



**The City of Daytona Beach**  
**AGENDA**  
**City Commission Meeting**  
**6:00 PM - Wednesday, April 3, 2024**  
**City Commission Chambers**  
Website: [www.codb.us](http://www.codb.us)

	Page
<b>1. ROLL CALL</b>	
<b>2. INVOCATION</b>	
<b>3. PLEDGE OF ALLEGIANCE TO THE FLAG</b>	
<b>4. APPROVAL OF MINUTES</b>	
<b>4.A. Approval of the Minutes of the March 5, 2024 City Commission Meeting held at 301 S. Ridgewood Avenue, Daytona Beach, FL 32114.</b>	9 - 20
<a href="#">City Commission - Mar 05 2024 - Minutes - Pdf</a>	
<b>5. AGENDA APPROVAL</b>	
<b>6. PRESENTATION</b>	
<b>6.A. Proclamation - April Fair Housing Month</b>	21
<a href="#">Agenda Summary #AS-24-147 - Pdf</a>	
<b>6.B. Campbell Middle School - Washington D.C. Trip</b>	22 - 27
<a href="#">Agenda Summary #AS-24-149 - Pdf</a>	
<b>7. CITIZENS COMMENTS</b>	
During this time Citizens have the opportunity to address the City Commission on any item on the Consent Agenda.	
<b>8. CONSENT AGENDA</b>	
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.	
<b>8.A. Business Enterprise Management Department - Halifax Harbor Plaza Property Management Services Contract</b>	28 - 46
<b>Resolution</b> approving the Halifax Harbor Plaza Property Management Services Contract between the City of Daytona Beach and TW Realty, LLC, 120 East Granada, Ormond Beach, FL 32176. In amount not to exceed	

\$30,422.35 for the remaining fiscal year 2024. Subsequent years will be based on the contracted amount pending budget appropriations.

Funds are available in various accounts in the Halifax Harbor Fund.

[Agenda Summary #AS-24-133 - Pdf](#)

**8.B. Business Enterprise Management Department - Permits & License Vehicle Purchase** 47 - 310

**Resolution** authorizing the purchase of three (3) vehicles from the Sourcewell (formerly NJPA) Cooperative Contract 2024 091521-NAF and 060920-NAF with options from Alan Jay Fleet Sales, P.O. Box 9200, Sebring, FL 33871 in the amount of \$175,116. Funds are available in the Permits and Licensing Fund.

[Agenda Summary #AS-24-116 - Pdf](#)

**8.C. Business Enterprise Management Department - Police Department Vehicle Purchase** 311 - 342

**Resolution** authorizing the purchase of a 2024 Expedition 4x2 XLT and accessory equipment to outfit the vehicle under the provisions of the Piggyback Term Agreement for Vehicles approved by Resolution 2023-341 from Bartow Ford Company, 2800 US Hwy 98 North, Bartow, FL in the amount of \$69,257.15. Funds are available in the General Fund.

[Agenda Summary #AS-24-160 - Pdf](#)

**8.D. Business Enterprise Management Department - Utilities Department Vehicle Replacement Purchases** 343 - 355

**Resolution** authorizing the purchase of seven vehicles from the Sourcewell (formerly NJPA) Cooperative Contract 2024-091521-NAF & 06 with options for the Utilities Department from Alan Jay Fleet Sales, P.O. Box 9200, Sebring, FL 33871 in the total amount of \$355,561. The replacement vehicles have been budgeted and are part of the overall vehicle replacement program for the City. The old vehicles will be disposed of by the Purchasing Department, either internally or by auction. Funds are available in the Water & Sewer fund.

[Agenda Summary #AS-24-118 - Pdf](#)

**8.E. City Manager's Office - Acceptance of \$125,000 Childhood Obesity Grant 2024** 356 - 363

**Resolution** authorizing acceptance of grant funds in the amount of \$125,000 from the United States Conference of Mayors for the Childhood Obesity Prevention and Environmental Health and Sustainability Award.

[Agenda Summary #AS-24-158 - Pdf](#)

**8.F. City Manager's Office - Coronavirus Local Fiscal Recovery Fund Distribution** 364 - 367

**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.

- \$5,000 - Bethune Cookman University - Commissioner Ken Strickland
- \$5,000 - Bethune Cookman University - Commissioner Paula Reed

[Agenda Summary #AS-24-163 - Pdf](#)

**8.G. City Manager's Office - Second Quarter Budget Amendment - FY 2023/24** 368 - 383

**Resolution** amending Resolution 2023-365 (as previously amended) amending the FY 2023/24 budget in order to carryforward the ending budgetary fund balance of FY 2022/23, to reflect additional revenues for the trust and impact fee funds, to reimburse the Solid Waste Fund for legal expenditures erroneously charged to it in 2019, and to reflect adjustments in property values made by the Value Adjustment Board.

