





**THE CITY OF DAYTONA BEACH
REGULAR MEETING - CITY COMMISSION
JANUARY 17, 2018
COMMISSION CHAMBERS
6:00 PM**

AGENDA

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

NOTICE- If any person decides to appeal any decision of the City Commission at this meeting, he will need a record of the proceedings and, for that purpose, he 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 needing a special accommodation to participate in the Commission proceedings should contact the City Clerk's Office not later than three days prior to the proceedings.

- 1. ROLL CALL.**
- 2. INVOCATION.**

AGENDA

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

NOTICE- If any person decides to appeal any decision of the City Commission at this meeting, he will need a record of the proceedings and, for that purpose, he 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 needing a special accommodation to participate in the Commission proceedings should contact the City Clerk's Office not later than three days prior to the proceedings.

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

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

-
Approval of the minutes of the January 3, 2018 Regular City Commission Meeting and the January 3, 2018 Executive Session/Shade Meeting Minutes held at City Hall, 301 South Ridgewood Avenue, Daytona Beach, Florida.

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. [BEAUTIFICATION AWARDS - JANUARY 2018 \(pp. 15-17\)](#)

Residential Award:

Ray and Elizabeth Moore, 105 Mableberry Court, Commissioner Robert A. Gilliland, Zone 4, to present.

Commercial Award:

Vision HR, Inc., 347 South Ridgewood Avenue, Mayor Derrick L. Henry to present.

6.B. [Volusia Volunteers in Medicine - Annual Report to the City \(pp. 18-19\)](#)

Volusia Volunteers in Medicine (VVIM) Board will present to the Commission the current state of the clinic and the impact the organization has made on the community over the past year.

7. CITIZENS.**7.A. [PUBLIC COMMENTS BY THE PEOPLE ADDRESSING THE CITY COMMISSION](#)**

-

During this time Citizens have the opportunity to address the City Commission on any item on the Consent Agenda. Items or discussions not listed on the Agenda will not be heard during this comment section.

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 Attorney Office - Shirley Sprague - Settlement of Litigation \(pp. 21-25\)](#)

Resolution authorizing payment in the amount of \$50,000 to Shirley Sprague and her attorney, Kelly Chanfrau, Esq., for the release of all claims and full settlement of pending litigation in case No. 2016-30332-CICI arising from injuries allegedly sustained from a February 18, 2015, slip and fall on City property. Funds available in the Consolidated Insurance Fund.

Recommendation: City Attorney recommends adoption of the Resolution.

8.B. [Cultural Services and Community Events Division - Sunco Productions, Inc. - Contract Approval \(pp. 26-59\)](#)

Resolution approving Contract No. 0116-3130 with Sunco Productions Inc., P.O. Box 289, Daytona Beach, FL 32115 for Technical Director/Stage Manager/Production Services for the Peabody Auditorium, Oceanfront Bandshell, Daisy Stocking Park, Municipal Stadium and any other city park or facility involving entertainment/public performances, including during special events in an amount not to exceed \$175,000 for the remainder of the

FY 2017-18, and such funds as are budgeted and appropriated for the services in future years under the contract. The proposal was sent to twenty one (21) companies and Sunco Productions, Inc., was the sole bidder. This contract will commence on the date in which the last party signs it and will be in effect for five (5) years, with one 5 year option to renew. It is requested that the City Manager be authorized to exercise the Contract renewal on behalf of the City.

Recommendation: Cultural and Leisure Services
Director recommends adoption of the Resolution.

8.C. [Utilities Department - Utility Service Co., Inc., SUEZ Advanced Solutions - Distribution System Cleaning - Sole Source Contract Approval \(pp. 60-84\)](#)

Resolution approving a contract in the amount of \$125,000 with Utility Service Co., SUEZ Advanced Solutions, 1230 Peachtree St NE, Suite 1100, Atlanta, GA 30309 for distribution system cleaning. Over time, the distribution system will have a build-up of biofilm and other soft deposits that can impact water quality. Ice Pigging is a method of effectively cleaning pipes without damaging the pipe and appurtenances as other methods can, such as regular pigging with a hard plug. Ice Pigging will use significantly less water during the cleaning period and can clean more thoroughly than other cleaning methods. Furthermore, this method lessens the chance of downtime of the system and ensures available water to our customers. SUEZ is the sole provider for the ice pigging methodology and technology. The pipe lines to be pigged are:

