



**THE CITY OF DAYTONA BEACH
BUSINESS MEETING OF THE CITY COMMISSION
JUNE 3, 2020
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.

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

1. ROLL CALL.

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1. **ROLL CALL.**
2. **INVOCATION.**
3. **PLEDGE OF ALLEGIANCE TO THE FLAG.**
4. **APPROVAL OF MINUTES.**

4.A. [Approval of Minutes](#)

Approval of the Minutes of the May 20, 2020 Regular City Commission Meeting 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 - No Presentation.**

7. **CITIZENS**

7.A. [PUBLIC COMMENTS BY THE PEOPLE ADDRESSING THE CITY COMMISSION \(pp. 20-21\)](#)

PUBLIC COMMENTS

During this time of extraordinary circumstances dealing with the declared State of Emergency associated with the COVID-19 pandemic, the City is temporarily allowing online public comments, and limited real-time public comments at City Hall, for public meetings of the City Commission and the various City Boards consistent with the requirements of the Governor's Executive Orders Nos. 20-69 (Local Government Public Meetings), 20-91 (Essential Services and Activities), and 20-112 (Phase 1 Plan).

Online Public Comment Forms . The City is providing an online Public Comment Form to allow members of the public to submit public comments for each public meeting of the City Commission or a City Board. The Public Comment Form may be found at <https://www.codb.us/comments>. Please follow the directions on the Form to ensure proper electronic submission to the City. All Public Comment Forms completed and properly transmitted before 5 p.m. on the day prior to the public meeting will be provided to City Commission or Board members, as applicable, for their review and consideration prior to the public meeting. Any Public Comment Forms submitted after 5 p.m. on the day prior to the meeting will be provided to Commission or Board after the public meeting. All Public Comment Forms will be included in the official meeting records and retained by the City Clerk or the Board Secretary as a public record. The City Commission and City Boards will not be taking general public comment on matters that are not on the agenda or will not be voted upon at the public meeting. If you have issues with accessing, completing, or submitting the online Public Comment Form please email us at comments@codb.us or call 386-671-8023.

Public Comments on Propositions before the City Commission or a Board. Although persons are strongly encouraged to submit online Public Comment Forms during this State of Emergency, persons may visit City Hall during a public meeting to make public comments on propositions coming before the City Commission or Board for a vote, subject to these City procedures and all social distancing requirements established by the Governor's Executive Orders. The Commission Chambers will be closed to the public. Commission or Board members may be physically present in the Chambers, or may appear via communications media technology. The City Hall lobby will be equipped with a lectern and microphone for public comment, and an audio/video feed to the Commission Chambers. Forms will be provided for persons to fill out who wish to make public comment.

Persons may enter the lobby to speak on an item before the Commission or Board at appropriate times, when called upon, subject to such time limitations as may be imposed by the public body. The lobby will also have a limited defined area, with social distancing, for persons waiting to make public comment. In addition, the exterior entryway to City Hall will be equipped with a loudspeaker for persons waiting for permission to enter to make public comment due to space limitations in the lobby. Persons may

also monitor public meetings from their iPhone, iPad, or other electronic device at <https://www.codb.us/618/DBTV>, and enter City Hall for public comment at appropriate times, when called upon. Persons who have finished speaking or not intending to speak on a matter coming before the Commission or Board will not be permitted to remain in City Hall. 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 to combat the spread of the COVID-19 disease.

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. [Legal Department - Resolution Extending Local State of Emergency \(pp. 22\)](#)

RESOLUTION EXTENDING THE LOCAL STATE OF EMERGENCY DUE TO COVID-19 FOR AN ADDITIONAL SEVEN DAY PERIOD ENDING JUNE 10, 2020; RATIFYING MAYORAL EXECUTIVE ORDER NO. 7.

Recommendation: City Attorney recommends adoption of the Resolution.

8.B. [Business Enterprise Management Department - Ring Power - Caterpillar 289 D Compact Track Loader - Purchase \(pp. 23-28\)](#)

Resolution ratifying an emergency expenditure for a Caterpillar 289 D Compact Track Loader (Skid Steer) of \$42,769 after net of trade-in of \$32,000 to Ring Power, 500 World Commerce Parkway, St. Augustine, FL 32092, under Florida Sheriff's Association, Bid No. FSA18-VEH16.0. This purchase was part of the overall vehicle replacement program for the City and is needed to maintain the City's public streets and improve the City's roadways. Funds are available in the General Fund.

