



**THE CITY OF DAYTONA BEACH
BUSINESS MEETING OF THE CITY COMMISSION
JUNE 6, 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 Minutes of the May 2, 2018 and the May 16, 2018 Business Meeting of the City Commission 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. [Presentation - Donna M. Gray-Banks, F.R.E.S.H. Book Festival \(pp. 16-27\)](#)

Presentation by Donna M. Gray-Banks, F.R.E.S.H. Book Festival, to the City of Daytona Beach City Commission to include reviewing the 2018 F.R.E.S.H. Book Festival, presenting a brief 1-minute video from previous Cornbread events, and an appeal for additional funding to fund the Children's Book Festival scheduled for June 2018 in the amount of \$1,000.

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 Clerk Office - Calling For Municipal Primary Election - August 28, 2018 \(pp. 29-33\)](#)

Resolution calling a Municipal Primary Election to be held in the City of Daytona Beach, Volusia County, Florida on Tuesday, August 28, 2018, for the election by Zone for the City Commissioner for Zones 1, 3, & 5 for which more than two Candidates are nominated for the office of City Commissioner for terms commencing November 14, 2018: and calling a special City Commission meeting to declare the results.

Recommendation: City Clerk recommends adoption of the Resolution.

8.B. [City Clerk Office - Appointing Custodian of Ballots and Voting Equipment - 2018 Municipal Elections \(pp. 34-40\)](#)

Resolution appointing and naming Lisa Lewis, Supervisor of Elections, County of Volusia, as Custodian of all ballots and voting equipment for the Municipal Primary Election on Tuesday, August 28, 2018 (if required), and the Municipal General Election on Tuesday, November 6, 2018: and requesting that she administer absentee ballots for the Municipality, as well as appoint inspectors and clerks for said Elections in conjunction with the County's Uniform Municipal Elections.

Recommendation: City Clerks recommends adoption of the Resolution.

8.C. [City Clerk Office - Designating Polling Places for the Municipal Primary and General Elections \(pp. 41-48\)](#)

Resolution designating polling places in the City of Daytona Beach to be used by the voters in the Municipal Primary Election to be held, Tuesday, August 28, 2018 and the Municipal General Election to be held Tuesday, November 6, 2018.

Recommendation: City Clerk recommends adoption of the Resolution.

8.D. [City Clerk Office - Appointment of Canvassing Board \(pp. 49-54\)](#)

Resolution appointing the Volusia County Canvassing Board to judge the results of the Municipal Primary Election to be held on Tuesday, August 28, 2018 (if required), and the Municipal General Election to be held on Tuesday, November 6, 2018, in accordance with Article IV, Section 10, City Charter.

Recommendation: City Clerk recommends adoption of the Resolution.

8.E. [City Manager's Office - Peabody Auditorium Advisory Board - Resolution Amendment \(pp. 55-57\)](#)

Resolution amending Res. 96-199 permitting seven (7) members to the Peabody Auditorium Advisory Board to stagger renewal terms based on their original appointment. The board consists of seven (7) members serving four year terms commencing on January 1 and expiring on December 31, with at least one board 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.

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

8.F. [Public Works/Administration Department - American Janitorial, Inc. - Contract Award \(pp. 58-83\)](#)

Resolution awarding General Services Contract No. 0118-0590 to American Janitorial, Inc., 87 North Central Avenue, Umatilla, FL 32784 in the amount of \$52,380.79 for remainder of Fiscal Year 2017/2018 (June 16th through September 30th), based on the submitted Fee Schedule for a three (3) year term of \$538,773.84 or \$179,591.28 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 \$179,591.28 annually. They will provide complete custodial services at various City of Daytona Beach properties, more specifically identified as City Hall, Public Works Complex, Police Headquarters, Police Holding Cells, Utilities Wastewater Administration, Utilities Environmental Laboratory, Utilities Central Maintenance Building, Utilities Water Plant - Administration Building Only, Utilities W/WW Inspectors Building, Utilities Marion Street Complex, Utilities Bethune Point Complex, Utilities Engineering and Administration, Fire Department Administration, and Pro Shop. Service specifics referenced in contract under Exhibit A: Scope of Services.

