



**THE CITY OF DAYTONA BEACH
BUSINESS MEETING OF THE CITY COMMISSION
AUGUST 7, 2019
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 Minutes](#)

Approval of the Minutes of the June 19, 2019 Strategic Planning Workshop and the July 3, 2019 Business Meeting of the City Commission held at City Hall, 301 S. Ridgewood Avenue, Daytona Beach, Florida.

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 - Daytona Beach Police Department - \(Science, Technology, Engineering & Mathematics \(STEM\) Camp](#)

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Presentation on the Daytona Beach Police Department (Science, Technology, Engineering & Mathematics (STEM) Camp held on July 15, 2019.
Sergeant Tim Ehrenkaufner, to present.

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. Information Technology Division - Computers at Work, Inc, DBA vTech io - Purchase (pp. 25-28)

Resolution ratifying a previously entered into agreement for SecureWorks Risk Assessment Services with Vendor No. 105382, Computers at Work, Inc, DBA vTech io, 2338 Immokalee Road., No. 151, Naples, FL 34110 in the amount of \$86,163.16. Pricing for this purchase is pursuant to State of Florida Department of Management Services WSCA Participating Addendum Contract No. 43211500-WSCA-15-ACS. Funds available in the Information Technology Fund.

Recommendation: Information Technology Manager recommends adoption of the Resolution ratifying a previously entered into agreement with Computers at Work, DBA vTech io, for a SecureWorks Risk Assessment in the amount of \$86,163.16.

8.B. Leisure Services Department - Daytona Metropolitan Bridge Club - Lease Agreement (pp. 29-46)

Resolution approving a lease agreement with the Daytona Metropolitan Bridge Club, 600 Driftwood Avenue, Daytona Beach, FL 32118 for a term of 10 years to commence on June 1, 2019 and to end on May 31, 2029. Tenant agrees to pay the City in the amount of \$600.00 per year. Annual rent will automatically increase at the beginning of each Lease year thereafter, by an amount equal to 3% of the prior Lease Year's Annual Rent. The City of Daytona Beach initially entered into a lease agreement with the Daytona Metropolitan Bridge Club per Resolution 63-22.

Recommendation: Leisure Services Director recommends adoption of the Resolution.

8.C. [City Manager's Office - Second Amendment to Amended and Restated Professional Services Contract for Planning Solutions Corp \(PSC\) \(pp. 47-92\)](#)

Resolution approving the Second Amendment to the Amended and Restated Professional Services Contract for Planning and Grant-Related Services (15-205) with Planning Solutions Corp (PSC), 206 N. Beach Street, Suite 200, Daytona Beach, FL 32114, for a five-year period with one (1) five-year renewal, to provide strategic planning and grant services in the annual amount of \$84,372. Funds available in the General Fund.

Recommendation: City Manager recommends adoption of the Resolution.

8.D. [City Manager's Office - Local Option Fuel Tax Interlocal Agreement Renewal \(pp. 93-115\)](#)

Resolution supporting a one year renewal of the Local Option Fuel Tax Interlocal Agreement. Effective date of the renewal would be for the period of September 1, 2019 through August 31, 2020. The current interlocal agreement between Volusia County cities and the County of Volusia governing the distribution of the Local Option Fuel Tax expires on August 31, 2019.

Recommendation: Commission Action.

8.E. [Engineering/Public Works Department - Samsula Waste Inc. DBA Samsula Marine Division - Lower Responsive and Responsible Bid Award \(pp. 116-265\)](#)

Resolution awarding a Construction Contract to the lowest responsive and responsible bidder, Samsula Waste Inc. DBA Samsula Marine Division, 2455 Tomoka Farms Rd., Port Orange, FL 32128 in the amount of \$300,674 for the Bethune Point Accessory Dock Repair. This item provides for the repair of the accessory dock at Bethune Point Park that sustained piling, floating dock, and boardwalk damage during Hurricane Irma. The docks and wooden boardwalks abruptly lifted as result of the storm surge generated during Hurricane Irma, destroying multiple components of the boat ramp docking facility. Since this damaged occurred during Hurricane Irma the project is potentially eligible for 75% (\$225,505.50) cost share from Federal Emergency Management Agency (FEMA) and an additional 12.5% (\$37,584.25) cost share from the State of Florida. Funds in the amount of \$263,089.75 is available in the FEMA – Hurricane Irma Fund and \$37,581.25 in the General Fund.

