



City of Daytona Beach Shores

"Life is Better Here"

"A Premier, Friendly Place to Be"

AGENDA CITY COMMISSION MEETING OCTOBER 24, 2023

**7:00 PM, Shores Community Center, 3000 Bellemead Drive
Daytona Beach Shores, FL 32118**

Upon being recognized, a member of the public shall proceed to the podium and give his or her name and address and may, thereafter, speak for a maximum of three minutes on any matter relevant to a specific agenda item. During "Audience Comments," a member of the public may speak on any matter relevant to City business which is not on the agenda, for a maximum of three minutes in accordance with Section 2-1.1(d) and 2-2 of the City Code. In accordance with Section 2-2, during periods set aside for public discussion any person desiring to speak shall secure a form located at the agenda table, complete the form and present it to the City Clerk so the speaker can be recognized by the presiding officer. The use of profanity, obscene language, threats or any violent or abusive conduct by any person shall constitute a violation of this section. It shall be the duty of the Director of Public Safety, upon the order of the presiding officer at any such meeting, to forcibly, if necessary, evict any person violating the provisions of this section from the Commission Chambers. Any such violation shall subject the offender, upon conviction thereof, to a fine and/or imprisonment as prescribed by Section 1-8.

- 1. CALL TO ORDER BY MAYOR**
- 2. ROLL CALL BY CITY CLERK**
- 3. PRAYER**
- 4. PLEDGE OF ALLEGIANCE**
- 5. CEREMONIAL ITEMS, PRESENTATIONS AND PUBLIC NOTICES:**
- 6. APPROVAL OF MINUTES**
 - A. City Commission Minutes October 10, 2023
 - B. City Commission Workshop Minutes October 10, 2023
- 7. CONSENT AGENDA:**
 - A. Property and Evidence Incinerator User Agreement

- B. Mead & Hunt Contract for Sanitary Sewer Collection System Assessment and Mapping
- C. Mead & Hunt Contract For The Development Of A Multi-Year Sanitary Sewer Collection System Facility Plan
- D. Community Services Department Monthly Report - September 2023

8. OLD BUSINESS:

9. NEW BUSINESS:

- A. Ordinance 2023-13: Administrative House Cleaning Amendment Relating To Sewer Utility Rates, Charges & Fees

10. CITY ATTORNEY COMMENTS

11. CITY MANAGER COMMENTS

12. COUNCIL COMMENTS:

13. AUDIENCE REMARKS/PUBLIC COMMENTS:

14. ITEMS RECOMMENDED FOR THE NEXT AGENDA:

15. ADJOURNMENT:

ANY PERSON WHO DECIDES TO APPEAL ANY DECISION MADE BY THE CITY COMMISSION WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE HE OR SHE MAY NEED TO ENSURE AT HIS OR HER OWN EXPENSE FOR THE TAKING AND PREPARATION OF A VERBATIM RECORD OF ALL TESTIMONY AND EVIDENCE OF THE PROCEEDINGS UPON WHICH THE APPEAL IS TO BE BASED.

NOTE: IF YOU ARE A PERSON WITH A DISABILITY WHO NEEDS AN ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS PROCEEDING, YOU ARE ENTITLED, AT NO COST TO YOU, TO THE PROVISION OF CERTAIN ASSISTANCE. PLEASE CONTACT THE CITY CLERK FOR THE CITY OF DAYTONA BEACH SHORES, 2990 S. ATLANTIC AVENUE, DAYTONA BEACH SHORES, FLORIDA 32118, TELEPHONE NUMBER 386-7635364, CSCHWAB@CITYOFDBS.ORG, AS FAR IN ADVANCE AS POSSIBLE, BUT PREFERABLY WITHIN 2 WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE OR 5 DAYS PRIOR TO THE MEETING DATE. IF YOU ARE HEARING OR VOICE IMPAIRED, CONTACT THE RELAY OPERATOR AT 711 or 1 8009558771.

UPON REQUEST BY A QUALIFIED INDIVIDUAL WITH A DISABILITY, THIS DOCUMENT WILL BE MADE AVAILABLE IN AN ALTERNATE FORMAT. IF YOU NEED TO REQUEST THIS DOCUMENT IN AN ALTERNATE FORMAT, PLEASE CONTACT THE CITY CLERK WHOSE CONTACT INFORMATION IS PROVIDED ABOVE.

MINUTES
CITY COMMISSION MEETING
October 10, 2023
3000 Bellemead Drive, Daytona Beach Shores, FL 32118

1. CALL TO ORDER BY MAYOR

Present: Mayor Nancy Miller, Commissioner Mel Lindauer, Commissioner Richard Bryan, Vice Mayor Michael Politis, Commissioner Chris Conomos

Staff: City Manager Kurt Swartzlander, City Clerk Cheri Schwab, City Attorney Paul Waters, Community Services Director Stewart Cruz, Finance Director Lory Irwin, Economic Development and Public Affairs Director Nancy Maddox, and Public Safety Director Michael Fowler.

2. ROLL CALL BY CITY CLERK

3. PRAYER

Mayor Miller asked for a moment of silence in reference to Jennie Celona passing away over the weekend.

4. PLEDGE OF ALLEGIANCE

5. CEREMONIAL ITEMS, PRESENTATIONS AND PUBLIC NOTICES:

6. APPROVAL OF MINUTES

A. City Commission Minutes September 26, 2023

COMMISSIONER MEL LINDAUER moved, seconded by VICE MAYOR MICHAEL POLITIS to Approve the City Commission Minutes of September 26, 2023.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5 No = 0).

Yes: Mayor Nancy Miller, Commissioner Mel Lindauer, Commissioner Richard Bryan, Vice Mayor Michael Politis, Commissioner Chris Conomos

7. CONSENT AGENDA:

A. FY 2023-2024 General Liability, Automobile, & Workers' Comp. Proposal

B. Cigna Health Insurance Proposal FY 2023-2024

C. Agreement to Piggyback Services Contracted By The City Of Tallahassee For Vehicle Purchase

COMMISSIONER RICHARD BRYAN moved, seconded by COMMISSIONER CHRIS CONOMOS to Approve the consent agenda.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5 No = 0).

Yes: Mayor Nancy Miller, Commissioner Mel Lindauer, Commissioner Richard Bryan, Vice Mayor Michael Politis, Commissioner Chris Conomos

8. **OLD BUSINESS:**

9. **NEW BUSINESS:**

A. Res 2023-16 Elected Officials Education Training Policy

Attorney Waters read the resolution for the record. There were no additional comments by the Commission.

VICE MAYOR MICHAEL POLITIS moved, seconded by COMMISSIONER RICHARD BRYAN to Adopt Res 2023-16 on first reading.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5 No = 0).

Yes: Mayor Nancy Miller, Commissioner Mel Lindauer, Commissioner Richard Bryan, Vice Mayor Michael Politis, Commissioner Chris Conomos

B. Social Media Policy

It was explained that Attorney Vose recommended updating the social media policy.

COMMISSIONER CHRIS CONOMOS moved, seconded by COMMISSIONER MEL LINDAUER to Approve Social Media Policy.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5 No = 0).

Yes: Mayor Nancy Miller, Commissioner Mel Lindauer, Commissioner Richard Bryan, Vice Mayor Michael Politis, Commissioner Chris Conomos

C. Consideration to start the October 24, 2023 City Commission meeting at 7:00 pm

Mayor Milller stated that the Volusia delegation meeting was scheduled for the afternoon of the 24th and begins at 3:00 pm. The meeting is in DeLand and runs until 6:00pm. It is unknown what time they will be making the presentation to the delegation. The commission

gave a consensus to change the meeting start time to 7:00 pm.

10. CITY ATTORNEY COMMENTS

There were no additional comments from the City Attorney.

11. CITY MANAGER COMMENTS

City Manager Kurt Swartzlander asked the commission to allow a celebration of life for Jennie Celona to be held the evening of October 20th. The commission gave consensus to waive the rental fee. The event will be open to the public. He informed them that the new public records tracking software, Just FOIA, was active. There has been a rumor that a "trucktoberfest" may occur this weekend. Public Safety personnel will be ready. A recent suggestion from members of the tennis community was to have AED devices available. This week, devices are being installed near the tennis courts, pickleball courts and the restrooms in McElroy Park. Finally, he explained that past practice was to cancel the second meetings in November and December due to the holidays. The commission gave consensus to cancel the scheduled meetings of November 21, 2023 and December 19, 2023.

12. COUNCIL COMMENTS:

Vice Mayor Politis provided an update from the last TPO meeting he attended. Pedestrian crosswalks are being reviewed throughout the county to make them all uniform in appearance and lighting. Mayor Miller explained that the fitness challenge was off to a great start. This month's concert will be held on October 28th and include food trucks. Attendees are encouraged to dress up in Halloween costumes. She reminded everyone of her Coffee with the Mayor tomorrow morning.

13. AUDIENCE REMARKS/PUBLIC COMMENTS:

There were no audience comments.

14. ITEMS RECOMMENDED FOR THE NEXT AGENDA:

Items regarding the sewer wholesale rate amendment will be included on the next agenda.