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

8.C. [Business Enterprise Management Department - Alan Jay Fleet Sales - Property Maintenance Vehicle Replacement Purchases \(pp. 29-35\)](#)

Resolution authorizing the purchase of two vehicles from Alan Jay Fleet Sales, P.O. Box 9200, Sebring, FL 33871 in the total amount of \$60,168:

- Nissan Frontier King Cab from the Sourcewell (formerly NJPA) Cooperative Contract 2020-120716-NAF with options for \$36,565;
- Chevy Silverado 2500 Regular Cab from the Florida State Term Contract 25100000-19-1 with options for \$23,603.

Both vehicles are for the Property Maintenance Department and the vehicles they will be replacing will be disposed of by the Purchasing Department either internally or by auction. Funds are available in the Facilities Property Maintenance Fund.

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

8.D. [Business Enterprise Management Department - Guardian Fueling Technologies - Fuel Dispensers Equipment Purchase \(pp. 36-41\)](#)

Resolution authorizing expenditures to purchase six (6) fuel dispensers equipment from Guardian Fueling Technologies, 9452 Phillips Highway, Suite 2, Jacksonville, FL 32256 from the Sourcewell Contract SL1025172 in the amount of \$37,293.01. Replacing these dispensers that are over 20 years old and have out lived their useful life span will give the Fleet Maintenance Department the ability to meet the City's fuel demands and ensure regulatory compliance. Funds are available in the Capital Projects Fund.

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

8.E. [Public Works Department - Poseidon Dredge & Marine Inc. - Lowest Responsive and Responsible Construction Contract Bid Award \(pp. 42-240\)](#)

Resolution awarding a Construction Contract to the lowest responsive and responsible bidder, Poseidon Dredge & Marine Inc., 319 Wickline Boulevard, Suite A, Lantana, FL 33462 in the amount of \$3,167,709.36 for the Riverfront Park Seawall Replacement.

The purpose of this request is for the construction of a new seawall along the east side of Riverfront Park between Orange Avenue and International Speedway Boulevard. The new composite seawall, concrete cap and railing system upgrades are needed to facilitate the upcoming Riverfront Park improvements, a stacked coquina block seawall, like the existing failing coquina seawall cannot handle the future loading and elevation requirements in a cost effective manner. Funds are available in the Stormwater Improvement Construction Fund (\$349,764.01), Recreation/Parks/Cultural Impact Fees Fund (\$921,686.12), and the Capital Projects Fund (\$1,896,259.23)

Recommendation: Public Works Director recommends adoption of the Resolution.

8.F. [Public Works/Technical Services - Code Enforcement Modular Office Building, Asset No. 18930 - 638 Madison Avenue - Disposal Request \(pp. 241-244\)](#)

Resolution authorizing the disposal of the Code Enforcement modular office building, asset No. 18930, and approving the executed Fixed Asset Disposal form.

Recommendation: Public Works Director recommends adoption of the Resolution.

8.G. [Public Works Department - Main Street Pier Repair, ITB No. 20073 - Authorization of Deductive Change Order No.1 \(Final\) and Final Reconciliation Agreement \(pp. 245-258\)](#)

Resolution authorizing the approval of Deductive Change Order No.1 (Final) as well as approval of Final Reconciliation Agreement for the Main Street Pier Repair project, ITB No. 20073 with Industrial Maintenance Services, Inc., DBA IMS Contracting Inc., 1920 20th Ave. North, Escanaba, MI. 49829. The Final Reconciliation Agreement includes the following Stipulations:

- Approve April 19, 2020 as the substantial completion date and start of warranty period.
- Approve April 30, 2020 as the final completion date.
- Approve the final adjusted contract price of \$922,065.00 which includes Deductive Change Order No. 1 (Final)
- Approve a final payment of \$92,206.50.

The purpose of this request is to make final payment to the contractor for work performed. On January 8, 2020, City Commission adopted Resolution 2020-08 approving contract ITB-20073 with Industrial Maintenance Services, DBA IMS Contracting Inc. for the Main Street Pier Repair Project in the amount of \$1,010,427. The final completion date for the construction of the project is April 30, 2020. The final adjusted price for the contract is \$922,065 which includes a deductive amount of (\$88,362) for Change Order No.1 (Final). Change Order No.1 reconciles line item overruns and underruns for various unit price items in the Bid Schedule. The Main Street Pier is a historic structure that is a key feature of the beachside area and also houses Joe's Crab Shack restaurant. The Pier is over 70 years old and located in a harsh marine environment and requires frequent maintenance. Funds are available in the Pier Improvements Funds.

