





**THE CITY OF DAYTONA BEACH
BUSINESS MEETING OF THE CITY COMMISSION
JANUARY 20, 2021
CITY COMMISSION CHAMBERS
6:00 PM**

AGENDA

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

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

	<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 City Commission meeting should contact the City Clerk's Office, 301 S. Ridgewood Ave, Room 210, Daytona Beach, FL 32114, Telephone: (386) 671-8023, Email: clerk@codb.us not later than 72 hours prior to the proceedings. If you are hearing or voice impaired contact the relay operator at 1-800-955-9771.

1. ROLL CALL.

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1. **ROLL CALL.**
2. **INVOCATION.**
3. **PLEDGE OF ALLEGIANCE TO THE FLAG.**
4. **APPROVAL OF MINUTES.**
 - 4.A. [Approval of the Minutes](#)

Approval of the Minutes of the the December 2, 2020 Regular City Commission Meeting.

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. [Development and Administrative Services, Planning Division - The Hunt House - Historic Preservation Award \(pp. 12-24\)](#)

The Historic Preservation Board is presenting a Historic Preservation Award to The Hunt House. This award is for a property owners significant contributions to the preservation of local historic resources.

7. CITIZENS.

7.A. PUBLIC COMMENTS BY THE PEOPLE ADDRESSING THE CITY COMMISSION

EMERGENCY PROCEDURES FOR PUBLIC MEETINGS AND PUBLIC COMMENTS

During this time of extraordinary circumstances dealing with the declared State of Emergency associated with the COVID-19 pandemic, the City is temporarily allowing online public comments, and limited in-person public comments at City Hall, for public meetings of the City Commission and the various City Boards.

Online Public Comment Forms . The City is providing an online Public Comment Form to allow members of the public to submit public comments for each public meeting of the City Commission or a City Board. The Public Comment Form may be found at <https://www.codb.us/comments>. Please follow the directions on the Form to ensure proper electronic submission to the City. All Public Comment Forms completed and properly transmitted before 5 p.m. on the day prior to the public meeting will be provided to City Commission or Board members, as applicable, for their review and consideration prior to the public meeting. Any Public Comment Forms submitted after 5 p.m. on the day prior to the meeting will be provided to Commission or Board after the public meeting. All Public Comment Forms will be included in the official meeting records and retained by the City Clerk or the Board Secretary as a public record. If you have issues with accessing, completing, or submitting the online Public Comment Form please email us at comments@codb.us or call 386-671-8023.

In-Person Public Comment on Propositions before the City Commission or a Board . Although persons are strongly encouraged to submit online Public Comment Forms during this State of Emergency, persons may visit City Hall during a public meeting to make public comment on propositions coming before the City Commission or Board for a vote, subject to these City procedures and all social distancing requirements recommended by the Federal Centers For Disease Control and Prevention . The Commission Chambers will be closed for in-person attendance by the public. The City Hall lobby will be equipped with an audio/video feed to the Commission Chambers and a lectern and microphone will be placed immediately inside the Chamber door for public comment. Forms will be provided for persons to fill out who wish to make public comment. Persons may approach the

Lectern to speak on an item before the Commission or Board at appropriate times, when called upon, subject to such time limitations as may be imposed by the public body. The lobby will also have a limited defined area, with social distancing, for persons waiting to make public comment. In addition, the exterior entryway to City Hall will be equipped with a loudspeaker for persons waiting for permission to enter to make public comment due to space limitations in the lobby. Persons may also monitor public meetings from their iPhone, iPad, or other electronic device at <https://www.codb.us/618/DBTV>, and enter City Hall for public comment at appropriate times, when called upon. Persons who have finished speaking or not intending to speak on a matter coming before the Commission or Board will not be permitted to remain in City Hall. All persons must comply with social distancing requirements while at City Hall, such as by remaining at least 6 feet apart. Use of facial masks is mandated to combat the spread of the COVID-19 disease.

