



**THE CITY OF DAYTONA BEACH
BUSINESS MEETING OF THE CITY COMMISSION
DECEMBER 5, 2018
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 Minutes](#)

Approval of the Minutes of the November 14, 2018 Swearing In Ceremony/Organizational Meeting of the City Commission and the Minutes of the November 21, 2018 Business Meeting of the City Commission will be on the December 19, 2018 Business Meeting of the City Commission Agenda.

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. Items or discussions not listed on the Agenda will not be heard during this comment section.

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. Cultural Services Department - Master's Cleaning Service, Inc. - Contract Bid Award (pp. 15-88)

Resolution awarding Bid No. 0118-2390 to Master's Cleaning Service, Inc., 636 W. New York Avenue, Deland, FL 32720 in an amount not to exceed \$50,000 annually. This Contract is for custodial services for the Peabody Auditorium, Oceanfront Bandshell, Oceanfront Park and other entertainment venues, including special events appropriated for the services in future years under this contract. This contract will commence on the date in which the last party signs and will be in effect for two (2) years, with three 1 year options to renew. Funds available in the Cultural Services Fund.

Recommendation: Deputy City Manager recommends adoption of the Resolution.

8.B. City Manager's Office/Budget Office - Questica LTD - Agreement Approval (pp. 89-118)

Resolution approving an Agreement to obtain software, annual maintenance, and implementation services from Questica LTD., 2130 Main Street, Suite 245 Huntington Beach, CA 92648, for upgrading and maintaining the City's Budget Information System Software. The proposed Questica upgrade consists of an estimated 500 hours of professional services at the rate of \$150/hour, for a total cost of \$75,000. No additional software licensing fees are required by Questica for the upgrade. The annual software maintenance fee for the software is \$24,000, beginning October 1, 2019. This is the same maintenance fee currently being paid for the current Budget Information System Software. Increases in the fee are capped at 3% per annum.

The City currently uses the Fletcher and Fletcher (Fletcher) Budget Information System. Questica, successor-in-interest to Fletcher, has announced that they will no longer support Fletcher Budgeting software.

This request is considered sole source due to the relationship with Questica, as successor-in-interest to Fletcher, and given that no licensing fees are required. Funds available in the General Fund.

Recommendation: Budget Officer recommends adoption of the Resolution.

8.C. [Utilities Department - Sensus Omni Meters - Core & Main - Sole Source - Standardization \(pp. 119-127\)](#)

Resolution approving a purchase order with Core & Main, 590 Ferguson Drive, Orlando, Florida 32805 in the lump sum amount of \$71,466.43 for the purchase of five Sensus Omni F2 fire line water meters. This request is needed to purchase three 8-inch and two 10-inch Sensus Omni F2 fire line water meters to be installed on new fire lines for four developments within the City of Daytona Beach. The City's Utilities Department has standardized our system by using Sensus water meters. Core & Main is the exclusive Authorized Distributor of Sensus products for the State of Florida. Sole source procurement is expressly authorized under Section 30-55 (b) where standardization is likely to reduce financial investment or simplify administration. Funds available in the Water and Sewer Fund.

Recommendation: Utilities Director recommends adoption of the Resolution.

8.D. [Utilities Department - Hazen Construction, LLC - Emergency Expenditure Ratification \(pp. 128-190\)](#)

Resolution ratifying an emergency expenditure with Hazen Construction, LLC, 1599 Tionia Road, New Smyrna Beach, Florida 32168 for the Clyde Morris Blvd/Dunn Avenue Manhole Replacement Contract with a final contract amount of \$583,787.10. This request is needed to fully comply with City Purchasing Code Section 30-52(b) Emergency Purchases for the selection of a Contractor.

The Contract was estimated at a not-to-exceed fee of \$350,000. Before construction commenced but after the Contract was executed, final approval by FDOT and Volusia County was required. The County required the Contractor to open cut across Dunn Avenue during night-time hours to bury multiple bypass pumping lines to ensure the roadway would be kept open during construction. This work was not included in the Contract and was not included in the original cost proposal. Additionally, during the manhole replacement, a 16-inch force main that discharges into the manhole was found to be crumbling due to deterioration from sewage gas. The 16-inch force main had to be replaced across Clyde Morris Blvd during night-time hours. Additional time and compensation was required for these activities resulting in a total project cost of \$583,787.10. Funds available in the

Renewal and Replacement 8% Fund.

