

MINUTES

REGULAR MEETING – CITY COMMISSION

February 03, 2021

Minutes of the Regular Business Meeting of the City Commission of The City of Daytona Beach, Florida, held on Wednesday, February 03, 2021 at 6:00 p.m., in the Commission Chambers, City Hall, 301 South Ridgewood Avenue, Daytona Beach, Florida.

1. Roll Call.

Commissioner Paula Reed	Present
Commissioner Ruth Trager	Present
Commissioner Aaron Delgado	Present
Commissioner Quanita May	Present
Commissioner Stacy Cantu	Present
Commissioner Dannette Henry	Present
Mayor Derrick Henry	Present

Also Present:

James Chisholm, City Manager
Robert Jagger, City Attorney
Letitia LaMagna, City Clerk

2. No Invocation

3. No Pledge of Allegiance

4A. APPROVAL OF MINUTES

Approval of the Minutes of the the December 16, 2020 Regular City Commission Meeting held at City Hall, 301 S. Ridgewood Avenue, Daytona Beach, Florida.

It was moved by Commissioner Trager to approve the minutes. Seconded by Commissioner May. The motion passed 7-to-0 with the breakdown as follows:

Commissioner Reed	Yea
Commissioner Trager	Yea
Commissioner Delgado	Yea
Commissioner May	Yea
Commissioner Cantu	Yea
Commissioner Henry	Yea
Mayor Henry	Yea

5. AGENDA APPROVAL

James Chisholm, City Manager read the Agenda with changes as follows:

Change Agenda Item 10C to an Ordinance on First Reading with the Public Hearing on February 17, 2021.

Add Item 10I - City Commission Discussion to the Administrative items.

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

Commissioner Reed	Yea
Commissioner Trager	Yea
Commissioner Delgado	Yea
Commissioner May	Yea
Commissioner Cantu	Yea
Commissioner Henry	Yea
Mayor Henry	Yea

6. PRESENTATION

A. No Presentation.

7. CITIZENS COMMENTS

John Nicholson, 413 N. Grandview Avenue, Daytona Beach, stated the County has opened up their lobby to citizens and asked the Commission to do the same.

Doyle Lewis, Daytona Beach, stated he was there in favor of the Friends of the bandshell item.

8. CONSENT AGENDA

A. Adopted/Resolution No. 2021-35 RESOLUTION EXTENDING THE LOCAL STATE OF EMERGENCY DUE TO COVID-19 FOR AN ADDITIONAL SEVEN DAY PERIOD ENDING FEBRUARY 10, 2021 RATIFYING MAYORAL EXECUTIVE ORDER NO. 26; AND PROVIDING AN EFFECTIVE DATE. A RESOLUTION EXTENDING THE LOCAL STATE OF EMERGENCY DUE TO COVID-19 FOR AN ADDITIONAL SEVEN DAY PERIOD ENDING FEBRUARY 10, 2021; RATIFYING MAYORAL EXECUTIVE ORDER NO. 26; AND PROVIDING AN EFFECTIVE DATE.

B. Adopted/Resolution No. 2021-36 renewing Trend Micro and Tipping Point Cyber Security Systems and Services from SHI International Corp, 33 Knightsbridge Rd. Piscataway NJ 08854 in the amount of \$83,644.81. This renewal is \$21,201.28 less than last year due to non-recurring expenses incurred in the previous year. Effective period of coverage for these services is from 3/26/2021 to 3/25/2022. These purchases support the City’s computer network monitoring and risk mitigation program. Trend Micro’s suite of security offerings include Workstation and Server Antivirus Protection, Managed Services, Threat Detection and Response, Cloud based Protection including Email Filtering, and SharePoint and OneDrive Antivirus and Malware Protection. This is a cooperative purchase; subject to the terms, conditions, and pricing of the OMNIA Partners IT Solutions Contract #2018011-02. The OMNIA IT Solutions contract includes section 19 for termination for convenience, and section 21 for termination for nonappropriation of funds. A RESOLUTION APPROVING RENEWAL OF TREND MICRO AND TIPPING POINT CYBER SECURITY SYSTEMS AND SERVICES FROM SHI

INTERNATIONAL CORPORATION IN THE AMOUNT OF \$83,644.81, UNDER THE TERMS AND CONDITIONS OF OMNIA PARTNERS IT SOLUTIONS CONTRACT; AND PROVIDING AN EFFECTIVE DATE.

- C. Adopted/Resolution No. 2021-37 to vacate a portion of an existing utility easement and accept a new easement from Palm Investments 2011 LLC, 500 Fentress Boulevard, Daytona Beach, FL. The easement is located approximately 1,500' south of the Dunn Avenue/Fentress Boulevard intersection. The utility easement, to be accepted, will be dedicated to the City of Daytona Beach to allow for maintenance access to a relocated 8" forcemain approved for the development of Liberty Industrial Park (DEV2016-095). There is no cost associated with the granting and conveyance of the easement. A RESOLUTION VACATING A PORTION OF AN EXISTING UTILITY EASEMENT AND ACCEPTING A NEW UTILITY EASEMENT FROM PALM INVESTMENTS 2011 LLC, OVER AND UNDER PROPERTY LOCATED APPROXIMATELY 1,500' SOUTH OF THE DUNN AVENUE/FENTRESS BOULEVARD INTERSECTION; AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE ANY DOCUMENTS NECESSARY TO GIVE EFFECT TO THIS RESOLUTION; DIRECTING THE CITY CLERK TO RECORD THE EASEMENT IN THE VOLUSIA COUNTY PUBLIC RECORDS; AND PROVIDING AN EFFECTIVE DATE.
- D. Adopted/Resolution No. 2021-38 ratifying an emergency contract with Danus Utilities, Inc., 2320 Beardall Avenue, Sanford, Florida 32771, to perform emergency repairs at Lift Station No. 39 with a final contract amount of \$56,369. This request is needed to fully comply with City Purchasing Code Section 30-52(b) Emergency Purchases. Lift Station No. 39 is a City-owned triplex master lift station constructed in the 1960s and serves a large portion of the City's northern beachside area. The lift station's discharge piping was corroded and leaking which contributed to flow re-entering the lift station. The discharge piping was approximately 14 feet below ground level, making this repair unable to be completed by City crews. The emergency repairs at Lift Station No. 39 were completed in January 2021. Utilities requested quotes from three companies to perform the emergency repairs at Lift Station No. 39. Based upon review of the bids, Danus Utilities, Inc., was the lowest, best responsive bidder, with a total project cost of \$56,369. No additional funds are associated with this request. A RESOLUTION RATIFYING THE CITY MANAGER'S EXECUTION OF THE PROJECT-SPECIFIC CONSTRUCTION CONTRACT WITH DANUS UTILITIES, INC., FOR THE EMERGENCY REPAIRS PERFORMED TO LIFT STATION NO. 39 IN THE AMOUNT OF \$56,369; AND PROVIDING AN EFFECTIVE DATE.
- E. Adopted/Resolution No. 2021-39 approving the request by Friends of the Bandshell to host their 2021 Summer Concert Series at the Daytona Beach Bandshell. At the July 1, 2020 City Commission meeting, the Commission voted to allow the Friends of the Bandshell to proceed with the Summer Concert Series at the Bandshell. The operational rules approved by the City Commission were followed by the Friends of the Bandshell and the concert series was a success. Friends of the Bandshell would like the City Commission to approve their plans to host the 2021 Summer Concert Series at the Bandshell (unless public health safety concerns as determined at the sole discretion of the Commission make it necessary to terminate or abate the event). Friends of the Bandshell have submitted an operational safety plan following current CDC standards. The safety plan is part of the agenda package attached hereto. If the Commission approves the Friday/Saturday Bandshell concert series to proceed, it is proposed that the operational plan standards will be followed. A RESOLUTION APPROVING THE FRIENDS OF THE BANDSHELL'S 2021 SUMMER CONCERT SERIES AND SAFETY PLAN AT THE DAYTONA BEACH BANDSHELL; AND PROVIDING AN EFFECTIVE DATE.
- F. Adopted/Resolution No. 2021-40 authorizing the early renewal and updated terms and conditions for the collection and disposal of solid waste and recyclable materials contract with Waste Pro Services of Florida, Inc., P.O. Box 4530, St. Augustine, Florida 32085-4530 for a ten-year term ending

September 20, 2032. This renewal is based upon a finding of substantial economic benefit to the City, residents, and property owners of Daytona Beach and record of excellent service to stabilize the cost of Solid Waste Services in the City for an additional 10 years without a reduction in the quality of services, or an increase in rates. The current Solid Waste and Recyclable Materials Contract with Waste Pro Services of Florida, Inc. was approved on April 4, 2012, by Resolution 12-235 after negotiations with Waste Pro for an advantageous Agreement to benefit the City, the residents, and property owners of the City, and contains provisions for renewal of the contract. A RESOLUTION APPROVING THE FIRST AMENDMENT TO CONTRACT FOR SOLID WASTE COLLECTION, DISPOSAL AND TRANSPORTATION SERVICES BETWEEN THE CITY AND WASTE PRO SERVICES OF FLORIDA, INC., EXTENDING THE INITIAL TERM UNTIL SEPTEMBER 30, 2032, PROVIDING FOR 10-YEAR RENEWAL TERMS, REQUIRING VEHICLE FLEET REPLACEMENT AND PROVIDING FOR OTHER OPERATIONAL MODIFICATION; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE AMENDMENT TO THE CONTRACT; AND PROVIDING AN EFFECTIVE DATE

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

Commissioner Reed	Yea
Commissioner Trager	Yea
Commissioner Delgado	Yea
Commissioner May	Yea
Commissioner Cantu	Yea
Commissioner Henry	Yea
Mayor Henry	Yea

9. PUBLIC HEARINGS

- A. Adopted/Ordinance No. 2021-41 amending Article 5 (Use Standards), Section 5.2 (Principal Use), Table 5.2.A.2 of the Land Development Code, to re-establish Furniture or Appliance Store uses as a permitted use in the BR-1, BR-2, BA, RDB-2, RDB-3, RDB-5, RDD-1, RDD-2, RDD-3, RDD-4; and to add the uses as permitted uses in the M-1, RDD-5, RDD-7, RDM-3, and RDM-5 zoning districts. City Clerk LaMagna read the Ordinance on second and final reading by title only. AN ORDINANCE AMENDING THE PRINCIPAL USE TABLES LOCATED IN ARTICLE 5, § 5.2 OF THE LAND DEVELOPMENT CODE (“LDC”), TO ADD “FURNITURE OR APPLIANCE STORE” AS A PERMITTED USE IN THE BR-1, BR-2, BA, M-1, RDB-2, RDB-3, RDB-5, RDD-1, RDD-2, RDD-3, RDD-4, RDD-5, RDD-7, RDM-3 AND RDM-5 ZONING DISTRICTS, SUBJECT TO USE-SPECIFIC STANDARDS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

No comments.

