



**ACTION REPORT
CITY OF ORMOND BEACH, FLORIDA
CITY COMMISSION MEETING
September 20, 2016
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. ADOPTION OF FY 2016-2017 MILLAGE RATES AND BUDGET**
 - A. RESOLUTION NO. 2016-130 : A RESOLUTION ESTABLISHING THE FINAL MILLAGE RATES TO BE LEVIED FOR FISCAL YEAR 2016-2017; DIRECTING CERTIFICATION; EXPRESSING LEGISLATIVE INTENT; AND SETTING FORTH AN EFFECTIVE DATE.**

Staff Contact: Kelly McGuire, Finance Director (386-676-3226)
APPROVED
 - B. ORDINANCE NO. 2016-27 : AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE 2016-2017 FISCAL YEAR BEGINNING OCTOBER 1, 2016 AND ENDING SEPTEMBER 30, 2017; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE. (SECOND READING)**

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

5. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA

6. APPROVAL OF MINUTES

A. Minutes from City Commission meeting – September 6, 2016 **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. 2016-123** : A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA REQUESTING AN EASEMENT FROM THE STATE OF FLORIDA, BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND (“TIITF”), FOR THE PURPOSE OF CONSTRUCTION, OPERATION, AND MAINTENANCE OF UTILITIES ON STATE OWNED PROPERTY; AND SETTING FORTH AN EFFECTIVE DATE.

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

B. **RESOLUTION NO. 2016-124** : A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A PUBLIC UTILITY, ACCESS AND MAINTENANCE EASEMENT DEED FROM KINGSTON SHORES MANAGEMENT ASSOCIATION, INC., TO ALLOW FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE OF PUBLIC UTILITIES ON PROPERTY LOCATED AT 5500 OCEAN SHORE BOULEVARD; AND SETTING FORTH AN EFFECTIVE DATE.

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

C. **RESOLUTION NO. 2016-131** : A RESOLUTION AUTHORIZING THE EXECUTION OF A WATER, SEWER AND ANNEXATION AGREEMENT BETWEEN THE CITY OF ORMOND BEACH AND ROSEMARY K. MCNALLY, TRUSTEE OF THE ROSEMARY K. MCNALLY REVOCABLE TRUST DATED FEBRUARY 13, 1998 FOR PROPERTY LOCATED AT 144 COQUINA KEY DRIVE, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA; PROVIDING FOR RECORDATION; AND SETTING FORTH AN EFFECTIVE DATE.

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

- D. **RESOLUTION NO. 2016-132** : A RESOLUTION ESTABLISHING A RECLAIMED WATER CONNECTION INCENTIVE PROGRAM ON A TEMPORARY BASIS; AUTHORIZING THE IMPLEMENTATION THEREOF; ESTABLISHING A DURATION FOR THE PROGRAM; ESTABLISHING CONDITIONS; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

- E. **RESOLUTION NO. 2016-133** : A RESOLUTION AUTHORIZING A COST OF LIVING INCREASE BASED ON THE CONSUMER PRICE INDEX PURSUANT TO THE AMENDMENT AND RESTATEMENT OF AGREEMENT FOR FIELD MAINTENANCE SERVICES BETWEEN THE CITY OF ORMOND BEACH AND AUSTIN OUTDOOR, LLC D/B/A YELLOWSTONE LANDSCAPE, INC.; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *Robert Carolin, Leisure Services Director (386-676-3279)* **APPROVED**

- F. **RESOLUTION NO. 2016-134** : A RESOLUTION AUTHORIZING THE EXECUTION OF A COOPERATIVE ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE CITY AND TEAM VOLUSIA ECONOMIC DEVELOPMENT CORPORATION; SETTING FORTH AN EFFECTIVE DATE.

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

- G. **RESOLUTION NO. 2016-135** : A RESOLUTION ACCEPTING THE PROPOSAL OF BERRY DUNN MCNEIL & PARKER, LLC FOR PROJECT MANAGEMENT SERVICES REGARDING IMPLEMENTATION OF AN ENTERPRISE RESOURCE SYSTEM; AUTHORIZING THE EXECUTION OF AN AGREEMENT AND PAYMENT THEREFOR; REJECTING ALL OTHER PROPOSALS; AND SETTING FORTH AN EFFECTIVE DATE.

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

- H. **RESOLUTION NO. 2016-136** : A RESOLUTION APPROVING THE TRAFFIC CONTROL AGREEMENT FOR DESTINATION DAYTONA LANE; AND AUTHORIZING THE EXECUTION OF SUCH; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *Jesse Godfrey, Police Chief (386-676-3525)* **APPROVED**

- I. **RESOLUTION NO. 2016-137** : A RESOLUTION PURSUANT TO SECTION 14-98, LIENS, OF THE CITY OF ORMOND BEACH CODE OF ORDINANCES AUTHORIZING THE IMPOSITION OF A LIEN AGAINST THE REAL PROPERTY OWNED BY JOHN L. LILLY, SR. LOCATED AT 204 N. RIDGEWOOD AVENUE, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA (PARCEL ID NO. 4215-01-01-0010) FOR COSTS INCURRED BY THE CITY TO TERMINATE OR ABATE A SITE MAINTENANCE VIOLATION; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Chris Mason, Neighborhood Improvement Manager (386-676-3352) **APPROVED**

