



**THE CITY OF DAYTONA BEACH
BUSINESS MEETING OF THE CITY COMMISSION
JULY 6, 2022
CITY COMMISSION CHAMBERS
6:00 PM**

AGENDA

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

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



For special accommodations, please notify the City Clerk's Office at least 72 hours in advance. (386) 671-8020



Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained from the City Clerk's Office.



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.**

AGENDA

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

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

Approval of the Minutes of the June 1, 2022 City Commission Meeting held at 301 S. Ridgewood Avenue, Daytona Beach, FL 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. [No Presentations.](#)

7. **CITIZENS - During this time Citizens have the opportunity to address the City Commission on any item on the Consent Agenda.**

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. [City Manager's Office/ Redevelopment - City of Daytona Beach Employee Rental Housing Program \(pp.17-31\)](#)

Resolution approving the City Employee Rental Housing Program to lease a duplex unit located at 146 & 148 South Grandview Avenue. The City has owned and leased the subject property beginning March, 2007. The units have been leased to City Employees. The proposed lease will be offered for a one (1) year term, with the option to renew for an additional year.

Recommendation: Redevelopment Director recommends adoption of the Resolution.

Action: Adopt Resolution.

8.B. [City Manager's Office - Limiting Large Trucks on Nation's Highway System - Resolution of Support. \(pp.32-35\)](#)

Resolution supporting limiting larger trucks. The Coalition Against Bigger Trucks has approached the City of Daytona Beach with a request for supporting its nationwide initiative to restrict expansion of larger trucks on the nation's highway system. This initiative has the support of the National League of Cities. A suggested Resolution from the Coalition is attached for the City's consideration.

Recommendation: Deputy City Manager recommends adoption of the Resolution.

8.C. [Budget and Information Services Division - FY 2021/22 Third Quarter Budget Amendment \(pp.36-45\)](#)

Resolution amending Resolution No. 2021-301 (as previously amended), which adopted the FY 2021/22 budget, in order to increase revenues by \$9,493,283, operating expenditures by \$1,894,183, and transfers, capital, and debt service expenditures by \$7,599,100. This budget amendment increases revenues related to an insurance reimbursement, the receipt of Bike Week sponsorship funds, the receipt of a Prop Fair Share contribution, adjustments to the budget made by the Downtown Development Authority, and additional current year impact fee and trust fund revenues.

Recommendation: Information Services and Budget Director recommends adoption of the Resolution

8.D. [Development & Administrative Services - Non-Ad Valorem Assessments for Collection of 2022 Demolition Costs \(pp.46-50\)](#)

Resolution approving Non-Ad Valorem Assessments for collection of 2022 Demolition Costs pursuant to Resolution 18-414. The City of Daytona Beach intends to impose non-ad valorem assessments against properties that received demolition services for collection of costs related to demolition of condemned structures. The purpose of the assessment is

to fund the City's services for demolition of condemned structures as provided by law, within the City of Daytona Beach. The assessment will appear on the “non-ad valorem” portion of the annual tax notice for properties that received demolition services and will be provided by the Tax Collector of Volusia County. Failure to pay the assessment will cause a tax certificate to be issued against the affected property which may result in a loss of title to the property.

The properties are listed as follows:

541 Wallace St., 626 Fremont Ave., 821 George W. Engram Blvd., 611 Weber St., 553 Derbyshire Rd., 941 Lockhart St., 638 Aberdeen St., 224 San Juan Ave., 386 Jefferson St., 200 S. Beach St., 211 Michigan Ave.

Recommendation: The Deputy City Manager recommends adoption of the Resolution.

