



**THE CITY OF DAYTONA BEACH
BUSINESS MEETING OF THE CITY COMMISSION
APRIL 21, 2021
CITY COMMISSION CHAMBERS
6:00 PM**

AGENDA

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

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

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

In accordance with the Americans with Disabilities Act (ADA), persons with a disability needing a special accommodation to participate in the City Commission meeting should contact the City Clerk's Office, 301 S. Ridgewood Ave, Room 210, Daytona Beach, FL 32114, Telephone: (386) 671-8023, Email: clerk@codb.us not later than 72 hours prior to the proceedings. If you are hearing or voice impaired contact the relay operator at 1-800-955-9771.

1. ROLL CALL.

AGENDA

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

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

	For special accommodations, please notify the City Clerk's Office at least 72 hours in advance. (386) 671-8020		Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained from the City Clerk's Office.
---	---	---	---

In accordance with the Americans with Disabilities Act (ADA), persons with a disability needing a special accommodation to participate in the City Commission meeting should contact the City Clerk's Office, 301 S. Ridgewood Ave, Room 210, Daytona Beach, FL 32114, Telephone: (386) 671-8023, Email: clerk@codb.us not later than 72 hours prior to the proceedings. If you are hearing or voice impaired contact the relay operator at 1-800-955-9771.

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

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

-
Approval of the Minutes of the February 24, 2021 Strategic Planning Workshop and the February 17, 2021 Regular City Commission Meeting held at 301 S. Ridgewood Avenue Daytona Beach, Florida 32114.

5. **AGENDA APPROVAL.**

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

6. **PRESENTATION.**

6.A. [Presentation - Introduction of the Daytona Beach Chambers of Commerce - Director of Advocacy - Shawn Richmond **Addendum added 04-20-21**](#)

Introduction of Shawn Richmond, the Daytona Beach Chambers of Commerce, Director of Advocacy.

Jim Cameron, Daytona Beach Chambers of Commerce, to present.

7. CITIZENS.

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

EMERGENCY PROCEDURES FOR PUBLIC MEETINGS AND PUBLIC COMMENTS

During this time of extraordinary circumstances dealing with the declared State of Emergency associated with the COVID-19 pandemic, the City is temporarily allowing online public comments, and limited in-person public comments at City Hall, for public meetings of the City Commission and the various City Boards.

Online Public Comment Forms. The City is providing an online Public Comment Form to allow members of the public to submit public comments for each public meeting of the City Commission or a City Board. The Public Comment Form may be found at <https://www.codb.us/comments>. Please follow the directions on the Form to ensure proper electronic submission to the City. All Public Comment Forms completed and properly transmitted before 5 p.m. on the day prior to the public meeting will be provided to City Commission or Board members, as applicable, for their review and consideration prior to the public meeting. Any Public Comment Forms submitted after 5 p.m. on the day prior to the meeting will be provided to Commission or Board after the public meeting. All Public Comment Forms will be included in the official meeting records and retained by the City Clerk or the Board Secretary as a public record. If you have issues with accessing, completing, or submitting the online Public Comment Form please email us at comments@codb.us or call 386-671-8023.

In-Person Public Comment on Propositions before the City Commission or a Board. Although persons are strongly encouraged to submit online Public Comment Forms during this State of Emergency, persons may visit City Hall during a public meeting to make public comment on propositions coming before the City Commission or Board for a vote, **subject to these City procedures and all social distancing requirements recommended by the Federal Centers For Disease Control and Prevention.**

The Commission Chambers will be closed for in-person attendance by the public. The City Hall lobby will be equipped with an audio/video feed to the Commission Chambers and a lectern and microphone will be placed immediately inside the Chamber door for public comment. Forms will be provided for persons to fill out who wish to make public comment. Persons may approach the Lectern to speak on an item before the Commission or Board at appropriate times, when called upon, subject to such time limitations as may be imposed by the public body. The lobby will also have a limited defined area, with social distancing, for persons waiting to make

public comment. In addition, the exterior entryway to City Hall will be equipped with a loudspeaker for persons waiting for permission to enter to make public comment due to space limitations in the lobby. Persons may also monitor public meetings from their cell phone, tablet, or other electronic device at <https://www.codb.us/618/DBTV>, and enter City Hall for public comment at appropriate times, when called upon. Persons who have finished speaking or not intending to speak on a matter coming before the Commission or Board will not be permitted to remain in City Hall. All persons must comply with social distancing requirements while at City Hall, such as by remaining at least 6 feet apart. Use of facial masks is mandated to combat the spread of the COVID-19 disease.

