




**THE CITY OF DAYTONA BEACH  
BUSINESS MEETING OF THE CITY COMMISSION  
NOVEMBER 17, 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 October 20, 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. [No Presentation](#)  
No Presentation.

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. Business Enterprise Management Department - Alan Jay Fleet Sales - Permits & Licenses Vehicle Purchases (pp. 17-23)

**Resolution** authorizing the purchase of seventeen (17) vehicles for the Permit & Licenses Department from the Sourcewell (formerly NJPA) Cooperative Contract 2021-120716-NAF with options from Alan Jay Fleet Sales, P.O. Box 9200, Sebring, FL 33871 in the amount of \$550,989. All-wheel drive vehicles are needed for the sites that are inspected in the early and all stages of construction that would otherwise be restrictive. Two (2) vehicles are for new employees and fifteen (15) for existing staff. The existing 15 vehicles the staff currently has will be transferred to other departments to fulfill their needs. Funds are available in the Permit & License Fund and upon amendment of fund balance carry forward, which is part of this agenda request.

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

#### 8.B. Utilities Department - Integrity Municipal Systems, Inc - Terms and Conditions Changes - Lime Slaking Upgrades - Brennan Water Treatment Plant (pp. 24-34)

**Resolution** approving changes to the terms and conditions with Integrity Municipal Systems, Inc. 13135 Danielson Street, Suite 204, Poway, CA 92064 approved by Resolution No. 2021-248 and authorizing the City Manager to execute the document. The purpose of this request is to finalize the procurement of equipment needed to maintain the operational reliability within the Brennan Water Treatment Plant (WTP). The City of Daytona Beach Utilities Department put forward an item on the August 4, 2021 Commission Meeting requesting purchases associated with the Brennan WTP Lime Slaking Rehabilitation Project. The request included the City's standard terms and conditions related to the purchase. The City Commission approved the purchase by adopting Resolution No. 2021-248.

Upon receipt of the Purchase Order, Integrity Municipal Systems, Inc. sent the attached PO Acknowledgement letter requesting modifications to the

City's standard terms and conditions. The Utilities Department verified with the Legal Department and Risk Management that the requested changes were acceptable. Acceptance of these changes is needed to complete the purchase as approved by Resolution No. 2021-248. Integrity Municipal Systems, Inc. has agreed to hold their pricing through the end of November 2021 to provide the time needed for changes to be made to the terms and conditions. There is no funding associated with this request.

Recommendation: Utilities Director recommends adoption of the Resolution.

8.C. [Public Works / Technical Services Division – Local Agency Program \(LAP\) Agreement between the City of Daytona Beach and Florida Department of Transportation \(FDOT\) - The Safe Routes to School Project - Campbell Middle School and Turie T. Small Elementary School – Phase 1 \(pp. 35-43\)](#)

**Resolution** authorizing execution of the Local Agency Program (LAP) Agreement (FPN: 443394-1-38-01) between the City of Daytona Beach and Florida Department of Transportation (FDOT) in the amount of \$ 224,258. The Safe Routes to School Project (Campbell Middle School and Turie T. Small Elementary School – Phase 1) is a safety project to improve the neighborhood sidewalks around these two schools by widening the sidewalks up to 8-foot-wide, filling in gaps in the sidewalks, and making the sidewalks ADA accessible; reducing the roadway lane width along South Street from 16-foot lanes to 11-foot lane widths to accommodate the wider sidewalks; and also eliminating on-street parking on the east side of Keech Street to accommodate the wider sidewalks and improve pedestrian visibility. The Engineering and Design services will include but are not limited to the following: design, engineering, surveying, cultural resource assessment, and environmental services. The total amount of the LAP Agreement is \$224,258 for this project. The federal LAP funding will cover the majority of the Engineering and Design costs totaling \$166,177, and the remaining portion of the LAP Agreement is to be covered by Local Funding. The Local Funding portion of the LAP Agreement was previously estimated to be \$58,081, but this amount could change once the negotiations are completed with the City's top selected engineering firm. Funds are available in the Grant Project Fund (\$166,177) and the Capital Projects Fund (\$58,081).

Recommendation: Public Works Director recommends adoption of the Resolution.

8.D. [Public Works, Technical Services Division - Riverfront Park Seawall - Florida Inland Navigation District \(FIND\) Grant Agreement Acceptance \(pp. 44-86\)](#)

**Resolution** accepting the Florida Inland Navigation District (FIND) Grant Agreement for the Riverfront Park Seawall project and authorizing the City Manager to execute the FIND Grant agreement and any related FIND grant documents. Per Resolution 2021-101, a FIND grant application was submitted for partial funding of the Riverfront Park Seawall replacement project. Since this project was set up as a multi-year grant with the Florida Inland Navigation District, the City is eligible for additional grant funding for construction activities. No funding is needed to accept the FIND grant.

