

MINUTES

REGULAR MEETING – CITY COMMISSION

July 09, 2018

Minutes of the Regular Business Meeting of the City Commission of The City of Daytona Beach, Florida, held on Monday, July 09, 2018 at 6:00 p.m., in the Commission Chambers, City Hall, 301 South Ridgewood Avenue, Daytona Beach, Florida.

1. Roll Call.

Commissioner Robert Gilliland	Present
Commissioner Dannette Henry	Present
Commissioner Paula Reed	Present
Commissioner Ruth Trager	Present
Commissioner Aaron Delgado	Present
Commissioner Kelly White	Present
Mayor Derrick Henry	Present

Also Present:

James Morris, Deputy City Manager
Robert Jagger, City Attorney
Letitia LaMagna, City Clerk

- 2. The Invocation was led by Commissioner Trager.
- 3. The Pledge of Allegiance was led by Commissioner Gilliland.

4A. APPROVAL OF MINUTES

Approval of the Minutes will be on the July 18, 2018 Business Meeting of the City Commission.

5. AGENDA APPROVAL

James Morris, Deputy City Manager read the Agenda changes as follows:

Pull Item No. 8J Development Services/Cultural & Leisure Services Department - Zoom Air
Daytona Beach, LLC - Agreement Amendment

It was moved by Commissioner Gilliland to approve the Agenda with changes. Seconded by Commissioner Henry. The motion passed 7-to-0 with the breakdown as follows:

Commissioner Gilliland	Yea
Commissioner Henry	Yea
Commissioner Reed	Yea
Commissioner Trager	Yea
Commissioner Delgado	Yea
Commissioner White	Yea
Mayor Henry	Yea

6. PRESENTATION

- A. No Presentation

7. CITIZENS COMMENTS

John Nicholson, 413 North Grandview Avenue stated he is favor of building a new pool. He stated his concerns about repairing the sidewalks and his concerns about the school zones and police protection. He stated he is not in favor of a playground at Schnebly and adding lighting to the pickle ball courts and basketball courts.

8. CONSENT AGENDA

- A. Adopted/Resolution No. 18-215 supporting the submission of grant application to Racing & Recreational Facilities District for critical improvements needed to the Campbell Aquatic Center. In 2016, the Campbell Pool received necessary repairs to the deteriorating fiberglass pool surface and installation of a heater to allow year-round use. However, the surrounding facilities remain in need of renovation and repair to allow safe and continuous access for the surrounding community. In addition, due to its small size and increased local demand, capacity improvements are needed. The surrounding facilities remain in need of renovation and repair and include: Phase 1 – Lifeguard pavilion and secure pool entry \$81,250. Phase 2 - Expand east pool deck and add shade structures and tables/chairs \$73,624. Phase 3 – Remodel and expand existing restrooms and remodel existing offices into storage rooms \$330,000. TOTAL: \$484,514. An application was submitted to the Daytona Beach Racing and Recreational Facilities District on June 19, 2018 requesting \$154,874 to fund phases 1 and 2. The City has \$150,000 matching funds available towards the project. A RESOLUTION SUPPORTING THE SUBMITTAL OF AN APPLICATION TO THE DAYTONA BEACH RACING AND RECREATIONAL FACILITIES DISTRICT FOR GRANT FUNDS IN THE AMOUNT OF \$154,874 TO ASSIST IN THE COST OF THE CAMPBELL AQUATIC CENTER RENOVATION AND REPAIRS; AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENT IN FURTHERANCE OF THE GRANT APPLICATION; AND PROVIDING AN EFFECTIVE DATE.
- B. Adopted/Resolution No. 18-216 authorizing payment in the amount of \$70,000 to Bonnie Bumb, Leslie Bumb and their attorney, Martin Jaffee, Esq., for release of all claims and full settlement arising from injuries allegedly sustained from a July 14, 2017 slip and fall on City property. A RESOLUTION AUTHORIZING PAYMENT TO BONNIE AND LESLIE BUMB AND THEIR ATTORNEY IN THE TOTAL AMOUNT OF \$70,000 FOR RELEASE AND SETTLEMENT OF ALL CLAIMS AGAINST THE CITY IN CONNECTION WITH AN INCIDENT ON JULY 14, 2017; AND PROVIDING AN EFFECTIVE DATE.
- C. Adopted/Resolution No. 18-217 accepting renewal proposals submitted by Wright National Flood Insurance Company, P.O. Box 33033, St. Petersburg, FL 33733 for an annual premium in the amount of \$41,986 for flood insurance coverage for various City properties in flood zones for the period of July 25, 2018 to July 25, 2018 (this is a \$10,041 decrease due to the reduction in number of buildings we need to insure) and authorizing payment for any additional flood premium, not to exceed \$20,000, for additional properties determined to be in flood zones and for adjustments in property values that may cause a need for an increase of coverage during the period of July 25, 2018 to July 25, 2019. A RESOLUTION AUTHORIZING PAYMENT TO WRIGHT NATIONAL FLOOD INSURANCE COMPANY FOR INSURANCE UNDER THE NATIONAL FLOOD INSURANCE PROGRAM FOR VARIOUS CITY PROPERTIES FOR AN ANNUAL PREMIUM OF \$41,986 FOR THE PERIOD JULY 25, 2018, THROUGH JULY 25, 2019; AUTHORIZING PAYMENT OF