15. ADJOURNMENT:

The meeting ended at 6:25 pm.

**MAYOR
NANCY MILLER**

**CITY MANAGER
KURT D. SWARTZLANDER**

ATTEST:

CITY CLERK, CHERI SCHWAB

MINUTES
CITY COMMISSION MEETING
October 10, 2023
3000 Bellemead Drive, Daytona Beach Shores, FL 32118

1. CALL TO ORDER BY MAYOR

Present: Mayor Nancy Miller, Commissioner Mel Lindauer, Commissioner Richard Bryan, Vice Mayor Michael Politis, Commissioner Chris Conomos

Staff: City Manager Kurt Swartzlander, City Clerk Cheri Schwab, City Attorney Paul Waters, Community Services Director Stewart Cruz, Finance Director Lory Irwin, Economic Development and Public Affairs Director Nancy Maddox, and Public Safety Director Michael Fowler.

2. ROLL CALL BY CITY CLERK

3. NEW BUSINESS:

A. Discussion on Port Orange Wholesale Agreement for Sewer Rates

John McKinney, Deputy City Manager and Finance Director for the City of Port Orange, spoke to the commission regarding a wholesale sewer rate increase. He explained that there had been no major change to the rates since 2014. Port Orange had a utility rate study performed in Sept. 2022 by Raftelis. Their final report was submitted in July 2023 which caused them to miss the contract deadline of July 1 to notify the city of an increase. Study details were shown in a PPT and its impact on future rates. An increase of 5.75% is proposed for the next 4 years that would begin on January 1, 2024. The rate would go from \$3.46 to \$4.05 per thousand gallons. Comm. Lindauer wanted to ensure that the DBS rate was not more than what a PO resident would pay. Mr. McKinney felt the rates should be similar. He noted that going forward, the city would do an every other year review of their rate structure. City Manager Kurt Swartzlander spoke to the commission. He explained that the existing contract with the City of Port Orange states that notice must be given by July 1 for any rate increase. The city missed their deadline. It was his opinion, If the commission were to reject the increase beginning in 2024, the increase could double or more beginning in 2025 to make up for it. He felt the request was reasonable and showed examples of the increase for both residential and commercial properties. A consensus from the commission was requested. After a brief discussion, the commission gave consensus to move forward with the requested increase from the City of Port Orange beginning January 2024 and to place items on the next agenda to begin the process.

Mayor Miller briefly spoke about a few bills that were recently discussed at a roundtable meeting. They are: the live local bill (SB 102) and SB 4D for condo engineering reserves. She also explained that the municipal administration committee has been discussing public safety incentives, additional exemptions for public records and short-term rentals.

4. ADJOURNMENT:

The meeting ended at 5:49 pm.

**MAYOR
NANCY MILLER**

**CITY MANAGER
KURT D. SWARTZLANDER**

ATTEST:

CITY CLERK, CHERI SCHWAB



CITY COMMISSION AGENDA MEMORANDUM OCTOBER 24, 2023 AGENDA

TO: Honorable Mayor and Members of the City Commission
FROM: Mike Fowler, Public Safety Director
PREPARED BY: Mike Fowler, Public Safety Director
SUBJECT: Property and Evidence Incinerator User Agreement

SYNOPSIS:

The Department of Public Safety has shared an incinerator for destruction of evidence and property that is no longer of value with South Daytona and other entities for several years. That equipment outlived its serviceable life, and South Daytona has constructed a facility that can be used to accomplish this task. This is the user agreement between South Daytona and Daytona Beach Shores.

FISCAL IMPACT STATEMENT:

BACKGROUND:

Daytona Beach Shores purchased a Drug Terminator several years ago to incinerate property and evidence that was no longer of value. A large portion of the items burned were narcotics and drug paraphernalia. As long as the city owned the Drug Terminator, South Daytona and other entities used the equipment and shared costs with DBS. Earlier this year, the Drug Terminator became unusable and required cost-prohibitive repairs that staff chose not to make.

South Daytona purchased and built a much larger incinerator that allows for more efficient incineration of contraband. They have extended an invitation to DBS to use the facility with the only cost being an annual fee for fuel. The attached item is the user agreement.

LEGAL REVIEW:

RECOMMENDATION:

Staff recommends approval.

SUGGESTED MOTION:

I move we accept the item as presented.

ATTACHMENT: 1. South Daytona Incinerator

City of South Daytona

Office of the Chief / Department of Police

Post Office Box 214960 • South Daytona, FL 32121-4960 • 386/322-3030 • FAX 386/322-3055

USER AGREEMENT FOR THE OPERATION AND CARE OF THE INCINERATOR

The Incinerator is a disposal tool that will incinerate property, evidence, drugs, paraphernalia, and Active Pharmaceutical Ingredients (APIs). The incinerator also burns other non-hazardous substances such as documents, plants, food, and lab materials with minimal environmental impact. An organized and clean working environment is imperative for the safe operation of this equipment. Safety first!

By signing this agreement, you are acknowledging that you will agree to and follow the attached instructions of use/cleaning of the property/evidence incinerator.

You also agree to the terms of contributing \$300 annually to the cost of maintenance and required propane for operation.

You further agree and acknowledge that the City of South Daytona and the South Daytona Police Department are not responsible for any injury caused by the use of the incinerator by personnel.

Without waiver of sovereign immunity and subject to the limitations and procedural requirements of Sec. 768.28, Fla. Stat., you further agree to indemnify and hold harmless the City of South Daytona and the South Daytona Police Department from any and all claims for property damage or bodily injury related to or arising out of your use of the Incinerator.

South Daytona Police Department

Representative Signature: _____

Printed Name: _____

Date: _____

Volusia County Clerk of Courts

Representative Signature: _____

Printed Name: _____

Date: _____

Daytona Beach Shores Police Department

Representative Signature: _____

Printed Name: _____

Date: _____

Ponce Inlet Police Department

Representative Signature: _____

Printed Name: _____

Date: _____

USE AND CARE OF THE PROPERTY/EVIDENCE INCINERATOR

The South Daytona Police Department Incinerator is for the destruction of property and evidence no longer required to be kept on hand. All destruction must comply with your agency's policies and court procedures in cases that require court permission for destruction. This responsibility lies with the individual agency destroying evidence, and not the South Daytona Police Department.

If your burn requires an independent witness for permission burns, please schedule ahead of time with Detective Sergeant K. McCracken or Evidence Specialist D. Ketelaar to ensure we can make ourselves available to witness your burn.

All partner agencies will have to schedule burn times with the South Daytona Police Department due to the incinerator being in a locked storage area and access will have to be obtained through the department.

There will be **no destruction** of firearms, or metal objects in the incinerator at any time.

The Incinerator has the capability of burning and destroying more than just narcotics and can be used for a range of non-metallic objects. The incinerator is also equipped with a secondary burner in the chimney to burn off any gases or fumes which are created by the destruction burn, this makes the emissions meet a higher standard and prevents any toxic narcotic or plastic fumes from being released into the air.

NEVER OPEN THE INCINERATOR LOADING DOOR WHILE THE INCINERATOR IS LIT

The incinerator works off a propane feed line and the burners are on a timer. While the incinerator is burning do not open the door. Wait for the incinerator to complete the burn cycle before opening to prevent a back flash from causing burns and serious injury.

Instructions for use:

Load your evidence/property into the (HOG DOOR) large loading door with counterweight. Make sure you do not overfill and space your property/evidence out to leave room for airflow. Additionally, it is best to remove it from boxes or storage containers to allow better airflow, or it will greatly extend your burn time. The first burn of the evolution referred to as the "Cold Burn" will take longer due to the internal temperature of the incinerator not being up to operational temperatures. Allow at least 45 minutes for your initial burn as it comes up to full temperature.

ITEMS NOT TO BE PLACED IN THE INCINERATOR

Firearms Metal objects Needles Liquids

Combustibles (Aerosol cans, inhalers, spray paint, etc.)

INSTRUCTIONS FOR ALIGNMENT AND POWER

Each burner has a yellow power cord which will be coiled up and hanging on the side of the incinerator. Plug the electric cords into the power outlet on the right side of the incinerator.

There are three 4 valves in the propane line. The first is on top of the propane tank, it is a small silver/gray round valve that must be opened. **Do not adjust the regulator.** The regulator is the red valve with the brass handle, this is to be left alone. Open the gas valves for both burners. There will be a lower and upper gas valve which are 90-degree ball valves. When the valve handle is in line with the gas line (parallel) the gas is in the on position.

At the base of the incinerator, there is a valve with a blue handle, this should be aligned with the pipe (Parallel), There are also 2 red handle valves, 1 at each burner. Both red valves need to also be parallel to the pipe. Once the power is plugged in and the valves are open, the incinerator is ready for operation.

When you activate the burner timer, the incinerator will automatically ignite. Set the initial timer to 40 minutes as explained earlier.

Once the burners have extinguished, open the loading door, and ensure your property/evidence has been destroyed. Additional burn time may be required if destruction is not accomplished.

The timer must be set to a **minimum of 30 minutes before the ignition will activate.**

Repeat this process for any additional property/evidence to be destroyed.