Recommendation: Public Works Director recommends adoption of the Resolution.

**8.E.** [Public Works/Grounds Maintenance - Pioneer Athletics - Purchase \(pp. 87-96\)](#)

**Resolution** approving the purchase of a P-REX Artificial Synthetic Turf Paint Remover Machine from Pioneer Athletics, 4529 Industrial Parkway, Cleveland, Ohio, 44135, piggybacking off of the Local Government Purchasing Cooperative, BuyBoard Contract No. 611-20, in the amount of \$42,500. The P-REX, Artificial Synthetic Turf Paint Remover machine that will enable the proper removal of various logos/field markings for events at Municipal Stadium. It will allow one (1) person, instead of an entire crew, to expedite the turnaround for different events, saving money on labor and allowing for various advertising possibilities on the Synthetic Turf. The machine is needed to properly and safely remove the paint from the Synthetic Turf field. Pioneer is the only company on the Buyboard list that has this piece of equipment that does the entire process of paint removal with one machine. The machine puts the removal chemical on the synthetic turf, scrubs the fiber of the turf and removes the residue afterwards. There are other companies listed under the scrubber subsection of the BuyBoard with discounts, but they do not have this all in one machine for synthetic turf. Using inadequate equipment for this process will not only take longer and require more workers for the process, but also add to the degradation of the fibers of the Synthetic Turf. Funds are available in the General Fund.

Recommendation: Public Works Director recommends adoption of the Resolution.

**8.F.** [Public Works Department - Kompan Inc., - Playground Equipment Purchase, Establishing Project Budget and Racing and Recreation and Facilities Grant Acceptance - Colins Park Improvements \(pp. 97-109\)](#)

**Resolution** accepting a Racing and Recreation and Facilities Grant in the amount of \$53,125, authorizing the establishment of a project budget of \$167,625 and authorizing the City Manager to make purchases not to exceed the project budget amount of \$167,625 in order to complete the various park

improvements for the Colins Park project. The park improvements consist of a new playground, new sidewalks, landscaping, building repairs, and site furniture at Colins Park.

The Racing and Recreation Facilities Grant was awarded to the City in the amount of \$53,125 and the City is required to provide a \$25,000 match as part of this grant; Resolution 2021-203 approved submitting the grant application and the required match. In addition to the grant funds, the project will also have \$89,500 in City funding, this amount plus the grant funds results in a project budget of \$167,625. It is also requested that the City Commission authorize the purchase and installation of playground equipment from Kompan Inc., 605 West Howard Lane Suite 101 Austin Texas 78753 for the amount of \$126,550.55 as part of the Colins Park improvements project. The Kompan Purchase is part of an Omnia Cooperative Contract No. 2017001135. Funds are available in the Capital Projects Fund (\$114,500) and the Grant Projects Fund (\$53,125).

Recommendation: Public Works Director recommends adoption of the Resolution.

**8.G.** [Budget Division - FY 2020/21 Final Budget Amendment \(pp. 110-115\)](#)

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**Resolution** amending Resolution No. 20-298 (as previously amended) which adopted the FY 2020/21 budget, in order to increase revenues by \$31,384, operating expenditures by \$117, and transfers, capital, and debt service expenditures by \$31,267. This budget amendment increases revenues related to collections of donations dedicated to homeless relief and adjusts the revenues related to the CRA loan refunding earlier this year.

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

**8.H.** [Development Services - Purchase of Two Vacant Lots Next to City Owned Land onLPGA Boulevard \(pp. 116-145\)](#)

**Resolution** authorizing the purchase of two vacant parcels of real property adjacent to City owned property on LPGA Boulevard. The City owned parcel abuts the corner of Tournament and LPGA. One of the parcels will be purchased from 5T Wealth Partners, LP in the amount of \$45,000, with associated transaction costs of \$11,050 and the other parcel will be purchased from LFS Properties, LLC in the amount of \$85,000 with associated transaction costs of \$9,975. Authorizing the expenditure for the purchase of the two parcels and associated transaction costs such as closing costs, survey, and Phase I environmental costs in an estimated amount of \$151,025. The parcels appraised respectively at \$100,000 and \$97,000. The properties are

cleared and located in a logical location to provide public ingress/egress to a currently undeveloped 37+ acre City owned parcel of land planned by the Commission to be used as an area park and potential cell tower location that will provide much needed additional cell service to the LPGA/Margaritaville area. Funds are available in the Coronavirus Relief Fund.