ADDITIONAL PREMIUM, NOT TO EXCEED \$20,000, FOR ADDITIONAL PROPERTIES DETERMINED TO BE IN FLOOD ZONES AND FOR ADJUSTMENTS IN PROPERTY VALUES DURING THE POLICY PERIOD; AND PROVIDING AN EFFECTIVE DATE.

- D. Adopted/Resolution No. 18-218 approving a Deed of Dedication for Terminable Vehicular Access Easement from Halifax Hospital Medical Center, a special Taxing District organized and existing pursuant to Chapter 2003-374, Laws of Florida. This easement is associated with the Halifax Hospital Medical Center Final Plat. A RESOLUTION AUTHORIZING APPROVAL AND EXECUTION OF A TERMINABLE VEHICULAR ACCESS EASEMENT FROM HALIFAX HOSPITAL MEDICAL CENTER, APPROXIMATELY 100 FEET LONG BY 25 FEET WIDE LOCATED AT THE END OF THE PROPOSED HALIFAX MEDICAL CENTER DRIVE; AND PROVIDING AN EFFECTIVE DATE.
- E. Adopted/Resolution No. 18-219 approving a Memorandum of Understanding (MOU) between the City of Daytona Beach and Volusia County School Board for 11 School Safety Officers. The term of the agreement will be from July 1, 2018, through June 30, 2019, with the Volusia County School board agreeing to pay 70% of the salary and benefits for the officers for a total of \$533,088 for the one (1) year period. The 30% balance to be covered by the City is \$228,467. This agreement may be terminated by either party, with or without cause, with a minimum of a one hundred eighty (180) days written notice. Any additional work that is performed by a School Safety Officer not covered in the contract, outside of their normal duties, the City will bill the School Board at a rate of \$40 per hour. The salary and benefits cost for the 11 officers are included in the FY2018-2019 budget. The \$533,088 will need to be budgeted as a revenue to offset the officer costs. A RESOLUTION APPROVING A SCHOOL SAFETY OFFICER MEMORANDUM OF UNDERSTANDING WITH THE VOLUSIA COUNTY SCHOOL BOARD PROVIDING TERMS FOR THE CITY TO PROVIDE ELEVEN SCHOOL SAFETY OFFICERS WITH THE VOLUSIA COUNTY SCHOOL BOARD AGREEING TO PAY 70% OF THE SALARY AND BENEFITS FOR THE OFFICERS FOR A TOTAL AMOUNT OF \$533,088 FOR ONE YEAR PERIOD COMMENCING JULY 1, 2018, THROUGH JUNE 30, 2019, AND THE REMAINING 30% BALANCE OF \$228,467 TO BE COVERED BY THE CITY; AUTHORIZING THE CHIEF OF POLICE TO EXECUTE THE MEMORANDUM OF UNDERSTANDING; AND PROVIDING AN EFFECTIVE DATE.
- F. Adopted/Resolution No. 18-220 approving the Funding Agreement for the River to Sea Transportation Planning Organization in the amount of \$6,554. The agreement is to provide the River to Sea Transportation Planning Organization (R2CTPO) with funding to support the functions necessary to achieve its desired role in planning the transportation system. The R2CTPO is the duly designated and constituted body responsible for carrying out the urban transportation planning and programming process for Volusia County and portions of Flagler County. A RESOLUTION APPROVING AN AGREEMENT WITH THE RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION ("R2CTPO") PROVIDING R2CTPO FUNDING IN THE AMOUNT OF \$6,554 TO SUPPORT THE FUNCTIONS NECESSARY TO ACHIEVE ITS ROLE IN PLANNING THE TRANSPORTATION SYSTEM; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE MUNICIPALITY/TRANSPORTATION PLANNING ORGANIZATION FY2018/2019 FUNDING AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.
- G. Adopted/Resolution No. 18-221 authorizing the execution of the Subordination Lien Agreement between Wells Fargo Equipment Finance, Inc., and the City of Daytona Beach. The Tortugas, LLC secured an equipment loan through Wells Fargo Equipment Finances, Inc., to purchase an outdoor LED Scoring/Control System for Jackie Robinson Ballpark. As the landlord/property owner of Jackie Robinson Ballpark, Wells Fargo requires the City to execute the agreement. A RESOLUTION RELATING TO THE JACKIE ROBINSON BALLPARK LEASE WITH THE DAYTONA

TORTUGAS; AUTHORIZING THE CITY MANAGER TO EXECUTE A MORTGAGEE'S/LANDLORD'S SUBORDINATION IN CONNECTION WITH THE DAYTONA TORTUGAS' FINANCED ACQUISITION OF A NEW OUTDOOR LED SCORING/CONTROL SYSTEM FOR THE BALLPARK; AND PROVIDING AN EFFECTIVE DATE.

