





**THE CITY OF DAYTONA BEACH
BUSINESS MEETING OF THE CITY COMMISSION
JULY 7, 2021
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.

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 the Minutes](#)

Approval of the Minutes of the June 2, 2021 Regular City Commission Meeting held at 301 S. Ridgewood Avenue Daytona Beach, Florida 32114.

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 - Kidds are First, Inc. \(pp. 23-24\)](#)

Presentation by Kidds are First, Inc. They benefit foster, orphaned, and other disadvantaged children of Florida's Volusia County and surrounding areas.

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. [Risk Management - Wright National Insurance Company - Flood Insurance Renewal \(pp. 26-35\)](#)

Resolution accepting renewal proposals submitted by Wright National Flood Insurance Company, P.O. Box 33003, St. Petersburg, FL 33733 to Brown & Brown of Florida Inc. for an annual premium in the amount of \$48,937 for flood coverage for various City-owned properties in flood zones for the period of July 25, 2021 to July 25, 2022. By increasing the deductibles on three of the policies, the renewal premium is a \$1,135 decrease from last year's total premiums. Also, authorizing payment for additional flood premiums, not to exceed \$15,000, for additional properties determined to be in flood zones and for adjustments in property values that may cause a need for an increase of coverage during the policy period of July 25, 2021 to July 25, 2022. Funds are available in the Consolidated Insurance Fund.

Recommendation: Human Resources Director recommends adoption of the Resolution.

8.B. [Permits and Licensing Division - Non-Ad Valorem Assessments for Collection of 2021 Demolition Costs \(pp. 36-41\)](#)

Resolution approving Non-Ad Valorem Assessments for collection of 2021 Demolition Costs pursuant to Resolution 18-414. The City of Daytona Beach intends to impose non-ad valorem assessments against properties that received demolition services for collection of costs related to demolition of condemned structures. The purpose of the assessment is to fund the City's services for demolition of condemned structures as provided by law, within the City of Daytona Beach. The assessment will appear on the "non-ad valorem" portion of the annual tax notice for properties that received demolition services and will be provided by the Tax Collector of Volusia County. Failure to pay the assessment will cause a tax certificate to be issued against the affected property which may result in a loss of title to the property. The properties are listed as follows:

- 620 Cannon Street, Daytona Beach, FL;
- 837 Pinewood Street, Daytona Beach, FL;
- 301 N. Seneca Street, Daytona Beach, FL;
- 517 South Street, Daytona Beach, FL;
- 530 Shady Place, Daytona Beach, FL;
- 535 Oak Street, Daytona Beach, FL;
- 406 S. Atlantic Avenue, Daytona Beach, FL;
- 223 S. Martin Luther King Boulevard, Daytona Beach, FL;
- 1226 North Street, Daytona Beach, FL;
- 329 Division Street, Daytona Beach, FL;
- 202 San Juan Avenue, Daytona Beach, FL;
- 241 S. Martin Luther King Boulevard, Daytona Beach, FL; and
- 435 Model Street, Daytona Beach, FL.

Recommendation: Deputy City Manager, Development & Administrative Services, recommends adoption of the Resolution.

8.C. [City Manager's Office/Information Technology Department - Superior/Central Square - CRW TRAKIT Software Maintenance Agreement - Amendment 1 \(pp. 42-60\)](#)

Resolution approving renewal of the Software Support Agreement pursuant to Amendment 1 with Superior, LLC, a Central Square Company, 1000 Business Center Drive, Lake Mary FL 32746, successor in interest of CRW TRAKIT Community Development Software. CRW TRAKIT Software was originally acquired pursuant to Ordinance No. 05-330. Since installation, the software has been continuously maintained by CRW Systems. A Software Maintenance Agreement, approved by Resolution 19-48, and having an execution date of March 6, 2019, provided for an initial term of one year and allowed for two, optional, one-year renewals. The second of those optional renewals, having been exercised, is due to expire February 28, 2022. This Amendment extends the Agreement, approved by Resolution 19-48, by providing four additional and optional, one year terms. The first of the four optional terms under the Amendment is to be effective March 1, 2022. All other terms and conditions of the Software Support Agreement remain in full force and effect. Exhibit 1, attached to the Amendment, specifies the products, terms, and fees for each of the renewal terms, beginning at the rate of \$48,413.54 for the first renewal. The annual rate of increase is 5%. CRW TRAKIT is the City's Community Development software system and is used for: tracking permit applications and fees, code enforcement, managing land parcel data, managing business licenses, fire code violations, and for comprehensive reporting. Superior LLC is the sole provider of CRW TRAKIT support. Staff requests the Resolution also authorize the City Manager to approve payment for the four optional terms; subject to budgeting and appropriations. Funds for fiscal year 2022 are available in the Information Technology Fund, subject to budget approval.

