



**ACTION REPORT
CITY OF ORMOND BEACH, FLORIDA
CITY COMMISSION MEETING
November 5, 2014
7:00 PM**

Mayor Ed Kelley

Zone 1 – Commissioner James Stowers

Zone 3 – Commissioner Rick Boehm

Zone 2 – Commissioner Troy Kent

Zone 4 – Commissioner Bill Partington

COMMISSION CHAMBERS

22 South Beach Street, Ormond Beach, FL 32174

Phone: 386-677-0311

Web: www.ormondbeach.org

- 1. CALL TO ORDER**
- 2. INVOCATION**
- 3. PLEDGE OF ALLEGIANCE**
- 4. PRESENTATIONS AND PROCLAMATIONS**
 - A. Employee of the Quarter - Denise Roeper
- 5. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA**
- 6. APPROVAL OF MINUTES**
 - A. Minutes from City Commission meeting – October 21, 2014 **APPROVED**
- 7. CONSENT AGENDA**

The action proposed is stated for each item on the Consent Agenda. Unless a City Commissioner removes an item from the Consent Agenda, no discussion on individual items will occur and a single motion will approve all items.

- A. **RESOLUTION NO. 2014-182** : A RESOLUTION APPROVING PLAYTEX MANUFACTURING, INC. AS A QUALIFIED TARGET INDUSTRY BUSINESS; PROVIDING FOR LOCAL FINANCIAL SUPPORT FOR PERFORMANCE BASED JOB CREATION AND GROWTH ASSISTANCE FUNDING; PROVIDING FOR PROPERTY TAX REIMBURSEMENT; AUTHORIZING AN AGREEMENT THEREFORE; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Joe Mannarino, Economic Development Director
(386-676-3266) **APPROVED**

- B. **RESOLUTION NO. 2014-183** : A RESOLUTION AUTHORIZING THE ON-LINE SUBMITTAL OF A HEALTHY WEIGHT COMMUNITY CHAMPION RECOGNITION SUBMISSION FORM; AUTHORIZING IMPLEMENTATION OF POLICIES AND PRACTICES CONSISTENT WITH THE HEALTHY WEIGHT PROGRAM; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Loretta Moisiso, Grants Coordinator/PIO (386-676-3315) **APPROVED**

- C. **RESOLUTION NO. 2014-184** : A RESOLUTION RATIFYING THE EXECUTION OF AN AGREEMENT WITH THE STATE OF FLORIDA, OFFICE OF THE ATTORNEY GENERAL REGARDING FUNDING FOR THE CITY'S VICTIM'S ADVOCATE PROGRAM; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Loretta Moisiso, Grants Coordinator/PIO (386-676-3315) **APPROVED**

- D. **RESOLUTION NO. 2014-185** : A RESOLUTION AUTHORIZING EXECUTION OF A COMMUNITY DEVELOPMENT BLOCK GRANT SUBRECIPIENT AGREEMENT FOR FISCAL YEAR 2014-2015 BETWEEN THE CITY AND THE COUNTY OF VOLUSIA; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Loretta Moisiso, Grants Coordinator/PIO (386-676-3315) **APPROVED**

- E. **RESOLUTION NO. 2014-186** : A RESOLUTION AUTHORIZING THE EXECUTION OF A JOINT PARTICIPATION AGREEMENT BETWEEN THE CITY AND FLORIDA DEPARTMENT OF TRANSPORTATION, REGARDING LANDSCAPING IMPROVEMENTS WITHIN THE GRANADA MEDIANS FROM ORCHARD STREET TO A1A; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: John Noble, City Engineer (386-676-3269)
APPROVED

- F. **RESOLUTION NO. 2014-187** : A RESOLUTION ACCEPTING A PROPOSAL FROM HAZEN AND SAWYER, P.C. FOR ENGINEERING DESIGN SERVICES REGARDING THE DEVELOPMENT OF A FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM FOR MAINTENANCE AND REPAIR OF THE WATER AND RECLAIMED WATER STORAGE TANKS; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *Dave Ponitz, Utilities Manager (386-676-3305)*

