



**THE CITY OF DAYTONA BEACH
BUSINESS MEETING OF THE CITY COMMISSION
MAY 2, 2018
CITY 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/she 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>
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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.**

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 Minutes](#)

Approval of the March 7, 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. [No Presentation](#)

No presentation.

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. [Fire Department - East Volusia Fire-Rescue/EMS Interlocal Agreement - Sixth Amendment - Extension \(pp. 19-34\)](#)

Resolution approving the Sixth Amendment of the Interlocal Agreement for East Volusia Local Government Fire-Rescue and Emergency Medical Services Automatic Aid and Closest Unit Response System. The current interlocal agreement to provide continuous fire-rescue and EMS services in times of need is set to expire on September 30, 2018. The sixth amendment allows for a 4-year extension of the existing agreement until September 30, 2022. There is a no fee associated with the reciprocal agreement. Partnering governments: Ormond Beach, Holly Hill, South Daytona, Daytona Beach Shores, Port Orange, Ponce Inlet, New Smyrna Beach, Edgewater.

Recommendation: Fire Chief recommends adoption of the Resolution.

8.B. [Utilities Department - Nalco Company, SNF Polydyne Inc. and Hawkins Inc. - Wastewater Plant Polymer - Pre-Qualified Short List Approval \(pp. 35-39\)](#)

Resolution approving Nalco Company, SNF Polydyne Inc. and Hawkins Inc. as pre-qualified bidders for the purchase of Polymer in accordance with Section 30-84(5) of the Purchasing Code and authorizing the City Manager to solicit competitive bids from the approved qualified vendors in accordance with Section 30-84(5) of the Purchasing Code. The City uses polymer to dewater wastewater sludge to reduce the volume and weight of sludge before transporting and disposing in a qualified FDEP land fill. The reduction of weight relative to the extraction of water allows the City to dispose of more sludge at a lower cost. Polymer supplied by Fort Bend, Nalco, SNF Polydyne and Hawkins were tested extensively by the City. The results of the tests concluded that three of the vendors met or exceeded the City's test parameters for Polymer relative to dewatering sludge. Therefore, three vendors pre-qualified in order to submit a competitive bid for the purchase of their polymer.

Section 30-84 (5) of the Purchasing Code establishes a structured procedure for identifying pre-qualified vendors relative to testing their products to

ascertain if the vendor's products achieved the established outcomes. After the vendors are pre-qualified based on test results, the City can request competitive bids for the purchase of their products. The City Commission must approve the pre-qualified vendor list and authorize the solicitation of competitive bids from those pre-qualified vendors. There is no funding associated with this request.

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

8.C. [Utilities Department - Zev Cohen & Associates, Inc. - Beach Street Forcemain - Work Authorization No. 4 - Contract No 1307-1021 \(pp. 40-55\)](#)

Resolution approving Work Authorization No. 4 to Contract No. 1307-1021 with Zev Cohen & Associates, Inc., 300 Interchange Boulevard, Ormond Beach, FL 32127 in an amount not to exceed \$84,571.68 to provide design, permitting and bidding services for the Beach Street Forcemain Project. Funds available in the State Revolving Loan Water & Sewer Construction Fund.

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

8.D. [Public Works, Technical Services Division - Sea Diversified, Inc. - Work Authorization No. 8 - Continuing Services Contract 2006 - 21 \(pp. 56-66\)](#)

Resolution approving Work Authorization No. 8 under Continuing Services Contract 2006-21 with Sea Diversified, Inc. 151 N. W. 1st Avenue, Delray Beach, Florida, 33444, in an amount not to exceed \$59,867.20. This item provides for an updated As-Built/General Conditions Survey of the Main Street Pier. This survey will be used in the analysis to identify any deficiencies in the Pier structure and in the development of Capital Improvement Program (CIP) projects to help preserve this historic structure. Funds available in the Pier Improvement Fund.