8.E. [Public Works/Technical Services - AuMiller Pools LLC - Campbell Pool Resurfacing Contract \(pp.51-145\)](#)

Resolution to award the contract ITB 22403 to AuMiller Pools LLC, 2438 Summerfield Rd., Winter Park, FL 32792 for the Campbell Pool Resurfacing in the amount of \$169,755. A request was made to the Public Works staff to perform an evaluation of the Campbell Aquatic Center pool surfaces following a report from the State of Florida Department of Health. The pools were marked in violation due to the pool finishes. The surfaces of the Warmup pool and the Competition pool was delaminating in several areas along the bottom and sides of the pools. The Public Works staff prepared bid specifications for the project. An Invitation to Bid was advertised and two offers were received. AuMiller Pools LLC was the lowest, responsive and responsible bidder in the amount of \$169,755. Funds are available in the Capital Project Fund.

Recommendation: Public Works Director recommends adoption of the Resolution.

8.F. [Public Works/Traffic Engineering - Continuing Professional Services Contract for Professional Traffic Engineering Contract # 21504-VHB and 21504-MEI \(pp. 146-205\)](#)

Resolution awarding continuing professional services Contracts 21504-VHB and 21504-MEI for traffic engineering services to the two top ranked qualified responsive proposers. The two engineering firms are as follows: Vanasse Hangen Brustlin, Inc., 225 East Robinson Street, Suite 300, Orlando, Florida 32801 and Metric Engineering Inc, 525 Technology Park, Suite 153, Lake Mary, Florida 32746, each for three (3) years, with the option of two (2), one (1) year renewals and to authorize the Mayor and City Clerk to execute the contracts and provide an effective date and authorize City Manager to exercise the renewal options. The purpose is to obtain City Commission approval for Metric Engineering Inc. (MEI) and Vanasse Hangen Brustlin (VHB) to perform professional Traffic Engineering Services as required for the Public Works Department and as authorized by a work authorization issued in accordance with the City's procurement policies. Engineering services may be provided by either firm is further described in

Exhibit A, Scope of Services. On August 17, 2021, a Request for Proposal, (RFP) 21054, was issued in accordance with Section 287.055, Fla. Stat., Consultants' Competitive Negotiations Act (CCNA) for engineering firms to submit their qualifications for continuing Professional Traffic Engineering Services. The selection committee convened on October 29, 2021 to review the proposals received in accordance with the evaluation criteria published in the RFP. The committee recommended award of two project specific continuing contracts. Upon City Manager acceptance, Public Works successfully negotiated contract terms and fee schedules with the two top ranked firms. Fee schedules are provided as Exhibit B.

Funding will be available per work authorization specific and will be identified at the time of the WA fee negotiation with the consultant in accordance with the contract.

Recommendation: Public Works Director recommends adoption of the Resolution.

8.G. [Redevelopment/Community Development - Authorization to Submit the City's 2022-2023 Annual Action Plan to the U.S. Department of Housing and Urban Development \(HUD\) for Grant Funding.\(pp.206-240\)](#)

Resolution approving the submittal of the City's 2022-2023 Annual Action Plan to the U.S. Department of Housing and Urban Development (HUD) to apply for Community Development Block Grant (CDBG) and Home Investment Partnership Grant (HOME) program funding. The City of Daytona Beach is an Entitlement Agency of HUD grant funds and is required to submit an Annual Action Plan to complete the funding process. The grant funds will support the production and preservation of affordable housing and promote suitable living environments in the city. The use of these grant funds will principally benefit low-income households and/or low-income areas in the City of Daytona Beach. The Annual Action Plan describes City programs, activities, funding, and expected outcomes over a twelve (12) month period for HUD to evaluate prior to awarding the grants. A summary of the Annual Action Plan was advertised in the Daytona Beach News-Journal and the public meeting schedule. A draft of the Annual Action Plan was made available for the public to review and comment on for thirty (30) days commencing June 1, 2022. No citizen comments were received.

The 2022-2023 Annual Action Plan is governed by the City's master 2021-2025 Consolidated Plan that was adopted by Resolution #2022-89 and approved by HUD. The programs and activities contained in the 2022-2023 Annual Action Plan are consistent with the programs and activities described in the approved City's master 2021-2025 Consolidated Plan.