- University Boulevard from North Atlantic Avenue to Grandview Avenue
- North Atlantic Avenue from Boylston Avenue to Euclid Avenue
- North Atlantic Avenue from Euclid Avenue to Golf Boulevard
- North Atlantic Avenue from Golf Boulevard to University Boulevard
- Plaza Boulevard from North Atlantic Avenue to North Halifax Avenue
- North Halifax Avenue from Plaza Boulevard to Morningside Avenue
- North Halifax Avenue from Morningside Avenue to Seaview Avenue
- North Halifax Avenue from Seaview Avenue to 1193 North Halifax Avenue
- North Halifax Avenue from 1193 North Halifax Avenue to 1014 North Halifax Avenue
- North Halifax Avenue from 3012 North Halifax Avenue to Plaza Boulevard

Funds available in the 8% Renewal & Replacement Fund.

Recommendation: Business Enterprise Management Director recommends

adoption of the Resolution.

8.D. [Development and Administrative Services, Neighborhood Services Division - Sahasra, LLC \(d/b/a Brooke's Cleaners\) - Contract Amendment \(pp. 85-104\)](#)

Resolution amending the General Services Contract between the City of Daytona Beach and Sahasra, LLC (d/b/a Brooke's Cleaners), 133 Main Street, Daytona Beach, FL 32118 to include Code Enforcement/Neighborhood Services. Resolution 15-172 approved the contract for dry cleaning services for the Police and Fire Department. Code Enforcement/Neighborhood Services Division operated under the agreement until August 2016. The Division has moved under Permits & Licensing, thereby requiring an Amendment to the current contract. The Amendment will delete Exhibit B of the Contract in its entirety and replace it with Exhibit B-1. Funds available in the General Fund.

Recommendation: Neighborhood Services Manager recommends adoption of the Resolution.

8.E. [Public Works, Technical Services Division - CDM Smith - Sweetheart Trail - Donnelly Place \(Shady Place to Bellevue\) - Work Authorization No. 3 \(pp. 105-122\)](#)

Resolution approving Work Authorization No. 3 to Contract No. 0516-1120-CDM which was approved by Resolution 16-208, with CDM Smith, 2301 Maitland Center Parkway, Suite 300, Maitland Boulevard, Maitland, FL 32751 for Construction Engineering and Inspection (CEI) Services for the Sweetheart Trail - Donnelly Place project in an amount not to exceed \$69,089.70. This project is for the construction of a shared use non-motorized trail along Donnelly Place between Shady Place and Bellevue Avenue and is a Florida Department of Transportation (FDOT) SUNTrail project that requires consultant CEI oversight. Funds available in the General Fund.

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

8.F. [Utilities Department - Tetra Tech - Bethune Point Wastewater Treatment Plant Generator Replacement - Work Authorization No. 1 - Contract No. 0517-3440-TT \(pp. 123-144\)](#)

Resolution approving Work Authorization No. 1 to Contract No. 0517-3440-TT with Tetra Tech, 201 East Pine Street, Suite 1000, Orlando, FL 32801, in the amount of \$129,250.77. The Bethune Point Wastewater Treatment Plant utilizes two diesel powered generators to provide auxiliary power during

commercial power interruptions to ensure sewage is treated properly and reliably. One of the plant generators is more than 30 years old and routine repair parts are no longer available. In addition, the electrical switchgear associated with the generator is more than 40 years old and severely deteriorated. Furthermore, the generator is undersized for the power required to treat the total flow entering the facility, thereby jeopardizing compliance with state and federal regulations. This work authorization will provide the City with the basis of design, development of contract documents, coordination with regulatory agencies, bidding assistance, and construction administration services for moving the 1250 KW Generator from the Westside Regional Wastewater Treatment Plant, which has recently been equipped with a new, upgraded generator, to the Bethune Point Wastewater Plant and upgrade the electrical switchgear. Funds available in the Water & Sewer Construction Bank Loans Fund.

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

8.G. [Utilities Department - Carollo Engineers - Wastewater Treatment Facilities Permit Renewals - Work Authorization No. 26 Contract No. 1307-1022 \(pp. 145-158\)](#)

Resolution approving Work Authorization No. 26 to Contract No. 1307-1022 with Carollo Engineers, 1089 W Morse Boulevard, Suite A Winter Park, FL 32789 in an amount not to exceed \$119,448 for the preparation and submittal of Florida Department of Environmental Protection (FDEP) operating permit renewal applications. The City owns and operates two (2) wastewater treatment facilities under permits issued by the FDEP. The permit for Westside Regional expires December 9, 2018 and the permit for Bethune Point expires January 20, 2019. By FDEP rule, the City must submit renewal applications to the FDEP at least 180 days before the permit expiration date. Therefore, the renewal applications must be submitted to FDEP by June 12, 2018. Funds available in the State Revolving Loan - Water and Sewer Construction Fund.

