





**THE CITY OF DAYTONA BEACH  
BUSINESS MEETING OF THE CITY COMMISSION  
SEPTEMBER 19, 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 September 5, 2018 Business Meeting of the City Commission will be on the October 3, 2018 Business Meeting of the City Commission Agenda.

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. [Presentation on status of First Step Homeless Shelter construction \*\*\\*\\*added 09-19-18\\*\\*\*\*](#)

Presentation by John Hall of Hall & Ogle Architects, Inc. regarding the First Step Homeless Shelter construction status.

6.B. [PRESENTATION - BEAUTIFICATION AWARDS - SEPTEMBER 2018 \(pp. 23-25\)](#)

Residential Award:

John and Minnie Hawkins, 206 South Lincoln Street, Commissioner Paula R. Reed, Zone 6, to present.

Commercial Award:

Stewart-Marchman-Act, 150 Magnolia Avenue, Mayor Derrick L. Henry to present.

**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. Police Department - Submission and Acceptance of a Grant Application and Award for 2018 Victim of Crime Act (VOCA) Program (pp. 27-48)**

**Resolution** authorizing the application, submission, acceptance, and expenditure of a grant application to the State of Florida, Office of the Attorney General, Victims of Crime Act (VOCA) Program. The City of Daytona Beach Police Department Victim Advocate Position is funded primarily by the Florida Office of Attorney General, Victim of Crime Act Program, (VOCA) funding in the amount of \$43,613, with matching funds coming from the law enforcement trust fund in the amount of \$10,903, for a total of \$54,516 to fund the continuation of the police department's VOCA Program; and to authorizing the City Manager or his Designee to execute any agreement relating to this grant application. This application has passed the VOCA office technical review and subsequent required revision and has been approved by the VOCA office for award. Funds available in the Law Enforcement Trust Fund.

Recommendation: Chief of Police Recommends adoption of the Resolution.

**8.B. Cultural and Leisure Services Department - Keith Payne Pools, Inc. - Cypress Aquatics - Emergency Expenditure Ratification (pp. 49-72)**

**Resolution** ratifying an emergency expenditure to Keith Payne Pools, Inc, 1426 Carol Lee Street, Daytona Beach, FL, 32117 in the amount of \$28,500 for the replacement of ES 42340-100-E Sand Filter. The sand filter works under pressure, but began leaking profusely. Due to the lack of pressure, it impedes the ability to clean debris from the pool. The flow rate through the pump has also considerably dropped. The less the water flows, the dirtier the pool becomes. The work includes installation of the ES 42340-100-E Sand Filter, media valves, fitting and piping as well as labor to remove existing sand filter. Funds available in the General Fund.

Recommendation: Interim Leisure Services Administrator recommends adoption of the Resolution.

**8.C.** [Utilities Department - Florida Design Contractors, Inc. - Final Reconciliation Agreement \(pp. 73-113\)](#)

**Resolution** approving a Final Reconciliation Agreement with Florida Design Contractors, Inc., for the Demonstration Testing System to Purify Reuse Effluent at the Westside Regional Water Reclamation Facility (WRWRF) Project under Contract No. 0317-0300 and authorizing the City Manager and City Clerk to execute the Final Reconciliation Agreement with the following stipulations:

- Approve May 28, 2018, as the final completion date
- Approve April 13, 2018, as the substantial completion date and start of the warranty period
- Approve the final adjusted contract price of \$3,157,703.68
- Approve a final payment of \$157,885.18 due under the contract, which is the remaining retainage

Resolution 17-53 was adopted by City Commission on March 1, 2017, accepting Florida Design Contractors, Inc., in an amount not to exceed \$3,117,500 for the construction of the Demonstration Testing System to Purify Reuse Effluent at the Westside Regional Water Reclamation Facility (WRWRF) Project. Change Order No. 1 was approved in August 2018 by the City Manager (authorized by Section 30-142 (a) and Section 30-143 (a) of the Purchasing Code) in the amount of \$40,203.68 for the installation of additional appurtenances, sensors, 6-month chemical supply, chemical coatings, and other facility enhancements, and a time extension of 60 days. No additional funds are required for this request.

Recommendation: Utilities Director Recommends adoption of the Resolution.

