



**THE CITY OF DAYTONA BEACH
BUSINESS MEETING OF THE CITY COMMISSION
MARCH 3, 2021
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.

	<p>For special accommodations, please notify the City Clerk's Office at least 72 hours in advance. (386) 671-8020</p>		<p>Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained from the City Clerk's Office.</p>
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In accordance with the Americans with Disabilities Act (ADA), persons 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 the Minutes](#)

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Approval of the Minutes of the June 26, 2020 Special City Commission Meeting, the August 24, 2020 Meeting Declaring the Results of the Primary Election, the August 26, 2020 Daytona Emerging Workshop; and the September 28, 2020 Executive Search City Commission Workshop.

5. **AGENDA APPROVAL.**

THOSE MATTERS INCLUDED UNDER THE CONSENT AGENDA ARE SELF-EXPLANATORY AND ARE NOT EXPECTED TO REQUIRE REVIEW OR DISCUSSION. ITEMS WILL BE ENACTED BY ONE MOTION. IF DISCUSSION IS DESIRED BY ANY MEMBER OF THE COMMISSION, THAT ITEM MUST BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

6. **PRESENTATION.**

- 6.A. [No Presentation](#)
No presentation.

7. CITIZENS.

7.A. PUBLIC COMMENTS BY THE PEOPLE ADDRESSING THE CITY COMMISSION

EMERGENCY PROCEDURES FOR PUBLIC MEETINGS AND 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 in-person public comments at City Hall, for public meetings of the City Commission and the various City Boards.

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. 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 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 comment on propositions coming before the City Commission or Board for a vote, subject to these City procedures and all social distancing requirements recommended by the Federal Centers For Disease Control and Prevention. The Commission Chambers will be closed for in-person attendance by the public. The City Hall 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 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 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 \(pp. 16-18\)](#)

RESOLUTION EXTENDING THE LOCAL STATE OF EMERGENCY DUE TO COVID-19 FOR AN ADDITIONAL SEVEN DAY PERIOD ENDING MARCH 10, 2021 RATIFYING MAYORAL EXECUTIVE ORDER NO. 28; AND PROVIDING AN EFFECTIVE DATE.

Recommendation: City Attorney recommends adoption of the Resolution.

8.B. [Public Works Department - Osburn Associates, Inc. - TrafficJet Xpert Print System \(pp. 19-27\)](#)□

Resolution authorizing the purchase of a TrafficJet Xpert Print System (sign printer) from Osburn Associates, Inc., P.O. Box 912, Logan, OH 43138 in the amount of \$44,350. The existing vinyl sign cutter is more than eighteen years old, the software is not windows 10 compatible, the MUTCD library is out of date, and the cutter has reached end of life making repair parts difficult to find. The new printer has the advanced capability of printing signs directly on the reflective sheeting eliminating material waste associated with cut vinyl signs and the need to stockpile rolls of different colored vinyl. Purchase includes updated software, MUTCD library, and laminator as well as on-site training and support. Bids were solicited and opened on January 28, 2021, one bid was received from Osburn Associates, Inc. Funds are available in the General Fund.

Recommendation: Public Works Director recommends adoption of the

Resolution.

8.C. [Police Department- Mutual Aid Agreement- FDLE and Child Abduction Response Team \(pp. 28-38\)](#)

Resolution approving the Mutual Aid agreement with the Florida Department of Law Enforcement (FDLE) to join the Child Abduction Response Team. This agreement will enhance our capabilities in locating abducted children when they are taken within our City limits. FDLE has mutual aid agreements with various cities and counties throughout the state of Florida. Joining the Abduction Response Team will give the Police Department access to all resources FDLE has to offer in locating the abducted child and apprehending the suspect(s). The Mutual Aid Agreement is effective through December 31, 2025.

Recommendation: Chief of Police recommends adoption of the Resolution.

8.D. [Business Enterprise Management Department - Payroc, LLC - Credit Card Merchant Processing Agreements and Terms and Conditions for the Municipal Golf Course and Florida Tennis Center - Standardization \(pp. 39-93\)](#)

Resolution approving two Credit Card Merchant Processing Agreements for the Daytona Beach Golf Club and the Florida Tennis Center with Terms and Conditions between Payroc, LLC, 1700 Higgins Road, Suite 690, Des Plaines, IL 60018 and the City of Daytona Beach for 48 months with a successive 24 month renewal period option and authorizing the Business Enterprise Management Director to sign the Merchant Processing Agreements as the City Manager's designee. Processing fees will decrease from 10 cent per transaction to 5 cent, saving the Municipal Golf Course \$4,250 and Florida Tennis Center \$1,100 annually, respectively. The estimated credit card fees for the remainder of FY 2021 is \$35,000. Funds are available in the General Fund. Funding for future years are to be budgeted accordingly.

