park (M-4) to Planned Development-General (PD-G) to allow for the construction of Buc-ee's, and authorizing the Mayor to execute the Buc-ee's Planned District Agreement, approve the 95-LPGA Preliminary Plat. Applicant: Parker Mynchenberg, Parker Mynchenberg & Associates, Inc. on behalf of Consolidated Tomoka Land Co. & Indigo Development, LLC.

Richard Walton, Planning Director, to report.

Recommendation: Planning Board recommends approval 6-to-0.

Action: Motion to pass Ordinance on first reading

Note: If passed, Public Hearing, March 7, 2018

10.B. [City Manager's Office - County Council of Volusia County - One-Half Cent Infrastructure Sales Tax \(pp. 511-515\)](#)

Resolution requesting and supporting the County Council of Volusia County placing one-half cent infrastructure sales tax referendum on the November 2018 ballot. A half-cent sales tax would generate an estimated \$45 million dollars in Volusia County annually with a twenty (20) year sunset. Estimates of Daytona Beach's share is approximately \$3,716,126 yearly. The revenue generated would be used to enhance sidewalks, repair roads, reduce traffic congestion, alleviate flooding and improve water quality as well as other identified infrastructure projects of the City.

Recommendation: City Manager recommends adoption of the Resolution.

10.C. [Cultural & Leisure Services Department - Agreement for the Leasing, Management, & Operation of Municipal Stadium and Adjacent Properties \(pp. 516-697\)](#)

Resolution approving an agreement with DME Sports, LLC for the leasing of Municipal Stadium, located at 3917 LPGA Boulevard, and surrounding properties. The lease includes the Municipal Stadium Site, comprising approximately 50 + acres, and adjacent City-owned parcels "referred to as Satellite Tracts", totaling approximately 14+ acres, located east and south of the Municipal Stadium Site. The lease requires DME to provide turnkey management of the Stadium on a full-time basis at DME's cost. The initial Lease Term is 30 years ending September 30, 2047. The Parties have the mutual option to renew for two additional Terms of 10 years each. The Lease requires DME to pay a Base Rent and a Percentage Rent. Base Rent will initially be \$150,000 and will be adjusted annually by the CPI. The Percentage Rents will be based on DME's gross revenues from operating the leased premises. These Rents will be used to fund a Capital Fund which will be used to fund stadium repairs and in some instances capital improvements to the Stadium facilities. The lease also requires DME to make Local Contributions having an annual value of \$50,000 to the City and the Community to support youth sports programs, and make specific capital improvements having a minimum of value of \$2,000,000. The Lease would assign revenues from existing Stadium users to DME, and authorize DME to establish and collect additional fees associated with Stadium operations including license, ticketing and parking fees. The Lease also makes DME responsible for providing insurance, a performance bond, and to pay for all costs of operating and maintaining the Stadium (other than capital repairs).

The lease allows DME, subject to a separate Public Use Permit which must be approved by the City Commission, to use the leased premises for certain private uses (when not in conflict with operation of the Stadium as a public venue). The Public Use Permit will also address a uniform sign plan, and

DME's right to use Stadium signage for advertising. The Public Use Permit is in process and is expected to be brought to the City Commission for approval at the Regular City Commission Meeting on March 7, 2018.

James Morris, Deputy City Manager, to report.

Recommendation: Deputy City Manager recommends adoption of the Resolution.

Action: Motion to adopt the Resolution.

- 11. PUBLIC COMMENTS - DURING THIS TIME CITIZENS HAVE THE OPPORTUNITY TO ADDRESS THE CITY COMMISSION ON ANY MATTER THAT IS NOT ON THE AGENDA.**
- 12. COMMENTS AND INQUIRIES FROM THE CITY COMMISSION - CITY MANAGER AND CITY ATTORNEY REPORT.**
- 13. ADJOURNMENT.**