It was moved by Commissioner Reed to adopt the Ordinance. Seconded by Commissioner May. The Ordinance was adopted 7-to-0 with the breakdown as follows:

Commissioner Reed	Yea
Commissioner Trager	Yea
Commissioner Delgado	Yea
Commissioner May	Yea
Commissioner Cantu	Yea

Commissioner Henry Yea
 Mayor Henry Yea

- B. Adopted/Ordinance No. 2021-42 approving a Large Scale Comprehensive Plan Amendment for 118± acres of land, generally located on the west side of North Clyde Morris Boulevard and the northwest quadrant of the LPGA Boulevard and Clyde Morris Boulevard intersection, changing the Future Land Use Map designation for 70.1± acres of the 118± acre parcel from Level 1 Residential (L1R), Office Transition (OT) and Potentially Environmentally Sensitive (PES), to Mixed Use (MU) and Potentially Environmentally Sensitive (PES); amending the Future Land Use Element, Neighborhood “K”, creating Issue (i), Policies limiting commercial development to 600,000 square feet, and residential density shall be limited to 700 dwelling units; and preserving the PES land use overlay through development techniques and implementing the City's wetland regulations. Applicant: Robert A. Merrell III, Esquire, Cobb Cole, on behalf of CRISP39-6 LLC & CRISP39-7 LLC. City Clerk LaMagna read the Ordinance on second and final reading by title only. AN ORDINANCE ADOPTING COMPREHENSIVE PLAN AMENDMENTS IN ACCORDANCE WITH CH. 163, PART II, FLORIDA STATUTE, IN RELATION TO 118± ACRES OF PROPERTY (“SUBJECT PROPERTY”) LOCATED ON THE WEST SIDE OF NORTH CLYDE MORRIS BOULEVARD AND THE NORTHWEST QUADRANT OF LPGA BOULEVARD AND CLYDE MORRIS BOULEVARD INTERSECTION; AMENDING THE FUTURE LAND USE MAP DESIGNATION OF AN 70.1± ACRE SECTION OF THE SUBJECT PROPERTY FROM LEVEL 1 RESIDENTIAL, OFFICE TRANSITION AND POTENTIALLY ENVIRONMENTALLY SENSITIVE, TO MIXED USE AND POTENTIALLY ENVIRONMENTALLY SENSITIVE; AMENDING THE FUTURE LAND USE ELEMENT, NEIGHBORHOOD K DEVELOPMENT POLICY, TO ALLOW FOR RESIDENTIAL AND LIMITED COMMERCIAL DEVELOPMENT OF THE SUBJECT PROPERTY, SUBJECT TO CONDITIONS; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

No comments.

It was moved by Commissioner Delgado to adopt the Ordinance. Seconded by Commissioner May. The Ordinance was adopted 7-to-0 with the breakdown as follows:

Commissioner Reed Yea
 Commissioner Trager Yea
 Commissioner Delgado Yea
 Commissioner May Yea
 Commissioner Cantu Yea
 Commissioner Henry Yea
 Mayor Henry Yea

- C. Adopted/Ordinance No. 2021-43 to rezone 118± acres of land, generally located on the west side of North Clyde Morris Boulevard and the northwest quadrant of the LPGA Boulevard and Clyde Morris Boulevard intersection, from “Volusia County” Urban Single-Family Residential (R-2) and “City” Residential/Professional (R/P) to Planned Development-General (PD-G), to allow for a mixed-use development, including a variety of residential, commercial, institutional, and light industrial uses, as well as compensatory storage as a principal use. Applicant: Robert A. Merrell III, Esq., Cobb Cole, on behalf of CRISP39-6 LLC & CRISP39-7 LLC. City Clerk LaMagna read the Ordinance on second and final reading by title only. City Clerk LaMagna read the Ordinance on second and final reading by title only. AN ORDINANCE AMENDING THE ZONING MAP OF THE LAND DEVELOPMENT CODE TO REZONE 118± ACRES OF PROPERTY GENERALLY LOCATED ON THE WEST SIDE OF NORTH CLYDE MORRIS BOULEVARD, IN THE NORTHWEST

QUADRANT OF THE LPGA BOULEVARD AND CLYDE MORRIS BOULEVARD INTERSECTION, FROM R/P (RESIDENTIAL/PROFESSIONAL) AND VOLUSIA COUNTY R-2 (URBAN SINGLE-FAMILY RESIDENTIAL) TO PD-G (PLANNED DEVELOPMENT-GENERAL); APPROVING THE PROJECT SIGMA PLANNED DISTRICT AGREEMENT, AUTHORIZING DEVELOPMENT OF THE PROPERTY WITH A VARIETY OF RESIDENTIAL, COMMERCIAL, INSTITUTIONAL, AND LIGHT INDUSTRIAL USES, INCLUDING COMPENSATORY STORAGE, SUBJECT TO CONDITIONS; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE AGREEMENT; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

No comments.

It was moved by Commissioner May to adopt the Ordinance. Seconded by Commissioner Reed. The Ordinance was adopted 7-to-0 with the breakdown as follows:

Commissioner Reed	Yea
Commissioner Trager	Yea
Commissioner Delgado	Yea
Commissioner May	Yea
Commissioner Cantu	Yea
Commissioner Henry	Yea
Mayor Henry	Yea

- D. Adopted/Ordinance No. 2021-44 approving a Large Scale Comprehensive Plan Amendment for 37.1± acres of land, generally located in the southeast quadrant of the Williamson Boulevard and Strickland Range Road intersection changing the Future Land Use Map designation from Level 1 Residential (L1R) Office Transition (OT) and Potentially Environmentally Sensitive (PES), to Mixed Use (MU) and Potentially Environmentally Sensitive (PES) amending the Future Land Use Element Neighborhood “K” creating Issue (j) Policies limiting commercial development to 400,000 square feet and residential density shall be limited to 14 units per acre and preserving the PES overlay through development techniques and implementing the City's wetland regulations. Applicant: Robert A. Merrell III, Esquire, Cobb Cole, on behalf of CRISP39-6 LLC. City Clerk LaMagna read the Ordinance on second and final reading by title only. AN ORDINANCE ADOPTING COMPREHENSIVE PLAN AMENDMENTS IN ACCORDANCE WITH CH. 163, PART II, FLORIDA STATUTE; AMENDING THE FUTURE LAND USE MAP DESIGNATION OF 37.1± ACRES OF LAND GENERALLY LOCATED IN THE SOUTHEAST QUADRANT OF THE WILLIAMSON BOULEVARD AND STRICKLAND RANGE ROAD INTERSECTION, FROM LEVEL 1 RESIDENTIAL, OFFICE TRANSITION, AND POTENTIALLY ENVIRONMENTALLY SENSITIVE, TO MIXED USE AND POTENTIALLY ENVIRONMENTALLY SENSITIVE; AMENDING THE FUTURE LAND USE ELEMENT, NEIGHBORHOOD K DEVELOPMENT POLICY, TO ALLOW FOR RESIDENTIAL AND LIMITED COMMERCIAL DEVELOPMENT OF THE PROPERTY, SUBJECT TO CONDITIONS; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

No comments.

It was moved by Commissioner Delgado to adopt the Ordinance. Seconded by Commissioner May. The Ordinance was adopted 7-to-0 with the breakdown as follows:

Commissioner Reed	Yea
Commissioner Trager	Yea
Commissioner Delgado	Yea
Commissioner May	Yea
Commissioner Cantu	Yea
Commissioner Henry	Yea
Mayor Henry	Yea

- E. Adopted/Ordinance No. 2021-45 to rezone 37.1± acres of land, generally located in the southeast quadrant of the Williamson Boulevard and Strickland Range Road intersection, from Volusia County Urban Single-Family Residential (R-2), to Planned Development –General, to allow for a mixed-use development, including a variety of residential, commercial and institutional uses, as well as compensatory storage as a principal use. Applicant: Robert A. Merrell III, Esq., Cobb Cole, on behalf of CRISP39-6 LLC. City Clerk LaMagna read the Ordinance on second and final reading by title only. AN ORDINANCE AMENDING THE ZONING MAP OF THE LAND DEVELOPMENT CODE TO REZONE 37.1± ACRES OF PROPERTY GENERALLY LOCATED IN THE SOUTHEAST QUADRANT OF THE WILLIAMSON BOULEVARD AND STRICKLAND RANGE ROAD INTERSECTION, FROM VOLUSIA COUNTY R-2 (URBAN SINGLE-FAMILY RESIDENTIAL) TO PD-G (PLANNED DEVELOPMENT–GENERAL); APPROVING THE PROJECT THETA PLANNED DISTRICT AGREEMENT, AUTHORIZING DEVELOPMENT OF THE PROPERTY WITH RESIDENTIAL, COMMERCIAL AND INSTITUTIONAL USES, INCLUDING COMPENSATORY STORAGE, SUBJECT TO CONDITIONS; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE AGREEMENT; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

No comments.

It was moved by Commissioner May to adopt the Ordinance. Seconded by Commissioner Delgado. The Ordinance was adopted 7-to-0 with the breakdown as follows:

Commissioner Reed	Yea
Commissioner Trager	Yea
Commissioner Delgado	Yea
Commissioner May	Yea
Commissioner Cantu	Yea
Commissioner Henry	Yea
Mayor Henry	Yea

- F. Adopted/Resolution No. 2021- 46 approving the request by Zone 5 City Commissioner, Dannette Henry, to name the newly renovated multipurpose field at Derbyshire Park, located at 849 Derbyshire Road the “Norma J. Bland Football & Soccer Field”, to commemorate Mrs. Bland’s contributions to the City of Daytona Beach. City Clerk LaMagna read the Resolution by title only. A RESOLUTION NAMING THE NEWLY RENOVATED MULTIPURPOSE FIELD AT DERBYSHIRE PARK “NORMA J. BLAND FOOTBALL & SOCCER FIELD”; AND PROVIDING AN EFFECTIVE DATE.