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

8.E. [Utilities Department - USSI, LLC - Sanitary Sewer Inflow Abatement Services \(pp. 94-112\)](#)

Resolution approving issuance of a purchase order to USSI, LLC, 752 Commerce Drive, Suite 15, Venice, Florida 34292 to smoke test 12 lift station service areas in an amount not-to-exceed \$197,813.30. This request is needed to assess the condition of the sanitary sewer collection system in 12 lift station service areas to support regulatory compliance. The City

Commission adopted Resolution 2020-158 on June 17, 2020, approving a sanitary sewer collection system inflow abatement service agreement with USSI, LLC, piggybacking a City of Cape Coral Contract. Funds are available in the Water & Sewer Operating Fund.

Recommendation: Utilities Director recommends adoption of the Resolution.

8.F. [Utilities Department – L7 Construction – Contract No. 20253 - Finalizing Bethune Point Water Reclamation Facility Process Upgrades Phase I Project – Bethune Point Water Reclamation Facility \(pp. 113-221\)](#)

Resolution approving a Final Reconciliation Agreement for the Bethune Point Water Reclamation Facility – Process Upgrades Phase I Project under Contract No. 20253 and authorizing the City Manager and City Clerk to execute the Final Reconciliation Agreement with the following provisions:

- Approve Change Order No. 3 in the amount of \$21,608.52;
- Approve January 25, 2021, as the final completion date and beginning of the warranty period;
- Approve the final adjusted contract price of \$809,563.19, and
- Approve a final payment of \$64,046.25 due under the contract, which includes retainage. □

This request is needed to close out the Bethune Point Water Reclamation Facility – Process Upgrades Phase I Project under Contract No. 20253. Resolution 2020-87 was adopted by City Commission on April 15, 2020, accepting the low bid of L7 Construction, in an amount not to exceed \$750,900 for the construction of the Bethune Point Water Reclamation Facility – Process Upgrades Phase I Project.

Change Orders No. 1 and No. 2 totaled \$37,054.67 and were approved by the City Manager under Section 30-142 (a) of the Purchasing Code. Change Order No. 3, in the amount of \$21,608.52, is included in this Final Reconciliation Agreement and was needed to replace leaking gaskets and couplings on an air header pipe that reduced operational efficiency.

The final completion date for the construction of the project is January 25, 2021. The final adjusted contract price, including Change Order No. 3, for the project is \$809,563.19 which includes an overall contract price increase of \$58,663.19 for project enhancements that will help increase personnel safety, operational efficiency, as well as provide the City with cost savings during routine maintenance. Funds are available in the Renewal & Replacement - 5% Fund.

Recommendation: Utilities Director recommends adoption of the

Resolution.

8.G. [Utilities Department – Odyssey Manufacturing Company – Sodium Hypochlorite Piggyback Contract – Brennan Water Treatment Plant \(pp. 222-238\)](#)

Resolution approving a piggyback contract using a City of Edgewater contract with Odyssey Manufacturing Company, 1484 Massaro Blvd., Tampa, Florida 33619 for bulk sodium hypochlorite delivery with the following provisions:

- Exercise the contract's first renewal option;
- The term of the contract will run through April 6th, 2022 with three (3), one (1) year renewal options;
- Authorize an initial expenditure of \$230,000 in fiscal year 2021; and
- Authorize the City Manager to exercise the renewal options and expend such sums as are budgeted each year.

The purpose of this request is to reduce operational costs while maintaining the water treatment processes in accordance with state and federal operating permits. The Brennan Water Treatment Plant (WTP) produces sodium hypochlorite (liquid chlorine 1%) on-site for use in the disinfection process. The system represents one of the largest electrical demands within the WTP, requiring operation during off-peak electrical hours in an effort to minimize cost. Additionally, the system requires the greatest amount of maintenance and frequently requires the purchase of specialty components that are expensive and difficult to obtain.

The chlorine storage system was designed to accept chlorine from either the on-site generation system, or bulk delivery (liquid chlorine 12.5%). In an effort to reduce electrical and maintenance costs, the Utilities Department is switching to bulk chlorine delivery. The City of Edgewater contract has been reviewed and approved by the City's Purchasing Department and Legal Department for use by City Departments. The initial term of the City of Edgewater contract expires April 6, 2021 with four (4), one (1) year renewal options. Given the short duration between the approval of this piggyback contract and the expiration of the initial term, the Utilities Department would like to exercise the first renewal option such that the first renewal option will end in April of 2022. Funds are available in the Water and Sewer Operating Fund.

