



The City of Daytona Beach
AGENDA
City Commission Meeting
6:00 PM - Wednesday, July 3, 2024
City Commission Chambers
Website: www.codb.us

Page

1. **ROLL CALL**
2. **INVOCATION**
3. **PLEDGE OF ALLEGIANCE TO THE FLAG**
4. **APPROVAL OF MINUTES**
 - 4.A. Approval of the Minutes of the June 5, 2024 City Commission Meeting held at 301 S. Ridgewood Avenue, Daytona Beach, FL 32114. 9 - 53
[City Commission - Jun 05 2024 - Minutes - Pdf](#)
5. **AGENDA APPROVAL**
 - 5.A. Approve the July 3, 2024 City Commission Meeting Agenda
6. **PRESENTATION**
 - 6.A. Daytona Beach National Pan-Hellenic Council to the Parks & Recreation Department- Presented by Commissioner Paula Reed
7. **CITIZENS COMMENTS**

During this time Citizens have the opportunity to address the City Commission on any item on the Consent Agenda.
8. **CONSENT AGENDA**

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.

 - 8.A. **City Manager's Office - Coronavirus Local Fiscal Recovery Fund Distribution** 54 - 57
Resolution approving the following distribution of Coronavirus Local Fiscal Recovery Funds (CLFRF) provided by the American Rescue Plan. Funds to be distributed through the Zone-Specific Recovery Fund Program are to strictly be utilized for the benefit of the City of Daytona Beach and/or its residents. Funds are available in the General Fund.

- \$3,500 - BALDY Athletics, Inc - Mayor Derrick L. Henry

- \$500 - Richard Milburn Academy of Florida, Inc - Mayor Derrick L. Henry

[Agenda Summary #AS-24-326 - Pdf](#)

8.B. Finance Department - Bike Week Sponsorship Funds 58 - 59

Resolution authorizing the expenditure of Bike Week Funds from Commissioner Stacy Cantu:

- \$300 to Black Pilots of America

[Agenda Summary #AS-24-327 - Pdf](#)

8.C. Finance Department / Budget Office - Third Quarter Budget Amendment - FY 2023/24 60 - 75

Resolution amending Resolution 2023-365 (as previously amended) amending the FY 2023/24 budget in order to adjust the carryforward of the ending budgetary fund balance of FY 2022/23, to reflect additional revenues for the trust and impact fee funds, to provide funding for the Hurricane Ian and Nicole expenditures, and to increase the internal service funding for the Information Services Internal Service Fund.

[Agenda Summary #AS-24-317 - Pdf](#)

8.D. Human Resources - Risk Management - Wright National Insurance Company - Flood Insurance Renewals 76 - 84

Resolution accepting renewal proposals submitted by Wright National Flood Insurance Company, P.O. Box 33003, St. Petersburg, FL 33733 for an annual premium in the amount of \$21,114 for flood insurance coverage for various City-owned properties in flood zones for the period of July 25, 2024 to July 25, 2025. This is an increase of last year's premium by \$177 due to NFIP rate changes. Also, authorizing payment for any additional flood premium, not to exceed \$40,000, for any additional properties whose flood insurance policies renew in August, November and January, any new properties determined to be in flood zones, and for adjustments in property values that may cause a need for an increase of coverage during the policy period of July 25, 2024 to July 25, 2025. Funds are available in the Consolidated Insurance Fund.

[Agenda Summary #AS-24-288 - Pdf](#)

8.E. Information Technology Systems- Purchase of 32 Dell Latitude 5430 Rugged Laptops for Police Department - Patrol Division 85 - 125

Resolution authorizing the purchase of 32 Dell Latitude 5430 Rugged laptops from vendor no. 102729 Dell Marketing, LP, PO Box 534118, Atlanta GA, 30353 in the amount of \$70,080 for the Police Department's Patrol division. Funds are available in the Information Technology- Non-Capital Hardware/Software Fund.

[Agenda Summary #AS-24-304 - Pdf](#)

8.F. Permits & Licensing Department - Samsula Demolition - 727 School 126 - 139

Street - Demolition and Remediation Approval

Resolution approving the Change Order Request for asbestos remediation at 727 School Street by Samsula Demolition, 363 State Road 415, New Smyrna Beach, Florida 32168 in the amount of \$35,550 resulting in a total demolition and remediation cost of \$47,318 which exceeds the City Manager's authorization limit and requires City Commission approval. This demolition is proceeding under continuing services contract No 2352SWI. Funds are available in the Demolition and Condemnation Fund.

