



**THE CITY OF DAYTONA BEACH
BUSINESS MEETING OF THE CITY COMMISSION
OCTOBER 21, 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 September 9, 2020 Regular City Commission Meeting held City Hall, 301 S. Ridgewood Avenue, Daytona Beach, FL.

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](#)

**EMERGENCY PROCEDURES FOR PUBLIC COMMENT AT
PUBLIC MEETINGS**

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 in-person public comments at City Hall, for public meetings of the City Commission and the various City Boards.

Online Public Comment. 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. 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.

In-Person Public Comment. 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 comment, subject to these City procedures and compliance with all recommendations from the Federal Centers for Disease Control and Prevention (“CDC”) to minimize the spread of the COVID-19 disease. The Commission Chambers will be closed for in-person attendance by the public. The City Hall Lobby adjacent to the Chambers will have a limited defined area, with social distancing, for persons waiting to make public comment. The Lobby will be equipped with an audio/video feed to the Commission Chambers, and a lectern and microphone will be placed immediately inside the Chamber door for public comment. Forms will be provided for persons to fill out who wish to make public comment. Persons may approach the Lectern to speak on an item before the Commission or Board, or to make general public comment, at appropriate times, when called upon, subject to such time limitations as may be imposed by the public body. 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 who do not intend to make public comment before the Commission or Board will not be permitted to remain in City Hall. All persons must comply with CDC social distancing guidelines while inside City Hall, such as by remaining at least 6 feet apart. Use of facial masks in City Hall is mandated 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 The Local State of Emergency \(pp. 26-28\)](#)

RESOLUTION EXTENDING THE LOCAL STATE OF EMERGENCY DUE TO COVID-19 FOR AN ADDITIONAL SEVEN DAY PERIOD ENDING October 21 2020; AUTHORIZING THE MAYOR TO EXTEND THE LOCAL STATE OF EMERGENCY FOR UP TO FOUR ADDITIONAL SEVEN-DAY INCREMENTS SUBJECT TO CONDITIONS; RATIFYING MAYORAL EXECUTIVE ORDER NO. 18 AND PROVIDING AN EFFECTIVE DATE.

Recommendation: City Attorney recommends adoption of the Resolution.

8.B. [City Manager's Office - Framework Group, LLC - Redevelopment Incentive Agreement \(pp. 29-31\)](#)

Resolution approving the Framework Group, LLC Redevelopment Incentive Agreement between the City of Daytona Beach, Florida, the City of Daytona Beach Community Redevelopment Agency, and Framework Group, LLC. Requiring developer to construct at minimum a 200 unit multi-family apartment and 550 space parking structure. Authorizing the reimbursement of 95% of the tax increment received from the subject property on an annual basis as a redevelopment incentive grant for the term of the agreement. The term of the agreement is through the year 2036 (unless an extension of the CRA is granted by the County of Volusia through 2042) or the maximum cap of \$10,500,000, whichever occurs sooner.

Recommendation: City Manager recommends adoption of the Resolution.

8.C. [Human Resources - Robert E. Slavin, Inc., Slavin Management Consultants \(SMC\) - City Manager Executive Search - Contract Approval \(pp. 32-53\)](#)

Resolution approving the contract for Robert E. Slavin, Inc., Slavin

Management Consultants (SMC) to conduct the executive search for the next City Manager. On July 29, 2020, the City issued a RFP to solicit proposals for an executive search to be conducted to fill the soon-to-be vacant City Manager position, the proposals were due on August 21, 2020. At the September 28, 2020 City Commission workshop, the Commission selected Robert E, Slavin, Inc., as its highest ranked firm and directed staff to negotiate an agreement for final approval.

Recommendation: Human Resources Director recommends adoption of the Resolution.