8. CONSENT AGENDA.

PLEASE NOTE: ITEMS PULLED FROM THE CONSENT AGENDA MAY BE REMOVED FROM CONSIDERATION BY THE CITY COMMISSION AND CONTINUED FOR TWO (2) WEEKS UNTIL THE NEXT REGULARLY SCHEDULED CITY COMMISSION MEETING. (ONLY MEMBERS OF THE CITY COMMISSION MAY REMOVE ITEMS FROM THE AGENDA).

8.A. [Legal Department - Resolution Extending The Local State of Emergency \(pp. 25-27\)](#)

RESOLUTION EXTENDING THE LOCAL STATE OF EMERGENCY DUE TO COVID-19 FOR AN ADDITIONAL SEVEN DAY PERIOD ENDING APRIL 28, 2021; RATIFYING MAYORAL EXECUTIVE ORDER NO. 32; AND PROVIDING AN EFFECTIVE DATE.

Recommendation: City Attorney recommends adoption of the Resolution.

8.B. [Fire Department - Hall-Mark RTC - Fire Apparatus Replacement - Self Insurance Program \(pp. 28-32\)](#)

Resolution authorizing the purchase of one (1) E-One Typhoon Fire Engine Pumper apparatus from the authorized dealer Hall-Mark RTC, 725 SW 46th Avenue, Ocala, Florida 34474. Vehicle to be purchased from Orange County contract No.Y20-1023. The proposal calls for a 300 day delivery schedule. Total purchase not to exceed \$560,064.98. The vehicle is being purchased as a replacement due to previous apparatus being deemed totaled from a motor vehicle accident. The damaged vehicle was under the City's self-insurance program. The purchase will be an expenditure of the FY 21/22 budget. It is also requested that the Budget Officer be authorized to amend the budget as needed. Funds are available in General Fund

Recommendation: Fire Chief recommends adoption of the Resolution.

8.C. [Police Department - AXON Enterprise, Inc. - Agreement Approval](#)

[\(pp. 33-49\)](#)

Resolution approving an agreement to provide new licenses and equipment from AXON Enterprises, Inc., 17800 N 85th Street, Scottsdale, Arizona 85255, which will run parallel with the current agreement; terminate at the same term as the existing agreement; and expand the current program originally approved by Resolution 19-324, which established an integrated Taser and Body-Worn Camera (BWC) program. The new agreement will provide additional program licenses to support the currently deployed Taser and BWC accounts retroactively to January 2021; provide expanded licenses and equipment for new officer hire classes in 2021; and deploy BWC to all sworn DBPD supervisors and the Command staff. This agreement will end in 2024, along with the current program and agreement. Funds of \$250,000 were budgeted in the FY2021 budget for AXON expansion due to new hires and broader deployment of the BWC equipment. The annual payment amount for years 3-5 will increase \$169,188 from \$466,704 to \$635,892. The cost increase for fiscal year 2021 is \$193,537.90 which includes \$24,349.90 for the retroactive licenses and equipment. This increased annual payment amount will be budgeted for the remaining fiscal years of the agreement. AXON is a sole source provider for the integrated BWC and TASER equipment and supporting software. Funds available in the General Fund.

Recommendation: Police Chief recommends adoption of the Resolution.

8.D. [Utilities Department – Carollo Engineers – Work Authorization No. 36 to Professional Services Contract No. 1307-1022 – Brennan Water Treatment Plant Process and Electrical Systems Evaluation Project \(pp. 50-116\)](#)

Resolution approving Work Authorization No. 36 to Professional Services Contract No. 1307-1022 with Carollo Engineers, 200 East Robinson Street, Orlando, FL 32801 for the Brennan Water Treatment Plant (WTP) Process and Electrical Systems Evaluation Project in an amount not-to-exceed \$204,200. □

Work Authorization No. 36 will consist of an evaluation to address the following issues. □

1. Electrical System – Throughout the lifespan of the WTP, numerous projects have been completed that added on to the electrical system already in place. Ultimately, this has created weak spots within the electrical system that make it, and therefore the treatment process, vulnerable to power issues such as brownouts, power surges and power outages. An evaluation of the electrical system is needed to understand where the vulnerabilities are and the best way to mitigate the issues. □

2. Process Evaluation – An evaluation of the current treatment process is needed to help refine the overall process in an effort to increase operational efficiency and reduce treatment costs. Additionally, the City needs to address reliability and redundancy concerns associated with the existing lime softening process to ensure the City is able to provide, without interruption, high quality drinking water to existing customers as well as new customers brought online through growth. □

Funds are available in the Water & Sewer Renewal & Replacement 5% Fund.

