

City of Daytona Beach
Americans with Disabilities Act (ADA) Transition Plan
Revision Date January 11, 2022

Purpose:

“Title II of the ADA requires State and local governments to make their programs and services accessible to persons with disabilities. This requirement extends not only to physical access at government facilities, programs, and events, but also to policy changes that governmental entities must make to ensure that all people with disabilities can take part in, and benefit from, the programs and services of State and local governments. In addition, governmental entities must ensure effective communication, including the provision of necessary auxiliary aids and services, so that individuals with disabilities can participate in civic life.” (U.S. Department of Justice - Civil Rights Division - Disability Rights Section, February 24,2020, webpage: <http://www.ada.gov/comprob.htm>)

A public Notice of ADA requirements is provided in the City Agenda, Agenda Addendum, and Feedback for all Commission meetings; a copy of January 5, 2022 City Commission meeting feedback has been included in Appendix I for reference. In addition, the City website provides access to information and services to the public and accessible resources are further described on the City’s website at the following link: <https://www.codb.us/site/accessibility> . Furthermore, there is a notice that is displayed in the City’s Public Works complex located at 950 Bellevue Ave, Daytona Beach, FL 32114. Copy of the Notice has also been provided in Appendix II.

City Liaisons:

Program and Services Accessibility:

Ms. Betty Goodman – Assistant City Manager
(Title VI/Nondiscrimination Coordinator)
Telephone: (386) 671-8203
Email GoodmanB@codb.us



Commission Meetings:

Clerks Office

Telephone: (386) 671-8020

Website Accessibility:

Charles Smarr

Telephone: 1-800-877-8339

Email: accessibility@codb.us

Sidewalk and/or Curb Ramp Related Inquiries:

Ms. Michelle Martin – Project Manager

(ADA Coordinator)

Telephone: (386) 671-8632

Email: MartinMichelle@codb.us

Complaints/Grievances

Complaints and Grievances will be addressed in accordance with City's Title VI/Nondiscrimination Policy and Limited English Proficiency Plan and a copy has been included in Appendix III.

Inspection of Public Facilities

The City had previously implemented a program to retrofit Public accessible buildings in accordance with current ADA requirements and available annual review. Currently owned City buildings with Public access provide Nondiscriminatory accessible ingress and egress to all buildings for the Public. The City will continue to monitor the requirements of the ADA and will make adjustments to accessibility as needed.

The City has completed a comprehensive evaluation of City owned roadways, included in that scope of work were curb ramps and detectable warning surfaces evaluations. A large database has been compiled of all the intersections within the City's right of ways. The current database that identifies the parameters of each intersection is available to the public via the City's Geographic Information Systems (GIS). To access the GIS open up a **Google Chrome** web



browser and utilize the following link:

<https://www.arcgis.com/apps/opsdashboard/index.html#/86bf27bbd75a44e6955a197eba91fb94>

Additional information will be added to the database at a later date, including photos, cost estimates, and anticipated construction activities.

City personnel will continue to investigate high pedestrian traffic areas within City owned and maintained rights - of - way. The City will continue to address any potential deficiencies in conjunction with current resurfacing projects and will continue to implement improvements on an annual basis. Periodic evaluations will still continue throughout the life of the associated infrastructure.

Action:

The City's Land Development Code (LDC) utilizes the requirements of the Florida Building Code by reference throughout, including those requirements associated with ADA accessibility and routes.

Multiple City roadways have been listed for upcoming maintenance (milling and resurfacing), construction, or reconstruction. As the City Commission authorizes such work the existing curb ramps will also be evaluated for deficiencies. If applicable, the existing curb ramps will be modified to meet current ADA requirements in conjunction with the authorized roadway work.

Furthermore, as the City wide evaluations identify deficiencies with existing curb ramps or the need of new curb ramp construction, the areas will be prioritized for funding and added to the list for implementation. A portion of the five-cent gas tax will be utilized to fund these types of projects.

Milestones

As projects are categorized by priority or roadways are designated for milling and resurfacing, the aforementioned GIS interactive map will be updated accordingly. Furthermore, as work is completed it will also be reflected in the GIS map. The GIS map allows for easy access to information and will update the public on completed projects within the City.

Closing

The Transition Plan and its components are a dynamic document with anticipated periodic modifications and/or updates. The Transition Plan as a whole will be reviewed and modified once every three years; while its components may change more frequently according to identified need.

Appendix I
January 5, 2022 Commission Feedback

**CCMTG FEEDBACK
AGENDA**



**THE CITY OF DAYTONA BEACH
BUSINESS MEETING OF THE CITY COMMISSION
JANUARY 5, 2022
CITY COMMISSION CHAMBERS
6:00 PM**

AGENDA

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

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

	<p>For special accommodations, please notify the City Clerk's Office at least 72 hours in advance. (386) 671-8020</p>		<p>Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained from the City Clerk's Office.</p>
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In accordance with the Americans with Disabilities Act (ADA), persons with a disability needing a special accommodation to participate in the City Commission meeting should contact the City Clerk's Office, 301 S. Ridgewood Ave, Room 210, Daytona Beach, FL 32114, Telephone: (386) 671-8023, Email: clerk@codb.us not later than 72 hours prior to the proceedings. If you are hearing or voice impaired contact the relay operator at 1-800-955-9771.