8.D. [Fire, Police and Permits and Licensing Departments - Multi-Purpose Marine Vessel - FIND Grant Acquisition Acceptance \(pp. 54-60\)](#)

Resolution authorizing the City Manager to accept the Florida Inland Navigation District (FIND) Grant in the amount of \$60,000 and the authority to execute all documents necessary in furtherance of the acceptance and to amend the budget. As a requirement of the grant, the City must provide "matching of funds" in the amount of \$61,490. The total amount for the vessel is \$121,490. The funds will be used to acquire a multi-purpose vessel for use throughout the intracoastal waterway in Daytona Beach. The City covers approximately 5 continuous miles on both sides of the intracoastal waterway. The vessel would be used by the Fire Department, Police Department and Permits & Licensing Division for marine emergency services, law enforcement and building code enforcement for structures located on and in the intracoastal waterway. Funds are available in the Permits and Licensing Special Revenue Fund.

Recommendation: Deputy City Manager, Development Services recommends adoption of the Resolution.

8.E. [Leisure Services Department - Derbyshire Sports Complex Practice Field Seating & Amenities Purchase \(pp. 61-85\)](#)

Resolution approving purchase of seating and field amenities for the newly built practice field at the Derbyshire Sports Complex in the amount of \$39,475.94 with the breakdown as follows:

- Bleachers - *BuiltriteBleachers.com*, 5077 Northhampton Drive, Fort Myers, FL 33919 in the amount of \$24,087.40.
- Bleacher Pads - *Sanderson Concrete Construction, Inc.* 2440 Timberview Dr, New Smyrna Beach, FL 32169, in the amount of \$9,600.
- Player Benches - *BuiltriteBleachers.com*, 5077 Northhampton Drive,

Fort Myers, FL 33919 in the amount of \$,4,300.

- Field Marking Package - *Anthem Sports*, 2 Extrusion Drive, Pawcatuck, CT 06379 in the amount of \$1,488.54.

The additional practice field will assist with the facilitation of space for youth and adult football and soccer operations. At its inception, the practice field was designed to be an “open green space” for youth in the community to utilize at no charge. Since the initial decision, there has become an increased demand for space garnering the concept of improving the green space to an actual practice/game facility. During the approval process of the upgrades, seating and field amenities were not included among the improvements for the practice field. Bleachers, bleacher pads, player benches, field markers, down marker and first down distance chains are all items that will be needed to provide the basic amenities for a practice facility. Funds are available in the Capital Projects Fund.

Recommendation: Leisure Services Director recommends adoption of the Resolution.

8.F. [Police Department - Florida Department of Transportation \(FDOT\) Grant - 2020-2021 Speed and Aggressive Driving \(pp. 86-95\)](#)

Resolution authorizing the application submission, acceptance, and execution of grant agreement documents to the Florida Department of Transportation (FDOT). According to the FY2021 FDOT Highway Safety Matrix Ranking of Florida Cities (Group 2: Population of 15,000 - 74,999), Daytona Beach ranks 2nd out of 102 cities in speed and aggressive driving related crashes. The population during events such as Bike Week, Biketoberfest and the NASCAR races often exceeds 350,000, creating additional difficulties in terms of keeping everyone safe on, or near, the City’s roadways.

The proposed solution is the continuation of the project titled “Obey the Sign or Pay the Fine”. The two elements of this project are enforcement and education. Enforcement will include high visibility with overtime operations and additional technology. The results from the enforcement aspect will provide the material to educate young people and other vulnerable groups to the dangers on the roadways. The proposed request for this project is \$47,000. There is no match required from the city if awarded the funds.

Recommendation: Police Chief recommends adoption of the Resolution.

8.G. [City Manager's Office - Team Volusia Economic Development Corporation, Inc. -2020-2021 Cooperative Agreement \(pp. 96-105\)](#)

Resolution approving the 2020-2021 Cooperative Agreement between the City of Daytona Beach and Team Volusia Economic Development Corporation (TVEDC) in the amount of \$33,675.50. The amount is calculated using the City's 2019 population (67,351) per U.S. Census data times the .50 per capita rate charged to each respective TVEDC member.

The purpose of the agreement is to support economic and business development as well as business expansion to enhance the economic well-being of the City. TVEDC shall plan, implement and evaluate opportunities to foster economic growth in the City. TVEDC services will concentrate on recruiting new businesses, retaining existing businesses and facilitating business expansions in Daytona Beach. TVEDC will account for the use of these funds as measured by reports on its activities, including any programs, goals and accomplishments. Funds are available in the General Fund.