Betty Goodman, Assistance City Manager stated this Agenda item is to approve the naming of the newly renovated multipurpose field at Derbyshire Park, located at 849 Derbyshire Road the “Norma J. Bland Football & Soccer Field”, to commemorate Mrs. Bland’s contributions to the City of Daytona Beach. She stated we all know how passionate Ms. Bland was about the City, especially the

Derbyshire area in Zone 5 and that she never missed an opportunity to let us know what she felt. She stated when the City first initiated the Citizens Academy, Norma was the first person to call to let her know that this was a good idea and she signed up and completed the class. She stated there are a number of examples she could give about Norma's contributions and if this action is approved tonight, they will plan a formal dedication. She stated Norma's son and sister were present tonight.

Commissioner Henry stated she is so happy to ask for their support of this request because not only was Ms. Bland passionate about the City, she was extremely passionate about the youth and wanted to make sure they had everything that was good and perfect and would let you know if they didn't. She stated Ms. Bland was a graduate of the great Bethune-Cookman University where she earned her Masters' Degree and was in the process of working on her second Masters' Degree at the time of her passing. She stated she was very passionate about feeding the community and had requested that the City create a community garden but her family has decided they would rather have an actual building named in her honor instead and she felt that Ms. Bland would be alright with that. She stated she had numerous awards and had served tirelessly on the NAACP Council and she spent many hours on the phone with her just talking about things that were happening in Daytona Beach and how the City has progressed from the time when she grew up. She stated she could not think of anything more befitting than to name this facility after someone who gave so much to this City and who loved this City and someone she misses and loved dearly.

Ralph Walton, 3921 Birkhoff Lane, Fayetteville, NC stated he was glad to be there and that he drove from Fort Bragg to be here and he thanked everyone for their kind words and for allowing him to speak. He stated upon entering the building he was greeted by people that knew his mother and they all spoke highly of her. He stated his mother passed away from COVID on July 31, 2020 and he has had the opportunity to go through her things and saw her life; it didn't just start at age 65. He stated she earned several degrees and had received a lot of accolades and certificates from the State of Florida, the NAACP and a lot of recognitions from various organizations that a lot of people didn't know about because she didn't brag about it because she knew who she was in this community. He stated those who knew his mother, didn't know her because he didn't really know her. He stated by naming something after her, the next generation will be reminded of her and curious as to who she was.

Cynthia Slater, 815 S. Kottle Circle, Daytona Beach, current President of the Daytona Beach Chapter of the NAACP stated expressed her support of the renaming. She stated growing up during the late 60's and early 70's, her older siblings were her babysitters and she would have to follow them along with Norma while they were boycotting businesses and local establishments that didn't allow African Americans into their facilities. She stated Norma was a dear friend to her and was a part of the NAACP long before she ever thought about joining the organization. She stated she left Daytona but then returned to work in her City to make a change and its befitting that the building be named in her honor because she loved her City and was always trying to right wrongs, she stood up to men, women, young and old. She stated Norma believed that she could make a difference in the lives of the young people.

Mayor Henry stated he was Ms. Bland's Commissioner before he was her Mayor and she took deep pride in Zone 5 and every Commissioner of Zone 5 knew Ms. Bland and she had them on speed dial. She cared a great deal about Zone 5 and Derbyshire is the heartbeat of Zone 5 and this new field being named in her honor as her son eluded, has helped enhance her posterity and spirit and Zone 5 will forever need her spirit, she was like the godmother of Zone 5. He stated she was front and center at the Police Department and he knows that the Chief will miss her, she cared about law and order and she also cared about justice and right and didn't want anybody to be mistreated but wanted everybody

to do what was right. He stated on one hand you would see her chastising someone and telling the police they need to be arrested and then on the other hand, she would be in court speaking on behalf of those same people. She always aspired to be on the side of right when it came to justice and at the end of the day, she always came back with passion and the world needs both. He stated he and her son Ralph were classmates and he can remember many days giving him a ride home from school. He stated with everything that his mom did for the community, the man that Ralph has become, the way he has conducted his life, taken care of his family and served his country, he was his mom's crowning joy. He stated he was grateful to know him and grateful that his mom's legacy will live on in him and he urged the Commissioners to stand with Commissioner Henry and support the motion in order that they might rightfully honor Ms. Bland.

Mr. Chisholm stated he had the pleasure of speaking with Ms. Bland on many occasions during his 16 years as City Manager about many different things, and her primary thing was she cared about people. He stated one Thanksgiving she came to him and told him she needed about 25 turkeys and he made sure she got them and she told him that she had a group of people from the community and they were going to cook the turkeys and make sure that families who needed them, got a cooked meal. He stated that's just the kind of person she was, she was very gracious and caring and will be remembered for that.

Commissioner Trager stated she thought this was so befitting because years from now, children will learn of her name and of her deeds, she was a wonderful person.

Mayor Henry stated Ms. Goodman will be working to schedule a public ceremony for the dedication.

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

Commissioner Reed	Yea
Commissioner Trager	Yea
Commissioner Delgado	Yea
Commissioner May	Yea
Commissioner Cantu	Yea
Commissioner Henry	Yea
Mayor Henry	Yea

10. ADMINISTRATIVE HEARINGS

- A. Passed/Ordinance approving revisions to various Sections in Chapter 98 – Utilities of the City’s Code of Ordinances. This request is needed to codify or clarify current Utilities’ Department and Finance Department billing practices relating to water and wastewater services; and for housekeeping purposes to remove redundancy in the Chapter resulting from additions over time. Raftelis Financial Consultants, Inc., was hired by the City in March 2020 to perform a comprehensive water and wastewater rate study. Based on this study, a proposed rate change to the retail and wholesale water, sewer, and reuse service rates; and miscellaneous fees and charges (to become effective on October 1, 2021) will be presented for consideration by the City Commission at the second reading of this ordinance. Substantive changes being made to Chapter 98 - Utilities pertaining to rates and fees are listed below. All proposed changes can be found in the Ordinance.

Section 98-32 – Amount and effective date of annual adjustments to rates, charges and fees

- Beginning in the fiscal year commencing October 1, 2022, and thereafter, the annual adjustment to rates, charges, and fees shall be the percentage change in the Consumer Price Index.

Section 98-33 – Abatements, adjustments of charges

- The addition of a once in a lifetime water and sewer bill abatement to any account holder and any occupant at the time of the event at a given address for a leak on the customer’s side of the water meter.

Section 98-89 - Application and refund of deposits

- If a single-family customer has made timely payment of monthly utility bills for twenty-four (24) consecutive months, the deposit will be refunded through a credit to the customer's utility account. City Clerk LaMagna read the Ordinance on first reading by title only.

AN ORDINANCE AMENDING CHAPTER 98, CITY CODE RELATING TO UTILITIES IN GENERAL, RATES AND CHARGES, STORMWATER UTILITY, REUSE AND RAW WATER, AND CROSS-CONNECTION CONTROL, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

Shannon Ponitz, Utilities Director, stated both items, 10A & 10B pertain to changes in the Code of Ordinance Chapter 98. She stated these changes were based on a comprehensive utility rate study by the Financial Consultant. She stated that this item removes redundancies and make revisions in chapter 98 to reflect current Utility Department’s administrative practices and Finance department’s billing practices. She stated most of the changes were housekeeping, but she highlighted in her memo some of the major changes. She stated the first thing is they are going to be establishing the date for future annual adjustments to rate, charges, and fees. She stated at the next Commission Meeting they will be bringing forward a Resolution for their consideration of the rate recommendations that are in the study. This item states the next annual adjustment by the Consumer Price Index (CPI) will not occur until October 1, 2022. This item also establishes a once in a lifetime water and sewer bill abatement for large leaks on the customer’s side of the meter. If a consumer has a catastrophic leak at their home and they have a large water and sewer bill, they will look back at your average bills and will only charge you for a normal bill. She stated this is a typical policy that a lot of municipalities have. She stated they are also establishing wholesale water, wastewater, and reuse rates for other utilities that may enter into a wholesale agreement with the City. She stated currently they only have one wholesale user, and that is the City of South Daytona. She stated lastly, it provides for refunds of the deposits for single-family residential account holders after 24 consecutive months of timely payments. She stated the rest of the items changing in the Ordinance are the housekeeping items.

Commissioner Trager stated she had a concern with Section 98-33. She stated they have residents that are parttime residents that are only here part of the year. She stated they would not know if a leak had happened. She stated it is on an account holder. She stated that a person who owns their home and has a leak, maybe more than once in a lifetime...she says that makes them sort of "second class" to someone that rents...and if the first renter takes the abatement and a second renter comes in, they won't get that abatement and she doesn't think that fair. She stated now if they have a leak and it does not go down the sewer that they abate part of the sewer. She thinks that is fair.

Ms. Ponitz stated they currently do that, and it wouldn't change with this amendment. She gave some examples of the abatement.

Commissioner May asked if the once in a lifetime referred to the account holder or the address.

Ms. Ponitz stated it is both, the account holder, and the address. The once in a lifetime is water and sewer and it is really there for a catastrophic leak.

James V. Chisholm, City Manager, stated there has to be language in this Ordinance that gives some level of discretion to the City Manager or the Utilities Director to look at these situations. He stated no one can anticipate every situation.

Commissioner May asked about the 24 consecutive months of prompt payments and how that would work.

Ms. Ponitz stated she would turn that over to Patricia Bliss,

Patricia Bliss, Chief Financial Officer, stated it is 24 months and if you are at a location and let's say rent for 12 months and then move to another location they usually transfer the deposit to new location within the City and after another 12 months and then the deposit is refunded.

Commissioner May asked if there were gaps in service.

Ms. Bliss stated they have it in the customer's name and they will have a record of them having prompt payment.

Commissioner May asked if someone is making payments on time and then has some late payments, does the 24 months start again.

Ms. Bliss state yes.

Commissioner Reed asked when the 24-month clock would start because they have clients already that currently have accounts that they have already exceed the 24-month prompt payments.

Mayor Henry clarified retroactively.

Ms. Bliss stated that is their intent to do that.

Mayor Henry clarified the Utility Bills rates don't go into effect until 2022.

Ms. Bliss stated at the next meeting they will be bringing a Resolution with new rates that will go into effect October 1, 2021. They will not be increasing the CPI until October 1, 2022.

Mayor Henry asked if the CPI is typically less than the rate they have been increasing.

Patricia Bliss stated they have been increasing by CPI all these years. The last time was 2.9 percent.

Mayor Henry stated the reason why he was asking the question.

Commissioner Delgado asked what they do at condos or apartment complex where the tenants don't have individual water accounts.

Ms. Bliss stated it would apply to the condo or apartment complex.

Commissioner Reed stated one of the biggest complaints they get is the size of the deposit.

