

# City of South Daytona

## Office of the City Manager

Post Office Box 214960 • South Daytona, FL 32121 • 386/322-3010 • Fax 386/322-3008



### MEMORANDUM

## AGENDA ITEM

**Item # D10**

**Date: June 8, 2021**

**To:** James L. Gillis Jr., City Manager  
**From:** Becky Witte, Deputy City Clerk  
**Re:** Resolution 2021-15 approving the sale and authorizing the City Manager to execute the necessary closing documents to transfer the property located at 1854 James Street  
**Date:** May 19, 2021

On April 13, 2021, the City Council declared 1854 James Street as surplus and authorized staff to advertise for bids for the vacant property.

On April 19, 2021, staff began advertising the property via the City Website, advertisement in the Daytona Beach News Journal, posting of the physical property, posting at City Hall, Public Works and the Piggotte Community Center. Notifications were also sent to the Port Orange South Daytona Chamber of Commerce and the local Homebuilders Association.

Bids were due on Tuesday, May 18, 2021 at 2:00pm and were publicly opened immediately following the bid closing time. The following bids were received:

<u>Name</u>	<u>Address</u>	<u>Phone</u>	<u>Bid</u>
John Richardson	55 Wild Pecan Court Port Orange, Florida 32129	386-628-3362	\$15,900.00
SAB7, LLC	290A N US Highway 1 Ormond Beach, FL 32174	386-672-2077	\$15,000.00
Joel Vazquez	1860 James Street South Daytona, Florida 32119	386-453-6367	\$16,000.00

The selected bidder will provide an escrow deposit and will be responsible for all associated costs including but not limited to closing costs, filing fees and attorney fees. As always, the City Council reserves the right to reject any or all bids received.

Resolution 2021-15 authorizes the City Manager to attend the closings on the sales of 1854 James Street and to execute the necessary closing documents on behalf of the City.

## **RESOLUTION 2021-15**

**A RESOLUTION OF THE CITY OF SOUTH DAYTONA, FLORIDA, APPROVING THE SALE AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY CLOSING DOCUMENTS TO TRANSFER THE PROPERTY LOCATED AT 1854 JAMES STREET; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, in May 2017, Volusia County conveyed the land at 1854 James Street, South Daytona per Florida Statute 197.53 (3), and;

**WHEREAS**, the property at 1854 James Street, South Daytona is no longer necessary, useful or suitable for municipal purposes; and

**WHEREAS**, an appraisal was completed in late January 2021 with an opinion of value at \$13,350, and;

**WHEREAS**, per Section 2-150 of the City of South Daytona Code of Ordinances, should the City Council find the property is surplus and authorize the sale, "all costs incurred by the city associated with the sale or lease of city property, including but not limited to attorney fees, appraisal costs, engineering fees, shall be paid by the purchaser or lessee, unless the city council waives this requirement," and;

**WHEREAS**, on April 13, 2021 via Resolution 2021-10, the City Council determined the land described as 1854 James Street, South Daytona to be unnecessary for its public purposes, determined that disposal of said land is in the best interest of the public, and authorized staff to solicit formal bids from buyers to facilitate its sale (with minimum bid of \$13,350), and:

**WHEREAS**, three (3) bids were received by 2:00pm on Tuesday, May 18, 2021 where they were publicly opened in City Hall Council Chambers, and;

**WHEREAS**, with a bid of \$16,000, Joel Vazquez of 1860 James Street, South Daytona, Florida was recommended by staff as the highest responsible bidder.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOUTH DAYTONA, FLORIDA:**

**SECTION 1.** The City Council of the City of South Daytona hereby:

- (1) Authorizes the conveyance of the land at 1854 James Street, South Daytona, Florida to Joel Vazquez, pursuant to the applicable Florida Statutes and code provisions, for a sum of \$16,000 plus all costs incurred by the City associated with the sale of the property, including but not limited to attorney fees, appraisal costs, and engineering fees, and said deed to specifically release any automatic reservation and right of entry in accordance with Florida Statute Section 270.11.
- (2) The City Council of the City of South Daytona hereby authorizes the City Manager to attend the closings on the sales of 1854 James Street and to execute the necessary closing documents on behalf of the City.

**SECTION 2.** If any section, subsection, sentence, clause, phrase, or portion of this Resolution, or application hereof, is for any reason held invalid or unconstitutional by any Court, 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 or application hereof.

**SECTION 3.** That all resolutions made in conflict with this Resolution are hereby repealed.

**SECTION 4. Effective Date.** This resolution shall take effect immediately upon its passage and adoption.

**THIS RESOLUTION APPROVED ON FIRST AND ONLY READING** this 8<sup>th</sup> day of June 2021 by the City Council of the City of South Daytona, Florida.

