



**THE CITY OF DAYTONA BEACH
BUSINESS MEETING OF THE CITY COMMISSION
DECEMBER 1, 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.

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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 November 3, 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. Public Works / Technical Services Division – Sparks Concrete, LLC, City Contract No. 21243 for the Beville Road Multi-Use Path Project – FDOT Project No. 439037-1-58-01, City Project No. 2015-095 - Bid Award (pp. 19-279)

Resolution awarding the Beville Road Multi-Use Path Project (Andros Isles Boulevard to Clyde Morris Boulevard), Contract No. 21243 to Sparks Concrete, LLC, 4106 S. Nova Road, Port Orange, FL 32127, for a total Base Bid plus ALT Bid amount of \$1,455,556.75. The purpose of this project is to construct an 8-12' wide concrete multi-use path along the south side of Beville Road from Andros Isles Boulevard to Clyde Morris Boulevard. This project is partially funded by a Florida Department of Transportation (FDOT) Local Agency Program (LAP) Grant. The FDOT LAP Grant will provide federal grant funding for the majority of the construction costs, totaling \$1,393,136.00, and the remaining amount totaling \$62,420.75 will be the responsibility of the City to cover. Funds are available in the Capital Projects Fund (\$62,420.75) and the Grant Projects Fund (\$1,393,136).

Recommendation: Public Works Director recommends adoption of the Resolution.

- 8.B. Public Works, Technical Services Division - DRMP- Continuing CEI Services Contract Acceptance (pp. 280-447)

Resolution accepting the Continuing Construction Engineering Inspection (CEI) Services Contract with DRMP, 941 Lake Baldwin Lane, Orlando, FL 32814 for Florida Department of Transportation (FDOT) Local Agency Program (LAP) projects. No funding is needed to accept the Continuing Construction Engineering Inspection (CEI) Services Contract

Recommendation: Public Works Director recommends adoption of a Resolution

- 8.C. Public Works/Grounds Maintenance-Florida Department of Corrections (DOC), Contract No. W1156, Amendment No.1 (pp. 448-475)

Resolution approving Contract No. W1156, Amendment No.1 between the City and the Florida Department of Corrections (DOC), 501 South Calhoun Street, Tallahassee, Florida 32399, to supply inmate labor assistance in the amount of \$57,497 per year and authorizing the City Manager to expend the annual Budget appropriations for this Contract. This Contract shall begin on January 23, 2022 and will end on January 22, 2025. The purpose of this request is for City Commission to approve Contract No. W1156, Amendment No.1 so the Contract will be in place when the Inmate Laborers are released back into the workforce. The contract is the same contract that DOC has been entering into with other local governments. This contract is authorized under the Purchasing Code because this service provider is a Government Agency; therefore, no competitive solicitation is required. The Inmate Crew will supplement the Grounds Maintenance staff in maintaining City owned properties and rights-of-way. The DOC contract cost is \$57,497 per year which compares favorably with an estimated cost of over \$380,045 per year to hire eight (8) Maintenance Worker I laborers and a one (1) Maintenance Supervisor II at the City minimum salary rates, including fringe benefits. Funds in the amount of \$43,122.75 for the remainder of this fiscal year are available in the General Fund. Funding for subsequent years is subject to budget appropriations for each of the remaining years of the contract.

Recommendation: Public Works Director recommends adoption of the Resolution.

8.D. Public Works / Technical Services Division – Change Order No. 1 to Hazen Construction Contract No. 19263-3 for Sweetheart Trail Beach St (Bellevue Ave to Marina Point), – FDOT Project No. 439868-1-54-01, City Project No. 2017-006 (pp. 476-516)

Resolution approving Change Order No. 1 to Contract No. 19263-3 for Hazen Construction, LLC, 1599 Tionia Road, New Smyrna Beach, FL 32168, in an amount of \$56,759.96. This request is needed to close out the Sweetheart Trail Beach St Project (Bellevue Ave to Marina Point) under Hazen Construction Contract No. 19263-3 and to pay the contractor for work performed. Resolution 19-320 was adopted by City Commission on November 20, 2019, accepting the bid of Hazen Construction, LLC, in an amount of \$718,583 to construct the Sweetheart Trail on Beach Street between Bellevue Avenue to Marina Point Drive, which consisted of approximately 1,500 LF of 12-foot-wide concrete trail, roadway realignment of the South Street intersection, and drainage improvements.