- H. Adopted/Resolution No. 18-222 approving a Sidewalk Café License Agreement with Bourbon on Beach, LLC, 230 South Beach Street, Daytona Beach, FL 32114 for a sidewalk license agreement to provide outdoor table service in the RDD-1 (Beach Street retail) zoning district. The agreement will permit Bourbon on Beach, LLC to operate a sidewalk café and place a sidewalk café boundary fence with awning support posts on City property adjacent to their business. A RESOLUTION APPROVING AN AGREEMENT WITH BOURBON ON BEACH, LLC, OWNER OF BOURBON ON BEACH STREET RESTAURANT, LOCATED AT 230 SOUTH BEACH STREET, TO ALLOW OUTDOOR TABLE SERVICE AND ALLOW A FENCE WITH AWNING SUPPORT ON ADJACENT PUBLIC SIDEWALK PURSUANT TO SECTIONS 5.3.C.17.g AND 6.3.I.2.b OF THE LAND DEVELOPMENT CODE; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A SIDEWALK CAFÉ LICENSE AGREEMENT FOR AN AUTOMATICALLY RENEWABLE ANNUAL TERM COINCIDING WITH THE BUSINESS TAX PAYMENT AT AN ANNUAL RATE OF ONE DOLLAR PER SQUARE FOOT, PLUS SALES TAX, AND PROVIDING CONDITIONS OF APPROVAL; AND PROVIDING AN EFFECTIVE DATE.
- I. Adopted/Resolution No. 18-223 approving a Commercial Lease Agreement between the City of Daytona and The LPGA Foundation, Inc., at the Florida Tennis Center for a one-year term commencing July 1, 2018 with two one-year renewal options. The LPGA Foundation, Inc., primary activities focuses on running the girls gold program, leadership academies, women's golf tournaments, and LPGA Amateur Golf Association. The lease is for a 4000 square foot commercial office space at the Florida Tennis Center and the City will receive the following revenue stream for the duration of the lease; Year 1 - \$60,000 and Year 2 - 3, \$125,454 for a total amount of \$185,454. A RESOLUTION APPROVING THE FIRST AMENDMENT TO AGREEMENT WITH ZOOM AIR DAYTONA BEACH, LLC ("ZOOM AIR"), TO ALLOW ZOOM AIR TO REBRAND ITS TRADE NAMES AND TO GIVE THE CITY'S RISK MANAGER INCREASED AUTHORITY TO ALLOW FOR CHANGES IN INSURANCE COVERAGE; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE AMENDMENT; REPEALING ALL RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.
- J. Pulled/Resolution approving the proposed amendment to the agreement for construction, installation, and operation of Zoom Air Daytona Beach, LLC Aerial Adventure Park. Zoom Air Daytona Beach LLC has operated Zoom Air Adventure Park located in Tusawilla Park since April 19, 2012. The existing zipline course has been inoperational since receiving damage from Hurricane Matthew in 2016. Zoom Air Daytona Beach desires to repair and resume operation of its zipline course. The purpose of the proposed amendment is (1) to allow Zoom Air Daytona Beach LLC to rebrand the course under an alternate "trade name" or d/b/a, and (2) to give the City's Risk Manager discretion and authority to allow for additional changes in insurance coverage, when the Risk Manager determines that changes are consistent with other similar-in-scope Central Florida area business operations, and are reasonable in light of prior claims against Zoom Air's policies. A RESOLUTION APPROVING A COMMERCIAL LEASE AGREEMENT WITH LPGA FOUNDATION, INC., FOR APPROXIMATELY 4,000 SQUARE FEET OF COMMERCIAL OFFICE SPACE AT THE FLORIDA TENNIS CENTER FOR A TERM OF ONE YEAR COMMENCING JULY 1, 2018, WITH TWO ONE-YEAR RENEWAL OPTIONS; AUTHORIZING A BROKERAGE FEE OF 3 PERCENT TO TW REALTY, LLC OF THE ONE-YEAR TERM LEASE AMOUNT; AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