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

8.H. [Utilities Department - TB Landmark Construction, Inc. - Halifax River Force Main Improvements Project - Change Order No. 2 to Contract No. 0317-0300 \(pp. 159-171\)](#)

Resolution approving Change Order No. 2 to Contract No. 0317-0300 with TB Landmark Construction, Inc., 11220 New Berlin Road, Jacksonville, FL 34446 in the amount of \$40,935.68 with an additional 129 days of contract time. This request is needed to provide time and compensation for the

installation of additional appurtenances, removal of unknown utilities in conflict with the new force main route, a weather delay and a time extension. Funds available in the State Revolving Loan- Water and Sewer Construction Fund.

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

8.I. [Utilities Department - HACH Company - Regional Wastewater Treatment Plant - Sole Source Purchase \(pp. 172-183\)](#)

Resolution approving a purchase from HACH Company, P.O. Box 608, Loveland, CO 80539-0608 in the amount of \$41,657.31. The Regional Wastewater Treatment Plant utilizes two nitrogen level analyzers in the treatment process to regulate chemical feed necessary to reduce the level of nitrogen. These two analyzers were hit by lightning during an afternoon thunderstorm destroying the analyzers and controllers. The City for the last 4 years has used the HACH Nitratax system exclusively to analyze for nitrogen in order to meet current state and federal water quality regulations. When the Nitratax System needs parts or service, HACH is the sole provider of parts and service. Current State and Federal water quality regulations for water discharge require that nitrogen meet FDEP (Florida Department of Environmental Protection) and EPA (Environmental Protection Agency) standards. Funds available in the 5% Renewal & Replacement Fund.

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

8.J. [Finance Department - Allocation of Bike Week Sponsorship Funds \(pp. 184-186\)](#)

Resolution authorizing payment from the General Fund in the amount of:

\$500 to Cultural Services for the 2018 Mayor's Fitness Challenge from the Bike Week Sponsorship Funds of Mayor Derrick Henry.

\$500 to Cultural Services for the annual FRESH Book Festival at Midtown and \$100 to National Council of Negro Women, Inc. for the Black History Brain Bowl from the Bike Week Sponsorship Funds of Commissioner Paula Reed.

Recommendation: Chief Financial Officer recommends adoption of the Resolution.

8.K. [Finance Department - Allocation of Bike Week Sponsorship Funds](#)
****Addendum added 01-17-18****

Resolution authorizing payment from the General Fund in the amount of:

\$100 to Cultural Services for the 2018 Mayor's Fitness Challenge from the Bike Week Sponsorship Funds of Commissioner Dannette Henry.

Recommendation: Chief Financial Officer recommends adoption of the Resolution.

9. PUBLIC HEARINGS.

9.A. [Development and Administrative Services, Planning Division - Land Development Code Text Amendment - Amend Article 5 \(pp. 187-195\)](#)

Ordinance on second reading - PUBLIC HEARING - amending the Land Development Code (LDC) Article 5 (Use Standards), Section 5.2.A (Principal Use Table), to allow Other Indoor Recreation/Entertainment as a principal use in the General Industrial (M-3) zoning district. Applicant: Development and Administrative Services Department, Planning Division.

Richard Walton, Planning Director, to report.

Recommendation: Planning Board recommends approval 4-to-0.

Action: Motion to adopt the Ordinance.

9.B. [Development and Administrative Services, Planning Division - Voluntary Annexation - 8th, 9th and Vine \(pp. 196-215\)](#)

Ordinance on second reading - PUBLIC HEARING - approving a voluntary annexation of .96± acre of land (4 parcels), located at the northwest corner of Vine and 8th Street, contiguous to the municipal boundary, and pursuant to Chapter 171, Florida Statutes. The applicant is seeking consistency with all of the contiguous applicant owned property. Applicant: James Therrien, owner of property.

Richard Walton, Planning Director, to report.

Recommendation: Planning Director recommends approval.

Action: Motion to adopt the Ordinance.