Recommendation: Utilities Director recommends adoption of the Resolution.

8.E. [Utilities Department - Florida Department of Environmental Protection \(FDEP\) - Consent Order - Bennet Swamp Project - No City Cost \(pp. 117-132\)](#)

Resolution authorizing the City to enter into a Consent Order with the State of Florida Department of Environmental Protection (FDEP) (OGC File No. 21-0087) which requires the City to apply for a permit modification to the Westside Regional Water Reclamation Facility (WRF) Operating Permit as it relates to the Bennett Swamp Outfall.

The City partnered with FDEP and St John's River Water Management District to design and fund construction of Bennett Swamp Aquifer Recharge Project to expand beneficial use of reuse water. As part of the project FDEP added Bennett Swamp as an approved reuse water discharge location in the Westside Regional WRF Operating Permit. The existing permit ties the City's Phosphorus and Nitrogen limits into the swamp to the outfall location of Bennett Swamp (located at the northwest corner of US 92 and LPGA Blvd. intersection) instead of at the location where the City discharges reuse water into the swamp. Between May and August of 2020, the City sent 171 million gallons of reuse water to Bennett Swamp. During the same time and extending to December of 2020, the swamp received over 60 inches of rain, and there were multiple construction dewatering activities entering the swamp by private development. The combination of all sources of water into the swamp resulted in 11.5 billion gallons of water flowing out of Bennett Swamp. Even though the City contribution was only 1.5% of the total flow leaving Bennett Swamp, the way the City's permit is written resulted in a permit violation. FDEP views the Bennett Swamp project as a beneficial use of water resources; therefore, is working with the City to allow the use of the Bennett Swamp project during the consent order time frame in order to provide time for the City to apply for another permit modification to relocate the regulatory location for the nitrogen and phosphorus limits to the reuse discharge location into the swamp. This change will only hold the City accountable for its contribution, regardless of how much water leaves Bennett Swamp. Consent Order OGC 21-0087 will be closed October 2023

or upon the issuance of a new permit, whichever is first. There is no City funding associated with this request.

Recommendation: Utilities Director recommends adoption of this Resolution.

8.F. [Utilities Department – PCEO, Inc. dba PC Construction – Change Order No. 2 - Ralph Brennan Water Treatment Plant \(WTP\) Gravity Filter Upgrade Design-Build Project \(pp. 133-235\)](#)

Resolution approving Change Order No. 2 to Contract No. 20173 with PCEO, Inc. dba PC Construction, 193 Tilley Drive, South Burlington, VT 05403, in the amount of \$1,316,886. As part of the Phase I services, PC Construction, along with their design engineer (Carollo Engineers) were tasked with identifying materials and equipment that have long lead times. This allows for procurement of these items prior to moving to Phase II (Construction) in order to shorten the overall project duration. □

Change Order No. 1, issued in March 2021 allowed the procurement of the thirty (30) valves and associated actuators. Change Order No. 2 will allow for the procurement of the filter underdrain system and the backwash blowers. □

As part of the Phase I services, Carollo Engineers evaluated various filter underdrain manufacturers and determined a stainless-steel underdrain system would provide the City with the best long-term solution. Carollo Engineers evaluated applicable manufacturers and determined Anthratech Western Inc. (AWI) is the only manufacturer able to meet the project requirements. A sole source justification is included in the attached proposal. Pricing of the AWI underdrain system (\$1,199,385) was obtained from the manufacturer's representative, Carter Verplanck. Carollo Engineers also developed design specifications for the backwash blowers. Based on the requirements, two (2) qualified manufacturers (Continental and Gardner Denver) were identified. PC construction solicited and received competitive pricing from three (3) vendors representing the approved manufacturers. Based on the competitive pricing, Carter Verplanck was found to have the lowest pricing at \$117,201. □