- K. Adopted/Resolution No. 18-224 approving a contract with KOMPAN, Inc, 821 Grand Avenue Parkway, Ste 410, Pflugerville, TX 78660 in the amount of \$32,446.01 for the purchase and installation of playground equipment at the Schnebly Recreation Center. This quote is a pursuant to a cooperative, U.S. Communities Contract, contract number 2017001135. A RESOLUTION APPROVING AMENDMENT NO.2 TO GENERAL SERVICES TERM CONTRACT WITH CMG PRO SECURITY, INC. ("CMG"), ADDING SECURITY GUARD SERVICES AT THE HALIFAX HARBOR MARINA TO CMG'S SCOPE OF SERVICES, AND MAKING ASSOCIATED CONTRACT CHANGES; WAIVING COMPETITIVE PROCUREMENT SOLICITATION REQUIREMENTS OF THE PURCHASING CODE IN RELATION TO AMENDMENT NO. 2; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AMENDMENT NO. 2; AUTHORIZING THE CITY MANAGER TO EXPEND UP TO \$27,656 TO PAY FOR THE ADDITIONAL SECURITY SERVICES TO BE PROVIDED BY CMG PURSUANT TO AMENDMENT NO. 2 FOR THE REMAINDER OF FISCAL YEAR 2017-2018; AND PROVIDING AN EFFECTIVE DATE.
- L. Adopted/Resolution No. 18-225 approving a term electrical service contract with Giles Electric Company, Inc., 1700 S. Segrave Street, South Daytona FL 32121, piggybacking on a contract between Giles Electric and the City of South Daytona accepting a proposal to install basketball court lighting as authorized under contract and approving an expenditure with Giles Electric in the amount of \$31,210 for the installation of basketball court lighting at the Schnebly Recreation Center. A RESOLUTION APPROVING CONTRACT WITH KOMPAN, INC., FOR THE PURCHASE AND INSTALLATION OF PLAYGROUND EQUIPMENT FOR THE SCHNEBLY RECREATION CENTER IN THE AMOUNT OF \$32,386.01, GENERALLY INCORPORATING THE TERMS AND CONDITIONS OF U.S. COMMUNITIES COOPERATIVE PURCHASING CONTRACT #2017001135; AND PROVIDING AN EFFECTIVE DATE.
- M. Adopted/Resolution No. 18-226 approving the Contract with Trident Resurfacing, Inc., 5399 NW 161st Street, Miami, FL 33014 for a total amount of \$77,257.25 for the removal of and replacement of the existing stage floor at the Peabody Auditorium. The existing stage floor is not a resilient type floor and has been the basis of complaints from dance groups who have used and performed at the Peabody Auditorium in the past. A RESOLUTION APPROVING AN AGREEMENT WITH GILES ELECTRIC COMPANY INC. ("GILES") FOR PROVISION OF AS-NEEDED ELECTRICAL SERVICES FOR A TERM ENDING ON MAY 22, 2021, PIGGYBACKING A CONTRACT BETWEEN GILES AND THE CITY OF SOUTH DAYTONA; AUTHORIZING EXPENDITURE OF FUNDS IN THE AMOUNT OF \$31,210 TO PAY GILES TO INSTALL BASKETBALL COURT LIGHTING AT THE SCHNEBLY RECREATION CENTER, IN ACCORDANCE WITH THE AGREEMENT APPROVED ABOVE; AND PROVIDING AN EFFECTIVE DATE.
- N. Adopted/Resolution No. 18-227 approving Amendment No. 2 to Contract No. 0117-3540 with CMG Pro Security, Inc., 1142 Pelican Bay Drive, Daytona Beach, FL 32119 with the following stipulations:

Waive Section 30-81 (Source Selection) of the Purchasing Code.

Approve the amendment which adds Halifax Harbor Marina to the contract for security services under the same terms and conditions retroactive to their start date of May 31, 2018.

Authorize the City Manager to exercise renewal options under the same terms and conditions subject to budget appropriations.

Approve an expenditure of \$27,656 for the remainder of FY 2017-2018. Funds needed for subsequent fiscal years will be included in future year budgets as adopted by City Commission.

Credible Security Services cancelled their security services contract with the City without explanation. Staff examined several options and determined amending the security contract with CMG Pro Security of Daytona Beach was the only option that would provide uninterrupted security services to the Marina. CMG Pro Security currently provides security services to the Band Shell, Peabody, and Westside Regional Treatment Plants. The Purchasing Code authorizes the City Commission to waive compliance with any provision of the code where it determines that such a waiver is in the best interest of the City. A RESOLUTION ACCEPTING THE PROPOSAL OF TRIDENT SURFACING INC., TO REPLACE THE PEABODY AUDITORIUM STAGE FLOOR, SUBJECT TO THE TERMS AND CONDITIONS OF A WRITTEN CONTRACT, AT A LUMP SUM COST OF \$77,257.25; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE CONTRACT; AND PROVIDING AN EFFECTIVE DATE.