**CITY OF SOUTH DAYTONA, FLORIDA**

\_\_\_\_\_  
William C. Hall, Mayor

ATTEST: \_\_\_\_\_  
James L. Gillis Jr, City Manager

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
Wade Vose, City Attorney



**City of South Daytona  
Bid Opening Minutes  
Tuesday, May 18, 2021 at 2:00pm**

City Council Chambers, 1672 S. Ridgewood Avenue, South Daytona, Florida

**Call to Order:** Deputy City Clerk Becky Witte called the Bid Opening for Bid 2021-B004 to order at 2:02 pm

**Present:**

Deputy City Clerk Becky Witte  
Hassan Saboungi  
Joel Vazquez  
Mari Pesqueira

Deputy City Clerk Becky Witte introduced the purpose of the meeting:

On April 13, 2021, the City Council of the City of South Daytona declared the property at 1854 James Street surplus and directed staff to solicit bids. On April 19, 2021, the City of South Daytona advertised for the bids via sealed bid auction for the following property:

Parcel Number	Address	Lot Size	Minimum Bid
532801080130	1854 James Street South Daytona, Florida 32119	7,500 Sq Ft	\$13,350.00

The property is being sold "As Is," "Where IS" and bidders were encouraged to conduct their own due diligence prior to submitting a bid.

Bids were received until Tuesday, May 18, 2021 at 2:00pm at City Hall, Council Chambers where they are publicly opened.

The following bids were received:

<u>Name</u>	<u>Address</u>	<u>Phone</u>	<u>Bid</u>
John Richardson	55 Wild Pecan Court Port Orange, Florida 32129	386-628-3362	\$15,900.00
SABT, LLC	290A N US Highway 1 Ormond Beach, FL 32174\$	386-672-2077	\$15,000.00
Joel Vazquez	1860 James Street South Daytona, Florida 32119	386-453-6367	\$16,000.00

The highest responsible bidder will be presented to the City Council on June 8, 2021 for approval and direction to execute necessary closing documents.

**Adjournment:** Deputy City Clerk Becky Witte adjourned bid opening at 2:06pm.



**Invitation to Bid**  
**BID NO. 2021-B004**  
**1854 James Street, South Daytona**

**Property Being Bid On:**

**Location: 1854 James Street, South Daytona, Florida**

Bidder (fill in exact name for deed):

Address of Bidder (for mail)

1860 James St.  
(Street address or PO Box)

South Daytona, FL, 32119  
(City, State, Zip code)

BID AMOUNT:

\$ 16,000  
(must be \$13,350.00 or more)

Joel Vazquez  
**SIGNATURE OF BIDDER (required)**

Joel Vazquez  
Print name of person signing above

\_\_\_\_\_  
Title of person signing above

Deed will be in the exact name as submitted, if this bid is accepted. The balance of the bid amount (bid amount less deposits) will be paid at closing. **Bidder acknowledges acceptance of all terms and conditions stated in Invitation to Bid (BID NO. 2021-B004)**

Sealed Bid envelopes, containing bid and deposit, have to be delivered by the bidding deadline to:

City of South Daytona City Hall  
City Manager's Office  
1672 S. Ridgewood Avenue  
South Daytona, Florida 32119



**Invitation to Bid**  
**BID NO. 2021-B004**  
**1854 James Street, South Daytona**

**Property Being Bid On:**

**Location: 1854 James Street, South Daytona, Florida**

Bidder (fill in exact name for deed):

JOHN RICHARDSON

Address of Bidder (for mail)

2955 WILLY PECAN COURT

(Street address or PO Box)

PORT ORANGE, FL 32129


(City, State, Zip code)

BID AMOUNT:


\$

\$15,900.<sup>00</sup>

(must be \$13,350.00 or more)

  
**SIGNATURE OF BIDDER (required)**

JOHN RICHARDSON  
Print name of person signing above

  
Title of person signing above

Deed will be in the exact name as submitted, if this bid is accepted. The balance of the bid amount (bid amount less deposits) will be paid at closing. **Bidder acknowledges acceptance of all terms and conditions stated in the Invitation to Bid (BID NO. 2021-B004)**

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**Invitation to Bid**  
**BID NO. 2021-B004**  
**1854 James Street, South Daytona**

**Property Being Bid On:**

**Location: 1854 James Street, South Daytona, Florida**

Bidder (fill in exact name for deed):

SAB7, LLC

Address of Bidder (for mail)

1570 John Anderson Dr.  
(Street address or PO Box)

Ormond Beach, FL 32176  
(City, State, Zip code)

BID AMOUNT:

\$ 15,000.00  
(must be \$13,350.00 or more)

  
**SIGNATURE OF BIDDER (required)**

Hassan Sabounji  
Print name of person signing above

Managing Member  
Title of person signing above

Deed will be in the exact name as submitted, if this bid is accepted. The balance of the bid amount (bid amount less deposits) will be paid at closing. **Bidder acknowledges acceptance of all terms and conditions stated in Invitation to Bid (BID NO. 2021-B004)**

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