[Agenda Summary #AS-24-299 - Pdf](#)

- 8.G. Police Department - lease of fifteen (15) new 2024 FLHP motorcycles from Teddy Morse's Daytona Harley-Davidson, 1637 North US Highway 1, Ormond Beach, FL 32174** 140 - 153

Resolution authorizing the lease of fifteen (15) new 2024 FLHP motorcycles from EMAG Daytona HD LLC d/b/a/Teddy Morse's Daytona Harley-Davidson, 1637 North US Highway 1, Ormond Beach, FL 32174 from 10/01/2024 through 09/30/2030 in the amount of \$12,690 monthly and \$152,280 annually.

[Agenda Summary #AS-24-307 - Pdf](#)

- 8.H. Utilities Department - Continuing Services Contract No. 2444FW General Services for Pond Maintenance** 154 - 171

Resolution awarding contract No. 2444FW to Florida Waterways, Inc. 3832-101 Baymeadows Road, Jacksonville FL 32217 for Continuing Pond Maintenance Services for a term of three (3) years with two (2) additional one-year renewal options in an amount not to exceed \$28,620 for the remainder of fiscal year 2024; authorize the City manager to exercise all renewal options subject to budget and appropriation. This item is budgeted in the Stormwater Improvement Fund and it meets the City Commission's strategic goal to improve infrastructure.

[Agenda Summary #AS-24-306 - Pdf](#)

- 8.I. Utilities Department – Carollo Engineers, Inc. – Lift Station 34 Construction Engineering and Inspection (CEI) Services** 172 - 204

Resolution approving Work Authorization No. 13 under Contract No. 21374-CAR with Carollo Engineers, Inc., 200 East Robinson Street, Suite 1400, Orlando, FL 32801 for Lift Station 34 Construction Engineering and Inspection (CEI) Services in an amount not to exceed \$385,468.48. Funds are available in the State Revolving Loan Fund, and the project meets the City Commission's strategic goal to improve infrastructure.

[Agenda Summary #AS-24-279 - Pdf](#)

- 8.J. Utilities Department – Hurricane Recovery Grant – Agreement Amendments** 205 - 242

Resolution approving amendments to Florida Department of Environmental Protection (FDEP) Grant Agreements for Hurricane Stormwater and Wastewater Assistance grants previously entered into and authorizing the City Manager to sign the current amendments and future amendments; including the following items:

- Extending the duration of the project
- Reallocating funds between project tasks
- Adding tasks without additional funding needed

There is no City funding associated with this request and it meets the City Commission's strategic goal to improve infrastructure.

[Agenda Summary #AS-24-308 - Pdf](#)

8.K. Utilities Department – Surplus of City-Owned Property – Sodium Hypochlorite Generator System 243 - 247

Resolution declaring the process equipment associated with the sodium hypochlorite generation system located at the Ralph Brennan Water Treatment Plant as surplus and authorizing the City Manager to explore options to sell the equipment. There is no funding associated with this request.

[Agenda Summary #AS-24-305 - Pdf](#)

8.L. Utilities Department – Trojan Technologies – UV System Parts and Equipment – Bethune Point Water Reclamation Facility - STANDARDIZATION 248 - 254

Resolution approving a purchase from Trojan Technologies, 3020 Gore Road, London Ontario, Canada N5V 4T7 for Ultraviolet (UV) system parts in the amount of \$167,058.53 for the Bethune Point Water Reclamation Facilities. Funds are available in the Water and Sewer Operating Fund, and this purchase meets the City Commission's strategic goal to improve infrastructure.

[Agenda Summary #AS-24-303 - Pdf](#)

9. PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

10. INTRODUCTION OF ORDINANCES

City Commission comments & questions only.