- O. Adopted/Resolution No. 18-228 ratifying an emergency expenditure for the ISB/SR600/US-92 Utility Repairs and Water Main Adjustments Contract in the amount of \$263,936.59 with 4C's Trucking and Excavation, Inc., 331 Sawgrass Road, Bunnell, FL 32110. This request is needed to fully comply with City Purchasing Code Section 30-52(b) Emergency Purchases for the selection of a contractor to complete construction of required City improvements ahead of FDOT's storm water project on W. International Speedway Boulevard between Helms Place and Segrave Street. A RESOLUTION RATIFYING THE CITY MANAGER'S EMERGENCY EXPENDITURE OF FUNDS IN THE AMOUNT OF \$263,936.59 TO PAY 4C'S TRUCKING AND EXCAVATION, INC., FOR CITY UTILITY REPAIRS AND WATER MAIN ADJUSTMENTS IN CONNECTION WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION STORMWATER PROJECT ON WEST INTERNATIONAL SPEEDWAY BOULEVARD; AND PROVIDING AN EFFECTIVE DATE.
- P. Adopted/Resolution No. 18-229 ratifying an emergency expenditure to Central Florida Liftstations, P.O. Box 740179, Orange City, FL 32774-0179 in the amount of \$25,850 for the installation of suction piping and associated valve work for lift stations 50 and 115. Lift stations No. 50 and 115 do not have an emergency by-pass pumps for system failures related to loss of power or pump failures and both have experienced past failures which resulted in sewer back-ups. This work includes the installation of suction piping within the wet wells and associated valves needed to connect an emergency diesel driven by-pass pump to the lift stations. The by-pass pumps are expected to be delivered late July and the pump manufacturer has offered temporary pumps for these locations in the interim until the permanent pumps are delivered. The work described above must be completed before the loaner pumps can be utilized. A RESOLUTION RATIFYING THE CITY MANAGER'S EMERGENCY EXPENDITURE OF \$25,850 TO PAY CENTRAL FLORIDA LIFTSTATIONS, INC., FOR EMERGENCY WORK ON LIFT STATIONS 50 AND 115; WAIVING COMPETITIVE PROCUREMENT REQUIREMENTS DUE TO THE EMERGENCY; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY DOCUMENTS NECESSARY; AND PROVIDING AN EFFECTIVE DATE.
- Q. Adopted/Resolution No. 18-230 approving Change Order No. 1 to Contract 0318-3140 for the Lift Station 4 Replacement Project with 4C's Trucking and Excavation, Inc., 331 Sawgrass Rd., Bunnell, FL 32110 in an amount not to exceed \$47,272.58 with an additional 30 days of contract time, make an administrative correction to the conformed Contract No. 0318-3140 Article IV, correcting the original amount of the contract from \$656,5612.28 to \$626,512.28 and adjust the Contract 0318-3140 amount with this Change Order No. 1 to \$673,784.86. The circumstances leading to this request for Change Order No. 1 are:

An abandoned lift station and 8-inch concrete slab were uncovered when Dr. Martin Luther King Jr. Blvd. was opened for construction of the project.

An unknown storm water pipe in conflict with the proposed gravity main and lift station vault were encountered during construction on Cedar Street.

To avoid the abandoned lift station, the Contractor made field adjustments to re-route the new force main to a manhole on Dr. Martin Luther King Jr. Blvd underneath existing sidewalk. The Contractor used flowable fill to stabilize the abandoned lift station to minimize the chance of a roadway failure. Sidewalk damaged during the force main re-routing was replaced.

The 8-inch concrete slab was removed by the Contractor. At the direction of the City Engineer, the 8-inch concrete slab was replaced after the installation of the new utilities to mitigate the potential for future settling issues.

The Contractor removed and disposed of the storm water pipe in conflict with the proposed gravity main and replaced the storm water pipe and installed concrete collars to reconnect the storm water pipe to existing storm water manholes after installation of the gravity main. A RESOLUTION APPROVING CHANGE ORDER NO. 1 TO CONTRACT NO.0318-3140 WITH 4 C'S TRUCKING AND EXCAVATION, INC., FOR THE LIFT STATION NO. 4 REPLACEMENT PROJECT, APPROVING AN INCREASE OF \$47,272.58 IN THE CONTRACT PRICE (FOR AN ADJUSTED CONTRACT PRICE OF \$673,784.86) AND AN EXTENSION OF THE CONTRACT TIME BY 30 DAYS; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE CHANGE ORDER NO. 1; AND PROVIDING AN EFFECTIVE DATE.

