



**THE CITY OF DAYTONA BEACH  
BUSINESS MEETING OF THE CITY COMMISSION  
JUNE 20, 2018  
COMMISSION CHAMBERS  
6:00 PM**

**AGENDA**

Website Address - [www.codb.us](http://www.codb.us) (City Clerk)

**NOTICE-** If any person decides to appeal any decision of the City Commission at this meeting, he/she 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><b>For special accommodations, please notify the City Clerk's Office at least 72 hours in advance. (386) 671-8020</b></p>		<p><b>Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained from the City Clerk's Office.</b></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.**
- 3. PLEDGE OF ALLEGIANCE TO THE FLAG.**

## 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 June 6, 2018 Business Meeting of the City Commission 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 - JUNE 2018 \(pp. 15-17\)](#)**

Residential Award:

Dennis and Mary Heery, 211 Fairview Avenue, Commissioner Kelly White, Zone 3, to present.

Commercial Award:

Miller-Leaman, Inc., 800 Orange Avenue, Mayor Derrick L. Henry to present.

**6.B.** [Presentation - Representative Patrick Henry \(pp. 18-19\)](#)

Representative Patrick Henry will present a Legislative Update to the City Commission.

**6.C.** [Presentation - Volusia County District 2 Representative Billie Wheeler - Water Quality Meeting Invite \(pp. 20-21\)](#)

District 2 Representative Billie Wheeler - will present a brief invite to a Water Quality Meeting with Indian River Lagoon Council at the Daytona Beach Airport on June 21, 2018 from 8:30 a.m. to 11:30 a.m.

**6.D.** [Presentation - Beachside Redevelopment Committee \(pp. 22-23\)](#)

Frank Molnar, to present the final recommendation of the Beachside Redevelopment Committee.

**7. CITIZENS.**

**7.A.** [PUBLIC COMMENTS BY THE PEOPLE ADDRESSING THE CITY COMMISSION](#)

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.** [Utilities Department - VanTrust - Acceptance of two Non-Exclusive Easement Agreements, Warranty Deed and Access and Utility Easement \(pp. 25-58\)](#)

**Resolution** accepting two non-exclusive easement agreements and a warranty deed granted by Indigo Development, LLC, and an access and utility easement granted by MREIC Daytona FL, LLC related to the public utility improvements constructed with the VanTrust development located on Clyde Morris Blvd. The non-exclusive easement agreements being granted by Indigo Development, LLC are for offsite utility line extensions (constructed from the project parcel to LPGA Blvd.); an access easement to a public liftstation; and a future gravity sewer stub to serve adjacent property.

The warranty deed being granted by Indigo Development, LLC is for a public liftstation. The access and utility easement being granted by MREIC Daytona FL, LLC is for public utility lines extended along the project's property frontage and an access easement to the liftstation. The access easement to the liftstation parcel has split ownership. There is no City funding associated with this request.

Recommendation: Interim Utilities Director recommends adoption of the Resolution.

**8.B.** [Public Works/Administrative Department - Assignment and Assumption Transfer Agreement - Railway Crossing at George W. Engram Boulevard - \(DOT Crossing No 271936V / RR Mile Post 109+157'\) \(pp. 59-79\)](#)

**Resolution** approving the Assignment and Assumption Agreement in reference to a License Agreement dated August 29, 1968 between the City of Daytona Beach and Florida East Coast Railway, LLC. The Assignment and Assumption Agreement will transfer to the County of Volusia all rights, title, interests liabilities and obligations in relation to the railroad crossing at George W. Engram Boulevard (DOT # 271936V - RR MP 109-157').

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

**8.C.** [Human Resources Department - Risk Management Division - Wright National Flood Insurance Company - Hurricane Irma - Insurance Recovery \(pp. 80-168\)](#)

**Resolution** accepting the flood insurance claims payments from Wright National Flood Insurance Company, P.O. Box 33003, St. Petersburg, FL 33733-8003, totaling \$256,375.10 for losses sustained as a result of Hurricane Irma and authorizing the City Manager to execute settlement documents as necessary. The gross amount of flood damages covered under the Wright policies was \$331,904. After applying the appropriate deductible and depreciation, the net recovery amount is \$256,375.10.

