



**THE CITY OF DAYTONA BEACH
BUSINESS MEETING OF THE CITY COMMISSION
JANUARY 19, 2022
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.

	For special accommodations, please notify the City Clerk's Office at least 72 hours in advance. (386) 671-8020		Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained from the City Clerk's Office.
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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 December 15, 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 - Recognition - Antonio Rashad Wilson, Jr. \(9-10\)](#)

Recognition of Antonio Rashad Wilson, Jr., for saving a Lourdes Academy School employee from choking by performing the Heimlich Maneuver.

6.B. [Presentation - Dream Green Volusia](#) (pp. 11-21)

Presentation from Dream Green Volusia on their "Only Rain Down the Drain", Daytona Beach Campaign.

Suzanne Scheiber, Founder and President, Dream Green Volusia, to report.

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. [Legal Department - Interlocal Agreement - Opioid Settlement](#) (pp. 23-56)

Resolution approving the Interlocal Agreement Governing use of Volusia County Regional Opioid Settlement Funds between the City of Daytona Beach, Volusia County and other Cities in Volusia County, in light of the pending Opioid litigation.

Recommendation: City Attorney recommends adoption of the Resolution.

8.B. [Fire Department - U.S. Department of Homeland Security - Assistance to Firefighters Grant - Grant Submission and Acceptance](#) (pp. 57-83)

Resolution authorizing submission of a grant application for the 2021 U.S. Department of Homeland Security - Assistance to Firefighters Grant in the amount of \$262,262 (Federal share \$238,420); The program requires a 10 percent cash share in the amount of \$23,842; authorizing the City Manager/designee to execute all documents necessary for submittal of the grant application and grant acceptance; authorizing the Budget Officer to amend the budget. Funds will be used for the procurement of 100 portable and 29 mobile P25 Phase II compliant 800 MHz radios. Volusia County is currently upgrading the system and our current radios will not function on the new system. Funds are available in the General Fund.

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

8.C. [Public Works/Ground Maintenance - WescoTurf - Purchase of a Toro Multi-Pro Workman Chemical Sprayer](#) (pp. 84-90)

Resolution approving the purchase of a Toro Multi-Pro Workman Chemical Sprayer from WescoTurf, 2101 Cantu Court, Sarasota, Florida. 34232, under Sourcewell State Contract No.031121-TTC., for an amount not to exceed \$54,796.76. WescoTurf is the only dealer in Florida that sells this type of equipment. This chemical sprayer is to replace the current chemical sprayer that was originally purchased in 2006 and has become outdated, and parts needed for the constant repairs are virtually impossible to find. The sprayer is a necessity for a proper and safe way to apply any chemicals that are agronomically needed to maintain the City's athletic fields to their pristine condition. The new machine is equipped with a feature that allows the applicator to safely load and then clean the spray tank properly, while minimalizing accidental exposure to the chemicals. Funds are available in the General Fund.

Recommendation: Public Works Director recommends adoption of the Resolution.

8.D. [Public Works/ Administration - Assignment of Kimley-Horn and Associates, Inc.'s Landscape Design Professional Services Contract to Castle Bay Design Studio, LLC.](#) (pp. 91-112)

Resolution authorizing the assignment of the continuing professional services contract with Kimley-Horn and Associates, Inc. Landscape Architecture, Contract No. 0517-0750-CB, to Castle Bay Design Studio, LLC. In 2017, Castle Bay Design Studio was awarded a professional services contract for landscape architecture. In 2019, the principle of Castle Bay, Brett Kuzoian, was hired by Kimley-Horn and dissolved Castle Bay. The City approved the assignment of the professional services contract to Kimley-Horn at that time. Brett Kuzoian has since left Kimley-Horn and reformed Castle Bay. Kimley-Horn has agreed to assign the professional services contract back to Castle Bay Design Studio. Brett Kuzoian, RLA, has provided the City with high quality and timely landscape architecture services involving multiple projects over the past two and one half years. Some of these projects are still active. It is important for the City to maintain the continuity of design quality for active projects and to continue to build on the increased level of customer service that Brett Kuzoian has provided. No funding is associated with this request.

Recommendation: Public Works Director recommends adoption of the Resolution.

8.E. [Finance Department - Allocation of Bike Week Sponsorship Funds](#) (pp. 113-114)

Resolution authorizing grants from the following Bike Week Sponsorship Funds:

\$500 to Leisure Services for costs associated with the use of Derbyshire Field for Skill University's Spring Football 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 - Derby Plaza – Small Scale Comprehensive Plan Amendment DEV2021-147](#) (pp. 115-149)

Ordinance on second reading - PUBLIC HEARING approving a Small-Scale Comprehensive Plan Map Amendment, changing the Future Land Use Map designation for 4.9+/- Acres from Level 1 Residential (L1-R) to Low Intensity Commercial (LIC). Applicant: The City of Daytona Beach Planning Division.

Dennis Mrozek, Planning Director, to report.

Recommendation: Planning Board recommends approval 7-to-0

Action: Motion to adopt the Ordinance.

9.B. [Development and Administrative Services - Tymber Creek Village-Multifamily Proportionate Fair Share Agreement](#) (pp. 150-175)

Resolution - PUBLIC HEARING authorizing the City to enter into the Tymber Creek Village-Multifamily Proportionate Fair Share Agreement with Boos Development Group, Inc, ("Developer") and Volusia County. The agreement provides for a proportionate fair share contribution in the amount of \$1,850,853.00 based on a maximum buildout of 311 residential units and 98,680 square feet of nonresidential development. 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 Tymber Creek Village-Multifamily project that is generally located on the northeast quadrant of the intersection of LPGA

Boulevard and Tournament Drive. For each project phase, the City, County and Developer will execute an Implementation Agreement that will include a Pro Rata Fee for each project phase. This Agreement also authorizes the City Manager or designee to execute an Implementation Agreement subject to the terms of the Tymber Creek Village Proportionate Fair Share Agreement.

Dennis Mrozek, Planning Director, to report.

Recommendation: Deputy City Manager/Development Services recommends adoption of the Resolution.

Action: Motion to adopt Resolution.

10. ADMINISTRATIVE ITEMS.

10.A. [City Managers Office, Redevelopment Division - 1st Amendment to Beaches ISB – Planned Development-Redevelopment \(PD-RD\) Rezoning – DEV2021-123 \(pp. 176-258\)](#)

Ordinance on first reading - approving the First Amendment to Beaches ISB Planned District (PD) Agreement to allow for Electronic Message Center (EMC) signage. The property is located at 301 E. International Speedway Boulevard (ISB) on the northeast quadrant of the ISB and Peninsula Drive. Applicant: Robert A. Merrell III, Esquire, Cobb Cole, on behalf of Daytona JV LLC.

Reed Berger, Redevelopment Director, to report.

Recommendation: Planning Board recommends approval 5-to-0

Action: Motion to pass Ordinance on first reading.

Note: If passed, Public Hearing, February 2, 2022

10.B. [Development and Administrative Services, Leisure Services Department - Bike Week 2022 Private Property Master Plan \(pp. 259-388\)](#)

Resolution approving the Bike Week 2022 Private Property Master Plan as submitted by the Daytona Beach Regional Chamber's Bike Week Festival Task Force. The Bike Week Festival Task Force has reviewed the applications for consistency with the Bike Master Plan Guidelines and recommends approval.

Phil Maroney, Vice Chair of the Bike Week Festival Task Force, to report.

Recommendation: Deputy City Manager/Development Services recommends adoption.

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.**