9.C. [Development and Administrative Services, Planning Division - 8th, 9th and Vine - Small Scale Comprehensive Plan Amendment \(pp. 216-256\)](#)

Ordinance on second reading - PUBLIC HEARING - adopting a Small Scale Comprehensive Plan Amendment changing the Future Land Use Map designation for .96± acre (4 parcels) of land located at the northwest corner of Vine and 8th Street from “County” Urban Medium Intensity to “City”

Level 2 Residential to achieve consistent future land use designations. Applicant: John Zemball, PE, Zahn Engineering, Inc. on behalf of James Therrien.

Richard Walton, Planning Director, to report.

Recommendation: Planning Board recommends approval 4-to-0.

Action: Motion to adopt the Ordinance.

9.D. [Development and Administrative Services, Planning Division - 8th, 9th and Vine - Rezoning to Multifamily Residential-20 \(MFR-20\) \(pp. 257-280\)](#)

Ordinance on second reading - PUBLIC HEARING - approving a request to rezone 7.4± acres of land located at the northwest corner of Vine and 8th Street from "County" Urban Two-Family Residential (R-6) to "City" Multifamily Residential-20 (MFR-20). Applicant: John Zemball, P.E., Zahn Engineering, Inc. on behalf of James Therrien.

Richard Walton, Planning Director, to report.

Recommendation: Planning Board recommends approval 4-to-0.

Action: Motion to adopt the Ordinance.

9.E. [Development and Administrative Services, Planning Division - Retail and Restaurant District East at Volusia Mall - Rezoning, Planned Development-General \(pp. 281-315\)](#)

Ordinance on second reading - Quasi-Judicial Hearing - approving a request to rezone 3.7± acres of land located on the north side of West International Speedway Boulevard and east of Bill France Boulevard from Business Retail-2 (BR-2) to Planned Development-General (PD-G), to allow for the development of retail and restaurant uses, and authorizing the Mayor to execute the Retail and Restaurant District East at Volusia Mall Planned District Agreement. Applicant: Robert A. Merrell III, Esq., Cobb Cole, on behalf of Volusia SAC, LLC.

Richard Walton, Planning Director, to report.

Recommendation: Planning Board recommends approval 4-to-0.

Action: Motion to adopt the Ordinance.

10. ADMINISTRATIVE ITEMS.

10.A. [Cultural and Leisure Services Department - Bike Week 2018 Private](#)

[Property Master Plan approval \(pp. 316-454\)](#)

Resolution approving the Bike Week 2018 Private Property Master Plan as submitted. The Master Plan is recommended for approval by the Daytona Regional Chamber of Commerce's Bike Week Festival Task Force. □

Bob Coleman and Phil Maroney, Vice Chairs of the Bike Week Festival Task Force, to report.

Recommendation: Cultural Services and Community Events Director recommends adoption of the Resolution.

Action: Motion to adopt the Resolution.

10.B. [Cultural and Leisure Services Department - Bike Week 2018 Public Property Master Plan Approval \(pp. 455-515\)](#)

Resolution approving the Bike Week 2018 Public Property Master Plan. The activities included in the plan have been conducted routinely for many years each Bike Week. City staff has reviewed these requests and no concerns were noted.

Helen Riger, Cultural and Leisure Services Director, to report.

Recommendation: Commission Action.

Action: Motion to adopt the Resolution.

10.C. [Development Services - City of Daytona Beach and County of Volusia - Memorandum of Understanding ****Addendum added 01-17-18****](#)

Resolution approving a Memorandum of Understanding between the City of Daytona Beach and the County of Volusia on recent changes to the County's comprehensive plan and zoning ordinance to establish a unified zoning for three hundred twenty one (321) acres of Airport property. The property is located north of Beville Road, west of Clyde Morris Boulevard, south the Airport airside and east of the City's fire station on Beville Road. The agreement establishes the design standards to be used by the County in the development of the above described property and provides the City with surety that development of such will be compatible with the surrounding land uses. This approach allows additional attention (in comparison to current practice) to City/County land use compatibility.

James Morris, Deputy City Manager/Administrative Services, to report.

Recommendation: Deputy City Manager/Administrative Services recommends adoption of the Resolution.

Action: Motion to adopt the Resolution.

- 11. PUBLIC COMMENTS - DURING THIS TIME CITIZENS HAVE THE OPPORTUNITY TO ADDRESS THE CITY COMMISSION ON ANY MATTER THAT IS NOT ON THE AGENDA.**
- 12. COMMENTS AND INQUIRIES FROM THE CITY COMMISSION - CITY MANAGER AND CITY ATTORNEY REPORT.**
- 13. ADJOURNMENT.**