



**THE CITY OF DAYTONA BEACH
BUSINESS MEETING OF THE CITY COMMISSION
APRIL 15, 2020
CITY COMMISSION CHAMBERS
5:30 PM**

AGENDA

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

NOTICE- Pursuant to Section 286.0105, Florida Statutes, if any person decides to appeal any decision made by the City Commission at this public meeting, such person will need a record of the proceedings and, for that purpose, such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The city does not prepare or provide such a record.

	For special accommodations, please notify the City Clerk's Office at least 72 hours in advance. (386) 671-8020		Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained from the City Clerk's Office.
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In accordance with the Americans with Disabilities Act (ADA), persons with a disability needing a special accommodation to participate in the City Commission meeting should contact the City Clerk's Office, 301 S. Ridgewood Ave, Room 210, Daytona Beach, FL 32114, Telephone: (386) 671-8023, Email: clerk@codb.us not later than 72 hours prior to the proceedings. If you are hearing or voice impaired contact the relay operator at 1-800-955-9771.

1. ROLL CALL.

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1. **ROLL CALL.**
2. **Resolution extending the Local State of Emergency and adopting Emergency Meeting Procedures**
3. **CITIZENS.**
 - 3.A. **EMERGENCY PROCEDURES - PUBLIC COMMENTS TO THE CITY COMMISSION**

During this time of extraordinary circumstances dealing with the Declared Emergency associated with COVID-19, the City is temporarily transitioning to online public participation comments for City Commission meetings consistent with the goals of the Governor's Executive Order 20-91, Essential Services and Activities during the COVID-19 Emergency. In lieu of in-person public participation, the City is providing an online Public Comment form prior to each City Commission meeting for submission to the Commission by members of the public that still desire to make comments. Below is a link to the online Public Comment form. Please follow the directions on the form to ensure submission. All Public Comment form submissions completed and properly emailed to the City within the timeline outlined below will be provided to City Commission members for their review and consideration prior to the meeting and will be included in the official meeting records held by the City Clerk, City of Daytona Beach.

The Public Comment form will be accessible and may be submitted until the end of the City Commission meeting. Public Comment forms submitted before to 5 p.m. on the day prior to the meeting will be provided to the

Commission before the meeting. Any Public Comment forms submitted after 5 p.m. on the day prior to the meeting will be provided to Commission after the meeting.

Public Comment forms may be found at the following online Public Participation Link: <https://www.codb.us/comments>

If you have issues with accessing, completing, or submitting the online Public Comment form please contact: comments@codb.us or 386-671-8023 to leave a message and someone will return your call.

Although persons are strongly encouraged to submit Public Comment forms online, persons may also visit City Hall during the Commission meeting and present written comments on forms provided by the City. The lobby area of City Hall will be equipped with a drop-off box for written comment forms. Written comment forms on any specific item to be voted on by the Commission will be distributed to the Commission prior to the vote being taken. All other written comment forms will be distributed to the City Commission after the meeting. Persons may view the Commission meeting from monitors in the lobby area of City Hall, however, no more than 10 persons inclusive of any necessary City Staff will be allowed in the City Hall lobby at any one time. All persons must comply with social distancing requirements while at City Hall, such as by remaining at least 6 feet apart. Use of facial masks is encouraged.

4. 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).

4.A. [Information Technology Division - Cyber Security Systems and Services – Purchase Approval](#) (pp. 17-21)

Resolution ratifying the emergency purchase of Trend Micro and Tipping Point Cyber Security Systems and Services from SHI International Corp, 33 Knightsbridge Road, Piscataway, NJ 08854, in the amount of \$104,846.09, to support the City's computer network monitoring and risk mitigation program. The purchase was administratively approved by the City Manager as an emergency, since fortifying the City's cyber security defenses is an urgent matter, due to the rapidly increasing number of Cyber-attacks. Bad actors are taking advantage of the pandemic to increase cyber-attack vectors. This is a cooperative purchase; subject to the terms, conditions, and pricing of the OMNIA Partners IT Solutions Contract # 2018011-02. The contract includes provisions for termination for convenience, and termination for non-appropriation of funds. Funds expended from the Information Technology Fund.