Recommendation: City Manager recommends adoption of the Resolution.

8.H. [Utilities Department - Florida Department of Environmental Protection \(FDEP\) - Consent Order \(OGC File No. 20-0696\) \(pp. 106-127\)](#)

Resolution authorizing the City to enter into a Consent Order with the State of Florida Department of Environmental Protection (FDEP) (OGC File No. 20-0696) which imposes civil penalties in the amount of \$9,558.65 and administrative costs in the amount of \$750 related to unpermitted sanitary sewer and reuse water spills between the dates of October 2nd – December 4th, 2019. This item is needed to limit the City's exposure to greater penalties and enforcement action by FDEP and allow time for the City to take corrective actions required by the order which will aid in alleviating the occurrence of sanitary sewer overflows as well as unpermitted discharges of reuse water associated with our aging infrastructure.

Beginning in October of 2019, the City experienced multiple sanitary sewer spills and unpermitted treated reuse water discharges caused by aging infrastructure; large storm events; and temporary lack of operational flexibility at the Westside Regional WRF from a large on-going construction project. All of these factors contributed to the spills which triggered this Consent Order. The City has been in negotiation with FDEP regarding this Consent Order since the beginning of 2020. During this time, FDEP has amended their fee structure increasing penalties by 50%. However, since the City has been working in "good faith" to finalize this Consent Order with the Department, the lower fees have remained in this Agreement. Consent Order (OGC File No. 20-0696) will be closed on June 30, 2021, or after the corrective actions are completed. Funds are available in the Water and Sewer Operating Fund.

Recommendation: Utilities Director recommends adoption of this

Resolution.

8.I. [Cultural Services/ Development and Administrative Services - Westview Productions - Peabody Auditorium Theatrical Lighting System Replacement \(pp. 128-284\)](#)

Resolution authorizing the replacement of the theatrical lighting system in the stage area of the Peabody Auditorium by the best low bidder, Westview Productions, 7131 Grand National Drive, Orlando, FL 32819 in the amount of \$92,880.33. The Peabody Auditorium's current theatrical lighting system is outdated and has fallen below industry standards for quality performing arts venues. A Racing and Recreation Facilities Grant in the amount of \$90,216.85 was approved to support the City's purchase. The total purchase price for the equipment to be purchased pursuant to this request is \$92,880.33. The City's portion after the Grant is \$2,663.48. Funds are available in the Capital Projects Fund.

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

8.J. [Business Enterprise Management Department - Halifax Harbor Marina Management Agreement \(pp. 285-323\)](#)

Resolution approving the Marina Management Agreement between Founders 3 Management Company d/b/a F3 Marina, 252 East Highland Avenue, Milwaukee, WI 53202, and the City of Daytona Beach in the annual amount of \$92,400 with incentives effective either October 21, 2020 or the last date signed on agreement (whichever is latest) and authorize the City Manager to exercise renewal options under the same terms and conditions. Funds are available in the Halifax Harbor Marina Fund.

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

8.K. [Public Works Department - Cardno - Contract No. 2010-018-CA - Work Authorization No. 20 \(pp. 324-342\)](#)

Resolution authorizing Work Authorization No. 20 under Contract 2010-18-CA with Cardno, 380 Park Place Boulevard, Suite 300, Clearwater, Florida 33759 in the amount of \$78,753. The Clyde Morris Boulevard Brownfields site has the presence of a free product contaminant covering approximately 1.7 acres. This project is in the initial stages of contaminate remediation and over the last four quarters approximately 3,556 gallons of free product contaminant was recovered. Work Authorization No. 20 provides for four quarters of Phase One Remedial Action activities as per the Florida Department of Environmental Protection (FDEP) approved remedial action

plan, two semi-annual sampling events, and two semi-annual FDEP reports. In addition, provide supplemental assistance to aid in site closure activities. Work to be completed as further described in Cardno proposal dated September 14, 2020. Funds are available in the Solid Waste Management Fund.

