



The CITY OF DAYTONA BEACH

BUSINESS MEETING OF THE CITY COMMISSION

City Hall
Commission Chambers
Regular Meeting

301 South Ridgewood Avenue
Wednesday, August 21, 2019
6:00 PM

NOTICE – Pursuant to Section 286.0105, Florida Statutes, if any person decides to appeal any decision made by this Board 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>
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In accordance with the Americans with Disabilities Act (ADA), persons with a disability needing a special accommodation to participate in the Board meeting should contact the City Clerk's Office, 301 S. Ridgewood Ave, Room 210, Daytona Beach, FL 32114, Ph: (386) 6 7 1-8 0 2 3, Email: clerk@cityofdaytonabeach.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 Minutes](#)

Approval of the Minutes of the June 19, 2019 Strategic Planning Workshop, the July 17, 2019 Business Meeting Minutes; and the July 31, 2019 Closed Session/Shade Meeting of the City Commission held at City Hall, 301 S. 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 - AUGUST 2019 \(pp. 22-24\)](#)

Residential Award:

Barbara Hubbell, 113 Skyfower Circle, City Commissioner Dannette Henry, Zone 5, to present.

Commercial Award:

Park at Via Roma, 875 Derbyshire Road, Mayor Derrick L. Henry to present.

6.B. [Presentation - Veteran's Museum \(pp. 25-26\)](#)

Presentation by the Veteran's Museum and Educational Center on the Orange Avenue Recreation Center proposal. John Brinkley, President of the Veteran's Museum and Educational Center; Allen Green of Green Consruction; and Bill Chapin, Architect, to report.

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.

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. [Public Works - McMaser Lawn & Pes Services, LLC, - Amendment No. 1 to Contract No. 19221 \(pp. 28-101\)](#)

Resolution approving Amendment No. 1 to Contract No. 19221, with McMaser Lawn & Pes Services, 5316 New Jersey Avenue, DeLeon Springs, Florida 32128. The amendment includes eight (8) additional properties to be maintained under the same terms and conditions. The annual contract award amount is increased from \$186,375.28 to \$398,167.22.

McMaser Lawn & Pes Services, LLC will provide landscape maintenance at various City properties including City Parks and other facilities. The service locations are listed in the Amendment.. The scope of services will include, but is not limited to, mowing, edging, pruning, weeding, trash/litter removal, irrigation services, fertilization and pes control, mulching as needed, and tree trimming. On March 20, 2019 City Commission adopted Resolution No. 19-63 approving the General Service Contract No. 19921. McMasers has proven the ability to provide consistent landscaping services.

Their efforts have demonstrated the ability to improve the quality of the landscape appearance of the service locations currently under contract.

Current Grounds Maintenance Division staffing, equipment and budget are not adequate to meet the City's goals for more frequent services, adequate agronomic and horticultural practices to provide quality improvement to these facilities to better serve the residents of the City of Daytona Beach. Due to this need being identified during the busy growing season, a determination that bids would be too difficult to obtain resulted in a request to amend the existing contract to add these locations. Funds in the amount of \$57,818 for the remainder of fiscal year 2018-2019 are available in the General Fund.

Recommendation: Public Works Director recommends adoption of Resolution approving Amendment No. 1 to Contract No. 19221, with McMasers Lawn & Pes Services, in the amount of \$57,818.

8.B. [Public Works - VerdeGo, LLC Amendment No. 1 to Contract No. 0118-0530, Downtown Landscape Maintenance \(pp. 102-161\)](#)