Recommendation: Public Works Director recommends adoption of the Resolution.

8.H. [Public Works/Technical Services Department - Hill's Fencing, Inc. and Fence Services, Inc. dba AAA Fence Co., - Contract Award \(pp. 259-408\)](#)

Resolution awarding Contracts to Hill's Fencing, Inc., 915 E. Ohio Ave., Lake Helen, FL 32744 and Fence Services, Inc. dba AAA Fence Co., 800 Orange Avenue, Daytona Beach, FL 32114 for citywide needs. Each contract shall be awarded for an initial 1 year term. The City will have the option to renew each Vendor up to 4 terms of 1 year each, by providing Vendor written notice.

The City has a need for fencing services citywide on an annual basis. Awarding annual/continuing services commodities contracts to multiple fence vendors will help assure that the City will get timely service response especially after damage from significant weather events. The contracted vendor's services will be used for the repair and improvements to City parks, sports fields, tennis courts, utility facilities and other facilities. The vendor contracts were procured in accordance with City's Invitation To Bid No. 20391 documentation. The bid was advertised on March 20, 2020, and three bids were received; with Hill's Fencing, Inc. being the lowest responsive and responsible bidder.

The Public Works Department requires a minimum of two fence companies to be under contract. Fence Services, Inc. dba AAA Fence Company was selected as the second lowest responsive and responsible contractor bid. Hill's Fencing, Inc., will be the primary contract and Fence Services, Inc., dba AAA Fence Company will be the secondary in the case the primary is unable to perform, cannot meet the City's time requirements or whose pricing is unacceptably high for a specific project. There is no funding associated with this request. Work will be issued through approved Work Authorizations to be funded by the requesting Department.

Recommendation: Public Works Director recommends adoption of the Resolution.

8.I. [Public Works/Grounds Maintenance Division - WescoTurf - Purchase \(pp. 409-413\)](#)

Resolution approving the purchase of 2-Toro Sand Pro-3040 mowers in the amount of \$21,540.47 each, for a total of \$43,080.94, from WescoTurf, 2101 Cantu Court, Sarasota, Florida 34232, under State Contract Number 21100000-15-1. The purpose is to replace 2 existing Sand Pro mowers that are used daily to maintain the ball fields at Derbyshire Sports Complex,

Sunnyland Softball field and Bethune Point Complex. The existing Sand Pros are heavily used daily and are no longer feasible to repair and maintain. The current machines are over 7 years old and are multi use tools that our teams use to maintain all of the sport fields for the city. These machines are necessary to ensure that the fields are kept at a safe and good playing condition throughout the year. The Grounds Maintenance Division has recently achieved their goal of creating safe, visually pleasing and attractive fields for the residents of Daytona Beach and these machines are necessary in maintaining that goal. Funds are available in the General Fund.

Recommendation: Public Works Director recommends adoption of the Resolution.

8.J. [Police Department - U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, FY 2019 Edward Byrne Memorial Justice Assistance Grant \(JAG\) \(pp. 414-422\)](#)

Resolution authorizing a grant application, to apply, submit, accept, and expend the U.S. Department of Justice, Bureau of Justice Assistance, Edward Byrne Memorial Justice Assistance Grant (JAG), Local Solicitation FY 2019 funding to prevent, prepare for, and respond to, the Coronavirus threat. This will be achieved through the acquisition of all relevant equipment and supplies, and the securing of a room within the DBPD headquarters to be used for the secure storage of that equipment and supplies, and the subsequent issuance to appropriate officers etc.

Recommendation: Chief of Police recommends adoption of the Resolution.

8.K. [Police Department - HOST Compliance LLC - Short Term Rental Monitoring Agreement \(pp. 423-521\)](#)

Resolution approving an agreement between the City of Daytona Beach and Host Compliance, LLC. The Neighborhood Services Unit under the City's Police Department is seeking this agreement that will establish compliance, registration, research assistance, monitoring and drafting of regulatory Ordinance solutions for short-term rentals. This partnership is designed to create and maximize possible revenue streams from bed or accommodation taxes, licensing and permitting fees which will provide more effective enforcement control to the City and will help protect property owners, neighborhoods, citizens and landlords from negligence and abuses of short-term renters. The annual cost of this service is \$121,440.