Step by step:

- 1. Plug in the two yellow power cords.**
- 2. Turn on the round valve on the top of the large white propane tank.**
- 3. Turn on each of the two red handle valves (parallel) next to the control boxes.**
- 4. Make sure the blue handle valve is parallel to the pipe.**
- 5. Once items are loaded turn the timers to the designated time and the units will ignite momentarily to start the burn process.**

CAUTION

The incinerator operates at a high temperature, please use caution, and wear protective gloves even when touching the outside of the device. It is rated up to 3000 degrees and can cause severe burns. This is also why it is important to allow the cycle to complete and the burners to shut down prior to opening the loading door.

On the left side of the incinerator, there is a hatch at the base and a cleaning tool on a bracket. Open the hatch and scoop out any debris and ash left behind from your burn. (You may have to return later after it cools)

Participating agencies are asked to assist in the cost of the propane, and to ensure you clean up after yourselves upon the completion of your burns.



CITY COMMISSION AGENDA MEMORANDUM OCTOBER 24, 2023 AGENDA

TO: Honorable Mayor and Members of the City Commission

FROM:

PREPARED BY: Stewart Cruz, Community Services Director

SUBJECT: Mead & Hunt Contract for Sanitary Sewer Collection System Assessment and Mapping

SYNOPSIS:

The subject Mead & Hunt contract, i.e. scope of services and fee estimate for sanitary sewer collection system assessment and mapping, if approved, would allow the City to enter into the first phase of developing a multi-year sanitary sewer improvement program. The City's sanitary sewer system has major components, some of which date back to the 1960s, which are in need of repair/rehabilitation and in some cases replacement. This project will help the City realize its goal of continued efficient and safe collection and conveyance of sanitary sewer throughout the City.

The scope of services for this contract includes updating the City's sanitary sewer GIS model, i.e., utility mapping and asset attribute information. This will be achieved by physical inspection and documentation of the condition of existing sanitary assets and adding this data to the GIS system. The primary goal is to locate and identify the structures that will require some form of repair/rehabilitation to help develop the multi-year improvement plan as well as assisting the City track its sanitary sewer assets.

Staff has consulted with Mead & Hunt's references and verified that the firm is experienced and competent to execute the terms of the contract regarding this project. The City currently has a contract for engineering services with Mead & Hunt approved by the City Commission in 2022. This is a budgeted item.

FISCAL IMPACT STATEMENT:

This was a budgeted expense.

BACKGROUND:

LEGAL REVIEW:

RECOMMENDATION:

Approval.

SUGGESTED MOTION:

- (1) Approval of contract.
- (2) Approval of authorization of City Manager to execute the subject contract.

ATTACHMENT: 1. DBS Collection System Assessment and Mapping_10-10-23



October 10, 2023

Mr. Stewart Cruz
Community Service Director
City of Daytona Beach Shores
2990 S Atlantic Avenue
Daytona Beach Shores, FL 32118

Email: scruz@cityofdbs.org
Hard Copy Mailed Only on Request

**CITY OF DAYTONA BEACH SHORES
COLLECTION SYSTEM ASSESSMENT AND MAPPING
SCOPE OF SERVICES AND FEE ESTIMATE**

Dear Stewart,

In accordance with your request, we are pleased to offer the enclosed scope of services and engineering fee estimate for the above referenced project. This scope includes mapping the existing sanitary sewer manholes and gravity sewer mains using GPS to locate the manholes. Physical inspection of the existing sanitary structures will be conducted to document piping connectivity, size, material and depths. The inspection services of these structures will also include documentation of construction materials utilized and condition assessment of each structure's primary components (frames/covers, steps, surfaces, pipe connections and channels, etc.) The primary goals of the inspections are to locate and identify the structures which require some form of repair/rehabilitation and potentially additional inspection efforts.

We appreciate this opportunity to continue serving the City and are available at your convenience to discuss the project further. If you have additional questions, or require further assistance, do not hesitate to call.

Respectfully,

A handwritten signature in black ink, appearing to read "Kris Samples".

Kris Samples, P.E.
Vice President

A handwritten signature in blue ink, appearing to read "meifa chen".

Meifa Chen, PhD, P.E.
Project Manager

cc: Brad Blais, PE

Enclosures: Exhibit A – Scope of Services and Fee Estimate

CITY OF DAYTONA BEACH SHORES
EXHIBIT 'A'
COLLECTION SYSTEM ASSESSMENT AND MAPPING
SCOPE OF SERVICES AND FEE ESTIMATE

This Task Order is in conformance with the Agreement dated October 25, 2022, between the City of Daytona Beach Shores (CITY) and Mead & Hunt, Inc. (MEAD & HUNT) and is referred to herein as the contract.

SCOPE OF SERVICES

The City of Daytona Beach Shores (CITY) would like to update their GIS model, utility mapping and asset attribute information, to track infrastructure assets and long-term Capital Improvement Projects. It has been identified that approximately 511 sanitary sewer manholes are to be located for incorporation into the GIS model. The CITY has requested Mead & Hunt to map the existing sanitary sewer manholes and gravity sewer mains using survey-grade GPS to locate the manholes. Physical inspection of the existing sanitary structures will be conducted to document piping connectivity, size, material and depths. The inspection services of these structures will also include documentation of construction materials utilized and condition assessment of each structure's primary components (frames/covers, steps, surfaces, pipe connections and channels, etc.) The primary goals of the inspections are to locate and identify the structures which require some form of repair/rehabilitation and potentially additional inspection efforts.

Phase 1 – Project Management

This Phase includes project management, project team coordination and periodic meetings with the CITY. Work associated with this Phase includes the following:

- Project Set-up
- Project Kickoff Meeting
- Project Deliverable Review Meetings
- Invoicing and Status Reports
- Schedule Management
- Quality Assurance/Quality Control (QA/QC)

Project Kickoff Meeting:

Mead & Hunt will prepare an agenda and attend a project kickoff meeting with CITY's staff to discuss the project goals and expectations for this project. The kickoff meeting will include discussion of the project schedule, deliverables, the plan of study, and major milestone review meetings. Mead & Hunt will prepare meeting notes and distribute to the meeting attendees following the meeting.

Project Deliverable Review Meetings:

Mead & Hunt will prepare an agenda and attend up to two (2) project deliverable meetings with CITY's staff to discuss the project findings, provide an overview of the changes made to the GIS, and discuss the recommended improvements of the inspected and sanitary sewer assets. Mead & Hunt will prepare meeting notes and distribute to the meeting attendees following the meeting.

QA/QC:

Mead & Hunt will perform reviews of written documentation to ensure delivery of a quality product. Quality reviews consist of an internal QA/QC procedure that will be performed by a senior-level technical expert, not directly involved in development of the documents. The senior level technical expert will review documents for proper application of the approved assumptions, calculation methods, and operational procedures.

Phase 2 – Sanitary Sewer Mapping and Inspections

Under this Phase, Mead & Hunt will perform a desktop quality control review of the legacy sanitary sewer asset inventory. This will include an assessment of missing or questionable wastewater collection system structures/piping features and will identify the accuracy of directional flows. The GIS data set will be filtered to only include features located within the authorized work area. Any collected data will be merged with the CITY's new GIS model that is being developed in Phase 3. The following identifies the approach to be utilized for completing the field services associated with the inventory/inspection initiative.

- Conduct First Pass (Level 1) Inspection – Document manhole location, piping connectivity, piping depths, piping materials, piping size, frame/cover dimensions, existence of inflow insert/dish and drop connections, manhole construction materials utilized, manhole dimensions, condition of connecting mainline gravity sewers, and establish general O&M and structural grades using NASSCO MACP guidelines.

Level 1 Manhole Inspections: Each manhole located in the project area (see legacy map; in **Appendix A**) will be inventoried and visually inspected (estimated at 511 manholes). The inventory will include collection of x, y location data utilizing survey grade GPS equipment. Manhole evaluation findings will be summarized on individual manhole evaluation forms, which meet the criteria established by NASSCO MACP data collection attribution protocol.

Incoming and outgoing gravity sewer pipes connected to the manhole will be investigated. Gravity pipe investigations will be conducted utilizing 'GoPro' pole mounted camera equipment. The results of the first pass inventory/inspection efforts will be used to grade each manhole for structural conditions using MACP guidelines. The MACP rating system utilizes the following methodology.

- Grade 5 – Manholes needing immediate repairs due to I/I, structural deficiencies, roots, corrosion, etc. (failure imminent)
- Grade 4 – Manholes with significant defects that will reach Priority 5 status if repair/rehabilitation is not performed in near future
- Grade 3 – Manholes with noticeable defects but do not require immediate attention
- Grade 2 – Manholes in fair condition without significant deficiencies
- Grade 1 – Manholes in good condition

Upon completion of the Level 1 inspections, a map will be generated identifying the findings and Grade of each inspected manhole. Level 2 inspections will also be performed which will include the use of EnviroSight's 'CleverScan' digital side scanning equipment to identify the defects present and assist with the development of repair recommendations.