APPROVED

- G. **RESOLUTION NO. 2014-188** : A RESOLUTION ACCEPTING A BID FROM UNIVAR USA, INC., FOR THE PROVISION OF SOLAR SALT TO BE USED AT THE WATER TREATMENT FACILITY, UNDER BID NO. 2015-09; AUTHORIZING THE APPROVAL OF REQUISITION #0000012194 AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *Dave Ponitz, Utilities Manager (386-676-3305)*

APPROVED

- H. **RESOLUTION NO. 2014-166** : A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT RENEWAL OF A TOWING RELATED SERVICES CONTRACT BETWEEN THE CITY OF ORMOND BEACH AND J&A BALBOA ENTERPRISES, INC. D/B/A ARROW SERVICE & TOWING; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *Andy Osterkamp, Police Chief (386-677-0731)*

APPROVED

- I. **Sole Source Procurement - Xylem Water Solutions USA, Inc. - Flygt Products**

Staff Contact: *Dave Ponitz, Utilities Manager (386-676-3305)*

Disposition: Approve as recommended in the City Manager memorandum dated November 5, 2014. **APPROVED**

- J. **Auto Renew Contract Agreements - Laboratory Testing Services**

Staff Contact: *Dave Ponitz, Utilities Manager (386-676-3305)*

Disposition: Approve as recommended in the City Manager memorandum dated November 5, 2014. **APPROVED**

- K. **Sunshine Recycling Construction & Demolition Debris Franchise Agreement Renewal**

Staff Contact: *Theodore MacLeod, Assistant City Manager (386-676-3200)*

Disposition: Approve as recommended in the City Manager memorandum dated November 5, 2014. **APPROVED**

L. HMGP Application - Fleming Avenue Pump Station

Staff Contact: John Noble, City Engineer (386-676-3269)

Disposition: Approve as recommended in the City Manager memorandum dated November 5, 2014. **APPROVED**

M. Sungard HTE Maintenance

Staff Contact: Ned Huhta, IT Manager (386-615-7031)

Disposition: Approve as recommended in the City Manager memorandum dated November 5, 2014. **APPROVED**

N. Invitation to Bid – Rehabilitate ATCT Safety NAVCOM Equipment Project. (Bid 2015-14)

Staff Contact: Joe Mannarino, Economic Development Director (386-676-3266)

Disposition: Approve as recommended in the City Manager memorandum dated November 5, 2014. **APPROVED**

O. 2015 City of Ormond Beach Legislative Action Agenda

Staff Contact: Joyce Shanahan, City Manager (386-676-3200)

Disposition: Approve as recommended in the City Manager memorandum dated November 5, 2014. **APPROVED**

8. SECOND READING OF ORDINANCES

A. ORDINANCE NO. 2014-36 : AN ORDINANCE AMENDING THE ANNUAL BUDGET FOR FISCAL YEAR 2013-2014 BY AMENDING THE GENERAL FUND; THE DOWNTOWN DEVELOPMENT FUND; THE STORMWATER FUND; THE AIRPORT FUND; THE PENSION FUND; THE GENERAL CAPITAL IMPROVEMENTS FUND; THE VEHICLE REPLACEMENT FUND; THE TRANSPORTATION FUND; THE RECREATION IMPACT FEE FUND; THE WATER & WASTEWATER OPERATING FUND; THE WATER & WASTEWATER VEHICLE FUND; THE WATER & WASTEWATER RENEWAL & REPLACEMENT FUND; THE WATER & WASTEWATER DEBT SERVICE FUND; THE WATER & WASTEWATER CAPITAL PROJECTS FUND (440); THE WATER & WASTEWATER CAPITAL PROJECTS FUND (442); THE WATER & WASTEWATER CAPITAL PROJECTS FUND (444); THE SOLID WASTE FUND; THE WORKERS COMPENSATION FUND; AND THE GENERAL LIABILITY FUND; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

Staff Contact: Kelly McGuire, Finance Director (386-676-3226)
APPROVED ON SECOND READING

