





**THE CITY OF DAYTONA BEACH
BUSINESS MEETING OF THE CITY COMMISSION
OCTOBER 16, 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.

	<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 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 September 18, 2019 Business Meeting 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 - SEPTEMBER 2019](#) (pp. 17-19)

Residential Award:

Freddie and Sonja Carter, 416 North Frederick Avenue, City Commissioner Paula R. Reed, Zone 6, to present.

Commercial Award:

Daytona Beach Regional Service Center, 210 North Palmetto Avenue, Suite 120, Mayor Derrick L. Henry to present.

6.B. [BEAUTIFICATION AWARDS - OCTOBER 2019](#) (pp. 20-22)

Residential Award:

Connie Chaney, 1113 Saint Augustine Road, City Commissioner Ruth Trager, Zone 1, 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. [Utilities Department - PerkinElmer Health Sciences, Inc. - Laboratory Metals Analyzer Purchase - Piggyback Memorandum of Understanding with University of Florida](#) (pp. 24-68)

Resolution approving a purchase from PerkinElmer Health Sciences, Inc., 710 Bridgeport Ave., Shelton. CT 06464-4794 using a piggyback Memorandum of Understanding with University of Florida for a metals analyzer in the amount of \$67,149.67. The purpose of this request is to maintain the ability to analyze for metals at the City's Regulatory Compliance Laboratory, thereby, complying with the Safe Drinking Water Act. The memorandum of understanding (MOU) with the University of Florida was obtained under UF Solicitation ITN15NH-115 and executed on Jan 3, 2018. This MOU included specialty lab supplies and remains in effect until May 4, 2022.

The City's current instrument was purchased in 1999 and is no longer supported by the manufacturer, making parts unavailable for repairs. The City is required under the National Primary Drinking Water Standards to collect lead and copper samples on its drinking water. Additionally, the US EPA is preparing to increase the lead and copper sampling in schools. This

instrument will also analyze other metals by the use of additional wavelength specific lamps, which can be added as needed. These additional capabilities allow for the long-term monitoring of other water quality testing. Funds are available in Water & Sewer Improvement Fund.

Recommendation: Utilities Director recommends the adoption of a Resolution approving a purchase from PerkinElmer Health Sciences, Inc. using a piggyback Memorandum of Understanding with University of Florida for a metals analyzer in the amount of \$67,149.67.

8.B. [Utilities Department - Ovivo USA LLC - Change Order No. 2 to Purchase Order No. 14131 - Softener Clarifier No.2 Replacement Turbine - Brennan WTP \(pp 69-81\)](#)

Resolution approving Change Order No. 2 to Purchase Order No. 14131 for a purchase from Ovivo USA, LLC, Order Entry Administrator, 4246 Riverboat Road, Suite 300, Salt Lake City, Utah 84123-2583, to replace the turbine on Softener Clarifier #2 at Brennan Water Treatment Plant (WTP) for an amount of \$189,368. The purpose of this request is to maintain the treatment process at Brennan WTP in accordance with state and federal permit requirements. Resolution No. 18-393 was adopted on November 21, 2018 to replace the 45-year old drive units on Softener Clarifiers #1 and #2 for an amount of \$404,456 under Purchase Order No. 14131. Brennan WTP utilizes three lime softening clarifiers to remove hardness in the raw water and, at any given time, only one softener can be taken out of service for repair.

Change Order No. 1 for the amount of \$189,455 was approved by City Commission on April 17, 2019 to replace the turbine on Softener Clarifier No.1 due to extensive metal deterioration that was discovered when the drive unit was removed during the process of its replacement. Replacement of the drive unit and turbine on Softener No.1 is now complete and back in operation and, at this time, Softener Clarifier No.2 was taken out of service to replace the drive unit. During the process of removing the old drive unit on Softener Clarifier No.2, it was discovered that the turbine has a large amount of metal deterioration requiring the turbine to be replaced in order to properly operate with the new drive unit. The influent piping is also severely rusted with holes throughout the piping. Ovivo is the sole manufacturer of equipment on the City's Softener Clarifiers. A sole source letter is attached. Funds available in Renewal & Replacement 8% Fund.