Phase 3 – GIS Modeling

In this Phase, Mead & Hunt will create an ESRI 'ArcInfo' compatible (version to be determined) GIS geodatabase with the data acquired during Phase 2. Prior to GIS model development, Mead & Hunt staff will meet with the CITY's staff to determine the datasets that will be included in the GIS model and the methodology that will be implemented to represent the various utility features. After the meeting, Mead & Hunt will prepare a Memorandum of Understanding that describes the processes/methodologies that will be undertaken to create the GIS model and the specifications for the GIS model deliverable. For sanitary sewer system coverages separate shape files will be created using developed, or existing, data dictionary nomenclature and asset symbology. The following minimum information will be included in the sanitary sewer GIS model; structure and piping location/designation, miscellaneous structure attribution and pipe size, depth and materials. Once the GIS model (Shapefiles) has been created, Mead & Hunt's GIS staff will meet with the CITY's staff to review the GIS model deliverable. If the CITY's staff requires additional time to review the deliverable an extended time for the review will be provided and Mead & Hunt will address any comments from the CITY's review and modify the GIS model as appropriate based on the comments received.

Phase 4 – Allowance

This Phase will be utilized, upon CITY approval, in the event of unforeseen conditions, additional GPS or survey services required, or additional structures requiring inspection which are not identified on the existing legacy mapping and figures provided by the CITY. For additional services required throughout this project, the following billing rates will apply:

- Sanitary structure inspections - \$200/structure
- MOT Locations - \$1,500/day
- GIS Updates - \$124/hour

ASSUMPTIONS

- CITY will provide access to all necessary facilities and buildings for execution of work.
- No Maintenance of Traffic (MOT) is anticipated for this project. If MOT is deemed necessary at select locations, it will be negotiated separately using the funds and rate identified within Phase 4 of this project scope.
- CITY will provide any necessary City notification of upcoming work through the CITY's social media services, if desired by CITY.
- CITY will provide the available requested sanitary sewer physical data including record drawings, pipe material data, pipe invert elevations, grade elevations, etc.
- CITY will provide a primary point of contact person with whom Mead & Hunt shall coordinate all project activities.
- No software costs or software training for the CITY are assumed in this scope of services but can be negotiated separately using the funds and rate identified in Phase 4.

PROJECT DELIVERABLES

- Sanitary Manhole & Structure Rehabilitation Recommendation Map and Table - Three (3) copies and Adobe pdf file
- Completed GIS Model, geodatabase, and associated shape files.

SCHEDULES AND TIME CONSTRAINTS

Phases will be completed within six (6) months of receipt of the Notice to Proceed.

COMPENSATION

PHASE	DESCRIPTION	FEE	TERMS
	Collection System Assessment and Mapping		
1	Project Management	\$20,720	Lump Sum
2	Sanitary Sewer Mapping and Inspections	\$152,200	Lump Sum
3	GIS Modeling	\$55,000	Lump Sum
4	Owner's Allowance	\$10,000	Allowance
	Total Phase A-B	\$237,920	

EXCLUSIONS

This proposal excludes topographical survey, subsurface utility exploration, geotechnical evaluation, construction loan administration and all services not specifically described herein.

Accepted by: CITY OF DAYTONA BEACH
SHORES

Approved by: MEAD & HUNT, INC.

By: _____

By:  _____

Name: _____

Name: Kris Samples, PE

Title: _____

Title: Vice President/FL Water Market Leader

*The above person is authorized to sign for Client
and bind the Client to the terms hereof.*

Date: _____

Date: October 10, 2023

“PURSUANT TO FLORIDA STATUTE SECTION 558.0035, AN INDIVIDUAL EMPLOYEE OR AGENT OF MEAD & HUNT INC., MAY NOT BE HELD INDIVIDUALLY LIABLE FOR NEGLIGENCE.”



CITY COMMISSION AGENDA MEMORANDUM OCTOBER 24, 2023 AGENDA

TO: Honorable Mayor and Members of the City Commission

FROM: Stewart Cruz, Community Services Director

PREPARED BY: Stewart Cruz, Community Services Director

SUBJECT: Mead & Hunt Contract For The Development Of A Multi-Year Sanitary Sewer Collection System Facility Plan

SYNOPSIS:

The subject Mead & Hunt contract, i.e., scope of services and fee estimate, if approved, would allow the city to develop a multi-year sanitary sewer collection system facility plan. The facility plan is the second phase in developing a multi-year sanitary sewer improvement program. The City's sanitary sewer conveyance system has major components, some of which date back to the 1960s, which are in need of repair/rehabilitation and in some cases replacement. This project will help the City realize its goal of continued efficient and safe collection and conveyance of sanitary sewer throughout the City.

The scope of services for this contract includes the development of a 5-year sanitary sewer facility plan subsequent to the evaluation of the following major capital sanitary sewer assets: (1) sewage force main, (2) master pump station, (3) remaining lift stations, and (4) additional system components. The result of this project is a 5-year planning document that describes the utility, identifies long term capital needs and evaluates the most cost-effective project solutions. In addition, the plan will set forth project schedules, prioritization and estimated design and construction costs.

Staff has consulted with Mead & Hunt's references and verified that the firm is experienced and competent to execute the terms of the contract regarding this project. The City currently has a contract for engineering services with Mead & Hunt, Inc. approved by the City Commission in 2022. This is a budgeted item.

FISCAL IMPACT STATEMENT:

This was a budgeted expense for FY 2023-2024.

BACKGROUND:

LEGAL REVIEW:

RECOMMENDATION:

Approval.

SUGGESTED MOTION:

- (1) Approval of contract.
- (2) Approval of authorization of City Manager to execute the subject contract.

ATTACHMENT: 1. DBS FP SRF Facility Plan Proposal 10-16-23



October 10, 2023

Mr. Stewart Cruz
Community Service Director
City of Daytona Beach Shores
2990 S Atlantic Avenue
Daytona Beach Shores, FL 32118

Email: scruz@cityofdbbs.org
Hard Copy Mailed Only on Request

**CITY OF DAYTONA BEACH SHORES
CLEAN WATER STATE REVOLVING FUND (SRF) FACILITY PLANNING
SCOPE OF SERVICES AND FEE ESTIMATE**

Dear Stewart,

In accordance with your request, we are pleased to offer the enclosed scope of services and engineering fee estimate for the above referenced project. This scope includes preparation of a Clean Water State Revolving Fund (CWSRF) Facility Plan for proposed major capital improvement project (CIP) initiatives. The CWSRF program offers cost effective, low interest loans for wastewater and stormwater infrastructure. The loans are typically awarded at <1% interest rates and are an efficient and cost-effective means of funding long term capital projects and mitigating inflation.

The process entails preparation of a 5-year planning document that describes the utility, identifies long term capital needs and evaluates the most cost-effective project solutions. It sets forth project schedules and estimated design and construction costs. The Plan is submitted to the FDEP Bureau of Facility Funding along with a Request for Inclusion (RFI) that identifies the specific projects that are intended to be funded.

We appreciate this opportunity to continue serving the City and are available at your convenience to discuss the project further. If you have additional questions, or require further assistance, do not hesitate to call.

Respectfully,

Kris Samples, P.E.
Vice President

Meifa Chen, PhD, P.E.
Project Manager

cc: Brad Blais, PE

Enclosures: Exhibit A – Scope of Services and Fee Estimate

CITY OF DAYTONA BEACH SHORES
EXHIBIT 'A'
CLEAN WATER STATE REVOLVING FUND (CWSRF) FACILITY PLANNING
SCOPE OF SERVICES AND FEE ESTIMATE

This Task Order is in conformance with the Agreement dated October 25, 2022, between the City of Daytona Beach Shores (CITY) and Mead & Hunt, Inc. (MEAD & HUNT) and is referred to herein as the contract.

SCOPE OF SERVICES

The proposed scope of engineering services to be provided by MEAD & HUNT shall include preparation of an SRF formatted Facility Plan (Plan) for the FDEP Clean Water SRF program and a Request for Inclusion (RFI) submittal for selected projects. This scope includes preparation of a CWSRF Facility Plan for proposed major capital improvement project (CIP) initiatives. The CWSRF program offers cost effective, low interest loans for wastewater and stormwater infrastructure. The loans are typically awarded at <1% interest rates and are an efficient and cost-effective means of funding long term capital projects and mitigating inflation.

The process entails preparation of a 5-year planning document that describes the utility, identifies long term capital needs, and evaluates the most cost-effective project solutions. It sets forth project schedules and estimated design and construction costs. The Plan is submitted to the FDEP Bureau of Facility Funding along with a Request for Inclusion (RFI) that identifies the specific projects that are intended to be funded.