Recommendation: Information Technology Systems and Services Manager recommends adoption of the Resolution.

4.B. [Public Works/Engineering Department - P&S Paving - Contract No. 19193 FM 439866-1-54-01 - Sweetheart Trail - Beach Street \(Wilder Boulevard to Shady Place\) – Change Order No. 4 \(pp. 22-45\)](#)

Resolution ratifying the approval of Change Order No. 4 to Contract No. 19193 for P&S Paving, Inc., 3701 Olson Drive, Daytona Beach, FL 32124, for additional work required due to a utility conflict in Phase II of the project, in an amount not to exceed \$17,053.44.

The purpose of this request is to compensate the contractor for additional work in Phase II of the project necessary to deflect the existing 6” water main at stormwater structure D-10 for adequate separation between utilities per city standards; to adjust elevations to the curb pad; and to adjust the contract time by 25 days to do this extra work. Contract No. 19193 was awarded to P&S Paving, Inc. by Resolution No. 19-105 on May 1, 2019 to construct the Sweetheart Trail on South Beach St. from Wilder Blvd. to Shady Place. The original Contract amount was \$1,127,888.97.

Change Order No. 4 includes:

- Deflection of the existing 6” water main at stormwater structure D-10 for adequate separation between utilities per city standards (\$8,645.80);
- Adjust elevations to the curb pad (\$8,407.64); and
- Addition of 25 days to Contract No. 19193.

Funds are available in the Stormwater Improvement Construction Fund.

Recommendation: Public Works Director recommends adoption of the Resolution.

4.C. [Public Works/Technical Services - ThermaServe Mechanical Systems Services - 125 Basin St Restaurant & Kitchen - HVAC System Equipment Replacement \(pp. 46-52\)](#)

Resolution ratifying the acceptance of the proposal from the lowest most responsive and responsible bidder, ThermaServe Mechanical System Services, 5889 S Williamson Blvd., Ste. 207, Port Orange, FL 32128 in the amount of \$95,487.69, for the replacement of five air handlers and five condensers at the restaurant located at 125 Basin Street. The existing condensers are in poor condition and it is no longer cost effective to repair them. The units run on Freon gas that is no longer allowed for use or available for purchase. It will also be necessary to switch the air handlers out

installing modern units with state-of-the-art technology to balance the system and provide increased energy efficiency. Two proposals were solicited; one from each of the two vendors under the City's RFP 19561 HVAC maintenance and controls term contract. Funds are available in the Halifax Harbor Fund.

Recommendation: Public Works Director recommends adoption of the Resolution.

4.D. [Public Works Department - Alta Planning + Design, Inc., - Amendment No. 2 to Contract 0517-0470-AP \(pp. 53-57\)](#)

Resolution ratifying Amendment No. 2 to Contract 0517-0470-AP for Alta Planning + Design, Inc., 524 Datura Street, Suite No. 216, West Palm Beach, FL 33401. The purpose of this request is to revise the Fee Schedule in Exhibit B to add the position of Principle Engineer (Project Manager). Resolution 17-183 was passed on June 21, 2017 to award Contract 0517-0470-AP, General Municipal Professional Engineering Services with Emphasis on Urban Recreational Trails, to Alta Planning + Design, Inc.

Recommendation: Public Works Director recommends adoption of the Resolution.

4.E. [Public Works Department - ALTA Planning + Design - Navy Canal Trail Design FDOT Project No. 440906-1, City Contract No. 0517-0470-AP - Work Authorization No. 8 \(pp. 58-99\)](#)