**8.D.** [Utilities Department - P&S Paving - Clyde Morris Boulevard Water Main](#)

[Repair Contract - Emergency Expenditure Ratification \(pp. 114 -139\)](#)

**Resolution** ratifying an emergency expenditure with P&S Paving, 3701 Olson Drive, Daytona Beach, FL 32124 for the ISB/Clyde Morris Boulevard Water Main Repair Contract with a final contract amount of \$437,386.60 This request is needed to fully comply with the City's Purchasing Code Section 30-52(b) Emergency Purchases for the selection of a contractor to complete an emergency water main repair at the intersection of International Speedway Blvd and Clyde Morris Blvd. Funds available in the Renewal & Replacement 8% account.

Recommendation: Utilities Director recommends adoption of the Resolution.

**8.E.** [Utilities Department - Ovivo USA, LLC - Brennan Water Treatment Plant – Sole Source Purchase \(pp. 140-158\)](#)

**Resolution** approving a purchase from Ovivo USA, LLC, Order Entry Administrator, 4246 Riverboat Road, Suite 300, Salt Lake City, Utah 84123-2583, to rehabilitate Softener Clarifiers No.1 and No.2 and Thickener No.1 at the Brennan Water Treatment Plant for an amount of \$807,829. The Brennan Water Treatment Plant utilizes three lime softeners to remove hardness in the raw water. Softener Clarifiers No.1 and No.2 were inspected by the Volusia County Department of Health and cited poor conditions due to rust and corrosion and Softener Clarifier No.1 drive unit bearings are failing and the gearbox needs to be replaced. The Brennan plant utilizes three thickeners to dewater lime sludge before it is hauled off for disposal. The drive unit on Thickener No.1 failed and requires replacement. Ovivo is the manufacturer and the sole source to rehabilitate the equipment on Softener Clarifiers No.1 and No.2 and Thickener No.1. Funds are available in the 5% Renewal & Replacement Fund.

Recommendation: Utilities Director recommends adoption of the Resolution.

**8.F.** [Utilities Department - Carollo Engineers, Inc. - Work Authorization No. 29 \(pp. 159 -173\)](#)

**Resolution** approving Work Authorization No. 29 under Contract No. 1307-1022 with Carollo Engineers, Inc., 200 East Robinson Street, Suite 1400, Orlando, Florida 32801 for an inflow and infiltration (I&I) study in an amount not to exceed \$119,033.30. The purpose of this item is to provide professional engineering services for an I&I study related to the Bethune Point Water Reclamation Facility collection system as part of an FDEP permitting requirement. Funds available in the Renewal & Replacement 8% Fund.

Recommendation: Utilities Director recommends adoption of the Resolution.

**8.G.** [Public Works Department/ Administration Division - Campbell Aquatic Center Improvements \(Phases 1 & 2\) - Racing and Recreational Facilities District Grant Acceptance Request \(pp. 174-181\)](#)

**Resolution** approving the Racing and Recreational Facilities District Grant in the amount up to \$139,386 for phases 1 and 2 of the improvements needed at the Campbell Aquatic Center, and authorizing the City Manager to approve subsequent documents for the furtherance of the grant acceptance. Phase 1 will consist of the lifeguard pavilion and secure pool entry, and phase 2 will expand the east pool deck, add shade structures, tables, and chairs. The City will continue pursuing additional funding opportunities for the final phase of the project, which will consist of remodeling and expanding existing restrooms, and remodeling existing office into storage rooms. The estimated probable construction cost for the first two phases is \$154,874. As authorized in Resolution 18-215, the City applied for a Racing and Recreational Facilities District grant and has been awarded \$139,386. The City will be providing the difference of \$15,488 as its matching share for the improvements. Upon acceptance, grant funds will be made available in the Grant Project Fund. City match funds available in the Capital Project Fund.

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

**8.H.** [Public Works Department/Administration Division - Veteran 1 Lawn Care, LLC - Lowest Best-Responsive Bid Contract Award \(pp. 182-251\)](#)

**Resolution** awarding Bid No. 0118-2270 to Veteran 1 Lawn Care, LLC, 786 Sugar House Drive, Port Orange, FL 32129 for a three (3) year lot clearing and nuisance abatement service contract in an amount not to exceed \$83,090, with two (2) one-year renewal options with the same terms and conditions, authorizing the City Manager to exercise renewal options, and authorizing the City Manager to expend the annual budget appropriations for this service contract. The Lot Clearance program has been very successful, and handles in excess of 1,900 requests annually. The current contract will expire October 20, 2018. The City advertised Bid No. 0118-2270 for the lot clearance and nuisance abatement services on July 20, 2018 and received bids on August 15, 2018. Veteran 1 Lawn Care, LLC was the lowest-best responsive bidder. The contract will be effective for three (3) years from the date of signing. Funds available in the Solid Waste Management Fund.