HOST Compliance has agreements with several cities in Florida, however, the only city that has the same suite of program offerings desired by the City of Daytona Beach is the City of Malibu, California. The Daytona Beach Police Department wishes to “piggy back” on the City of Malibu's Request

for Proposals used to establish the current Agreement for Professional Services and bid documents used in the development of the agreement with HOST Compliance LLC commencing on February 13, 2018. The agreement period is one year and may be extended for up to three additional one year periods. The agreement is currently active and in an extension by the City of Malibu. Funds for this agreement are being made available through an in progress budget transfer and paid to HOST Compliance through the Code Enforcement cost center.

Recommendation: Chief of Police recommends adoption of the Resolution.

8.L. [Police Department - Florida Fish and Wildlife Conservation Commission \(FWC\) - Derelict Vessel Removal Grant \(pp. 522-535\)](#)

Resolution authorizing the application, submission, acceptance, and expenditure for a \$18,400 grant from the Florida Fish and Wildlife Conservation Commission (FWC). The Daytona Beach Police Department (DBPD) has identified two vessels that represent a hazard to the City's waterways that sustained severe damages from Hurricane Irma.

DBPD intends to reduce the risk, by overseeing the removal and destruction both vessels listed in Section VII of this application. As per the requirements listed in the 'FWC Derelict Vessel Removal Grant Program Guidelines' all relevant and appropriate action has already been taken for each of the vessels proposed to be removed under this grant. Importantly, all actions and outcomes will be fully documented as per legal and organizational requirements.

Recommendation: Chief of Police recommends adoption of the Resolution..

8.M. [City Clerk - Appointing Custodian of Ballots and Voting Equipment - 2020 Municipal Election \(pp. 536-538\)](#)

Resolution appointing and naming Lisa Lewis, Supervisor of Elections, County of Volusia, as Custodian of all ballots and voting equipment for the Municipal Primary Election on Tuesday, August 18, 2020 (if required), and the Municipal General Election on Tuesday, November, 3, 2020; and requesting that she administer absentee ballots for the Municipality, as well as appoint inspectors and clerks for said Elections in conjunction with the County's Uniform Municipal Elections.

Recommendation: City Clerk recommends adoption of the Resolution.

8.N. [City Clerk - Appointment of Canvassing Board \(pp. 539-541\)](#)

Resolution appointing the Volusia County Canvassing Board as the body

responsible for judging the results of the August 18, 2020, Primary Municipal Election, (if required) and the November 3, 2020, General Municipal Election is being requested which will coincide with the federal, state and county elections process.

Recommendation: City Clerk recommends adoption of the Resolution.

8.O. [City Clerk - Designating Polling Places for the Municipal Primary and General Elections \(pp. 542-544\)](#)

Resolution designating polling places in the City of Daytona Beach to be used by the voters in the Municipal Primary Election to be held, Tuesday, August 18, 2020 and the Municipal General Election to be held Tuesday, November 3, 2020.

Recommendation: City Clerk recommends adoption of the Resolution.

8.P. [City Clerk - Calling for Municipal Primary Election - August 18, 2020 \(pp. 545-547\)](#)

Resolution calling a Municipal Primary Election to be held in the City of Daytona Beach, Volusia County, Florida, on Tuesday, August 18, 2020, for the election by Zone for City Commissioner for Zones 2, 4, & 6 for which more than two Candidates are nominated for the office of City Commissioner and for the election Citywide for Mayor for which more than two Candidates are nominated for the Office of Mayor, for terms commencing November 11, 2020; and calling a special City Commission meeting to declare the results.

Recommendation: City Clerk recommends adoption of the Resolution.

8.Q. [Utilities Department - Odyssey Manufacturing Co. - Brennan Water Treatment Plant Salt \(Sodium Chloride\) - Bid Award \(pp. 548-570\)](#)

Resolution awarding Bid No. 20441 with Odyssey Manufacturing Co., 1484 Massaro Blvd., Tampa, FL 33619 for Salt (Sodium Chloride) at Brennan Water Treatment Plant (WTP) with the following provisions:

- Authorize the purchase of Salt for a one year term with four one-year renewals;
- Authorize an amount as needed at an estimated amount of \$136,800; and
- Authorize the City Manager to exercise four one-year renewal options and expend such sums as budgeted each year.