Recommendation: Information Systems and Budget Director recommend adoption of the Resolution.

8.D. [City Manager's Office/Information Technology Department - Harris Computer Systems - NorthStar Software Service Agreement Approval \(pp. 61-77\)](#)

Resolution approving a one-year Software Service Agreement with Harris Computer Systems, 1 Antares Drive, Suite 400, Ottawa, Ontario K2E 8C4 as sole source provider for software maintenance and support for the NorthStar Utility Billing Customer Information System, in the amount of \$82,201.56 for fiscal year 2022. The effective service period of the agreement is October 1, 2021 through September 30, 2022. The purchase and implementation of NorthStar Utility Billing Customer Information System was approved pursuant to Resolution 18-94. The Utility Billing Division uses NorthStar to process water meter readings, utility bills and payments, and to manage the utility rate structure. The Software Service Agreement allows the City, at its discretion, and at the rates set forth in Exhibit A, to renew software service for four additional, optional, one year periods. The Agreement allows for termination due to non-appropriation of funds, or for termination at any time, and without cause, by providing Harris with ninety (90) days written notice. Costs for optional renewal terms increase by 3% per year. Staff requests the Resolution also authorize the City Manager to purchase software services and support for four optional years under the terms of the agreement, subject to budget approval. Funds for fiscal year 2022 are available in Information Technology Fund, subject to budget approval.

Recommendation: Information Systems and Budget Director recommend adoption of the Resolution.

8.E. [City Manager's Office/Information Technology Department - Harris Enterprise Resource Planning - Select Financials - Software Support Maintenance Terms and Conditions \(pp. 78-99\)](#)

Resolution approving the Software Support Maintenance Terms and Conditions (T&C's) with Harris Enterprise Resource Planning (ERP), 1224 Fern Ridge Parkway, Suite 100, Creve Couer, MO 63141, as sole source provider of software support for Select Financials (also known as SBClient), for a maximum period of three years. The effective service period for the agreement begins October 1, 2021 through September 30, 2024. The amount charged for this support during fiscal year 2022 will not exceed \$72,263.16, will not exceed \$75,876.24 for fiscal year 2023, and will not exceed \$79,670.28 for fiscal year 2024. Two pricing levels are indicated in Exhibit A, Software Maintenance Quotation, attached to the T&C's; (1) for full production use of the Select Financials system, and (2) for inquiry-only

(historical look-up), non-production use of the Select Financials system. Select Financials is a legacy system, dating from 1999, and is used by departments to process payroll, maintain Human Resources information, and track assets.

Separately, pursuant to Resolution 2021-108, the City has entered into a Master Software License, Services, and Support Agreement with Harris Systems USA to implement CitySuite, its flagship public sector financial software, which will, at some point, replace Select Financials. The T&C's govern software support and fees for Select Financials during and after the CitySuite implementation. After CitySuite goes-live; Select Financials will be used for inquiry-only (historical look-up) purposes only. The T&C's provide for the City to transition to inquiry-only use upon ninety (90) days' notification to Harris ERP that the Select Financials are no longer needed for full production use, upon which, monthly billing will be reduced per Exhibit A for the balance of the term. The T&C's allow for termination due to non-appropriation of funds, or for termination with ninety (90) days written notice. Costs are scheduled to increase at the rate of 5% per year. Staff also request that the Resolution authorize the City Manager to exercise renewals under the Terms and Conditions, subject to budgeting and appropriations. Funds for fiscal year 2022 are available in the Information Technology Fund, subject to budget approval.

Recommendation: Information Systems and Budget Director recommend adoption of the Resolution.