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

8.G. [Public Works, Technical Services Division - Sweetheart Trail along S. Beach Street \(Bellevue Avenue to Marina Point Drive\) - FDOT SUNTrail Network Agreement No. 439868-1-54-01 - and Associated Maintenance Memorandum of Agreement \(MMOA\) \(pp. 84-108\)](#)

Resolution authorizing the Mayor and City Clerk to execute the FDOT SUNTrail Network Agreement No. 439868-1-54-01 and Associated Maintenance Memorandum of Agreement (MMOA) between the City and the Florida Department of Transportation (FDOT), providing reimbursement to the City up to \$300,000 for the construction of a 12 foot wide multi-use Sweetheart Trail along S Beach Street between Bellevue Avenue and Marina Point Drive; and to agree to accept all future maintenance and attendant costs thereof in return for receipt of funding from the Department; and directing the Budget Officer to amend the budget. The total estimated cost for construction is \$726,200 and the FDOT SUNTrail Network Agreement will provide reimbursement for the grant eligible items of up to \$300,000.

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

8.H. [Public Works/Administration - MRI Architectural Group - Work Authorization No. 1 - Contract No. 0517-0330 \(pp. 109-140\)](#)

Resolution approving Work Authorization No. 1 in the amount of \$57,640.92 under continuing services contract 0517-0330-MRI with MRI Architectural Group, 5032 Goddard Avenue, Orlando, FL 32804, based on the fee summary of the submitted proposal for providing architectural and engineering services to develop construction documents for the Peninsula Club kitchen renovation. MRI Architectural Group will create construction documentation which includes interior demolition and renovations. The Volusia County Health Department recommends this kitchen renovation after a building inspection. The building is 100 years old. Funds available in the Capital Projects Fund.

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

8.I. [Public Works Department - General Mechanical Corporation - Bandshell Phase II - Change Orders No.1 and No.2 \(pp. 141-242\)](#)

Resolution approving Change Order No.1 and Change Order No.2 with General Mechanical Corporation, 418 Segrave Street, Daytona Beach, FL

32114 in the amount of \$66,141 for the Bandshell Phase II project. This will allow the project to remain on schedule and provide funding for several items and issues that became apparent during the construction process. The additional items and issues to address that require additional funding are summarized below:

- Electrical upgrades
- Revisions to the stage electrical configuration
- Concrete stair modifications
- Various conduit additions
- Lighting in dressing rooms
- Miscellaneous framing in need of repair
- Interior stair skirt and tread carpentry
- Wall tile additions in the bathrooms
- Hardwood floor refinishing on second floor

Funds available in the Redevelopment - Main Street Fund.

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

8.J. [Engineering/Public Works Department - Brance Diversified, Inc - Riverfront Park Day Docks – Construction Bid and Construction Contract - Lowest Responsive Bid Award \(pp. 243-438\)](#)

Resolution awarding a Construction Contract to the lowest responsive bidder, Brance Diversified, Inc., 1903 Wambolt Street, Jacksonville, FL 32202 in the amount of \$595,069 for the construction of the new day docks in Riverfront Park. Resolution 17-63 approved the City's acceptance of a Florida Inland Navigation District reimbursable grant in the amount of \$550,000 with a 50% match requirement of \$275,000; \$500,000 of which, can be used for construction related activities. Funds available in the General Fund (\$345,069) and the Grant Projects Fund (\$250,000).

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

8.K. [Utilities Department - TestAmerica Laboratories, Inc and Advanced Environmental Laboratories, Inc - Daytona Beach Demonstration Testing System \(DTS\) - Best Responsive Bid Award \(pp. 439-493\)](#)

Resolution awarding a unit price project specific contract for a 2-year term for Lot 1 laboratory testing to TestAmerica Laboratories, Inc., 5102 LaRouche Avenue, Savannah, GA 31404 in the amount of \$44,538, a warding a unit price project specific contract for a 2-year term for Lot 5 laboratory

testing to Advanced Environmental Laboratories, Inc., 6681 Southport Parkway, Jacksonville, FL 32216 in the amount of \$33,000, authorizing the combined expenditure of \$18,010 for the remainder of Fiscal Year 2017 - 2018; and authorizing the City Manager to expend funds for both contracts in future fiscal years subject to budget appropriations. TestAmerica and Advanced Environmental Laboratories were the best responsive bidders for Lot 1 and Lot 5 respectively. The City obtained an operating permit from The Florida Department of Environmental Protection (FDEP) for the construction and operation of the Demonstration Testing System. The operating permit requires the City to test on a fixed schedule and frequency a wide variety of nutrients, metals and organics related to purifying reuse effluent. FDEP further requires in the operating permit that all testing be performed by a certified laboratory. The testing required for Lots 2, 3, 4, 6, and 8 falls within the City Managers authority, however, for Lots 1 and 5, the City solicited bids to qualified laboratories for testing services related to the requirements of the City's FDEP operating permit. Lot 7 was removed from the Bid. Funds available in the Water & Wastewater Operating Fund.

Recommendation: Interim Utilities Director recommends adoption of the Resolution.