Recommendation: Public Works Director recommends adopting the Resolution awarding a Construction Contract with the lowest responsive and responsible bidder, Samsula Waste Inc. DBA Samsula Marine Division in the

amount of \$300,674.

8.F. [Public Works, Technical Services Division - CPH - Work Authorization No. 4 \(pp. 266-306\)](#)

Resolution authorizing Work Authorization No. 4 under Continuing Services Contract 0517-0470-CPH with CPH, 500 West Fulton Street, Sanford, FL. 32771 in an amount not to exceed \$42,637.51 to provide engineering design and surveying services. Division Street is one of the last unpaved sections of roadway in the Midtown Area. CPH is to have the area surveyed, design the roadway, and permit the stormwater management system. Funds available in the General Fund.

Recommendation: Public Works Director recommends adoption of Resolution authorizing Work Authorization No. 4 under with CPH in an amount not to exceed \$42,637.51.

8.G. [Public Works/ Technical Services Division - First Step Shelter Project - ITB 0318-2360 - Amendment No. 1 to General Conditions - Owner Direct Purchasing Policy \(pp. 307-313\)](#)

Resolution approving Amendment No.1 for ITB 0318-2360 for the First Step Shelter Project General Conditions which will add language addressing the City's Owner Direct Purchasing Policy. Specific, state-approved language must be incorporated into the contract in order for the City to avoid payment of sales tax by City Issuance of Purchase Orders directly to the contractor's suppliers. In an effort to reduce the cost of the shelter building, value engineering was performed to reduce the cost of some building elements without compromising performance or quality. It was determined at that time that significant sales tax savings could be realized through the Owner Direct Purchase of materials to be incorporated into the project. This Amendment adds the state approved Owner Direct Purchase clause, and also provides the contractor payment of administrative costs from those sales tax savings.

Recommendation: Public Works Director recommends adoption of the Resolution.

8.H. [Public Works/Technical Services Division - Kirton Enterprises, Inc - Sunnyland Park Improvements - Contract Approval \(pp. 314-540\)](#)

Resolution approving Contract No. 19433 with Kirton Enterprises, Inc., 1630 Tomoka Farms Road, Port Orange, FL 32128 for construction of Sunnyland Park Improvements in the amount of \$204,564. The work will include construction of two new restrooms, two new pavilions, sidewalks that address accessible site connectivity, a fitness trail, landscaping and

irrigation. Funds available in the Community Development Block Grant Fund.

Recommendation: Public Works Director recommends adoption of the Resolution approving Contract No. 19433 with Kirton Enterprises, Inc., in the amount of \$204,564.

8.I. [Utilities Department - Florida Valve & Equipment, LLC and Garney Companies, Inc. - Ratification of Emergency Expenditure \(pp. 541-571\)](#)

Resolution ratifying emergency expenditures for the High Service Discharge Header Pipe Replacement at Brennan Water Treatment Plant (WTP) as follows:

- Owner-supplied purchase of Seven (7) Val-Matic tilted-disc check valves from Florida Valve & Equipment, LLC, in the amount of \$146,622.;
- Emergency Contract No. 19543 Garney Companies, Inc., 370 East Crown Point Road, Winter Garden, FL 34787 for construction of a new High Service Discharge Header Pipe in the amount of \$1,469,700.

The purpose of this request is to comply with the City Purchasing Code Section 30-52(b) emergency purchases. Emergency work was requested due to the heightened risk of failure of the Brennan WTP 36-inch Discharge Header Pipe, which provides all of the City's finished drinking water. The City Manager declared the emergency in a memorandum dated February 20, 2019 with an estimated cost for design and construction of \$1,500,000. The actual total cost is \$1,735,733 after the design engineer and construction contractor were selected. Work Authorization No. 33, Contract 1307-102 with Carollo Engineers for design services at an amount of \$119,411 was ratified by City Commission on April 3, 2019.