Resolution approving Amendment No. 1 to Contract No. 0118-0530-VER, with VerdeGo LLC, Post Office Box 789, Bunnell, Florida 32110. The amendment includes eight (8) additional properties to be maintained under the same terms and conditions. The annual award amount has increased from \$221,286 to \$410,578.77. VerdeGo, LLC will provide landscape maintenance at various City properties including City Parks and other facilities. The service locations are listed on the Amendment. The scope of services will include, but is not limited to, mowing, edging, pruning, weeding, trash/litter removal, irrigation services, fertilization and pest control, mulching as needed, and tree trimming. On October 17, 2018 City Commission adopted Resolution No. 18-355 approving the General Service Contract No. 0118-0530. VerdeGo has proven the ability to provide consistent landscaping services. Their efforts have demonstrated the ability to improve the quality of the landscape appearance of the service locations currently under contract. Current Grounds Maintenance Division staffing, equipment and budget are not adequate to meet the City's goals for more frequent services, adequate agronomic and horticultural practices to provide quality improvement to these facilities to better serve the residents of the City of Daytona Beach. Due to this need being identified during the busy growing season, a determination that bids would be too difficult to obtain resulted in a request to amend the existing contract to add these locations. Funds in the amount of \$99,000, for the remainder of FY-2018-19, is available in the General Fund. Funds in the amount of \$410,578.77 per year is subject to budget appropriations for the remaining years of the Contract.

Recommendation: Public Works Director recommends adoption of Resolution approving Amendment No. 1 to Contract No. 0118-0530-VER, with VerdeGo LLC, in the amount of \$99,000, for the remainder of FY-2018-19 and \$410,578.77 per year, subject to budget appropriations for the

remaining years of the Contract.

8.C. [Public Works Department - Yellowstone Landscape – Southeas, LLC – Amendment No. 1 to Contract No. 0118-0920-YEL, City Parks, and Other Facilities - Lot 2 \(pp. 162-204\)](#)

Resolution approving Amendment No. 1 to Contract No. 0118-0920-YEL with Yellowstone Landscape – Southeas, LLC, Pos Ofce Box 849, Bunnell, Florida 32110-0849. The amendment includes eight (8) properties to be maintained under the same terms and conditions. The annual contract award increased from \$141,925 to \$296,054.16. Yellowstone Landscape will provide landscape maintenance at various City properties including City Parks and other facilities. The service locations are listed on Exhibit B-1, revised bid schedule to the contract. The scope of services will include, but is not limited to, mowing, edging, pruning, weeding, trash/litter removal, irrigation services, fertilization and pes control, mulching as needed, and tree trimming. On October 17, 2018 City Commission adopted Resolution No. 18-354 approving the General Service Contract No. 0118-0920-YEL with Yellowstone Landscape – Southeas, LLC. They have proven the ability to provide consistent landscaping services. Their efforts have demonstrated the ability to improve the quality of the Landscape appearance of the service locations currently under contract. Current Grounds Maintenance Division staff, equipment and budget are not adequate to meet the City’s goals for more frequent services, adequate agronomic and horticultural practices to provide quality improvement to these facilities to better serve the residents of the City of Daytona Beach. Due to this need being identified during the busy growing season, a determination that bids would be too difficult to obtain resulted in a request to amend the existing contract to add these locations. Funds in the amount of \$38,500, for the remainder of FY-2018-19 are available in the General Fund. Funds in the amount of \$296,054.16 per year are subject to budget appropriations for the remaining years of the Contract.

Recommendation: Public Works Director recommends adoption of Resolution approving Amendment No. 1 to Contract No. 0118-0920-YEL with Yellowstone Landscape – Southeas, LLC in the amount of \$38,500, for the remainder of FY-2018-19 and \$296,054.16 per year subject to budget appropriations for the remaining years of the Contract.

8.D. [Public Works/Facilities Property Maintenance - Village Key & Alarm, Inc. - Citywide Fire Sysem Services - Lowes Mos Responsive Bid Award \(pp. 205-252\)](#)

Resolution awarding Bid No. 19401 to the lowes, mos responsive bidder, Village Key & Alarm, Inc., State Road 16, St. Augusine, FL 32084 for a one (1) year general services contract for City-wide fre services, in an amount not to exceed \$49,988, with four (4) one-year renewal options with the same terms and conditions and authorizing the City Manager to exercise the

renewal options and to expend the annual budget appropriations for this service contract. This contract will provide City-wide fire alarm monitoring, testing and inspection; fire suppression system inspection and maintenance; backflow preventer certification; and security system installation and monitoring. Total for services by location is \$13,986 and potential installation, programming, maintenance, repairs, and parts not to exceed \$36,002 for an annual total of all services not to exceed \$49,988. Funds are proposed in the FY 2019/20 budget within the various cost centers' M&R Property Maintenance, contingent upon adoption of the FY 2019/20 budget.