Clean Water SRF Facility Plan

MEAD & HUNT will prepare a Facility Plan to identify wastewater system improvement projects. The following four (4) major capital projects will be evaluated within the scope of this Plan:

1. Sewage Force Main Replacement
 - a. The existing primary transmission main serving the entire CITY is >30 years old and requires replacement.
 - b. Replacing the force main requires a routing assessment to determine construction methodology, material selection and the best/most constructable route.
 - c. Hydraulic modeling and comprehensive lift station evaluations of all stations is required to determine the most cost effective and practical methodology to replace the existing force main while maintaining service to existing customers.
 - d. Preparation of conceptual designs, project rankings and construction cost estimates.
2. Master Pump Station Modifications and Upgrades
 - a. The existing master pump station pumps all flow from DB Shores to the Port Orange sewage treatment plant. The station is > 30 years old and requires wholesale upgrade and equipment replacement.
 - b. Newer pump technology and design standards requires that the existing 'drywell' pump configuration be changed to a 'wetwell' design with submersible pumps.
 - c. The existing wetwell requires a complete structural evaluation and restoration of concrete deterioration.
 - d. All electrical and instrumentation systems require replacement.
 - e. All piping and mechanical systems require replacement.

- f. Bypass pumping plan to facilitate pumping while construction is underway.
 - g. Preparation of conceptual designs, project rankings and construction cost estimates.
- 3. Modifications and Upgrades of Other Ten (10) Lift Stations
 - a. Some pumps may need replacements.
 - b. Existing wetwells may require a complete structural evaluation and restoration of concrete deterioration.
 - c. All electrical and instrumentation systems may require replacement.
 - d. All piping and mechanical systems may require replacement.
 - e. Preparation of conceptual designs, project rankings and construction cost estimates.
- 4. Sanitary Sewer System Rehabilitation
 - a. The results to be prepared under the Mead & Hunt's "Collection System Assessment and Mapping" task authorization will define the limits for manhole rehabilitation and additional sewer inspections required, and identify capital project requirements and scheduling needs.
 - b. The City may decide to fund the manhole rehabilitation, additional sewer inspection and sewer lining projects in large groups in lieu of individual smaller projects. Doing so may necessitate SRF financing to fund the long-term debt. This Facility Plan will identify the benefits of fewer, larger projects vs. 'pay as you go' for smaller projects.
 - c. Preparation of project prioritization and cost estimates.

Task Descriptions and Deliverables

The Facility Plan will be written to meet the requirements listed section 62-552.700 (4) F.A.C and includes the following tasks and deliverables:

- A. Executive Summary:

Project Description, including identification of planning and service areas.

 - i. An explanation of the Need or Justification for Project.
 - ii. A Project Location Map. This map will clearly show the precise location of the proposed project with roadways being legibly labeled.
- B. Environmental Effects
 - i. A Discussion if the environmental benefits associated with the proposed project.
 - ii. A Discussion if the proposed project will have any significant adverse effects upon flora, fauna, threatened or endangered plant or animal species, surface water bodies, prime agricultural lands, wetlands, or undisturbed areas.
 - iii. A list of endangered/threatened plant and animal species (obtain from U.S. Fish and Wildlife Service) for the project area.
 - iv. A Discussion if the proposed project will have any significant adverse human health or environmental effects on minority or low-income communities.
 - v. An explanation of what investigations/site visits were performed to determine the environmental effects of the proposed project.

- C. Development of Alternatives - Selection of a Preferred Alternative for the master lift station and other 10 pump stations, and the force main replacement projects described above in paragraphs 1, 2 & 3. The following are required elements:
- i. A Description of the existing and recommended facilities
 - ii. A cost comparison of at least three feasible alternatives (alternatives may include the cost of a “no action” alternative).
 - iii. A preliminary cost estimate of the preferred alternative.
- D. Public Participation Process (Requires Further Authorization)
- i. Evidence that a public meeting was held to explain the project, including alternatives considered and cost and impact on user charges; and enabled public participation in evaluating project alternatives.
 - ii. MEAD & HUNT will prepare a Draft resolution for action by the City commission to submit the Plan on behalf of Daytona Beach Shores.
 - iii. Meeting local requirements for advertising the public meeting.
 - iv. Provide minutes of public meeting and include a copy of the advertisement.
- E. Financial Feasibility Coordination (Requires Further Authorization)
- i. MEAD & HUNT will rely on the CITY's rate consultant to prepare the Financial Feasibility assessment and required Capital Financing Plan (CFP). The CFP is a require element that demonstrates the CITY's ability to repay the loan(s) with existing revenues, or the need for rate adjustments to meet future debt service requirements. MEAD & HUNT will coordinate with the CITY's rate consultant and incorporate their recommendations into the Plan.

ASSUMPTIONS

It is assumed that the CITY will coordinate Public Meetings related to the SRF Facility Plan process.

SCHEDULES AND TIME CONSTRAINTS

Tasks A-B will be completed within nine (9) months of receipt of the Notice to Proceed.

COMPENSATION

TASK	DESCRIPTION	FEE	TERMS
	Clean Water Facility Plan		
A	Executive Summary	\$8,423	Lump Sum
B	Environmental Effects	\$16,636	Lump Sum
C	Development of Alternatives	\$123,080	Lump Sum
D*	Public Participation	\$5,438	Lump Sum
E*	Financial Feasibility Coordination	\$6,952	Lump Sum
	Allowance for Printing & Reimbursables (Actual Cost + 10%)	\$1,000	Allowance
	Total Task A-B	\$161,529	
<i>*Tasks D & E require additional authorization by the CITY in writing before MEAD & HUNT works on them.</i>			

EXCLUSIONS

This proposal excludes topographical survey, subsurface utility exploration, geotechnical evaluation, construction loan administration and all services not specifically described herein.

Accepted by: CITY OF DAYTONA BEACH
SHORES

Approved by: MEAD & HUNT, INC.

By: _____

By:  _____

Name: _____

Name: Kris Samples, PE

Title: _____

Title: Vice President/FL Water Market Leader

*The above person is authorized to sign for Client
and bind the Client to the terms hereof.*

Date: _____

Date: October 10, 2023

“PURSUANT TO FLORIDA STATUTE SECTION 558.0035, AN INDIVIDUAL EMPLOYEE OR AGENT OF MEAD & HUNT INC., MAY NOT BE HELD INDIVIDUALLY LIABLE FOR NEGLIGENCE.”



**CITY COMMISSION AGENDA MEMORANDUM
OCTOBER 24, 2023 AGENDA**

TO: Honorable Mayor and Members of the City Commission

FROM:

PREPARED BY: Stewart Cruz, Community Services Director

SUBJECT: Community Services Department Monthly Report - September 2023

SYNOPSIS:

FISCAL IMPACT STATEMENT:

BACKGROUND:

LEGAL REVIEW:

RECOMMENDATION:

SUGGESTED MOTION:

ATTACHMENT:

1. CSD Public Works & Sewer Divisions Montly Report - September 2023
2. CSD Planning & Building Divisions Montly Report - September 2023

PUBLIC WORKS & SEWER DIVISIONS

MONTHLY REPORT - SEPTEMBER 2023

FACILITIES MAINTENANCE DIVISION:

This division currently two full time positions.

Normal monthly duties:

This division is responsible for the upkeep and maintenance of city buildings. The facilities staff assesses problems reported with the buildings and repairs as needed within the staff's capabilities. The facilities staff has an HVAC certification therefore certain related repairs can be performed inhouse. Among other things, Staff pressure wash buildings, clean window exteriors, paint, lubricate the locks, deliver water jugs and perform any other general maintenance needed with the city buildings and city owned properties. Tasks outside the expertise of the staff are contracted to third party specialists.

Additionally, this month:

- City Hall: Continued work on AC problems, received part and fixed handicap access button, assisted electrical contractor with miscellaneous repairs, and replaced/adjusted door closers
- Public Safety: Continued work on AC problems and roofing replacement, repair kitchen hinges and the gym door, worked on removing hard water stains on building windows and bleached outside walls and assisted electrical contractor with miscellaneous repairs
- Community Center: Repaired door closer, continued miscellaneous repairs with electrical contractor, continued AC repair on various problems, prepped balconies to be re-caulked, patched and painted walls, and fixed the ice machine

PARKS / STREETS DIVISION:

This division typically has eleven maintenance positions, one electrician position and one position that routinely assists the electrician.

Currently this division has ten maintenance positions. The electrician and one Maintenance Worker positions are currently vacant. Long time employee Ryan Lamberson has been offered and accepted the division supervisor position, congratulations to Ryan!

Normal monthly duties:

This division performs maintenance, upkeep and general appearance of all the City parks, streets, sidewalks and medians daily, including, but not limited to, mowing, changing out lights, restocking supplies, replacing plants as needed, replacing or repairing street signs, checking and clearing storm drains, as well as any other related issue that may arise in the City. Per the City-County Park Maintenance Agreement, this division also is responsible for the cleaning and upkeep of the new county parks. Although there are two units (parks & streets) within the division, all personnel share in the normal monthly duties.

Additionally, this month:

- Finished work on well break behind Walgreens
- Installed new picnic tables
- Repaired a backflow at McElroy Park
- Continued replacing broken brackets and light poles as available along S. Atlantic Avenue
- Capped a broken water fountain until replacement arrives at Fornari Park
- Installed a door at public works storage area
- Pulled out dead plants/trees at city properties
- Replaced ADA pads on sidewalks
- Fixed foot washes at tennis courts
- Replaced a toilet at McElroy Park

Electrician:

- This position is still open.