Recommendation: Human Resources Director recommends adoption of the Resolution.

**8.D.** [Utilities Department - Fiscal Sustainability Plan - Halifax River Subaqueous Sewer Force Main Project \(pp. 169-185\)](#)

**Resolution** approving a Fiscal Sustainability Plan for the Halifax River Subaqueous Sewer Force Main Project. This item is needed to meet the Florida Department of Environmental Protection Clean Water State Revolving Fund Program requirement for the Halifax River Subaqueous

Sewer Force Main Project. No funds are associated with this request.

Recommendation: Interim Utilities Director recommends adoption of the Resolution.

**8.E.** [Finance Department - Allocation of Bike Week Sponsorship Funds \(pp. 186-188\)](#)

**Resolution** authorizing payment in the amount of:

\$300 to The Gems Project, Inc., for a general sponsorship from the Bike Week Sponsorship Funds of Mayor Derrick Henry.

\$200 to Ila's Diamonds, LLC for the FRESH Book Festival from the Bike Week Sponsorship Funds of Commissioner Ruth Trager.

\$200 to Ila's Diamonds, LLC for the FRESH Book Festival from the Bike Week Sponsorship Funds of Commissioner Aaron Delgado.

\$200 to Ila's Diamonds, LLC for the FRESH Book Festival from the Bike Week Sponsorship Funds of Commissioner Kelly White.

\$200 to Ila's Diamonds, LLC for the FRESH Book Festival from the Bike Week Sponsorship Funds of Commissioner Robert Gilliland.

\$200 to Ila's Diamonds, LLC for the FRESH Book Festival from the Bike Week Sponsorship Funds of Commissioner Dannette Henry.

Recommendation: Chief Financial Officer recommends adoption of Resolution.

**9. PUBLIC HEARINGS.**

**9.A.** [Development and Administrative Services, Planning Division - Marriott Renaissance - Small Scale Comprehensive Plan Amendment \(pp. 189-247\)](#)

**Ordinance on second reading - PUBLIC HEARING** - adopting a Small Scale Comprehensive Plan Amendment (SSCPA) amending the Future Land Use Element, Neighborhood B, to increase the maximum building height to 76 feet and limit the permitted uses to a parking garage or structure, parking lot, and government uses located at 605 Glenview Boulevard. Applicant: Robert A. Merrell III, Esquire, Cobb Cole, on behalf of 640 North Atlantic Hospitality, LLC.

Richard Walton, Planning Director, to report.

Recommendation: Planning Board recommends approval 5-to-0.

Action: Motion to adopt Ordinance.

**9.B.** [Development and Administrative Services, Planning Division - Marriott Renaissance - Rezoning, Planned Development-General \(pp. 248-398\)](#)

**Ordinance on second reading - Quasi-Judicial Hearing** - approving a request to rezone a total of 3.8± acres of land located at 605 Glenview Boulevard (.6± acre) and 640 North Atlantic Avenue (3.2± acres) from Residential/Professional (RP) and Tourist/Office/Restaurant (T-2) to Planned Development-General (PD-G) to allow for renovation to the existing Ocean Breeze Hotel and development of an associated parking structure, and authorizing the Mayor to execute the Marriott Renaissance Planned District Agreement. Applicant: Robert A. Merrell III, Esquire, Cobb Cole, on behalf of 640 North Atlantic Hospitality, LLC.

Richard Walton, Planning Director, to report.

Recommendation: Planning Board recommends approval 5-to-0.

Action: Motion to adopt Ordinance.