Resolution ratifying authorization for Work Authorization (WA) No. 8 to Continuing Services Contract No. 0517-0470-AP, for ALTA Planning + Design, 313 Datura St, Suite No. 100, West Palm Beach, FL 33401, to design the Navy Canal Trail Project for a total cost of \$81,602.78. The purpose of this request is to authorize ALTA Planning + Design WA No. 8 to design the Navy Canal Trail Project (see the attached ALTA Planning + Design - WA No. 8 Proposal). This will be an FDOT LAP project and therefore the construction and CEI costs (to be programmed for FY 21/22) will be covered by the LAP Agreement. The design costs will not be covered by the LAP Agreement but the City can claim it towards our Local Matching Funds. The scope of work for the Navy Canal Trail Project is to construct a 12' wide shared-use trail along the Navy Canal between Clyde Morris Boulevard and South Seneca Boulevard. The City will also need to coordinate with the Daytona Beach International Airport, Volusia County, and FAA to lease an access easement at the west end of the Navy Canal to connect to the Clyde Morris Blvd roadway corridor. The presence of Trail lighting, as part of the FPL Tariff 1 Lighting Program, and the anticipated numerous Trail users will provide for an environment that is not conducive to crime and unwanted

activities. Funds are available in the Capitol Projects Fund.

Recommendation: Public Works Director recommends adoption of the Resolution.

4.F. [Public Works Department - Change Order No. 2 to Contract No. 0110-2660 with Parker Mynchenberg and Associates for the Beach Street Streetscape Project design \(pp. 100-111\)](#)

Resolution ratifying approval of Change Order No. 2 to City Contract No. 0110-2660 with Parker Mynchenberg and Associates (PMA), 1729 Ridgewood Avenue, Holly Hill, Florida 32117 in the amount of \$31,144.00. The purpose of the request is to authorize additional compensation to PMA for revisions to the design documents on the Beach Street Streetscape Project as well as authorization of construction related engineering services. On July 18, 2018 City Commission adopted resolution 18-245 approving Contract No. 0110-2660 with Parker Mynchenberg and Associates for design of the Beach Street Streetscape Project. Bids for the project were received on October 07, 2019 with P & S Paving Inc. being the only submitting and responsive bidder. The Submitted bid exceeded the project budget. Negotiations per City Code were undertaken with P & S Paving to reduce project cost while still maintaining the integrity of the design. Revisions to the design documents were needed to reflect the agreed upon negotiated changes. Additionally the City requested a scope of services from PMA to provide construction related engineering services such as shop drawing review, participation in construction meetings and substantial and final inspections. With Change Order No. 2 the adjusted contract amount is now \$360,136.48. Funding is available in the Capital Projects Fund, account no. 301-600000-541-565000-601913 in the amount of \$31,144.00.

Recommendation: The Public Works Director recommends approval of a Resolution authorizing Change Order No. 2 to Contract No. 0110-2660 with Parker Mynchenberg and Associates for the Beach Street Streetscape Project design in the amount of \$31,144.00

4.G. [Utilities Department - Merrell Bros., Inc - Contract Approval \(pp. 112-128\)](#)

Resolution ratifying the approval of a contract with Merrell Bros., Inc. 8867 West 500 North, Kokomo, IN 46901 for biosolids hauling with the following provisions:

- The term of the contract is three years from the effective date, May 3, 2020;
- The rate of \$45.98 per wet ton for the first three years and the rate of

- \$46.97 per wet ton for an additional 2-year term;
- Authorize the City Manager to approve the estimated expenditure of \$405,000 for as-needed biosolids hauling and disposal for the remainder of the fiscal year (FY20); and
 - Authorize the City Manager to exercise the renewal option of one additional term of two years and expend such sums as budgeted each year.

The purpose of this request is to haul and properly dispose of biosolids from the Westside Regional Water Reclamation Facility (WRF) according to state and federal regulations. The Westside Regional WRF operates 24 hours a day, 7 days per week and produces biosolids, or a waste sludge by-product, from the wastewater treatment process. On a daily average, three loads need to be hauled from the WRF. The biosolids is hauled to a residuals stabilization facility and modified into a Class AA or Class A fertilizer.

The City of Daytona Beach advertised Bid No. 20-281 on January 8, 2020 for hauling and disposal of biosolids, or waste sludge, generated at Regional WRF and received five bids; Merrell Bros., Inc. was the lowest and most responsive bidder. Funds are available in the Water & Sewer Fund.

Recommendation: Utilities Director recommends adoption of the Resolution.