8.L. [Police Department - U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, FY 2017-2018 Bulletproof Vest Partnership Program - Grant Submission/Acceptance and Purchase \(pp. 494-500\)](#)

Resolution requesting acceptance of the Department of Justice Bulletproof Vest Partnership federal grant and procurement of bulletproof vests for the purpose to replace units expected to expire and authorizing the City Manager or his Designee the authority to execute the application, submission, acceptance, amendment to the budget, expenditure of funds, or of any agreement related to this federal grant. The U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, Bulletproof Vest Partnership Program, provides federal funds to outfit sworn officers with bulletproof vests. This grant pays for 50% of the ballistic vest costs totaling \$27,565.78 and the City of Daytona Beach is responsible for the remaining 50% match of the ballistic vest costs, in the amount of \$27,565.78. The combined total funding amount is not to exceed \$55,131.56, which will allow the purchase of the mandatory replacement of approximately 60-70 ballistic vests from a vendor under the Naspro Body Armor Contract 2016-2021. Agency pricing is all the same under the Naspro contract. Funds available in the Federal Shared Property Forfeiture Fund (\$27,565.78) and the Police Department Grants Fund (\$27,565.78).

Recommendation: Chief of Police Recommends adoption of the Resolution.

8.M. [Fire Department - Municipal Emergency Services, Inc. - Hurst Jaws of Life Vehicle Extrication Equipment and Accessories - Sole Source Purchase \(pp. 501-505\)](#)

Resolution authorizing the sole source purchase of Hurst Jaws of Life vehicle extrication equipment and necessary accessories in an amount not to exceed \$38,520. Purchase to be made as a sole source purchase from Municipal Emergency Services, Inc. 3789 62nd Avenue Pinellas Park, FL 33781 who serves as the sole distributor of Hurst Jaws of Life, Inc., equipment for the State of Florida. Purchased equipment to replace tools purchased in 1998 which are no longer serviceable nor meet current standards. Previous grant attempts at replacement were unsuccessful.

Recommendation: Fire Chief recommends adoption of the Resolution.

8.N. [Finance Department - Allocation of Bike Week Sponsorship Funds \(pp. 506-509\)](#)

Resolution authorizing payment in the amount of:

\$500 to Juneteenth Festival Committee, Inc., for the 2018 Juneteenth Celebration from the Bike Week Sponsorship Funds of Commissioner Robert Gilliland.

\$100 to National Council of Negro Women, Inc., for a general donation, \$150 to Bethune-Cookman University, for the National Statuary Hall Campaign for Dr. Mary McLeod Bethune statue at the U.S. Capitol, \$150 to Alpha Kappa Alpha Sorority, Inc., for the 2018 Debutante Cotillion; and \$300 to Juneteenth Festival Committee, Inc., for the 2018 Juneteenth Celebration from the Bike Week Sponsorship Funds of Commissioner Dannette Henry.

\$100 to Alpha Kappa Alpha Sorority, Inc., donation on behalf of Sub Deb, Kashmere Presley and \$250 to Juneteenth Festival Committee, Inc., for the 2018 Juneteenth Celebration from the Bike Week Sponsorship Funds of Commissioner Paula Reed.

\$500 to Juneteenth Festival Committee, Inc., for the 2018 Juneteenth Celebration from the Bike Week Sponsorship Funds of Commissioner Aaron Delgado.

Recommendation: Chief Financial Officer recommends adoption of the Resolution.

9. PUBLIC HEARINGS.

9.A. [Engineering/Public Works Department - Coates Street Vacation of Right-Of-Way \(pp. 510-526\)](#)

Resolution - PUBLIC HEARING - vacating the entirety of Coates Street right-of-way located between International Speedway Boulevard and 5th Street identified as 35 feet wide by 380 feet long right-of-way. Once vacated, the applicant plans to demolish the vacant buildings on these lots, including the former Shell's restaurant, and improve the land for temporary overflow parking for the Streamline Hotel and for public parking. Improvements would include a graded stabilized surface with perimeter fencing and landscaping to improve the appearance of the area. Second, the applicant intends to redevelop the property in a cooperative partnership with the City of Daytona that promotes the community's vision for improving the intersection of A1A and ISB.

The City's Land Development Code (LDC), Section 3.4. AA.4 states:

An application for vacation of a public street right-of-way shall be approved only on a finding there is competent substantial evidence in the record that:

- a. The right-of-way is not now, or in the foreseeable future, needed for a public purpose for the city or its inhabitants; and
- b. Vacation of the right-of-way is consistent with the comprehensive plan.

The proposed vacation is consistent with the comprehensive plan. TRT staff members saw no foreseeable use for public purpose of this right-of-way.