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

**8.I.** [Finance Department/Information Technology Division - Innovyze Inc - Innovyze InfoSWMM Wastewater Modeling Software License and Software Maintenance - Purchase \(pp. 252-266\)](#)

**Resolution** approving the purchase of a floating license of Innovyze InfoSWMM Wastewater Collection System software, including 10,000 links, and the first year of software maintenance from Vendor No. 101285, Innovyze Inc., 6720 SW Macadam Ave. Suite 150, Portland OR 97219, in the amount of \$29,380. Carollo Engineers Inc. was chosen as the City's Engineering Consultant for developing a Wastewater Master Plan pursuant to Request for Proposals (RFP) No. 0418-0680. Carollo Engineers recommends the City implement InfoSWMM as its wastewater hydraulic software for modeling gravity sewer and force main networks. The City already owns a license to InfoWater; a similar software used for modeling potable water systems, which is made by the same company as InfoSWMM. Efficiencies are expected to be gained from staff training on and using similar software to model water and wastewater. Funds available in Water and Sewer Renewal and Replacement 8% Fund.

**Recommendation:** Chief Financial Officer recommends adoption of the Resolution.

**8.J.** [Finance/Information Technology - Axon Enterprise Inc - Body Worn Camera Equipment, Software, and Services - Sole Source Purchase \(pp. 267-299\)](#)

**Resolution** approving the purchase 25 body worn cameras (BWC), with associated equipment and services, and approving a five year agreement with Axon Enterprise Inc., formerly known as Taser International Inc., 17800 N. 85th St., Scottsdale, Arizona 85255. The new agreement will supersede an existing agreement with Axon pertaining to the Police Department's 190 unit BWC program. The proposed five year agreement will have an effective date of October 1, 2018 and will govern the new BWC total of 215 units and includes: software licensing, data storage, and Taser Assurance Plans (TAP). An initial payment of \$138,627.40 is due upon the effective date and is the total amount to be encumbered for this purpose during fiscal year 2019. The initial payment includes a credit of \$100,688.60, which the City paid to Axon during fiscal year 2018, but which will not have been consumed under the existing agreement as of the effective date. Payments for years 2 through 5 for software licensing, data storage, and TAP will be due annually in the amount of \$239,316, an increase of \$88,284 per year over the current annual obligation of \$151,032. The increase is due to adding cameras, and to the adoption of an unlimited data storage plan for all BWC users.

This purchase is considered sole source, since the City has standardized on the Axon BWC program pursuant to four previous agreements approved by Resolutions 13-142, 14-269, 15-247, and 17-41. It is requested that the City Manager be authorize to expend funds for annually recurring payments;

providing sufficient funds are available. Funding for FY 2019, subject to budgetary approval, is available in the Information Technology Fund and the Federal Shared Property Forfeiture Fund.

Recommendation: Chief Financial Officer recommends adoption of the Resolution.

**8.K.** [Finance Department - Allocation of Bike Week Sponsorship Funds \(pp. 300-301\)](#)

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

\$2471 to First Step Shelter, Inc., for a general donation and \$2,471 to Volusia Volunteers in Medicine, Inc., for a general donation from the Bike Week Sponsorship Funds of Commissioner Aaron Delgado.

Recommendation: Chief Financial Officer recommends adoption of the Resolution.

**8.L.** [Finance Department - Allocation of Bike Week Sponsorship Funds \*\*\\*\\*added 09-19-18\\*\\*\*\*](#)

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

\$100 to Greater Union First Baptist Church Laymen Ministry, for ad in Journal from the Bike Week Sponsorship Funds of Commissioner Paula Reed.

Recommendation: Chief Financial Officer recommends adoption of the Resolution.

**9. PUBLIC HEARINGS.**

**9.A.** [Development and Administrative Services, Planning Division - Minto Tomoka Parcel A - Voluntary Annexation \(pp. 302-320\)](#)

**Ordinance on second reading - PUBLIC HEARING** - approving a voluntary annexation of 2.13± acres of land located west and adjacent to Tymber Creek Road South and south of Old Tomoka Road, contiguous to the municipal boundary, and pursuant to Chapter 171, Florida Statutes. Applicant: Robert A. Merrell III, Esquire, Cobb Cole, on behalf of Consolidated-Tomoka Land Co.