- R. Adopted/Resolution No. 18-231 awarding a three (3) year contract to the lowest best responsive bidder, SNF Polydyne Inc., One Chemical Plant Road, Riceboro, GA 31323 for the purchase of wastewater sludge dewatering polymer at a rate of \$49.69 for each dry ton with two additional one-year renewals with the same terms and conditions, authorizing the not to exceed amount of \$48,776 for the purchase of polymer for the remainder of fiscal year 2017/2018, authorizing the City Manager to expend the annual budget appropriations for the purchase of polymer; and authorizing the City Manager to exercise the renewal options. The City uses polymer to dewater wastewater sludge to reduce the volume and weight of sludge before transporting and disposing in a qualified FDEP land fill. The reduction of weight relative to the extraction of water allows the City to dispose of more sludge at a lower cost. A RESOLUTION ACCEPTING THE LOW BID OF SNF POLYDYNE, INC., FOR THE SUPPLY OF WASTEWATER SLUDGE DEWATERING POLYMER AT A RATE OF \$49.69 PER DRY TON FOR A THREE-YEAR TERM; AUTHORIZING THE CITY MANAGER TO EXPEND UP TO \$48,776 FOR THE REMAINDER OF FY 2017-2018, WITH OPTIONS TO RENEW FOR TWO ADDITIONAL ONE-YEAR TERMS; AUTHORIZING THE CITY MANAGER TO EXERCISE THE CITY'S OPTIONS TO RENEW, SUBJECT TO BUDGETING AND APPROPRIATION; AND PROVIDING AN EFFECTIVE DATE.
- S. Adopted/Resolution No. 18-232 \$500 to Halifax Historical Society, Inc., for a general donation, \$300 to Heritage Preservation Trust, Inc., for Lilian Place, \$200 to Food Brings Hope, Inc., for a general donation, \$200 to Juneteenth Festival Committee, Inc., for the 2018 Juneteenth Celebration, \$200 to Halifax Urban Ministries, Inc., for Hope Place, c/o Forugh Hossani Beville; and \$200 Bethune-Cookman University, for the National Statuary Hall Campaign for Dr. Mary McLeod Bethune statue at the US Capitol from the Bike Week Sponsorship Funds of Commissioner Ruth Trager. A RESOLUTION AUTHORIZING GRANTS FROM THE BIKE WEEK SPONSORSHIP FEES; AND PROVIDING AN EFFECTIVE DATE.

It was moved by Commissioner Gilliland to dispense with the reading of the Resolutions on the Consent Agenda and to adopt the Resolutions. Seconded by Commissioner Reed. The motion passed 7-to-0 with the breakdown as follows:

Commissioner Gilliland	Yea
Commissioner Henry	Yea
Commissioner Reed	Yea
Commissioner Trager	Yea
Commissioner Delgado	Yea
Commissioner White	Yea
Mayor Henry	Yea

9. PUBLIC HEARINGS

- A. Adopted/Resolution No. 18-233 approving the Final Plat for Halifax Hospital Medical Center, and the Contract for Plat Recording. The subject property is located just east of the Volusia Mall, north of International Speedway Boulevard, west of Clyde Morris Boulevard, and south of Dunn Avenue. Ordinance No. 17-120 approved the preliminary plat. City Clerk LaMagna read the Resolution by title only. A RESOLUTION APPROVING THE FINAL PLAT FOR HALIFAX HOSPITAL MEDICAL CENTER ON 77.50± ACRES OF LAND FOR DEVELOPMENT OF COMMERCIAL AND MEDICAL USE LOCATED JUST EAST OF THE VOLUSIA MALL, NORTH OF INTERNATIONAL SPEEDWAY BOULEVARD, WEST OF CLYDE MORRIS BOULEVARD, AND SOUTH OF DUNN AVENUE; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE CONTRACT FOR PLAT RECORDING; WAIVING THE PERFORMANCE GUARANTEE AND MAINTENANCE GUARANTEE REQUIREMENTS PURSUANT TO 3.4.K.5.d OF THE LAND DEVELOPMENT CODE; AUTHORIZING THE CITY MANAGER TO SIGN THE FINAL PLAT AND PERMIT RECORDATION THEREOF UPON MEETING CERTAIN CONDITIONS PRECEDENT; AND PROVIDING AN EFFECTIVE DATE.

No comments

It was moved by Commissioner Gilliland to adopt the Resolution. Seconded by Commissioner White. The motion passed 7-to-0 with the breakdown as follows:

Commissioner Gilliland	Yea
Commissioner Henry	Yea
Commissioner Reed	Yea
Commissioner Trager	Yea
Commissioner Delgado	Yea
Commissioner White	Yea
Mayor Henry	Yea

10. ADMINISTRATIVE HEARINGS

- A. Passed/Ordinance approving a request to rezone 50.35± acres of land located east of Williamson Boulevard, south of Hand Avenue, and north of Strickland Range Road from "County" Urban Single-Family Residential (R-2) and "City" Planned Development-General (PD-G) to Planned Development-General (PD-G) to allow for the development of a multifamily complex with approximately 260 apartments and associated site improvements, with additional office, medical, and commercial uses, and authorizing the Mayor to execute the Framework Planned District Agreement. Applicant: Robert A. Merrell III, Esquire, Cobb Cole, on behalf of Scott Bullock, Consolidated-Tomoka Land Co. City Clerk LaMagna read the Ordinance on first reading by title only. AN ORDINANCE AMENDING