SEWER DIVISION:

This division is again back down to three positions, they are short one position.

Normal monthly duties:

This division maintains and inspects all the sewer stations daily, performs all the general maintenance of the sewer stations, generators and the station properties, including, but not limited to, mowing and general outside maintenance, cleaning pump areas, wet wells and floats. The division also maintains and inspects city manholes, delivers past due sewer bill notices for the Finance Department every month, performs cooling tower readings, and quarterly grease trap inspections.

Additionally, this month:

- Sewer/Electrical locates – 49
- Sewer meter reads – 2
- Pour a concrete slab for propane tank enclosure at station 3
- Changed float switches and low level relay at station 6
- Assisted electrical contractor with misc station repairs

City of Daytona Beach Shores

Planning & Building Division Statistics

Monthly Report – September, 2023

Planning Division

Site Plans - Submittals and Approvals:

Submitted this Month: 1
 Submitted this Fiscal Year: 6
 Approved by Staff this Month: 0
 Approved by Staff this Fiscal Year: 0
 Approved by City Council this Month: 0
 Approved by City Council this Fiscal Year: 0
 Amendments Approved by Staff this Fiscal Year: 1

Building Division

Specific Large Projects (Over \$10,000) - Submitted This Month:

PROJECT	WORK ADDRESS	DATE	WORK DESCRIPTION	VALUE	REVENUE
Sussman Residence	3333 South Atlantic Avenue, Unit 1702	9/1	Replace counter tops, retile showers	\$15,000.00	\$154.75
Oceans Six Condo	2967 South Atlantic Avenue	9/1	Replace PVC roof system, and metal mansard panels	\$567,408.00	\$2,392.17
Jankauskas Residence	3018 South Peninsula Drive	9/1	Replace driveway with pavers	\$42,000.00	\$306.58
Daytona Seabreeze	3125 South Atlantic Avenue	9/1	TPO/flat roof reroof	\$156,470.00	\$864.22
Devine Residence	2987 South Atlantic Avenue, Unit 304	9/1	Replace 5 windows and 1 sliding glass door	\$19,286.00	\$182.96
Coggeshall Residence	3757 South Atlantic Avenue, Unit 1103	9/1	Replace 1 sliding glass door	\$14,768.00	\$154.75
Koster Residence	3757 South Atlantic Avenue, Unit PH3	9/1	Replace 1 sliding glass door	\$14,768.00	\$154.75
Savle Residence	2555 South Atlantic Avenue, Unit 1606	9/5	Replace kitchen cabinets, tops, master vanities	\$17,500.00	\$172.20
Mulligan's Lagoon Putt Putt	2504 South Atlantic Avenue	9/5	Plumbing work for mini golf course, concession	\$23,900.00	\$125.60
Brown Residence	3051 South Atlantic Avenue, Unit 802	9/5	New tile in master and guest showers, barn door	\$18,900.00	\$177.58
Ashley Condi	3757 South Atlantic Avenue	9/6	Replace disconnects, fixtures and GFCIs in machine rooms	\$17,162.00	\$69.25

PROJECT	WORK ADDRESS	DATE	WORK DESCRIPTION	VALUE	REVENUE
El Caribe Resort	2125 South Atlantic Avenue	9/7	Install fleece back TPO roof, South tower	\$91,000.00	\$585.33
Silver Sands Inn	2119 South Atlantic Avenue	9/7	Repair areas, recoat entire roof with silicone	\$40,000.00	\$295.20
Shores Resort and Spa	2637 South Atlantic Avenue	9/7	Resurface and restripe parking lot	\$105,018.00	\$660.20
Tropical Manor Motel	2237 South Atlantic Avenue	9/7	Change out 2 straight cool systems	\$10,588.00	\$110.50
Castaways Beach Resort	2043 South Atlantic Avenue	9/7	Flat roof TPO, metal roof installation	\$288,140.00	\$1,391.80
Shores Resort and Spa	2637 South Atlantic Avenue	9/11	Resurface pool and replace tile	\$69,000.00	\$460.17
Smith Residence	3043 South Atlantic Avenue, Unit 1701	9/11	Remodel master bathroom	\$12,000.00	\$129.10
Wright Residence	2937 South Atlantic Avenue, Unit 506	9/11	Convert tub to shower	\$12,000.00	\$129.10
Sandpoint Condo	2615 South Atlantic Avenue	9/12	Repair interior drywall, plaster units and hallways	\$725,000.00	\$2,754.43
Bergeron Residence	2811 South Atlantic Avenue	9/13	Plumbing for new pool house	\$10,000.00	\$56.30
Powers Residence	3333 South Atlantic Avenue, Unit 2206	9/14	Replace kitchen, bay, porch, den, and dining room windows	\$27,590.00	\$226.81
Miller Residence	3425 South Atlantic Avenue, Unit 501	9/14	Install 5 motorized roll down hurricane shutters	\$17,300.00	\$172.20
Fuerst Residence	3315 South Atlantic Avenue, Unit 1208	9/14	Install 3 motorized roll down hurricane shutters	\$11,600.00	\$129.10
Patel Residence	3757 South Atlantic Avenue, Unit 1603	9/14	Install 3 motorized roll down hurricane shutters	\$11,950.00	\$129.10
Sawina Residence	3425 South Atlantic Avenue, Unit 1401	9/14	Install 4 roll down hurricane shutters	\$15,450.00	\$161.50
Sea Scape Inn	2601 South Atlantic Avenue	9/14	Install existing barrier fence, new concrete deck	\$15,500.00	\$161.50
Oceans Luxury Realty	3162 South Atlantic Avenue	9/15	Remove and replace metal roof mansard	\$27,000.00	\$221.25
Boone Residence	3805 South Atlantic Avenue, Unit 1	9/15	Repair/replace drywall, insulation, install cabinets	\$15,817.00	\$161.50
Fantasy Island Resort	3205 South Atlantic Avenue	9/18	Remove sidewalk, install shrubs and stone	\$15,600.00	\$161.50
Lavecchia Residence	2967 South Atlantic Avenue, Unit 1404	9/18	Bathroom remodel	\$16,480.00	\$166.82
Sea Fern Condo	3807 South Atlantic Avenue	9/19	East side balcony concrete repairs	\$100,000.00	\$636.53
Miller Residence	3 Oceans West Boulevard, Unit 5D3	9/19	Replace impact windows and doors	\$23,150.00	\$204.49
Agatep Residence	3013 South Atlantic Avenue, Unit 1107	9/19	Replace impact windows and doors	\$16,950.00	\$166.82
Utsey Residence	3013 South Atlantic Avenue, Unit 506	9/19	Replace impact windows and doors	\$15,870.00	\$161.50

PROJECT	WORK ADDRESS	DATE	WORK DESCRIPTION	VALUE	REVENUE
Morris Residence	2967 South Atlantic Avenue, Unit 1202	9/19	Replace impact windows and doors	\$43,955.00	\$317.94
Mills Residence	4 Oceans West Boulevard, Unit 704A	9/19	Replace sliding glass door	\$17,100.00	\$172.20
MAX Daytona	1901 South Atlantic Avenue	9/20	Replace handicap ramp to beach	\$50,000.00	\$352.09
Oceans Eight Condo	2937 South Atlantic Avenue	9/20	Repair broken stormwater pipe	\$11,240.00	\$129.10
Booker Residence	3757 South Atlantic Avenue, Unit 1005	9/21	Replace vanities, new tile around tub	\$10,000.00	\$112.00
Emerald Shores Hotel	2613 South Atlantic Avenue	9/21	Replace 3 water heaters	\$22,000.00	\$69.25
Pomroy Residence	2 Oceans West Boulevard, Unit 607	9/21	Replace 2 shower bases and wall surrounding	\$33,186.00	\$260.82
Captiva Condo	3801 South Atlantic Avenue	9/25	Repair corner concrete column	\$32,500.00	\$255.23
Riddell Residence	119 Key Colony Court	9/25	Replace 12 windows and 1 entry door	\$19,856.00	\$182.96
Shores Club 303 Rentals LLC	3815 South Atlantic Avenue, Unit 202	9/25	Remodel 2 bathrooms, new kitchen, and bath cabinets	\$60,500.00	\$414.51
Shores Club 303 Rentals LLC	3815 South Atlantic Avenue, Unit 203	9/25	Remodel 2 bathrooms, new pans and valves	\$10,500.00	\$47.50
Marriott Residence Inn	3209 South Atlantic Avenue	9/26	Pool renovation	\$10,550.00	\$120.55
Volchko Residence	2707 South Atlantic Avenue	9/26	Install new inground concrete pool	\$182,275.00	\$968.10
Miles Residence	3855 South Atlantic Avenue, Unit 202	9/26	Replace kitchen cabinets and bathroom vanities	\$29,550.00	\$238.18
Smith Residence	2725 South Atlantic Avenue	9/26	Install 2 heat pump units and duct work	\$16,170.00	\$150.10
Dagostino Residence	2947 South Atlantic Avenue, Unit 2001	9/27	Replace impact windows and doors	\$60,600.00	\$414.54
Powers Residence	3333 South Atlantic Avenue, Unit 2206	9/27	Replace cabinets, tops, shower, retile bathrooms	\$17,200.00	\$172.20
Helmick Residence	2823 South Atlantic Avenue	9/28	Install lighting, cameras and romex	\$209,250.00	\$124.53
Carlin Residence	3003 South Atlantic Avenue, Unit 14B3	9/29	Complete unit remodel, cabinets, tops, showers	\$120,000.00	\$716.48
Modad Residence	2071 South Atlantic Avenue, Unit 903	9/29	Install 4 motorized hurricane shutters	\$15,000.00	\$154.75
Hayes Residence	3425 South Atlantic Avenue, Unit 2205	9/29	Install 2 motorized hurricane shutters	\$10,143.00	\$120.55
TOTALS	WORK ADDRESS	DATE	WORK DESCRIPTION	\$3,581,740.00	\$19,681.14