8.F. [City Manager's Office/Information Technology Department – Veytec Inc. – Cisco Core Data Network Equipment Purchase \(pp. 100-115\)](#)

Resolution approving the purchase of four (4) Cisco C9500, and two (2) C9300 Data Network Switches, from vendor No.108923, Veytec Inc., 2418 Silver Star Road, Orlando FL 32804 in the amount of \$147,043.26. This purchase includes three-year Cisco Smartnet Total Care, system installation, and configuration by Veytec, a qualified Cisco partner. Cisco Smartnet Total Care includes 4-hour premium hardware replacement and support, and security and firmware updates. The new data switches will replace the current Cisco 4510s located at City Hall and the Police Department, as those will reach the end of their useful life in October of 2021 and therefore will no longer be eligible for security updates and Cisco Support. These data network switches comprise the core of the City's networking infrastructure and maintain encryption required by FDLE for CJIS compliance. All City data traffic such as: commerce, phone calls, remote access for Police, Fire, and other workers, and the streaming of public meetings traverse the City's data network. This is a piggyback purchase. Component and services pricing are pursuant to Florida participating addendum alternative source contract No.43220000-NASPO-19-ACS,

subject to NASPO ValuePoint Data Communications Master Agreement No. AR2337. Funds are available in the Informational Technology Fund.

Recommendation: Information Systems and Budget Director recommends adoption of the Resolution.

8.G. [Business Enterprise Management Department - Tropical Oil Company, LLC, - Halifax Harbor Marina Fuel Approval \(pp. 116-159\)](#)

Resolution authorizing expenditures for the purchase of gasoline and diesel bulk fuel on an as-needed basis for resale at the Halifax Harbor Marina pursuant to the terms and conditions of the contract for Halifax Harbor Marina Fuel issued by the City of Daytona Beach to Tropical Oil Company, LLC, 1130 North Scenic Highway, Lake Wales, FL 33853, as a solicitation to provide fuel for a five-year term commencing upon City Commission approval in accordance with funds budgeted with stipulations. Funds are available in the Halifax Harbor Marina Fund.

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

8.H. [Business Enterprise Management Department - LPGA Foundation, Inc. - Commercial Lease Agreement \(pp. 160-183\)](#)

Resolution approving a Commercial Lease Agreement between the City of Daytona and The LPGA Foundation, Inc., at the Florida Tennis Center for a one-year term commencing July 1, 2021 with two one-year renewal options. The LPGA Foundation, Inc., primary activities focuses on running the girls gold program, leadership academies, women's golf tournaments, and LPGA Amateur Golf Association. The lease is for a 4,000 square foot commercial space at the Florida Tennis Center and the City will receive a revenue stream for the duration of the lease totaling \$196,748. No funding required.

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

8.I. [Utilities Department - McKim & Creed - Lift Station 22 Sanitary Forcemain Replacement Project - Work Authorization No. 3 \(pp. 184-236\)](#)

Resolution approving Work Authorization No. 3 under Contract No. 0517-3440-MC, with McKim & Creed, 139 Executive Circle, Suite 201, Daytona Beach, Florida in the amount of \$82,047.45 for design, permitting, bidding and construction phase services for the Lift Station No. 22 Sanitary Forcemain Replacement Project. Lift Station No.22 is located at the northeast corner of the intersection of Madison Avenue and Beach Street. The lift station's forcemain has been repaired several times over the last 18 months

and it is at the end of its serviceable life. The proposed replacement forcemain will be directionally drilled along Beach Street from Madison Avenue to Michigan Avenue. A directional drill is being planned in an effort to avoid existing utility conflicts and to minimize disruptions in daily roadway traffic. The second phase of this project consists of cured-in-place-pipe lining of the remaining existing forcemain from Michigan Avenue to the force main tie in with Lift Station No. 21 (Mullally Street & Daytona Street). The second phase of this project will be performed at a later date once the first phase has been completed. Funds are available in the Water and Sewer Renewal & Replacement 8% Fund.

Recommendation: Utilities Director recommends adoption of the Resolution.

8.J. [Utilities Department - Carollo Engineers - Work Authorization No. 41 to Professional Services Contract No. 1307-1022 - Bethune Point Water Reclamation Facility Electrical Systems Evaluation Project \(pp. 237-297\)](#)

Resolution approving Work Authorization No. 41 to Professional Services Contract No. 1307-1022 with Carollo Engineers, 200 East Robinson Street, Orlando, Florida 32801 for the Bethune Point Water Reclamation Facility (WRF) Electrical Systems Evaluation Project in an amount not-to-exceed \$62,538.44. The City of Daytona Beach owns and operates the Bethune Point WRF, which is permitted to treat 13 million gallons per day (MGD) of wastewater from customers within the City's service area. The Bethune WRF, one of the City's two water reclamation facilities, was constructed in the 1940s and has had numerous upgrades over the years to keep the plant operating within its permitted thresholds.