Request for proposals from three pre-selected contractors were received at 60% design. On July 8, 2019, the City's Selection Committee recommended and the City Manager approved the selection of Garney Companies, Inc. Construction of the new header pipe is proceeding on an emergency basis and is anticipated to be completed in March 2020. In addition, seven Val-Matic tilted-disc check valves were ordered directly by the City at a cost of \$146,622 under the Emergency Purchase in mid-May to reduce the long-lead delivery time. Funds are available in the Water & Sewer Construction Bank Loan.

Recommendation: Utilities Director recommends adoption of the Resolution ratifying emergency expenditures to Florida Valve & Equipment, LLC, in the amount of \$146,622 and Garney Companies, Inc., in the amount of \$1,469,700.

8.J. [Utilities Department – Tetra Tech Inc. - Work Authorization No. 8 \(pp. 572-626\)](#)

Resolution approving Work Authorization No. 8 under Contract No. 0517-3440-TT in the amount of \$151,601.41 with Tetra Tech, Inc., 201 E. Pine Street, Suite 1000, Orlando, FL 32801 for engineering services to prepare and submit the renewal application for a 20 year Consumptive Use Permit. The purpose of this request is to obtain engineering services to prepare and submit supporting documentation to renew the City's St. Johns River Water Management District (SJRWMD) Consumptive Use Permit (CUP). The City's existing CUP was issued prior to the Bennett Swamp Rehydration and Conservation Project, which is a joint project between the City, SJRWMD and FDEP to rehydrate areas around the western raw water wellfield. The existing CUP limited well usage in the western wellfield area to protect wetlands from dehydration. Since the City has completed the Bennett Swamp Rehydration Project, the application renewal will seek to remove the wellfield rotation restrictions and to increase our withdrawal allocations in response to the current and anticipated growth of the City. The application will also seek a 20 year term rather than the 10 year term in the current permit.

The Work Authorization No. 8 will include:

- Collection of data and well site review,
- Analysis of water demand
- Modeling impacts and ground water withdrawals,
- Preparation of a hydrological monitoring plan

Funds available in the Water & Sewer Renewal & Replacements 8% Fund.

Recommendation: Utilities Director recommends adoption of the Resolution approving Work Authorization No. 8 under Contract No. 0517-3440-TT, with Tetra Tech, Inc., in the amount of \$151,601.41.

8.K. [Utilities Department - BCI Technologies - Supervisory Control and Data Acquisition \(SCADA\) System - Stormwater Pump Stations - Sole Source Purchase \(pp. 627-637\)](#)

Resolution approving a purchase from BCI Technologies, 1619 E. Vine St., Kissimmee, FL 32744 for SCADA equipment and installation in an amount of \$53,686. The purpose of this request is to add remote monitoring and control capability to the five critical stormwater stations in the City. The City

has six stormwater pumping stations with detention ponds located throughout the service area with the primary purpose of maintaining water levels within the City's storm system during times of heavy storm events in order to minimize localized flooding. Currently, none of the stations have remote visibility or control. Without these capabilities, staff is required to physically visit each station to control the water levels and record and extract operational data. Not only can this be problematic during inclement weather but can also take workforce resources away from other areas of need. Five of the stations have power readily available to be converted to a remote controlled station. The sixth location will require further analysis. This request will provide remote monitoring and control equipment at five stormwater ponds and pumping stations so staff will be able to operate these facilities in a more efficient and safe manner before, during, and after storm events.

Sole Source is being requested because Schneider Electric Telemetry & Remote SCADA Solutions is a proprietary system and BCI Technologies is the exclusive representative in the State of Florida and the City Utilities has standardized SCADA equipment to BCI Technologies. Funds available in Stormwater Improvement Construction Fund.

Recommendation: Utilities Director recommends adoption of the Resolution approving a purchase from BCI Technologies for SCADA equipment and installation in an amount of \$53,686.

