





**THE CITY OF DAYTONA BEACH  
BUSINESS MEETING OF THE CITY COMMISSION  
JULY 21, 2021  
CITY COMMISSION CHAMBERS  
6:00 PM**

**AGENDA**

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

	<b>For special accommodations, please notify the City Clerk's Office at least 72 hours in advance. (386) 671-8020</b>		<b>Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained from the City Clerk's Office.</b>
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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](mailto: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 16, 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 - Proclamation - Lynn Thompson \\*\\*addendum added 07-20-21\\*\\*](#)

Mayor Derrick L. Henry to present a Proclamation from the City of Daytona Beach to Lynn Thompson, former Vice President/Athletic Director of Bethune-Cookman University.

## 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. Public Works, Technical Services Division - Cardno - Work Authorization No. 21 (pp. 13-29)

**Resolution** approving Work Authorization No. 21 under Contract 2010-18-CA with Cardno, 380 Park Place Boulevard, Suite 300, Clearwater, Florida 33759 in an amount not to exceed \$56,624. The Clyde Morris Boulevard Brownfield site has the presence of a free product contaminant covering approximately 1.7 acres. In the past free product recovery cost were included in the annual authorization. However in March 2021, the Florida Department of Environmental Protection approved suspending free product recovery activities at the site, based on the results of a comprehensive efficacy evaluation. This is an annual authorization for Cardno to conduct groundwater monitoring and FDEP required semiannual reporting. Preliminarily work has started towards a potential site closure. Work for this project to be completed as further described in the Cardno proposal that is included in the backup paper work, dated June 9, 2021. Funds are available in the Solid Waste Management Fund.

Recommendation: Public Works Director recommends adoption of the Resolution.

### 8.B. Public Works/Grounds Maintenance Division - ELC, Industries, LLC - Ratification for Emergency Temporary Mowing Services (pp. 30-50)

**Resolution** ratifying the Emergency Temporary Mowing Services that was approved in April 2021 for ELC, Industries, LLC, 1340 North Shangri-La Drive, Daytona Beach, Florida 32119, to mow the Florida Department of Transportation (FDOT) areas, for a total amount not to exceed \$67,850. Due to labor resources, we are not receiving inmate labor that we utilized in the past to complete the contractual obligation with FDOT to maintain these areas. The inmate labor consisted of 16 laborers. The city does not have the resources to fulfill the workload of 16 additional employees without the help of contractors. City staff solicited quotes from vendors and ELC, Industries

was the lowest responding vendor. Funds are available in the General Fund..

Recommendation: Public Works Director recommends adoption of the Resolution.

**8.C.** [Utilities Department - Fiscal Sustainability Plans for Westside Regional Water Reclamation Facility Improvements and South Beach Street Force Main \(pp. 51-140\)](#)

**Resolution** approving the Fiscal Sustainability Plans for the Westside Regional Water Reclamation Facility (WRWRF) Improvements and the South Beach Street Force Main. The City borrowed low interest rate loan funds through the Florida Department of Environmental Protection (FDEP) Clean Water State Revolving Fund (CWSRF) program to fund the construction cost for the two projects. A requirement of the loans is to develop Fiscal Sustainability Plans for the projects and have them adopted by the City prior to the final disbursement of funds. No funds are associated with this request.

Recommendation: Utilities Director recommends adoption of the Resolution.

**8.D.** [Finance Department - Banking Services Agreement Approval with TD Bank, N.A. \(pp. 141-283\)](#)

**Resolution** awarding a banking services agreement at an estimated annual cost of \$31,430 to TD Bank, N.A., by piggybacking the North Miami CRA (NMCRA) Contract from RFP No. 53-19-20 and waiving competitive purchasing requirements under section 30-58 for certain additional services. The term of the banking services agreement is an initial five (5) year period with an option for three (3) additional one-year renewals. TD Bank has been the provider for banking services to the City since 2016 and the current contract expires on August 2, 2021. Individual item pricing in the new contract is the same or lower than the existing prices paid for services. By piggybacking off the NMCRA RFP, the pricing of some services was reduced to the new, lower NMCRA price. If the City's existing pricing was lower than the NMCRA price, then TD Bank honored the City's pricing and kept the City's existing, lower pricing. Additionally, the City processes thousands of check payments each month and, in accordance with Check Clearing for the 21st Century Act, uses digital imaging services to convert checks received into an electronic check image prior to deposit. The bank provides retrieval software and copies of paid checks in a digital image instead of returning paper checks. These services are not included in the NMCRA Contract. To provide a stable and efficient banking environment using modern technology and internal controls, it is in the City's best interest to waive the competitive purchasing requirements and allow additional

digital imaging services to be included in this contract.

The request is for the authorized signatories for the City's bank accounts to be the City Manager and the Chief Financial Officer. The CFO will be authorized to complete all necessary forms and designate Online Treasury Management access. The CFO also will be authorized to review and adjust which banking services are selected for the city to accommodate the rapid changes in technology and to ensure internal control procedures are followed. For example, the use of CashPayCards in lieu of paychecks for employees that are unable to sign up for direct deposit or the use of remote safe deposit instead of physically delivering deposits to the bank's location. The City Manager is requested to be authorized to exercise the renewal options of the contract. Funds are available in the General Fund, Water & Sewer Fund and Permits & Licensing Fund.