The total cost of Change Order No. 2 is \$1,316,866. A subsequent deductive change order will be used to allow the City to realize up to \$79,000 in tax savings. Funds are available in the Water & Sewer Improvement Construction Fund and Water & Sewer Construction Bank Loans Fund. □

Recommendation: Utilities Director recommends adoption of the Resolution and approving the expenditure of \$1,316,886. □

8.G. [Utilities Department – PCEO, Inc. dba PC Construction – Contract No. 0317-2370 – Final Reconciliation Agreement – Westside Regional Water](#)

[Reclamation Facility Improvements Project \(pp. 236-275\)](#)

Resolution approving a Final Reconciliation Agreement for the Westside Regional Water Reclamation Facility (WRF) Project under Contract No. 0317-2370 and authorizing the City Manager and City Clerk to execute the Final Reconciliation Agreement with the following provisions:

- Approve February 15, 2021, as the final completion date and beginning of the warranty period
- Approve the final adjusted contract price of \$32,894,790.74
- Approve a final payment of \$1,693,004.08 due under the contract, which includes retainage

The final adjusted contract price for the project is \$32,894,790.74 which includes a decrease of the overall contract value by a total of \$7,022,703.48 so that the City could purchase equipment by means of Owner Direct Purchase (ODP). Through the use of the ODP process, the City was able to realize over \$400,000 in tax savings. No additional funds are required for this request.

Recommendation: Utilities Director recommends adoption of the Resolution.

8.H. [Utilities Department – 4 C’s Trucking and Excavation, Inc. - Final Reconciliation Agreement - Ballough Road Utility Improvements Project \(pp. 276-281\)](#)

Resolution approving a Final Reconciliation Agreement (FRA) for the Ballough Road Utility Improvements Project and authorizing the City Manager and City Clerk to execute the Final Reconciliation Agreement with the following stipulations:

- Approve November 1, 2020 as the substantial completion date;
- Approve January 23, 2021 as the final completion date;
- Approve a final adjusted contract price of \$809,920.67; and
- Approve a final payment of \$66,656.62 due under the contract, which includes retainage.

The Final Reconciliation agreement includes a contract price reduction of \$47,433.76 due to underruns of bid quantities not used in the project. No additional funds are required for this request.

Recommendation: Utilities Director recommends adoption of the Resolution.

8.I. [Public Work / Technical Services Division - Paul Culver Construction](#)

[- Lowest Responsive Bid - Contract Award \(pp. 282-298\)](#)

Resolution awarding a Contract to the lowest responsive bidder, Paul Culver Construction Inc., 1301 Beville Road, Suite 6 Daytona Beach, FL 32119, in the amount the amount of \$47,600 to construct improvements at the Peabody Auditorium. The improvements include a pre-engineered and permanently mounted exterior fabric covered canopy structure over the patio space adjacent to the Rose Room. This canopy will provide shade and much needed relief from both sun and rain making the patio space a much more hospitable place to be both before and after events and shows at the Peabody. The improvements referenced above will increase the usability and enjoyment of the park for residents of Daytona Beach. Fund are available in the Capitol Projects Fund.

Recommendation: Public Works Director recommends adoption of the Resolution.

8.J. [Development and Administrative Services - Non-Ad Valorem Assessments for Collection of Demolition Costs \(pp. 299-335\)](#)

Resolution authorizing execution of the revised "Agreement with Volusia County Property Appraiser For the Utilization of The Uniform Method of Collection of Non-Ad Valorem Assessments" and execution of an "Agreement With The Volusia County Tax Collector For the Utilization of The Uniform Method of Collection of Non-Ad Valorem Assessments". The implementation of Amendment 10, which made the Property Appraiser and the Tax Collector constitutional officers, has necessitated a revision of the Non-Ad Valorem Assessment Agreement with the Volusia County Property Appraiser and an additional agreement with the Volusia County Tax Collector.

Pursuant to Resolution 18-414, the City of Daytona Beach intends to continue to impose non-ad valorem assessments against properties that received demolition service for collection of costs related to demolition of condemned structures services.