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

8.E. [Business Enterprise Management Department - Petroleum Traders Corporation - Halifax Harbor Marina - Lowest, Best-Responsive Bid Award \(pp. 67-89\)](#)

Resolution awarding a 3-year contract to the the Lowest, Best-Responsive Bidder, Petroleum Traders Corporation, 7120 Pointe Inverness Way, Fort Wayne, IN 46804, for unleaded gasoline and diesel fuel for Halifax Harbor

Marina with a fixed add-on cost of \$0.0123 per gallon of gasoline and a fixed add-on cost of \$0.0356 per gallon of diesel fuel with the stipulations that approve an expenditure of \$264,705 for the remaining FY 2017-2018 and authorizing the City Manager to purchase unleaded gasoline and diesel fuel on an as-needed basis during the term of the contract subject to budget appropriations. Funds available in the Halifax Harbor Funds.

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

8.F. [Public Works/Administration Department - Southern Sunshine Group, Inc. - Landscape Maintenance Contract - Lowest Responsive Bid \(pp. 90-117\)](#)

Resolution awarding a Landscape Maintenance Contract to the Lowest Responsive Bidder, Southern Sunshine Group, Inc., 1100 Radford Drive, Deltona, FL 32738 in the amount of \$78,196.60 for the remainder of Fiscal Year 2017/2018, based on the submitted Fee Schedule for a three (3) year term of \$369,344.52 or \$123,114.84 annually and authorizing the City Manager to exercise the option to renew the contract for up to two (2) terms of one (1) year each in the amount of \$123,114.84 annually.

Southern Sunshine Group, Inc. will provide landscape maintenance at various city properties in the mainland area of Daytona Beach, more specifically identified as the Dickerson Center, Yvonne Scarlet Golden Cultural & Educational Center, Midtown Cultural and Educational Center, Joe Harris Park, and Samuel L. Butts Park. Scope of work shall include, but is not limited to, mowing, edging, pruning, weeding, trash/litter removal, irrigation service, fertilization and pest control, mulching as needed, tree trimming and turn maintenance. Funds available in the General Fund.

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

8.G. [Public Works/Administration Department - Verdego, LLC - Landscape Maintenance Contract - Lowest Responsive Bid \(pp. 118-145\)](#)

Resolution awarding a Landscape Maintenance Contract to the Lowest Responsive Bidder, Verdego, LLC, 3335 North State Street, Bunnell, FL 32110 in the amount of \$68,470.30 for the remainder of Fiscal Year 2017/2018, based on the submitted Fee Schedule for a three (3) year term of \$362,066.16 or \$120,688.72 annually and authorizing the City Manager to exercise the option to renew the contract for up to two (2) terms of one (1) year each in the amount of \$120,688.72 annually.

Verdego, LLC will provide landscape maintenance at various city properties in the beachside area of Daytona Beach, more specifically identified as Breakers Park, Ocean Front Park/Boardwalk, A1A (ISB to Seabreeze Blvd.), A1A (Boylston Ave to 3001 N. Atlantic Ave.), Schnebly Recreation Center, the medians at Driftwood Ave (A1A to Waverly Dr.), and the South Wild Olive Parking Lot. Scope of work shall include, but is not limited to, mowing, edging, pruning, weeding, trash/litter removal, irrigation service, fertilization and pest control, mulching as needed, tree trimming and turn maintenance. Funds available in the General Fund.

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

8.H. [Business Enterprise Management Department - Alan Jay Fleet Sales - Permits & Licensing Department - Vehicle Purchases \(pp. 146-150\)](#)

Resolution authorizing the purchase of two vehicles from the National Joint Powers Alliance contract 2018-120716-NAF with options from Alan Jay Fleet Sales, P.O. Box 9200, Sebring, Florida, 33871-9200 in the amount of \$48,380.66 for use by the Permits & Licensing Department Chief Building Official and Deputy Code Official. Funds available in the Permit & License Special Revenue Fund.

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

8.I. [Business Enterprise Management Department - Alan Jay Fleet Sales - Police Department - Vehicles Purchase \(pp. 151-162\)](#)

Resolution authorizing the purchase of 24 new police vehicles off the National Joint Powers Alliance Bid 2018-120716-NAF with options from Alan Jay Fleet Sales, P.O. Box 9200, Sebring, FL 33871 in the amount of \$957,679.27. This request is to provide the Police Department with 24 new police vehicles to deliver basic police services to the new growth area surrounding LPGA Boulevard and Williamson Boulevard. The new growth area specifically includes Minto phases 1A, 1B, 1C and 2; Mosaic phases 1A and 1B; Birchwood/Cypress Trail and Tanger Outlet Mall. The procurement of vehicles and accessory equipment is eligible to be obtained using police impact fees.