Recommendation: Redevelopment Director recommends adoption of the Resolution.

8.H. [Redevelopment/Community Development Department - Authorization to Amend the City's 2021-2025 Consolidated Plan and 2021-2022 Annual Action Plan \(pp.241-252\)](#)

Resolution authorizing a second amendment to the City's Master 2021-2025 Consolidated

Plan and 2021-2022 Annual Action Plan and submission to the U.S. Department of Housing and Urban Development (HUD) to accept the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) funds awarded to the City in the amount of \$187,284. The City Commission initially approved both Plans by Resolution #2021-164. Thereafter, both Plans were amended and approved by Resolution #2022-89 accepting new Home Investment Partnership Grant (HOME) funds awarded (\$1,405,829) under the American Rescue Plan Act of 2021 (ARPA) and allowed City participation in HUD's Section 108 Loan Guarantee Program.

The City of Daytona Beach is an entitlement jurisdiction per determination by HUD and thereby authorized to receive these Community Development Block Grant (CDBG) funds being reallocated under the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-136, enacted March 27, 2020, to respond to the effects of the historic public health crisis. HUD requires jurisdictions to amend their Plans to gain access to the new funds being made available to jurisdictions. The planned use of these funds will be to assist low to moderate-income individuals or households who are at risk of homelessness by providing housing rental assistance to address and increase housing stability in the city. This amendment (Exhibit "A" attached) will allow for City acceptance and usage of CARES Act funds awarded from HUD, leaving intact all previously approved authorizations in Resolutions adopting the City's governing master 2021-2025 Consolidated Plan.

Recommendation: Redevelopment Director recommends adoption of the Resolution.

8.I. [Risk Management - Wright National Insurance Company - Flood Insurance Renewals \(pp.253-262\)](#)

Resolution accepting renewal proposals submitted by Wright National Flood Insurance Company, P.O. Box 33003, St. Petersburg, FL 33733 for an annual premium in the amount of \$21,937 for flood insurance coverage for various City-owned properties in flood zones for the period of July 25, 2022 to July 25, 2023. This is a decrease of last year's premium by \$27,000 due to a new NFIP rating program. Also, authorizing payment for any additional flood premium, not to exceed \$20,000, for any additional properties who's flood insurance policies renew in August and November and any new properties determined to be in flood zones and for adjustments in property values that may cause a need for an increase of coverage during the policy period of July 25, 2022 to July 25, 2023. Funds are available in the Consolidated Insurance Fund.

Recommendation: Risk Manager recommends adoption of the Resolution.

8.J. [Utilities Department - Mead & Hunt, Inc. - Professional Engineering Consultant Contract #22304 Approval for Lift Station 5 \(pp. 263-352\)](#)

Resolution approving Professional Engineering Consultant Contract No. 22304 with Mead & Hunt, Inc., 4401 Eastport Parkway, Port Orange, FL 32127 for design of the Lift Station

5 Improvement Project in an amount not to exceed \$409,806.44. Lift Station 5, located at 647 Shady Place, is a City-owned, wet pit/dry pit configuration, triplex master lift station constructed in the 1950's. Lift Station 5 is one of the largest lift stations within the City with influent wastewater flows of approximately 2 million gallons per day on an average annual daily basis. Lift Station 5 re-pumps wastewater from 12 public lift stations in the southeastern portion of the City as well as wastewater from the City of South Daytona. Under normal operation, Lift Station 5 sends wastewater to the Westside Regional Water Reclamation Facility (WRF). Construction resulting from this request is one project out of several that is needed to routinely direct Lift Station 5's service area to the Bethune Point WRF. This diversion will increase wastewater treatment capacity on the west side of the City needed for growth. Funds are available in the Sewer Impact Fee Fund.

Recommendation: Utilities Director recommends adoption of the Resolution.