The Utilities Department is planning for additional upgrades in order to increase the reliability of the facility as well as account for growth throughout the City. Throughout the lifespan of the WRF, numerous projects have been completed that added on to the electrical system already in place. Ultimately, this has created weak spots within the electrical system that make it, and therefore the treatment process, vulnerable to power issues such as brownouts, power surges and power outages. An evaluation of the electrical system is needed to understand where the vulnerabilities are and the best way to mitigate the issues.

Work Authorization No. 41 will consist of an evaluation to address the above issue in order to make the best use of City funds. The findings of this evaluation will be used by the Utilities Department moving forward and incorporated into future projects. Funds are available in the Water and Sewer Renewal and Replacement 5% Fund.

Recommendation: Utilities Director recommends adoption of the Resolution.

8.K. [Utilities Department – Ratification of Previously Adopted Capital Facilities Fees Based on Extraordinary Circumstances Exemption in House Bill 337 \(pp. 298-326\)](#)

Resolution ratifying water and wastewater Capital Facilities Fees amounts (“Impact Fees”), approved by Ordinance No. 2021-68 on February 17, 2021, based on the exemption of phase-in limits for “extraordinary circumstances” allowed for in House Bill 337 (HB 337). Ordinance 2021-68, adopted on February 17, 2021, approved new impact fees to be charged for water and wastewater capacity being requested from new development beginning July 1, 2021. After the adoption of the Impact Fee Ordinance, the State Legislature approved, and the governor signed into law, HB 337 which adds additional requirements that must be met if a local government is to increase existing impact fees and it is retroactive to January 1, 2021. Below is a brief summary of the additional requirements:

1. Increase of 25% or less to a current impact fee rate must occur over two equal annual increments.
2. Increase of greater than 25% but not more than 50% must occur over four equal annual increments.
3. An impact fee increase may not exceed 50 percent of the current impact fee rate.
4. An impact fee may not be increased more than once every 4 years.
5. The phase-in limits can be exceeded if, a demonstrated need study justifying any increase in excess of those authorized has been completed within the 12 months before the adoption of the impact fee increase and expressly demonstrates the extraordinary circumstances necessitating the need to exceed the phase-in limitations.
6. The City has held two publically noticed workshops dedicated to the extraordinary circumstances.
7. The impact fee ordinance is passed with at least a 2/3 majority vote.

The City’s adopted Impact Fees are subject to the provisions of the bill and we are complying with the fee implementation provisions by demonstrating the extraordinary circumstances necessitating the need to exceed the phase-in limitations. The rate study and an “extraordinary circumstances” letter prepared by Raftelis Financial Consultants, Inc. justifies the need to exceed the limits. In addition, the City has held two publicly noticed workshops dedicated to the extraordinary circumstances. There is no funding associated with this request.

Recommendation: Utilities Director recommends adoption of the Resolution.

8.L. [Utilities Department - Tom Evans Environmental, Inc. - Reuse Pump Station No. 10 Pump Replacement - Bethune Point Water Reclamation Facility - Standardization \(pp. 327-341\)](#)

Resolution approving a purchase from Tom Evans Environmental, Inc. 3200 Flightline Drive, Suite 302, Lakeland, Florida 33811 in the amount of \$208,564.93. The purpose of this request is to maintain operational redundancy and reliability within the reuse distribution system. Pump Station No. 10 (PS 10) is located at the Bethune Point Water Reclamation Facility (WRF) and supplies reuse water to customers in the Downtown area. The four high service pumps at PS 10 have reached the end of their serviceable life and are in need of replacement to increase the overall efficiency and reliability of the Pump Station.

The Utilities Department is standardizing around Peerless pumps as 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. This purchase also includes installation via Tom Evans Environmental, Inc. certified pump installer, Danus Utilities, Inc. so as to uphold the full warranty. Funds are available in the Water and Sewer Renewal & Replacement 5% Fund.

Recommendation: Utilities Director recommends adoption of the Resolution.