Dennis Mrozek, Planning Director, to report.

Recommendation: Planning Director recommends approval.



Action: Motion to adopt Ordinance.

**9.B.** [Development and Administrative Services, Planning Division - Minto Tomoka Parcel A - Large Scale Comprehensive Plan Amendment \(pp. 321-537\)](#)

**Ordinance on second reading - PUBLIC HEARING** - adopting a Large Scale Comprehensive Plan Amendment (LSCPA), amending the Future Land Use Element, Neighborhood V, to increase the residential density and reduce the non-residential intensity for 1614± acres of land located west of Interstate 95 and south of West Granada Boulevard/State Road 40 to permit the development of 3,250 residential dwelling units and limit commercial development to 200,000 square feet. Applicant: Robert A. Merrell III, Esquire, Cobb Cole, on behalf of Scott Bullock, Consolidated-Tomoka Land Co.

Dennis Mrozek, Planning Director, to report.

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

Action: Motion to adopt Ordinance.

**9.C.** [Development and Administrative Services, Planning Division - Minto Tomoka Parcel A - Rezoning, Planned Development-General \(pp. 538-652\)](#)

**Ordinance on second reading - Quasi-Judicial Hearing** - approving a request to rezone 1614± acres of land located west of Interstate 95 and south of West Granada Boulevard/State Road 40 from "County" Rural Agriculture (A-2) and Resource Corridor (RC) to "City" Planned Development-General (PD-G) to develop up to 3,250 dwelling units with amenities and up to 200,000 square feet of commercial uses, and authorizing the Mayor to execute the Minto Tomoka - Parcel A Planned District Agreement. Applicant: Robert A. Merrell III, Esquire, Cobb Cole, on behalf of Scott Bullock, Consolidated-Tomoka Land Co.

Dennis Mrozek, Planning Director, to report.

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

Action: Motion to adopt Ordinance.

**9.D.** [Development and Administrative Services, Planning Division - Tomoka Farms Road ILF - Voluntary Annexation \(pp. 653-671\)](#)

**Ordinance on second reading - PUBLIC HEARING** - approving a voluntary annexation of 46.81± acres of land located west of Tomoka Farms Road and north of First Baptist Parkway, contiguous to the municipal

boundary, and pursuant to Chapter 171, Florida Statutes. Applicant: A request by Robert A. Merrell III, Esq., Cobb Cole, on behalf of THP, LLC.

Dennis Mrozek, Planning Director, to report.

Recommendation: Planning Director recommends approval.

Action: Motion to adopt Ordinance.

**9.E.** [Development and Administrative Services, Planning Division - Tomoka Farms Road ILF - Large Scale Comprehensive Plan Amendment \(pp. 672-749\)](#)

**Ordinance on second reading - PUBLIC HEARING** - adopting a Large Scale Comprehensive Plan Amendment (LSCPA) changing the Future Land Use Map (FLUM) designation from "County" Activity Center (AC) and Environmental Systems Corridor (ESC) to "City" Level 1 Residential and Potential Environmentally Significant (PES) for 46.81± acres of land located at 1510 Tomoka Farms Road, north of First Baptist Parkway and west of Tomoka Farms Road to allow for the development of a 150 unit age restricted independent living facility. Applicant: Robert A. Merrell III, Esq., Cobb Cole, on behalf of THP, LLC.

Dennis Mrozek, 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 - Tomoka Farms Road ILF - Rezoning, Planned Development-General \(pp. 750-805\)](#)

**Ordinance on second reading - Quasi-Judicial Hearing** - approving a request to rezone 46.81± acres of land located at 1510 Tomoka Farms Road, north of First Baptist Parkway and west of Tomoka Farms Road from "County" Rural Agriculture (A-2) and Resource Corridor (RC) to "City" Planned Development-General (PD-G) to allow for the development of a 150 unit age restricted independent living facility, and authorizing the Mayor to execute the Tomoka Independent Living Planned District Agreement. Applicant: Robert A. Merrell III, Esquire, Cobb Cole, on behalf of THP, LLC.

Dennis Mrozek, Planning Director, to report.