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

8.K. [Business Enterprise Management Department - onSpot WiFi - Contract Approval \(pp. 336-378\)](#)

Resolution approving a contract between the City of Daytona Beach and onSpot WiFi, 3085 Fountainside Drive, Suite 103, Germantown, TN 28138 after being awarded the City issued RFP for installation of new WiFi equipment and system at the Halifax Harbor Marina in an amount not to exceed \$27,500; authorizing expenditure of \$3,000 for maintenance services

for the remaining FY 2021; and authorizing the City Manager to exercise future renewals. Equipment and 24/7 WiFi customer service will be available for all of the Halifax Harbor Marina customers. Funds are available in the Halifax Harbor Fund.

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

8.L. [Business Enterprise Management Department - TW Realty, LLC - Daytona Beach Pier Property Management and Maintenance Contract \(pp. 379-407\)](#)

Resolution approving an RFP Contract awarded between the City of Daytona Beach and TW Realty, LLC, 120 East Granada Boulevard, Ormond Beach, FL 32176 to manage the Daytona Beach Pier for a five-year contract in the amount of \$17,000 for FY 2021 with one five-year renewal; and authorizing the City Manager to exercise the renewal option subject to budget appropriations. Funds are available in the Pier Fund.

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

8.M. [Business Enterprise Management Department - Alan Jay Fleet Sales - Purchase \(pp. 408-466\)](#)

Resolution approving the purchase of 30 equipped marked police vehicles through the 2021 Sourcewell Cooperative Contract (formerly NJPA) 120716-NAF with options from Alan Jay Fleet Sales, PO Box 9200, Sebring, FL 33871 with provisions where 20 vehicles will be financed using Branch Banking and Trust Company (BB&T) for \$859,698 starting in FY 2022 per budget appropriations and a one-time expenditure of \$435,135 to purchase 10 vehicles in FY 2021. This purchase is part of the Vehicle Acquisition Program (VAP) for Police vehicles approved by Resolution 15-18. Funds are available in the General Fund (\$859,698) and the Police Impact Fees Fund (\$435,135).

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

8.N. [City Manager's Office - Land Purchase - 415 Orange Avenue \(pp. 467-502\)](#)

Resolution authorizing the purchase of 2+/- acres of assembled land parcels located generally at 415 Orange Avenue Daytona Beach, Florida 32114 and five vacant adjacent parcels for a contract price not to exceed \$299,000 and authorizing the expenditure of associated land transaction costs and expenditures to verify property value to include but not limited to: appraisal,

survey, and environmental assessment. Purchase contract is with property owner Ameris Bank - 3490 Piedmont Road NE, Atlanta, Georgia 30305 and administered by authorized representatives.

The purpose of this request is to acquire a suitable site for the expansion of city services due to service impacts caused by the significant growth experienced throughout the city. The experienced and prospective growth along with new development in the city are supported by evidence from the BEBR 2020-2045 Population Survey and residential/commercial permits issued by the city. These facts serve as the rational and reasonable connection for the expansion of city services/facilities to include but not limited to a prospective new fire station and other complimentary public service amenities.

With the new development and experienced/projected population growth within the downtown area, the inventory of available land is anticipated to decline and the cost of land is expected to significantly increase over the coming years. The land needs of the city for the purpose of expanding city services within the Downtown/Midtown area require land of adequate size, dimension, and strategic proximity to the community we serve. Funds are available in the General Governmental Impact Fees Fund.

Recommendation: Deputy City Manager recommends adoption of the Resolution.

9. PUBLIC HEARINGS.

9.A. [Human Resources Department - Implementation of a Money Purchase Retirement Plan 401A for eligible sworn Police Officers and Firefighters \(pp. 503-589\)](#)

Ordinance on second reading - PUBLIC HEARING authorizing the Mayor and City Clerk to execute a money purchase plan, trust adoption agreement, and administrative services agreement with the International City Manager Association (ICMA) Retirement Corporation to establish a Money Purchase Retirement Plan 401A for sworn Police Officers and Firefighters that have accrued the maximum monthly benefit in the Police Officers' and Firefighters' Retirement System on or after June 1, 2021; providing for codification; repealing all ordinances in conflict herewith and providing an effective date.

James Sexton, Human Resources Director, to report.

Recommendation: Human Resources Director recommends adoption of the Ordinance on second reading.

Action: Motion to adopt the Ordinance.