**9.C.** [Development and Administrative Services, Planning Division - Mason Williamson Storage - Rezoning, Planned Development-General \(pp. 399-449\)](#)

**Ordinance on second reading - Quasi-Judicial Hearing** - approving a request to rezone a total of 5.7± acres of land located on the southeast corner of Mason Avenue and Williamson Boulevard, between Mason Avenue and Valor Boulevard from Business Professional (BP) to Planned Development-General (PD-G) to allow for the development of a self-storage/mini-warehouse facility, with associated site improvements, and authorizing the Mayor to execute the Mason Williamson Storage Planned District Agreement. Applicant: Parker Mynchenberg, Parker Mynchenberg & Associates, Inc. on behalf of Scott Vanacore, Vanacore Holdings, LLC.

Richard Walton, Planning Director, to report.

Recommendation: Planning Board recommends approval 5-to-0.

Action: Motion to adopt Ordinance.

**9.D.** [Development and Administrative Services, Planning Division - Subaru of Daytona - Rezoning, Planned Development-General \(pp. 450-511\)](#)

**Ordinance on second reading - Quasi-Judicial Hearing** - approving a request to rezone 12.65± acres of land located on the west side of Tomoka Farms Road and south of Dunn Avenue from Single-Family Residential 5

(SFR-5) to Planned Development-General (PD-G) for the development of a Subaru dealership and associated site improvements, and authorizing the Mayor to execute the Subaru of Daytona Planned District Agreement. Applicant: Robert A. Merrell III, Esquire, Cobb Cole, on behalf of Scott Bullock, Indigo Development LLC.

Richard Walton, Planning Director, to report.

Recommendation: Planning Board recommends approval 5-to-0.

Action: Motion to adopt Ordinance.

**9.E.** [Development and Administrative Services, Planning Division - Project Beta - Large Scale Comprehensive Plan Amendment \(pp. 512-588\)](#)

**Ordinance on second reading - PUBLIC HEARING** - adopting a Large Scale Comprehensive Plan Amendment (LSCPA) changing the Future Land Use Map (FLUM) designation from Level 3 Residential to General Industry for 14.65± acres of land located north of Dunn Avenue and east and west of Mason Avenue, and amending the Future Land Use Element, Neighborhood S, to add Issue (k) and Policy (1) to limit the FAR to 0.60. 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 Ordinance.

**9.F.** [Development and Administrative Services, Planning Division - Project Beta - Rezoning, Planned Development-General \(pp. 589-643\)](#)

**Ordinance on second reading - Quasi-Judicial Hearing** - approving a request to rezone 47.03± acres of land located north of Dunn Avenue and east and west of Mason Avenue from Multi-Family Residential 20 (MFR-20) and Planned Development-General (PD-G) to Planned Development-General (PD-G) for the development of various industrial and office uses, and authorizing the Mayor to execute the Project Beta Planned District Agreement. Applicant: Robert A. Merrell III, Esquire, Cobb Cole, on behalf of Consolidated-Tomoka Land Co. and Indigo Development LLC.

Richard Walton, Planning Director, to report.

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

Action: Motion to adopt Ordinance.

**9.G.** [Engineering/Public Works Division - Latitudes Phase 2A - Preliminary and Final Plat - Approval \(pp. 644-691\)](#)

**Resolution - PUBLIC HEARING** - approving the Preliminary and Final Plat for Latitudes Phase 2A on 102.916 +/- acres of land for development of a residential subdivision. The project is located on the north side of LPGA Boulevard and just west of Tymber Creek Road South. The Preliminary Plat was recommended for approval by the Planning Board at their May 24th, 2018 meeting with a 7-0 vote.

David Waller, Deputy Public Works Director, to report.

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

**9.H.** [Engineering/Public Works Division - Latitudes Phase 2B - Preliminary and Final Plat - Approval \(pp. 692-733\)](#)

**Resolution - PUBLIC HEARING** - approving the Preliminary and Final Plat for Latitudes Phase 2B on 57.9217 +/- acres of land for development of a residential subdivision. The project is location on the north side of LPGA Boulevard and just west of Tymber Creek Road South. The Preliminary Plat was recommended for approval by the Planning Board at their May 24<sup>th</sup>, 2018 meeting with a 7-0 vote.

