





**THE CITY OF DAYTONA BEACH
REGULAR MEETING - CITY COMMISSION
FEBRUARY 7, 2018
CITY COMMISSION CHAMBERS
6:00 PM**

AGENDA

Website Address - www.codb.us (City Clerk)

NOTICE- If any person decides to appeal any decision of the City Commission at this meeting, he will need a record of the proceedings and, for that purpose, he 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 needing a special accommodation to participate in the Commission proceedings should contact the City Clerk's Office not later than three days prior to the proceedings.

- 1. ROLL CALL.**
- 2. INVOCATION.**

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 Minutes](#)

Approval of the minutes of the January 17, 2018 Regular City Commission Meeting Minutes held at City Hall, 301 South 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. [No Presentation](#)

No Presentation

7. CITIZENS.

7.A. [PUBLIC COMMENTS BY THE PEOPLE ADDRESSING THE CITY COMMISSION](#)

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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. [Budget Division - FY 2017/18 - CRA True Up Budget Amendment \(pp. 16-22\)](#)

Resolution amending Resolution No. 17-379 (as previously amended), which adopted the FY 2017/18 budget, in order to increase revenues by \$ 536,141, operating expenditures by \$ 78,585, and capital expenditures and transfers by \$ 457,556. This budget amendment carries forward the remaining unappropriated fund balance from FY 2016/17 in the community redevelopment funds and adjusts Tax Increment Financing (TIF) revenue for changes in taxable value as determined by the Value Adjustment Board (VAB).

Recommendation: Budget Officer recommends adoption of the Resolution.

8.B. [Legal Department - Gatlin Brothers of Daytona, LLC - Settlement of Litigation \(pp. 23-31\)](#)

Resolution approving settlement in City of Daytona Beach v. Gatlin Brothers of Daytona, LLC, case number 2017-31129- CICI, brought by the City of Daytona Beach to foreclosure a code enforcement lien against the property located at 600 N. Ridgewood Avenue which totals \$20,000. The Defendant has brought the property into compliance and expended \$14,675.00 in costs to bring said property into compliance. The Defendant is offering \$10,000 as full settlement to resolve the foreclosure action.

Recommendation: City Attorney recommends adoption of Resolution.

8.C. [Public Works/Administration Division - DRC Emergency Services, LLC – Hurricane Irma \(DR-4337-FL\) - Emergency Debris Removal Services \(pp. 32-55\)](#)

Resolution ratifying the emergency expenditure to DRC Emergency Services, LLC for Debris Removal Services in response to Hurricane Irma (DR-4337) by increasing the existing Purchase Order No. 10912 adopted by Resolution No. 17-364, in the total amount not to exceed \$400,000. DRC is under a continuing contract to provide the City with post-storm or other post-

disaster related debris removal services. Services include sorting, removing, reducing and hauling of vegetative debris, construction and demolition debris from the City and other eligible public right-of-ways which is required to seek Federal Emergency Management Agency (FEMA) assistance and reimbursement for a disaster event. DRC mobilized to Daytona Beach within hours of a notice to proceed on Sept. 21, 2017 and the daily operations have concluded in an uninterrupted manner. FEMA and the State historically reimburses for a portion of these costs. Assistance for the State and affected local Governments can include as required:

- Payment of not less than 75% of the eligible costs for debris removal & emergency protective measures taken to save lives & protect property & public health. Emergency protective measures assistance is available to state & eligible local governments on a cost-sharing basis including direct federal assistance (Source: FEMA funded, state administered.)
- The State of Florida historically reimburses 50% of the remaining balance of the local cost share.

General fund balance will be used for unreimbursed costs anticipated to be 12.5% (\$50,000). A future budget amendment will authorize all Hurricane related costs not covered by FEMA.

Recommendation: Deputy Public Works Director recommends adoption of the Resolution.

8.D. [Development and Administrative Services, Code Enforcement Division - 301 Golf, Daytona Beach - Lien Reduction \(pp. 56-59\)](#)

Resolution authorizing a lien reduction fine from \$15,024 to \$1,500 on property located at 301 Golf Boulevard, Daytona Beach. On 12/20/2016, the property owner was cited for violating the provisions of the City's Land Development Code Article 6, Sec 2.H.7 for off-street parking and loading. On 5/26/2017, the property was found to be in compliance and the property owner has applied for and obtained permits to install a new driveway which alleviates the problem.

Recommendation: Neighborhood Services Manager recommends adoption of the Resolution.