Recommendation: Utilities Director recommends adoption of the Resolution approving Change Order No. 2 to Purchase Order No. 14131 for a purchase from Ovivo USA, LLC, to replace the turbine on Softener Clarifier No.2 at the Brennan Water Treatment Plant (WTP) in the amount of \$189,368.

8.C. [Utilities Department - Tom Evans Environmental, Inc. - Reuse Pump Station 100 - PeerlessPumps Purchase \(pp. 82-91\)](#)

Resolution approving a purchase from Tom Evans Environmental, Inc., 3200 Flightline Drive, Suite 302, Lakeland, FL 33811 for the replacement of 4 pumps and 2 motors for Reuse Pump Station 100 in the amount of \$158,970. The purpose of this request is to maintain regulatory compliance in the Reuse Pump Station (PS) operations in accordance with State and Federal regulations.

The City of Daytona Beach Utilities Department operates five reuse pumping stations that pump more than four million gallons of reuse water daily. Four 100hp pumps are installed at Reuse PS100, two are out of service and two are operational but are no longer able to keep up with the increasing demand in an efficient manner due to their age. All four pumps will be replaced. The two out of service pumps will be replaced with pumps that have new 150hp motors to accommodate the future demand and the other two new pumps will utilize existing 100hp motors for periods of low flow demand. These replacements will offer a wider flow range while being able to maintain the required pressures and address the increase in demand now and in the future.

The Utilities Department is standardizing on the Peerless pumps since these pumps are the only pump and motor that meets the specific need without major modifications of the system and footprint. Peerless pumps are only available from one source, which is Tom Evans Environmental, Inc., due to an exclusive sales territory. Funds available in the Water & Sewer Improvement Fund.

Recommendation: Utilities Director recommends adoption of the Resolution approving a purchase from Tom Evans Environmental, Inc., for the replacement of 4 pumps and 2 motors for Reuse Pump Station 100 in the amount of \$158,970.

8.D. [Utilities Department - McKim & Creed, Inc. - Contract No. 1307-1022 - Work Authorization No. 6 \(pp. 92-147\)](#)

Resolution approving Work Authorization No. 6 to Contract No. 1307-1022 with McKim & Creed, Inc. 139 Executive Circle, Suite 201, Daytona Beach, FL 32114 for an evaluation and design of a system wide Supervisory Control and Data Acquisition (SCADA) update in an amount of \$365,048.83. Supervisory Control and Data Acquisition (SCADA) System is used to monitor and control the processes, providing critical visibility to the City's three treatment plants (Ralph Brennan Water Treatment Plant, Bethune Point Water Reclamation Facility and Westside Regional Water Reclamation Facility) and water supply wells for proper control, mitigation of accidents, and notification of alarm conditions. These SCADA systems are critical to

their operation; however, they are aging and in dire need of replacement. Many of the components are significantly outdated making their operation tenuous and the ability to obtain spare parts difficult and expensive.

Work Authorization No. 6 will consist of a study to evaluate the different SCADA systems available today in order to determine the most suitable system for the treatment plants and any other SCADA-assisted facility in the Utilities Department. Additionally, design standards will be developed such that whatever system is selected will be consistently applied throughout any and all SCADA-assisted facilities in the Utilities Department. The fee for the study and standards will be \$95,731.98. The second portion of Work Authorization No. 6 will include Design, RFP Development and Bidding Services, and Construction Oversight of the updated SCADA System that is needed before the implementation of a SCADA system replacement can begin. The fee for this portion will be \$269,316.85. Funds are available in the Water & Sewer Renewal & Replacement 5% fund account.

Recommendation: Utilities Director recommends adoption of the Resolution approving Work Authorization No. 6 to Contract No. 1307-1022 with McKim & Creed, Inc. for an evaluation and design of a system wide SCADA update in an amount of \$365,048.83.