Recommendation: Public Works Director recommends adoption of the Resolution.

8.L. [Public Works Department - Florida Power & Light - Granting of Easements for Transformer Relocation - Beach Street - Orange Avenue to Fairview Avenue \(pp. 343-361\)](#)

Resolution granting five (5) easements to Florida Power and Light (FPL) on City owned land and authorizing the City Manager to execute the FPL easements and any related FPL documents. The easements are needed to relocate various FPL transformers along Beach Street between Orange Avenue and Fairview Avenue. Along the east side of Beach Street between Orange Avenue and Fairview Avenue there are five (5) FPL transformers that need to be relocated due to conflicts with current or future phases of the Beach Street Streetscape project. The transformers will be relocated to the east inside Riverfront Park. All proposed locations have been coordinated with the new Riverfront Park design. FPL will install new transformers at each location and new underground conduit and wiring will be installed between the existing and proposed transformer locations. There is no funding associated with this request.

Recommendation: Public Works Director recommends adoption of the Resolution.

8.M. [Public Works/ Administration - Minto Communities - Latitude Margaritaville Street Name Changes \(pp. 362-368\)](#)

Resolution authorizing the renaming of two (2) streets in Latitude Margaritaville, in accordance with the City Street Naming and Renaming Policy approved by Resolution 97-442. Latitude Margaritaville is requesting the following renaming of streets: □

<u>Current Street Name</u>	<u>Proposed Street Name</u>	□
Pink Starfish Place	Blue Starfish Place	□
Wasted Away Lane	High Tide Lane	

The City originally approved the City Street Naming and Renaming Policy with Resolution 95-17, and amended the policy with Resolution 97-442. The two streets are located within the Margaritaville subdivision. The plat was approved by City Resolution No. 2020-199, and recorded at the Volusia

County Clerk of Circuit Court in DeLand, Florida on September 3, 2020. The request to rename the two streets within Margaritaville is being made by Minto Communities, which still owns and is developing all of the subdivision property. There is no funding associated with this request.

Recommendation: Public Works Director recommends adoption of the Resolution.

8.N. [Finance - Allocation of Bike Week Sponsorship Funds **Addendum added 10-20-20**](#)

Resolution authorizing payment in the amount of:

\$100 to Mainland High School, for their Volleyball Program and \$250 to Mainland High School, for their Cheer Program from the Bike Week Sponsorship Funds of Commissioner Dannette Henry.

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 - Alcohol Distance Separation \(pp. 369-379\)](#)

Ordinance on second reading - PUBLIC HEARING amending Article 6, Section 6.21 of the Land Development Code (LDC), to remove the 200 foot distance separation requirement between places of worship and establishments licensed to sell or serve alcoholic beverages for on-premise consumption.

Dennis Mrozek, Planning Director, to report.

Recommendation: Planning Board recommends approval 6-0

Action: Motion to adopt the Ordinance.

9.B. [Development and Administrative Services, Planning Division - Land Development Code Text Amendment Encourage Affordable Housing with the PD Rezoning Process \(pp. 380-412\)](#)

Ordinance on second reading - PUBLIC HEARING amending the Land Development Code (LDC), Section 3.4.F (Application-Specific Procedures, Planned Developments), Section 4.8 (Planned Development Zoning Districts), and Section 11.5 (Definitions), to encourage and define affordable

housing and to add specific procedures and standards for the review and approval of Planned Development Districts.

Dennis Mrozek, Planning Director, to report.

Recommendation: Planning Board recommends approval 5-1

Action: Motion to adopt the Ordinance.□

9.C. [Development and Administrative Services, Planning Division - Walkers Green - Large Scale Comprehensive Plan Amendment \(pp. 413-460\)](#)

Ordinance on second reading - PUBLIC HEARING approving a Large Scale Comprehensive Plan Amendment (LSCPA) amending Neighborhood “R”, Issue (e) and Policy (1), to modify the upland buffer requirements to allow for reasonable use of the property. The existing future land use classification is Level 1 Residential for 391+/- acres of land. The property is generally located on the west side of Williamson Blvd. south of Beville Road and north of the Williamson Blvd. overpass of Interstate-95. Applicant: Glenn D. Storch, Esq., Storch Law Firm, on behalf of Masroc Land LP.