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

Approval of the Minutes of the December 1, 2021 Regular City Commission Meeting held at 301 S. Ridgewood Avenue Daytona Beach, Florida 32114. **Approved**

5. **AGENDA APPROVAL.**

THOSE MATTERS INCLUDED UNDER THE CONSENT AGENDA ARE SELF-EXPLANATORY AND ARE NOT EXPECTED TO REQUIRE REVIEW OR DISCUSSION. ITEMS WILL BE ENACTED BY ONE MOTION. IF DISCUSSION IS DESIRED BY ANY MEMBER OF THE COMMISSION, THAT ITEM MUST BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY. **Approved with changes**

6. PRESENTATION.

6.A. Presentation - Daytona Beach Alumnae Chapter of Delta Sigma Theta Sorority, Inc - Proclamation (p. 19)

Commissioner Paula R. Reed will present a proclamation to the Daytona Beach Alumnae Chapter of Delta Sigma Theta Sorority, Inc. recognizing their over 75 years of service to the Daytona Beach Community and surrounding areas.

6.B. Development and Administrative Services - WGI, Inc. - Redistricting Presentation (pp. 20-41)

Article 2, Section 2(c) of the City Charters states the City Commission shall, by Ordinance passed by three-fifths affirmative vote, re-designate the boundaries of each zone after each annexation and each decennial census conducted by the United States Government. This presentation is an opportunity for the Commission to hear what they can expect with the process and ask questions of WGI, Inc. about redistricting.

Al Hill, GIS Manager, WGI, Inc., to present.

7. CITIZENS.

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

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

8. CONSENT AGENDA.

PLEASE NOTE: ITEMS PULLED FROM THE CONSENT AGENDA MAY BE REMOVED FROM CONSIDERATION BY THE CITY COMMISSION AND CONTINUED FOR TWO (2) WEEKS UNTIL THE NEXT REGULARLY SCHEDULED CITY COMMISSION MEETING. (ONLY MEMBERS OF THE CITY COMMISSION MAY REMOVE ITEMS FROM THE AGENDA).

8.A. City Clerk - Citizen Boards - Ethics Training (pp. 43-45)

Resolution creating an ethics training requirement for all City of Daytona Beach Citizen Boards. The City of Daytona Beach will provide annual training for all citizen board members, similar to the annual ethics training mandated for Florida elected officials. The training would include Florida Ethics Law, Open Meetings, and Public Records.

Adopted 2022-01

Recommendation: City Clerk recommends adoption of the Resolution.

8.B. City Manager/Budget Division - FY 2021/22 First Quarter Budget Amendment (pp. 46-54)

Resolution amending Resolution No. 2021-301, which adopted the FY 2021/22 budget, in order to increase revenues by \$8,962,569, operating expenditures by \$760,697, and transfers, capital, and debt service expenditures by \$8,201,872. This budget amendment increases revenues related to carryforward of certain funds from FY 2020/21 to FY 2021/22, current year impact fee and trust fund revenues, and a transfer from the General Fund to the Capital Projects Fund. Additionally, the city's authorized FTE count is increased by three positions, which will be funded using existing appropriations in the General and Information Technology Funds.

Adopted 2022-02

Recommendation: Information Services/Budget Director recommends adoption of the Resolution.

8.C. Utilities Department - USSI, Inc. – Sanitary Sewer Inflow Abatement Services (pp. 55-144)

Resolution approving a piggyback contract using a Toho Water Authority contract with USSI Inc., 752 Commerce Drive Suite 15, Venice, FL 34292 to provide sanitary sewer collection system in-flow abatement services with the following provisions:

The term of the contract will remain in effect for three (3) years from the effective date with an option to renew for one (1) term of two (2) years:

- Authorize an initial expenditure of \$217,034.88 in FY2022; and
- Authorize the City Manager to exercise the renewal option and expend such sums as budgeted each year.

Sanitary sewer inflow abatement services utilizes smoke testing to identify locations of surface water inflow and/or groundwater infiltration into the sanitary sewer collection system, which reduces its capacity to convey sewage to the City’s wastewater treatment plants. With this information, the Utilities Department can plan repair and/or replacement projects in the future.

The initial expenditure for FY22 will include the following:

- Inspection and smoke testing of 970 manholes
- Install 970 rain dishes
- Install 606 clean-out cover replacement plugs
- Smoke testing of 236,917 linear feet of gravity sewer main
- Detailed reports of inflow points and defects

The Toho Water Authority contract has been reviewed and approved by the City’s Purchasing and Legal Departments for use by City Departments. Funds are available in the Water and Sewer Operating Fund and the Water and Sewer Improvement Construction Fund.

Adopted 2022-03

Recommendation: Utilities Director recommends adoption of the Resolution.