Mayor Henry asked if there were any other questions. He thanked staff for all their work and a great explanation.

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

Commissioner Reed	Yea
Commissioner Trager	Yea
Commissioner Delgado	Yea
Commissioner May	Yea
Commissioner Cantu	Yea
Commissioner Henry	Yea
Mayor Henry	Yea

- B. Passed/Ordinance approving water and wastewater capital facilities fees based on recommendations in the Water and Wastewater Utility Rate Study prepared by Raftelis Financial Consultants, Inc., dated January 19, 2021. All capital facilities fees to become effective July 1, 2021.

Raftelis Financial Consultants, Inc., was hired by the City in March 2020 to perform a comprehensive water and wastewater rate study. As part of this study, new water and wastewater capital facilities fees have been developed. The design basis for these fees are established by setting a minimum level of service for a single family home, which is referred to as an equivalent residential connection or “ERC”. The ERC is the average capacity of water and wastewater used by a single family home, which is approximated at 250 gallons per day for both water and wastewater. All other user classifications (i.e. multi-family, hotel/motel and general services/commercial) capital facilities fees are calculated based on an appropriate factor or percentage, above or below, the typical single family ERC.

The table below shows the existing and proposed water and wastewater capital facilities fees on a per ERC basis.

	<u>Existing</u>	<u>Proposed</u>	<u>Change – Amount</u>
Water Capital Facilities Fee per ERC	\$1,376.00	\$1,580.00	\$204.00
Wastewater Capital Facilities Fee per ERC	\$1,825.00	\$2,560.00	\$735.00
Combined Capital Facilities Fees per ERC	\$3,201.00	\$4,140.00	\$939.00

City Clerk LaMagna read the Ordinance on first reading by title only. AN ORDINANCE CREATING ARTICLE VII, PUBLIC UTILITY CAPITAL FACILITY FEES OF CHAPTER 98, CITY CODE, TO ESTABLISH REVISED WATER AND WASTEWATER CAPITAL FACILITIES FEES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

Commissioner May asked if someone comes in and tears down and house and builds a new one, what would the impact fee be.

Shannon Ponitz, Utilities Director, stated if there was a house there prior and they aren’t adding any more dwelling units, then they wouldn’t owe any impact fees. She stated they would need to get a demolition permit from the Building Department so they would know that a unit was already on there. They will use old aerial photography or old plans to determine something was there prior. She stated she knows the Building Department, in years past, have worked with people to prove a structure was there.

Commissioner May asked how they arrived at that rate.

Ms. Ponitz stated with the rate study they take into account all the growth and future infrastructure needs, the City’s operating needs, and the debt service needs. They are looking at a five-year period. She stated the rate consultant could give them more information, but there is a cost to serve every customer. She gave examples of single home vs multifamily or a commercial business. She stated they are buying capacity when they develop in the City. She stated there is a chart in the Ordinance

that shows the breakdown. She showed them a comparison to other cities. She stated the City of Daytona Beach has a very old system and they have two wastewater treatment plants, and most other places only have one.

Commissioner May stated a lot of people state our impact fees are really high, and she appreciated seeing the evidence to the contrary.

Ms. Ponitz stated there is a whole study in the backup.

Letitia LaMagna, City Clerk, stated she can send the PowerPoint to the Commission.

Commissioner May stated she appreciated Ms. Ponitz expertise on this.

Mayor Henry stated he would like a presentation on the Brown & Brown project because there is a great misnomer in the community that they gave Brown & Brown four million dollars for a project to just come here. He stated they don't understand how important those infrastructure improvements are and the age of our system in the Downtown area. He would like for folks to know and see and to understand why it's important for infrastructure projects like that because now they have the capacity for future development.

It was moved by Commissioner Delgado to pass the Ordinance on first reading. Seconded by Commissioner Reed. The motion passed 6-to-0 with the breakdown as follows:

Commissioner Reed	Yea
Commissioner Trager	Yea
Commissioner Delgado	Not Present
Commissioner May	Yea
Commissioner Cantu	Yea
Commissioner Henry	Yea
Mayor Henry	Yea

- C. Adopted/Resolution No. 2021-47 approving an extension of the Tomoka Independent Living Facility Planned Development project (Tomoka ILF PD) due to the uncertainty of the Covid-19 global pandemic. The applicant is requesting the extension to allow adequate time to complete the construction while adjusting to new Covid-19 market and lending conditions. Applicant: Zachary E. Stoumbos, Esq, on behalf of THP, LLC. City Clerk LaMagna read the Resolution by title only. AN RESOLUTION EXTENDING THE PERMITTING AND PROJECT COMPLETION DEADLINES FOR THE TOMOKA INDEPENDENT LIVING PLANNED DISTRICT PROJECT, IN LIGHT OF THE NEGATIVE ECONOMIC IMPACTS OF THE COVID-19 PANDEMIC; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

Zachary Stoumbus, on behalf of the applicant, stated they had come in with an extension first for one-year and they were not able to ask for this amount of time in the first request so they were told they would have to come back for this one. They estimate it is their first request.

Dennis Mrozek, Planning Director, stated the first request was a minor modification that was approved by staff. The applicant has indicated that it may take longer to get the project moving along due to the pandemic.

Doyle Lewis, Daytona Beach, stated he thinks the request should be granted because of the conditions with COVID-19. He thinks the Central Florida area needs this type of housing.

Commissioner May asked how far into the construction phase.

Mr. Mrozek stated they have not started construction. They have asked for the administrative extension of 12 months and now they are looking at few more years down the line, so they can request additional extension from the Commission.

Commissioner May stated she wanted to speak her mind. She stated people start projects and they don't complete projects; they get extensions and the projects go on and on and in the meantime the community is in service to the will of the people who are under construction. She sees this evidence throughout Daytona Beach. She sees this on A1A and the impact on the community is huge. She asked if the extensions could go on indefinitely.

Mr. Mrozek stated it would be up to the City Commission to approve the extensions. If they elect to not approve the extension, the construction wouldn't be able to start and there would be no project. Once the project starts, it is built into the PD Agreement, that the project be substantially completed in a certain amount of time.

Commissioner May asked if they have recourse if they are not meeting their deadlines.

Mr. Mrozek stated there is no deposit that would not be refunded...most developments want to get down because that is where they make their money. They have the incentive to complete the project. He stated the one on A1A has been taking a long time but there is light at the end of the tunnel.

Mayor Henry stated this is not the norm.

Mr. Mrozek stated the A1A project is not the norm.

Commissioner May stated she just wants to be sure what their options were.

Mr. Mrozek stated the development being complete and the business opening up are two different things and some of the businesses have been hesitant to open up in the current economic situation.

Robert Jagger, City Attorney, stated the in the backup included an Ordinance that was mistitled, and they will retitle it as a Resolution for the Mayor's signature.

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

Commissioner Reed	Yea
Commissioner Trager	Yea
Commissioner Delgado	Yea
Commissioner May	Yea
Commissioner Cantu	Yea
Commissioner Henry	Yea
Mayor Henry	Yea

- D. Adopted/Resolution No. 2021-48 appointing four members to the Board of Adjustment for Zones 1, 3, 4 and 5. The membership terms for Trey Harshaw (Zone 1), Maja Sander Bowler (zone 3), Patrick Connors (Zone 4) and Sharlene Barhoo (Zone 5) have expired and all four individuals would like to be reappointed. There are no additional applications. The board shall consist of seven members and one alternate appointed by the City Commission. Board member shall include one regular member nominated by each City Commissioner from among resident of their zone, plus one regular member and one alternate member that are nominated by the Mayor and may be a resident of any City Commission zone. All board members must be residents of the City and qualified electors. City Clerk LaMagna read the Resolution by title only. A RESOLUTION APPOINTING FOUR MEMBERS TO THE BOARD OF ADJUSTMENT FOR THREE-YEAR TERMS EXPIRING DECEMBER 31, 2023; AND PROVIDING AN EFFECTIVE DATE.

Bettye Goodman, Assistant City Manager, stated this item was to appoint four members to the Board of Adjustment. All four individuals with expired terms would like to be reappointed.

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

Commissioner Reed	Yea
Commissioner Trager	Yea
Commissioner Delgado	Yea
Commissioner May	Yea
Commissioner Cantu	Yea
Commissioner Henry	Yea
Mayor Henry	Yea

- E. Adopted/Resolution No. 2021-49 appointing one member to the Peabody Advisory Board for Zone 5. The board shall consist of seven (7) members serving four (4) year staggered terms and may be reappointed to successive terms. Members must reside within the zone from which appointed or if mayoral from within the corporate limits of the City. There is one application from Zone 5, Malcolm Williams. City Clerk LaMagna read the Resolution by title only. A RESOLUTION APPOINTING ONE MEMBER TO THE PEABODY AUDITORIUM ADVISORY BOARD FOR A TERM EXPIRING DECEMBER 31, 2024; AND PROVIDING AN EFFECTIVE DATE.

Bettye Goodman, Assistant City Manager, stated this item was to appoint one member to the Peabody Auditorium Advisory Board. She stated there is one applicant, Mr. Malcolm Williams.

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

Commissioner Reed	Yea
Commissioner Trager	Yea
Commissioner Delgado	Yea
Commissioner May	Yea
Commissioner Cantu	Yea
Commissioner Henry	Yea
Mayor Henry	Yea

- F. Adopted/Resolution No. 2021-50 to appointment one member to the Downtown Redevelopment Board. The board shall consist of seven (7) members appointed by the City Commission and one (1) Planning Board member who shall serve as an ex officio nonvoting member. Membership shall include six (6) members who reside or have their principal place of business in either the Downtown

Redevelopment Area or the Ballough Road Redevelopment Area and one (1) member of the Downtown Development Authority, who shall serve exofficio (DDA). A majority of the board members shall be residents of the City. The membership term of Daniel Harshaw has expired with Mr. Harshaw reaching the end of his second term (termed out). We have received three qualifying applications from Tibor Benke, Lori Sandman and John Zemball. City Clerk LaMagna read the Resolution by title only. A RESOLUTION APPOINTING ONE MEMBER TO SERVE ON THE DOWNTOWN REDEVELOPMENT BOARD FOR A TERM EXPIRING DECEMBER 31, 2022; AND PROVIDING AN EFFECTIVE DATE.

Bettye Goodman, Assistant City Manager, stated this item was to appoint one member to the Downtown Redevelopment Board. They have received three qualifying applications, and this is a ballot vote. Ms. Goodman read the ballots aloud.