8.E. [Engineering/Public Works Department - Ring Power Corporation - First Step Shelter Facility – Ratification of Expenditure \(pp. 60-74\)](#)

Resolution ratifying the expenditure in the total amount of \$43,378 to Ring Power Corporation, 401 N. Tomoka Farms Road, Daytona Beach for Ring Power Rental Equipment used for preliminary clearing and general

maintenance to ensure adequate access for work related to the establishment and construction of the First Step Shelter Facility and Program, located at Red John Drive and State Road 92. Additionally, authorizing the City Manager to approve additional expenditures in the amount not exceed \$50,000.

On June 19, 2017 the First Step Interlocal Grant Agreement was established. Section 4, County Contribution in aid, states the County contribution may be used for the cost of construction including any necessary site work; any extension of utilities (including lift stations) needed to serve the site on which the Facility is to be constructed; and any furnishings, fixtures, and equipment needed to open the Facility for operation consistent with the Intended Purpose. Furthermore, the City Commission previously approved Resolution No. 17-267 for professional engineering design, permitting bidding, and construction phase services for site development associated with the First Step Shelter Project at a cost of \$72,446.60. Funds available in the Grant Projects Fund.

Recommendation: Deputy Public Works Director recommends adoption of the Resolution.

8.F. [Business Enterprise Management Department - Darron Neeley d/b/a WIA Investigation - Commercial Lease Agreement \(pp. 75-112\)](#)

Resolution approving a Commercial Lease Agreement between the City of Daytona Beach and Darron Neeley d/b/a WIA Investigation at Halifax Harbor Plaza, Suite 102 for a four-year term commencing February 1, 2018, with one two-year renewal option. Darron Neeley d/b/a WIA Investigation will use a 130 square feet commercial space as a professional services office to conduct private investigation. No funding is required.

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

8.G. [City Manager's Office - City of Daytona Beach and Florida Department of Transportation \(FDOT\) - East International Speedway Boulevard \(ISB\) - Agreement \(pp. 113-137\)](#)

Resolution approving an agreement between City of Daytona Beach and Florida Department of Transportation (FDOT) that accelerates design and engineering of East International Speedway Boulevard improvement project. The Agreement will be a locally funded agreement between the City and FDOT. Resolution 17-232 approved the design to be used in the construction of improvements. Funds available in the Redevelopment - Main Street Fund.

Recommendation: City Manager recommends adoption of the Resolution.

8.H. [Finance/Information Technology Division - Parker Mychenberg & Associates, Inc. - Engineering Design Services for Fiber Optic Extension to First Step Shelter - Work Authorization No. 18 \(pp. 138-147\)](#)

Resolution approving of Work Authorization No. 18 under the existing continuing services contract No. 0111-0740-PM with the engineering consultant firm of Parker Mychenberg & Associates, Inc., 1729 Ridgewood Ave., Holly Hill FL 32117 in the amount of \$15,953.90. Professional Engineering design services are required to prepare plans, obtain an Florida Department Of Transportation (FDOT) Utility Permit for the work, and prepare construction bid documents for extending the City fiber optic network to the First Step Shelter Site. The fiber optic connection is required to support various communications and safety and security systems at the First Step Shelter Site. Funds available in Information Technology Fund.

Recommendation: Chief Financial Officer recommends adoption of the Resolution.

8.I. [Engineering/Public Works Department - Collis Roofing, Inc. - Peabody Auditorium Roof Replacement - Construction Contract - Lowest Responsive Bid Award \(pp. 148-167\)](#)

Resolution awarding a Construction Contract to the lowest responsive bidder, Collis Roofing, Inc., 485 Commerce Way, Longwood, FL 32750 in the amount of \$767,950 for the Peabody Auditorium Roof Replacement project. The project is necessary to correct multiple leaks documented after Hurricane Matthew in the existing Peabody roof, including but not limited to areas over the stage, in the balcony, second floor ladies dressing room, and the rose room. Since this damage occurred during Hurricane Matthew, the project is potentially eligible for 75% (\$671,956.25) cost share from Federal Emergency Management Agency (FEMA) and an additional 12.5% (\$95,993.75) cost share from the State of Florida. Funds available in the FEMA - Storm Events Fund in the amount of \$671,956.25 and the General Fund in the amount of \$95,993.75.

Recommendation: Deputy Public Works Director recommends adoption of the Resolution.