****This item was continued from the October 7, 2020 City Commission meeting at the request of the Applicant****

Dennis Mrozek, Planning Director, to report.

Recommendation: Planning Board recommends approval 5-0.

Action: Motion to adopt Ordinance.

9.D. [Development and Administrative Services, Planning Division - Walkers Green - Rezoning to Planned Development - General \(PD-G\) \(pp. 461-525\)](#)

Ordinance on second reading - Quasi-Judicial Hearing rezoning 391± acres of land generally located on the west side of Williamson Blvd., south of Beville Road and north of the Williamson Blvd. overpass of Interstate-95, from Agricultural (AG) zoning to Planned Development – General (PD-G), to allow for a 589 unit residential development. Applicant: Glenn D. Storch, Esq., Storch Law Firm, on behalf of Masroc Land LP.□

****This item was continued from the October 7, 2020 City Commission meeting at the request of the Applicant****

Dennis Mrozek, Planning Director, to report.

Recommendation: Planning Board recommends approval 5-0.

Action: Motion to adopt Ordinance.

9.E. [Development and Administrative Services, Planning Division - Project](#)

[Epsilon - Large Scale Comprehensive Plan Amendment \(pp. 526-648\)](#)

Ordinance on first reading - PUBLIC HEARING - approving a Large Scale Comprehensive Plan Amendment for 65.4± acres of land, generally located northeast of the intersection of Clyde Morris Boulevard and LPGA Boulevard, changing the Future Land Use Map designation for 59.2± acres of land from Level 1 Residential (L1R), Level 2 Residential (L2R) and Potentially Environmentally Sensitive (PES), to Mixed Use (MU) and Potentially Environmentally Sensitive (PES); and amending the Future Land Use Element, Neighborhood “K”, creating Issue (g), Policy (1) limiting the entire 65.4± acres to a maximum of 200,000 square feet of commercial development and 300 dwelling units. Applicant: Robert Merrell, Esq., Cobb Cole, on behalf of CRISP39-6, LLC & CRISP39-7, LLC.

Dennis Mrozek, Planning Director, to report.

Recommendation: Planning Board recommends approval 7-to-0

Action: Motion to pass Ordinance on first reading.

Note: If passed, Public Hearing, December 18, 2020.

9.F. [Development and Administrative Services, Planning Division - Project Kappa - Large Scale Comprehensive Plan Amendment \(pp. 649-737\)](#)

Ordinance on first reading - PUBLIC HEARING - approving a Large Scale Comprehensive Plan Amendment, for 9.8± acres of land, generally located southeast of the intersection of Clyde Morris Boulevard and LPGA Boulevard, changing the Future Land Use Map designation from General Industrial (GI), to Mixed Use (MU); and amending the Future Land Use Element Neighborhood “K”, creating new issue (h) and policy (1) limiting commercial development to a maximum 125,000 square-feet, and residential density to 200 dwelling units. Applicant: Robert Merrell, Esq., Cobb Cole, on behalf of CRISP39-7, LLC.

Dennis Mrozek, Planning Director, to report.

Recommendation: Planning Board recommends approval 7-to-0

Action: Motion to pass Ordinance on first reading.

Note: If passed, Public Hearing, December 18, 2020.