8.E. [Utilities Department - Taylor Avenue Utility Easement Acceptance](#)
(pp. 148-154)

Resolution accepting a perpetual non-exclusive utility easement within the vacated Volusia County right-of-way of Taylor Avenue from Sun Glow Construction Inc. as part of the Sunglow Mini storage development project. The easement is located approximately 1,300' north of the LPGA/ Jimmy Ann Drive intersection. The utility easement to be accepted, will be dedicated to the City of Daytona Beach to allow for future expansion of the City's potable water infrastructure. The easement will allow the potable water lines to be looped. Looping of potable water infrastructure improves water quality and increases water pressure needed to facilitate future growth in the area. There is no cost associated with the granting and conveyance of the easement.

Recommendation: Utilities Director recommends adoption of Resolution.

8.F. [Leisure Services Department - Pop Warner Facility Use Agreement](#)
(pp. 155-166)

Resolution approving the Facility Use Agreement between the City of Daytona Beach and Daytona Beach Pop Warner Football/Cheerleading Association Inc, a 501 (c) (3) Florida non-profit corporation. The City grants Pop Warner an exclusive license to use the licensed facilities located at

Derbyshire Sports Complex, 849 Derbyshire Road, Daytona Beach, FL 32114. This agreement commences on the date last signed and ends on November 30, 2020 with option to renew for four (4) additional terms of one year each. Pop Warner will pay the City an annual fee equal to \$6.00 per participant per season, provided that the minimum annual fee will not be less than \$1,800 regardless of the total number of participants. □

Recommendation: Leisure Services Director recommends adoption of the Resolution.

8.G. [Leisure Services Department - Boys & Girls Club of Volusia/Flagler Counties, Inc. - Facility Use Agreement \(pp. 167-178\)](#)

Resolution approving the Facility Use Agreement between the City of Daytona Beach and Boys & Girls club of Volusia/Flagler Counties, Inc., a Florida corporation not-for-profit (Tenant). City leases to tenant a certain area within the Dickerson Center, 308 Martin Luther King Boulevard, Daytona Beach, Florida, for the purpose of operating a chartered Boys & Girls Club facility. Tenant will have the exclusive use of the leased premises. The initial term of this lease is 1 year, commencing on the date on which this agreement is fully executed. The parties may renew this agreement for up to 4 additional terms of 1 year each. The rent is \$12,600 annually. In exchange for the tenant's operation, staffing, and management of the public programs and services required in this lease, the City agrees to waive the rent each year while this lease is in effect.

Recommendation: Leisure Services Director recommends adoption of the Resolution.

8.H. [Fire Department - Zoll Medical Corporation - Cardiac Monitor/Defibrillators - Sole Source Purchase \(pp. 179-190\)](#)

Resolution authorizing the sole source purchase of two (2) Zoll X-Series Cardiac Monitor/Defibrillators and accessories in the amount of \$62,466.76 from Zoll Medical Corporation, 269 Mill Road, Chelmsford, Massachusetts 01824-4105. As adopted in the FY19/20 Capital Improvement Plan, the proposed monitor/defibrillators purchase is year five of a multi-year replacement program to replace essential life saving equipment which is beyond its useful life. Previous grant funding attempts have been denied. Funds available in the Capital Outlay Fund.

Recommendation: Fire Chief recommends adoption of Resolution authorizing the sole source purchase of two (2) Zoll X-Series Cardiac Monitor/Defibrillators and accessories from Zoll Medical Corporation in the amount of \$62,466.76.

8.I. [Fire Department - Alan Jay Fleet Sales - Command Vehicle Replacement Purchase \(pp. 191-203\)](#)

Resolution authorizing the expenditure of funds for the purchase of one (1) 2020 Chevrolet Silverado 2500 HD command vehicle for a total cost not to exceed \$54,379 from Alan Jay Fleet Sales - 2003 US 27, South Sebring, FL 33870. The vehicle shall be purchased utilizing Sourcewell cooperative contract No.2019-120716. Authorizing the City Manager to execute all applicable documents and budget documents as necessary. Funds available in General Fund.

Recommendation: Fire Chief recommends adoption of the Resolution authorizing the expenditure of funds for the purchase of one (1) 2020 Chevrolet Silverado 2500 HD command vehicle for a total cost not to exceed \$54,379 from Alan Jay Fleet Sales.

