



**ACTION REPORT
CITY OF ORMOND BEACH, FLORIDA
CITY COMMISSION MEETING
December 2, 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 Year - Ken Russell
- 5. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA**
- 6. APPROVAL OF MINUTES**
 - A. Minutes from City Commission meeting – November 18, 2014 **APPROVED**
- 7. COMMUNITY REDEVELOPMENT AGENCY**
 - A. **RESOLUTION NO. 2014-195** : A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, ACCEPTING A PROPOSAL FROM ZEV COHEN & ASSOCIATES, INC. FOR ENGINEERING SERVICES REGARDING THE GRANADA BRIDGE AESTHETIC LIGHTING PROJECT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE. **(SEE ITEM 8A)**

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

8. 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. 2014-195** : A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, ACCEPTING A PROPOSAL FROM ZEV COHEN & ASSOCIATES, INC. FOR ENGINEERING SERVICES REGARDING THE GRANADA BRIDGE AESTHETIC LIGHTING PROJECT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

- B. **RESOLUTION NO. 2014-196** : A RESOLUTION APPROVING SKYO INDUSTRIES, 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**

- C. **RESOLUTION NO. 2014-197** : A RESOLUTION ACCEPTING A BID FROM D & W PAVING, INC. FOR CONSTRUCTION SERVICES REGARDING THE NOVA COMMUNITY PARK PAVING IMPROVEMENTS PROJECT, UNDER BID NO. 2015-04; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; REJECTING ALL OTHER BIDS; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

- D. **RESOLUTION NO. 2014-165** : A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT RENEWAL OF A TOWING RELATED SERVICES CONTRACT BETWEEN THE CITY OF ORMOND BEACH AND UNIVERSAL TOWING, INC.; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

- E. **RESOLUTION NO. 2014-198** : A RESOLUTION AUTHORIZING THE EXECUTION OF A RELEASE OF SPECIAL MAGISTRATE ADMINISTRATIVE FINE/LIEN FOR CODE VIOLATIONS ON PROPERTY LOCATED AT 7 QUEEN ANN COURT, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA (PARCEL ID NO. 4241-30- 00-0120); AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *Joanne Naumann, Neighborhood Improvement Manager (386-615-7069)* **APPROVED**

- F. **RESOLUTION NO. 2014-199** : A RESOLUTION RATIFYING THE EXECUTION OF A RELEASE AND SATISFACTION OF A SPECIAL MASTER ADMINISTRATIVE FINE/LIEN FOR CODE VIOLATIONS AND CASE COSTS ON PROPERTY LOCATED AT 186 KENILWORTH AVENUE, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *Joanne Naumann, Neighborhood Improvement Manager (386-615-7069)* **APPROVED**

- G. **RESOLUTION NO. 2014-200** : A RESOLUTION ACCEPTING THE PROPOSAL OF UNIFIRST CORPORATION REGARDING UNIFORM RENTAL AND CLEANING SERVICES; AUTHORIZING THE EXECUTION OF AN AGREEMENT AND PAYMENT THEREFOR; REJECTING ALL OTHER PROPOSALS; AND SETTING FORTH AN EFFECTIVE DATE.

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

- H. **RESOLUTION NO. 2014-201** : A RESOLUTION AUTHORIZING THE SUBMITTAL OF AN ONLINE GRANT APPLICATION TO THE U.S. DEPARTMENT OF HOMELAND SECURITY, UNDER THE ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM, FOR FUNDING ASSISTANCE TO PURCHASE PERSONAL PROTECTIVE EQUIPMENT, TRAINING EQUIPMENT AND AN EXHAUST REMOVAL SYSTEM; AUTHORIZING THE EXECUTION OF ALL DOCUMENTS INCIDENTAL THERETO, INCLUDING ANY CONTRACT NECESSARY FOR THE CITY TO ACCEPT THE GRANT AWARD; AND SETTING FORTH AN EFFECTIVE DATE.

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

- I. **RESOLUTION NO. 2014-202** : A RESOLUTION APPROVING A SETTLEMENT OF A PERSONAL INJURY CLAIM FILED BY SHIRLEY C. GAY; AUTHORIZING THE EXECUTION OF ALL PAPERS NECESSARY AND INCIDENTAL THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

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

- J. **Auto-Renewal Golden Eagle Associates Inc.**
Staff Contact: Robert Carolin, Leisure Services Director (386-676-3279)
Disposition: Approve as recommended in the City Manager memorandum dated December 2, 2014. **APPROVED**
- K. **Auto Renewal Contract OB Historical Trust, Inc.**
Staff Contact: Robert Carolin, Leisure Services Director (386-676-3279)
Disposition: Approve as recommended in the City Manager memorandum dated December 2, 2014. **APPROVED**
- L. **Auto Renewal Contract OBYBSA**
Staff Contact: Robert Carolin, Leisure Services Director (386-676-3279)
Disposition: Approve as recommended in the City Manager memorandum dated December 2, 2014. **APPROVED**
- M. **Fireworks by Santore, Inc. Contract Auto-Renew**
Staff Contact: Robert Carolin, Leisure Services Director (386-676-3279)
Disposition: Approve as recommended in the City Manager memorandum dated December 2, 2014. **APPROVED**
- N. **RFP 2015-19 Miscellaneous Electrical Services (As Needed)**
Staff Contact: Robert Carolin, Leisure Services Director (386-676-3279)
Disposition: Approve as recommended in the City Manager memorandum dated December 2, 2014. **APPROVED**
- O. **Request for Proposals for Mobile Repair and Preventative Maintenance of City Vehicles**
Staff Contact: Theodore MacLeod, Assistant City Manager (386-676-3200)
Disposition: Approve as recommended in the City Manager memorandum dated December 2, 2014. **APPROVED**
- P. **Backflow Prevention Device Testing, Certification and Repair Services**
Staff Contact: Dave Ponitz, Utilities Manager (386-676-3305)
Disposition: Approve as recommended in the City Manager memorandum dated December 2, 2014. **APPROVED**