[Agenda Summary #AS-24-150 - Pdf](#)

**8.H. Human Resource Department - Risk Management - Brown & Brown - Excess Workers' Compensation and Liability Insurance Renewals** 384 - 407

**Resolution** accepting proposals submitted by Brown & Brown of Florida, Inc., as the City's property and casualty insurance broker, for excess workers' compensation insurance with Arch Insurance Company and excess liability insurance coverage with Illinois Union Insurance Company. The combined annual premium including surcharges and fees is \$594,729. Funds are available in the Consolidated Insurance Fund.

[Agenda Summary #AS-24-068 - Pdf](#)

**8.I. Information Technology Systems- Amend Capital Project Budget and Work Authorization No. 5 for Seabreeze Camera Project for Pole Installation** 408 - 412

**Resolution** to increase the Capital Project Budget to \$170,000 and amend Work Authorization No. 5 for Seabreeze Camera Project for Pole Installation. The City's Information Technology Systems Department (ITS) is requesting a Resolution amending the Capital Project Budget to \$170,000 for the Seabreeze Camera Project and amending Work Authorization No. 5 from \$20,395 to \$90,395 per the City's Piggyback Services Agreement for Electrical Services per Volusia County Contract No. 21-B-165MC, with LaTour Enterprises Inc., DBA Economy Electric, 538 West Street Daytona Beach, Florida, 32114 - Vendor No. 101455.

[Agenda Summary #AS-24-166 - Pdf](#)

**8.J. Public Works - Agreement for Athletic Court and Field Containment Solutions Contract to The Nidy Sports Construction Company, Inc. (Nidy), using the Omnia Partners National Cooperative Purchasing Alliance (NCPA) contract 08-42** 413 - 493

**Resolution** to award a contract to The Nidy Sports Construction Company, Inc. (Nidy), 751 General Hutchinson Parkway, Longwood, FL 32750 using the Omnia Partners National Cooperative Purchasing Alliance (NCPA) contract 08-42 to provide athletic court and field containment solutions to basketball and tennis courts at the City's recreation parks. The initial term of the Contract

will commence on the date last signed and will remain in effect until April 30, 2026. The City will have an option to renew this agreement for two (2) years terms of one (1) year each. We are requesting City Commission allow the City Manager to exercise the renewal options.

[Agenda Summary #AS-24-130 - Pdf](#)

**8.K. Public Works Department - Construction Contract No. 2418 - Paul Culver Construction - Coast Guard Auxiliary Building** 494 - 524

**Resolution** awarding Contract No. 2418 to the lowest responsive bidder, Paul Culver Construction, 201 Osceola Ave, Daytona Beach, FL 32114 in the amount of \$517,500 and authorizing the Mayor and City Clerk to execute Contract and provide an effective date.

[Agenda Summary #AS-24-109 - Pdf](#)

**8.L. Public Works Department - Work Authorization No.13 to Continuing Contract No. 2006-21 with Southeastern Survey and Mapping Corporation for the Florida Tennis Center Topographic Survey** 525 - 536

**Resolution** to approve Work Authorization No. 3 to Continuing Services Contract 2006-21 (Res. No. 2022-21) with Southeastern Survey and Mapping Corporation, 550 S. Highland Street, Mount Dora, FL 32757 for the Florida Tennis Center Topographic Survey in the amount of \$38,874.81. Funds are available in the Hurricane Ian Fund and the General Fund.

[Agenda Summary #AS-24-110 - Pdf](#)

**8.M. Redevelopment & Neighborhood Services - Approval of Purchase Contract for a Vacant Property located at Helme Place (Parcel ID 5339-19-00-0010), Daytona Beach, FL** 537 - 552

**Resolution** authorizing the City Manager to execute a Commercial Contract for the vacant property located at Helme Place (Parcel ID 5339-19-00-0010), Daytona Beach, FL, and closing costs in the amount of \$30,000 and to terminate the contract if during the due diligence period, if it is determined the property is not suitable for Community Redevelopment Agency (CRA) purposes. Authorize the City Manager to execute documents necessary to close the sale.

[Agenda Summary #AS-24-142 - Pdf](#)

**8.N. Redevelopment and Neighborhood Services - Framework Downtown Development Incentive Grant Agreement** 553 - 559

**Resolution** to approve an amendment to the Framework Downtown Development Incentive Grant Agreement.

[Agenda Summary #AS-24-139 - Pdf](#)

**8.O. Utilities Department – InSource Solutions – Utilities Asset Management Software Purchase – Limble CMMS** 560 - 574

Resolution approving the purchase of a computerized asset maintenance management system (CMMS) software system and waiver of the City's Purchasing Code for the procurement of Limble CMMS, from InSource Solutions, PO Box 72804 Richmond, VA 23235 for the purpose of providing

proactive and predictive maintenance utility wide with the following provisions:

- Authorize an expenditure of \$65,890 for FY 2023-24; and
- Authorize the City Manager to expend such sums as budgeted each year

Funds are available in the Water and Sewer Operating Fund.