Recommendation: Chief Financial Officer recommends adoption of the Resolution.

**8.E.** [Business Enterprise Management Department / Utilities Department - Alan Jay Fleet Sales - Meter Services Vehicle Replacements \(pp. 284-295\)](#)

**Resolution** authorizing the purchase of (1) 2021 Ford F 450 Crane Truck, (2) 2021 Ford F 250 Regular Cab Utility Bed trucks, and (1) 2021 Ford Escape under the Sourcewell (formerly NJPA) Cooperative Contract No. 2021-120716-NAF, with options from Alan Jay Fleet Sales, P.O. Box 9200, Sebring, FL. 33871 in the amount of \$165,157. The Meter Services Division recently received authorization for additional staff, the purchase of these four (4) vehicles will support the Meter Services Departments daily operation. Three (3) of the old vehicles will be disposed of by the Purchasing Department upon receipt of the replacement vehicles, either internally or by way of auction. Funding is available in the Water Impact Fee and the Water & Sewer Funds.

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

**8.F.** [City Manager/Information Technology - Daytona Beach Municipal Stadium - Nevco LED Display - Purchase \(pp. 296-310\)](#)

**Resolution** approving the purchase of Nevco LED Scoreboard for Daytona Beach Municipal Stadium from Nevco Sports, LLC., P.O. Box 74758, Chicago, Illinois 60694-4758, for the amount of \$313,365.40. This purchase includes removing the old LED display, hauling the material offsite, installing the new display, and a 10-year warranty for parts and labor, with 3% parts kit on site. The current LED Display was installed in 2014 and has since experienced multiple issues which required constant repair and support

from vendor. The current display is out of manufacturer's warranty without the ability to renew services. Parts are limited and constant repairs to the unit are deeming the display unusable for the upcoming football season. Funds are available in the Capital Projects Fund.

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

**8.G.** [Finance Department - Allocation of Bike Week Sponsorship Funds \\*\\*Addendum added 07-20-21](#)

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

\$1,000 to First Step Shelter, Inc., for a general donation from the Bike Week Sponsorship Funds of Mayor Derrick L. Henry.

Recommendation: Chief Financial Officer recommends adoption of the Resolution.

**9. PUBLIC HEARINGS.**

**9.A.** [Development and Administrative Services, Planning Division - Daytona Beach LPGA 7-Eleven Planned Development \(PD\) Agreement Rezoning \(pp. 311-381\)](#)

**Ordinance on second reading - Quasi-Judicial Hearing** 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 adopt the Ordinance.

**9.B.** [Public Works Department - Preliminary and Final Plat Approval for Mosaic Ph. 2 \(pp. 382-434\)](#)

**Resolution - Quasi-Judicial Hearing** approving the Preliminary and Final Plat for Mosaic Ph. 2. The plat creates a subdivision which is located along Mosaic Boulevard between Tournament Dr. and International Tennis Dr.

The project has been reviewed by staff and found to be consistent with the Land Development Code. The preliminary plat has been reviewed and approved by the Planning Board at their June 24, 2021 meeting. The Final Plat has also been reviewed by the City's consulting surveyor for consistency with Chapter 177 of the Florida Statutes. The Public improvements for the project are to be constructed before recording of the plat and thus no Contract for Plat Recording or bond will be required.

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. [Budget Division - Setting of Tentative FY 2021/22 Millage Rate \(pp. 435-440\)](#)

**Resolution** advising the Property Appraiser for advertising purposes, the FY 2021/20 proposed tentative (not to exceed) operating millage rate, rolled-back rate, and voted debt service rate. The requested proposed tentative millage rates for each \$1,000 of assessed valuations are:

Rolled-back	5.3843
Proposed General Fund Operating	5.5300
Voted Debt Service	0.2394

The first public hearing is scheduled for September 8, 2021, on which the proposed tentative millage rate and proposed FY 2021/22 Budget will be acted upon.

Fred Coulter, Information Services and Budget Director to report.

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

Action: Motion to adopt the Resolution.

### 10.B. [Development and Administrative Services, Leisure Services Department - Biketoberfest 2021 - Private Property Master Plan \(pp. 441-587\)](#)

**Resolution** approving the Biketoberfest 2021 Master Plan for Private Property as submitted by the Daytona Beach Area Convention & Visitors Bureau and the Biketoberfest Advisory Committee. The Biketoberfest Advisory Committee has reviewed the applications for consistency with the Master Plan Guidelines for Bike Week and Biketoberfest and recommends

approval.

Kay Galloway, Director of Marketing & Design, to report.

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

Action: Motion to adopt the Resolution.

**10.C.** [Development and Administrative Services, Cultural Services Department - Bike Week 2021 - Public Property Master Plan \(pp. 588-616\)](#)

**Resolution** adopting the Biketoberfest 2021 Master Plan for Public Property. Activities included in the plan are consistent with activities in previous years. City staff has reviewed the requests and found them to be acceptable.

Deputy City Manager, Development & Administrative Services, to report.

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

Action: Motion to adopt the Resolution.

**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.**