



**THE CITY OF DAYTONA BEACH
BUSINESS MEETING OF THE CITY COMMISSION
JUNE 19, 2019
CITY COMMISSION CHAMBERS
6:00 PM**

AGENDA

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

NOTICE- Pursuant to Section 286.0105, Florida Statutes, if any person decides to appeal any decision made by the City Commission at this public meeting, such person will need a record of the proceedings and, for that purpose, such person 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.

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| | For special accommodations, please notify the City Clerk's Office at least 72 hours in advance. (386) 671-8020 | | Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained from the City Clerk's Office. |
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In accordance with the Americans with Disabilities Act (ADA), persons with a disability needing a special accommodation to participate in the City Commission meeting should contact the City Clerk's Office, 301 S. Ridgewood Ave, Room 210, Daytona Beach, FL 32114, Telephone: (386) 671-8023, Email: clerk@codb.us not later than 72 hours prior to the proceedings. If you are hearing or voice impaired contact the relay operator at 1-800-955-9771.

1. ROLL CALL.

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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 20, 2019 Riverfront Park Workshop, March 6, 2019 Food Truck Workshop, March 30, 2019 Affordable Housing Workshop; and the April 17, 2019 Strategic Planning Workshop of the City Commission held at City Hall, 301 S. 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 2019 \(pp. 11-13\)](#)

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Residential Award:

Richard and Ruth Lawrence, 234 Anita Avenue, Commissioner Quanita May, Zone 3, to present.

Commercial Award:

Wells Fargo Bank, 130 North Ridgewood 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.

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 - Comprehensive Emergency Management Plan (CEMP) - Revision (pp. 15-127)

Resolution approving revision of the Comprehensive Emergency Management Plan (CEMP) - Replacing the existing Emergency Management Plan for the City, aligning the City with the County, State, and Federal Agencies to meet the requirements of the National Response Framework.

Recommendation: Police Chief recommends adoption of the Resolution.

8.B. Public Works/Technical Services Division - MRI Architectural Group, Inc., Contract No. 0517-0330-MRI and Ebert Norman Brady, PA, Contract No. 0517-0330-ENB - Renewal of Architectural Continuing Professional Services Contracts (pp. 128-132)

Resolution approving a one year renewal of the Architectural Continuing Professional Services Contracts with the firm of MRI Architectural Group, Inc., Contract No. 0517-0330-MRI and Ebert Norman Brady, PA. Contract No. 0517-0330-ENB as approved by Resolution Number 17-237 and authorizing the City Manager to make subsequent renewals of both contracts when requested.

Recommendation: Public Works Director recommends adoption of the Resolution

8.C. [Public Works/Technical Services Division - Jay Ammon Architect Inc. - Joes Crab Shack - City Project No. 2019-003 - Work Authorization No. 3 \(pp. 133-165\)](#)

Resolution approving Work Authorization No. 3 with Jay Ammon Architect Inc., 3246 Lakeview Oaks Drive, Longwood, FL 32779, for the design, bidding assistance and construction administrative services for the reroofing and walkable surface project for Joes Crab Shack. The walkable surface on the roof of Joes Crab Shack is failing and is a potential safety hazard for customers and Joe's Crab Shack staff. The roofing material under the walkable surface is also having issues with leaks. Replacing just the walkable service would cost approximately 1/3rd of the total cost of replacement of the entire roofing system. It is recommended to move forward with the design and bidding for the replacement of the deteriorated walkable roof surface and the re-roofing of the three roofing systems in the upper deck area as one project to minimize the overall long-term impact of construction on customer work zone exposure, downtime to business operations and subsequent impacts to the revenue streams associated with a multi-project approach.

Recommendation: Public Works Director recommends adoption of the Resolution.

8.D. [Finance Department - Allocation of Bike Week Sponsorship Funds \(pp. 166-167\)](#)

Resolution authorizing payment in the amount of:

\$200 to Bethune-Cookman University for The Honorable Hubert L. & Mrs. Daisy Taylor Grimes Legacy Scholarship Endowment, A Legacy of Service event, June 13, 2019 and \$250 to James E Huger Sr. Scholarship, Inc, for the 6th Annual Jimmy Huger Scholarship Golf Tournament, June 29, 2019 from the Bike Week Sponsorship Funds of Mayor Derrick Henry.

\$250 to Volusia Volunteers in Medicine, for Inaugural Charity Golf Tournament fundraiser June 15, 2019 and \$300 to James E Huger Sr. Scholarship, Inc, for the 6th Annual Jimmy Huger Scholarship Golf Tournament, June 29, 2019 from the Bike Week Sponsorship Funds of Commissioner Paula Reed.

Recommendation: Chief Financial Officer recommends adoption of the Resolution.

8.E. [City Manager's Office - The Brown Riverfront Esplanade Foundation, Inc., - Riverfront Park Esplanade Plan/Schematic Design Set ****added 06-18-19****](#)

Resolution approving the Riverfront Esplanade Master Plan/Schematic Design Set. The Brown Riverfront Esplanade Foundation, Inc., submitted an Esplanade Master Plan/Schematic Design Set, complete with updated imagery from the original concepts submitted several months ago. The Master Plan includes dimensioned, scaled drawings which generally depicts hardscaping features, landscaping features, buildings and structures. Per the lease agreement with the Brown Riverfront Esplanade Foundation, CRA/City Commission approval of the preliminary master plan is required before commencing construction/installation of the initial improvements.

James Chisholm, City Manager, to report.

Recommendation: Commission Action.

Action: Motion to adopt Resolution.