8.D. Utilities Department – Bid No. 22121 Supplemental Carbon Supply – Environmental Operating Solutions, Inc. – Water Reclamation Facilities (pp. 145-154)

Resolution awarding Bid No. 22121 to Environmental Operating Solutions, Inc., 53 Portside Drive, Pocasset, MA 02559 for the supply of Supplemental Carbon with the following provisions:

- Authorize the purchase of Supplemental Carbon at a unit price of \$4.05/gallon for a one-year term;
- Authorize an initial expenditure of \$820,000.00 in FY2021-2022; and
- Authorize the City Manager to expend such funds as budgeted in FY2022-2023.

The purpose of this request is to maintain compliance with state and federal regulatory water quality standards.

The Westside Regional Water Reclamation Facility and the Bethune Point Water Reclamation Facility utilize glycerin as a supplemental carbon source in the treatment process to achieve better nutrient reduction. The City advertised Bid No. 22121 on November 1, 2021. One bid was received and opened on November 10, 2021 for the supply of Supplemental Carbon to be delivered as needed to the Water Reclamation Facilities. The bid is as follows:

- Environmental Operating Solutions, Inc. (EOSi) – Supplemental Carbon at \$4.05 / gallon

EOSi's submittal documents were reviewed for conformance with the bid requirements and were found to meet the qualifications and specifications. Therefore, EOSi was found to be a responsive and responsible bidder. Funds available in the Water & Sewer Operating Funds.

Adopted 2022-04

Recommendation: Utilities Director recommends adoption of the Resolution.

8.E. Public Works Department -Technical Services Division - Fencing Contracts 19-B-116KT - Termination (pp. 155-159)

Resolution authorizing termination, for convenience, the Volusia County Piggyback Fencing Contracts 19-B-116KT for Hills Fencing, Inc., 915 East Ohio Street, Lake Helen, FL 32744, Fence Direct, 9867 South Orange Blossom Trail, Orlando, FL 32837, and Sterling Enterprises, LLC, 230 North Summit Avenue, Lake Helen, FL 32744. The fence contract 19-B-116KT is no longer used by the Public Works Department.

The Public Works Department required continuing services contracts for fencing installation, removal and repairs. The Commission authorized the piggyback contracts from Volusia County Fencing bid 19-B-116KT. It was determined that these contracts did not facilitate all of the Public Works needs. An Invitation to Bid was advertised and the Commission approved the contracts ITB-20391 for Hills Fencing, Inc., and Fence Services, Inc. d.b.a. AAA Fence Co. Hills Fencing, Inc. is under agreement on both of these contracts and the City cannot have more than one contract with the same vendor for the same services. Public Works is not using the Volusia County contract and therefore requests to terminate contracts 19-B-116KT for Hills Fencing, Fence Direct and Sterling Enterprises per Section 9 of the agreement. There is no City funding associated with this request.

Adopted 2022-05

Recommendation: Public Works Director recommends adoption of the Resolution.

8.F. Public Works - Technical Services Division – Supplemental Agreement No. 1 to LAP Agreement 439037-1-58-01 for the Beville Road Multi-Use Path Project, City Project No. 2015-095 (pp. 160-171)

Resolution approving Supplemental Agreement No. 1 to LAP Agreement No. 439037-1-58-01 which is necessary to adjust the project limits for the Beville Road Multi-Use Path Project to be from Andros Isles Boulevard to Woodcrest Drive.

The original LAP Agreement was accepted at the April 7, 2021 Commission Meeting and provided Federal funding in the amount of \$1,393,136 with a Local funding contribution in the amount of \$865,214 for construction plus \$302,247 for the CEI services. The project limits in the original LAP Agreement was from Andros Isles Boulevard to Clyde Morris Blvd. During the construction bidding process, it was agreed to change the construction limits to remove the section of the proposed Multi-Use Path between Woodcrest Drive and Clyde Morris Boulevard. This was due to the unexpected installation of an electronic sign by others, placing the sign in direct conflict with the proposed alignment of the Multi-Use Path. This Supplemental Agreement to adjust the eastern limits to Woodcrest Drive reduces the length of the project by approximately 988 linear feet. The amount of the Federal funding for construction will not be affected by this Supplemental Agreement and remains at \$1,393,136. The amount of the Local funding contribution for construction will be reduced from \$865,214 to \$62,421.

Adopted 2022-06

Recommendation: Public Works Director recommends adoption of the Resolution.

8.G. Utilities Department - Stormwater Backflow Preventer Valve Purchase – Bid No. 22092 (pp. 172-180)

Resolution awarding Bid No. 22092 to Technology International, Inc., 1349 S. International Pkwy Lake Mary, FL 32746 in an amount not to exceed \$29,467 for the purchase of a stormwater backflow preventer valve.