8.M. [Public Works Department/Technical Services - DDC Engineering, Inc. - Peabody HVAC Engineering Design \(pp. 342-353\)](#)

Resolution authorizing the acceptance of the proposal from DDC Engineering Work Authorization No.1 under the Continuing Services Contract No.0517-2850-DDC in the amount of \$55,500. This Work Authorization is to provide the engineering and design services necessary to replace the chiller plant HVAC system at the Peabody Auditorium. A study was performed and identified that the existing chiller system is undersized, inefficient, and the noise level of the current system is disruptive to the sensitive audience and stage environments. The chiller plant has experienced numerous maintenance issues and creates a risk to the revenue generating events held at the Peabody. Funds are available in the Capital Project Fund.

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

8.N. [Public Works, Technical Services Division - Coordinated Systems Consulting - Change Order No. 2 \(pp. 354-385\)](#)

Resolution ratifying Change Order No 2 to Contract No. 21143 with Coordinated Systems Consulting, Inc., for the emergency concrete work completed on the home side of the Municipal Stadium in the amount of \$30,184.66 and to add 15 contract days. This work needed to be completed prior to the 2021 football season to ensure spectators could safely access

concession and restroom areas under the home side bleachers at the stadium; fifteen (15) additional contract days were needed to be added. The original contract was approved by City Commission with Resolution No. 2021-61 and Change Order 1 in the amount of \$22,938.08 was approved by the City Manager on April 8, 2021. The revised contract total, including Change Order No 2, is \$152,572.74. No additional funding is needed for the ratification.

Recommendation: Public Works Director recommends adoption of the Resolution.

8.O. [Public Works / Technical Services Division – SanPik, Inc. - Final Reconciliation Agreement of the Dr. Martin Luther King, Jr. Boulevard Roadway and Pedestrian Improvements Project \(pp. 386-410\)](#)

Resolution approving the Final Reconciliation Agreement of the Dr. Martin Luther King, Jr. Boulevard Roadway and Pedestrian Improvements Project under Contract No. 19303 with SanPik, Inc., 3551 W. Lake Mary Blvd., Suite 210, Lake Mary, FL 32746, with the following stipulations:

- Approve August 7, 2020, as the Substantial Completion date and start of the warranty period;
- Approve October 16, 2020 as the Partial Final Completion date, and May 3, 2021 as the Final Completion date;
- Approve the final adjusted contract price of \$2,932,769.62, which includes Change Orders No.'s 1, 2, 3, and 4; and
- Approve the final payment of \$146,638.49 due under the contract, including retainage.

Funds are available in the following accounts:

- Redevelopment - Midtown Fund
- Transportation 5CentGas Tax
- Capital Projects Fund
- Water/Sewer Impr Constr Fund
- State Revolving Loan-W&S Constr Fund
- Renewal & Replacement 8% Fund

Recommendation: Public Works Director recommends adoption of the Resolution.

8.P. [Public Works/Streets and Grounds Maintenance Division - Program Budget - Citywide Road Resurfacing and Restoration Program \(pp. 411-418\)](#)

Resolution approving the Program Budget of the Citywide Road Resurfacing and Restoration Program, in an amount not to exceed \$2,766,362, for the remainder of fiscal year 2020-2021 and authorizing the City Manager to

approve “not to exceed” purchase orders issued to the contractor submitting the lowest quote, based on contract pricing and availability, for each of the grouped streets within the area of work. The Citywide Road Resurfacing and Restoration Program is needed to bring back the quality of the City’s infrastructure.

The scope of work is milling and resurfacing, full depth reclamation, concrete replacement, ADA improvements, pavement markings, and sod installation throughout the City. The Program is expected to complete approximately 16 lane miles in fiscal year 2020-2021. Contracts pre-approved by City Commission will be utilized for this Program based on the individual services provided. Work Authorizations will be issued to selected Contractor(s). Estimated costs for each area of roadways to be repaired will be obtained from the appropriate Contractor(s) under Piggyback and Term contracts, using the unit prices established by each contract. Vendor selection will be based on the City’s scheduling, Vendor workload, and time constraints. Funds are available in the Capital Projects Fund.

Recommendation: Public Works Director recommends adoption of the Resolution.