4.H. [Information Technology Division - Verizon Wireless - Contract Approval](#)
(pp. 129-138)

Resolution ratifying as authorized by Section 30-54 City of Daytona Beach Code of Ordinances, to piggyback Florida Department of Management Services (DMS) Mobile Communications Services Verizon Contract No. DMS-10/11-008C, including Amendment 7 to the Contract, dated February 9, 2016, and associated Price Plans. This request is to approve the procurement of Verizon Wireless equipment and subscription plans pursuant to the DMS Contract through the extended contract date of January 19, 2022, subject to budget approval. The DMS contract provides for both termination for convenience, and termination for non-appropriation. Projected costs for Verizon Wireless equipment and services for fiscal year 2020 are \$65,000. This action will not increase communications services expenditures for the current fiscal year, since funds to support Verizon Wireless equipment and plans will come from discontinuing equipment and services purchased from other carriers. Adding Verizon Wireless as an option will allow departments to choose wireless equipment and services that provide the best value and coverage for their applications. Police Department Patrol, Fire Trucks, Code Enforcement Officers, Permit and Licensing Inspectors, Utility Department field crews, and other mobile tablets, and smart phones use wireless communication equipment and services. Funds are available in the

Information Technology Fund.

Recommendation: Manager of Information Systems and Services recommends adoption of the Resolution.

4.I. [Utilities Department - L7 Construction, Inc. - Replacement of Air Diffusers and Installation - Bid Award \(pp. 139-203\)](#)

Resolution ratifying the award of Bid No. 20253 to L7 Construction, Inc. 3840 St Johns Parkway, Sanford, FL 32771, for replacement of air diffusers and installation of clarifier mechanisms in the amount of \$750,900; and declaring the following contractors non-responsive and reject their associated bids: Intercounty Engineering, Inc., SGS Contracting Services, Inc., TLC Diversified Inc., and McMahan Construction Co., Inc. The purpose of this item is to commence construction of the Bethune Point Water Reclamation Facility (WRF) Phase I Process Upgrades in order to increase the operating capacity and efficiency of the RV while simultaneously providing operational redundancy for compliance with State and Federal Guidelines. Funds available in the Renewal & Replacement Fund.

Recommendation: Utilities Director recommends adoption of the ratifying Resolution.

4.J. [Public Works/Technical Services - Right of Way Licensing Agreement between the City of Daytona Beach, Halifax Hospital Medical Center, and Halifax West Clyde Morris Property Owners Association \(pp. 204-225\)](#)

Resolution ratifying the execution of a License Agreement between the City of Daytona Beach, Halifax Hospital Medical Center, and Halifax West Clyde Morris Property Owners Association. The Halifax Hospital Medical Center subdivision, located west of Clyde Morris Blvd. and north of International Speedway Blvd., is currently under construction. As part of that construction, extensive landscaping has been constructed within the public rights of way. This Agreement assigns liability and maintenance responsibilities to Halifax Hospital Medical Center and Halifax West Clyde Morris Property Owners Association for the right of way encroachments, and gives the City legal means to ensure the governed features remain in compliance and the means to terminate the Licensing Agreement. No funds are associated with this item.

Recommendation: Public Works Director recommends adoption of the Resolution.

4.K. [Public Works/Technical Services Division - Professional Roof Systems - Reroofing and Electrical Upgrades - Bethune Point Park - Bid Award \(pp. 226-229\)](#)

Resolution ratifying the awarding of 1TB 19573 from Professional Roof Systems, 4670 54th Ave., North, St. Petersburg FL 33714 for the reroofing of the picnic pavilion at the Bethune Point Park in the amount of \$25,000, and approving the proposal from Economy Electric, 538 West Street, Daytona Beach, FL 32114 for a total of \$9,850 for the electrical and lighting upgrades to the pavilion. Economy Electric is under a General Services Term Contract No. 0118-3380 with the City of Daytona Beach. The pavilion roof at the Bethune Point Park has been damaged by numerous storms and is currently in need of replacement to prevent any further damage to the structure. The total amount is \$34,850. Funds are available in the Capital Project Fund.