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

**8.I.** [Business Enterprise Management Department - City Manager Vehicle Purchase \(pp. 146-158\)](#)

**Resolution** authorizing an amendment to the City Manager's Employment Agreement to include an option to use a City-owned vehicle or receive a monthly car allowance, and authorizing the purchase of a new 2021 Ford F-150 Crew Cab Pick-up Truck in an amount not to exceed \$55,000, based on the City Manager's election for use of a City-owned vehicle. On April 07, 2021, the City Commission approved Resolution 2021-129, which authorized execution of the City Manager's Employment Agreement. Within this agreement, the City Manager was allotted a car allowance of \$991/month. However, the option to utilize a City-owned vehicle was excluded. The City Manager desires to expand his options to include the unrestricted use of a vehicle provided by the City or the monthly car allowance, and in that regard the City Manager has indicated his current election for use of a City-owned vehicle. The City shall be responsible for the purchase, routine maintenance, necessary repair, insurance, and regular replacement of the approved vehicle. The BEMD requests that the City Commission waive any bidding requirements under the Purchasing Code, and authorize the purchase of a new 2021 Ford F-150 Crew Cab Pick-up Truck based on the lowest quote from not less than three reputable local dealers, in an amount not to exceed \$55,000. Funds are available in the General Fund.

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

**8.J.** [Finance Department - Allocation of Bike Week Sponsorship Funds \(pp. 159-160\)](#)

**Resolution** authorizing the following:

\$200 to Westside Elementary School for the Eagle Store from the Bike Week Sponsorship Funds of Mayor Derrick L. Henry.

\$200 to Campbell Middle School, for the 2021-2022 1st Quarter Student Awards Ceremony and \$300 to Volusia Basket Brigade Corp., for a general donation to benefit Daytona Beach residents from the Bike Week



Sponsorship Funds of Commissioner Quanita May.

Recommendation: Chief Financial Officer recommends adoption of the Resolution.

**8.K.** [Leisure Services Department - Florida Department of State - African American Cultural and Historical Grant Application \\*\\*Addendum added 11-16-21\\*\\*](#)

**Resolution** approving application for the Florida Department of State – African American Cultural and Historical Grant and authorizing the City Manager to sign associated documents. The City is requesting \$1,000,000 from the Florida Department of State – African American Cultural and Historical Grant for design and construction funding for improvements to Daisy Stocking Park. Improvements include a shade structure for the performance area seating, picnic pavilions, and other items. These improvements are intended to expand the capacity of the existing facility. Actual improvements will be based on final cost developed during the design and a budget of \$1.7 m (if the grant is awarded). Grant match funding in the amount of \$700,000 is available in the Parks/Cultural Impact Fee Fund.

Recommendation: Leisure Services Director recommends adoption of the Resolution.

**9. PUBLIC HEARINGS.**

**9.A.** [Development and Administrative Services, Planning Division - First Amendment to Project Sigma PD –Planned Development-General \(PD-G\) Rezoning DEV2021-094 \(pp. 161-189\)](#)

**Ordinance on second reading - Quasi-Judicial Hearing** approving the First Amendment to the Project Sigma Planned District (PD) Agreement, generally located on the west side of North Clyde Morris Boulevard and the northwest quadrant of the LPGA Boulevard and Clyde Morris Boulevard intersection to allow single-family landscaping criteria for certain multifamily developments. Applicant: Robert A. Merrell III, Esquire, Cobb Cole, on behalf of Crisp39-6 LLC & Crisp 39-7 LLC.

Dennis Mrozek, Planning Director, to report.

Recommendation: Planning Board recommends approval 7-to-0

Action: Motion to adopt the Ordinance on first reading.

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



[Amendment to Project Theta PD – Planned Development-General \(PD-G\) Rezoning DEV2021-092 \(pp. 190-214\)](#)

**Ordinance on second reading - Quasi-Judicial Hearing** approving the First Amendment to the Project Theta Planned District (PD) Agreement, generally located in the southeast quadrant of the Williamson Boulevard and Strickland Range Road intersection to allow single-family landscaping criteria for certain multifamily developments. Applicant: Robert A. Merrell III, Esquire, Cobb Cole, on behalf of Crisp39-6 LLC.

Dennis Mrozek, Planning Director, to report.