Recommendation: Public Works Director recommends adoption of Resolution awarding Bid No. 19401 to the lowest, most responsive bidder, Village Key & Alarm, Inc., for a one (1) year general services contract for City-wide fire services, in an amount not to exceed \$49,988, with four (4) one-year renewal options with the same terms and conditions.

8.E. [Utilities Department - Mead & Hunt, Inc. - Lift Station 97 Improvements Project - Work Authorization No. 1 \(pp.253-293\)](#)

Resolution approving a Work Authorization under Contract No. 0517-3440, with Mead & Hunt, Inc., 4401 Easport Parkway, Port Orange, FL in the amount of \$82,861, for the design, permitting, bidding and construction phase services for Lift Station No. 97 Improvements Project. The purpose of this request is to obtain engineering services to increase lift station capacity required for current and future growth in the nearby vicinity of the area located directly north of LPGA and west of Williamson Boulevard.

Lift Station No. 97 is located at the northwest corner of the intersection of Gateway North Drive and North Williamson Blvd. The existing lift station was not originally designed to handle the current growth and potential future growth in this area. Work Authorization No. 1 will evaluate the existing, proposed and future demands within this service area and design upgrades to Lift Station No. 97 and its associated force main.

Work Authorization No. 1 will include the following:

- Preliminary engineering data collection and analysis
- Preliminary Design Report
- Design – Prepare construction documents for the new lift station, associated pipeline, site/civil, electrical and structural elements, and for building permits
- Bidding – Provide advertisement for bids including opinion of cost
- Construction Phase Services

Funds available in the Water and Sewer Renewal & Replacement 8% Fund.

Recommendation: Utilities Director recommends adoption of Resolution approving Work Authorization No. 1 under contract No. 0517-3440, with Mead & Hunt, Inc., in the amount of \$82,861, for the design, permitting, bidding and construction phase services for Lift Station No. 97 Improvements Project.

8.F. [Utilities Department - Hydromax USA - Hydrant and Valve Maintenance - Seminole County Piggyback Contract \(pp. 294-343\)](#)

Resolution approving a piggyback contract using a Seminole County contract with Hydromax USA, LLC, 2500 Drane Field Road, Suite 204, Lakeland, FL 33811 for fire hydrant and valve maintenance in an amount not to exceed \$79,000 with the following provisions:

- The term of the contract will run through 11-22-2019 with one (1) final renewal option extending the contract through 11-23-2020;
- Authorize an initial expenditure in an amount not to exceed \$79,000 in FY2019; and
- Authorize the City Manager to exercise the renewal options and expend such sums as budgeted each year.

The purpose of this request is to maintain operations for fire protection and water distribution in accordance with State and Federal regulations. This project will repair, perform maintenance, and test an estimated 2,450 fire hydrants and 6,500 valves owned and operated by the City of Daytona Beach. This work is mandated under State rules and regulations in order to ensure fire hydrants operate properly when needed to ensure proper fire protection (FDEP 62-555 and 62-602, NFPA 633) and to be able to properly operate the distribution system using valves. Routine maintenance, such as lubrication, rust removal and repainting, etc, is required to ensure performance of these life saving devices.

The estimated cost to maintain the total number of hydrants and valves within the City's service area is \$400,000 and the amount of \$79,000 requested in the FY2019 budget will be used to maintain approximately 20% of the total. The cost of the remaining work will be proposed in the FY2020 budget. This work will be an on-going maintenance program, as required, and requested in the Utilities Department's future annual operating budgets. The Seminole County contract has been reviewed and approved by the City's Purchasing Department and Legal Department for use by City Departments. Funds available in the Water & Sewer Fund.