9. PUBLIC HEARINGS.

9.A. [Development and Administrative Services, Planning Division - Land Development Code Text Amendment - Amend Article 5, Mobile Food Vending \(pp. 168-204\)](#)

Ordinance on second reading - PUBLIC HEARING - amending the Land Development Code (LDC), Article 5, Section 5.4.B.2. (Prohibited Temporary Uses and Structures) and Tables 5.4.B.5, 6, & 7 (Temporary Use/Structure Tables) to allow for mobile food vending as a temporary use in all zoning districts. Applicant: Development and administrative Services Department, Planning Division.

James Morris, Deputy City Manager, to report.

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

Action: Motion to adopt Ordinance.

9.B. [Development and Administrative Services, Planning Division - Code of Ordinances Text Amendment - Mobile Food Vendors \(pp. 205-214\)](#)

Ordinance on second reading - PUBLIC HEARING - creating Chapter 103 (Mobile Food Vendors) to the Code of Ordinances to add regulations and licensing requirements for Mobile Food Vendors to provide the City with a new business market.

James Morris, Deputy City Manager, to report.

Recommendation: Planning Director recommends approval.

Action: Motion to adopt Ordinance.

9.C. [Development and Administrative Services, Planning Division - LPGA Superwash Express III - First Amendment to LPGA Superwash Express III Planned District Agreement \(pp. 215-245\)](#)

Ordinance on second reading - Quasi-Judicial Hearing - amending the LPGA Superwash Express III Planned District Agreement to modify the approved ground signs for the development on 7+/- acres generally located at the southeast corner of LPGA Boulevard and N. Clyde Morris Boulevard, and authorizing the Mayor to execute the First Amendment to the LPGA Superwash Express III Planned District Agreement. Applicant: Mark Karet, Zev Cohen & Associates, Inc., on behalf of Paul Bradley, Superwash IV, Inc.

James Morris, Deputy City Manager, to report.

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

Action: Motion to adopt Ordinance.

9.D. [Development and Administrative Services, Planning Division - Project Delta West - Small Scale Comprehensive Plan Amendment \(pp. 246-346\)](#)

Ordinance on second reading - PUBLIC HEARING - adopting a Small Scale Comprehensive Plan Amendment (SSCPA) amending the Future Land Use Map designation from Commercial Mixed Use to High Intensity Mixed Use for 1.96± acres of land located northeast of the intersection of International Speedway Boulevard and Ridgewood Boulevard and amending the Future Land Use Element, Neighborhood E, to increase the density from 40 du/ac to 150 du/ac and re-establish the FAR as 10 for the entire 5.99± acres. Applicant: Robert A. Merrell III, Esq., Cobb Cole, on behalf of DB Mainland, LLC.

James Morris, Deputy City Manager, to report.

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

Action: Motion to adopt Ordinance.

9.E. [Development and Administrative Services, Redevelopment Division. Project Delta West - Rezoning to Planned Development - Redevelopment \(pp. 347-457\)](#)

Ordinance on second reading - Quasi-Judicial Hearing - approving a request to rezone 5.99± acres of land located in the block bounded by W. International Speedway Blvd., N. Ridgewood Avenue, Bay Street, and N. Palmetto Avenue, from Downtown Redevelopment - Central Business

District (RDD-2) and Downtown Redevelopment - Commercial (RDD-3) to Planned Development-Redevelopment (PD-RD) to facilitate development of a mixed-use commercial development, and authorizing the Mayor to execute the Project Delta West Planned District Agreement. Applicant: Robert A. Merrell III, Esquire, Cobb Cole, on behalf of Mainland DB, LLC.

James Morris, Deputy City Manager, to report.

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

Action: Motion to adopt Ordinance.

9.F. [Budget Office / City Manager's Office - Amending Chapter 46, Article II, Sections 46-26 and 46-91 of the Code of Ordinances \(pp. 458-466\)](#)

Ordinance on second reading - PUBLIC HEARING - amending chapter 46, city code to amend Article II, Section 46-26 entitled "Appropriation of Fund Balance/Retained Earnings and Fund Balance/Retained Earnings Reserve Levels" and Section 46-91 entitled "Lapse of Appropriation" to clarify the policy as it relates to the segregated budgetary cash reserves, renewal and replacement funds and beginning budgetary fund balance for purpose of the annual fiscal integrity.

Fredrik Coulter, Budget Officer, to report.

Recommendation: Budget Officer recommends adopting the Ordinance.

Action: Motion to adopt Ordinance.

10. ADMINISTRATIVE ITEMS.

10.A. [Budget Division - Second Quarter FY 2018/19 Budget Amendment \(pp. 467-487\)](#)

Resolution amending Resolution No. 18-325 as previously amended, which adopted the FY 2018/19 budget, in order to increase revenues by \$51,088,728, operating expenditures by \$38,988,360, and transfers and capital projects by \$12,100,368. This budget amendment recognizes and allocates Bike Week Funds, adjusts the budget for the rollover of certain encumbrances from the prior year, adjusts the funding source for certain capital expenditures, adjusts the budgeted current year revenues in the trust and impact fee funds reflecting current collections, increases funding for demolitions based upon increased demolition revenues, provides funding for the purchase of replacement vehicles, establishes a hurricane reserve, increases funding for the refuse contract, adjusts the budget of the consolidated insurance fund for additional revenues and expenditures, increases the number of full time positions by seven, and implements the modified Fiscal Integrity Ordinance by fully appropriating the available cash

balance at the beginning of the year and separately budgeting the required reserves in the operating funds.

Fred Coulter, Budget Officer, to report.

Recommendation: Budget Officer recommends adoption of the Resolution.

Action: Motion to adopt 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.