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. [Legal Department - Resolution Extending The Local State of Emergency](#) (pp. 27)

RESOLUTION EXTENDING THE LOCAL STATE OF EMERGENCY DUE TO COVID-19 FOR AN ADDITIONAL SEVEN DAY PERIOD ENDING JANUARY 27; 2021 RATIFYING MAYORAL EXECUTIVE ORDER NO. 25; AND PROVIDING AN EFFECTIVE DATE.

Recommendation: City Attorney recommends adoption of the Resolution.

8.B. [Legal Department - Settlement of Claim - Lora Fredrikson](#) (pp. 28-31)

Resolution authorizing payment in the amount of \$50,000 to Lora Fredrikson and her attorney Shawn A. Jiles, Esq., for release of all claims and full settlement arising from injuries allegedly sustained from a trip and fall that occurred on May 13, 2016, on a pedestrian walkway adjacent to the Daytona Beach Hilton Resort. Funds are available in the Consolidated Insurance Fund.

Recommendation: City Attorney recommends adoption of the Resolution.

8.C. [Development Services/Cultural Services - Racing and Recreation Grant](#)

[Application - Peabody Auditorium \(pp. 32-51\)](#)

Resolution approving the submittal of a new grant application to the Racing and Recreation Facilities District in the amount of \$300,000; and authorizing the City Manager to accept the funds if awarded to renovate the restroom facilities at the Peabody Auditorium. On December 16, 2020 the City Commission approved Resolution No. 2020-389 authorizing the City to submit a grant application with the Racing and Recreational Facilities District in the amount of \$125,000.00 to modify and expand the restroom facilities at the Peabody auditorium. This amount requested is insufficient to complete the work. Staff is now requesting a new Resolution superseding 2020-389 and approving the submittal of a grant application to the Racing and Recreational Facilities District in the amount of \$300,000.

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

8.D. [Development and Administrative Services & Police Department - Purchase of Multi-Purpose Marine Vessel \(pp. 52-57\)](#)

Resolution approving the purchase of a 2020 Everglades boat ((24ft 4inches - length), in the amount of \$134,786.23, from Boaters Exchange, 1307 N. Dixie Freeway, New Smyrna Beach, FL 32168. The Permits & Licensing Division and Police Department are requesting the City Commission approve the purchase of a Multi-Purpose Marine Vessel including expenditure of \$60,00.00 in grant funds awarded to the City by the Florida Inland Navigation District (FIND) for the Marine Vessel and \$74,786.23 from the P&L Boat and Boat House Fund for a total purchase price of \$134,786.23. Sole source status is justified as Boaters Exchange is the only authorized Everglades dealer in the area and the Everglades brand of unsinkable boats has the length and lower gunnels (a/k/a gunwale) which is preferred for the intended purpose of the boat.

The Marine Vessel is for use throughout the intracoastal waterway in Daytona Beach. The City covers approximately 5 continuous miles on both sides of the intracoastal waterway. The Marine Vessel would be for use by the Permits & Licensing Division and Police Department for marine emergency services, law enforcement and building code enforcement for structures located on and in the intracoastal waterway.

Recommendation: Deputy City Manager and the Police Chief recommend adoption of the Resolution.

8.E. [City Manager's Office - Florida Department of Health - Limited Use License Agreement \(pp. 58-64\)](#)

Resolution ratifying the Vaccination Event (COVID-19) Limited Use

License Agreement between the State of Florida, Department of Health and the City of Daytona Beach. Agreement authorizes the State of Florida, Department of Health the tentative use of three City owned facilities for the public distribution of the COVID-19 vaccine. Authorizing the City Manager or his designee to approve dates/times of facility use. There is no cost for this item.

Recommendation: Deputy City Manager/Fire Chief recommends adoption of the Resolution.

8.F. [Finance Department - Allocation of Bike Week Sponsorship Funds \(65-67\)](#)

Resolution authorizing payment in the amount of:

\$250 for a general donation to the Mainland Varsity Baseball Team from the Bike Week Sponsorship Fund of Commissioner Dannette Henry.