8.K. [Utilities Department - Utility Easement Vacation - 1500 Beville Road, Daytona Beach, FL 32114 \(pp.353-360\)](#)

Resolution approving the vacation of a utility easement over the rear portion of property located at 1500 Beville Road. The existing utility easement encumbers the rear portion of the Publix Supermarket which is located within the Shoppes of Beville property. The utility easement, granted to the benefit of the City, has not been utilized for the intended purpose. Utility staff has performed investigations of the area and has determined the utility easement is not needed by the City. There is no City funding associated with this request.

Recommendation: Utilities Director recommends adoption of the Resolution.

8.L. [Utilities Department - Florida Department of Environmental Protection \(FDEP\) - Consent Order \(OGC File No. 22-1813\) \(pp.361-370\)](#)

Resolution authorizing the City to enter into a Consent Order with the Florida Department of Environmental Protection (FDEP) (OGC File No. 22-1813) which imposes civil penalties in the amount of \$6,005.77 and administrative costs in the amount of \$250 related to a sanitary sewer spill on April 9, 2022. The City maintains domestic wastewater permit number FL0111392 through FDEP for the operation of the Westside Regional Water Reclamation Facility. On April 9, 2022, a mechanical failure of the bar screens at the headworks of the Westside Regional Water Reclamation Facility resulted in a spill of approximately 44,100 gallons of untreated wastewater. All of the material was retained on site and all but approximately 1,800 gallons was recovered. All of the requisite repairs have been completed. OGC File No. 22-1813 is a short form consent order and will be closed upon payment of the stipulated penalty. This consent order does not bind the City to any additional actions. Funds are available in the Water and Sewer Operating Fund.

Recommendation: Utilities Director recommends adoption of the Resolution.

8.M. [Finance Department - Allocation of Bike Week Sponsorship Funds \(pp.371-374\)](#)

Resolution authorizing the following:

- **\$500** for funding for College Tours for the Bethune-Cookman University Black Male College Explores Program from the Bike Week Sponsorship Funds of Mayor Derrick L. Henry.
- **\$250** for funding for College Tours for the Bethune-Cookman University Black Male College Explores Program; and **\$500** to Bethune-Cookman University for their Day of Giving from the Bike Week Sponsorship Funds of Commissioner Strickland.
- **\$500** to Leisure Services Department for three Community Update Meetings from the Bike Week Sponsorship Funds of Commissioner May.

Recommendation: Chief Financial Officer recommends adoption of the Resolution.

9. SPECIAL ADMINISTRIAL ITEM**9.A.** [Action on Motion to Reconsider the outcome of the Motion to reject the Pre-Suit Settlement Agreement regarding the Bridgeport Heights River Approach](#)

At the Special City Commission Meeting on June 29, 2022, the City Commission approved by 5-2 vote, a Motion to reject the proposed Pre-Suit Settlement Agreement regarding the Bridgeport Heights River Approach. A City Commissioner voting on the prevailing side has requested an opportunity to be heard on a Motion to Reconsider the outcome of the Motion to reject the Pre-Suit Settlement Agreement. If the Motion to Reconsider is seconded and approved by the City Commission, the Commission may then vote on the underlying motion or on an amended motion.

10. PUBLIC HEARINGS.**10.A.** [Development and Administrative Services, Planning Division - 1500 Tomoka Farms Road – Small-Scale Comprehensive Plan Map Amendment \(SSCPA\) – DEV2021-142 \(pp.376-436\)](#)

Ordinance on second reading - PUBLIC HEARING approving a Small-Scale Comprehensive Plan Amendment (SSCPA) changing the Future Land Use Map designation for 46.8± acres of land from Level 1 Residential and Potentially Environmentally Sensitive (PES) to Level 2 Residential and Potentially Environmentally Sensitive (PES), and amending Neighborhood U to cap the density to a maximum of 500 dwelling units. The property is located at 1500 Tomoka Farms Road, north of First Baptist Parkway and west of Tomoka Farms Road. **Planning Board recommends approval of this request 4-to-0.** Applicant: Steven R. Buswell, P.E., R.L.A., Parker Mynchenberg and Associates, Inc. on behalf of Zachary E. Stoumbos, Manager at THP, LLC.