8.L. [Utilities Department - Barney's Pumps, Inc.- Sole Source Purchase \(pp. 638-643\)](#)

Resolution approving a purchase from Barney's Pumps, Inc., P.O. Box 56170, Jacksonville, FL 32241-6170, for a pump replacement in the amount of \$70,140. The Bethune Point WRF utilizes five pumps to move the clear water from the clarifier system to the filtration system for further treatment. There are three large pumps and two small pumps. One of the large pumps was sent out for repair and it was determined that the repair costs would exceed the cost of a new pump. The existing pumps are Layne VertiLine pumps. The pipework and pump stands are constructed to accept Layne VertiLine pumps as replacements. Barney's Pumps Inc. is the sole distributor for Layne VertiLine pumps in the Central Florida area. Funds available in the Water & Sewer Fund.

Recommendation: Utilities Director recommends adoption of the Resolution approving a purchase from Barney's Pumps Inc., in the amount of \$70,140.

8.M. [Utilities Department - Trojan Technologies - Westside Regional & Bethune Point Water Reclamation Facilities - Sole Source Purchase \(pp. 644-653\)](#)

Resolution approving a purchase from Trojan Technologies, 3020 Gore Road, London Ontario, Canada N5V 4T7 for UV system parts to maintain disinfection as required in State and Federal permits, in the amount of \$495,179.46. The Westside Regional and Bethune Point Water Reclamation Facilities utilize an Ultraviolet (UV) System for disinfection of the treated wastewater. The purpose of this request is to obtain the required inventory for routine maintenance and have ample parts in stock for general repairs. All of the disposable parts consisting of lamps, ballasts, wipers, sleeves, electrical components, and hydraulic components are replaced annually to maintain disinfection levels required of all wastewater treatment plants by State and Federal regulatory agencies. Major maintenance is required every 8 to 10 thousand hours of service along with some items that require replacement every 2 years. Sole Source is being requested because Trojan Technologies is the only provider of these parts and to uphold the warranty. Funds available in the Water & Sewer Fund.

Recommendation: Utilities Director recommends adoption of the Resolution approving a purchase from Trojan Technologies for UV system parts in the amount of \$495,179.46.

8.N. [Police Department - FDOT - 2019-2020 High Visibility Enforcement \(HVE\) - Pedestrian and Bicycle Safety - Application \(pp. 654-658\)](#)

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Resolution authorizing the application submission, acceptance and execution of grant agreement documents to the Florida Department of Transportation (FDOT). This grant is administered on behalf of the FDOT through the University of South Florida and the University of North Florida. Its focus is on High Visibility Enforcement (HVE) in an effort to reduce pedestrian and bicycle deaths or serious injuries. The City of Daytona Beach currently ranks 3rd in the State of Florida for these occurrences and this grant will significantly enhance the Police Department's efforts to reduce such incidents and thereby save lives. The grant period once approved will commence as of August 2019 and will continue until mid-May 2020. The grant award of \$34,000 will pay for overtime costs incurred by participating and qualified officers who will take part in pre-arranged operations at the six (6) corridors within the City that have the highest number of related accidents.

Recommendation: Chief of Police recommends adoption of the Resolution.

8.O. [Police Department - Volusia County School Board School Safety Officer Memorandum Of Understanding \(MOU\) \(pp. 659-668\)](#)

Resolution approving the Memorandum of Understanding (MOU) with the Volusia County School Board (VCSB) for 11 School Resource Officers (SRO). The term of the agreement is for five (5) years, with one base year

and four (4) one year renewable options from July 1, 2019 through June 30, 2024 for a total of five (5) years. Renewal is not automatic and renewal terms must be agreed upon by both parties. Based on an average rate of \$42.44, the VCSB agrees to pay 50% of the salary and benefits of the officers for a total of \$337,963.09 for the first year. The remaining 50% balance is to be covered by the City through the annual budgeted amount for these officers. Any additional work that is performed by a SRO that is not covered in the contract, outside of their normal duties, will be billed to the VCSB at an outside detail rate of \$40.00 per hour. This agreement may be terminated by either party, with or without cause, with a minimum of a sixty (60) days written notice.