\$150 for a general donation to the Mainland Varsity Baseball Team; \$200 to the Mainland High School Boys/Girls Track Team; and \$150 to Delta Sigma Theta Sorority for youth scholarships from the Bike Week Sponsorship Fund of Mayor Derrick L. 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 Furniture and Appliance Store Use \(pp. 68-82\)](#)

Ordinance on first reading - PUBLIC HEARING amending Article 5 (Use Standards), Section 5.2 (Principal Use), Table 5.2.A.2 of the Land Development Code, to re-establish Furniture or Appliance Store uses as a permitted use in the BR-1, BR-2, BA, RDB-2, RDB-3, RDB-5, RDD-1, RDD-2, RDD-3, RDD-4; and to add the uses as permitted uses in the M-1, RDD-5, RDD-7, RDM-3, and RDM-5 zoning districts.

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, February 3, 2021.

10. ADMINISTRATIVE ITEMS.

10.A. [Development and Administrative Services Department - Bike Week 2021 Private Property Master Plan \(pp. 83-229\)](#)

Resolution approving the Bike Week 2021 Private Property Master Plan as submitted by the Daytona Beach Regional Chamber's Bike Week Festival Task Force. The Bike Week Festival Task Force has reviewed the applications for consistency with the Bike Master Plan Guidelines and recommends approval.

Phil Maroney, Vice Chair of the Bike Week Festival Task Force, to report.

Recommendation: Deputy City Manager, Development and Administrative Services recommends adoption of the Resolution.

Action: Motion to adopt the Resolution.

10.B. [Development and Administrative Services, Cultural Services Department - Bike Week 2021 Master Plan - Public Plan \(pp. 230-272\)](#)

Resolution adopting the Bike Week 2021 Public Property Master Plan. Activities included in the plan are consistent with activities in previous years. City staff has reviewed the requests and found them to be acceptable.

James Morris, Deputy City Manager, Development and Administrative Services, to report.

Recommendation: Deputy City Manager, Development and Administrative Services recommends adoption of the Resolution.

Action: Motion to adopt the Resolution.

10.C. [Development and Administrative Services, Planning Division - Reva Village - Historic Tree Removal \(pp. 273-286\)](#)

Resolution approving the removal of a historic 40 inch diameter oak tree, to allow the development of a mixed-use project known as Reva Village, located at 851 Orange Avenue. Applicant: Mark Dowst, Mark Dowst & Associates, Inc, on behalf of Alharbi, LLC.

Dennis Mrozek, Planning Director, to report.

Recommendation: Planning Director recommends adoption of the Resolution.

Action: Motion to adopt the Resolution.

10.D. [Development and Administrative Services, Planning Division - Aero](#)

[Apartments - Historic Tree Removal \(pp. 287-301\)](#)

Resolution approving the removal of three historic oak trees to allow the development of a multi-family project known as Aero Apartments, located at 825 Terrace Avenue. The diameter of the trees proposed for removal is 39 inches, 52 inches and 36 inches. Applicant: Mark Dowst, Mark Dowst & Associates, Inc, on behalf of Elliot Meadows Certified Contractors, LLC.

Dennis Mrozek, Planning Director, to report.

Recommendation: Planning Director recommends adoption of the Resolution.

Action: Motion to adopt the Resolution.

11. DISCUSSION.

11.A. [Discussion - FY 2021/22 Budget Development - Strategic Planning](#) (pp. 301-302)

To provide for a more comprehensive Strategic Planning process, the first session will be a Growth Management Workshop. Though normally initiated in January, this year's FY 2021/22 Strategic Planning kick-off will be hosted in February. The Strategic Planning process allows for members of the City Commission to begin the process of discussing with the City Manager and staff their priorities for the upcoming budget year. Staff requests to schedule the Growth Management Workshop for February 10, 2021.

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

13. ADJOURNMENT.

14. PUBLIC COMMENT FORUM - During this time Citizens are allowed 2.5 minutes to speak on any topic. 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.