9.B. [Human Resources Department - Police and Fire Pension Plan - Amendment \(pp. 590-596\)](#)

Ordinance on second reading - PUBLIC HEARING amending the City of Daytona Beach Police Officers' and Firefighters' Retirement System, Subpart D of the City Charter; Amending Section 5, Contributions, by amending the member contribution rate to .50% once the member has accrued the maximum monthly pension benefit cap; providing for codification; repealing all Ordinances in conflict herewith and providing an effective date.

James Sexton, Human Resources Director, to report.

Recommendation: Human Resources Director recommends adoption of the Ordinance.

Action: Motion to adopt the Ordinance.

9.C. [Public Works/Technical Services Division - Final Plat Approval for the WC Grand \(pp. 597-601\)](#)

Resolution - Quasi-Judicial Hearing approving the Final Plat for the WC Grand. The plat is a townhome subdivision which is located on Grandview Avenue on the south side of Goodall. The project has been reviewed by staff and found to be consistent with the Land Development Code. The preliminary plat has been reviewed and approved by the Planning Board and the City Commission on the April 7, 2021 meeting along with a PD agreement. The Final Plat has also been reviewed by the City's consulting surveyor for consistency with Chapter 177 of the Florida Shores. The Public improvements for the project are to be constructed before recording of the plat and thus no Contract for Plat Recording or bond will be required.

Andrew Holmes, Public Works Director, to report.

Recommendation: Public Works Director recommends adoption of the Resolution.

Action: Motion to adopt the Resolution.

9.D. [Development and Administrative Services - Halifax Hospital Medical Center Proportionate Fair Share Agreement \(pp. 602-611\)](#)

Resolution - PUBLIC HEARING authorizing the City to enter into the Halifax Hospital Medical Center Proportionate Fair Share Agreement with Henning Holdings LLC, ("Developer"). The agreement provides for a proportionate fair share contribution to the City in the amount of \$6,347.95, based on a 243-unit senior living facility with associate amenities (AKA Discovery Place – Daytona). The purpose is to satisfy concurrency requirements consistent with the requirements of Section 3.4(Z) of the City's

Land Development Code and Section 70 of the County's Land Development Code. The contribution will provide local transportation improvements to City roads and shall be paid to the City prior to final approval of the Halifax Hospital Medical Center project that is generally located on the west side of Clyde Morris Boulevard between Dunn Avenue and West International Speedway Boulevard.

James S. Morris, Deputy City Manager, to report.

Recommendation: Deputy City Manager recommends adoption of the Resolution.

Action: Motion to adopt the Resolution.

9.E. [Utilities Department - Florida Department of Environmental Protection - Clean Water State Revolving Loan - 2021 Facilities Plan Adoption \(pp. 612-712\)](#)

Resolution - PUBLIC HEARING - adopting the 2021 Clean Water Facilities Plan. The following are the priority City projects and loan amounts:

- Westside Regional Water Reclamation Facility Influent Pump Station and Headworks: \$21,016,000;
- Westside Regional Water Reclamation Facility Clarifiers: \$6,000,000;
- Bethune Point Water Reclamation Facility Influent Pump Station: \$7,253,000;
- Bethune Point Water Reclamation Facility Effluent Filters: \$3,800,000;
- Bethune Point Water Reclamation Facility Biosolids Handling Facility: \$5,960,000;
- Lift Station 5 Force Main Upgrade: \$3,457,500;
- LPGA Blvd Force Main: \$9,084,000;
- Lift Station 5 Improvements: \$7,797,600; and
- Lift Station 34 Improvements: \$4,544,000.

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

Shannon Ponitz, Utilities Director, to report.

Recommendation: Utilities Director recommends adoption of the Resolution.

Action: Motion to adopt the Resolution.

10. ADMINISTRATIVE ITEMS.

10.A. [Finance Department - Utility System Clean Water State Revolving Fund \(CW SRF\) Loan 2021 \(pp. 713-719\)](#)

Ordinance on first reading authorizing the issuance of debt from the Florida Department of Environmental Protection (FDEP) Clean Water State Revolving Fund (CW SRF) Program secured by water and sewer utility revenues in an amount not to exceed \$88,500,000 to fund utility system improvements.

CW SRF Program is used to take advantage of a low interest rate loan; flexible disbursement draw system; and reduced arbitrage reporting requirements. The loan proceeds will cover costs including program service fees, closing costs, and capitalized interest for the planning, designing, and constructing of wastewater system improvements.