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

Action: Motion to adopt Ordinance.

**9.G.** [Development and Administrative Services, Planning Division - Land](#)

[Development Code Text Amendment - Amend Article 5 \(Use Standards\) \(pp. 806-813\)](#)

**Ordinance on second reading - PUBLIC HEARING** amending Article 5, Section 5.2.B (Use Standards) of the Land Development Code to require a minimum separation of 500 feet from Self-Storage or Mini-Warehouse uses and a Major Thoroughfare. Applicant: Development and Administrative Services Department, Planning Division.

Dennis Mrozek, Planning Director, to report.

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

Action: Motion to adopt Ordinance.

**9.H.** [Development and Administrative Services, Planning Division - Land Development Code Text Amendment - Amend Article 6 and 7 \(pp. 814-827\)](#)

**Ordinance on second reading - PUBLIC HEARING** - amending the Land Development Code, Article 6 (Development Standards) to require LED street lighting, and Article 7 (Subdivision Infrastructure) to use modern construction materials in the City infrastructure. These text amendments ensure the latest technology and construction materials are used to ensure safe and effective standards for City infrastructure. Applicant: Development and Administrative Services Department, Planning Division, on behalf of the Public Works Department.

Dennis Mrozek, Planning Director, to report.

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

Action: Motion to adopt Ordinance.

**9.I.** [Development and Administrative Services, Planning Division - 200 Block South MLK - Small Scale Comprehensive Plan Amendment \(pp. 828-857\)](#)

**Ordinance on second reading - PUBLIC HEARING** - adopting a Small Scale Comprehensive Plan Amendment (SSCPA) amending the Future Land Use Map designation from Level 2 Residential to Commercial Transitional for six (6) properties totaling 1.28± acres of land located generally along and west of Dr. Martin Luther King Boulevard between Magnolia Avenue and Cherry Street to provide the correct future land use as illustrated in the Midtown Master Plan. Applicant: Development and Administrative Services Department, Planning Division.

Dennis Mrozek, Planning Director, to report.

Recommendation: Planning Board recommends approval 7-to-0.

Action: Motion to adopt Ordinance.

**9.J.** [Development and Administrative Services, Redevelopment Division - 200 Block South MLK - Rezoning to Redevelopment Midtown-Neighborhood Transition Mixed Use \(RDM-5\) \(pp. 858-893\)](#)

**Ordinance on second reading - PUBLIC HEARING** - approving a request to rezone 1.28± acres of land located generally along and west of Dr. Martin Luther King Boulevard between Magnolia Avenue and Cherry Street from Redevelopment Midtown-Residential Preservation (RDM-6) to Redevelopment Midtown-Neighborhood Transition Mixed Use (RDM-5) for the purpose of providing the correct zoning district illustrated in the Midtown Master Plan. Applicant: Development and Administrative Services, Redevelopment Division.

Reed Berger, Redevelopment Director, to report.

Recommendation: Midtown Redevelopment Board recommends approval 4-to-0 and the Planning Board recommends approval 7-to-0.

Action: Motion to adopt Ordinance.

**9.K.** [Development and Administrative Services, Planning Division - Kirton Tract - Large Scale Comprehensive Plan Amendment \(pp. 894-974\)](#)

**Ordinance on first reading - PUBLIC HEARING** - adopting a Large Scale Comprehensive Plan Amendment (LSCPA) changing the Future Land Use Map (FLUM) designation from "County" Low Impact Urban (LIU) and Environmental Systems Corridor (ESC) to "City" Mixed Uses (MU) and Potential Environmentally Sensitive (PES) and amending the Future Land Use Element, Neighborhood R, to limit density and FAR for 378.49± acres of land located at the southwest corner of the intersection of Interstate 95 and Interstate 4, and east of Tomoka Farms Road. Applicant: Glenn D. Storch, P.A., Storch Law Firm on behalf of Thomas Kirton and Katherine Wingard, as Co-Trustees of the Dorothy C. Kirton Living Trust of November 17, 2004 and Myron S. Kirton Living Trust of November 17, 2004.

Dennis Mrozek, Planning Director, to report.

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

Action: Motion to pass Ordinance on first reading.

Note: If passed, second Public Hearing, November 7, 2018.

**9.L.** [Budget Office - FY 2018/19 Property Taxes and Budget - City of Daytona Beach \(pp. 975-987\)](#)

1. **PUBLIC HEARING** - Members of the general public may speak on the

millage rate and the FY 2018-2019 budget.