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

Commissioner Reed	Yea
Commissioner Trager	Yea
Commissioner Delgado	Yea
Commissioner May	Yea
Commissioner Cantu	Yea
Commissioner Henry	Yea
Mayor Henry	Yea

- G. Adopted/Resolution No. 2021-51 appointing four members to the Planning Board. The board shall consist of seven (7) members serving staggered terms of four years commencing January 1 and expiring December 31, with a least one member residing in each Zone within the City and one At-large member. Must be qualified electors in City and hold no other City office. The membership terms of Tony Servance (Zone 2), Jeff Hurt (Zone 4), Cathy Washington (Zone 6) and Tony Barhoo (At Large) have expired and all four individuals would like to be reappointed. There is an additional application for Zone 4 from Michael McLean. City Clerk LaMagna read the Resolution by title only. A RESOLUTION APPOINTING FOUR MEMBERS TO THE PLANNING BOARD FOR A TERM EXPIRING DECEMBER 31, 2024; AND PROVIDING AN EFFECTIVE DATE.

Bettye Goodman, Assistant City Manager, stated this item was to appoint four members to the Planning Board. The four terms expiring would like to be reappointed. They have one new application from Michael McLean for Zone 4.

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

Commissioner Reed	Yea
Commissioner Trager	Yea
Commissioner Delgado	Yea
Commissioner May	Yea
Commissioner Cantu	Yea
Commissioner Henry	Yea
Mayor Henry	Yea

- H. Continued/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. At least 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. Meeting the cut-off date we 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. City Clerk LaMagna read the Resolution by title only. A RESOLUTION APPOINTING SEVEN MEMBERS AND ONE ADVISOR TO THE CITIZENS' POLICE REVIEW BOARD FOR THREE-YEAR STAGGERED TERMS; AND PROVIDING AN EFFECTIVE DATE.

Bettye Goodman, Assistant City Manager, stated this item was to appoint seven members and one advisor to the Citizen's Police Review Board. She stated the Mayor and Commissioners will appoint one member and the Mayor will also appoint the advisor.

Commissioner May asked if they could continue this item for two weeks.

Robert Jagger, City Attorney, stated they would need a motion.

It was moved by Commissioner May to continue until the February 17, 2021 Regular City Commission Meeting. Seconded by Commissioner Reed. The motion passed 7-to-0 with the breakdown as follows:

Commissioner Reed	Yea
Commissioner Trager	Yea
Commissioner Delgado	Yea
Commissioner May	Yea
Commissioner Cantu	Yea
Commissioner Henry	Yea
Mayor Henry	Yea

I. DISCUSSION

City Commission Discussion on the City Manager hiring process.

Mayor Henry stated they discussed a City Manager and some apprehension as related to the overall quality of candidates they had or have. He wasn't completely satisfied at that time but didn't think they didn't have good candidates and feels now they do have a good pool of candidates. He stated this is an overview of what he and the City Manager's office has come up with as a way to go forward. Tonight, his advice to the City Commission is to be prepared to narrow the field of candidates they have been given for the next meeting from the current list of 10 to between four and six but preferably no more than five. He stated the City Commission will discuss the candidates and narrow the field at the February 17th meeting in a discussion, so they will go home and review the applications given by the consultant and come back to discuss by narrowing it down again to five. He stated March 6th, the recommendation is to have a community meet and great scheduled at the Midtown Cultural and Education Center, times to be determined based on the number of candidates selected, it will be on a Saturday. He stated they would have the candidates come in and set up in one room and then they would move the residents in a round robin motion enabling them to meet with each candidate. He stated if a candidate has 20-30 or 45 minutes, they'll be able to present themselves to the public and the staff will illustrate and answer the questions written down by the public to the candidates giving them the opportunity to see the potential of the candidates and their vision of how they will lead the

City. He stated they'll continue to move each group from one candidate to the next allowing the public to be exposed to each one. He stated then on March 13th, the City Commission will come back and conduct one on one interviews but in the meantime they would be able to hear from residents from the 6th to the 13th giving them a chance to review the application and see them in person. He stated they'll be able to give feedback as to how they value the candidates. He stated on March 13th, the Commission will meet with the candidates in various offices at City Hall in the same way they interviewed Mr. Robert Jagger, City Attorney, and other applicants for the City Attorney's job. He stated could then interview the applicants solo so if there are five applicants then two of them will sit out until all five are interviewed then come back on that day with a Special City Commission Meeting later that evening to conduct the public interview with each candidate. He stated they'll complete the final deliberation to make a selection of a new City Manager, then following that selection, he would appoint a member of the City Commission to work with a consultant to negotiate a contract with the selected candidate. He stated that person would be able to hear from the whole City Commission in a meeting, giving their insights and thoughts as to how the contract should be given but he plans to write his out in detail and share it with the City Manager, it'll be public record and then pass it on to the person appointed to work with the consultant and come back with a contract. He stated this may or may not happen by April 7th because the contract may take a little longer and he doesn't want to rush but if it goes perfect, on April 7th the City Commission will approve the new contract for the City Manager and then the anticipated date will be June 1st 2021. He stated Slavin Management Consultants has gone through the process and given names, the City has applicants and believes five of them could do a good job of being the City Manager. He stated if all five are interviewed, the community doesn't like any of them and they City Commission doesn't like any of them then they can go back, revisit and start over. He doesn't see the need to do that when there are good applicants and vice versa those same people may pull back and see that the City doesn't have their ducks in a row then decide not to put their name in the pool, but it'll at least give them an opportunity to go through the motion, they've paid the consultant and they have done an adequate job of what they had to work with. He stated when people put their application in, they are taking a risk at being exposed to their current employer.

James V. Chisholm, City Manager stated as someone coming in and interviewing to be the City Manager, they're also interviewing them as well so it's an impression and will influence whether they decide to take the job. He stated not everyone will accept the position if they don't feel like the elected officials are the kind of people they can work with and it will impact that selection. He stated there are a number of candidates, the public knows who they are and they can be found on the City's website and he would ask that no one makes any specific comments about anyone because it could affect them at their current workplace and whether or not they come. His advice is to be careful and mindful.

Mayor Henry stated good advice.

Commissioner Cantu thinks the whole process has been flawed. She stated they are supposed to be good stewards of the taxpayer's dollars. She stated she was sworn into office on November 2020 and on March 4, 2020 there was a resignation letter from Mr. Chisholm stating he'd be leaving in March but no exact date. She had a phone conversation with Slavin on November 18, 2020 about what she'd like to see out of a City Manager, and she was told that her colleagues had the same phone call. She stated on December 2, 2020 she received a recruitment profile draft from Slaven Management, but the deadline was supposed to be November 11, 2020. She stated on December 15, 2020 she received an email that the position was officially announced on December 8th from the Human Resource Department. She stated that deadline was supposed to be November 16, 2020 then on December 18th she received an email from Slavin that the City's City Manager search is now underway and they received 16 resumes, but that deadline of the resumes should've been done by December 16, 2020.

She stated December 29, 2020 one of her colleagues sent an email asking for the status of the City Manager job description and requested to have it put on the next agenda, times ran out and the question wasn't answered. She stated on January 4, 2021 there was an email from Slavin stating they weren't finished and needed more time for highly qualified people to apply but received 36 resumes. She stated that deadline was supposed to be December 16, 2020, on January 5, 2021 the City Manager recruitment folder was created and on January 6, 2021, 12 resumes were put in that folder with one that withdrew. She stated there was a list with other names who applied but no resumes and that should have been done December 28, 2020 according to the contract. She stated on January 19, 2021 she asked Dru Driscoll, Deputy City Manager-Fire Chief for a hard copy of the remaining resumes to view then on the last City Commission Meeting requested a follow up of where they are with the recruitment of the City Manager and wasn't pleased with some of the resumes. She would like to see a suggestion box for the employees. She stated one of her colleagues said they're not in a hurry and would like for the City Manager to stay for the recruitment hiring of the new City Manager and didn't want to hire an interim manager, which she agreed. She stated another colleague would like to have more communication with Slavin. She stated on January 27, 2021 she called the City Manager wanting to have a month, date and exit plan on the agenda but didn't see one. She stated on January 29, 2021 she received an email from Slavin asking the leading city manager candidates to complete the extensive supplement questionnaire, then received eight resumes and completed questionnaires with three candidates withdrawing but that process should have been sent December 28, 2020 and received January 11th, and on January 15th send a packet to all the City Commissioners. She stated from her years of hiring, she thought the process was a total mess with the hiring of the City Manager and doesn't think it was done the correct way and she personally had only seen three qualifying applicants. She stated the consultant group had not met any requirements from the contract and should be terminated immediately. She stated the City has two local companies in town and secondly need a month, date and exit plan of the current City Manager on the next agenda and a hiring of a consultant firm, then thirdly have someone from human resource oversee the City Manager contract. She stated that doesn't mean the City Manager is going to hire, he's just overseeing the new City Manager. She asked, if they were to terminate the new consultee, would the City have to pay all the fees.

Robert Jagger, City Attorney responded the structure for the contract is they pay in thirds and two thirds have already been paid. He stated it's capped at \$15,000 plus \$8,000 in expenses so there will be a cost savings if they decided to terminate and won't have to incur the traveling expenses.

Commissioner Cantu feels the whole process is flawed, the City needs to be good stewards and shouldn't be hiring how they're doing. She stated Slavin hasn't done anything they were supposed to do in the contract on time. She stated about how Port Orange started their search in December and will have their candidate in March.

Mayor Henry stated each municipality is different.

Commissioner Cantu stated Port Orange is almost catching up to the City in their population. She stated the process was started last year in March 2020 when Mr. Chisholm resigned.

Mr. Chisholm stated he gave his notice back in March.

Commissioner Cantu stated on the contract a recruitment profile draft was to be completed by November 11, 2020 but nothing was done and she isn't comfortable hiring someone from a consultant like that.

Commissioner Delgado asked does that mean the results they generated aren't worth considering.

Commissioner Cantu responded she looked at every one of them and maybe three were, but she is still concerned about some of the top 10 now. She had a conversation with Slavin Friday and they're aware of the City Commissioners concerns about the recruitment and plans to meet with the staff Monday or Tuesday.

Commissioner Delgado asked are you proposing the City Commissioners start over completely.

Commissioner Cantu answered yeah and in here opinion thinks the City needs a consulting firm that's going to do the job.