Change Order No. 1 is necessary to compensate the contractor for extra work needed to modify some of the stormwater pipe and structures; to modify signalization and pedestrian features at Beach Street and Bellevue Avenue intersection; for loop replacement at the Beach Street and Bellevue Avenue

intersection due to damage caused from overlapping resurfacing project; to replace FDOT manhole covers with City covers; and to fabricate and install a custom ADA inlet grate to fit an existing inlet structure. Funds are available in the Capital Projects Fund.

Recommendation: Public Works Director recommends adoption of the Resolution.

8.E. Public Works / Technical Services Division – Change Order No. 2 to Hazen Construction Contract No. 19263-4 for Sweetheart Trail Beach St (Marina Point to Orange Ave), – FDOT Project No. 439869-1-54-01, City Project No. 2017-028 (pp. 517-570)

Resolution to approve Change Order No. 2 to Contract No. 19263-4 for Hazen Construction, LLC, 1599 Tionia Road, New Smyrna Beach, FL 32168, in an amount not to exceed \$46,588.25. This request is needed to close out the Sweetheart Trail Beach Street Project (Marina Point to Orange Avenue) under Hazen Construction Contract No. 19263-4 and to pay the contractor for work performed. Resolution 19-320 was adopted by City Commission on November 20, 2019, accepting the bid of Hazen Construction, LLC, in an amount of \$656,844 to construct the Sweetheart Trail on Beach Street between Marina Point Drive and Orange Avenue, which consisted of approximately 2,700 LF of 12-foot-wide concrete trail, reduction in paved roadway width, and drainage improvements. Change Order No. 2 is necessary to compensate the contractor for extra work needed to modify the signalization and pedestrian features at Beach Street and Orange Avenue intersection; to mill and resurface the driveway for the Fire Station No. 1; to replace the FDOT manhole covers with City covers; and to cover the overruns and underruns of some of the bid quantities, for a total of \$46,588.25. Funds are available in the Capital Projects Fund.

Recommendation: Public Works Director recommends adoption of the Resolution.

8.F. Public Works, Technical Services Division - P&S Paving, Inc. - Contract Award (pp. 571-630)

Resolution awarding a construction contract with P&S Paving, Inc., 3701 Olson Dr., Daytona Beach, FL 32124 in the amount not to exceed \$242,917.50 to mill and resurface the various locations throughout the City following utility repairs. The City Utilities Department have performed several emergency utility repairs and as a result, the road surface was paved quickly on some State and County owned roads. As a result, the City will have to mill and resurface these locations on State and Volusia County Facilities using Florida Department of Transportation (FDOT)

standards. This project was put out to bid and P&S paving was the sole bidder. Funds are available in Renewal & Replacement 8% Fund.

Recommendation: Public Works Director recommends adoption of the Resolution.

8.G. [Utilities Department - RedZone Robotics, Inc. - Autonomous CCTV Inspection Services - Sole Source \(pp. 631-660\)](#)

Resolution approving a General Services Contract with RedZone Robotics, Inc., 195 Thorn Hill Road, Suite 110, Warrendale, Pennsylvania 15086 for CCTV inspection of 263,935 linear feet of sanitary sewer pipe in a fixed fee amount of \$268,935. This request is needed to assess the condition of the sanitary sewer collection system. RedZone Robotics, Inc., utilizes autonomous CCTV inspection equipment to quickly identify defects, maintenance concerns and pipe integrity in wastewater collection systems. Autonomous inspection cameras provide the following benefits over other contracted pipeline inspection services:

- Requires very little to no maintenance of traffic or traffic interruptions;
- Equipment can be used to inspect backyard easements, whereas traditional inspection trucks cannot easily access these areas; and
- Inspects up to 10,000 linear feet per day, whereas traditional cameras inspect an average of 2,000 linear feet per day.