The Police Department is in the process of hiring 43 new personnel of which 24 will be assigned to the new growth area. The remaining 19 will fill current vacancies. These positions are funded in the Police Department operating budget. As the specific developments mentioned above continue to expand, along with other new developments in the area, the Police Department will be required to provide additional services for the areas

which would be eligible to be funded by police impact fees. Funds available in the Police Impact Fees Fund.

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

8.J. [Business Enterprise Management Department - Dell Inc. - Police Department - Laptop Computers - Purchase \(pp. 163-171\)](#)

Resolution approving a purchase of 24 laptop computers off a Western States Contracting Alliance Florida Participation Agreement 43211500-WSCA-15-ACS from Dell Inc., One Dell Way, Mail Stop 8129, Round Rock, TX 78682 in the amount of \$35,631.36 for use by the Police Department. The City is required to provide basic police services to the new growth area surrounding LPGA Boulevard and Williamson Boulevard. The Police Department provides basic police services by the use of police vehicles and computers are a critical communication tool for the police to access a wide range of information in order to analyze critical data for the betterment of public safety. Funds available in the Police Impact Fees Fund.

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

8.K. [Business Enterprise Management Department - Communications International - Police Department - Radio Purchase and Installation - Sole Source Purchase \(pp. 172-178\)](#)

Resolution authorizing the purchase and installation of twenty four (24) mobile radios from Communications International, 10 Flagg Street, Daytona Beach, FL 32114 in the amount of \$105,861.44 for use by the Police Department. The City is required to provide basic police services to the new growth area surrounding LPGA Boulevard and Williamson Boulevard. The Police Department provides basic police services by the use of police vehicles. Radios are a critical communication tool for the police to respond to calls for service and emergencies. Sole Source is justified for this purchase based on a mandate from Volusia County for all cities to use Harris Radio products. Funds available in the Police Impact Fees Fund.

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

8.L. [Finance Department - Allocation of Bike Week Sponsorship Funds \(pp. 179-180\)](#)

Resolution authorizing payment in the amount of:

\$1,000 to Bethune-Cookman University, for the National Statuary Hall Campaign for Dr. Mary McLeod Bethune statue at the US Capitol from the Bike Week Sponsorship Funds of Commissioner Robert Gilliland.

Recommendation: Chief Financial Office recommends adoption of the Resolution.

8.M. [Finance Department - Allocation of Bike Week Sponsorship Funds **Added 05-02-18**](#)

Resolution authorizing payment in the amount of:

\$1,000 to Bethune-Cookman University, for the National Statuary Hall Campaign for Dr. Mary McLeod Bethune statue at the US Capitol from the Bike Week Sponsorship Funds of Commissioner Paula Reed.

Recommendation: Chief Financial Office recommends adoption of the Resolution.

8.N. [Development Services/Planning Division – Vacation of Right-of-Way – Harvey Street ** Added 5-02-18**](#)

Resolution authorizing the City Manager to execute on the City’s Behalf, a Letter of No Objection/Authorization of Property Owner, in support of the application by Avista Properties VII, LLC, for Volusia County to vacate the Northern Half of Harvey Avenue beach approach, east of Ocean Avenue.

Recommendation: Deputy City Manager recommends adoption of the Resolution.

9. PUBLIC HEARINGS.

9.A. [Development and Administrative Services, Planning Division - Project Beta - Large Scale Comprehensive Plan Amendment \(pp. 181-251\)](#)

Ordinance on first reading - PUBLIC HEARING - adopting a Large Scale Comprehensive Plan Amendment (LSCPA) changing the Future Land Use Map (FLUM) designation from Level 3 Residential to General Industry for 14.65± acres of land located north of Dunn Avenue and east and west of Mason Avenue, and amending the Future Land Use Element, Neighborhood S, to add Issue (k) and Policy (1) to limit the FAR to 0.60. Applicant: Development and Administrative Services Department, Planning Division.

Richard Walton, Planning Director, to report.