Q. Pressure Main Cleaning Services

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

Disposition: Approve as recommended in the City Manager memorandum dated December 2, 2014. **APPROVED**

R. Laurel Oaks Stormdrain Extension

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

Disposition: Approve as recommended in the City Manager memorandum dated December 2, 2014. **APPROVED**

9. PUBLIC HEARINGS

A. ORDINANCE NO. 2014-39 : AN ORDINANCE AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS OF ARTICLE II, DISTRICT REGULATIONS, SECTIONS 2-25(C) AND (D), CENTRAL BUSINESS (B-4), SECTIONS 2-26(C) AND (D), SERVICE COMMERCIAL (B-5), SECTIONS 2-28(C) AND (D), HIGHWAY TOURIST COMMERCIAL (B-7), AND SECTIONS 2-29(C) AND (D), COMMERCIAL (B-8) TO DELETE THE PERSONAL SERVICES USE AND ADD THE PERSONAL SERVICES USE AS A CONDITIONAL USE WITHIN THE ZONING DISTRICTS; AND BY AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS OF ARTICLE IV CONDITIONAL AND SPECIAL EXCEPTION REGULATIONS, SECTION 2-57, CRITERIA FOR REVIEW OF SPECIFIC CONDITIONAL AND SPECIAL EXCEPTION, BY ESTABLISHING CRITERIA FOR PERSONAL SERVICES USES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Ric Goss, Planning Director (386-676-3238)

APPROVED ON FIRST READING

B. ORDINANCE NO. 2014-40 : AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF ARTICLE 1, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY AMENDING THE OFFICIAL ZONING MAP TO REZONE A CERTAIN PARCEL OF REAL PROPERTY TOTALING APPROXIMATELY 2.47-ACRES LOCATED AT 1301 WEST GRANADA BOULEVARD, FROM SR (SUBURBAN RESIDENTIAL) TO PBD (PLANNED BUSINESS DEVELOPMENT), AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Ric Goss, Planning Director (386-676-3238)

APPROVED ON FIRST READING

- C. **ORDINANCE NO. 2014-41** : AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A PLANNED BUSINESS DEVELOPMENT TO BE KNOWN AS “BOULEVARD SHOPPES”, AUTHORIZING THE CONSTRUCTION OF A 11,995 SQUARE-FOOT SHOPPING CENTER WITH ASSOCIATED SITE IMPROVEMENTS TO BE LOCATED AT 1301 WEST GRANADA BOULEVARD; AUTHORIZING A LANDSCAPE BUFFER WAIVER AND A WALL AND FENCE WAIVER; ESTABLISHING CONDITIONS AND EXPIRATIONS OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Ric Goss, Planning Director (386-676-3238)

APPROVED ON FIRST READING

- D. **RESOLUTION NO. 2014-203** : A RESOLUTION AUTHORIZING THE ACCEPTANCE OF AN EASEMENT AGREEMENT FOR INGRESS, EGRESS AND ACCESS, AND UNDERGROUND WATER WELL FROM DEMER ORMOND BEACH DEVELOPMENT, INC, SATISFYING A SITE PLAN REVIEW COMMITTEE CONDITION FOR THE PROPOSED “ZAXBY’S” TO PERMIT THE CITY OF ORMOND BEACH ACCESS TO MAINTAIN PUBLIC UTILITIES LOCATED ON PROPERTY AT 1287 WEST GRANADA BOULEVARD; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Ric Goss, Planning Director (386-676-3238)

APPROVED

- E. **ORDINANCE NO. 2014-42** : AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT AND THE INTERGOVERNMENTAL COORDINATION ELEMENT OF THE COMPREHENSIVE PLAN BY INCORPORATING THE PROVISIONS OF THE NORTH US HIGHWAY 1 INTERLOCAL SERVICE BOUNDARY AGREEMENT (ISBA) BETWEEN THE CITY OF ORMOND BEACH AND THE COUNTY OF VOLUSIA; PROVIDING FOR TRANSMITTING COPIES OF THE NOTICE AND AMENDMENT TO THE STATE REVIEWING AGENCIES, THE COUNTY OF VOLUSIA, AND ANY OTHER LOCAL GOVERNMENT OR GOVERNMENTAL AGENCY REQUESTING A COPY; PROVIDING FOR PUBLIC HEARINGS; PROVIDING FOR CONFLICTING ORDINANCES; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Ric Goss, Planning Director (386-676-3238)

APPROVED ON FIRST READING

- F. **ORDINANCE NO. 2014-43** : AN ORDINANCE ADOPTING CERTAIN AMENDMENTS TO THE FUTURE LAND USE ELEMENT, TO THE CONSERVATION ELEMENT, AND TO THE FUTURE LAND USE MAP OF THE CITY OF ORMOND BEACH COMPREHENSIVE PLAN; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Ric Goss, Planning Director (386-676-3238)

APPROVED ON FIRST READING

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



Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained from the City Clerk's Office.

In accordance with the Americans with Disabilities Act (ADA), persons with a disability, such as a vision, hearing or speech impairment, or persons needing other types of assistance, and who wish to attend City Commission meetings or any other board or committee meeting may contact the City Clerk's Office in writing, or may call 386-677-0311 for information regarding available aids and services.