The information collected will be used to prioritize future pipe lining, repair and/or replacement projects. RedZone Robotics, Inc., is the sole owner, developer and distributor of RedZone Robotics equipment. Funds are available in the Water & Sewer Fund and Water & Sewer Improvement Construction Fund.

Recommendation: Utilities Director recommends adoption of the Resolution.

8.H. [Utilities Department - USSI, Inc. – Sanitary Sewer Inflow Abatement Services \(pp. 661-750\)](#)

Resolution approving a piggyback contract using a Toho Water Authority contract with USSI Inc., 752 Commerce Drive Suite 15, Venice, FL 34292 to provide sanitary sewer collection system in-flow abatement services with the following provisions:

The term of the contract will remain in effect for three (3) years from the effective date with an option to renew for one (1) term of two (2) years:

- Authorize an initial expenditure of \$217,034.88 in FY2022; and

- Authorize the City Manager to exercise the renewal option and expend such sums as budgeted each year.

Sanitary sewer inflow abatement services utilizes smoke testing to identify locations of surface water inflow and/or groundwater infiltration into the sanitary sewer collection system, which reduces its capacity to convey sewage to the City's wastewater treatment plants. With this information, the Utilities Department can plan repair and/or replacement projects in the future.

The initial expenditure for FY22 will include the following:

- Inspection and smoke testing of 970 manholes
- Install 970 rain dishes
- Install 606 clean-out cover replacement plugs
- Smoke testing of 236,917 linear feet of gravity sewer main
- Detailed reports of inflow points and defects

The Toho Water Authority contract has been reviewed and approved by the City's Purchasing and Legal Departments for use by City Departments. Funds are available in the Water and Sewer Operating Fund and the Water and Sewer Improvement Construction Fund.

Recommendation: Utilities Director recommends adoption of the Resolution.

8.I. [Utilities Department - Hydra Service, Inc - Lift Station No. 75 Pump Replacement - Sole Source \(pp. 751-761\)](#)

Resolution approving a purchase from Hydra Services, Inc., 250 Springview Commerce Drive, Debary, Florida 32713 in the amount of \$40,684. The purpose of this request is to maintain operational redundancy and reliability of Lift Station No. 75. Lift Station No. 75 is a City-owned duplex sanitary sewer lift station constructed in the 1980's which serves the Boulevard Apartment complex and single family homes located along Clyde Morris Blvd. Due to recent repairs, it has been identified by the Utilities Department as a lift station in need of pump replacements. The existing pumps have reached the end of their useful life and are in need of replacement to increase the overall efficiency and reliability of Lift Station No. 75.

As part of this project, the two (2) existing pumps are manufactured by Smith & Loveless. In order to keep the existing wetwell and the associated piping the same: thereby not incurring additional installation costs for modifications, Smith & Loveless replacement pumps are being proposed. Hydra Services, Inc. is the exclusive contracted municipal representative for Smith & Loveless pumps; therefore, a sole source supplier for this purchase. Funds are

available in the Renewal & Replacement 8% fund.

Recommendation: Utilities Director recommends adoption of this Resolution.