Recommendation: Utilities Director recommends adoption of the Resolution approving a piggyback contract using a Seminole County contract with

Hydromax USA, LLC, in an amount not to exceed \$79,000.

8.G. [Public Works/ Technical Services - Sanderson Concrete Construction, Inc. - Municipal Golf Course Golf Cart Path Segment Resorations - Contract 0118-0230 - Work Authorization No. 11 \(pp. 344-364\)](#)

Resolution approving Work Authorization No.11 with Sanderson Concrete Construction, Inc., 2440 Timberview Drive, News Smyrna Beach, FL 32168 under Contract No. 0118-0230 for the resoration of failing golf cart path segments at the City's Municipal Golf Course in the amount of \$174,460. Along with the potential safety hazards and numerous complaints that these paths now generate, the potential liabilities for the City far outweigh the current replacement cost. In their present condition, the sections of the golf cart paths create trip hazards to golf course customers, staff, and golf carts. Sanderson Concrete Construction, Inc. is currently providing continuing concrete construction services to the City under Contract No. 0118-0230. Funds available in the Capital Project Fund.

Recommendation: Public Works Director recommends adoption of the Resolution approving Work Authorization No.11 with Sanderson Concrete Construction, Inc., under Contract No. 0118-0230 for the resoration of failing golf cart path segments at the City's Municipal Golf Course in the amount of \$174,460.

8.H. [Budget Division - FY 2018/19 Third Quarter Budget Amendment \(pp. 365-374\)](#)

Resolution amending Resolution No. 18-325 as previously amended, which adopted the FY 2018/19 budget, in order to increase revenues by \$ 412,879, operating expenditures by \$ 996,541, and reduce transfers and capital projects by \$ 583,662. This budget amendment recognizes revenues of the trust and impact fee funds received subsequent to the previous budget amendment, balances the Water and Sewer Operating and Improvements Fund, reduces loans and projects in the State Revolving Loan Funds, balances the revenues of the internal service funds to the budgeted internal service expenditures throughout the budget, and recognizes additional reimbursement revenue in the Consolidated Insurance Fund.

Fred Coulter, Budget Officer, to report.

Recommendation: Budget Officer recommends adoption of the Resolution.
Action: Motion to adopt Resolution.

8.I. [Fire Department - Rotary Lift - Vehicle Lift Purchase \(pp.375-381\)](#)

Resolution authorizing the purchase of six (6) Rotary Mobile Vehicle Lifts in an amount not to exceed \$59,898.06 from Rotary Lift, 2700 Lanier Drive Madison, IN 47250. The purchase is through a cooperative purchasing contract from Sourcewell (formerly NJPA) – Rotary Lift No.061015-RRL and is for the replacement of equipment which was purchased in 1985, is no longer serviceable and beyond their useful life. Funds available in General Fund - Fire Department Budget.

Recommendation: Fire Chief recommends adoption of the Resolution authorizing the purchase of six (6) Rotary Mobile Vehicle Lifts in an amount not to exceed \$59,898.06 from Rotary Lift.

8.J. [Utilities Department - MKI Services, Inc - Sole Source Purchase \(pp. 382-393\)](#)

Resolution approving a purchase from MKI Services, Inc., 725 Primera Boulevard, Suite 155 Lake Mary, FL 32746 for grit system component replacement in the amount of \$250,000. The purpose of this request is to maintain wastewater treatment operations in accordance with State and Federal regulations. New grit system equipment will be installed at both the Wesside Regional and Bethune Point WRFs to fully comply with FDEP permit requirements. The grit removal system is designed to remove sand and other inorganic material from the incoming wastewater prior to biological treatment. Some of the system components at both facilities have failed and are no longer repairable. Two components at the Bethune Point WRF and one component at the Wesside Regional WRF will be replaced for the pretreatment system. MKI Services Inc., is the authorized sole source local representative provider of replacement parts and components for the TeaCup & Grit Snail products. This equipment is standardized to avoid major renovations for installation. Funds available in the Water & Sewer Renewal & Replacement 5% Fund.