Recommendation: Utilities Director recommends adoption of the Resolution.

8.E. [Public Works/Technical Services Division - Astro Turf Company - Contract Award \(pp. 191-303\)](#)

Resolution approving the Contract with Astro Turf Company to supply and install the new Synthetic Turf at Jackie Robinson Ball Park in the amount of \$938,391 and authorizing the City Manager to execute any documents or agreements needed to implement the project, including as applicable a site access agreement with Tortugas Baseball, LLC. Minor League Baseball (MiLB) requires teams, pursuant to MiLB Rule 58 to provide a field surface without defects and or trip hazards that could affect the normal play of the game or jeopardize the player safety. The synthetic turf replacement will bring the existing field up to MiLB standards and address safety concerns. Pricing for this contract is from the National Joint Powers Alliance (NJPA) Cooperative Purchasing Contract No. 06058-AST. Jackie Robinson Ballpark is leased to the Daytona Tortugas. The Tortugas are aware of the project and have informally agreed to provide access. Funds available in the Grants Project Fund (\$355,000) and in the Capital Projects Fund (\$583,391).

Recommendation: Public Works Director recommends adoption of the Resolution.

8.F. [Finance Department - Allocation of Bike Week Sponsorship Funds ****Added 12-04-18****](#)

Resolution authorizing payment in the amount of:

\$150 to Cultural Services for Yvonne Scarlett Golden Center's Senior Oasis program for the 2018 Christmas Party from the Bike Week Sponsorship Funds of Commissioner Danette Henry.

Recommendation: Chief Financial Officer recommends adoption of the Resolution.

9. PUBLIC HEARINGS.

9.A. [Development and Administrative Services, Planning Division - Beville Commercial - Small Scale Comprehensive Plan Amendment \(pp. 304-359\)](#)

Ordinance on second reading - PUBLIC HEARING - adopting a Small Scale Comprehensive Plan Amendment (SSCPA) amending the Future Land Use Map designation from Office Transition and Level 2 Residential to Low

Intensity Commercial for 3.7± acres of land located at 1401 Beville Road to create a commercial development. Applicant: Jonathan A. Martin, P.E., Kimley-Horn & Associates on behalf of Beville Investors, LLC.

Dennis Mrozek, Planning Director, to report.

Recommendation: Planning Board recommends approval 5-to-0.

Action: Motion to adopt Ordinance.

9.B. [Development and Administrative Services, Planning Division - Beville Commercial - Rezoning, Planned Development-General \(pp. 360-431\)](#)

Ordinance on second reading - PUBLIC HEARING - approving a request to rezone 3.7± acres of land located at 1401 Beville Road from Residential/Professional (RP) and Multifamily Residential-20 (MFR-20) to Planned Development-General (PD-G) for a phased commercial development which allows for the redevelopment of the eastern parcel into a 7-Eleven convenience store, and authorizing the Mayor to execute the Beville Commercial Planned District Agreement. Applicant: Jonathan A. Martin, P.E., Kimley-Horn & Associates, on behalf of Beville Investors, LLC.

Dennis Mrozek, Planning Director, to report.

Recommendation: Planning Board recommends approval 5-to-0.

Action: Motion to adopt Ordinance.

9.C. [Development and Administrative Services, Planning Division - Land Development Code Text Amendment - Remove Waterfront Overlay \(WO\) District \(pp. 432-476\)](#)

Ordinance on second reading - PUBLIC HEARING - amending the Land Development Code to remove all references and regulations to the Waterfront Overlay (WO) District located in Article 4 (Zoning Districts), Section 4.9.E, and relocate the regulations relating to boat slips in Article 4, Section 4.9.E.5.g to Article 3.4.CC. The proposed text amendment will eliminate outdated regulations for development along the City's coastal waterways. Compliance with the requirements of the Florida Building Code, Florida Coastal Construction Control Program, and FEMA's floodplain management requirements will still be required. Applicant: Development and Administrative Services Department, Planning Division.

Dennis Mrozek, Planning Director, to report.

Recommendation: Planning Board recommends approval 6-to-0.

Action: Motion to adopt Ordinance.