8.J. [Utilities Department - LaTour Enterprises, Inc., dba Economy Electric Company - Lowest, Best Responsive Bid Award \(pp. 168-191\)](#)

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Resolution awarding Bid No. 0118-3380 to the Lowest and Best Responsive bidder, LaTour Enterprises, Inc., dba Economy Electric Company, 538 West

Street, Daytona Beach, FL 32114 for a three (3) year electrical maintenance service contract with two (2) one-year renewals at the same terms and conditions with the following provisions:

- Authorize the City Manager to expend the annual budget appropriations for the electrical maintenance service contract.
- Authorize the estimated expenditure of \$185,250 for the electrical maintenance service contract for the remainder of FY 2018.
- Authorize the City Manager to exercise the renewal options.

The electrical maintenance service contract is an “as needed” contract that covers all three treatment plants, lift stations, production wells, and the reuse pump stations. The scope of work for this contract includes:

- Testing and repairing existing electrical components.
- Installation of new electrical panels, breakers, starters, motors, underground cabling, and variable frequency drives.
- Repair programmable logic control panels and single and three phase power supplies.

Funds available in the Water & Sewer Fund.

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

8.K. [Utilities Department - T. Wayne Hill Trucking, Inc - Brennan Water Treatment Plant - Lowest and Best Responsive Bid Award \(pp. 192-211\)](#)

Resolution awarding bid number 0117-2300 to the Lowest and Best Responsive Bidder, T. Wayne Hill Trucking, Inc., 595 West Sumerlin Street, Bartow, FL for a three year Lime Sludge Service contract expiring February 6, 2021 at the rate of \$12.37 per ton with the following stipulations:

- Authorize the estimated expenditure of \$379,759 for FY 2017-2018.
- Authorize the City Manager to expend budgeted funds as needed during the remaining term of the contract.

Funds available in the Water & Sewer Operating Fund.

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

8.L. [Police Department - Communications International - Scan Police Radio - Sole Source Purchase \(pp. 212-219\)](#)

Resolution authorizing the sole source purchase of hand held, mobile

XL200P-800 MHz scan radios from Communications International, 10 Flag Street, Daytona Beach, FL 32114 in an amount not to exceed \$70, 943.80, for the purchase of 20 new hand held radios. This purchase will allow the agency to anticipate continued growth on the westend of the city with necessary communications equipment with current technology established for Public Safety agency radios by the Association of Public Communications (A.P.C.O.) . This purchase will include the radios, all hardware and programming and encryption necessary to immediately place radios into service as well as a factory authorized extension of the one year manufacturer's warranty to a two year warranty. The Volusia County Sheriff's Office (VCSO) is currently under contract with the City of Daytona Beach to provide dispatch services for the Daytona beach Police Department and Communication International is the sole source of radios compatible with the VCSO communication systems. Funds available in the Police Impact Fees Fund.

Recommendation: Chief of Police Recommends adoption of the Resolution.

8.M. [Finance Department - Allocation of Bike Week Sponsorship Funds \(pp. 220-221\)](#)

Resolution authorizing payment in the amount of:

\$250 to Volusia Volunteers in Medicine for a general donation from the Bike Week Sponsorship Funds of Mayor Derrick Henry.

\$250 to Volusia Volunteers in Medicine for a general donation from the Bike Week Sponsorship Funds of Commissioner Dannette Henry.

\$250 to Volusia Volunteers in Medicine for a general donation from the Bike Week Sponsorship Funds of Commissioner Paula Reed.

Recommendation: Chief Financial Officer recommends adoption of the Resolution.

8.N. [Finance Department - Allocation of Bike Week Sponsorship Funds](#)
****Addendum added 02-06-18****

Resolution authorizing payment in the amount of:

\$100 to National Council of Negro Women, Inc., for 2018 Black History Brain Bowl Bronze Sponsorship from the Bike Week Sponsorship Funds of Mayor Derrick Henry.

Recommendation: Chief Financial Officer recommends adoption of the Resolution.

8.O. [Finance Department - Allocation of Bike Week Sponsorship Funds](#)

****Addenda added 02-07-18****

Resolution authorizing payment in the amount of:

\$500 to Daytona Beach Alumnae Chapter of Delta Sigma Theta Sorority, Inc., for Evening of Elegance Dinner and Dance Scholarship Fundraising Event, Crimson Sponsorship from the Bike Week Sponsorship Funds of Mayor Derrick Henry.

\$250 to Daytona Beach Alumnae Chapter of Delta Sigma Theta Sorority, Inc., for Evening of Elegance Dinner and Dance Scholarship Fundraising Event, Crimson Sponsorship from the Bike Week Sponsorship Funds of Commissioner Paula Reed.

Recommendation: Chief Financial Officer recommends adoption of the Resolution.