This request is needed to purchase a backflow preventer valve for installation on an existing 48” concrete stormwater pipe located on Wilder Blvd. east of Palmetto Ave. Wilder Blvd. is city owned right-of-way which serves as a stormwater outfall for a large drainage basin west of US 1. The existing 48” concrete pipe is currently in the process of being repaired. As part of the repairs, the Utility Department will be installing a 48” Tideflex backflow preventer valve to hold back high river tides. The City advertised Bid No. 22092 for the purchase of a 48" Tideflex Checkmate backflow preventer valve on October 20th 2021 and received the following bids on October 27th 2021:

Technology International, Inc.	\$29,467
Fluid Control Specialties, Inc.	Non Responsive
Core and Main	Non Responsive

Based upon a review of the bids, Technology International, Inc. is the lowest, responsive and responsible bidder. Fluid Control Specialties, Inc. and Core and Main were declared non-responsive due to not including a bid proposal letter in their bid submission. Funds are available in the Stormwater Renewal & Replacement 8% Fund.

Adopted 2022-07

Recommendation: Utilities Director recommends adoption of the Resolution.

8.H. Utilities Department - Atlantic Pipe Services, LLC - Lift Station Wet Well Cleaning (pp. 181-235)

Resolution approving a piggyback contract using a Volusia County Master Agreement with Atlantic Pipe Service, LLC, 3918 Moores Station Road, Sanford, Florida 32773 to provide sanitary sewer lift station and main cleaning in the amount of \$60,000, terminating on the same day as the Volusia County's Master Agreement, May 18, 2022.

The purposes of this request is to maintain compliance with State and Federal regulations. The cleaning of lift station wet wells is vital to maintain peak performance and proper operation of the pumps and forcemains associated with each lift station. This cleaning is also important since it reduces costly pump repairs and premature failures that may result in sanitary sewer overflows. There are 28 existing lift stations within the City's sewer system which the Utilities Department's equipment cannot properly maintain due to the wet well depths and other site constraints. This cleaning contract will be used to clean these 28 lift stations located throughout the City.

The contract's scope of work includes all labor, materials, equipment, and workmanship to perform lift station and main cleaning. The Volusia County contract has been reviewed and approved by the City's Purchasing Division and Legal Department for use by City Departments. Funds are available in the Water and Sewer Operating Fund.

Adopted 2022-08

Recommendation: Utilities Director recommends adoption of the Resolution.

- 8.I. Finance Department - Allocation of Bike Week Sponsorship Funds (pp. 236-237)

Resolution authorizing the following:

\$500 to Leisure Services for the 2022 Mayor's Fitness Challenge from the Bike Week Sponsorship Funds of Mayor Derrick L. Henry.

\$200 to United Presbyterian Church as a general donation for use of their facility for the constituents of Pelican Bay from the Bike Week Sponsorship Funds of Commissioner Stacy Cantu.

Adopted 2022-09

Recommendation: Chief Financial Officer recommends adoption of the Resolution.

9. PUBLIC HEARINGS.

- 9.A. Development and Administrative Services, Planning Division - Daytona Beach LPGA 7-Eleven Planned Development (PD) Agreement Rezoning (pp. 238-308)

Ordinance on second reading - Quasi-Judicial Hearing approving the Daytona Beach LPGA 7-Eleven Planned Development (PD) Agreement for property located at 2100 LPGA Boulevard. This agreement renames and amends the existing Investor Realty Company PD, to allow a car wash as a permitted use, revise minimum lot development criteria, and incorporate additional signage, in addition to the existing 7-Eleven store located on the property. Applicant: Joshua Long, Gunster Law Firm, on behalf of Slazenger Green Inc. ****Item was continued from the September 22, 2021 City Commission Meeting at the request of the Applicant****

Dennis Mrozek, Planning Director, to report.

Recommendation: Planning Board recommends approval 7-to-0.

Action: Motion to adopt the Ordinance.

Continued to the February 2, 2022 City Commission Meeting

- 9.B.** Development and Administrative Services, Planning Division - Reserve at LPGA - Large Scale Comprehensive Plan Amendment (LSCPA)
(pp. 309-398)

Ordinance on second reading - PUBLIC HEARING approving a Large Scale Comprehensive Plan Map Amendment, changing the Future Land Use Map designation for 90± acres of land from Low Intensity Urban (LI-U) to Level 1 Residential (L1R), amending Neighborhood “V” creating a policy to reduce density, to allow for a multifamily residential development. The property is generally located approximately 3600-feet northwest of the intersection of West International Speedway Boulevard and LPGA Boulevard. Applicant: Robert A. Merrell III, Esquire, Cobb Cole, on behalf of LPGA Equity Land Trust No. 153.

Dennis Mrozek, Planning Director, to report.

Adopted 2022-10

Recommendation: Planning Board recommends approval 5-to-1.

Action: Motion to adopt the Ordinance.

- 9.C.** Development and Administrative Services, Planning Division - Reserve at LPGA–Rezoning to Planned Development-General (PD-G) (pp. 399-451)

Ordinance on second reading - QUASI JUDICIAL HEARING rezoning 90± acres of property, from Planned Development-General (PD-G) and Volusia County (VC) A-2 (Rural Agriculture) to Planned Development-General (PD-G), to allow for a multifamily development with a maximum of 560 residential units. The property is located approximately 3600’ northwest of the intersection of West International Speedway Boulevard and LPGA Boulevard. Applicant: Robert A. Merrell III, Esquire, Cobb Cole, on behalf of LPGA Equity Land Trust No. 153.