Recommendation: Chief of Police recommends adoption of the Resolution.

8.P. [Business Enterprise Management Department - Mansfield Oil Company, Petroleum Traders Corporation and Gentry Oil - Purchase \(pp. 669-710\)](#)

Resolution authorizing expenditures for the purchase of gasoline and diesel bulk fuels on an as-needed basis for the City's vehicle fleet and equipment pursuant to the Cooperative Contract 19-B-70EM issued by Volusia County from Mansfield Oil Company (1025 Airport Parkway, Gainesville, GA), Petroleum Traders Corporation (7120 Pointe Inverness Way, Fort Wayne, IN), and Gentry Oil (1761 Langley Avenue, Deland, FL) for 3 years with two 1-year renewals with the following stipulations:

- Authorize the expenditure of \$230,000 for the remainder of the 2018-2019 fiscal year;
- Authorize the City Manager to expend funds for 2019-2020 fiscal year in the amount of \$962,000 subject to budget appropriations;
- Authorize the City Manager to expend funds for 2020-2021 fiscal year subject to budget appropriations; and
- Authorize the City Manager to exercise all renewal options and expend funds appropriated in the budget for each renewal.

Funds available in the Fleet Maintenance Fund.

Recommendation: Business Enterprise Management Department Manager recommends adoption of the Resolution.

8.Q. [Business Enterprise Management Department - Z-graph, Inc. - Lease Agreement Renewal with Amendments \(pp. 711-720\)](#)

Resolution authorizing the first of two 5-year lease agreement renewals with Z-graph, Inc., 125 Basin Street, Suite 203, Daytona Beach, FL 32114 at the Halifax Harbor Plaza. A lease amendment will allow the City to assume responsibility for the HVAC units and to collect an Annual HVAC

Maintenance Fee in the amount of \$480.00 in order to bring Z-graph's agreement in line with the other tenant agreements. The contract is set to expire on July 31, 2019. The expected revenue from the lease agreement renewal is \$343,856.01 during the term. No funding is required.

Recommendation: Business Enterprise Management Department Manager recommends adoption of the Resolution.

8.R. [Legal Department - Settlement of Employment Litigation \(pp. 721-732\)](#)

Resolution approving settlement of pending employment litigation regarding Thomas Huger. Lexington Insurance Co. /AIG, in order to avoid the costs and uncertainties of protracted litigation, has made the decision to settle the matter. Lexington Insurance/AIG will pay (or reimburse the City) all proposed settlement amounts, including applicable taxes, on behalf of the City, and will reimburse the City for litigation costs in excess of the cap. By entering into this Agreement, the City admits no liability or wrongdoing - and expressly denies any liability or wrongdoing - of any kind in connection with the instant federal court litigation, or any other matter arising from Huger's former employment with the City.

Recommendation: Commission Action.

8.S. [Finance Department - Allocation of Bike Week Sponsorship Funds \(pp. 733-734\)](#)

Resolution authorizing payment in the amount of:

\$200 to Girls On The Run of Volusia County, Inc., for new program funding from the Bike Week Sponsorship Funds of Mayor Derrick Henry.

\$200 to Girls On The Run of Volusia County, Inc., for new program funding from the Bike Week Sponsorship Funds of Commissioner Paula Reed.

\$200 to Girls On The Run of Volusia County, Inc., for new program funding from the Bike Week Sponsorship Funds of Commissioner Dannette Henry.

\$500 to Girls On The Run of Volusia County, Inc., for new program funding from the Bike Week Sponsorship Funds of Commissioner Robert Gilliland.

Recommendation: Chief Financial Officer recommends adoption of the Resolution.