The purpose of this request is to maintain compliance with state and federal

regulatory water quality standards. The Brennan Water Treatment Plant uses salt (sodium chloride) in its water treatment process to produce sodium hypochlorite, which is used as a disinfectant to remove pathogens in the raw water supply. This is required by state and federal regulations for the treatment of potable drinking water.

The City advertised Bid No. 20441 on April 6, 2020. Two bids were received and opened on April 23, 2020 for the supply of Salt. The first bid from Odyssey Manufacturing Company at \$152 per ton was found to be complete. The City has determined that the second bid from Morton Salt, Inc., is non-responsive. The salt will be delivered to the Brennan Water Treatment Plant on an as-needed basis. Funds are available in the Water & Sewer Operating Fund.

Recommendation: Utilities Director recommends adoption of the Resolution.

8.R. [Utilities Department - UP Systems of Florida, Inc. - Lowest Responsive Bid Acceptance and Contract Award \(pp. 571-581\)](#)

Resolution accepting the lowest responsive bid and awarding Contract No. 20432 to UP Systems of Florida, Inc., PO Box 2151, Oldsmar, FL 34677 for Uninterruptible Power Supply (UPS) battery replacement at Westside Regional WRF in the amount of \$49,995.

The purpose of this request is to maintain wastewater treatment disinfection as required in State and Federal permits. The Westside Regional WRF utilizes ultraviolet light (UV) to disinfect treated wastewater prior to discharge. Each UV system is equipped with a Liebert UPS to ensure the system remains fully functional when commercial power is interrupted. When the plant experiences power interruptions, the UPS provides short term power to enable the system to remain in operation. Battery replacement is a routine maintenance task. Bid No. 20432 was sent to 63 vendors of which 11 bids were received and 9 were responsive. On May 07, 2020, bids were opened and UP Systems of Florida, Inc., was the lowest responsive bidder. The company's work references were verified and demonstrated that this company is qualified to perform the tasks outlined in the bid. Funds are available in the Water and Sewer Renewal & Replacement 5% Fund.

Recommendation: Utilities Director recommends adoption of the Resolution.

8.S. [Utilities Department - Trojan Technologies - Sole Source Purchase \(pp. 582-594\)](#)

Resolution approving a purchase from Trojan Technologies, 3020 Gore Road, London Ontario, Canada N5V 4T7, for UV system parts in the amount

of \$475,098.91. The purpose of this request is to maintain disinfection as required in State and Federal permits. The Westside Regional and Bethune Point WRF's utilize a UV System for disinfection of the treated wastewater.

This request is needed 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 are available in the Water & Sewer Improvement Fund (\$92,439.25) and the Water and Sewer Operating Fund (\$382,659.66).

Recommendation: Utilities Director recommends adoption of the Resolution.

8.T. [Public Works/Administration - Agreement for Maintenance of City Right-of-Way and Private Improvements Bayberry Lakes HOA Inc., Mosaic Property Owner's Association, and the City of Daytona Beach **Addendum added 06-01-20**](#)

Resolution authorizing the Agreement for Maintenance of City Right-of-Way and Private Improvements Located Theron between the City, Bayberry Lakes HOA., and Mosaic Property Owner's Association. The City owns and manages the public right-of-way commonly referred to as International Tennis Drive. In the course of developing Bayberry Lakes, the developer placed privately purchased trees, plants, and associated irrigation improvements within portions of the Entryway. From the time the Bayberry Lakes HOA was formed, Bayberry Lakes HOA has diligently maintained and irrigated these privately placed improvements, and has provided for the mowing and irrigation of grass within the Landscaped Areas. The City and Bayberry Lakes HOA are mutually interested in memorializing their historical course of dealing with respect to these privately placed improvements and the landscaped areas. In the course of developing Mosaic, ICI Homes or its subsidiary constructed a subdivision sign for Mosaic within the Entryway, ownership of which has since been conveyed to mosaic POA. Section 6.3.I of the Daytona Beach Land Development Code requires City Commission approval of private encroachments in public right-of-way. The City, Bayberry Lakes HOA, and Mosaic POA have a shared strong interest in maintaining the International Tennis Drive Entryway as a visually distinctive, aesthetically pleasing, first class public gateway into their respective properties. No funding is associated for the City with this request.