Dennis Mrozek, Planning Director, to report.

Adopted 2022-11

Recommendation: Planning Board recommends approval 5-to-1.

Action: Motion to adopt the Ordinance.

10. ADMINISTRATIVE ITEMS.

- 10.A. Police Department - Ordinance Amending City Code, Chapter 110, Wrecker Services - Acceptable Methods of Payment (pp. 452-463)

Ordinance on first reading - amending the City Code of Ordinances, adding a new section to Chapter 110, Wrecker Services, to provide acceptable forms of payment for towing and related services performed by wrecker services operating within the City. A cash payment requirement to reclaim a vehicle may impose an undue hardship on the owner and may unduly prevent the owner from obtaining their vehicle leading to additional costs. A requirement for acceptance of commonly used methods of payment other than cash is in the public interest of City residents and visitors and similar requirements are not uncommon in other local jurisdictions.

Passed

Recommendation: Chief of Police recommends passing Ordinance on first reading.

Action: Motion to pass Ordinance on first reading.

Note: If passed, Public Hearing, January 19, 2022.

- 10.B. Development and Administrative Services, Planning Division - Derby Plaza – Small Scale Comprehensive Plan Amendment DEV2021-147 (pp. 464-498)

Ordinance first reading approving a Small-Scale Comprehensive Plan Map Amendment, changing the Future Land Use Map designation for 4.9+/- Acres from Level 1 Residential (L1-R) to Low Intensity Commercial (LIC). Applicant: The City of Daytona Beach Planning Division.

Dennis Mrozek, Planning Director, to report.

Passed

Recommendation: Planning Board recommends approval 7-to-0

Action: Motion to pass Ordinance on first reading.

Note: If passed, Public Hearing, January 19, 2022.

10.C. Development and Administrative Services, Planning Division - 1st Amendment to 900 North – Planned Development-General (PD-G) Rezoning – DEV2021-109 (pp. 499-551)

Ordinance on first reading approving the First Amendment to the 900 North Planned District (PD) Agreement to allow self parking and expand prohibited parking on the Hard Rock Hotel’s satellite parking lot located at the southwest corner of the Jessamine Blvd. and North Atlantic Ave. intersection. Applicant: Robert A. Merrell III, Esq., Cobb Cole, on behalf of 900 North Atlantic Ave LLC.

Dennis Mrozek, Planning Director, to report.

Passed

Recommendation: Planning Board recommends approval 7-to-0

Action: Motion to pass Ordinance on first reading.

Note: **If passed, Public Hearing, January 19, 2022.**

10.D. Development and Administrative Services, Planning Division - Places of Worship, Distance Separation - Land Development Code Text Amendment DEV2021-151 (pp. 552-560)

Ordinance on first reading amending Article 5, Section 5.2.B.13 of the Land Development code amending the Use Specific Standards for Places of Worship. Applicant: Development and Administrative Services Department, Planning Division.

Dennis Mrozek, Planning Director, to report.

Passed

Recommendation: Planning Board recommends approval 7-to-0

Action: Motion to pass Ordinance on first reading.

Note: **If passed, Public Hearing, January 19, 2022.**

10.E. City Manager's Office - Beautification/Tree Advisory Board - Appointment (pp. 561-573)

Resolution appointing two members to the Beautification/Tree Advisory Board. This board shall consist of seven members. One member shall be nominated by each City Commissioner from among the resident of the zone, plus one at-large member nominated by the Mayor who may be a resident of any City Commission zone. The membership terms of Martha Grimshaw (At-Large) and Milverton Robinson (Zone 5) expired on 12/31/21 and both would like to be requested.

Adopted 2022-12

Bettye Goodman, Assistant City Manager, to report.

Recommendation: Commission action.

Action: Motion to adopt the Resolution.

10.F. City Manager's Office - Code Enforcement Board - Appointment (pp.574-582)

Resolution appointing two members to the Code Enforcement Board. The board shall consist of seven members appointed by the City Commission. Members of the board shall be residents of the City. The membership term of Turner Hymes expired and she would like to be reappointed. Additionally, there is a vacant position and we have received an application from Katherine Marsh.

Adopted 2022-13

Bettye Goodman, Assistant City Manager, to report.

Recommendation: Commission action.

Action: Motion to adopt the Resolution.

10.G. City Manager's Office - Leisure Services Advisory Board - Appointment (pp.583-591)

Resolution appointing two members to the Leisure Services Advisory Board. This appointment is to fill vacancies in Zones 2 and At-Large. The board shall consist of seven (7) members, one (1) from each zone nominated by City Commissioners of respective zones, and one (1) at large member nominated by the Mayor. Members must reside within the zone of their appointment. We have received an application from Jessica Haley-Zone 2 and Luke McCoy, Sr to serve At-Large.

Adopted 2022-14

Bettye Goodman, Assistant City Manager, to report.

Recommendation: Commission action.

Action: Motion to adopt the Resolution.