9.D. [Development and Administrative Services, Planning Division - Preserve at LPGA - Large Scale Comprehensive Plan Amendment \(pp. 477-568\)](#)

Ordinance on first reading - PUBLIC HEARING - adopting a Large Scale Comprehensive Plan Amendment (LSCPA) amending the Future Land Use Element, Neighborhood V, to increase the density from one (1) unit per acre to two (2) units per acre, with a maximum density of four (4) units per net acres for a 130 ± acre parcel generally located on the west side of LPGA Boulevard, between International Tennis Drive and International Speedway Boulevard (US 92). Applicant: Robert A. Merrell III, Esquire, Cobb Cole, and Raymond J. Spofford, AICP, England-Thims and Miller, Inc. on behalf of E. Scott Bullock, Consolidated-Tomoka Land Co.

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, Second Public Hearing, February 6, 2019.

10. ADMINISTRATIVE ITEMS.

10.A. [Development and Administrative Services, Planning Division - Rezoning, Planned Development-General - Preserve at LPGA - Rezoning, Planned Development-General \(pp. 569-642\)](#)

Ordinance on first reading - approving a request to rezone 130± acres of land located on the west side of LPGA Boulevard and south of Father Lopez School from Volusia County zoning to Planned Development-General (PD-G) to allow for a 158 lot single family subdivision, and authorizing the Mayor to execute the Preserve at LPGA Planned District Agreement. Applicant: Robert A. Merrell III, Esquire, Cobb Cole, and Raymond J. Spofford, AICP, England-Thims and Miller, Inc. on behalf of E. Scott Bullock, Consolidated-Tomoka Land Co.

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, February 6, 2019.

10.B. [Development and Administrative Services, Planning Division - Sixth Amendment to Daytona Beach Kennel Club Planned District Agreement \(pp. 643-692\)](#)

Ordinance on first reading - amending the Daytona Beach Kennel Club Planned District Agreement to incorporate the existing billboard as an on-site

sign and allow for additional wall signage on property located at 960 S. Williamson Boulevard, and authorizing the Mayor to execute the Sixth Amendment to Daytona Beach Kennel Club Planned District Agreement. Applicant: Robert A. Merrell III, Esquire, Cobb Cole, on behalf of Daytona Beach Kennel Club, Inc.

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, December 19, 2018.

10.C. [City Manager's Office - 2018-2019 State and Federal Legislative Priorities \(pp. 693-697\)](#)

Resolution adopting the list of state and federal legislative priorities for 2018-2019. To prepare for the next Legislative session and new Congress, a list of proposed City priorities for state and federal action has been drafted for City Commission discussion and final approval. The Commission's adopted list of priorities will be communicated with our state Legislative Delegation and our Congressional Delegation.

Hardy Smith, Government Relations Manager, to report.

Recommendation: Commission action.

Action: Motion to adopt the Resolution.

10.D. [City Manager's Office - Beautification Tree Advisory Board Appointments \(pp. 698-718\)](#)

Resolution appointing five members to the Beautification/Tree Advisory Board. The membership terms of Martha Grimshaw (At Large), Sharon Weatherholtz (Zone 1) and James Newman (Zone 3) will expire on 12/31/18. Zone 2 and 5 are without representation at this time. The board shall consist of seven members. One member shall be nominated by each City Commissioner from among the resident of the zone, plus one at-large member nominated by the Mayor who may be a resident of any City Commission zone. All board members shall be resident of the City and qualified electors. Ms. Grimshaw, Ms. Weatherholtz and Mr. Newman would like to continue to serve. We have one application from zone 2: Ms. Meganne Sarau and two applications for zone 5: Philip Reed and Milverton Robinson.

Betty Goodman, Assistant City Manager, to report.

Recommendation: Commission action.

Action: Motion to adopt the Resolution.

10.E. [City Manager's Office - Downtown Development Authority - Appointment \(pp. 719-721\)](#)

Resolution appointing one member to the Downtown Development Authority. The board shall consist of five (5) member, one (1) of which shall be a member of the City Commission. This position on the board that is currently vacant was previously held by Commissioner Kelly White.

Betty Goodman, Assistant City Manager, to report.

Recommendation: Commission action.

Action: Motion to adopt the Resolution.

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

12. ADJOURNMENT.

13. PUBLIC COMMENT FORUM - DURING THIS TIME CITIZENS ARE ALLOWED 2.5 MINUTES TO SPEAK ON ANY TOPIC OF CONCERN. 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.