10.A. Growth Management & Planning Department - Lakewood Senior Living Planned Development-General (PD-G) Rezoning - DEV2023-587 255 - 329

Introduction of Ordinance on first reading to rezone 2.9± acres of property from Multifamily Residential -20 (MFR-20), to Planned Development-General (PD-G), to allow for development of a Senior Living Facility with a maximum density of 56 units and associated site improvements. The property is generally located on Jimmy Ann Drive approximately half (.5) a mile south of LPGA Boulevard, north of 5th Street. Applicant: Mark A. Watts, Esq., Cobb Cole Law Firm, on behalf of Lakewood Senior Housing, LLLP, and Acruva Community Developers, LLC.

[Agenda Summary #AS-24-312 - Pdf](#)

11. ADMINISTRATIVE ITEMS

11.A. City Manager's Office - Design/Build Contract and Intent to Reimburse - Jackie Robinson Ballpark 330 - 410

Resolution approving Contract No. 2428 between The City of Daytona Beach and Barton Malow Builders LLC For Design/Build Services for the Jackie Robinson Ballpark Renovations Design-Build Project; Authorizing an

expenditure of funds in an amount of \$2,858,600 for segment one preconstruction services which includes, Phase 1 & 2 design and Phase 1 preconstruction services by Design-Builder and establishing a design contingency in the amount of \$500,000. This contract is for the design, construction, and remodel of Historic Jackie Robinson Ballpark which is a multi-phased project to include a new Major League Baseball - PDL compliant clubhouse building, multi-purpose community space, museum, common area improvements, and other new fan amenities. Declaring the official intent of the City to reimburse itself from the proceeds of a bond for expenses to be incurred with respect to the Design-Build contract. Funding for design and preconstruction services is through future Bond 2024A revenues as approved by Resolution 2024-215 and 2024-216.

[Agenda Summary #AS-24-321 - Pdf](#)

11.B. City Manager's Office - Setting of Tentative FY 2024/25 Millage Rate - PLACEHOLDER 411 - 415

Resolution advising the Property Appraiser for advertising purposes, the FY 2024/25 proposed tentative (not to exceed) operating millage rate, rolled-back rate, and voted debt service rate. The requested proposed tentative millage rates for each \$1,000 of assessed valuations are:

Rolled Back:	X.XXXX
Proposed General Fund Operating:	5.4300
Voted Debt Service:	X.XXXX

The first public hearing is scheduled for September 4, 2024, on which the proposed tentative millage rate and proposed FY 2024/25 Budget will be acted upon.

[Agenda Summary #AS-24-318 - Pdf](#)

11.C. Growth Management & Planning Department - Embry Riddle Aeronautical University (ERAU) Conservation Easement (DEV2024-368) 416 - 428

Resolution to approve the Conservation Easement to retain the existing natural condition and prevent any use that would impair or interfere with the cultural or archeological value of the property. The property is generally located east of South Clyde Morris Boulevard and north Verna Street (1103 S Clyde Morris Blvd).

[Agenda Summary #AS-24-315 - Pdf](#)

11.D. Permits and Licensing Department - Property Acquisition at 230 N. Beach Street 429 - 444

Resolution authorizing the following:

- The purchase of 230 N. Beach Street, Daytona Beach, Florida 32114, from Sun Glow Construction Incorporated, 230 N. Beach Street, Daytona Beach, FL 32114, in the amount of \$4,380,450 with associated transaction costs such as closing cost, Survey, and a Phase I Environmental assessment at an estimated cost of \$20,000, for an amount not to exceed \$4,400,450.
- Approval of a commercial lease agreement leasing the fourth floor, located at 230 N. Beach Street, Daytona Beach, Florida 32114,

between the City of Daytona Beach and Sun Glow Construction Incorporated for a three (3) year term with one three-year renewal with city approval and authorizing the city manager to approve the renewal.

[Agenda Summary #AS-24-316 - Pdf](#)

11.E. Utilities Department – PC Construction Company – Contract No. 2426 for the Lift Station 34 Replacement Project 445 - 469

Resolution awarding Contract No. 2426 to PC Construction Company, dba PCEO, Inc., 193 Tilley Drive, South Burlington, VT 05403 in an amount of \$10,968,000 for construction of the Lift Station 34 Replacement Project. Funds are available in the State Revolving Loan Fund, and the project meets the City Commission’s strategic goal to improve infrastructure.

[Agenda Summary #AS-24-292 - Pdf](#)

12. COMMISSION DISCUSSION

12.A. Charter Review Commission Recommended Amendments - Discussion and Staff Direction

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

14. PUBLIC COMMENT FORUM

During this time Citizens are allowed three (3) minutes to speak on any topic. 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.