Recommendation: Utilities Director recommends approving a purchase from MKI Services, Inc., for grit system component replacement in the amount of \$250,000.

8.K. [Finance Department - Allocation of Bike Week Sponsorship Funds \(pp. 394-395\)](#)

Resolution authorizing payment in the amount of:

\$250 to Alpha Phi Alpha Fraternity, Inc. for their Annual Scholarship Ball, held August 10, 2019, \$200 to New St. James Missionary Baptist Church, for their 2019 Backpack giveaway and \$175 to Leisure Services for Permit Fees for R.A.C.E. Foundation's 3 on 3 Basketball Tournament at Derbyshire Park from the Bike Week Sponsorship Funds of Commissioner Dannette Henry.

Added 08-20-19 \$400 to Halifax Historical Society; \$400 to Heritage Preservation Trus Inc. for Lilian Place Heritage Center; \$200 to Halifax Urban Minisries for Hope Place; \$200 to Jewish Federation of Volusia & Flagler Counties, Inc for Food Bank; \$100 to Volusia Volunteers in Medicine; \$100 to Boys' & Girls' Clubs of Volusia/Flagler Counties; and \$500 to Team Daytona Law Enforcement Charities, Inc for the 2019 Tour DeForce 911 Memorial Ride from the Bike Week Sponsorship Funds of Commissioner Ruth Trager.

Recommendation: Chief Financial Ofcer recommends adoption of the Resolution.

9. PUBLIC HEARINGS.

9.A. [Development and Adminisrative Services, Planning Division - Capital Recovery Agreement for Grande Champion Signal \(pp. 396-408\)](#)

Resolution - PUBLIC HEARING - approving the Capital Recovery Agreement between The City of Daytona Beach and Integrated LPGA, LLC (Developer). The agreement requires the Developer to the design, insall, and fund the Grande Champion signal. As a condition of City approval for the frs phase of the Integrated LPGA development, Developer shall proceed at its sole cos to fund the Grande Champion signal subject to recovery of a share of the capital cos from the developers of the remaining undeveloped areas of Grande Champion PD and certain additional property located near the intersection of Grande Champion Boulevard and US 92 (Contributing Projects). To the extend permitted by law, the City shall require each developer of a Contributing Project to enter into a binding agreement with the City to contribute its pro rata share of the total cos for the signal as a condition of the issuance of any new development order.

Dennis Mrozek, Planning Director, to report.

Recommendation: Planning Director recommends approval.

Action: Motion to approve Resolution.

9.B. [Development and Adminisrative Services, Planning Division - Integrated LPGA - Rezoning to Planned Development-General \(PD-G\) and Preliminary Plat \(pp. 409-533\)](#)

Ordinance on second reading - Quasi-Judicial Hearing - approving a reques to rezone 391.8± acres of land located wes of N. Tomoka Farms Road, eas of LPGA Boulevard, and north of Wes International Speedway Boulevard from Single-Family Residential 5 (SFR-5) to Planned Development-General (PD-G) to develop a mixed residential development,

approving the Integrated LPGA Phase A1 Preliminary Plat, and authorizing the Mayor to execute the Integrated LPGA Planned District Agreement. Applicant: Mark A. Watts, Esquire, Cobb Cole, on behalf of American Land Development Osceola County, LLC & American SW-30 Investments, LLC and GC Land LLC. ****This item was continued from the August 7, 2019 City Commission Meeting at the request of the Applicant****

Dennis Mrozek, Planning Director, to report.

Recommendation: Planning Board recommends approval 5-to-0.

Action: Motion to adopt Ordinance.