9. PUBLIC HEARINGS.

9.A. [Development and Administrative Services, Planning Division - Land Development Code Text Amendment - Amend Article 5 \(Principal Use Tables\) and Article 11 \(Definitions\) \(pp. 222-240\)](#)

Ordinance on first reading - PUBLIC HEARING - amending Article 5.2.A (Principal Use Tables) of the Land Development Code to combine Warehouse distribution and Warehouse storage into one use type (Warehouse, storage & distribution) and to permit by right in all Industrial zoning districts and the Business Automotive (BA) zoning district and as a Special Use Permit in the Business Retail (BR-1) zoning district, and apply the use specific standards from 5.2.B.27.b. and amending Article 11 (Definitions) other LDC provisions for consistency of items. Applicant: Development and Administrative Services Department, Planning Division.

Richard Walton, Planning Director, to report.

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

Action: Motion to pass the Ordinance on first reading.

Note: If passed, second Public Hearing, February 21, 2018.

9.B. [Development and Administrative Services, Planning Division - Williamson Boulevard Industrial - Large Scale Comprehensive Plan Amendment \(pp. 241-324\)](#)

Ordinance on first reading - PUBLIC HEARING - adopting a Large Scale

Comprehensive Plan Amendment (LSCPA) changing the Future Land Use Map (FLUM) designation from Mixed Uses to General Industrial for 80± acres of land generally located west of Williamson Boulevard, north of LPGA Boulevard, and south of Strickland Range Road. Applicant: Robert A. Merrell III, Esq., of Cobb Cole, on behalf of Consolidated-Tomoka Land Co.

Richard Walton, Planning Director, to report.

Recommendation: Planning Board recommended approval 6-to-0 at their January 25, 2018 meeting.

Action: Motion to pass the Ordinance on first reading.

Note: If passed, second Public Hearing, March 21, 2018

9.C. [Engineering/Public Works Department – Mosaic Phase 1A and Phase 1B Subdivision – Final Plat Approval **Addenda added 02-07-18**](#)

Resolution - Quasi-Judicial Hearing - approving the Final Plats for Mosaic Phase 1A and Phase 1B subdivision. The final plats are consistent and substantially similar with the preliminary and final plats approved for this at the April 19, 2017 City Commission Meeting (Res. No.17-121). The plats are being brought back for a Commission approval, however because of changes in the name of the plat and the platted streets. The plats for Mosaic Phase 1A and Mosaic Phase 1B will subdivide 232.6± acres of the 765± acres of the Bayberry Cove Planned District. The property is owned by BII Volusia Holdings LLC, a Florida Limited Liability Company. They are represented by the Applicant, Frank O’Keefe of Zev Cohen and Associates, Inc.

Recommendation: Planning Board recommended approval 6-to-0 in their March 23, 2017 Meeting.

Action: Motion to adopt the Resolution.

10. ADMINISTRATIVE ITEMS.

10.A. [Engineering/Public Works Department - Bellewood Commons PD-G - Preliminary Plat \(pp. 325-337\)](#)

Resolution approving the Preliminary Plat for the Bellewood Commons PD-G on 5.0 +/- acres of land for development of a mixed use subdivision. The project is located at 1250 Beville Road at the northeast corner of Beville Road and Cambridge Avenue. The Planning Board recommended approval at their October 26th, 2017 meeting with a unanimous vote.

David Waller, Deputy Public Works Director, to report.

Recommendation: Deputy Public Works Director recommends adoption of the Resolution.

Action: Motion to adopt the Resolution.

10.B. [City Manager's Office - Economic Development Advisory Board - Appointments \(pp. 338-352\)](#)

Resolution appointing four members to the Economic Development Advisory Board. The terms of Carl Fields and James Zeisler have expired and both would like to be reappointed. The board shall consist of ten members with seven of those to be registered electors of the City serving for staggered three (3) year terms recommended by the City Manager and appointed by the City Commission. These seven members shall be building contractors, developers, members of financial institutions members of educational institutions, members of cultural institutions, business and industrial representatives. We have additional applications from Bob Rand and Chelsea Abend.

Betty Goodman, Assistant City Manager, to report.

Recommendation: Commission Action.

Action: Motion to adopt the Resolution.

10.C. [City Commission Discussion - Homeless **Addendum added 02-06-18](#)

City Commission discussion on homeless issues.

- 11. PUBLIC COMMENTS - DURING THIS TIME CITIZENS HAVE THE OPPORTUNITY TO ADDRESS THE CITY COMMISSION ON ANY MATTER THAT IS NOT ON THE AGENDA.**
- 12. COMMENTS AND INQUIRIES FROM THE CITY COMMISSION - CITY MANAGER AND CITY ATTORNEY REPORT.**
- 13. ADJOURNMENT.**