15. ADJOURNMENT

NOTICES - 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. Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained from the City Clerk’s Office.



For special accommodations, please notify the City Clerk’s Office at least 72 hours in advance. (386) 671-8023



Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained from the City Clerk’s Office.

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 7-1-1 or 1-800-955-8771.

CITIZEN PRESENTATION – At Commission meetings, citizens may be heard at Public Hearings or on other items on the agenda when authorized by the Mayor, as presiding officer. Persons interested in a matter not on the agenda may be heard under the item entitled “PUBLIC COMMENTS FORUM.” **When recognized by the presiding officer, come forward to the microphone, give your name and address, and speak briefly on the matter.**

PUBLIC HEARING – (This guide will aid you in expressing your opinions **briefly** and **clearly** before the Commission and thus increase the effectiveness of your presentation.) **Public comments to Ordinances are generally made only on second reading.**

GENERAL RULES

- Complete “Request to Appear” form and present it to the Clerk at the front of the Chamber (Yellow for Business Meeting Items; Green for Public Comments Forum).
- When recognized by the Mayor, proceed to the lectern in front of the Commission dais. Speak directly into the microphone.
- State your name, address, the organization which you represent or the location of your property if you have a property interest, and your position for or against.
- Make a brief statement of the pertinent facts **within your knowledge**.
- Next, briefly state the reasons for your position based upon relevant subject matter.
- It is important for you to discuss only those matters relating to your hearing and to tie into your discussion the facts directly referring to the decision you wish to Commission to reach.
-

ORDER OF BUSINESS – The major items of business include Consent Agenda, Public Hearings, Introduction of Ordinances, and Administrative Items.

ACTIONS – Business presented to the Commission is acted upon by one of the following actions:

- **Ordinances**: An ordinance or amendment thereto is a legislative act and requires two readings at separate Commission meetings. **Public Hearings are advertised and usually held on the second reading of an ordinance.** Ten days after passed it automatically becomes law unless a different date is stated on the ordinance. Emergency ordinances can be adopted by the Commission on first reading.
- **Resolutions**: A resolution expresses the policy of the Commission or directs certain types of administrative action. It requires only one reading unless otherwise stated.
- **Motions**: A motion is ordinarily used to indicate majority approval of a procedural action, such as to file a report. It may also be used to authorize administrative officials to take certain actions.
- **Referral**: When the Commission is not prepared to take definite action or when further study is needed, the Commission Board may refer the matter to a committee or to the City Manager for study and subsequent action or report.

ORDER OF PROCEDURE

1. Procedure in the Commission meeting, as well as the decorum of all persons participating in Commission meetings, is governed by Roberts Rules of Order, the City Charter, the City Code of Ordinances, and the Rules of the Commission.
2. When an agenda item comes up for Commission consideration, the following procedure shall apply:
An ordinance or resolution under consideration shall be read by title only, unless otherwise requested by a member of the Commission. A motion and second may be made by a Commissioner to waive the reading of a resolution.
A motion and a second is required to adopt the item (whether an ordinance on final reading, resolution, continuance, motion, etc.)
3. Discussion of the item then follows. (Unless the item is an introduction ordinance on first reading which has no audience participation.)
The Mayor, as presiding officer of the meeting, will open the discussion which may include public comments. **Public comments are normally limited to three minutes.**
4. All questions, except by the Commission, must be directed to the Mayor who will ask the speaker or other person for any information he may need to answer the question. **Under no circumstances will members of the audience direct questions to another member of the audience or a speaker who has the floor.**
5. **Once voting has started further discussion of the item or further presentations will not be permitted.**

DISORDERLY CONDUCT AT A CITY COMMISSION MEETING

Section 62-38 of the City Code of Ordinances reads as follows: "It shall be unlawful for any person to behave in a riotous or disorderly manner in any public meeting of the City Commission or any committee, agency, or board thereof, or to cause any unnecessary disturbances therein by force, shouting, or any other action calculated to disrupt such meeting, or to refuse to obey any ruling of the presiding officer or such meeting relative to the orderly process thereof."

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. **Please silence cell phones and other wireless devices during the meeting.**