Recommendation: Planning Board recommends approval 7-to-0

Action: Motion to adopt the Ordinance.

9.C. [Development and Administrative Services, Planning Division - Third Amendment to the First United Methodist Church Planned Development \(PD\) Agreement & Hallmark Heritage Planned Development – General \(PD-G\) Rezoning DEV2020-056 & DEV2020-057 \(pp. 215-216\)](#)

**Ordinance on second reading - Quasi-Judicial Hearing** approving the Third Amendment to the First United Methodist Church Planned Development (PD) Agreement, totaling approximately 78.2± acres of land, to remove 42.2± acres of vacant, undeveloped land, for a remainder of 36± acres of land; the amendment also includes a request to extend the completion schedule for the development; and to rezone the 42.2± acres of the property subject to the First United Methodist Church PD to the new Hallmark Heritage Planned Development, to allow for a mixed-use development to include a variety of residential, medical, and limited commercial uses. The property is generally located on the west side of Williamson Boulevard, north of Strickland Range Road, approximately 750 feet southeast of the intersection of Memorial Medical Parkway and Williamson Boulevard. Applicant: A. Joseph Posey, Esquire, Storch Law Firm, on behalf of the First United Methodist Church of Ormond Beach Inc. **\*\*Applicant is requesting this item be continued to the December 15, 2021 City Commission Meeting\*\***

Dennis Mrozek, Planning Director, to report.

Recommendation: Planning Board recommends approval 3-to-2.

Action: Motion to adopt the Ordinance.

9.D. [Development and Administrative Services, Planning Division - Accessory Dwelling Units Land Development Code Text Amendment \(pp. 217-245\)](#)

**Ordinance on first reading - PUBLIC HEARING** amending Article 4 (Zoning Districts) Section 4.9.C.4; Article 5 (Use Standards), Table 5.3.B.4,

Table 5.3.B.5, Table 5.3.B.6 and Section 5.3.C.32; Article 6 (Development Standards) Table 6.2.C.1. and; Article 11 (Definitions and Interpretations) Section 11.5 of the Land Development Code, to add Accessory Dwelling Units as a permitted accessory use, and to provide definitions, dimensional standards and developmental standards.

Dennis Mrozek, Planning Director, to report.

Recommendation: Planning Board recommends approval 4-to-1.

Action: Motion to pass Ordinance on first reading.

Note: If passed, second Public Hearing, December 1, 2021.

**9.E.** [Public Works Technical Services - Preliminary and Final Plat and Contract for Plat Recording for Latitude Phase 7 \(pp. 246-418\)](#)

**Resolution - Quasi-Judicial Hearing** approving the Preliminary and Final Plat, as well as the execution of a Contract for Plat Recording for Latitude Phase 7. The plat creates a subdivision which is located north of LPGA Blvd. and west of Tymber Creek Blvd. The project has been reviewed by staff and found to be consistent with the Land Development Code. The preliminary plat was approved by the Planning Commission on May 27, 2021. The final Plat and Construction Plans have been reviewed by City staff and the Plat has been reviewed by the City's consulting surveyor for consistency with Chapter 177 of the Florida Statutes. The Contract for Plat Recording allows for bonding of improvements that may not be completed before recording is desired.

Andrew Holmes, Public Works Director, to report.

Recommendation: Public Works Director recommends adoption of the Resolution.

Action: Motion to adopt the Resolution.

**9.F.** [Development and Administrative Services - Grand Preserve Retail Proportionate Fair Share Agreement \(pp. 419-434\)](#)

**Resolution - PUBLIC HEARING** authorizing the City to enter into the Grand Preserve Retail Proportionate Fair Share Agreement with Sun Glow Construction, Inc, ("Developer") and Volusia County. The agreement provides for a proportionate fair share contribution in the amount of \$295,227.45 based on a maximum buildout of 18,088 square-feet of commercial/retail and a 5,250 square-foot bank. The purpose is to satisfy concurrency requirements consistent with the requirements of Section 3. 4(Z) of the City's Land Development Code and Section 72 of the County's Land Development Code. The contribution will provide local transportation improvements to County and City roads and shall be paid prior to final site

plan approval of the Grand Preserve Retail project that is generally located on the northeast quadrant of the intersection of LPGA Boulevard and Grand Preserve Way.

Dennis Mrozek, Planning Director, to report.

Recommendation: Planning Director recommends adoption of the Resolution.

Action: Motion to adopt the Resolution.

- 10. ADMINISTRATIVE ITEMS - No Administrative Items**
- 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.**