8.Q. [Public Works, Technical Services Division - Poseidon Dredge & Marine Inc - Riverfront Park Seawall Replacement Project - Change Order No. 2 \(pp. 419-433\)](#)

Resolution approving Change Order No. 2 to Contract No. 20383 with Poseidon Dredge & Marine Inc., 319 Wickline Boulevard, Suite A, Lantana, FL 33462 for an additional 92 contract days for Non-Contractor related project delays. COVID has created delays in manufacturing, currently working through those challenges associated with the materials, fabrication, and installation requirements of the outlooks and railings. This delay averaged 64 contract days, the supplier was contacted and the City verified the delays presented by Poseidon. Over the project duration, multiple weather days (34 contract days) were encountered, the rain washed out upland sections and created concerns with equipment placement and higher gust of wind made it unsafe to drive the 22 Ft composite sheet piles. However, at this time the Contractor is only asking for 28 additional days. The revised Substantial Completion will now be 317 days after the commencement date and the Final Completion will now be 347 Days after the commencement date. No additional funding is needed.

Recommendation: Public Works Director recommends adoption of the Resolution.

8.R. [Public Works/Administration - Locally Funded Agreement between Florida Department of Transportation and the City of Daytona Beach – Project](#)

[Development and Environment Study](#) (pp. 434-448)

Resolution authorizing a Locally Funded Agreement with the Florida Department of Transportation (FDOT) and the City of Daytona Beach for a Project Development and Environment (PD&E) Study, and providing funding in the amount of \$250,000 to the FDOT. The Locally Funded Agreement between the FDOT and the City of Daytona Beach is for a project described as Interstate 95 at LPGA Boulevard from US 92 (State Road 600) to Williamson Boulevard Project Development and Environment Study, Financial Management Number 448456-1-22-01. The FDOT's current estimate of the cost for the Project is \$2,400,000 and is contingent upon an annual appropriation by the Florida Legislature. The agreement allows the City to provide a funding contribution of \$250,000 to be used for the estimated Project cost. Resolution 2020-295 was approved by City Commission at the September 23, 2020 Commission Meeting in support of the PD&E Study. Funds are available in the Capital Project Fund.

Recommendation: Public Works Director recommends adoption of the Resolution.

8.S. [Budget Division - FY 2020/21 Third Quarter Budget Amendment](#) (pp. 449-456)

Resolution amending Resolution No. 20-298 (as previously amended), which adopted the FY 2020/21 budget, in order to increase revenues and operating expenditures by \$3,875,427. This budget amendment increases revenues related to the Trust and Impact Fee funds.

Recommendation: Information Systems and Budget Director recommends adoption of the Resolution.

8.T. [Finance Department - Allocation of Bike Week Sponsorship Funds](#) (pp. 457-461)

Resolution authorizing payment in the amount of:

\$250 to Alpha Phi Alpha Fraternity, Inc., Beta Delta Lambda Chapter, for the Seventh Annual Jimmy Huger Scholarship Golf Tournament, that was held on June 26, 2021 from the Bike Week Sponsorship Funds of Mayor Derrick Henry.

\$500 to Beachside Neighborhood Watch, Inc., for their donation of meals to the Daytona Beach Police Department, \$500 to Kidds are First for a general donation for the benefit of Daytona Beach citizens or programs, \$250 to Robert McGuire, Chapter 189 Korean War Veterans Association, Inc., for a general donation for the benefit of Daytona Beach citizens or programs;

and \$250 to Neighbor to Family, Daytona Beach Office for a donation to their program designed to keep family/siblings together from the Bike Week Sponsorship Funds of Commissioner Stacy Cantu.

Recommendation: Chief Financial Officer recommends adoption of the Resolution.

9. PUBLIC HEARINGS.

9.A. [Development and Administrative Services, Planning Division on behalf of the Daytona Beach Housing Authority - Maley and Windsor Apartments - Public Use Permit \(pp. 462-479\)](#)

Resolution - PUBLIC HEARING - approving a Public Use Permit (PUP) to allow the Daytona Beach Housing Authority's Maley and Windsor Apartments to continue to operate as a legal conforming development, in conjunction with the Housing Authority's Windsor & Maley Towers RAD Project.

James Morris, Deputy City Manager, to report.

Recommendation: Planning Board recommends approval 6-to-0

Action: Motion to adopt the Resolution.