Recommendation: Planning Board recommends approval 6-to-0.

Action: Motion to approve Ordinance on first Public Hearing.

Note: If passed, second Public Hearing, June 20, 2018.

10. ADMINISTRATIVE ITEMS.

10.A. [Development and Administrative Services, Planning Division - Project Beta - Rezoning, Planned Development-General \(pp. 252-306\)](#)

Ordinance on first reading - approving a request to rezone 47.03± acres of land located north of Dunn Avenue and east and west of Mason Avenue from Multi-Family Residential 20 (MFR-20) and Planned Development-General (PD-G) to Planned Development-General (PD-G) for the development of various industrial and office uses, and authorizing the Mayor to execute the Project Beta Planned District Agreement. Applicant: Robert A. Merrell III, Esquire, Cobb Cole, on behalf of Consolidated-Tomoka Land Co. and Indigo Development LLC.

Richard Walton, Planning Director, to report.

Recommendation: Planning Board recommends approval 6-to-0.

Action: Motion to pass Ordinance on first reading.

Note: If passed, Public Hearing, June 20, 2018.

10.B. [Development and Administrative Services, Redevelopment Division - Land Development Code Text Amendment - Amend Article 6 \(Signage\) \(pp. 307-320\)](#)

Ordinance on first reading - amending Article 6, Section 6.10 (Signage) of the Land Development Code to remove the prohibition of roof signs in all five redevelopment areas and permit roof signs in certain redevelopment zoning districts to provide greater flexibility for businesses seeking to increase visibility of their location. Applicant: Development and Administrative Services Department, Redevelopment Division.

Reed Berger, Redevelopment Director, to report.

Recommendation: Planning Board recommends approval 6-to-0.

Action: Motion to pass Ordinance on first reading.

Note: If passed, Public Hearing, May 16, 2018.

10.C. [Development and Administrative Services, Planning Division - Wawa - Holly Hill Shopping Plaza - Rezoning, Planned Development-General \(pp. 321-410\)](#)

Ordinance on first reading - approving a request to rezone 1.9± acres of land located on the northwest corner of Mason Avenue and Nova Road

within the Holly Hill Shopping Plaza from Business Retail-2 (BR-2) to Planned Development-General (PD-G) to allow for the development of a gas station and accessory retail sales, and authorizing the Mayor to execute the Wawa-Holly Hill Shopping Plaza Planned District Agreement. Applicant: Scott Stuart, KCG Engineering, on behalf of Holly Hill Plaza, LLC.

Richard Walton, Planning Director, to report.

Recommendation: Planning Board recommends approval 6-to-0.

Action: Motion to pass Ordinance on first reading.

Note: If passed, Public Hearing, May 16, 2018.

10.D. [Development and Administrative Services, Planning Division - Lotus of Daytona - Rezoning, Planned Development-General Amendment \(pp. 411-444\)](#)

Ordinance on first reading - amending the Lotus of Daytona Planned District Agreement to allow for the development of a cabana past the City's Atlantic Ocean Building Line and to clarify discrepancies in the lot development criteria, and authorizing the Mayor to execute the First Amendment to the Lotus of Daytona Planned District Agreement. The property is located at the southeast corner of Atlantic Avenue (A1A) and Riverview Boulevard. Applicant: Joseph H. Hopkins, P.E., on behalf of Anand Jobalia, with Padmavati Three, LLC.

Richard Walton, Planning Director, to report.

Recommendation: Planning Board recommends approval 6-to-0.

Action: Motion to pass Ordinance on first reading.

Note: If passed, Public Hearing, May 16, 2018.

10.E. [Business Enterprise Management Department - The Bancorp - 30 Marked Police Vehicles - Lease \(pp. 445-467\)](#)

Ordinance on first reading - approving a three-year, 40,000 mile per year, closed-end lease with a \$385,586.10 yearly lease cost and a \$6,000.00 per vehicle buyout rate for 30 equipped, marked police vehicles beginning October 1, 2018, with The Bancorp, 3755 Park Lake Street, Orlando, FL 32808 contingent upon budget appropriations and with stipulations. Since the Vehicle Acquisition Program (VAP) was adopted under Ordinance 15-75 which approved a Master Lease Agreement and Property Schedule with The Bancorp to lease 40 marked police vehicles on March 18, 2015, as part of the first generation of the VAP model, the Police Department has acquired 86 police related vehicles and accessory equipment. The approval of this item begins the second generation of the VAP model. Funds available in the General Fund.