10.H. City Manager's Office - Historic Preservation Board - Appointment (pp.592-605)

Resolution appointing three members to the Historic Preservation Board the board shall consist of nine (9) members appointed by the City Commission. One member shall be nominated by each City Commission and two members nominated by the Mayor. At least one member shall be an Architect. Members shall be appointed on the basis of civic pride, integrity, experience, interest in historic preservation and the requirements necessary for the City to maintain status as a Certified Local Government. The majority of members shall be residents of the City. The position of Architect is currently open and there are vacancies representing Zone 3 and Zone 5. We have three viable applicants: **Thomas Makowski** as Architect. **Daniel Harshaw** to represent Zone 3 and **Richard Sala** appointed by Zone 5 Commissioner.

Adopted 2022-15

Bettye Goodman, Assistant City Manager, to report.

Recommendation: Commission action.

Action: Motion to adopt the Resolution.

10.I. City Manager's Office - Peabody Auditorium Advisory Board - Appointments (pp. 606-616)

Resolution appointing two members to the Peabody Auditorium Advisory Board. The board shall consist of seven (7) members serving four (4) year staggered terms and may be reappointed to successive terms. Members must reside within the zone from which appointed or if mayoral from within the corporate limits of the City. The terms of Suzanne Kridner (Zone 1) and **Sandra Chavous** (Zone 6) have expired and both would like to be reappointed.

Adopted 2022-16

Bettye Goodman, Assistant City Manager, to report.

Recommendation: Commission action.

Action: Motion to adopt the Resolution.

11. DISCUSSION.

11.A. Public Works - City Commission Discussion of design options for Beach St. Phase II Streetscape (pp. 617-637)

Discussion - Beach Street Phase II Streetscape project will consist of roadway, sidewalk, landscape and lighting improvements on Beach St. between Bay St. and Fairview Ave. and on Dr. Mary McLeod Bethune Blvd. (MMB) between Beach St. and Ridgewood Ave. A Workshop was held for the City Commission on October 20, 2021 at which design options were presented for MMB and for Beach Street and was followed up with a Public Meeting on November 15, 2021. This Discussion item recaps the Public Meeting and Public Comments (attached). One option discussed at the meetings included a roundabout at Fairview Avenue and Beach Street however, this option is not included as part of the Beach Street Phase II project discussion but will potentially be considered as part of a separate roadway project involving the North Beach Street corridor from Fairview to the North City limit. Conceptual design options for discussion as presented at the Commission Workshop and Public Meeting, include: (MMB) Option A: Provides a narrower street, wider sidewalks without on-street parking and (MMB) Option B: Provides a narrower street with on-street parallel parking. (Beach Street) Option A: Provides parallel parking on the east side and angled parking on west side, a raised median in the center and does not change the configuration of the Fairview Ave. intersection and (Beach St.) Option B: Provides angled Parking on both sides of the road and doesn't change the existing configuration of the Fairview Ave. intersection.

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

13. PUBLIC COMMENT FORUM - During this time Citizens are allowed 3 minutes to speak on any topic. Please be courteous and respectful of the views of other speakers. Personal attacks on the City Commission, City Staff or members of the public are not allowed.

14. ADJOURNMENT.

Appendix II
Public Notice of ADA requirements



NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT

In accordance with the requirements of title II of the Americans with Disabilities Act of 1990 ("ADA"), the **City of Daytona Beach** will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Employment: **City of Daytona Beach** does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under title I of the ADA.

Effective Communication: **City of Daytona Beach** will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in **[name of public entity's]** programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: **City of Daytona Beach** will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in **City of Daytona Beach** offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of **City of Daytona Beach**, should contact the office of Ms. Betty Goodman at GoodmanB@codb.us as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the **City of Daytona Beach** to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

Complaints that a program, service, or activity of **City of Daytona Beach** is not accessible to persons with disabilities should be directed to Ms. Betty Goodman at GoodmanB@codb.us.

City of Daytona Beach will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

Appendix III
Title VI/Nondiscrimination Policy and Limited English Proficiency Plan

CITY OF DAYTONA BEACH

TITLE VI/NONDISCRIMINATION POLICY AND LIMITED ENGLISH PROFICIENCY PLAN



Deric C. Feacher

City Manager

Derrick L. Henry

Mayor

Ruth Trager	Commissioner	Zone 1
Ken Strickland	Commissioner	Zone 2
Quanita May	Commissioner	Zone 3
Stacy Cantu	Commissioner	Zone 4
Dannette Henry	Commissioner	Zone 5
Paula R. Reed	Commissioner	Zone 6

February 2022

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Policy Statement:

The City of Daytona Beach (City) values diversity and welcomes input from all interested parties, regardless of cultural identity, background or income level. Moreover, the City believes that the best programs and services result from careful consideration of the needs of all of its communities and the involvement of those communities in the transportation decision making process. Therefore, the City does not tolerate discrimination in any of its programs, services or activities and seeks equality through the application of free market competition. Pursuant to Title VI of the Civil Rights Act of 1964 and other federal and state authorities, the City will not exclude from participation in, deny the benefits of, or subject to discrimination anyone on the grounds of race, color, national origin, sex, age, disability, religion, income or family status.