The loan agreement amount will be modified after the design is completed and bid prices are received or as grants are secured. Given the list of projects with multiple bids and completion dates, there will be multiple loan agreements issued by FDEP. The interest rate is not set until the loan agreement is approved so debt service is based on an estimated interest rate of 1.5 percent per annum. Based on the Facilities Plan, there is an expected loan disbursement draw of \$68,912,100 and a corresponding annual debt service of \$4,734,449.

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

Patricia Bliss, Chief Financial Officer, to report.

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

Action: Motion to pass Ordinance on first reading.

Note: If passed, Public Hearing, May 5, 2021.

10.B. [Development and Administrative Services, Redevelopment Division - Beaches ISB Planned Development – Redevelopment \(PD-RD\) \(pp. 720-819\)](#)

Ordinance on first reading - rezoning 1.4± acres of land located at 301 East International Speedway Boulevard (ISB), from Business Automotive (BA) and Business Retail-1 (BR-1) to Planned Development -Redevelopment (PD-RD), to develop a mixed-use project. Approval of this request will permit redevelopment of a site on ISB and begin the creation of a new corridor to the beachside.

Reed Berger, Redevelopment Director, to report.

Recommendation: Planning Board recommends approval 7-to-0

Action: Motion to pass Ordinance on first reading.

Note: If passed, Public Hearing, May 5, 2021

10.C. [City Manager's Office - Board of Adjustment - Appointment \(pp. 820-825\)](#)

Resolution appointing one member to the Board of Adjustment. 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. This board has three vacancies. We have one application to fill a vacant At Large position: John George.

Betty Goodman, Assistant City Manager, to report.

Recommendation: Commission action.

Action: Motion to adopt the Resolution.

10.D. [City Manager's Office - Code Enforcement - Appointment \(pp. 826-835\)](#)

Resolution appointing one member to the Code Enforcement Board. This board shall consist of seven members appointed by the City Commission. Members of the board shall be residents of the City. We have one vacancy and two applicants: Katherine Marsh and Matthew Reinhart.

Betty Goodman, Assistant City Manager, to report.

Recommendation: Commission action.

Action: Motion to adopt the Resolution.

10.E. [City Manager's Office - Leisure Services Advisory Board - Appointments \(pp. 836-849\)](#)

Resolution appointing four members to the Leisure Services Advisory Board. The board shall consist of seven (7) members, one (1) from each zone nominated by City Commissioners of respective zones, and one (1) at large member nominated by the Mayor. The membership terms of Dwayne Murray, Amanda Glugover, Steven Miller, Carol Kilian and John Huger have expired . We have received applications from Ms. Glugover (zone 1), Steven Miller (zone 3) and Ms. Kilian (zone 4) who would like to be reappointed. We have an additional applications from Renee Richardson (zone 6).

Betty Goodman, Assistant City Manager, to report.

Recommendation: Commission action.

Action: Motion to adopt Resolution.

10.F. [City Manager's Office - Peabody Auditorium Advisory Board - Appointment \(pp. 850-861\)](#)

Resolution appointing one member to the Peabody Auditorium Advisory Board. 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. Members shall serve until their successors are appointed. There is currently an opening in Zone 3 and we have one application from Ms. Sara Fox.

Betty Goodman, Assistant City Manager, to report.

Recommendation: Commission Action.

Action: Motion to adopt the Resolution.

10.G. [City Manager's Office - Police and Fire Pension Board - Appointment \(pp. 862-868\)](#)

Resolution appointing one member to the Police and Fire Pension Board. The Florida Statutes, Sections 175.061 (1)(2), 175.351[15(a)4], and 185.05(1), and 185.35(4)(a) regulate the selection of five Trustees: two (2) of whom, unless otherwise prohibited by law, shall be legal residents of the City and shall be appointed by the Daytona Beach City Commission. We have one opening in this category and one qualifying applicant: William Kuendig.

Betty Goodman, Assistant City Manager, to report.

Recommendation: Commission Action.

Action: Motion to adopt the Resolution.

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

12. ADJOURNMENT.

13. PUBLIC COMMENT FORUM - During this time Citizens are allowed 2.5 minutes to speak on any topic. Please be courteous and respectful of the views of other speakers. Personal attacks on the City Commission, City Staff or members of the public are not allowed.