Commissioner Reed stated you're entitled to your opinion Commissioner Cantu; however, she doesn't believe in the idea throwing out the baby with the bath water. She stated what they've already done, and those people have already been exposed by their cities and as potential candidates for the City would be absolutely ridiculous to throw it totally out. She stated there some good candidates in the group and they only need one, but if she's saying three then maybe one of those three will get picked. She stated at some point it's the City Commissioners fault because they did not stand as a group and take charge but the Mayor is doing that now and didn't want the City Manager engaging because he didn't want anyone to say he chose them, nor wanting HR, Human Resource to be involved. She stated now that the Mayor is taking charge, they'll be able to move forward with a schedule on how they're going to proceed accordingly, also spoke to Slavin concerned about a name that wasn't seen in the group. She stated it's the City Commissioners responsibility to hold them accountable but they also have to take responsibility for not doing their part but now that the Mayor has put a plan in place, they need to move forward it.

Commissioner Delgado agreed with Commissioner Reed that they should move forward and if at the end there's no suitable candidate, they're back to square one then there's the cost benefit of switching. He stated if they hired a whole new group they'd lose time but if they can talk with Slavin and light a fire under them then maybe it'll change things going forward, so they should look at the people that are being presented to find a candidate but if they have to start all over again should it be done with a new management consultant or send Slavin back out with more criteria doing something different. He stated the City Manager made a great point, it is a two edged sword and they're evaluating the Commission as well and the process the City's putting them through so if they out themselves as candidates then they're risking something in their home cities as well. He stated it's a decision that is not undertaken lightly to put in their name as a candidate from another municipality as a city manager, so it's not lightly done. He wants to send out a message making sure it'll be a good fit for the candidates and the City Commission and not discourage people with handling it roughly. He stated they can salvage the situation by talking to Slavin letting them know the City's concerns and go forth.

Commissioner Reed stated they've already spent money with Slavin then would turn around and hire someone else to pay some more money. She stated they need to take care of the money they've already spent on behalf of the City and move forward and deal with it but if it's not what they want then they can start over.

Commissioner Cantu responded then they'd have to pay again.

Commissioner Reed answered yes but they've paid Slavin already.

Commissioner Cantu responded right but they don't have to finish paying them.

Commissioner Reed stated no they don't, but they are going to.

Commissioner Delgado asked if they agreed to a fixed amount for the contract.

Mr. Jagger responded yes but there's always the argument of breach related to it, but the reality is they've already paid two thirds of the contract.

Mayor Henry stated his intent is to pay them the remaining amount period no questions asked. He stated to cut someone off during extraordinary times have not worked that far outside of the contract whether they're meeting a deadline on a single day or week but isn't overwhelmed by it. He stated most of it was meeting with the City Commissioners, getting on their time span, and getting things in place. He stated whether they spoke to them 15 minutes or over an hour, if there was much to say then what needed to be said was said and they heard it. He stated if there's more to say then write it down and send it to them.

Commissioner Delgado stated his conversation with them was over the holidays. He stated when they know they've made a mistake, or the customer isn't happy then that makes them do a better job because it's not so much about the money but their reputation and competency being on the line. He stated sometimes you can get better results through the process but it's all about the criteria given. He stated they should have a discussion with Slavin letting them know what their concerns are and not propose retreating paying out the balance of the contract because it would send a bad message to those they'll work with in the future. He stated it was an extraordinary period time and it wasn't the average, but he is online 100 percent with Commissioner Reed on her proposal.

Commissioner Henry stated that there's a few people on the list that she's interested in to move forward with. She stated she had a long conversation with Mr. Slaven and gave him a very thorough list of what she would like to see in the new City Manager. She stated that it can be hard to get those criteria of seven different people and getting people to apply takes a lot of time. She stated that she's ok with the current City Manager staying as he does a good job and she appreciates him for staying because he didn't have to stay. She stated they don't have to turn the City over to a new City Manager or interim City Manager in the middle of a pandemic and cause more chaos as she sees that as being very irresponsible, especially when they have the current administration that's willing to stay there until they get the right person that they want to see. She stated that she doesn't have a problem with the timeline being off because her biggest goal and result is that she wants to see the very best person with the job. She stated that she's going to hang in here with Mr. Chisholm and hopes that he'll hang in here for a little bit longer. She stated her appreciation to Mr. Chisholm because he could have retired in March and he didn't. She stated that she doesn't see anything that he has done that they have to rush him out of the door. She wouldn't want to be treated that way after serving the Community for so many years and she's not going to treat anybody else that way. She hopes that Mr. Chisholm stays and she's going to stick with Mr. Slaven and reiterate some of her expectations. She stated that she's going to continue to go through these candidates' list and hopefully they can come up with somebody that most of them can agree on.

Commissioner May stated that she sent an email around December or January asking why they aren't getting some more input in a timely fashion because she was concerned about it. She stated after they spoke with her for more than hour, she was extremely clear on what she was looking for, the comparisons she was making, and what she wanted them to do as they move forward. She stated her appreciation to Mr. Chisholm for staying as he doesn't have to stay. She stated they have a lot of projects right now that require some sort of follow through and that's her concern of putting in

somebody new right away. She's hoping they'll do a little bit of a transition. She stated that she would like to see them be a little timelier in what they're doing. She asked for more applicants. She stated for everything that they do, she wants to have the broadest applicant pool, possibly the widest population. She asked if the Commission know if the hiring management will continue to collect applicants and until what date if that happened.

Commissioner Reed stated that they don't know that, however, when she spoke to him today, she asked him about a name that she had submitted, and they may contact that person today. She stated that they said that it was still open.

Commissioner May requested if they could send her a weekly update on where they are and how things are moving forward. She stated that's what she was looking for when she sent the email to get a summary of where they are at and the next move. She stated that she thought about why not trying to choose a local person. She stated that they and the Community may have believed that there would be some sort of undue influence exerted on a local group if the Commission used a local HR person. The downside of that is that they're not local and the upside is they're out of State and they don't know anybody here. She stated that can work for the Commission or against them. She stated that she may have enjoyed a local person because they could have maybe arranged more Community meetings and be a little bit more involved to knowing the Community, but that could also work against the Commission which they were trying to avoid at the same time and that may have been a resident concern.

Commissioner Cantu stated that she's not trying to rush the City Manager out, however, as she ran on transparency and that's why she was voted in; when the City Manager noticed that he was going to leave in March, they've got the public thinking that was a deploy for the elections and that's why they need an exact date of when he's leaving because they owe that to the public.

Commissioner Reed asked Commissioner Cantu if she's asking for an exact date when the City Manager leaves.

Commissioner Cantu responded yes. She would like for Mr. Chisholm to stay, but they need to know a date and exit plan because that's what the public is asking.

Mayor Henry stated he'll put down June, but if they go to July, he is fine with that. He stated that's transparency and there's no one hiding anything.

Commissioner Cantu stated that she didn't say no one was hiding, but the public want to know as they elected them to work for the public.

Mayor Henry asked if she meant the public want to know the day that he's leaving.
Commissioner Cantu stated they want to know a date.

Mayor Henry stated that he doesn't think that they should give a date until they have a Manager because they are in a pandemic. He stated he believes in having continuity and he likes the stability of knowing what he has as the current City Manager. He stated it's big and difficult enough moving to have a new Manager in the middle of a pandemic. He stated that in and off itself is not going to be a walk in the park. He stated this is transparent enough.

Commissioner Cantu asked if they're saying that they might not be able to meet this deadline to.
Mayor Henry responded yes.

Commissioner Cantu asked if that's pretty much what they're saying to the public again.

Mayor Henry responded that they might not meet the deadline because they might not like the applicants, but there's no reason to settle for anything less when they have stability and they know what they have in this Community. He stated that he's not asking to pick one of the applicants if they don't like them, but he's ok with maintaining stability in this difficult time.

Commissioner Cantu stated she's fine with that, but she wants to know a date.

Commissioner Delgado stated he doesn't think they can give a date.

Commissioner Cantu stated that she has never seen anything like this because when a business has some employee leaving or a manager, they know when the last day they're leaving, and hire someone to replace that position.

Commissioner Henry asked Commissioner Cantu what kind of businesses and people they are hiring.

Commissioner Cantu responded it doesn't take a rocket scientist to hire someone.

Commissioner Henry asked Commissioner Cantu what kind of people she's hiring. She stated it's a big difference between hiring a City Manager and hiring a waitress, they can get over a thousand waitresses right away, but they're looking for the one perfect City Manager.

Commissioner Cantu stated they can hire someone by the date when they know when the City Manager is leaving, but the City for some reasons can't do it.

Commissioner Henry stated there's a lot of municipalities that do things a lot different because it's a lot of municipalities that leave a lot of things on the City of Daytona Beach to deal with such as the homeless situation and they don't contribute or help. She stated they do things differently. She stated whatever the city of Port Orange is doing good for their city, however, she's looking for the absolute perfect person to walk through this door and take the position as the City Manager and that's what the people want. She stated they want more than an exit date they want to know that they've gotten the best person.

Commissioner Delgado stated there's a difference between a date and a plan. He described that the date is irrelevant and the concept that they have a plan is important because if someone who has a ton of institutional knowledge who comes and is retiring, he would say no and get more time to have transition. He stated that there's people in his industry that he could not replace easily, and he would want them to stay on to train their replacement, it's entirely different. He stated what he would agree with and what they do need to tell people is that they have a replacement plan, a succession plan in place. The date is less relevant because the dates are going to change and until they fill the position, it would be short-sighted of them to usher someone out. He stated they're going to hit things that they don't foresee, and they may find nobody that they like. He stated they need someone who can oversee the transition. However, this is a transition plan, which they have a plan in place. If they don't have a lot of good candidates, maybe that's a reflection on them as not only as a candidate in the City, but on their instructions and the people that they're looking for either. There may not be a lot of people that meet the criteria, or they may not be phrasing it in a way to attract the best candidates. He stated part of what they have to look at is what they can do to make this a desirable place to work. Some of the dialogue they're having now would be something that resonate with potential applicants when they

decide how they're going to come and if they're going to apply. He stated they need to be mindful that how conducting themselves now is going to influence who's applying.

Mayor Henry responded well said. He stated temperament matters in his elected life for the last eight years and it's his expectation that they will continue to be the standard. He stated that they have a plan and it sounds as though three people have already said that they support it and they would support this. He stated that he understands Commissioner Cantu sentiments and he doesn't want her to feel as though that he doesn't respect them, however, he needs her to understand that they're all Daytona Beach and he's proud of that, he doesn't aspire to be the City of Port Orange which they happen to be in a different situation where they don't have stability as their manager had to leave. It wasn't as though they wouldn't have wanted him to stay around and help them with the transition. However, he values stability. If there's a feeling that they're not transparent about something, he'd like to know what it is because he doesn't see anything that lacks transparency on their part and certainly, not on his part because he wants people to know whatever it is.