8.J. [Information Technology Division - Empire Computing and Consulting - Cisco Extended Service Support - Purchase \(pp. 204-212\)](#)

Resolution approving the purchase of the Cisco SmartNet Extended Service Support for various Cisco computer-networking devices from City Vendor No. 100783, Empire Computing and Consulting, 120 N. Frederick Avenue, Daytona Beach FL 32114, in the amount of \$32,979.44.

The City's data network processes significant amounts of information in support of all City departments and functions; providing access to the City's website, live meeting video streams, citywide internet access, VPN access, various software applications, telephone system interconnectivity, file servers, email, and other business critical applications. Cisco SmartNet Extended Service provides 24-hour access to Cisco experts, proactive diagnostics, security risk mitigation, security alerting, access to Cisco Technical Assistance, and rapid hardware replacements. The period of support coverage is November 1, 2019 to October 31, 2020. Pricing for this purchase is pursuant to WSCA state sales contract WSCA-NASPO No.AR233 (14-19) Participating Addendum for FL No.43220000-WSCA-14-ACS. Funds available in the Information Technology Fund.

Recommendation: Information Technology Manager recommends adoption of the Resolution approving the purchase of Cisco SmartNet Extended Service Support from Empire Computing and Consulting in the amount of \$32,979.44.

8.K. [Public Works Department - Sanpik, Inc. - Dr. Martin Luther King, Jr. Boulevard Roadway and Pedestrian Improvements - Change Order No. 1 \(pp. 213-290\)](#)

Resolution approving Change Order No.1 for the Dr. Martin Luther King, Jr. Blvd. Roadway and Pedestrian Improvements Project - Bid No. 19303 with SanPik, Inc., 3551 W. Lake Mary Blvd., Ste. 210, Lake Mary, FL 32746, for an amount not to exceed \$113,175.02, for a total adjusted contract amount of \$2,792,243.02 and adjusted contract time to 321 days. This request is to compensate the contractor for the delay caused by the redesign of the sanitary sewer system and the expanded scope of work and time to install a new reuse system. Time was also added to the contract due to the weather delay from Hurricane Dorian. Funds available in Renewal and Replacement 8%.

Recommendation: Public Works Director recommends adoption of the Resolution approving Change Order No.1 for the Dr. Martin Luther King, Jr. Blvd. Roadway and Pedestrian Improvements Project - Bid No. 19303 with SanPik, Inc., for an amount not to exceed \$113,175.02.

8.L. [Development and Administrative Services - One Daytona - Public Consumption and Street Closure License Agreement \(pp. 291-303\)](#)

Resolution approving a Public Consumption and Street Closure License Agreement between the City and Daytona Beach Property Holdings Retail, LLC, and One Daytona Community Development District. The Agreement would allow for open carrying and public consumption of alcoholic beverages on certain designated public right-of-way located within the One Daytona subdivision, and for the temporary closing of such right-of-way, subject to insurance, indemnification, and other conditions to protect the public interest.

Recommendation: Deputy City Manger recommends adoption of the Resolution.

8.M. [Finance Department - Allocation of Bike Week Sponsorship Funds \(pp. 304-305\)](#)

Resolution authorizing payment in the amount of:

\$1,500 to the Daytona Beach Police Foundation for a general donation from the Bike Week Sponsorship Funds of Commissioner Robert Gilliland.

Recommendation: Chief Financial Officer recommends adoption of the Resolution

9. PUBLIC HEARINGS.

9.A. [Development and Administrative Services - Development Loan - Affordable Housing Midtown Manor \(pp. 306-321\)](#)

Resolution approving documents granting a contingent loan from The City of Daytona Beach to Beneficial Community Partners to support the award of Florida Housing and Finance Corporation (FHFC) credits to Beneficial Community Partners for the construction of a four story, 82 unit affordable housing project known as Midtown Manor; authorizing the City Manager and the City Clerk to execute the loan commitment documents and deliver the documents needed by Beneficial Community Partners to perfect their tax credit application to FHFC.

James S. Morris, Deputy City Manager, to report.

Recommendation: Deputy City Manager recommends adoption of the Resolution.

Action: Motion to adopt the Resolution.