[Agenda Summary #AS-24-129 - Pdf](#)

**8.P. Utilities Department - Danus Utilities, Inc. - Lift Station No. 1 Repair - Bethune Point Water Reclamation Facility** 575 - 600

**Resolution** ratifying an emergency expenditure to Danus Utilities, Inc., 2320 Beardall Avenue, Sanford, Florida 32771, for performing emergency repairs at Lift Station No. 1 in the amount of \$197,277. Funding is available in the Water & Sewer 5% Renewal & Replacement Fund.

[Agenda Summary #AS-24-108 - Pdf](#)

**8.Q. Utilities Department -Work Authorization No. 2 - Halff Associates, inc. - Lift Station No. 45 Replacement** 601 - 642

**Resolution** approving Work Authorization No. 2 under Contract No. 21374-Halff, Inc., 902 North Sinclair Avenue, Tavares, Florida 32778 in the amount of \$138,286.22 for design, bidding, and future construction coordination services for the Lift Station No. 45 Sanitary Lift Station Replacement project. Funds are available in the Renewal and Replacement 8% Fund, and this project meets the City Commission's strategic goal to improve infrastructure.

[Agenda Summary #AS-24-135 - Pdf](#)

**9. PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS**

**9.A. City Manager's Office - Mayor & City Commissioner Salary** 643 - 648

**Ordinance on second reading** amending Article II, Sections 2-57 and 2-58, City Code, to amend how the salaries of the Mayor and the Commissioners are calculated based upon the Salary Review Committees recommendations. These changes will become effective November 20, 2024.

Action: Public Hearing and final action.

[Agenda Summary #AS-24-152 - Pdf](#)

**10. INTRODUCTION OF ORDINANCES**

City Commission comments & questions only.

**10.A. Growth Management & Planning Department - Beachfront Addressing Requirements - Land Development Code Text Amendment DEV2024-106** 649 - 657

**Introduction of Ordinance on first reading** to amend Article 9, Section 9.2.B – Local Amendments to International Property Maintenance Code, of the Land Development Code, to add requirements for visible addressing to the beachfront for oceanfront buildings. Applicant: Growth Management and Planning Department.

Action: Commission comments and questions only.

Note: Public Hearing and final action on April 17, 2024.

[Agenda Summary #AS-24-144 - Pdf](#)

**10.B. Growth Management & Planning Department - Exhalt Health – Hospital Medical (HM) – Rezoning – DEV2023-028** 658 - 673

**Introduction of Ordinance on first reading** to rezone 3.7± acres of property from Planned Development-General (PD-G) to Hospital Medical (HM), to allow for uses associated with the HM zoning designation and associated site improvements. The property is generally located on the southwest corner of the intersection of Mason Avenue and Clyde Morris Boulevard. Applicant: Joseph H. Hopkins, P.E., The Performance Group, on behalf of VICTOR LLC.

Action: Commission comments and questions only.

Note: Public Hearing and final action on April 17, 2024.

[Agenda Summary #AS-24-145 - Pdf](#)

**10.C. Growth Management & Planning Department - 5th Amendment to Tomoka Town Center PD – DEV2023-405** 674 - 717

**Introduction of Ordinance on first reading** to amend the Tomoka Town Center Planned District (PD) Agreement to increase the maximum permitted wall signage for the Ashley Furniture Store currently under construction on Lot 8 of Parcel A within Tomoka Town Center. The property is generally located east of I-95, south of LPGA Boulevard, and west of Cornerstone Boulevard, at 1270 Cornerstone Blvd. Applicant: Jessica Gow, Esq., Cobb Cole, on behalf of Ashley Global Retail LLC.

Action: Commission comments and questions only.

Note: Public Hearing and final action on April 17, 2024.

[Agenda Summary #AS-24-143 - Pdf](#)

**10.D. Finance Department - Ordinance Authorizing a Loan Application and Loan Agreement under the FDEP Drinking Water State Revolving Fund (DWSRF) Program.** 718 - 738

**Introduction of Ordinance on first reading** authorizing City Commission to authorize a planning, design, and construction loan application and loan agreement under the Florida Department of Environmental Protection (FDEP) Drinking Water State Revolving Fund (DWSRF) Program for loan principal amount of \$5,693,115, and loan forgiveness amount of \$2,789,626 for the development of a lead service line (LSL) inventory, identification of service line materials including lead, and planning for LSL replacement.

Action: Commission comments and questions only.

Note: Public Hearing and Final action on April 17, 2024.

[Agenda Summary #AS-24-140 - Pdf](#)

**11. ADMINISTRATIVE ITEMS**

**11.A. Growth Management & Planning Department - Majestic Oaks - Historic Tree Removal** 739 - 745



**Resolution** approving the removal of two designated historic live oak trees; a 40-inch diameter tree and a 48-inch diameter tree, to allow the development of a multifamily project known as Majestic Oaks, located at 860 Nova Road  
Applicant: Melissa Nahir Malek, MetaWorld Civil Consulting, LLC, on behalf of Majestic Oaks Daytona, LLC.

[Agenda Summary #AS-24-146 - Pdf](#)

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

**13. 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.

**14. 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](mailto: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.**