Commissioner Trager stated it's very gracious of Mr. Chisholm to offer to stay on until they get a suitable replacement and she's grateful to that because as mentioned, they're in the middle of a difficult situation and they need a steady hand. She stated they're ready to go on and she doesn't think they need to be rushed because they need to get somebody good who will stay with the City for ten plus years and who's interested in the City and residents, not just wants a job, but somebody who wants to be part of the Community. She stated that she'd rather take the time and get a good person.

Commissioner Delgado asked Mr. Chisholm if there's industry standard or if an idea of how long if he had it his way and if an orderly transition of power would take for him to oversee a transition where he would be comfortable and they would be happy.

Mr. Chisholm responded probably 30 days from the point that he starts to work. He stated 30 days because he doesn't intend to stay in for a long period of time, but he would be available to help whenever possible because he has put a lot of time into this City and he's proud of what they all have been able to do together. He wants to make sure that transition is smooth, but he doesn't want to stay too long because he doesn't want his ideas and thoughts to be their ideas. He wants their ideas and initiative to be curious to that next level. He stated that's the philosophy that he has worked on for his whole life.

Commissioner Delgado asked Mr. Chisholm that if that's a concrete and transparent exit plan that about 30 days from when they start the replacement.

Mr. Chisholm responded yes.

Commissioner Delgado stated that's about as concrete that they're going to get. He stated from the time they hire a new person, how long would they keep the current City Manager; it is as transparent as they can be with the uncertainties, they face finding a replacement, but that's satisfactory as far as a policy statement.

Mayor Henry stated that he's agrees a hundred percent with Commissioner Delgado. Commissioner Cantu stated that she's not trying to rush anyone. She stated a year isn't rushing. It needs to be done the proper way and they're not doing that.

Commissioner Delgado asked Commissioner Cantu what is not proper about it. He stated they're saying 30 days after they get a new City Manager.

Commissioner Cantu responded it's been a year and she doesn't think a year was a rushing thing. She stated she's not trying to push Mr. Chisholm out, but it doesn't look right to the public as they work for them. It's not the other way around.

Mayor Henry stated they know who they work for and he had people telling him that he wasn't transparent, but he's sure.

Commissioner May stated as they mentioned a zoom or moving from room to room when people meeting with residents; she asked if that still the 15 residents that they choose.

Mayor Henry responded no, it would be open, but they'll be socially distant because they have space. He stated one of the reasons that initially he thought that it would be ok to have a group that each one of them selected one person to be interviewed and then gave the Commission their opinion. He stated the City Manager works for them and they work for the residents. He thought it would be better to have a situation where the most amount of people could be exposed to the potential manager, and they will be able to give their feedback as opposed to choosing six or seven stalwarts in the Community to do that. He stated they had four candidates and it was set in the Midtown center where each one can sit in a different room and they'd have about 15 residents in each group will go around, and they will talk about themselves, answer a few questions, and go to the next candidate. He stated if they had 10 candidates of 15, they'd have to do that for 10 groups.

Commissioner May noted that they're moving away from the idea that they originally had of each of them submitting somebody from that position as of right now.

Mayor Henry responded as of right now. He stated that's a suggestion, however, if they want, they can go back to the other. He stated this is better from the perspective of more people as he has got a lot of common people who were interested in who the manager is. It's not just the Chamber of Commerce and it's not just people who walks to the City Hall; it's the people that he doesn't normally see any place out about, but they pay attention to what's going on in their City, and they want to be able to see the potential manager and give feedback on what they've seen.

Commissioner May stated that she thinks the process is changing because they originally said that they would meet with residents and they would meet with a group of people that they thought through and somebody would develop a short list for them and that list of who's coming to these meetings. She asked if that's correct.

Mayor Henry responded no, they'll come back and have the short list based on these applications, because this is the list that Mr. Slaven has given to the Commission. He stated maybe one or two others added. He stated they'll come back on the 17th and narrow this down to four or five candidates, and those four or five people will be brought in for the purpose of meeting with the Community and ultimately coming in to meet with the Commission. He asked the City Attorney if they need to take a vote on.

Mr. Jagger responded this is all agenda matters which is within the Manager's authority. Commissioner May asked how people present themselves for the opportunity of being part of it because she has residents who would like to be involved in this process. She asked if the people just show up in the Midtown.

Mayor Henry responded yes.

Commissioner Reed stated it's a public meeting.

Mayor Henry stated it's a public meeting, they'll show up.

Commissioner May stated they'll be advertising it accordingly to let people know.

Mr. Jagger asked if they're going to have it on live broadcast as a public meeting.

Mayor Henry stated yes. He wants to be there in the meeting.

Commissioner Cantu asked if they're going to have a suggestion box here for the employees.

Mr. Chisholm responded they have one in Human Resources. He stated they have sent a notice out to every employee they can, and employees know where it is and if they want, they got several ways to make suggestions.

Commissioner Reed asked if its anonymously.

Mr. Chisholm responded yes.

Mayor Henry stated that they'll go with this plan as presented and they'll come back in two weeks and vet these candidates and any other that Mr. Slaven may send to them that would meet the criteria of what they need.

Commissioner Reed thanked Mayor Henry for taking the lead on this matter.

11. COMMISSION COMMENTS

Commissioner Reed stated no comment.

Commissioner Trager commended Chief Jakari Young for his forward thinking with the drugs and the guns and getting the bad ones off the streets.

Commissioner Delgado stated goodnight Daytona Beach.

Commissioner May asked how are they going to alert the businesses and people in the various CRA's that there are funds available, do they generally have a strategy or is it something that they have to just research on their own.

Mr. Chisholm stated they've posted it and they make it available to the CRA Boards, he didn't think they've advertised that or at least not in the past.

Mayor Henry stated we haven't.

Mr. Chisholm stated they could advertise these in paper in the sense that they do have money for that purposes.

Commissioner May stated that's the biggest thing and she's not sure if it's been heard, the idea is out there that they don't tell people that the funds exist and they don't know how to access it, they don't know what number to call and there's no money. She stated the fact that they're saying no that's not in

fact the case, but anything that they can do within all of those CRA areas to let residents and business people know that it is actually available, and this might actually be an incentivize to some people to consider opening a business. She stated they are really enjoying the updates and she really believes in mental health and has visited Beach House; it's part of a Steward Marchman program and Chief Young knows about it. She stated they have a great program, it's a short-term respite for families, children can go there and it's free, it gives a good structure to young people under the age of 18 who needs some help. She stated the families that it has helped, they're in the system until they're 18 years old, they get continued services and continued care and outside support. She stated on their updates which is very important to the community, there's something called free mental health services, and this is through a group called Empower and it's in the back of their pamphlet that talks about outpatient, mental health, substance abuse, assessment, counseling, psychiatric clinics, medication management, case management, and medication assistance. She stated if anybody needs help, that's part of their mandate to advocate for mental health services and she recommends they seek them out, it will be very helpful during this time. She stated about a year ago somebody came to them and asked that they change the name of Sunnyland to the Linda Magee Center, she asked what happened to that, did they discuss it and where did they leave it.

Commissioner Henry stated they are working on the paperwork for the packet, they hope to have it to them by the 22nd.

Commissioner May asked Captain Lee to come up and discuss a project they are working on because they are seeing a lot of tagging taking place on Ridgewood Avenue and also on beach side; she asked Captain Lee if she was correct.

Captain Lee stated yes, they are seeing some graffiti that's popping up around the City.

Commissioner May asked what he thought residents could do if they notice it or see it, what could residents do to help.

Captain Lee stated if they're seeing it in progress, they really need them to call in because law enforcement can't be everywhere at once but if they see something, they need them to report it so they can respond to it and address it. He stated their units have already been briefed on it, they've mapped some of it and looked at some of it and they're trying to get their folks out there and find these people so if they see them in progress, please report it immediately. He stated if they see areas that are tagged it's after the fact and it just needs to be reported through the code portal. He stated they go through the City website, go to Code Enforcement on the left-hand side it says report a violation. He stated they can report a violation there, just provide the address, say it's graffiti, and they will go out and address it with the property owner and try their best to get it removed as quick as possible.

Commissioner May stated a resident suggested a graffiti paint over taskforce and asked if they need volunteers for that.

Commissioner Delgado stated let's make the people caught tagging paint over the area.

Captain Lee stated that's what they did last year, they made an arrest in reference to one of the taggers and they made it part of their condition for community service and they painted a lot of the walls throughout city. He stated community service ended during COVID and they don't have that person anymore and if they catch this new person, that will be part of what they will be asking for during their communication with the State Attorney's Office. He stated in the meantime, if there are people that want to volunteer, they do try to coordinate with the businesses who will often supply the paint

and if somebody can apply the work, they are happy to have volunteers that want to help. He stated they already communicated with Public Works about the poles along Atlantic Avenue and Ridgewood and they're doing an assessment to try to see which ones need to be covered up and get those rectified.

Commissioner May asked Captain Lee if people wanted to volunteer, would they contact him at Code Enforcement.

Captain Lee stated they can call 671-5304 and say they want to volunteer.

Commissioner May stated that she would be a volunteer, she wants to help. She asked Captain Lee for an update of the DDA meeting. She stated they were discussing the downtown area and crime, and they discussed what the Mayor spoke about earlier. She stated there is oftentimes a misperception of information and they are giving straight facts, these are number facts, and this is not my reality, it is what the numbers are saying at this time. She stated people from Ormond Beach, Port Orange and New Smyrna Beach like to tell her how crime-ridden Daytona Beach is and especially the downtown core; they seem to be laden with homeless and drug needles everywhere. She asked Captain Lee if he could please tell them what is going on with crime in the downtown corridor.

Captain Lee stated he does not have those numbers; they were forwarded to them at her request.

Commissioner May stated 1% right.

Captain Lee stated calls for service citywide compared to calls for service in the Beach Street area only accounts for about 1% of the calls for service; there was only a total of 19 part one crimes in that area for the whole year of 2020. He stated what you would normally see in a business district, most of them were property crimes related to thefts and a few burglaries or car breaks, that is a very small number in comparison to the rest of the City and in other areas in the City.

Commissioner May stated people continue to say over and over that downtown is terrible and that, in fact is not true. She asked if they could put that crime stat for the downtown area in the bulletin, but they were pretty darn impressive. She asked Captain Lee where their new headquarters are located.

