



**The City of Daytona Beach**  
**AGENDA**  
**City Commission Meeting**  
**6:00 PM - Wednesday, July 17, 2024**  
**City Commission Chambers**  
Website: [www.codb.us](http://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 11, 2024 Permits & Licensing Goal Setting Workshop, and, the June 19, 2024, City Commission Meeting held at 301 S. Ridgewood Avenue, Daytona Beach, FL 32114. 8 - 41  
  
[City Commission - Permits & Licensing and Goal Setting Workshop - Minutes - Pdf](#)  
  
[City Commission - Jun 19 2024 - Minutes - Pdf](#)
5. **AGENDA APPROVAL**
6. **PRESENTATIONS**
  - 6.A. **Public Works Department - Beautification/Tree Advisory Board Awards** 42  
  
The Beautification//Tree Advisory Board has selected Gary and Leslie Fletcher, 108 Wedge Circle, for the Residential Award Winner for the month of July 2024. The Award will be presented by the City Commissioner Stacy Cantu.  
  
The Beautification/Tree Advisory Board has selected Gator Beach & Sports, 221 North Atlantic, for the Commercial Award Winner for the month of July 2024. The Award will be presented by Mayor Derrick L. Henry.  
  
[Agenda Summary #AS-24-319 - Pdf](#)
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. Business Enterprise Management Department - Permits & License Vehicle Purchase** 43 - 57
- Resolution** authorizing the purchase a 2024 Ford F-150 Lightning Super Crew Cab Pickup Truck 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 \$51,504. Funds are available in the Permit & License Fund
- [Agenda Summary #AS-24-330 - Pdf](#)
- 8.B. City Manager's Office - City Commission Policy - General Public Comments during Regular Business Meetings of the City Commission** 58
- Resolution** adopting a City Commission Policy to allow for general comments from the public during regular business meetings of the City Commission. Comments shall be made during the Public Comment Forum segment of the meeting during which time citizens are allowed to speak on any topic. All parties shall 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.
- [Agenda Summary #AS-24-346 - Pdf](#)
- 8.C. Human Resources-Risk Management-Approval to Contract with MDI Claims, LLC for Claims Administration Software Services** 59 - 75
- Resolution** approving the three-year contract with MDI Claims, LLC, 1200 Corporate Drive, Ste 210 Birmingham, AL 35242, for claims administration software services for the City's self-insurance program. The three-year contract has a commencement date of October 1, 2024, with year one expenditures totaling \$44,700. Years two and three costs are \$59,700 per year subject to future budget funding. Funds are available in the Consolidated Insurance Fund.
- [Agenda Summary #AS-24-332 - Pdf](#)
- 8.D. Parks & Recreation Department - Early Learning Coalition of Flagler and Volusia Counties, Inc.** 76 - 82
- Resolution** authorizing the City of Daytona Beach to enter into agreement with Early Learning Coalition of Flagler and Volusia Counties, Inc. ("ELCFV"). ELCFV wants to bring its learning Mobile to selected City community recreation centers. The City and ELCFV recognize the need for cooperation with the common outcome of cross marketing and community outreach. ELCFV will engage parents and children who may not be in a childcare program and will offer free developmentally appropriate activities and free developmental screenings. The ELCFV's Learning Mobile will provide many opportunities to children and families served in the City of Daytona Beach.
- [Agenda Summary #AS-24-333 - Pdf](#)
- 8.E. Permits and Licensing Department - Six Month Waiver of Permit and Inspection Fees** 83 - 92
- Resolution** approving a six-month waiver of city building permit and inspection fees for residential and commercial construction within the City of Daytona Beach starting September 1, 2024.