John J. Drago, Business Enterprise Management Director, to report.

Recommendation: Business Enterprise Management Director recommends passing the Ordinance on first reading.

Action: Motion to pass the Ordinance on first reading.

Note: If passed, Public Hearing, May 16, 2018.

10.F. [City Manager's Office - Board of Adjustment - Appointments \(pp. 468-480\)](#)

Resolution appointing four (4) members to the Board of Adjustment. The membership terms of Trey Harshaw (zone 1), Maja Sander Bowler (Zone 3), Thomas Leek (Zone 4) and Sharlene Barhoo (Zone 5) expired on 12/31/17. All four individuals would like to be reappointed and have submitted new applications. The board shall consist of seven members and one alternate appointed by the City Commission. Board members 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. We have no additional applicants.

Betty Goodman, Assistant City Manager, to report.

Recommendation: Commission action.

Action: Motion to adopt the Resolution.

10.G. [City Manager's Office - Board of Building Codes - Appointments \(pp. 481-498\)](#)

Resolution appointing three (3) members to the Board of Building Codes. This board shall consist of five members appointed by the City Commission as a whole. Board members shall be chosen on an at large basis. Each member shall have substantial experience in one or more areas of professional service within the building industry. A majority of the board members shall be residents of the City. We have applications from the following individuals who are all city residents: Thomas Brown (retired licensed contractor), John Bailey (Real Estate Broker) and Virginia Brown (retired Insurance Agent and Motel owner and management).

Betty Goodman, Assistant City Manager, to report.

Recommendation: Commission action.

Action: Motion to adopt the Resolution.

10.H. [City Manager's Office - Historic Preservation Board - Appointments \(pp. 499-517\)](#)

Resolution appointing six (6) members to the Historic Preservation Board. The membership terms of James Daniels (Mayoral appointment), Roman Yurkiewicz (Zone 2), Andrei Ludu (Zone 4) Dr. Daniel Stotland (Zone 6) and Brian Fredley (Architect) expired on 04/14/18. All five individuals would like to be reappointed. Matthew Romanik (Mayoral Appointment) has resigned. We have received an application from Deborah Wise for a Mayoral Appointment. Ms. Wise meets the qualification criteria for a Certified Local Government (CLG) Historic Preservation Board member. The board shall consist of nine (9) members appointed by the City Commission. One member shall be nominated by each City Commission and two members nominated by the Mayor. We have received two additional applications but they do not meet the CLG requirements for membership to this board.

Betty Goodman, Assistant City Manager, to report.

Recommendation: Commission action.

Action: Motion to adopt the Resolution.

10.I. [City Manager's Office - Housing Authority Commission - Appointments \(pp. 518-527\)](#)

Resolution appointing three (3) members to the Housing Authority Commission. The membership terms of Kelvin Daniels and Hemis Ivey expired on 4/2/18. These two individuals would like to be reappointed. Mr. John Kretzer resigned with a membership term expiration of 4/2/19. We have received an application from Sally Jass. Members of this board are appointed by the Mayor and approved by City Commission. The board shall consist of five (5) members serving four (4) year terms.

Betty Goodman, Assistant City Manager, to report.

Recommendation: Commission action.

Action: Motion to adopt the Resolution.

10.J. [City Manager's Office - Planning Board - Appointment \(pp. 528-537\)](#)

Resolution appointing one (1) member to the Planning Board representing Zone One. 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. Members must be qualified electors in the City and hold no other City office. We have received two applications from Zone One: Anne Ruby and Helen Humphreys.

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 OF THE BUSINESS MEETING. (There will be a 5 Minute Break)**
13. **PUBLIC COMMENT FORUM - THE TOTAL ALLOTTED TIME FOR THE FORUM IS 30 MINUTES. DURING THIS TIME CITIZENS ARE ALLOWED 2.5 MINUTES TO SPEAK ON ANY TOPIC OF CONCERN. 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.**