Action: Second reading and adoption of Ordinance.

10.B. [Development and Administrative Services, Planning Division - 2nd Amendment to 1500 Tomoka Farms Road PD – Planned Development–General \(PD-G\) Rezoning – DEV2021-143 \(pp.437-479\)](#)

Ordinance on second reading - PUBLIC HEARING to approve the Second Amendment to the 1500 Tomoka Farms Road PD (f/k/a Tomoka Independent Living PD) to increase the maximum permitted density and modify the approved lot development criteria for a multifamily complex. This request also includes a modified completion schedule and renaming of the agreement. The subject property consists of ~46.81± acres located at 1500 Tomoka Farms Rd., at the northwest corner of First Baptist Parkway and Tomoka Farms Road (CR-415). **The Planning Board recommended approval of this request 4-0.** Applicant: Robert A. Merrell III, Esquire, Cobb Cole, on behalf of THP LLC (property owner).

Action: Second reading and adoption of Ordinance.

10.C. [Development and Administrative Services, Planning Division - INA Group - Planned Development-General \(PD-G\) Rezoning \(DEV2021-110\) \(pp.480-545\)](#)

Ordinance on second reading - PUBLIC HEARING to rezone 225.2± acres of land from Single-Family Residential 5 (SFR-5) to Planned Development-General (PD-G) to allow for a 352-unit single family residential subdivision. The property is generally located east of and adjacent to the City's Municipal Stadium and south of and adjacent to the City's Water and Wastewater Treatment Plant. **Planning Board recommends approval 7-to-0.** Applicant: Mark Watts, Esq., Cobb Cole, on behalf of INA Group LLC (property owner)

Action: Second reading and adoption of Ordinance.

10.D. [Human Resources Department - Police and Fire Pension Plan - Amendment - \(pp.546-551\)](#)

Ordinance on second reading - PUBLIC HEARING to amend the City of Daytona Beach Police Officers' and Firefighters' Retirement System, Subpart D of the City Charter; Amending Section 3, Board of Trustees; providing staggered terms for trustees, Amending Section 6, Benefit Amounts and Eligibility; providing for normal retirement eligibility for twenty years of service regardless of age, Amending Section 8, Disability; deleting allowance of temporary relief; providing for severability of provisions; providing for codification; repealing all ordinances in conflict herewith and providing an effective date.

Action: Second reading and adoption of Ordinance.

10.E. [Human Resources Department - Outside Detail Rate Increase - Amendment \(pp.552-555\)](#)

Ordinance on second reading - PUBLIC HEARING amending Ordinance 03-226 as amended by Ordinance 10-51, Ordinance 16-73, and Ordinance 19-317. To establish increased hourly rates to be charged for police officers who provide service to bars,

lounges and nightclubs located within the core beachside tourist area, with the increased rates being based on the dates of service; repealing all ordinances or parts of ordinances in conflict.

Action: Second reading and adoption of Ordinance.

10.F. [Public Works Technical Services-Preliminary and Final Plat for Tymber Creek Village. \(pp.556-564\)](#)

Resolution PUBLIC HEARING approving the Final Plat and authorizing the City Manager to execute the Plat. The plat creates a project encompassing 61.4+/- acres, containing one multifamily lot and 11 commercial lots to be located on the south side of LPGA Blvd. west of Champions Dr. The project has been reviewed by staff and found to be consistent with Section 3.4.k.3 of the Land Development Code. The preliminary plat has been reviewed and approved by the Planning Board at their April 28th, 2022 meeting, and has been approved by the Commission at their May 4, 2022. The Final Plat is consistent with the Preliminary Plat.

Recommendation: The Public Works Director recommends adoption of the Resolution.