Recommendation: The Utilities Director recommends adoption of the Resolution.

8.H. [Budget Division - FY 2020/21 Meter Services Personnel Budget](#)

[Amendment \(pp. 239-244\)](#)

Resolution amending Resolution No. 20-298 (as previously amended), which adopted the FY 2020/21 budget, in order to increase revenues and operating expenditures by \$27,695. This budget amendment funds seven additional personnel in the Meter Services Division, and increases the FTE count of the city by seven positions.

Recommendation: Budget Officer recommends adoption of the Resolution.

9. PUBLIC HEARINGS.

9.A. [Development and Administrative Services, Planning Division - Grand Isle First Amended and Restated Planned District \(PD\) Agreement and Preliminary Plat \(pp. 245-317\)](#)

Ordinance on second reading - Quasi-Judicial Hearing approving an amendment to the Master Development Agreement for the Grand Isle Residential Planned Unit Development (RPUD), to allow for a 32-unit single-family subdivision with a private marina and associated site improvements. This request also includes the preliminary plat for the Grand Isle subdivision. Applicant: Joseph H. Hopkins, P.E, The Performance Group, Inc. on behalf of Shoreline Development V LLC.

Dennis Mrozek, Planning Director, to report.

Recommendation: Planning Board recommends approval 7-to-0

Action: Motion to adopt Ordinance.

10. ADMINISTRATIVE ITEMS.

10.A. [City Manager's Office - Beachside Redevelopment Board - Appointment \(pp. 318-330\)](#)

Resolution appointing two members to the Beachside Redevelopment Board. The membership terms of Amy Pyle and Marcia Tuggle have expired and they both have served two terms. The board shall consist of seven (7) members and a Planning Board member who shall serve as an ex officio nonvoting member appointed by the City Commission. Members shall reside or have their principal place of business in either the Main Street Redevelopment Area (MSRA) or the South Atlantic Redevelopment Area (SARA). A majority of the board members shall be residents of the City. We have three eligible applicants: Gary Libby, Dean Pepe and Mark McDonald.

Betty Goodman, Assistant City Manager, to report.

Recommendation: Commission action.

Action: Motion to adopt the Resolution.

10.B. [City Manager's Office - Economic Development Advisory Board - Appointments \(pp. 331-351\)](#)

Resolution appointing six members to the Economic Development Advisory Board. The membership terms of Larry McDermott, Bob Rand, Thomas Blawn, Carol Kilian, Carl Fields, Chelsea Abend and James Zeisler have expired. Mr. McDermott, Mr. Rand, Ms. Kilian and Ms Abend would like to be reappointed. We have two additional applications from Harry Lloyd and Dr. Victor Gooden.

Betty Goodman, Assistant City Manager, to report.

Recommendation: Commission action.

Action: Motion to adopt the Resolution.

10.C. [City Manager's Office - Citizens' Police Review Board - Appointments \(pp. 352-354\)](#)

Resolution appointing seven members and one advisor to the Citizens' Police Review Board. In the February 17, 2021 Commission meeting, nominations were given by each commissioner and the Mayor for members. The Mayor also made a nomination for the Advisor. It was agreed upon by the Commission that the nominees would be invited to the March 3, 2021 meeting to introduce themselves prior to the appointments. Nominees are: Amilkar Velez-Lopez-Advisor, Shirley Copeland, Theodore Doran, Eduardo Garcia, Thomas Kaczka, Irma Terry and Pierre Louis.

Betty Goodman, Assistant City Manager, to report.

Recommendation: Commission action.

Action: Motion to adopt the Resolution.

10.D. [City Manager's Office - First Step Shelter Board of Directors - Appointment \(pp. 355-360\)](#)

Resolution appointing one member to the Board of Directors for the First Step Shelter, Inc. All Board appointments are made by the City of Daytona Beach City Commission by way of Resolution. Appointees consist only of individuals or representatives of government agencies or corporate entities, contributing funding, property, expertise or other forms of assistance toward the First Step Shelter Program. This agenda item is to appoint Joan Campanaro.

Betty Goodman, Assistant City Manager, to report.

Recommendation: Commission action.
Action: Motion to adopt the Resolution.

10.E. [Development and Administrative Services - Bethune-Cookman University Special Event Approval **Addendum added 03-02-21**](#)

Resolution approving Bethune-Cookman University's request to allow a Special Event on several properties throughout the university campus. The special event will be held in conjunction with Bike Week 2021 Master Plan activities. Dates for the special event are from Friday March 5, 2021 to Sunday, March 14, 2021.

James Morris, Deputy City Manager, Development and Administrative Services, to report.

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

Action: Motion to adopt 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 Commission, City Staff or members of the public are not allowed.