9. PUBLIC HEARINGS.

9.A. [Development and Administrative Services, Planning Division - Integrated](#)

[LPGA - Rezoning to Planned Development-General \(PD-G\) and Preliminary Plat \(pp. 735-856\)](#)

Ordinance on second reading - Quasi-Judicial Hearing - approving a request to rezone 391.8± acres of land located west of N. Tomoka Farms Road, east of LPGA Boulevard, and north of West International Speedway Boulevard from Single-Family Residential 5 (SFR-5) to Planned Development-General (PD-G) to develop a mixed residential development, approving the Integrated LPGA Phase A1 Preliminary Plat, and authorizing the Mayor to execute the Integrated LPGA Planned District Agreement. Applicant: Mark A. Watts, Esquire, Cobb Cole, on behalf of American Land Development Osceola County, LLC & American SW-30 Investments, LLC and GC Land LLC. ****This item was continued from the July 17, 2019 City Commission Meeting at the request of the Applicant****

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 – American SW-30 Investments, LLC/Integrated LPGA - Proportionate Fair Share Agreement \(pp. 857-872\)](#)

Resolution - PUBLIC HEARING - authorizing the City to enter into the American SW-30 Investments, LLC/Integrated LPGA Proportionate Fair Share Agreement with American SW-30 Investments, LLC ("Owner") and Volusia County. The agreement provides for a proportionate fair share contribution to the County in the amount of \$1,561,163.07 for a maximum buildout of 600 dwelling units and to address traffic concurrency and traffic impacts. The contribution will provide transportation improvements in the impact area. The project is located west of N. Tomoka Farms Road, east of LPGA Boulevard, south and east of Municipal Stadium, and north of West International Speedway Boulevard. ****This item was continued from the July 17, 2019 City Commission Meeting at the request of the Applicant****

James Morris, Deputy City Manager, to report.

Recommendation: Deputy City Manager recommends adoption of Resolution.

9.C. [Development and Administrative Services, Planning Division - Tomoka Town Center - Large Scale Comprehensive Plan Amendment \(pp. 873-934\)](#)

Ordinance on second reading - PUBLIC HEARING - adopting a Large Scale Comprehensive Plan Amendment (LSCPA) amending the Future Land Use Element, Neighborhood S, Issue (j), to permit an additional 150 residential units for a total of 550 units on approximately 14.47± acres

generally located north of Mason Avenue and west of Williamson Boulevard. Applicant: Robert A. Merrell III, Esq., Cobb Cole, on behalf of Jeff Preston, Tomoka Town Center Phase 1, LLC.

Dennis Mrozek, Planning Director, to report.

Recommendation: Planning Board recommends approval 7-to-0.

Action: Motion to adopt Ordinance.

9.D. [Development and Administrative Services, Planning Division - Tomoka Town Center - First Amendment to Tomoka Town Center Planned District Agreement \(pp. 935-1070\)](#)

Ordinance on second reading - Quasi-Judicial Hearing amending the Tomoka Town Center Planned District Agreement to increase the number of dwelling units permitted on the property to 550 dwelling units, modify the approved lot development criteria and update the approved signage on property located north of Mason Avenue and west of Williamson Boulevard, and authorizing the Mayor to execute the First Amendment to Tomoka Town Center Planned District Agreement. Applicant: Robert A. Merrell III, Esq., Cobb Cole, on behalf of Tomoka Town Center Phase 1, LLC; Tomoka Town Center 2 LLC, Tomoka Town Center 3, LLC, Madison Pointe Housing LLC; Tomoka Pointe Housing LP; and Indigo Development LLC.

Dennis Mrozek, Planning Director, to report.

Recommendation: Planning Board recommends approval 7-to-0.

Action: Motion to adopt Ordinance.

9.E. [Development and Administrative Services, Planning Division - 100 to 200 Block S. Caroline Street - Small Scale Comprehensive Plan Amendment \(pp. 1071-1098\)](#)

Ordinance on second reading - PUBLIC HEARING adopting a Small Scale Comprehensive Plan Amendment (SSCPA) amending the Future Land Use Map designation from Commercial Retail and Commercial Transition to Level 2 Residential for thirteen (13) properties totaling 3.0± acres of land located generally along and west of S. Caroline Street between International Speedway Boulevard and Orange Avenue. Applicant: Development and Administrative Services, Planning Division.

Dennis Mrozek, Planning Director, to report.

Recommendation: Planning Board recommends approval 7-to-0.

Action: Motion to adopt Ordinance.