Building Division Revenue by Permit Category:

PERMIT TYPE	SEPTEMBER 2023	FISCAL YEAR-TO- DATE 2022 TO 2023	SEPTEMBER 2022	LAST FISCAL YEAR 2021 TO 2022
BUILDING	\$16,985.55	\$263,301.90	\$9,569.55	\$156,277.29
ROOF	\$6,362.81	\$44,703.72	\$0.00	\$8,237.00
DEMOLITION	\$0.00	\$665.00	\$0.00	\$1,775.60
ELECTRICAL	\$2,981.28	\$28,335.01	\$4,730.77	\$28,850.23
MECHANICAL	\$1,895.50	\$32,325.62	\$3,482.70	\$41,603.82
PLUMBING	\$2,163.65	\$32,423.58	\$5,031.27	\$34,585.07
SIGN	\$215.00	\$4,157.18	\$11.00	\$2,206.56
POLITICAL SIGN BONDS	\$0.00	\$0.00	\$220.00	\$1,100.00
STORMWATER MANAGEMENT	\$0.00	\$0.00	\$0.00	\$0.00
MISCELLANEOUS	\$80.40	\$2,180.43	\$16.50	\$2,743.30
DEVELOPMENT FEES	\$827.00	\$23,016.82	\$0.00	\$16,501.22
PROMOTIONAL ACTIVITIES	\$0.00	\$0.00	\$0.00	\$0.00
TOTALS	\$31,511.19	\$431,109.26	\$23,061.79	\$293,700.09

Building Division Activities:

ACTIVITY	SEPTEMBER 2023	FISCAL YEAR-TO- DATE 2022 TO 2023	SEPTEMBER 2022	LAST FISCAL YEAR 2021 TO 2022
INSPECTIONS	274	3244	235	3302
FINAL CERTIFICATES OF OCCUPANCY ISSUED	0	2	0	30
TEMPORARY CERTIFICATES OF OCCUPANCY ISSUED	0	0	0	2
FINAL INSPECTIONS	178	1852	148	2203
FAILED INSPECTIONS	31	202	14	183

Annual Totals, Large Projects (Over \$10,000):

Projects Begun Current Fiscal Year-to-Date – 2022 to September 2023: \$88,785,455.00

Projects Begun Last Fiscal Year – 2021 to 2022: \$64,300,811.00

Projects Begun Two Fiscal Years Ago – 2020 to 2021: \$39,968,375.00



CITY COMMISSION AGENDA MEMORANDUM OCTOBER 24, 2023 AGENDA

TO: Honorable Mayor and Members of the City Commission

FROM:

PREPARED BY: Stewart Cruz, Community Services Director

SUBJECT: Ordinance 2023-13: Administrative House Cleaning Amendment Relating To Sewer Utility Rates, Charges & Fees

SYNOPSIS:

Ordinance 2023-13, is an administrative house cleaning ordinance relating to sewer rates, charges, and fees. If approved, the subject ordinance will repeal outdated Ordinance 2005-09 (attached), and amend Sec. 12-4.32 and Sec. 12-4.60 of the Daytona Beach Shores Land Development Code (LDC) as follows:

1. Repeal of Ordinance 2005-09 in its entirety. The aforementioned ordinance, which was never codified and is no longer valid or applicable, contains two fundamental sections: (a) Section One, relating to the adjustment of sewer utility rates for the year 2005, which rates have now been supplanted and replaced by subsequent rate adjustments, and (b) Section Two, relating to the now inapplicable CPI methodology for calculating sewer rates. Therefore, there is no utility of further need for Ordinance 2005-09.
2. Amendment of Sec. 12-4.32 of the LDC, entitled "Service Use Charge," by eliminating the reference to customer payment of sewage charges at "the City's banking institution." The City does not have an agreement with its banking institution for this service.
3. Amendment of Sec. 12-4.60 of the LDC, entitled "Service Charges and Fees," by adding clarity that applicable sewer charges and fees are set forth by the City Commission by means of a resolution.

FISCAL IMPACT STATEMENT:

no fiscal impact.

BACKGROUND:

LEGAL REVIEW:

RECOMMENDATION:

Approval of Ordinance 2023-13 as presented.

SUGGESTED MOTION:

Approval of Ordinance 2023-13 as presented.

- ATTACHMENT:**
1. 2023-13 Sewer Rates-HouseCleaning-10-17-23-SC
 2. Ordinance 2023-13 - Business Impact Estimate

ORDINANCE 2023-13

AN ORDINANCE OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA, RELATING TO SEWER UTILITY RATES, CHARGES AND FEES; REPEALLING ORDINANCE 2005-09; AMENDING THE MUNICIPAL CODE OF ORDINANCES, LAND DEVELOPMENT CODE APPENDIX “G”, CHAPTER 12 ENTITLED “UTILITIES,” SECTION 12-4 “ENTITLED SEWERS AND SEWAGE DISPOSAL” TO PROVIDE FOR ADMINISTRATIVE “HOUSE CLEANING” RELATING TO SEWER UTILITY RATES, CHARGES AND FEES; GRANTING THE CITY COMMISSION AUTHORITY TO ADOPT A RESOLUTION ESTABLISHING RATES AND FEES FOR SEWER UTILITIES; PROVIDING FOR IMPLEMENTING ADMINISTRATIVE ACTIONS; PROVIDING FOR A SAVINGS PROVISION; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Article VIII, Section 2, *Constitution of the State of Florida*, authorizes the City of Daytona Beach Shores to exercise any power for municipal purposes except as otherwise provided by law; and

WHEREAS, the City Commission of the City of Daytona Beach Shores desires to make administrative “house cleaning” changes relating to Chapter 12 of the Code of Ordinances relating to sanitary sewer utility rates, charges and fees; and

WHEREAS, Ordinance 2005-09 is no longer valid, applicable or in the best interest of the citizens of the City of Daytona Beach Shores; and

WHEREAS, the City Commission of the City of Daytona Beach Shores finds this Ordinance is in the best interest and welfare of the citizens; and

WHEREAS, the City of Daytona Beach Shores has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance; and

WHEREAS, this Ordinance is consistent with the goals, objectives and policies of the *Comprehensive Plan of the City Daytona Beach Shores*; and

NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA:

Section 1. Recitals. The above “WHEREAS” clauses are incorporated by reference into the Bunnell Code of Ordinances.

Section 2. Repeal of Ordinance 2005-09. Daytona Beach Shores Ordinance 2005-09, adopted on April 27, 2005, but not codified, is hereby repealed in its entirety. A copy of the repealed Ordinance 2005-09 is attached hereto and made a part hereof as Exhibit “A”.

Section 3. Amendments. Section 12-4, Land Development Code, Chapter 12, Appendix “G”, Code of Ordinances of the City of Daytona Beach Shores, entitled “Utilities,” is amended to read as follows: (Underlined type shall constitute additions to the original text, *** shall constitute ellipses to the original text and ~~striketrough~~ shall constitute deletions to the original text.)

Chapter 12 – Utilities

12-4.32. Service Use Charge.

1. *Levied; Rate.* There is hereby levied and imposed a sewer service use charge as is currently in effect for each one thousand (1,000) gallons ~~or part thereof~~ consumed per month thereafter which service use charge shall be imposed on each customer of water in the City. The service use charge shall continue to be reviewed annually to revise the rates as necessary to ensure that adequate revenues are generated to pay the cost of operation and maintenance, including replacement and treatment cost increases, and that the system provides for proportional distribution of costs among users. The City will notify users annually of the rate structure in effect to adequately maintain adequate revenues and the City Manager, or designee, may take all necessary administrative actions to implement the rate structure of the City as it may be modified from time-to-time.

3. *Payment.* This sewage charge shall be paid at City Hall ~~or the City's banking institution~~, the address of which shall be printed on the sewage bill, by each person responsible for the payment of their respective water bill. Payment is due upon receipt and shall be considered delinquent if not paid by the stated due date on the sewer billing. Payments received at the City's banking institution on the stated due date must arrive there before the institution's daily cutoff time otherwise they will be credited to the customer's account on the following business day resulting in a delinquency. The City shall not accept postmarked dates for payment of bills due the City. Payments shall only be accepted without penalty when they are received by the due date and not by the date postmarked. The City shall not be responsible for delay or loss of mail.