THE ZONING MAP OF THE LAND DEVELOPMENT CODE TO REZONE 50.35± ACRES OF PROPERTY GENERALLY LOCATED EAST OF WILLIAMSON BOULEVARD, SOUTH OF HAND AVENUE, AND NORTH OF STRICKLAND RANGE ROAD FROM “COUNTY” R-2 (URBAN SINGLE-FAMILY RESIDENTIAL) AND “CITY” PD-G (PLANNED DEVELOPMENT-GENERAL) TO PD-G (PLANNED DEVELOPMENT-GENERAL) DISTRICT; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE FRAMEWORK PLANNED DISTRICT AGREEMENT WITH CONSOLIDATED-TOMOKA LAND CO., AND FRAMEWORK GROUP, LLC, PERMITTING DEVELOPMENT OF A MULTIFAMILY COMPLEX WITH APPROXIMATELY 260 APARTMENTS AND ASSOCIATED SITE IMPROVEMENTS WITH ADDITIONAL OFFICE, MEDICAL AND COMMERCIAL USES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT AND PROVIDING AN EFFECTIVE DATE.

No comments

It was moved by Commissioner Gilliland to Pass the Ordinance on first reading. Seconded by Commissioner White. The motion passed 7-to-0 with the breakdown as follows:

Commissioner Gilliland	Yea
Commissioner Henry	Yea
Commissioner Reed	Yea
Commissioner Trager	Yea
Commissioner Delgado	Yea
Commissioner White	Yea
Mayor Henry	Yea

- B. Passed/Ordinance approving a request to rezone 0.18± acres of land located at 144 Frazar Road from Business Professional (BP) to Single- Family Residential-5 (SFR-5) to allow for the development of a singlefamily dwelling. Applicant: Lucinda and Terran Freeman. City Clerk LaMagna read the Ordinance on first reading by title only. AN ORDINANCE AMENDING THE ZONING MAP OF THE LAND DEVELOPMENT CODE TO REZONE 0.18± ACRES OF LAND LOCATED AT 144 FRAZAR ROAD FROM BP (BUSINESS PROFESSIONAL) TO SFR-5 (SINGLE-FAMILY RESIDENTIAL-5) DISTRICT; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

No comments

It was moved by Commissioner Trager to pass the Ordinance on first reading. Seconded by Commissioner White. The motion passed 7-to-0 with the breakdown as follows:

Commissioner Gilliland	Yea
Commissioner Henry	Yea
Commissioner Reed	Yea
Commissioner Trager	Yea
Commissioner Delgado	Yea
Commissioner White	Yea
Mayor Henry	Yea

- C. Adopted/Resolution No. 18-234 appointing one (1) member from Zone 6 to the Peabody Auditorium Advisory Board for a four year term. The board shall consist of seven members serving four year terms and must reside within the zone from which appointed or if mayoral from within the corporate limits of the City. Ms. Sandra Chavous would like to be reappointed. City Clerk LaMagna read the

Resolution by title only. A RESOLUTION APPOINTING ONE MEMBER TO THE PEABODY AUDITORIUM ADVISORY BOARD TO FILL A TERM EXPIRING DECEMBER 31, 2021; AND PROVIDING AN EFFECTIVE DATE.

Letitia LaMagna stated the resolution was to nominate one person to the Peabody Auditorium Advisory Board.

It was moved by Commissioner Reed appoint Sandra Chavous and to adopt the Resolution. Seconded by Commissioner Gilliland. The motion passed 7-to-0 with the breakdown as follows:

Commissioner Gilliland	Yea
Commissioner Henry	Yea
Commissioner Reed	Yea
Commissioner Trager	Yea
Commissioner Delgado	Yea
Commissioner White	Yea
Mayor Henry	Yea

11. COMMISSION COMMENTS

Commissioner Trager stated the emergency team had a demonstration at the Police department and got information of what's going to occur at the municipal stadium. There will be a series of football games there in August and a stem festival involving science, technology, engineering and math.

Commissioner White stated the pool is in great condition at the Campbell Aquatic Center and both she and the community are excited it's open and really enjoy going there. Also, they're making some applications to get additional funding to help upgrade the rest of the facility as well. Secondly, there has been a lot of discussion about the Main Street Bridge and even though it's a county facility, she thinks preserving that connection between Beach Street and Main Street should continue to be important and keep it as a place people can connect with walking and biking.

Commissioner Reed asked can the City Commission set a date to discuss the short term rentals.

Commissioner Gilliland stated he doesn't think the discussion would be a good idea since there are two lawsuits approaching because it's already so much financial exposure.