9.B. [Development and Administrative Services, Planning Division - MLK Lofts Planned District Agreement Extension \(pp. 322-352\)](#)

Ordinance on second reading - Quasi-Judicial Hearing - requesting to extend development rights under the MLK Loft Planned District Agreement by an additional one year from the date of approval of the Ordinance. The development will provide an 82 unit affordable housing project without restriction as to age. The property consists of 2± acres located at the southeast corner of South Martin Luther King Boulevard and Eldorado Street. Applicant: Development and Administrative Services Department, Planning Division.

James Morris, Deputy City Manager, to report.

Recommendation: Deputy City Manager recommends adopting the Ordinance.

Action: Motion to adopt Ordinance.

9.C. [Development and Administrative Services, Planning Division - First Amendment to Retail and Restaurant District East at Volusia Mall Planned District Agreement \(pp. 353-401\)](#)

Ordinance on second reading - Quasi Judicial Hearing - approving a request to amend the Retail and Restaurant District East at Volusia Mall Planned District Agreement to allow additional uses at 1702 W. International Speedway Boulevard, and authorizing the Mayor to execute the First Amendment to Retail and Restaurant District East at Volusia Mall Planned

District Agreement. Applicant: Robert A. Merrell III, Esquire, Cobb Cole, on behalf of Ken Wittler, Volusia SAC, LLC.

Dennis Mrozek, Planning Director, to report.

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

Action: Motion to Ordinance.

9.D. [Development and Administrative Services, Planning Division - Coastal Element - Large Scale Comprehensive Plan Amendment \(pp. 402-409\)](#)

Ordinance on first reading - PUBLIC HEARING - adopting a Large Scale Comprehensive Plan Amendment (LSCPA) amending the Coastal Management Element, adding Objectives and Policies for flood risk planning in accordance with FS 163.3178(2)(f)(1). Applicant: Development and Administrative Services Department, Planning Division.

Dennis Mrozek, Planning Director, to report.

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

Action: Motion to pass Ordinance at First Public Hearing.

Note: If passed, Second Public Hearing, December 18, 2019.

9.E. [Public Works - Preliminary and Final Tomoka Town Center Lot 6 and Parcel B Partial Replats \(pp. 410-420\)](#)

Resolution - Quasi-Judicial Hearing - approving a request by Charlie Parker, AVID Group on behalf of Tomoka Town Center Phase 1 LLC, to approve the Preliminary and Final Tomoka Town Center Lot 6 and Parcel B Partial Replats on 56.692 +/- acres pending any required changes needed to comply with Legal form and sufficiency requirements. The replat allows for the creation of new lots that will allow for future commercial development. The Final Plat has been reviewed by staff and the Technical Review Team (TRT), and was found to conform to City and State requirements. The Final Plat is consistent with the Preliminary Plat. The Preliminary Plat was recommended for approval with a 6-0 vote at the Planning Board's August 22, 2019 meeting.

Andrew Holmes, Public Works Director, to report.

Recommendation: Public Works Director recommends adoption of the Resolution.

Action: Motion to adopt the Resolution.

10. ADMINISTRATIVE ITEMS.

10.A. [Development and Administrative Services, Planning Division - First Amendment to Minto Tomoka - Parcel A Planned District \(pp. 421-479\)](#)

Ordinance on first reading - amending the Minto Tomoka - Parcel A Planned District Agreement to revise the district boundary and modify the approved development standards, and authorizing the Mayor to execute the First Amendment to Tomoka - Parcel A Planned District Agreement. The property is located west of Interstate-95 and south of W. Granada Boulevard. 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 pass Ordinance on first reading.

Note: If passed, Public Hearing, November 6, 2019.

10.B. [City Manager's Office - 2019-2020 Proposed State and Federal Legislative Priorities \(pp. 480-485\)](#)

Resolution adopting priorities for the 2020 State Legislative session and updating the City's Congressional priorities list. A list of proposed priorities has been drafted for Commission discussion and final approval.

Hardy Smith, Government Relations Administrator, to report.

Recommendation: Government Relations Administrator recommends adoption of Resolution.

10.C. [City Commission Discussion - City's Safe Zone Strategy \(486-487\)](#)

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. 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.