9.C. [Development and Administrative Services – American SW-30 Investments, LLC/Integrated LPGA - Proportionate Fair Share Agreement \(pp. 534-550\)](#)

Resolution - PUBLIC HEARING - authorizing the City to enter into the American SW-30 Investments, LLC/Integrated LPGA Proportionate Fair Share Agreement with American SW-30 Investments, LLC ("Owner") and Volusia County. The agreement provides for a proportionate fair share contribution to the County in the amount of \$1,561,163.07 for a maximum buildout of 600 dwelling units and to address traffic concurrency and traffic impacts. The contribution will provide transportation improvements in the impact area. The project is located west of N. Tomoka Farms Road, east of LPGA Boulevard, south and east of Municipal Stadium, and north of West International Speedway Boulevard. ****This item was continued from the August 7, 2019 City Commission Meeting at the request of the Applicant****

James Morris, Deputy City Manager, to report.

Recommendation: Deputy City Manager recommends adoption of Resolution.

Action: Motion to adopt Resolution.

9.D. [Development and Administrative Services, Planning Division - Land Development Code Text Amendment - Amend Article 6 \(District Sign Schedules\) \(pp. 551-559\)](#)

Ordinance on second reading - PUBLIC HEARING - amending the Land Development Code (LDC), Article 6, Section 6.10.K.1 (District Sign Schedules) to allow institutional uses in residential zoning districts one (1) externally illuminated monument sign at a maximum height of 6' and a maximum sign area of one (1) square foot of sign for every three (3) linear feet of lot frontage up to 32 square feet. Applicant: Edward Murray, Permacraft Signs, on behalf of Powerhouse Ministries Church of God in Christ, Inc.

Dennis Mrozek, Planning Director, to report.

Recommendation: Planning Board recommends approval 7-to-0.

Action: Motion to adopt Ordinance.

9.E. [Development and Administrative Services, Redevelopment Division - Land Development Code Text Amendment - Amend Article 5 \(Location of Accessory Uses and Structures & Outdoor Seating\) \(pp. 560-572\)](#)

Ordinance on second reading - PUBLIC HEARING - amending the Land Development Code (LDC), Article 5, Section 5.3.B.2.b. (Location of Accessory Uses and Structures) and 5.3.C.17 (Outdoor Seating) to allow for outdoor seating in certain required yards to permit umbrella tables, open-walled shade structures, and other amenities associated with outdoor seating areas. Applicant: Development and Administrative Services Department, Redevelopment Division.

Reed Berger, Redevelopment Director, to report.

Recommendation: Planning Board recommends approval 7-to-0.

Action: Motion to adopt Ordinance.

9.F. [Development and Administrative Services, Planning Division - First Amendment to Daytona \(North\) Sam's Club Planned District Agreement \(pp. 573-606\)](#)

Ordinance on second reading - Quasi-Judicial Hearing - amending the Daytona (North) Sam's Club Planned District Agreement to allow for six (6) electronic message center (EMC) signs for the purpose of displaying digital gas prices, allow for a reduction in the total area and quantity of wall signs, and authorizing the Mayor to execute the First Amendment to Daytona (North) Sam's Club Planned District Agreement. Applicant: Karl J. Sanders, Esq., KJS Law PA, on behalf of Sam's Eas, Inc.

Dennis Mrozek, Planning Director, to report.

Recommendation: Planning Board recommends approval 7-to-0.

Action: Motion to adopt Ordinance.

9.G. [Development and Administrative Services, Planning Division - DME Sports - Voluntary Annexation \(pp. 607-624\)](#)

Ordinance on second reading - PUBLIC HEARING - approving a voluntary annexation of 0.47± acre of land at 2507 Bellevue Avenue, located on the south side of Bellevue Avenue, across from the Daytona Beach International Airport. The property is contiguous to the municipal boundary,

and complies with Chapter 171 of the Florida Statutes. The applicant is seeking to annex the parcel to develop a stormwater retention pond and to increase the number of student housing units for the development. Applicant: Joseph Hopkins, P.E., The Performance Group Inc. on behalf of Michael Panaggio, Direct Mail Express, Inc.