Captain Lee stated Neighborhood Services now works out of 125 South Palmetto which is right down in the Beach Street area, and it's only a block and a half away from City Hall. He stated they are committed to the success of the area as well. He stated their Beach Street units work out of that building as well so they're right down there in the area that the two officers patrol; there's coverage down in that area seven days a week and that's on top of the normal zone coverages that all zones have.

Commissioner May thanked Captain Lee.

Commissioner Cantu stated she had nothing.

Commissioner Henry stated that she had been on the dais for a few years with various Commissioners and she has really enjoyed working with all the Commissioners and there is never a day that she goes home and feels like anyone up there is doing something nefarious or is being disingenuous in their works with this City. She stated a lot of municipalities and people who get up and their Commissioners, they can't say that and in her heart when she leaves, even if they disagree, she never feels like anyone is up here doing something disingenuous for the citizens or the community in Daytona Beach. She stated words matter and sometimes we can say things and it plants this idea

to the rest of the community that the people who serve you are being disingenuous and that isn't the case they see. She stated nobody's given money for taking bribes, if they were, she would be driving a new car and have a much bigger home, and that would be the case with the rest of the people that are up there on this Commission. She stated we've seen all over the country how words have mattered and played into politics with so much false information that has been said around the world and people are believing it because it has come from the mouths of our leaders or those that they have chosen to represent them. She stated just because the United States is divided, does not mean that Daytona Beach has to be divided, they can disagree, they can have a different way of doing things and still see the best in the people that they serve with.

Mayor Henry stated no comment.

Mr. Chisholm stated they have one piece of business that occurred at the last meeting. They approved the plan for private and public property for bike week and one of the elements that the chamber had proposed was parking in one lane of Main Street and driving bikes on the other lane. He stated the Police Department, Fire and EMS folks looked at it they felt it posed a hazard for in a safety way. He stated they sat down and modified that Main Street would have a two-way traffic, open to motorcycles traffic only for the entire 10 days of bike week and truck deliveries, food and beverage, and other deliveries would be made before 9:00 am. He stated in the mornings, sections of Main Street will allow motorcycle parking, there will be areas that are going to be placed with a barrier so they can't park on the sidewalk in some areas. He stated they are going to allow adequate and available parking space and the Main Street area, the Ocean Center and back at the Peabody and the various parking lots around the Main Street area. He stated they will be directed to those areas for parking and bars and lounge occupancy limits are restricted to a maximum of 60% business; owners are required to post maximum limits and have staff personnel at the entrances to monitor the levels. He stated Code Enforcement, Daytona Beach Police Department and Fire Department personnel will be responsible for tracking population estimates in the various locations. He stated they would like to take action to approve these changes made to the Master Plan tonight so it can be included in the record of what they are allowed to enforce.

Commissioner May stated how are they going to enforce the performance standards, how do they know that it's at 60%; are they posting a number, are they clicking it.

Mr. Chisholm stated they are posting a number and keeping track of it.

Commissioner May stated have we checked with the Police Code Force, is that a good way to go about doing it, are they comfortable with that.

James Morris, Deputy City Manager, Redevelopment and Administrative Services stated everybody was involved in the meeting, Fire Dept, Police, everyone, merchants from Main Street, and the Chamber; they all sat together to work this through. He stated they had interchanged with all the parties and agreed on the terms and the memo that they have is a summary of that meeting with the people that she just mentioned. He stated in addition, the Ocean Center, unlike years past, has volunteered to make all their parking available and actually opened their exhibition hall for car parking. He stated this is something we have not had in the past in terms of having all the vehicles off of Main Street and the cooperation from the Ocean Center, which has really come from the Peabody/Ocean Center relationship and Tim Rental, who is the new manager there. He stated we've got a different approach, and everyone was involved in this and a discussion and a conclusion that Mr. Chisholm just read.

Commissioner May stated we're saying there's much more parking there than was previous, and they can actually spread out, it sounds as though it's still kind of congested there.

Mr. Morris stated numerically, he thought that Commissioner May was right and in respect, the numbers will be set and they picked the number of entities that they did as far as count and cooperation with the merchants to help them comply. He stated it's not an automatic shutdown, but they would work to stay within those numbers that were identified by the Commission as an important target to be met.

Robert Jagger, City Attorney stated they would have to adjust the motion because they are altering the plan that was approved at the last meeting. He stated it would be appropriate at this time for a motion to amend the Bike Week Master Plan as it relates to the public property to include the traffic plan that Mr. Chisholm had just expressed. He stated it's contained in the memo dated February 2, 2021 to the Commission from Mr. Morris. If they could adopt that as part of the motion. He stated he would also suggest that they add an allowance where the City Manager could revise the plan in the best interest of the health, safety, and welfare of the citizens if necessary.

Mayor Henry stated okay.

Mr. Jagger stated he would prepare the Resolution, and assuming they have an affirmative vote, they would need public comment.

John Nicholson, 413 North Grandview, Daytona Beach stated he didn't necessarily understand what they were talking about in terms of location on the motorcycles on Main Street. He stated there was a request to have it one way but, apparently, it's going to be two ways.

Mr. Chisholm stated its two way.

Mr. Nicholson stated but they're not allowed to park on the sidewalk like they did in the past.

Mr. Chisholm stated they're going to keep the sidewalks open but there is parking in some areas for motorcycles on the street.

Mr. Nicholson stated you say some areas.

Mr. Chisholm stated some areas of Main Street, and then there will be parking for motorcycles like there has been in the past in the private areas behind Peabody and additional parking at the Ocean Center.

Mr. Nicholson stated they worked very hard with Patty Evans and Helen on parking for the Peabody, which includes Grandview and several other locations, he asked will they also be available.

Mr. Chisholm stated their main objective is to keep the sidewalks open and there is parking for bikes that are designed on the street for that purpose.

Mr. Nicholson stated there is never parking that blocks the sidewalk that's why he didn't understand why they are even suggesting that there's no parking on the sidewalks.

Mr. Morris stated there's actually curves that serves most of time as sidewalks so if you wanted to back a motorcycle up to that, you could park there and that's what the reference is. He stated some of

the areas will be blocked off and the Chamber will be publishing maps and diagrams so people will know ahead of time where those areas are. He stated when they get there, it will not look greatly different than what they've seen in the past in terms of configuration but the crowds will be able to be dispersed and the intention in not having parking in some areas is to create more open space for people to move.

Mr. Nicholson stated basically what you're doing is the car parking is where the motorcycles will be not on the other location, there's 17 parking spaces and what you're going to allow.

Mr. Chisholm stated that's essentially right.

12. ADJOURNMENT

There being no further discussion or comments the meeting was adjourned at p.m. 9:11p.m.

13. PUBLIC COMMENT FORUM

Francis Chew, 351 North Seneca Street, Daytona Beach stated she'd like to see Midtown open again. Ms. Chew stated she utilized the computer lab and is a member of the Oasis program; she attends line dancing in Holly Hill because that's where the instructor from Midtown is currently.

Mayor Henry stated we're hearing you, thank you.

John Nicholson 413 North Grandview Avenue, Daytona Beach spoke regarding several things, library safety, graffiti, term limits, and Main Street; he expressed his appreciation for naming the field after Norma Bland and suggested renaming Sunnyland, the building, to the Linda McGee center at Sunnyland.

Denise Dabato, 611 Braddock Avenue, Daytona Beach stated she's the secretary treasurer for the Beachside Neighborhood Watch, a nonprofit 501 C3 whose local initiative is dedicated to improving life for residents of the beach side community. Ms. Dabato on behalf of the Beachside Neighborhood Watch, thanked Mayor Henry for his recent donation to their fund and requested the City Commissioners contribute all our portion of their Bike Week funds toward their annual barbecue and stated they appreciate the Commission's consideration of a donation to their efforts.

Mayor Henry replied thank you for your good work in that cause.

Commissioner Reed stated she donated to that on yesterday and her donation for Bike Week funds did not make it on the agenda; they'll make it on the next one.

Letitia LaMagna, City Clerk, stated, we have the Mayor's scheduled for the next one as well.

Kelvin Mayner, 435 S. Ridgewood Avenue, Daytona Beach stated he's a local business owner and spoke in strong support of having City Manager Candidate Derek Feature as the City Manager of the City of Daytona Beach and encouraged the Commission to consider the same.

Steve Miller, 383 Walnut Street, Daytona Beach asked about the Senior Citizen Program. Mr. Miller stated a lot of people have contacted him and expressed their desire to get back into some type of activities. He stated he believes they can get them back in safe because a lot of them are 65 and over, and most of them are getting their vaccines.

Mayor Henry thanked Mr. Miller, and noted Mr. Miller was a former Commissioner.

Matthew Reinhardt 317 North Paul Revere Dr., Daytona Beach spoke regarding the speeding and stop signs in Georgetown. He stated the speed limit signs are registering him when walking, at 10 miles an hour and he fears the data collected from the speeding sign will give false information determining whether there's a need for more police presence.

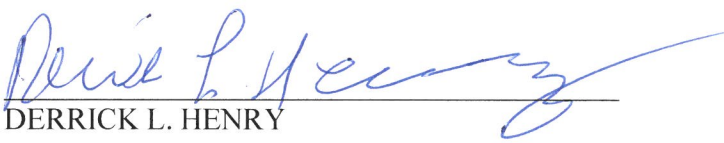
Marjorie Johnson 122 South Keech Street, Daytona Beach stated she is appreciative of the citizens being involved in the selection of the new City Manager.

Anne Ruby 137 Park Avenue, Daytona Beach expressed her opinion on a term limited contract as opposed to having it open-ended. Ms. Ruby stated that she liked Mayor Henry's plan on having citizens come through and meet the different manager candidates on the short list.

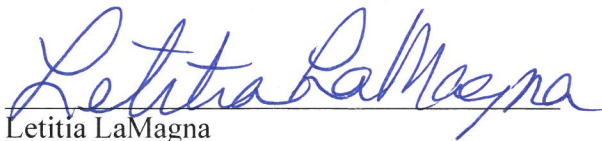
Doyle Lewis, Homeless, spoke regarding transportation for the homeless shelter; Mr. Lewis suggested due to safety reasons, implementing a program that educates the clientele as to how to get from one bus station to the next.

Mayor Henry stated alright, goodnight Daytona Beach.

There being no further discussion or comments the forum was adjourned at 9:30 p.m.


DERRICK L. HENRY
Mayor

ATTEST:


Letitia LaMagna
City Clerk

Adopted: April 7, 2021

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