9.B. [Development and Administrative Services, Planning Division - Masonova Commerce Park - Large Scale Comprehensive Plan Amendment \(LSCPA\) \(pp. 480-526\)](#)

Ordinance on first reading - PUBLIC HEARING - approving a Large Scale Comprehensive Plan Map Amendment, changing the Future Land Use Map designation for 3.4± acres of land from Level 1 Residential (L1R) to Retail; 2.4± acres of land from Level 2 Residential (L2R) to Retail; 2.9 acres from Level 2 Residential (L2R) to Park/Recreation (P/R); and 5.9 Acres from Level 1 Residential (L1R) to Park/Recreation (P/R). Total acreage included in the LSCPA request is 14.6± acres of land. Applicant: Harry Newkirk, of Newkirk Engineering Inc., on behalf of Masonova LLC and The City of Daytona Beach Planning Division, on behalf of the City of Daytona Beach.

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, September 8, 2021.

9.C. [Development and Administrative Services, Planning Division - Hand Avenue - Large Scale Comprehensive Plan Amendment \(LSCPA\)](#)

[\(pp. 527-621\)](#)

Ordinance on first reading - PUBLIC HEARING - approving a Large Scale Comprehensive Plan Amendment, amending the Future Land Use Map designation for 22.2± acres of land, from Volusia County Commercial (C) 4.9± acres and Urban Medium Intensity (UMI) 17.3± acres to City Level 2 Residential (L2R). The subject property will be incorporated into the Neighborhood “S” Development Area.

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, September 8, 2021.

9.D. [Development and Administrative Services, Planning Division - Project Zeta - Large Scale Comprehensive Plan Amendment \(LSCPA\) \(pp. 622-698\)](#)

Ordinance on first reading - PUBLIC HEARING - approving a Large-Scale Comprehensive Plan Amendment (LSCPA), changing the Future Land Use Map for 5.3± acres from Level 1 Residential (L1R), 10.9± acres from Level 2 Residential (L2R), and 7.0± acres from Office Transition (OT), to Mixed Use (MU) (total of 23.2±) acres; and amending Future Land Use Element Neighborhood “U”, creating a new issue (M) limiting the 23.2± acres to a maximum of 95,000 square feet for nonresidential development and residential density to a maximum of 300 multifamily units or 100 townhome units. The property is generally located approximately 2,500 feet northeast of the intersection of West International Speedway Boulevard and PGA Boulevard. Applicant: Robert A. Merrell III, Esquire, Cobb Cole, on behalf of Lamms Investments, LLC

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, September 8, 2021.

10. ADMINISTRATIVE ITEMS.

10.A. [Development and Administrative Services, Planning Division - Project Zeta - Rezoning, Planned Development-General \(PD-G\) \(pp. 699-762\)](#)

Ordinance on first reading - rezoning 23.2± acres of property, from Single Family Residential-5 (SFR-5) to Planned Development – General, to allow for a mixed-use development, including residential, commercial and office uses, as well as compensatory storage as a principal use. The property is located approximately 2,500 feet northeast of the intersection of West

International Speedway Boulevard and LPGA Boulevard. Applicant: Robert A. Merrell III, Esquire, Cobb Cole, on behalf of Lamms Investments, LLC

Dennis Mrozek, Planning Director, to report.

Recommendation: Planning Board recommends approval 5-to-1.

Action: Motion to pass Ordinance on first reading.

Note: If passed, Public Hearing, September 8, 2021.

10.B. [Development and Administrative Services, Planning Division - Daytona Beach LPGA 7-Eleven Planned Development \(PD\) Agreement Rezoning \(pp. 763-833\)](#)

Ordinance on first reading - approving the Daytona Beach LPGA 7-Eleven Planned Development (PD) Agreement for property located at 2100 LPGA Boulevard. This agreement renames and amends the existing Investor Realty Company PD, to allow a car wash as a permitted use, revise minimum lot development criteria, and incorporate additional signage, in addition to the existing 7-Eleven store located on the property. Applicant: Joshua Long, Gunster Law Firm, on behalf of Slazenger Green Inc.

Dennis Mrozek, Planning Director, to report.

Recommendation: Planning Board recommends approval 7-to-0

Action: Motion to pass Ordinance on first reading.

Note: If passed, Public Hearing, July 21, 2021

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

12. PUBLIC COMMENT FORUM - During this time Citizens are allowed 3 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.

13. ADJOURNMENT.