11. ADMINISTRATIVE ITEMS.

11.A. [Ord.- City Manager's Office-Addition to the Code of Ordinances for the Establishment of a Public Arts Program \(pp.565-573\)](#)

Introduction of Ordinance on FIRST READING establishing Chapter 4 - Public Arts Program to the City of Daytona Beach Code of Ordinances. The ordinance establishes a Public Arts Program, Public Arts Advisory Board, Public Arts Collection, Public Arts Fund, and procedure for the commissioning of art; providing for purchasing procedures. Formally establishing and curating a public art collection allowing for the sharing and preservation of displays of art reflective of the City of Daytona Beach and our community. Repealing all ordinances or parts of ordinances in conflict herewith and providing an effective date.

Action: No action required.

Note: Public Hearing and final action, July 20, 2022.

11.B. [Development and Administrative Services, Planning Division - Project Oasis – Planned Development–General \(PD-G\) Rezoning – DEV2021-170 \(pp.574-672\)](#)

Introduction of Ordinance on FIRST READING to rezone 184.6± acres of land from Planned Development-General (PD-G) and General Industrial (M-3) to Planned Development-General (PD-G) to allow for a mixed use development, including residential, commercial, and light industrial uses. The property is bounded by LPGA Boulevard to the north, North Williamson Boulevard to the west, North Clyde Morris Boulevard to the east, and Mason Avenue to the south. **The Planning Board recommended approval of the**

request 4-2. Applicant: Mark A. Watts, Esq., Cobb Cole, on behalf of Halifax Hospital Medical Center.

Action: No action required.

Note: Public Hearing and final action, July 20, 2022.

11.C. [Development and Administrative Services, Planning Division - 1st Amendment to Williamson Crossing Amended and Restated PD – Planned Development–General \(PD-G\) Rezoning – DEV2022-025 \(pp.673-690\)](#)

Introduction of Ordinance on FIRST READING to amend the Williamson Crossing Amended and Restated PD to allow for a “veterinary hospital or clinic” as a permitted use, subject to conditions. The property consists of 21.7± acres located in the southeast quadrant of the Williamson Boulevard and LPGA Boulevard intersection. It is partially developed with a variety of commercial uses. **The Planning Board recommended approval of the request 6-0.** Applicant: Jessica L. Gow, Esq., Cobb Cole, on behalf of Shoppes at Williamson Crossing LLC.

Action: No action required.

Note: Public Hearing and final action, July 20, 2022.

11.D. [Development and Administrative Services, Planning Division - 1st Amendment to the Integrated LPGA PD – DEV2022-018 \(pp.691-713\)](#)

Introduction of Ordinance on FIRST READING amending the Integrated LPGA PD to memorialize the traffic signal located at the intersection of West International Speedway Boulevard and Grande Champion Boulevard. The property consists of 392± acres generally located on the east side of LPGA Boulevard, south and east of the City’s Municipal Stadium, and north of West International Speedway Blvd. The first phase of the single family subdivision is currently under development. **The Planning Board recommended approval of the request 6-0.** Applicant: Mark A. Watts, Esquire, Cobb Cole, on behalf of SW-30 Investments, LLC and Lennar Homes, LLC.

Action: No action required.

Note: Public Hearing and final action, July 20, 2022.

11.E. [Development and Administrative Services, Planning Division - Space Coast Credit Union – Small-Scale Comprehensive Plan Amendment \(SSCPA\) – DEV2021-154 \(pp.714-771\)](#)

Introduction of Ordinance on FIRST READING approving the Small-Scale Comprehensive Plan Amendment (SSCPA) for 4.1± acres of land, changing the Future Land Use (FLU) Map designation from Office Transition (OT) to Commercial Amusement (COMM-A), amending Neighborhood “P” Issue (j) to limit non-residential uses to 242,000 square feet. The property is generally located at the northwest intersection of Bill France Boulevard and Checkered Flag Boulevard. **The Planning Board recommended approval of the plan 4-0.** Applicant: Mark A. Watts, Esq., Cobb Cole, on behalf of Daytona Beach

Property Holdings Retail LLC.

Action: No action required.