- 8.F. Police Department - School Resource Officer Agreement Father Lopez FY 24/25** 93 - 104
- Resolution** approving first amendment to the Father Lopez High School, Inc. and the City of Daytona Beach School Resource Officer Agreement between the City and Father Lopez High School for the Police Department to continue to provide a School Resource Officer. This is a first renewal of the agreement previously approved by resolution 23-209. Father Lopez Catholic High School agrees to compensate the city of services at an established rate of \$45.38 per billable hour. The total annual amount is \$65,710.24. Father Lopez will pay 50% of the total annual amount which is \$32,855.12. This will be billed in ten (10) payments of \$3,285.51. Future renewals to be approved by the City Manager.
- [Agenda Summary #AS-24-328 - Pdf](#)
- 8.G. Public Works - Approving Work Authorization No. 22 with Sanderson Concrete Construction, Inc. Contract No. 22461-SCC** 105 - 152
- Resolution** approving Work Authorization No. 22 to install concrete curbing, sidewalk, and a seat wall utilizing the Term Service Contract No. 22461-SCC, adopted August 17, 2022, Resolution No. 2022-310, for Concrete Delivery and Replacement services from Sanderson Concrete Construction, Inc., 2440 Timberview Dr, New Smyrna Beach, FL, 32168, in an amount not to exceed \$30,390. Funds are budgeted in the General Fund
- [Agenda Summary #AS-24-322 - Pdf](#)
- 8.H. Public Works - Shaw Industries, Inc., Post Office Box 748552, Atlanta, GA, 30384. Finance Department and Utility Billing, Work Authorization No.'s 9 and 10** 153 - 220
- Resolution** to approve Work Authorization No.'s 9, and 10 with Shaw Industries, Inc. P.O. Box 748552, Atlanta, GA. 30384, through the City's agreement for Carpet, Flooring Covering and Related Services, utilizing the Sourcewell Contract No. 080819-SII, in an amount not to exceed \$64,208.54. Funds are available in the Capital Improvement Fund and the Water & Sewer Improvement Fund.
- [Agenda Summary #AS-24-335 - Pdf](#)
- 8.I. Utilities Department – Joe Dirt, Inc. – Ratification and Change Order No. 2 – Liquid Lime Hauling – Brennan Water Treatment Plant** 221 - 252
- Resolution** authorizing Change Order No. 2 to the Piggyback Services Agreement for Sludge Removal, Hauling, and Disposal Services between The City of Daytona Beach and Joe Dirt Inc., 2745 Long Road, Saint Augustine, FL 32084, in an amount not to exceed \$200,000 for the remainder of Fiscal Year 24; and to ratify Change Order No.1 in the amount of \$337,300. Funds are available in the Water & Sewer Fund.
- [Agenda Summary #AS-24-320 - Pdf](#)
- 8.J. Community Redevelopment Agency - Approving Burgoyne Properties,** 253 - 264



## **Ltd Parking Lot Agreement to Provide Public Parking Spaces**

**Resolution** to approve a new lease agreement between Burgoyne Properties Ltd and the City of Daytona Beach Downtown CRA to provide public parking spaces, posted parking spaces and maintenance of the parking lot for a one (1) year term commencing on August 1, 2024, and ending July 31, 2025 with an adjustment in the annual payment from \$18,000 to \$22,000 and authorize the City Manager to renew the lease. The annual rent will be \$22,000, payable monthly.

[Agenda Summary #AS-24-351 - Pdf](#)

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

### **9.A. Growth Management & Planning Department - Lakewood Senior Living Planned Development-General (PD-G) Rezoning - DEV2023-587**

265 - 339

**Ordinance on second reading - Quasi-Judicial Hearing** 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.

Action: Public Hearing and final action.

[Agenda Summary #AS-24-340 - Pdf](#)

## **10. INTRODUCTION OF ORDINANCES**

City Commission comments & questions only.

### **10.A. City Manager's Office - Charter Amendments**

340 - 341

**Introduction of an Ordinance on first reading** approving the following amendments to the Charter and calling for a referendum, Tuesday, November 5, 2024:

**Article 4, Section 8 - Election, term, qualifications, etc., of commissioners; mayor-** amend the portion of the section "...No person may qualify to run for the office of commissioner except from the zone in which he or she is a bona fide resident and be a qualified elector of that zone continuously for at least six (6) months immediately prior to the first day of the qualification period for office and be a qualified elector. Candidates for the office of mayor shall be bona fide residents of the city and be qualified electors in any of said zones for at least six (6) months immediately prior to the first day of the qualification period and be qualified electors in any of said zones.

**Article 5, Section 23 - Qualifications of Electors** - DELETE portion of the sections which reads "On all propositions relating to the issuing of city bonds, only such qualified electors as are freeholders shall be eligible to vote". NOTE: The term "Freeholder" is a statutory definition to define one who owns real property.

Action: Commission comments and questions only.

Note: Public hearing and final action will be on August 7, 2024.

**11. ADMINISTRATIVE ITEMS**

**11.A. City Manager's Office - Setting of Tentative FY 2024/25 Millage Rate** 342 - 346

**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:	5.0712
Proposed General Fund Operating:	X.XXXX (Rate to be set at meeting)
Voted Debt Service:	0.1574

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-24-341 - Pdf](#)

**11.B. Economic Development - Biketoberfest 2024 - Private Property** 347 - 754

**Resolution** approving the Biketoberfest 2024 Master Plan for Private property as submitted by the Daytona Beach Area Convention & Visitors Bureau, Biketoberfest Advisory Committee. The Biketoberfest Advisory Committee has reviewed the applications for consistency with the Bike Week/Biketoberfest Master Plan Guidelines and recommends approval.

[Agenda Summary #AS-24-338 - Pdf](#)

**11.C. Economic Development - Biketoberfest 2024- Public Property** 755 - 777

**Resolution** approving the Biketoberfest 2024 Master Plan for Public Property. Activities included in the plan are consistent with activities in previous years. City staff has reviewed the requests and found them to be acceptable.

[Agenda Summary #AS-24-339 - 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



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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](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.
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**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.**