Recommendation: Public Works Director recommends adoption of the Resolution.

4.L. [FY 2019/20 Second Quarter Budget Amendment \(pp. 230-241\)](#)

Resolution amending Resolution No. 19-261 (as previously amended), which adopted the FY 2019/20 budget, in order to increase revenues by \$ 24,843,692, operating expenditures by \$ 24,671,461, and transfers and capital projects by \$ 172,231. This budget amendment increases revenues related to an analysis of ending fund balances in accordance to the Fiscal Integrity Ordinance, and trues up revenues for the trust, impact fee, and redevelopment funds.

Recommendation: Budget Officer recommends adoption of the Resolution.

4.M. [Public Works, Technical Services Division - FIND Grant Acquisition Submission/Acceptance \(pp.242-276\)](#)

Resolution authorizing the submission of a Florida Inland Navigation District (FIND) Grant application to partially cover the construction cost of the Riverfront Park Replacement Seawall with a current estimated construction cost of \$3,326,000.

During recent heavy rainfall events there have been multiple breaches in the sea wall. City forces have been actively addressing numerous voids on the back side of the seawall. If more permanent solutions are not implemented, the City risk the loss of the seawall and upland assets. No funding is needed to apply for the FIND grant.

Recommendation: Public Works Director recommends adoption of the Resolution.

4.N. [Public Works, Technical Services Division - Derbyshire Neighborhood Sidewalk Project – Phase 1 City Project No. 2017-030 - FDOT LAP Agreement \(FPN: 443236-1-58/68-01\) Acceptance \(pp. 277-303\)](#)

Resolution authorizing the Mayor and the City Clerk to execute the Local Agency Program (LAP) Agreement (FPN: 443236-1-58/68-01) between the City of Daytona Beach and the Florida Department of Transportation (FDOT) in the amount of \$551,579. The purpose of this request is to accept the Florida Department of Transportation LAP Agreement which will provide the majority of funding for the construction of 6' wide concrete sidewalks in the Derbyshire Neighborhood, specifically along Vine Street between Brentwood Drive and 4th Street, and along 3rd Street between Vine Street and Nova Road. The total costs for this project is estimated at \$649,679. The LAP Agreement will fund the majority of that, which includes \$452,039 for the eligible construction costs and \$99,540 for the Consultant Construction Inspection and Engineering (CCEI) services. The remaining \$98,100 will be the responsibility of the City to cover the costs for the ineligible construction items plus the City's 10% Local Match.

Recommendation: Public Works Director recommends adoption of the Resolution.

4.O. [Public Works/Administration - Hurricane Dorian Public Assistance Federally-Funded Sub-award and Grant Agreement No. Z1695 \(pp. 304-380\)](#)

Resolution authorizing the City Manager to execute the Federally-Funded Sub-award and Grant Agreement No. Z1695 between the Florida Division of Emergency Management (FDEM) and the City of Daytona Beach, as well as any amendments, modifications and ancillary agreements that may be required to secure reimbursements available through the Florida Public Assistance Program. This Grant Agreement will allow the City to receive Federal and possibly State funding reimbursements for costs incurred from damage caused by Hurricane Dorian to City facilities including buildings and roads, and reimbursement for eligible City expenditures or losses related to the storm. The Grant provides for a minimum of 75% of eligible costs on a cost-sharing basis, including direct federal assistance (FEMA funded, State administered). The State of Florida historically reimburses 50% (12.5%) of the remaining balance of the local cost share. City funds will be used for costs not reimbursed by FEMA or the State of Florida, anticipated to be 12.5%; a future budget amendment will authorize all remaining Hurricane Dorian related costs. The City Commission authorizes the designated Primary and Alternate Agents to represent and act for the City as Sub-Grantee in all dealings with the State of Florida, Grantee, for all matters pertaining to such disaster assistance.

Recommendation: Public Works Director recommends adoption of the

Resolution.

- 5. COMMENTS AND INQUIRIES FROM THE CITY COMMISSION - CITY MANAGER AND CITY ATTORNEY REPORT.**
- 6. ADJOURNMENT.**