9.F. [Development and Administrative Services, Redevelopment Division - 100 to 200 Block S. Caroline Street - Rezoning to Redevelopment Midtown - Residential Preservation \(RDM-6\) \(pp. 1099-1130\)](#)

Ordinance on second reading - PUBLIC HEARING approving a request to rezone 3.0± acres of land located generally along and west of S. Caroline Street between International Speedway Boulevard and Orange Avenue, from Redevelopment Midtown - Activity Center Mixed Use (RDM-3) and Redevelopment Midtown - Neighborhood Transition Mixed Use (RDM-5) to Redevelopment Midtown - Residential Preservation (RDM-6), for the purpose of providing the appropriate zoning district recommended in the Midtown Master Plan. Applicant: Development and Administrative Services Department, Redevelopment Division.

Reed Berger, Redevelopment Director, to report.

Recommendation: Midtown Board recommends approval 7-to-0 and Planning Board recommends approval 7-to-0.

Action: Motion to adopt Ordinance.

9.G. [Development and Administrative Services, Planning Division - North Williamson Square - Large Scale Comprehensive Plan Amendment \(pp. 1131-1144\)](#)

Ordinance on first reading - PUBLIC HEARING - adopting a Large Scale Comprehensive Plan Amendment (LSCPA) amending the Future Land Use Element, Neighborhoods K & S, to remove the requirement limiting commercial development on only three corners at the intersection of Williamson Boulevard & LPGA Boulevard and Clyde Morris Boulevard & LPGA Boulevard. Applicant: Michael O. Sznajstajler, Esq., Cobb Cole, on behalf of North Williamson, LLC.

Dennis Mrozek, Planning Director, to report.

Recommendation: Planning Board recommends approval 7-to-0.

Action: Motion to pass Ordinance at First Public Hearing.

Note: If passed, Second Public Hearing, October 2, 2019.

9.H. [Public Works/Technical Services Division - 95-LPGA Final Plat \(pp. 1145-1234\)](#)

Resolution - Quasi-Judicial Hearing approving the 95-LPGA Final Plat on 35.41 + / - acres pending any required changes needed to comply with Legal form and sufficiency requirements. The subdivision will allow for commercial development. The Final Plat has been reviewed by staff and the Technical Review Team (TRT), and was found to conform to City and State requirements. The Final Plat is consistent with the Preliminary Plat. There

are public improvements associated with this Plat. Approval of the Contract for Plat Recording is required. Ordinance 18-85 adopted at the March 7th, 2018 City Commission Meeting previously approved the preliminary plat. The Preliminary Plat was recommended for approval by the Planning Board at their January 25th, 2018 meeting by a 6-0 vote.

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. [Development and Administrative Services, Planning Division - Land Development Code Text Amendment - Amend Article 6 \(District Sign Schedules\) \(pp. 1235-1242\)](#)

Ordinance on first reading - amending the Land Development Code (LDC), Article 6, Section 6.10.K.1 (District Sign Schedules) to allow institutional uses in residential zoning districts one (1) externally illuminated monument sign at a maximum height of 6' and a maximum sign area of one (1) square foot of sign for every three (3) linear feet of lot frontage up to 32 square feet. Applicant: Development and Administrative Services Department, Planning Division.

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 August 21, 2019.

10.B. [Development and Administrative Services, Redevelopment Division - Land Development Code Text Amendment - Amend Article 5 \(Location of Accessory Uses and Structures & Outdoor Seating\) \(pp. 1243-1255\)](#)

Ordinance on first reading - amending the Land Development Code (LDC), Article 5, Section 5.3.B.2.b. (Location of Accessory Uses and Structures) and 5.3.C.17 (Outdoor Seating) to allow for outdoor seating in certain required yards to permit umbrella tables, open-walled shade structures, and other amenities associated with outdoor seating areas. Applicant: Development and Administrative Services Department, Redevelopment Division.

Reed Berger, Redevelopment Director, to report.

Recommendation: Planning Board recommends approval 7-to-0.

Action: Motion to pass Ordinance on first reading.

Note: If passed, Public Hearing, August 21, 2019.