Complaint Procedures:

The City has established a discrimination complaint procedure and will take prompt and reasonable action to investigate and eliminate discrimination when found. Any person who believes that he or she has been subjected to discrimination based upon race, color, national origin, sex, religion, age, disability, family or income status in any of City's programs, services or activities may file a complaint with the City Title VI/Nondiscrimination Coordinator:

Name: Ms. Bettye Goodman – Assistant City Manager
Nondiscrimination Coordinator
Address: 301 South Ridgewood Avenue, Daytona Beach, FL 32114
Address: PO Box 2451, Daytona Beach, FL 32115-2451
Email: GoodmanB@codb.us
Phone: (386) 671-8203
Fax: (386) 671-3296
Hearing Impaired: (386) 671-8030 or (386) 671-5370 (Police Department)

If possible, the complaint should be submitted in writing and contain the identity of the complainant; the basis for the allegations (i.e., race, color, national origin, sex, religion, age, disability or family status); and a description of the alleged discrimination with the date of occurrence. If the complaint cannot be submitted in writing, the complainant should contact the Title VI/Nondiscrimination Coordinator for assistance.

The Title VI/Nondiscrimination Coordinator will respond to the complaint within thirty (30) calendar days and will take reasonable steps to resolve the matter. Should the City be unable to satisfactorily resolve a complaint, the City will forward the complaint, along with a record of its disposition to the appropriate District of the Florida Department of Transportation (FDOT).

The City's Title VI Coordinator has direct access to the City Manager and is not required to obtain City Commission or other approval to discuss discrimination issues with the City Manager. However, should the complainant be unable or unwilling to complain to the City, the written complaint may be submitted directly to Florida Department of Transportation (FDOT). FDOT will serve as a clearing house, forwarding the complaint to the appropriate state or federal agency:

Florida Department of Transportation
Equal Opportunity Office
ATTN: Title VI Complaint Processing
605 Suwannee Street MS 65
Tallahassee, FL 32399

If it is determined, the complaint originated from a Local Agency Program (LAP) project, the complaint will be provided to the FDOT and Federal Highway Administration (FHWA). The City will attempt to resolve all issues; however, only FHWA can accept, investigate and issue findings under Title VI, which is specific to the classes race, color and national origin.

ADA/504 Statement:

Section 504 of the Rehabilitation Act of 1973 (Section 504), the Americans with Disabilities Act of 1990 (ADA) and related federal and state laws and regulations forbid discrimination against those who have disabilities. Furthermore, these laws require federal aid recipients and other government entities to take affirmative steps to reasonably accommodate the disabled and ensure that their needs are equitably represented in transportation programs, services and activities.

The City will make every reasonable effort to ensure that its facilities, programs, services, and activities are accessible to those with disabilities. The City will make every reasonable effort to ensure that its advisory committees, public involvement activities and all other programs, services and activities include representation by the disabled community and disability service groups.

The City encourages the public to report any facility, program, service or activity that appears inaccessible to those who are disabled. Furthermore, the City will provide reasonable accommodation to disabled individuals who wish to participate in public involvement events or who require special assistance to access facilities, programs, services or activities. Because providing reasonable accommodation may require

outside assistance, organization or resources, the City asks that requests be made at least fourteen (14) calendar days prior to the need for accommodation.

Questions, concerns, comments or requests for accommodation should be made to the City's ADA Officer:

Name: Ms. Michelle Martin

Title: Project Manager

Address: 950 Bellevue Avenue, Daytona Beach, FL 32114

Address: PO Box 2451, Daytona Beach, FL 32115-2451

Email: MartinMichelle@codb.us

Phone: (386) 671-8632

Fax: (386) 671-8620

Hearing Impaired: (386) 671-8030 or (386) 671-5370 (Police Department)

Limited English Proficiency (LEP) Plan:

Title VI of the Civil Rights Act of 1964, Executive Order 13166, and various directives from the US Department of Justice (DOJ) and US Department of Transportation (DOT) require federal aid recipients to take reasonable steps to ensure meaningful access to programs, services and activities by those who do not speak English proficiently. To determine the extent to which LEP services are required and in which languages, the law requires the analysis of four factors:

- The number or proportion of LEP persons eligible to be served or likely to be encountered by the City's programs, services or activities.
 - The frequency with which LEP individuals come in contact with these programs, services or activities.
 - The nature and importance of the program, service, or activity to people's lives and;
 - The resources available to the City and the likely costs of the LEP services.
1. Using U.S. Census Bureau, 2015-2019 5-Year American Community Survey data, the City has determined that LEP individuals speaking English less than well represent approximately 12.4% of the community. The City has not received any requests for translation or interpretation of its programs. However, the City has an extensive list of bilingual employees and has included it as Appendix I. As a contingency plan, the City has also identified, Language Line Services, as a local translator.
 2. The City is fortunate to house within its jurisdiction a number of institutions of higher education which has extensive language services, including Daytona State College "School of World

Languages and Speech”. Further, the City maintains cordial relationships with a number of faith based and community organizations who may offer competent language services to the City.