David Waller, Deputy Public Works Director, to report.

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

**10. ADMINISTRATIVE ITEMS.**

**10.A.** [City Manager's Office - Board of Building Codes - Appointment \(pp. 734-739\)](#)

**Resolution** appointing two (2) member to the Board of Building Codes. The board shall consist of five members appointed by the City Commission. Board members shall be chosen on an at large basis. A majority of the members shall be residents of the City. We have received an application from Patricia Rippey and Paul Culver (Revised 06/20/18).

Betty Goodman, Assistant City Manager, to report.

Recommendation: Commission action.

Action: Motion to adopt the Resolution.

**10.B.** [City Manager's Office - Daytona Beach Racing & Recreational Facilities District - Appointment \(pp. 740-747\)](#)



**Resolution** appointing one (1) member to the Daytona Beach Racing and Recreational Facilities District. The board shall consist of five members, serving four (4) year terms. Members must be qualified electors of the District and are appointed by the City and County Commission Jointly. The membership term of Carl Persis will expire on 07-01-18 and Mr. Persis has submitted an application for reappointment. This is a City, County joint reappointment.

Betty Goodman, Assistant City Manager, to report.

Recommendation: Commission action.

Action: Motion to adopt the Resolution.

**10.C.** [City Manager's Office - Downtown Development Authority - Appointment \(pp. 748-751\)](#)

**Resolution** appointing one (1) member to the Downtown Development Authority. The board shall consist of five (5) members, one (1) of which shall be a member of the City Commission. The membership term of Kelly White (City Commissioner ) will expire on 06/30/18. Except for the City Commissioner, each member may be appointed for consecutive terms of 3 years, beginning July 1. Non-City Commission members shall reside in or have a principal place of business in the City (CR-BO), shall not be serving as a City officer or employee, and shall be an owner of realty within the Downtown area, a lessee thereof, or a director, officer, or managing agent of an owner or of a lessee thereof. If appointed, Commissioner Kelly White will continue to serve.

Betty Goodman, Assistant City Manager, to report.

Recommendation: Commission action.

Action: Motion to adopt the Resolution.

**10.D.** [City Manager's Office - Leisure Services Advisory Board - Appointments \(pp. 752-762\)](#)

**Resolution** appointing two (2) members to the Leisures Services Advisory Board. The membership terms of Amanda Glugover (Zone 1), Russell Holloway (Zone 3) and Mykal Tairu (Zone 5) have expired. The board shall consist of seven (7) members, one (1) from each zone nominated by City Commissioners of respective zones, and one (1) at large member nominated by the Mayor serving two-year (2) staggered terms. Members must reside within the zone of their appointment. Ms. Glugover from Zone 1 would like to be reappointed and we have received an application from Tracy Marino from Zone 3.

Betty Goodman, Assistant City Manager, to report.

Recommendation: Commission action.

Action: Motion to adopt the Resolution.

**11. DISCUSSION.**

**11.A. [Discussion - Voting Delegate Florida League of Cities \(763-768\)](#)**

Discussion to determine the Florida League of Cities Voting Delegate. Each municipality designates one official to be the voting delegate for the purpose of election of League leadership and adoption of resolutions. Municipalities do not need to adopt a resolution to designate a voting delegate.

**12. COMMENTS AND INQUIRIES FROM THE CITY COMMISSION - CITY MANAGER AND CITY ATTORNEY REPORT.**

**13. ADJOURNMENT.**

**14. PUBLIC COMMENT FORUM - DURING THIS TIME CITIZENS ARE ALLOWED 2.5 MINUTES TO SPEAK ON ANY TOPIC OF CONCERN. Please be courteous and respectful of the views of other speakers. Personal attacks on the City Commission, City Staff or members of the public are not allowed.**