Dennis Mrozek, Planning Director, to report.

Recommendation: Planning Director recommends approval.

Action: Motion to adopt Ordinance.

9.H [Development and Administrative Services, Planning Division - DME Sports - Small Scale Comprehensive Plan Amendment \(pp. 625-661\)](#)

Ordinance on second reading - PUBLIC HEARING - adopting a Small Scale Comprehensive Plan Amendment (SSCPA) amending the Future Land Use Map designation from Volusia County "Activity Center" to City "Mixed Use" for 0.47± acre of land at 2507 Bellevue Avenue, located on the south side of Bellevue Avenue, across from the Daytona Beach International Airport, to allow a stormwater detention pond and to increase the number of student housing units for the development. Applicant: Joseph H. Hopkins, P.E., The Performance Group, Inc., on behalf of Michael Panaggio, Direct Mail Express, Inc.

Dennis Mrozek, Planning Director, to report.

Recommendation: Planning Board recommends approval 7-to-0.

Action: Motion to adopt Ordinance.

9.I [Development and Administrative Services, Planning Division - DME Sports - First Amendment to DME Planned District Agreement \(pp. 662-697\)](#)

Ordinance on second reading - Quasi-Judicial Hearing - amending the DME Planned District Agreement to add 0.47± acre of land at 2507 Bellevue Avenue, located on the south side of Bellevue Avenue, across from the Daytona Beach International Airport, to develop a stormwater retention pond and to increase the number of student housing units for the development, and authorizing the Mayor to execute the First Amendment to the DME Planned District Agreement. Applicant: Joseph H. Hopkins, P.E., The Performance Group, Inc., on behalf of Michael Panaggio, Direct Mail Express, Inc.

Dennis Mrozek, Planning Director, to report.

Recommendation: Planning Board recommends approval 7-to-0.

Action: Motion to adopt Ordinance.

9.J. [Development and Administrative Services, Planning Division - Sanctuary At Daytona - Rezoning to Planned Development - General \(PD-G\) \(pp. 698-920\)](#)

Ordinance on second reading - Quasi-Judicial Hearing - approving a request to rezone 22.7± acres of land located on the north side of LPGA Boulevard and west of Grand Preserve Way, from "Volusia County" zoning to "City" Planned Development-General (PD-G) to allow for the development of a 336 unit multifamily complex, and authorizing the Mayor to execute the Sanctuary at Daytona Planned District Agreement. Applicant: Scott Sterns, Emerson International, Inc., on behalf of Indigo Development, LLC.

Dennis Mrozek, Planning Director, to report.

Recommendation: Planning Board recommends approval 7-to-0.

Action: Motion to adopt Ordinance.

10. ADMINISTRATIVE ITEMS.

10.A. [Development and Administrative Services, Planning Division - The Ellis - Rezoning to Planned Development - General \(PD-G\) \(pp. 921-980\)](#)

Ordinance on first reading - approving a request to rezone 31± acres of land located on the east side of N. Williamson Boulevard/CR-4009, north of LPGA Boulevard, south of Strickland Range Road, and west of N. Clyde Morris Boulevard, from "Volusia County" zoning to "City" Planned Development-General (PD-G) to allow for the development of a multifamily complex, and authorizing the Mayor to execute The Ellis Planned District Agreement. Applicant: Michael O. Sznapsajler, Esquire, Cobb Cole, on behalf of Consolidated-Tomoka Land Co.

Dennis Mrozek, Planning Director, to report.

Recommendation: Planning Board recommends approval 7-to-0.

Action: Motion to pass Ordinance on first reading.

Note: If passed, Public Hearing, September 4, 2019.