8.J. [Utilities Department - Hydra Service, Inc - Lift Station No. 106 Pump Replacement - Sole Source \(pp. 762-772\)](#)

Resolution approving a purchase from Hydra Services, Inc., 250 Springview Commerce Drive, Debary, Florida 32713 in the amount of \$63,798. The purpose of this request is to maintain operational redundancy and reliability of Lift Station No. 106. Lift Station No. 106 is a City-owned duplex sanitary sewer lift station that has been in operation for over 15 years and serves the Dunn Avenue area and it is located between the Fentress Blvd and Bill France Boulevard intersections. Due to recent development within the service area, the head conditions for the lift station pumps have increased and as a result the existing pumps are undersized for the increased demand. This purchase is needed to increase the overall efficiency and reliability of Lift Station No. 106.

As part of this project, the two (2) existing pumps are manufactured by Smith & Loveless. In order to keep the existing wetwell and the associated piping the same: thereby not incurring additional installation costs for modifications, Smith & Loveless replacement pumps are being proposed. Hydra Services, Inc. is the exclusive contracted municipal representative for Smith & Loveless pumps; therefore, a sole source supplier for this purchase. Funds are available in the Renewal & Replacement 8% fund.

Recommendation: Utilities Director recommends adoption of this Resolution.

8.K. [Utilities Department - HACH Company - Annual Meter Service Agreement - Westside Regional Water Reclamation Facility - Sole Source \(pp. 773-786\)](#)

Resolution approving a purchase from HACH Company, 5600 Lindbergh Drive, Loveland, Colorado, 80539 for an annual service agreement for HACH meters in the amount of \$35,830. The purpose of this request is to maintain compliance with the Florida Department of Environmental Protection (FDEP) Permit #FL0111392. The Westside Regional Water Reclamation Facility utilizes various HACH meters to monitor the treatment process to ensure compliance with regulatory requirements. These meters measure the amount of nutrients, dissolved oxygen, and UV transmittance in the wastewater treatment process and reclaimed water.

The renewal of an annual service agreement will provide routine maintenance for the upkeep and replacement of these meters. Routine maintenance is an integral part of meter reliability. Failure to maintain

specific meter parameters could lead to permit violation. This purchase is a sole source as we have standardized on HACH equipment at both water and reclamation facilities and the water treatment facility. Funds are available in the Water and Sewer Fund.

Recommendation: Utilities Director recommends adoption of this Resolution.

8.L. [Finance Department - Northeast II, Inc, d/b/a TC Delivers - Utility Billing Printing and Mailing Services Contract - Amendment 1 \(pp. 787-792\)](#)

Resolution amending utility bill printing and mailing services contract price per thousand by \$13.63 from \$114.30 to \$127.93 with Northeast II, Inc, d/b/a TC Delivers, 8879 Boggy Creek Road, Orlando, FL 32824. TC Delivers notified the City it is having difficulties procuring paper stock and envelopes for the printing of monthly utility bills. The firm has requested a price increase of \$13.63 per thousand (\$0.01363 per bill). Amendment 1 would allow for the price increase earlier than what normally would have been allowed under the contract terms. This will result in an estimated monthly increase of \$393.50. Assuming this price for the remainder of FY 2022, the increase is \$3,935 to the original contract estimate of \$39,600 for an amended estimated annual cost of \$43,535 (not including postage.) Funds are available in the Water & Sewer Fund.

Recommendation: Chief Financial Officer recommends adoption of the Resolution.

8.M. [Finance Department - Allocation of Bike Week Sponsorship Funds \(pp. 793-795\)](#)

Resolution authorizing the following:

\$500 to Leisure Services for their Senior Oasis program for holiday parties held at Schnebly Center, Dickerson Center, Yvonne Scarlett- Golden Center, Sunnyland and Midtown Cultural & Education Center from the Bike Week Sponsorship Funds of Mayor Derrick L. Henry.

\$200 to Leisure Services for their Senior Oasis program for holiday parties held at Dickerson Center and Midtown Cultural & Education Center from the Bike Week Sponsorship Funds of Commissioner Paula Reed .