2. Presentation by the Budget Officer.

3. **Resolution** of the City of Daytona Beach adopting an ad valorem property final tax millage rate of 6.2000 (\$6.2000 per \$1,000 of assessed taxable value). This is a 5.93% tax increase from the rolled back rate of 5.8527; and a voted debt service final millage rate of 0.3090 (\$0.3090 per \$1,000 of assessed taxable value) which is a 8.82% reduction from the FY 2017/18 tax rate.

4. **Resolution** adopting the Budget for the fiscal year October 1, 2018, to September 30, 2019; prescribing estimated Revenue Sources of \$246,888,734, and setting forth Operating Expenditures, Capital Expenditures, and Transfers of \$246,888,734.

Fred Coulter, Budget Officer, to report.

Recommendation: City Manager recommends adoption of the Resolutions.

Action: Motion to adopt the Resolutions.

**9.M.** [Budget Office - FY 2018/19 Property Taxes and Budget - Downtown Development Authority \(DDA\) \(pp. 988-998\)](#)

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1. Presentation by Jason Jefferies, Redevelopment Project Manager.  
Discussion on the proposed millage rate of 1.0000 and proposed budget.

2. **PUBLIC HEARING** - Members of the general public may speak and ask questions on the proposed millage rate and the FY 2018/19 budget.

3. **Resolution** of the Daytona Beach Downtown Development Authority adopting an ad valorem property tax millage rate of 1.0000 (\$1.0000 per \$1,000 of assessed taxable value). This is the rate utilized in the Notice of Proposed Property Taxes and is a 27.50% tax increase from the rolled back rate of 0.7843.

4. **Resolution** adopting the Budget for the fiscal year October 1, 2018, to September 30, 2019; prescribing estimated Revenue Sources of \$266,032 and setting forth Operating Expenditures, Capital Expenditures, and Transfers of \$266,032.

Jason Jeffries, Redevelopment Project Manager, to report.

Recommendation: Authority Chairman recommends action.

Action: Motion to adopt the Resolutions.

**9.N.** [Engineering/Public Works Department - Bellewood Commons Final Plat \(pp. 999-1012\)](#)

**Resolution - PUBLIC HEARING** - approving the Final Plat for Plat for Bellewood Commons. The Final Plat includes area containing 5± acres and 4 developable lots. The subject property is located at 1250 Beville Road, at the northeast corner of Beville Road and Cambridge Avenue. The building on the site is vacant and was most recently used as the Christian & Missionary Alliance Church. The final plat will allow for a mixed use project on the property. Ordinance No. 18-51 adopted at the February 7th, 2018 City Commission Meeting approved the preliminary plat.

David Waller, Deputy Public Works Director, to report.

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

**Action:** Motion to adopt the Resolution.

**9.O.** [Development and Administrative Services - Framework Transportation Improvements Cost Allocation Agreement and Proportionate Fair Share Contribution \(pp. 1013-1020\)](#)

**Resolution - PUBLIC HEARING** - authorizing the City to enter into the Framework Transportation Improvements Cost Allocation Agreement with Consolidated Tomoka Land Co., ("Owner") and Framework Group, LLC, ("Developer") and approving the proportionate fair share contribution. The agreement provides for a proportionate fair share contribution to the County in the amount of \$371,085.87 to address traffic concurrency and traffic impacts. The contribution will provide transportation improvements in the impact area and shall be paid to the County prior to the City's issuance of Certificate of Occupancy for Framework. This project is located on the east side of Williamson Boulevard, south of Hand Avenue and north of Strickland Range Road.

James Morris, Deputy City Manager, to report.

**Recommendation:** Deputy City Manager recommends adoption of the Resolution.

**Action:** Motion to adopt Resolution.

**9.P.** [Development and Administrative Services - CVJCR Properties/Great American Transportation Improvements Cost Allocation Agreement and Proportionate Fair Share Contribution \(pp. 1021-1029\)](#)

**Resolution - PUBLIC HEARING** - authorizing the City to enter into the CVJCR Properties/Great American Transportation Improvements Cost Allocation Agreement with CVJCR Properties, Ltd, LLP, ("Owner") and

approving the proportionate fair share contribution. The agreement provides for a proportionate fair share contribution to the County in the amount of \$43,931.49 to address traffic concurrency and traffic impacts. The contribution will provide transportation improvements in the impact area and shall be paid to the County prior to the City's issuance of Certificate of Occupancy for CVJCR Properties/Great American. This project is located west of Interstate-95 (I-95) and north of International Speedway Boulevard at 620 N. Tomoka Farms Road.