10.B. [Legal Department - Engagement of Attorneys Segundo Fernandez and Tim Perry as Outside Counsel in Relation to Remediation of City Brownfield Site \(pp. 981-994\)](#)

Resolution authorizing the City to retain attorneys Segundo Fernandez and Tim Perry with the law firm of Oertel, Fernandez, Bryant & Atkins, P.A., as outside counsel. They will coordinate the efforts of City Staff and consultants to complete Site Closure on the City's behalf, including efforts to obtain an acceptable No Further Action with Controls letter from Florida

Department of Environmental Protection (“FDEP”). The estimated cost of services is \$108,000.

A City Brownfield Site, which was formerly a part of a City-owned landfill operated west of Clyde Morris Boulevard at Bellevue Avenue, is contaminated with underground hazardous substances. This underground contamination extends under Bellevue Avenue Extension and Clyde Morris Boulevard, and several City owned properties that are either adjacent to the brownfield site or to these roadways. The City Brownfield Site is under the jurisdiction of the Florida Department of Environmental Protection (“FDEP”). The City will be required to engage in site rehabilitation in order to obtain FDEP approved Site Closure. The cost of obtaining Site Closure may range from \$5 million to \$12 million or more.

Recommendation: Commission Action.

Action: Motion to adopt Resolution.

10.C. [City Manager's Office - First Step Shelter Budget Amendment \(pp. 995-1000\)](#)

Resolution amending Resolutions No. 18-325 as previously amended, which adopted the FY 2018/19. Total revenues shall be increased by \$150,000, operating expenditures shall be decreased by \$150,000, and transfers and capital projects shall be increased by \$300,000 by this budget amendment. This budget amendment increases funding for the First Step Shelter capital project by \$150,000 in order to fund the purchase and installation of kitchen equipment.

Recommendation: Commission Action.

Action: Motion to adopt Resolution.

10.D. [City Manager's Office - Affordable Housing Advisory Committee - Appointment \(pp. 1001-1007\)](#)

Resolution appointing one member to the Affordable Housing Advisory Committee. The Advisory Committee shall consist of at least 8 but not more than 11 committee members. The committee must consist of representation from different specified categories. This appointment is to fill the category of banking or mortgage representative. We have received an application from LaQuetta McGill.

Betty Goodman, Assistant City Manager, to report.

Recommendation: Commission action. Action:
Motion to adopt the Resolution.

10.E. [City Manager's Ofce - Board of Adjusment - Appointment \(pp. 1008-1012\)](#)

Resolution appointing one member to the Board of Adjusment representing Zone 4. 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 received a resignation from Thomas Leek who had a membership term expiration of 12/31/20. We have also received an application for Zone 4 from Patrick Connors.

Betty Goodman, Assisant City Manager, to report.

Recommendation: Commission action. Action:
Motion to adopt the Resolution.

10.F. [City Manager's Ofce - Code Enforcement Board - Appointments \(pp. 1013-1023\)](#)

Resolution appointing two members and reappointment of one member to the Code Enforcement Board. Cheryl House has resigned with a membership term expiring on 8/23/21 and Thomas AD Jones resigned with a term expiring on 8/23/20. Valoree McLean has a membership term that will be expiring on 8/23/19. The board shall consist of seven members appointed by the City Commission. Members of the board shall be residents of the City. We have two applicants for appointment Josh Fogarty and Bradford Gonzales and Ms. Valoree McLean would like to be reappointed.

Betty Goodman, Assisant City Manager, to report.

Recommendation: Commission action. Action:
Motion to adopt the Resolution.

10.G. [City Manager's Ofce - Leisure Services Advisory Board - Appointment \(pp. 1024-1029\)](#)

Resolution appointing one member to the Leisure Services Advisory Board representing Zone 5. The Board consists of seven members, one from each zone nominated by the City Commissioners of respective zones, and one (1) at large member nominated by the Mayor. We have received an application from Zone 5 from Mr. Milverton Robinson.

Betty Goodman, Assisant 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 ATTORNEYREPORT.**
- 12. ADJOURNMENT.**
- 13. PUBLIC COMMENT FORUM - 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 other speakers. Personal attacks on the City Commission, City Staf or members of the public are not allowed.**