12-4.60. Service Charges and Fees.

1. *Purpose.* It is the purpose of this section to provide for the recovery of costs from users of the city's wastewater collection and transmission system and charge for treatment and disposal by the City of Port Orange system for the implementation of the program established herein. The

applicable charges or fees shall be set forth by resolution of the City Commission. ~~in the city's schedule of charges and fees.~~

2. *Service Charges.* It is hereby determined necessary to fix and collect sewer service charges from customers. Such charges shall be published separate from this section and the revenue received shall be used for operation, maintenance, debt retirement and other authorized expenses and shall be set forth by resolution of the City Commission.

Section 4. Implementing Administrative Actions. The City Manager, or designee, is hereby authorized and directed to implement the provisions of this Ordinance and to take any and all necessary administrative actions to include, but not be limited to, the adoption of administrative policies.

Section 5. Savings. The prior actions of the City of Daytona Beach Shores not addressed herein relating to the collection, imposition, establishment or other action relative to utility fees, charges, rates or any other similar matters and any other fees, charges, rates or any other similar matters by the City and the establishment of fees, charges, rates or any other similar matters by the City, and any and all matters relating thereto, are hereby ratified and affirmed.

Section 6. Codification. The provisions of this Ordinance shall become and be made a part of the *Code of Ordinances of the City of Daytona Beach Shores, Florida* and the sections of this Ordinance may be renumbered or re-lettered to accomplish such intention and the word “Ordinance”, or similar words, may be changed to “Section,” “Article”, or other appropriate word; provided, however, that Sections Four, Five, Six, Seven, Eight and Nine shall not be codified.

Section 7. Conflicts. All ordinances or parts thereof in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 8. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or application hereof, is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion or application shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 9. Effective Date. This Ordinance shall take effect immediately upon enactment.

(SIGNATURE AND ADOPTION PAGE FOLLOWS)

Ordinance 2023-13
Signature and Adoption Page

CITY OF DAYTONA BEACH SHORES, FLORIDA

NANCY MILLER, MAYOR

KURT SWARTZLANDER, CITY MANAGER **CHERI SCHWAB, CITY CLERK**

Approved as to form and legality:

GRETCHEN R. H. VOSE, CITY ATTORNEY

Passed on first reading this _____ day of _____, 2023.

Adopted on second reading this _____ day of _____, 2023.

EXHIBIT “A”

ORDINANCE 2005-09

~~AN ORDINANCE OF THE CITY OF DAYTONA BEACH SHORES, VOLUSIA COUNTY, FLORIDA, ADJUSTING THE UTILITY RATE FOR SEWER CHARGES, PROVIDING FOR APPROPRIATIONS; PROVIDING AN EFFECTIVE DATE.~~

~~WHEREAS~~, state law prohibits municipal enterprise funds from incurring operational financial deficits; and,

~~WHEREAS~~, the City's must generate revenues necessary to maintain and operate its sewer utility; and,

~~WHEREAS~~, the City is under an inter-local agreement with the City of Port Orange to provide wholesale wastewater treatment services and the terms of this agreement permit a bi-annual adjustment of charges for services; and,

~~WHEREAS~~, the City of Port Orange has (based on a comprehensive rate analysis study performed on its behalf by a recognized engineering firm) increased its charges to the City of Daytona Beach Shores from \$2.58 to \$3.42 (33%) per each one thousand gallons effective October 1, 2005;

~~NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA:~~

~~SECTION ONE:~~ — ~~The existing sewer utility rates charged on a monthly basis are adjusted as follows:~~

~~For system availability and/or connections within the City of Daytona Beach Shores:~~

- ~~a. ————— The current minimum per month charge for system availability is changed from ten dollars twenty cents (\$10.20) to thirteen dollars forty cents~~

Ord. 2023-13

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~~(\$13.40). This charge includes an unchanged fifty-cent (\$0.50) administrative charge and the first two thousand (2000) gallons of use.~~

- b. ~~The rate for any and all use beyond two thousand gallons is changed from four dollars eighty-five cents (\$4.85) per each one thousand gallons to six dollars forty-five cents (\$6.45) per each one thousand gallons.~~

~~For system availability and/or connections outside the City of Daytona Beach Shores:~~

- c. ~~The current minimum per month charge for system availability is changed from fifteen dollars six cents (\$15.06) to nineteen dollars eighty-five cents (\$19.85). This charge includes an unchanged fifty-cent (\$0.50) administrative charge and the first two thousand (2000) gallons of use.~~
- d. ~~The rate for any and all use beyond two thousand gallons is changed from seven dollars twenty-eight cents (\$7.28) per each one thousand gallons to nine dollars sixty-eight cents (\$9.68) per each one thousand gallons.~~

~~**SECTION TWO:** Subsequent to the changes effected by Section One above, sewer utility rates for all categories of users will be adjusted on October 1st of each year by the greater of: (1) the percentage rate of change charged by the City's provider of wastewater treatment services; or, (2) the rate of change of the Consumer Price Index for Urban Wage Earners (CPI-U) as published by the U.S. Department of Labor Bureau of Labor Statistics. Under this option, the annual rate of change for the CPI-U in the completed January 1st through December 31st calendar year prior to October 1st of each year shall be the adjustment applied to all sewer utility rates.~~

~~**SECTION THREE:** This Ordinance shall be effective October 1, 2005. All ordinances or parts of ordinances in conflict herewith on this effective date are hereby repealed.~~

Business Impact Estimate Form

This Business Impact Estimate Form is provided to document compliance with and exemption from the requirements of Sec. 166.041(4), Fla. Stat. If one or more boxes are checked below under “Applicable Exemptions”, this indicates that the City of Daytona Beach Shores has determined that Sec. 166.041(4), Fla. Stat., does not apply to the proposed ordinance and that a business impact estimate is not required by law. If no exemption is identified, a business impact estimate required by Sec. 166.041(4), Fla. Stat. will be provided in the “Business Impact Estimate” section below. In addition, even if one or more exemptions are identified, the City of Daytona Beach Shores may nevertheless choose to provide information concerning the proposed ordinance in the “Business Impact Estimate” section below. This Business Impact Estimate Form may be revised following its initial posting.

Proposed ordinance’s title/reference:

ORDINANCE 2023-13

AN ORDINANCE OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA, RELATING TO SEWER UTILITY RATES, CHARGES AND FEES; REPEALLING ORDINANCE 2005-09; AMENDING THE *MUNICIPAL CODE OF ORDINANCES, LAND DEVELOPMENT CODE APPENDIX “G”*, CHAPTER 12 ENTITLED “UTILITIES,” SECTION 12-4 “ENTITLED SEWERS AND SEWAGE DISPOSAL” TO PROVIDE FOR ADMINISTRATIVE “HOUSE CLEANING” RELATING TO SEWER UTILITY RATES, CHARGES AND FEES; GRANTING THE CITY COMMISSION AUTHORITY TO ADOPT A RESOLUTION ESTABLISHING RATES AND FEES FOR SEWER UTILITIES; PROVIDING FOR IMPLEMENTING ADMINISTRATIVE ACTIONS; PROVIDING FOR A SAVINGS PROVISION; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Applicable Exemptions:

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant, or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or

- ☐ The proposed ordinance is enacted to implement the following:
- ☐ Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements, and development permits;
 - ☐ Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
 - ☐ Section 553.73, Florida Statutes, relating to the Florida Building Code; or
 - ☐ Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

Business Impact Estimate:

The City of Daytona Beach Shores hereby publishes the following information:

- 1. A summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):**

The public purpose of Ordinance 2023-13 is to repeal a prior adopted ordinance, which was never codified or enforced (Ordinance 2005-09); to perform administrative “house cleaning” amendments to existing sections of the Code of Ordinances relating to sanitary sewer utility rates, charges and fees; and, to grant the City Commission the authority to adopt a future resolution to establish rates and fees for sewer utilities.

- 2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the municipality, including the following, if any:**

- (a) An estimate of direct compliance costs that businesses may reasonably incur if the ordinance is enacted:**

Ordinance 2023-13 has no direct compliance costs.

- (b) Identification of any new charge or fee on businesses subject to the proposed ordinance, or for which businesses will be financially responsible:**

There are no new fees or charges associated with Ordinance 2023-13.

- (c) An estimate of the municipality’s regulatory costs, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs:**

There will be no regulatory costs associated with Ordinance 2023-13.

- 3. A good faith estimate of the number of businesses likely to be impacted by**

the ordinance:

Ordinance 2023-13 will have no impact on businesses in the City of Daytona Beach Shores.

4. Additional information the governing body determines may be useful (if any):

None

Note: The City's provision of information in the Business Impact Estimate section above, notwithstanding an applicable exemption, shall not constitute a waiver of the exemption or an admission that a business impact estimate is required by law for the proposed ordinance. The City's failure to check one or more exemptions below shall not constitute a waiver of the omitted exemption or an admission that the omitted exemption does not apply to the proposed ordinance under Sec. 166.041(4), Fla. Stat., Sec. 166.0411, Fla. Stat., or any other relevant provision of law.