James Morris, Deputy City Manager, to report.

Recommendation: Deputy City Manager recommends adoption of the Resolution.

Action: Motion to adopt Resolution.

**9.Q.** [Development and Administrative Services - Tomoka Independent Living Transportation Improvements Cost Allocation Agreement and Proportionate Fair Share Contribution \(pp. 1030-1038\)](#)

**Resolution - PUBLIC HEARING** - authorizing the City to enter into the Tomoka Independent Living Transportation Improvements Cost Allocation Agreement with THP, LLC ("Owner") and BPS Independent Living, LLC ("Developer") and approving the proportionate fair share contribution. The agreement provides for a proportionate fair share contribution in the amount of \$3,505.44 to address traffic concurrency and traffic impacts. The contribution will provide transportation improvements in the impact area and shall be paid to the County prior to the City's issuance of a Certificate of Occupancy. This project is located west of Tomoka Farms Road and north of First Baptist Parkway at 1500 Tomoka Farms Road.

James Morris, Deputy City Manager, to report.

Recommendation: Deputy City Manager recommends adoption of the Resolution.

Action: Motion to adopt Resolution.

**10. ADMINISTRATIVE ITEMS.**

**10.A.** [Development and Administrative Services, Planning Division - Voluntary Annexation - Kirton Tract \(pp. 1039-1067\)](#)

**Ordinance on first reading** approving a voluntary annexation of four parcels for a total of 407.49± acres of land located at the southwest corner of the intersection of Interstate 95 and Interstate 4, west of Interstate 95 and east of Tomoka Farms Road, contiguous to the municipal boundary, and pursuant to Chapter 171, Florida Statutes.

Parcel #6203-00-00-0060 – 1749 Tomoka Farms Road  
Parcel #6203-00-00-0010 – 1661 Tomoka Farms Road  
Parcel #5234-00-00-0370 – 1667 Tomoka Farms Road  
Parcel #5234-00-00-0372 Tomoka Farms Road

Applicant: Glenn D. Storch, Storch Law Firm, on behalf of Thomas Kirton and Katherine Wingard, as Co-Trustees of the Dorothy C. Kirton Living Trust of November 17, 2004, and Myron S. Kirton Living Trust of November 17, 2004, and Bonnie L. Hutchinson and Laura L. Curtis.

Dennis Mrozek, Planning Director, to report.

Recommendation: Planning Director recommends approval.

Action: Motion to pass Ordinance on first reading.

Note: If passed, Public Hearing, November 7, 2018.

**10.B.** [Legal Department - City Code Amendment, Chapter 102 "Vehicles for Hire" \(pp. 1068-1071\)](#)

**Ordinance on first reading** amending Chapter 102 - "Vehicle for Hire" - by repealing certain provisions and adding certain requirements to provide greater consistency with state's exclusive regulation of Transportation Network Companies such as UBER and LYFT, providing for conflicts, codification and severability.

Robert Jagger, City Attorney, to report.

Recommendation: City Attorney recommends passing Ordinance on first reading.

Action: Motion to pass Ordinance on first reading.

Note: If passed, Public Hearing, October 3, 2018.

**10.C.** [City Manager's Office - Code Enforcement Board Appointments \(pp. 1072-1084\)](#)

**Resolution** appointing four (4) members to the Code Enforcement Board. The membership term of Turner Hymes and Cheryl House have expired and both would like to be reappointed. There are two additional open positions made available as a result of the resignations from Dalynn Purdy and Vernon Weatherholtz. The board shall consist of seven members appointed by the City Commission. Members of the board shall be residents of the City. In addition to the applications for reappointment from Ms. Turner and Ms. House, we have applications from Karen Robey and Valorie McLean.

Betty Goodman, Assistant City Manager, to report.

Recommendation: Commission action.



Action: Motion to adopt the Resolution.

11. **COMMENTS AND INQUIRIES FROM THE CITY COMMISSION - CITY MANAGER AND CITY ATTORNEY REPORT.**
12. **ADJOURNMENT.**
13. **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.**