10.C. [Development and Administrative Services, Planning Division - First Amendment to Daytona \(North\) Sam's Club Planned District Agreement \(pp. 1256-1289\)](#)

Ordinance on first reading - amending the Daytona (North) Sam's Club Planned District Agreement to allow for six (6) electronic message center (EMC) signs for the purpose of displaying digital gas prices, allow for a reduction in the total area and quantity of wall signs, and authorizing the Mayor to execute the First Amendment to Daytona (North) Sam's Club Planned District Agreement. Applicant: Karl J. Sanders, Esq., KJS Law PA, on behalf of Sam's East, 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, August 21, 2019.

10.D. [Development and Administrative Services, Planning Division - DME Sports - Voluntary Annexation \(pp. 1290-1307\)](#)

Ordinance on first reading - approving a voluntary annexation of 0.47± acre of land at 2507 Bellevue Avenue, located on the south side of Bellevue Avenue, across from the Daytona Beach International Airport. The property is contiguous to the municipal boundary, and complies with Chapter 171 of the Florida Statutes. The applicant is seeking to annex the parcel to develop a stormwater retention pond and to increase the number of student housing units for the development. Applicant: Joseph Hopkins, P.E., The Performance Group Inc. on behalf of Michael Panaggio, Direct Mail Express, Inc.

Dennis Mrozek, Planning Director, to report.

Recommendation: Planning Director recommends approval.

Action: Motion to pass Ordinance on first reading.

Note: If passed, Public Hearing, August 21, 2019.

10.E. [Development and Administrative Services, Planning Division - DME Sports - Small Scale Comprehensive Plan Amendment \(pp. 1308-1344\)](#)

Ordinance on first reading - adopting a Small Scale Comprehensive Plan Amendment (SSCPA) amending the Future Land Use Map designation from

Volusia County "Activity Center" to City "Mixed Use" for 0.47± acre of land at 2507 Bellevue Avenue, located on the south side of Bellevue Avenue, across from the Daytona Beach International Airport, to allow a stormwater detention pond and to increase the number of student housing units for the development. Applicant: Joseph H. Hopkins, P.E, The Performance Group, Inc., on behalf of Michael Panaggio, Direct Mail Express, 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, August 21, 2019.

10.F. [Development and Administrative Services, Planning Division - DME Sports - First Amendment to DME Planned District Agreement \(pp. 1345-1380\)](#)

Ordinance on first reading - amending the DME Planned District Agreement to add 0.47± acre of land at 2507 Bellevue Avenue, located on the south side of Bellevue Avenue, across from the Daytona Beach International Airport, to develop a stormwater retention pond and to increase the number of student housing units for the development, and authorizing the Mayor to execute the First Amendment to the DME Planned District Agreement. Applicant: Joseph H. Hopkins, P.E., The Performance Group, Inc., on behalf of Michael Panaggio, Direct Mail Express, 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 August 21, 2019.

10.G. [Development and Administrative Services, Planning Division - Sanctuary At Daytona - Rezoning to Planned Development - General \(PD-G\) \(pp. 1381-1602\)](#)

Ordinance on first reading - approving a request to rezone 22.7± acres of land located on the north side of LPGA Boulevard and west of Grand Preserve Way, from "Volusia County" zoning to "City" Planned Development-General (PD-G) to allow for the development of a 336 unit multifamily complex, and authorizing the Mayor to execute the Sanctuary at Daytona Planned District Agreement. Applicant: Scott Sterns, Emerson International, Inc., on behalf of Indigo Development, LLC.

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, August 21, 2019.

10.H. [Development and Administrative Services, Leisure Services Department - Biketoberfest 2019 - Private Property Master Plan \(pp. 1603-1627\)](#)

Resolution approving additional applications to participate in the Biketoberfest 2019 Master Plan for Private Property as submitted by the Daytona Beach Area Convention & Visitors Bureau; and rejecting certain applications for outside activities. The Biketoberfest Advisory Committee has reviewed the applications for consistency with the Bike Week and Biketoberfest Master Plan Guidelines and recommends approval.

Jim Morris, Deputy City Manager, to report.

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