\$200 to Leisure Services for their Senior Oasis program for holiday parties held at Dickerson Center and Midtown Cultural & Education Center and \$200 to African American Entrepreneurs Association, Inc., for their 4th Annual Entrepreneur of the Year Awards event from the Bike Week Sponsorship Funds of Commissioner Quanita May

Recommendation: Chief Financial Officer recommends adoption of the Resolution.

9. PUBLIC HEARINGS.

9.A. [Development and Administrative Services, Planning Division - Accessory Dwelling Units Land Development Code Text Amendment \(pp. 796-824\)](#)

Ordinance on second 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 adopt the Ordinance.

9.B. [Development and Administrative Services, Planning Division - Hillwood – Large Scale Comprehensive Plan Amendment DEV2021-077 \(pp. 825-905\)](#)

Ordinance on first reading - PUBLIC HEARING approving a Large Scale Comprehensive Plan Amendment, generally located approximately 1,200 feet southeast of the intersection of Williamson Blvd and Bellevue Avenue, changing the Future Land Use Map designation from City Commercial Amusement (CA) of 101± acres and Volusia County Activity Center - Industrial (AC-I) of 110± acres, to Mixed Use (MU) for a total of 211.0± acres of land, and amending the Future Land Use Element Neighborhood “Q”, creating new issue (g). Applicant: Mark A. Watts, Esquire, Cobb Cole, on behalf of Event Equipment Leasing, Inc. & Southeastern Hay & Nursery, 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, February 2, 2022.

9.C. [Public Works/Technical Services Division - Minto-Cloar Subdivision - Preliminary Plat Approval \(pp. 906-946\)](#)

Resolution - Quasi-Judicial Hearing approving the Preliminary Plat for Minto-Cloar subdivision. This approval will grant the applicant permission

to apply for Final Plat and Construction Plan approval. The project is located north of LPGA Boulevard and immediately east of Latitudes subdivision and contains 260+/- acres and 500 single family residential units. The property is the subject of the Minto-Cloar PD agreement (ORD20-348), and the Preliminary Plat approved at the September 23, 2021 meeting of the Planning Board.

Recommendation: Public Works Director recommends adoption of the Resolution.

10. ADMINISTRATIVE ITEMS.

10.A. [Development and Administrative Services, Planning Division - 14 S. Halifax – Redevelopment Beachside-Gateway Residential/Mixed Use \(RDB-3\) Rezoning DEV2021-003 \(pp. 947-981\)](#)

Ordinance on first reading - rezoning 0.1± acre of land located at 14 S. Halifax Avenue, from Redevelopment Beachside - Gateway Residential/Mixed-Use (RDB-3) and Residential Professional (RP) to Redevelopment Beachside - Gateway Residential/Mixed-Use (RDB-3). Applicant: Jessica Gow, Esq., Cobb Cole, on behalf of the property owner, Morgan & Parker, LLC.

Reed Berger, Redevelopment Director, to report.

Recommendation: Planning Board recommends approval 6-to-1.

Action: Motion to pass Ordinance on first reading.

Note: If passed, Public Hearing, December 15, 2021.

10.B. [City Manager's Office - Project Tarpon-Economic Development Agreement \(pp. 982-1009\)](#)

Resolution approving an economic development agreement for the proposed Project Tarpon development (DEV2021-097). The economic development agreement provides for the equivalent reimbursement from non-ad valorem sources of the ad valorem and tangible personal property tax increment derived from the project site and received by the City for a term of five-years in stepped increments of 75%, 50%, 25% as outlined in the agreement. The proposed economic development agreement is for the proposed development of a \$200 million, 2.8 million sq.ft. facility providing for 1,000 full-time jobs with a minimum compensation threshold of \$31,200. Award of grant subject to the minimum thresholds, terms and conditions as provided for in the economic development agreement. Authorizing the City Manager/designee to process the agreement and authorizing reimbursement of funds as directed by the agreement.

Recommendation: Deputy City Manager/Fire Chief recommends adoption of 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.**