Commissioner Reed stated once they have the discussion and whatever they decide could possibly cancel those lawsuits. What does legal say, and should it be discussed while it's in litigation.

Robert Jagger, City Attorney stated it would be up to the City Commission.

Mayor Henry stated one Commissioner wants to have the discussion and move forward but others think otherwise.

Commissioner Trager stated the discussion should be in a setting like a town meeting, instead of just a workshop so there can get input from both sides.

Commissioner Gilliland commented he's received plenty of the same speeches from the short term rental audience.

Commissioner Delgado stated he has the same concern as Commissioner Gilliland and would want some clear guidance from legal about what can and cannot be said, however at the same time nothing can really happen because the lawsuit is still pending. It's a very difficult position to be in. Mr. Jagger stated the Commission always has the option of amending their ordinances regardless of if there's a lawsuit pending but if the ordinance is amended it may affect the lawsuit. In the current status of the law, there's an existing preemption for the regulation of short term rentals, which is limited. They can't be prohibited or limit the duration for the rental but there's an acceptance to the preemption for all ordinances adopted prior to June 1, 2011. If the ordinance is amended on short term rental then they would lose that status of being accepted from the preemption. However, all those options are for the City council to proceed in any way they would want but would lose the existing regulations by amending further the short term rental regulations.

Mayor Henry stated that's what was decided originally, which was to go that route. Either being able to restrict it or allow it everywhere.

James Morris, Deputy City Manager, Development and Administrative Services stated he's sitting in for the City Manager, James V. Chisholm because he had to handle other matters.

Commissioner Henry stated she would like to add \$200 to the Daytona Beach Gyms from her Bike Week funds.

12. ADJOURNMENT

There being no further discussion or comments the meeting was adjourned at 6:24 p.m.

13. PUBLIC COMMENT FORUM

Cynthia Slater, 815 S Kettle Circle, stated she was speaking on behalf of NAACP Daytona Beach organization. She stated her concerns regarding transitional housing on George Engram Boulevard and the homeless situation in the City.

Doyle Lewis, 340 North Street, stated his concerns regarding parking on the beach area and the homeless situation. He stated that the homeless blocking the bicycle lanes and the sidewalks and leaving the garbage on the street.

Jim Cameron 126 E Orange Avenue, stated if the City going to move forward with this proposal, the Commission could count on Daytona Regional Chamber of Commerce to work with the City to resolve this situation.

Mike Denis, 625 Lenox Avenue, thanked the Commission and the City management for moving forward on 404 Revilo and asked to remove the grass next door.

James Morris, Deputy City Manager, Development and Administrative Services asked Mr. Denis if he knows the street address of the house with the grass.

Mr. Denis responded its west of the property.

Anne Ruby, 137 Park Avenue, stated her concerns regarding the preliminary study on Orange Avenue Recreation Center. She stated there is a lot of history on this building, it's a great location, it need to be functional and maintain.

Mayor Henry asked Ms. Ruby where she got the information about the cost reference.

Ms. Ruby responded I got it from the neighborhood meeting as a hand out from the City Staff.

Commissioner White asked to get copy of the paperwork that Ms. Ruby talked about.

Mr. Morris responded yes, we will email what we have.

Vernon Weatherholtz, 3 Granville Circle, stated we should not talk too much about the short-term rental as the majority of people I talked with they are against it.

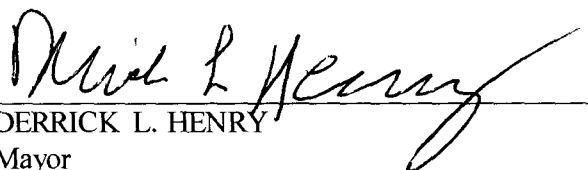
John Nicholson, 413 N Grandview Avenue, stated his concerns regarding City Island and homeless situation. He stated his recommendations on some of the City matters.

Marjorie Johnson, 122 S Keech Street, stated her concerns regarding the street paving on Martin Luther King Boulevard back to ISB, the City employment diversity, and Joe Harris Park.

Commissioner Reed stated we need a time frame when we are going to work on MLK from Orange Avenue to ISB.

Mr. Morris responded, in my notes.

There being no further discussion or comments the forum was adjourned at 6:46p.m.


DERRICK L. HENRY
Mayor

ATTEST:


Letitia LaMagna
City Clerk

Adopted: July 18, 2018

RECORD REQUIRED TO APPEAL: In accordance with Florida Statute 286.0105 if you should decide to appeal any decision the Commission makes about any matter at this meeting, you will need a record of the proceedings. You are responsible for providing this record. You may hire a court reporter to make a verbatim transcript, or you may buy a cd of the meeting for \$2.00 at the City Clerk's office. Copies of cds are only made upon request. The City is not responsible for any mechanical failure of the recording equipment.