3. The City believes that transportation is of critical importance to its public, as access to health care, emergency services, employment, and other essentials would be difficult or impossible with reliable transportation systems. The public will be able to access the nondiscrimination and public involvement policies on the City’s website and it is posted on the bulletin board at the Public Works complex, located at 950 Bellevue Ave, Daytona Beach, FL 32114.
4. The analyses of these factors suggest that limited LEP services are required at this time. At a minimum, the Agency commits to:
 - Maintain a list of employees who competently speak the LEP language(s) and who are willing to provide translation and/or interpretation services.
 - Distribute this list to staff that regularly has contact with the public.
 - Provide public notification in the LEP language of the availability of language assistance, free of charge.

The Agency understands that its community characteristics change and that future community characteristic analysis may reveal the need for more or varied LEP services. As such, it will at least triennially examine its LEP plan to ensure that it remains reflective of the community’s needs.

Persons requiring special language services should contact the City’s Title VI/Nondiscrimination Officer:

Name: Ms. Betty Goodman – Assistant City Manager
Nondiscrimination Coordinator
Address: 301 South Ridgewood Avenue, Daytona Beach, FL 32114
Address: PO Box 2451, Daytona Beach, FL 32115-2451
Email: GoodmanB@codb.us
Phone: (386) 671-8203
Fax: (386) 671-3296
Hearing Impaired: (386) 671-8030 or (386) 671-5370 (Police Department)

Public Involvement:

In order to plan for efficient, effective, safe, equitable and reliable transportation systems, the City must have the input of its public. The City spends extensive staff and financial resources in furtherance of this goal and strongly encourages the participation of the entire community. The City holds a number of transportation meetings, workshops and other events designed to gather public input on project planning and construction. Further, the City attends and participates in other community events to promote its services to the public. Finally, the City is constantly seeking ways of measuring the effectiveness of its public involvement.

Persons wishing to request special presentations by the City; volunteer in any of its activities or offer suggestions for improvement of City public involvement may contact:

Name Ms. Susan Cerbone
Title: Public Information Officer
Address: 301 S Ridgewood Ave, Daytona Beach, FL 32114
Address: PO Box 2451, Daytona Beach, FL 32115-2451
Email: cerbones@codb.us
Phone: (386) 671-8014
Fax: (386) 671- 3206
Hearing Impaired: (386) 671-8030

Data Collection:

Federal Highway Administration regulations require federal-aid recipients to collect racial, ethnic and other similar demographic data on beneficiaries of or those affected by transportation programs, services and activities. The City accomplishes this as needed through the use of census data, American Community Survey reports, Environmental Screening Tools (EST), driver and ridership surveys, its community development department and other methods. From time to time, the City may find it necessary to request voluntary identification of certain racial, ethnic or other data from those who participate in its public involvement events. This information assists the City with improving its targeted outreach and measures of effectiveness. Self-identification of personal data to the City will always be voluntary and anonymous. Moreover, the City will not release or otherwise use this data in any manner inconsistent with the federal regulations.

Nondiscrimination Assurances:

Every three years, or commensurate with a change in City executive leadership year, the City must certify to FHWA and FDOT that its programs, services and activities are being conducted in a nondiscriminatory manner. These certifications are termed ‘assurances’ and serve two important purposes. First, they document the City’s commitment to nondiscrimination and equitable service to its community. Second, they serve as a legally enforceable agreement by which the City may be held liable for breach. The public may view the annual assurance on the City’s website or by visiting the City’s offices.

Appendix I
List of Bilingual Employees

Provided below are a list of City Employees that can be used for translation/interpretation, if the need should arise.

ARABIC		SPANISH	
	HOUSSAMY, TAREK ISKANDER, NAHED		BENDAYAN, MESSOD BORELLO, GUSTAVO C. BOTELLA, CHRISTIAN CONDE, LEONARDO D. GARCIA, JESSICA M. GAVALDON, IGNACIO LEE, MONICA M. MANJASEK, ALEXANDER MARQUEZ, GABRIEL MASSENGALE, CARLA M. MORALES CARRERO, BRIAN PENA, CLAUDIA PERALTA, DANIEL R. PEREZ, JAIME QUINONES, BRYAN S. RIVERA COTTO, CRISTIAN J. RIVERA, LUIS A. ROMAN, ABISAI SOTO, EDWIN STROMWALL, JEREMY G. TORRES, LYDIA M. DEJESUS, BEATRIZ MCLEAN, TOBIT
Dutch	Anne Blom		
FRENCH	BORELLO, GUSTAVO C. HOUSSAMY, TAREK		
GERMAN	ALDRIDGE, DONALD C. PATON, JOHN SCHLIEPER, SIEGFRIED E. LEE, MONICA ARSENAULT, SHIRLEY		
NORWEGIAN	INDAHL, CHRISTOPHER F.		
PORTUGUESE	MACDOWEL, MAYCON MASSENGALE, CARLA M.		
Sign Language	CARTER, ROBERT A. CONLEY, SHAWNA A. ELLINGTON, KERRI-LEE ROSSI, ASHLEY N. VANCLEEF, SANDRA		