9.G. [Utilities Department - Florida Department of Environmental Protection - Drinking Water State Revolving Loan - 2020 Facilities Plan Adoption \(pp. 738-821\)](#)

Resolution - PUBLIC HEARING - adopting the 2020 Drinking Water Facilities Plan. The following are the priority City projects and the loan amounts:

- Ozone System Replacement \$6,693,000
- Lime System Upgrade \$3,588,000
- Potable Water Tank and Pump Station \$9,163,080

The Utilities Department's Capital Improvement Plan includes a prioritized list of improvements to the water treatment system and distribution system. In order to fund some of these projects, the Utilities Department is applying for funding through the Florida Department of Environmental Protection's (FDEP's) Drinking Water State Revolving Fund (SRF) low interest rate loan program. To be eligible to apply for an SRF loan, a Drinking Water Facilities Plan document must be submitted to FDEP. Once approved, projects included in the Facilities Plan are eligible for funding for the next five years. The requirements of a Facilities Plan are set forth in Chapter 62-503.700(2) F.A.C. This Facilities Plan has been reviewed by the State Clearinghouse. Approval of the Facilities Plan allows, but does not mandate, the City to move forward with the SRF loan process.

Shannon Ponitz, Utilities Director, to report.

Recommendation: Utilities Director recommends adoption of the Resolution.

Action: Motion to adopt the Resolution.

10. ADMINISTRATIVE ITEMS.

10.A. [Finance Department - Utility System Drinking Water State Revolving Fund \(DW SRF\) Loan 2021 \(pp. 822-827\)](#)

Ordinance on first reading authorizing the issuance of debt from the Florida Department of Environmental Protection (FDEP) Drinking Water State Revolving Fund (DW SRF) Program secured by water and sewer utility revenues in an amount not to exceed \$25,000,000 to fund utility system improvements. DW SRF Program is used to take advantage of a low interest rate loan; flexible disbursement draw system; and reduced arbitrage reporting requirements. The loan proceeds will cover costs including program service fees, closing costs, and capitalized interest for the planning, designing, and constructing of drinking water system improvements. The loan agreement amount will be modified after the design is completed and bid prices are received or as grants are secured. The interest rate is not set until the loan agreement is approved so debt service is based on an estimated interest rate of 1.50 percent per annum. Currently, there is a need for the following list of projects with an expected loan disbursement draw of \$19,444,080 and a corresponding annual debt service of \$1,128,900.

- Ozone System Replacement

- Lime System Upgrade
- Potable Water Tank and Pump Station

The source of funds for the repayment of this loan is the net water and wastewater utility system revenues after payment of operating and maintenance expenses and other debt service. Debt service payment does not begin until six months after the project construction completion which is expected to be in FY2022-2023 and the payments will be included in the appropriate adopted budget for the Water and Sewer Fund. Based on staff and consultants' assumptions, the Water and Sewer Fund will have sufficient funds available to pay the debt service without an additional rate increase above the annual price index adjustments.

Patricia Bliss, Chief Financial Officer, to report.

Recommendation: Chief Financial Officer recommends passing the Ordinance on first reading.

Action: Motion to pass Ordinance on first reading.

Note: If passed, Public Hearing, November 4, 2020.

10.B. [Development and Administrative Services, Planning Division - Project Epsilon - Rezoning to Planned Development - General \(PD-G\) \(pp. 828-886\)](#)

Ordinance on first reading - to rezone 65± acres of land generally located on the northside of LPGA Boulevard, 780± feet from Clyde Morris Boulevard, from Volusia County zoning to Planned Development – General (PD-G), to allow for a mixed use development. Applicant: Robert A. Merrell III, Esquire, Cobb Cole, on behalf of CRISP39-7, LLC.

Dennis Mrozek, Planning Director, to report.

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

Action: Motion to pass Ordinance on first reading.

Note: If passed, Public Hearing, December 18, 2020.

10.C. [Development and Administrative Services, Planning Division - Project Kappa - Rezoning to Planned Development - General \(PD-G\) \(pp. 887-934\)](#)

Ordinance on first reading - to rezone 9.8± acres of land generally located south of LPGA Boulevard, 1,800± feet east of Clyde Morris Boulevard, from General Industry (M3) zoning to Planned Development – General (PD-G), to allow for the development of a compensating storage pond and/or commercial development. Applicant: Robert A. Merrell III, Esquire, Cobb Cole, on behalf of CRISP39-7, LLC.

Dennis Mrozek, Planning Director, to report.

Recommendation: Planning Board recommends approval 7-to-0

Action: Motion to pass Ordinance on first reading.

Note: If passed, Public Hearing, December 18, 2020.