Recommendation: Public Works Director recommends adoption of the Resolution.

9. PUBLIC HEARINGS.

9.A. [Development and Administrative Services, Planning Division - Tomoka Independent Living PD - Rezoning – First Amendment to Planned Development-General \(PD-G\) \(pp. 595-626\)](#)

Ordinance on second reading - Quasi-Judicial Hearing - approving the First Amendment to the Tomoka Independent Living PD, located West of Tomoka Farms Road and North of First Baptist Parkway, to reduce the minimum required caliper inches for shade trees and small trees within the required Scenic Thoroughfare Overlay (STO) landscape yard along Tomoka Farms Road. Applicant: Steve Buswell, Parker Mynchenberg & Associates, Inc. on behalf of THP LLC. ****This item was continued from the May 20, 2020 Commission Meeting at the request of the Applicant.**

Dennis Mrozek, Planning Director, to report.

Recommendation: Planning Board recommends approval 6-0.

Action: Motion to adopt Ordinance.

9.B. [Development and Administrative Services, Planning Division - Land Development Code Text Amendment - Amending Articles 4, 5 and 6 \(pp. 627-636\)](#)

Ordinance on second reading - PUBLIC HEARING amending Article 4 (Zoning Districts), Section 4.7.C (Redevelopment Beachside – Hotel/Mixed Use (RDB-1)) of the Land Development Code (LDC) to remove owner requirement to develop a boardwalk; to amend Article 5 (Use Standards), Sections 5.2 (Principal Uses) and 5.3 (Accessory Uses and Structures) of the LDC to modify minimum design standards for gas station canopies; to amend Article 6 (Development Standards), Section 6.3 (Mobility and Access) of the LDC to reduce minimum required sidewalk widths for certain commercial development activity; and to amend Article 6, Section 6.9 (Exterior Lighting) of the LDC to increase the maximum height of parking lot lighting in commercially zoned districts. Applicant: Development and Administrative Services Department, Planning Division.

Dennis Mrozek, Planning Director, to report.

Recommendation: Planning Board recommends approval 6-0

Action: Motion to adopt Ordinance.

10. ADMINISTRATIVE AND DISCUSSION ITEMS.

10.A. [City Manager's Office - Resolution of Support - Ortona Elementary School Site - Volusia County K-8 School \(pp. 637-638\)](#)

Resolution of support to locate within the City the proposed new school, that will combine both Ortona Elementary and Osceola Elementary Schools in the City of Daytona Beach.

Recommendation: Commission Action

Action: Motion to adopt Resolution.

10.B. [Development and Administrative Services, Planning Board Division - Discussion on Planned Development Process - Amending Sections of the Land Development Code, Article 3 \(Review Procedures\) \(pp. 639-648\)](#)

Discussion on amending sections of the Land Development Code, Article 3 (Review Procedures): Section 3.3 (Standard Procedures), Section 3.4.F (Planned Development; add Section 3.4.F.11 Non -abrogation; and amend Article 4 (Zoning Districts), Section 4.8 (Planned Development Zoning Districts).

The current PD amendment process does not provide detailed procedures for requests to amend PD plan/agreements. The lack of procedures creates a hardship for City staff to provide the level review needed to ensure the outcome will result in the type of high quality mixed-use development the City desires. As written, the current PD requirements pertaining to the rights and interest of various property owner groups with a PD is, in the opinion of staff, deficient. Accordingly, revisions are proposed which will protect the rights of property owner groups (POA,HOA, etc.) while still allowing an opportunity to modernize existing PD's through the amendment.

James Morris, Deputy City Manager, to present.

10.C. [Development and Administrative Services, Planning Division - Code of Ordinances Text Amendment - Mobile Food Vendors ****Addenda added 06-03-20****](#)

Ordinance on first reading - amending Ordinance 19-37, Section 3, Code of Ordinance, Chapter 103-2 (n)(3) and 103-3, to remove the sunset provision for every mobile vendor license to expire on June 19, 2020.

James Morris, Deputy City Manager, to report.

Recommendation: Planning Director recommends passing Ordinance on first reading.

Action: Motion to pass Ordinance on first reading.

Note: If passed, Public Hearing - June 17, 2020.

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