- B. **ORDINANCE NO. 2014-37** : AN ORDINANCE AMENDING SECTION 22-21, MINIMUM DEPOSITS REQUIRED; ADDING SECTION 22-35, SINGLE FAMILY RESIDENTIAL DIRECT READ WATER METER POLICY, OF DIVISION 2, RATES AND CHARGES OF ARTICLE 1, WATER, OF CHAPTER 22, WATER AND SEWERS; AND BY AMENDING SECTION 22-70, DEPOSIT REQUIRED, ESTABLISHED, OF DIVISION 1, GENERALLY, OF ARTICLE II, SEWERS, OF CHAPTER 22, WATER AND SEWERS; AND BY ADDING ARTICLE VIII, DELINQUENT ACCOUNTS, SECTION 22-189, PROVISIONS FOR DELINQUENT ACCOUNTS; CREATION OF LIENS IN THE EVENT OF NONPAYMENT; SUBMISSION TO COLLECTION AGENCY; ADMINISTRATIVE FEE; OF CHAPTER 22, WATER AND SEWERS, OF THE CODE OF ORDINANCES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

Staff Contact: *Kelly McGuire, Finance Director (386-676-3226)*

APPROVED ON SECOND READING

- C. **ORDINANCE NO. 2014-38** : AN ORDINANCE OF THE CITY OF ORMOND BEACH, FLORIDA, AMENDING CHAPTER 12, BUSINESS REGULATIONS, ARTICLE IX, PEDDLERS AND SOLICITORS, OF THE CODE OF ORDINANCES, BY AMENDING TITLE OF ARTICLE IX TO "SOLICITORS"; AMENDING SECTION 12-249, DEFINITIONS; AMENDING SECTION 12-250, PERMITS REQUIRED; AMENDING SECTION 12-251, APPLICATION FOR AND ISSUANCE OF PERMIT; AMENDING SECTION 12-252, PERMIT FEES; AMENDING SECTION 12-253, PERMIT TO BE WORN; BY REPEALING SECTION 12-255, TIMES AND LOCATIONS OF SOLICITATION; SIGNS PROHIBITING; REPEALING SECTION 12-256, SOLICITATION BY LOUD OR UNUSUAL NOISES; REPEALING SECTION 12-257, REQUEST TO CEASE PRESENTATION; REPEALING SECTION 12-258, INTERFERENCE WITH TRAFFIC; CREATING SECTION 12-259, UNLAWFUL SOLICITATION AND PANHANDLING; CREATING SECTION 12-260, ENFORCEMENT; PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE. **(SECOND READING)**

Staff Contact: *Randal Hayes, City Attorney (386-676-3217)*

APPROVED ON SECOND READING

9. RESOLUTIONS

- A. **RESOLUTION NO. 2014-189** : A RESOLUTION AUTHORIZING THE EXECUTION AND ISSUANCE OF A TEMPORARY STRUCTURE DEVELOPMENT ORDER TO ALLOW THE PLACEMENT OF A TEMPORARY MAGNETIC RESONANCE IMAGING (MRI) STRUCTURE FOR NO MORE THAN FOUR YEARS LOCATED AT 801 WEST GRANADA BOULEVARD WITHIN THE B-1 (PROFESSIONAL OFFICE/HOSPITAL) ZONING DISTRICT; WAIVING THE BONDING REQUIREMENTS; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Ric Goss, Planning Director (386-676-3238) **TIED VOTE – PER COMMISSION RULES ITEM WILL BE CONTINUED UNTIL NEXT AVAILABLE REGULAR MEETING WITH ENTIRE COMMISSION PRESENT (12/02/14)**

10. REPORTS, SUGGESTIONS, REQUESTS

11. ADJOURNMENT

Website Address – www.ormondbeach.org

NOTICE – Pursuant to Section 286.0105 of the Florida Statutes, if any person decides to appeal any decision made by the City Commission with respect to any matter considered at this public meeting, such person will need a record of the proceedings and for such purpose, such person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.



For special accommodations, please notify the City Clerk's Office at least 72 hours in advance.
Phone: 386-677-0311



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