10.D. [Development and Administrative Services, Planning Division - First Amendment to Grande Champion Combined Tracts 26, 28 & 29 - Rezoning to Planned Development - General \(PD-G\) \(pp. 935-1002\)](#)

Ordinance on first reading approving the First Amendment to the Grande Champion Combined Tracts 26, 28, and 29 PD to allow for the development of 357 single-family dwellings on Tract 28 of the Grande Champion subdivision, consisting of approximately 108.5± acres generally located north of West International Speedway Boulevard, West of the Tomoka River, and South of Champions Drive. Applicant: Robert A. Merrell III, Esquire, Cobb Cole, on behalf of LPGA Venture Holdings, LLC.

Dennis Mrozek, Planning Director, to report.

Recommendation: Planning Board recommends approval 5-1.

Action: Motion to pass Ordinance on first reading.

Note: If passed, Public Hearing, November 4, 2020.

10.E. [Development and Administrative Services, Planning Division - West Speedway Town Center- Rezoning to Planned Development - General \(PD-G\) \(pp. 1003-1088\)](#)

Ordinance on first reading - to rezone 177.9± acres of property generally located in the northwest quadrant of West International Speedway Boulevard and Grande Champion Boulevard intersection from Planned Development – General (PD-G) to Planned Development – General (PD-G) to allow for a mixed use development including residential, commercial, and light industrial uses. Applicant: Robert A. Merrell III, Esquire, Cobb Cole, on behalf of LPGA Venture Holdings LLC.

Dennis Mrozek, Planning Director, to report.

Recommendation: Planning Board recommends approval 6-0.

Action: Motion to pass Ordinance on first reading.

Note: If passed, Public Hearing, November 4, 2020.

10.F. [Development and Administrative Services, Planning Division - Reserve at Strickland - Rezoning to Planned Development - General \(PD-G\) and Preliminary Plat \(pp. 1089-1150\)](#)

Ordinance on first reading - to rezone 29.7± acres of property generally located at the southeast corner of Strickland Range Road and Clyde Morris Boulevard, from Volusia County Urban Single Family Residential (R-2), to Planned Development – General (PD-G), to allow for the development of a townhome subdivision and professional office/medical office complex, with associated site improvements. This request also includes the preliminary plat for the Reserve at Strickland townhome subdivision, to be developed with a maximum of 172 townhome lots. Applicant: Mark A. Watts, Esquire, Cobb Cole, on behalf of CRISP39-6 LLC, and ADJ Strickland, LLC.

Dennis Mrozek, Planning Director, to report.

Recommendation: Planning Board recommends approval 5-to-1.

Action: Motion to pass Ordinance on first reading.

Note: If passed, Public Hearing, December 4, 2020.

10.G. [City Manager's Office - Citizens' Police Review Board - Appointments \(pp. 1151-1156\)](#)

Resolution appointing seven members and one advisor to the Citizens' Police Review Board. The board shall be composed of seven members appointed by the City Commission. To the extent possible, the board shall reflect the racial, ethnic and cultural diversity of the city. Five of the members shall be residents and qualified electors. The remaining two members shall have experience or training in one or more of the following fields: criminal justice, law enforcement, defensive tactics, legal or military and shall be residents of the city and qualified electors or have their principal place of business in the city. An Advisor shall also be appointed which will be a non-voting member. We have received 46 applications with 33 individuals indicating special experience and/or knowledge. Because all 46 individuals except for one are electors of the City, those that are not chosen for the specialized positions are also eligible for the non-specialized positions. It was voted upon by the Commission that each Commissioner and the Mayor would appoint one person and the Mayor would also appoint an advisor.

Betty Goodman, Assistant City Manager, to report.

Recommendation: Commission action.

Action: Motion to adopt the Resolution.

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

12. ADJOURNMENT.

13. PUBLIC COMMENT FORUM - During this time Citizens are allowed 2.5

minutes to speak on any topic. Please be courteous and respectful of the views of other speakers. Personal attacks on the City Cmmission, City Staff or members of the public are not allowed.