Note: Public Hearing and final action, July 20, 2022.

11.F. [Development and Administrative Services, Planning Division - 2nd Amendment to 1st Amended and Restated Daytona Mixed Use PD DEV2021-155 \(pp.772-841\)](#)

Introduction of Ordinance on FIRST READING to rezone 4.1± acres of land from Office/Professional (OP) to Planned Development-General (PD-G), incorporating the property into the First Amended and Restated Daytona Mixed Use PD, allowing additional commercial uses, and revising development criteria. The property is located at 200 Bill France Blvd., at the northwest corner of Bill France Blvd. and Checkered Flag Blvd. Planning Board recommended approval of the request 6-0. Applicant: Mark A. Watts, Esq., Cobb Cole, on behalf of Daytona Beach Property Holdings Retail LLC.

Action: No action required.

Note: Public Hearing and final action, July 20, 2022

11.G. [Development and Administrative Services, Planning Division - 2nd Amendment to Tomoka Town Center PD – Planned Development–General \(PD-G\) Rezoning – DEV2021-066 \(pp.842-880\)](#)

Introduction of Ordinance on FIRST READING approving the Second Amendment to the Tomoka Town Center Planned District (PD) Agreement to increase the maximum number of residential dwelling units and decrease the maximum nonresidential development permitted within specific areas of the property. The subject property consists of ~118± acres generally located east of I-95, west of Williamson Blvd., and south of LPGA Blvd. **The Planning Board recommended approval of the request 4-0**. Applicant: Robert A. Merrell III, Esquire, Cobb Cole, on behalf of Jeff Preston, Tomoka Town Center Phase 1 LLC, and Tomoka Town Center 3 LLC.

Action: No action required.

Note: Public Hearing and final action, July 20, 2022.

11.H. [Development and Administrative Services, Planning Division - Allow Codifier to Correct Typos – Land Development Code \(LDC\) Text Amendment DEV2022-055 \(pp.881-890\)](#)

Introduction of Ordinance on FIRST READING amending Article 1, General Provisions, of the Land Development Code (LDC), to add Section 1.10, Supplementation of Code, to allow the codifier to make non-substantive changes, including correcting manifest cross-referencing, grammatical, numbering, and spelling errors. **The Planning Board recommended approval of this request 6-0.** Applicant: Development and Administrative Services Department, Planning Division.

Action: No action required.

Note: Public Hearing and final action, July 20, 2022

11.I. [Development and Administrative Services, Planning Division - Glitch Bill – Land Development Code \(LDC\) Text Amendment DEV2022-042 \(pp.891-914\)](#)

Introduction of Ordinance on FIRST READING amending Articles 3, 6 and 7 of the Land Development Code (LDC) to modify public hearing and notice requirements, modify allowable variances, clarify easement language, clarify temporary encroachments for outdoor eating or drinking establishments, expand allowances for street tree encroachment, and modify site infrastructure requirements. **The Planning Board recommended approval of the request 7-0**. Applicant: Development and Administrative Services Department, Planning Division.

Action: No action required.

Note: Public Hearing and final action, July 20, 2022

11.J. [Human Resources Department - Memorandums of Agreement \(CFPBA, FOP, IAFF\) \(pp.915-925\)](#)

Resolution approving the Memorandums of Agreements with Coastal Florida Police Benevolent Association, Florida State Lodge Fraternal Order of Police and International Association of Firefighters providing for mid-contract pay increases for public safety personnel. The cost of implementing the pay increases, effective July 3, 2022 is approximately \$458,000 for the remainder of the fiscal year. Funding available in the General Fund due to the vacancies in the Police Department.

Recommendation: Human Resources Director recommends adoption of the Resolution.

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

13. PUBLIC COMMENT FORUM - During this time Citizens are allowed three (3) minutes to speak on any topic. Please be courteous and respectful of the views of others. Personal attacks on the City Commission, City Staff, or members of the public are not allowed

14. ADJOURNMENT.