The applicant has provided letters of no objection to the vacation from TECO (gas), Charter Communications/Spectrum (formerly Bright House), AT&T, Florida Power and Light and Volusia County. **(This item was continued from the 05-16-18 City Commission Meeting)**

David Waller, Deputy Public Works Director, to report.

Recommendation: Planning Board recommends approval 5-0.

Action: Motion to adopt the Resolution.

10. ADMINISTRATIVE ITEMS.

10.A. [Development and Administrative Services, Planning Division - Marriott Renaissance - Small Scale Comprehensive Plan Amendment \(pp. 527-585\)](#)

Ordinance on first reading - adopting a Small Scale Comprehensive Plan Amendment (SSCPA) amending the Future Land Use Element, Neighborhood B, to increase the maximum building height to 76 feet and limit the permitted uses to a parking garage or structure, parking lot, and government uses located at 605 Glenview Boulevard. Applicant: Robert A.

Merrell III, Esquire, Cobb Cole, on behalf of 640 North Atlantic Hospitality, LLC.

Richard Walton, Planning Director, to report.

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

Action: Motion to pass Ordinance on first reading.

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

10.B. [Development and Administrative Services, Planning Division - Marriott Renaissance - Rezoning, Planned Development-General \(pp. 586-697\)](#)

Ordinance on first reading - approving a request to rezone a total of 3.8± acres of land located at 605 Glenview Boulevard (.6± acre) and 640 North Atlantic Avenue (3.2± acres) from Residential/Professional (RP) and Tourist/Office/Restaurant (T-2) to Planned Development-General (PD-G) to allow for renovation to the existing Ocean Breeze Hotel and development of an associated parking structure, and authorizing the Mayor to execute the Marriott Renaissance Planned District Agreement. Applicant: Robert A. Merrell III, Esquire, Cobb Cole, on behalf of 640 North Atlantic Hospitality, LLC.

Richard Walton, Planning Director, to report.

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

Action: Motion to pass Ordinance on first reading.

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

10.C. [Development and Administrative Services, Planning Division - Mason Williamson Storage - Rezoning, Planned Development-General \(pp. 698-748\)](#)

Ordinance on first reading - approving a request to rezone a total of 5.7± acres of land located on the southeast corner of Mason Avenue and Williamson Boulevard, between Mason Avenue and Valor Boulevard from Business Professional (BP) to Planned Development-General (PD-G) to allow for the development of a self-storage/mini-warehouse facility, with associated site improvements, and authorizing the Mayor to execute the Mason Williamson Storage Planned District Agreement. Applicant: Parker Mynchenberg, Parker Mynchenberg & Associates, Inc. on behalf of Scott Vanacore, Vanacore Holdings, LLC.

Richard Walton, Planning Director, to report.

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

Action: Motion to pass Ordinance on first reading.

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

10.D. [Development and Administrative Services, Planning Division - Subaru of Daytona - Rezoning, Planned Development-General \(pp. 749-810\)](#)

Ordinance on first reading - approving a request to rezone 12.65± acres of land located on the west side of Tomoka Farms Road and south of Dunn Avenue from Single-Family Residential 5 (SFR-5) to Planned Development-General (PD-G) for the development of a Subaru dealership and associated site improvements, and authorizing the Mayor to execute the Subaru of Daytona Planned District Agreement. Applicant: Robert A. Merrell III, Esquire, Cobb Cole, on behalf of Scott Bullock, Indigo Development LLC.

Richard Walton, Planning Director, to report.

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

Action: Motion to pass Ordinance on first reading.

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

10.E. [City Manager's Office - Peabody Auditorium Advisory Board - Appointments \(pp. 811-825\)](#)

Resolution appointing five (5) members to the Peabody Auditorium Advisory Board. The board shall consist of seven (7) members serving four (4) year terms and must reside within the zone from which appointed or if mayoral from within the corporate limits of the City. The membership terms of all seven members have expired. Five of the members would like to be reappointed and have completed applications: Lloyd Bowers (Mayoral), Suzanne Kridner (1), Earnest Murphy, Jr. (2), Mary Martin (4) and Sandra Chavous (6).

Betty Goodman, Assistant City Manager, to report

Recommendation: Commission action.

Action: Motion to adopt the Resolution.

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

12. ADJOURNMENT.

13. PUBLIC COMMENT FORUM - DURING THIS TIME CITIZENS ARE ALLOWED 2.5 MINUTES TO SPEAK ON ANY TOPIC OF CONCERN. Please be courteous and respectful of the views of other speakers. Personal

attacks on the City Commission, City Staff or members of the public are not allowed.