- J. **RESOLUTION NO. 2016-138** : A RESOLUTION AMENDING THE DATES AND TIMES FOR THE HOLDING OF REGULAR MEETINGS OF THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA, FOR THE MONTH OF OCTOBER 2016; PROVIDING FOR EXCEPTIONS THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Scott McKee, City Clerk (386-676-3340) **APPROVED**

- K. **RESOLUTION NO. 2016-139** : A RESOLUTION ACCEPTING PROPOSALS FOR THE PROVISION OF VARIOUS FORMS OF INSURANCE COVERAGE, INCLUDING PROPERTY, INLAND MARINE, CRIME, AUTO PHYSICAL DAMAGE, EXCESS WORKERS' COMPENSATION, PUBLIC OFFICIALS AND EMPLOYMENT PRACTICES LIABILITY, ACCIDENTAL DEATH AND DISMEMBERMENT (POLICE OFFICERS AND FIREFIGHTERS), POLLUTION, PROFESSIONAL LIABILITY (EMT AND PARAMEDICS), AND TULIP (SPECIAL EVENT) INSURANCE COVERAGES; AUTHORIZING THE EXECUTION OF DOCUMENTS RELATIVE THERETO; AUTHORIZING PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Claire Whitley, Human Resources Director (386-676-3202) **APPROVED**

- L. **RESOLUTION NO. 2016-140** : A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A GRANT AWARD FROM THE STATE OF FLORIDA, OFFICE OF THE ATTORNEY GENERAL REGARDING FUNDING FOR THE CITY'S VICTIM'S ADVOCATE PROGRAM; 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 Moisiso, Grants Coordinator/PIO (386-676-3315) **APPROVED**

- M. **Auto Renew Contract - Aquatic Weed Maintenance and Ditch Cleaning**

Staff Contact: Kevin Gray, Public Works Operations Manager (386-676-3522) **APPROVED**

Disposition: Approve as recommended in the City Manager memorandum dated September 20, 2016.
APPROVED

N. C & D Franchise Renewal for Waste Management, Inc. of Florida

Staff Contact: Kevin Gray, Public Works Operations Manager (386-676-3522)

Disposition: Approve as recommended in the City Manager memorandum dated September 20, 2016.
APPROVED

O. Auto Renew Contracts - National Metering Service

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

Disposition: Approve as recommended in the City Manager memorandum dated September 20, 2016.
APPROVED

P. Riverside Drive Closures 2016-17

Staff Contact: Robert Carolin, Leisure Services Director (386-676-3279)

Disposition: Approve as recommended in the City Manager memorandum dated September 20, 2016.
APPROVED

8. PUBLIC HEARINGS

A. ORDINANCE NO. 2016-28 : AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA, VACATING PENNSYLVANIA AVENUE, A PLATTED UNIMPROVED SIXTY (60') FOOT RIGHT-OF-WAY LYING SOUTH OF 1670 NORTH U.S. HIGHWAY 1, NORTH OF 1662 NORTH U.S. HIGHWAY 1, AND NORTH OF A VACANT UN-ADDRESSED PARCEL; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR RECORDATION AND TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE. (SECOND READING)

Staff Contact: Ric Goss, Planning Director (386-676-3238)
APPROVED ON SECOND READING

- B. **ORDINANCE NO. 2016-29** : AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF A FIRST AMENDED AND RESTATED DEVELOPMENT ORDER FOR A PLANNED RESIDENTIAL DEVELOPMENT KNOWN AS "PINELAND" TO BE LOCATED NORTH OF AIRPORT ROAD, EAST OF INTERSTATE 95, SOUTH OF THE CITY'S BUSINESS PARK, AND WEST OF THE ORMOND GREEN SUBDIVISION AND PINE TRAILS SUBDIVISIONS; RATIFYING AND AFFIRMING THE DEVELOPMENT ORDER APPROVED BY ORDINANCE 2008-44, ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

APPROVED ON SECOND READING

- C. **ORDINANCE NO. 2016-31** : AN ORDINANCE AMENDING SUBSECTION A, ZONING MAP, OF SECTION 2-03, OFFICIAL ZONING MAP AND ZONING DISTRICT, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE 1, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF THE LAND DEVELOPMENT CODE, BY AMENDING THE OFFICIAL ZONING MAP TO REZONE A 28.65-ACRE PARCEL OF REAL PROPERTY FROM SR (SUBURBAN RESIDENTIAL) TO PRD (PLANNED RESIDENTIAL DEVELOPMENT), SAID REAL PROPERTY BEING LOCATED AT 355 CLYDE MORRIS BOULEVARD, ALONG THE EAST SIDE OF CLYDE MORRIS BOULEVARD, APPROXIMATELY 1,250 LINEAR FEET SOUTH OF THE INTERSECTION OF CLYDE MORRIS BOULEVARD AND HAND AVENUE, ESTABLISHING BOUNDARIES; AUTHORIZING REVISION OF THE OFFICIAL ZONING MAP; APPROVING A DEVELOPMENT ORDER FOR A PLANNED RESIDENTIAL DEVELOPMENT TO BE KNOWN AS "CYPRESS TRAILS" SUBDIVISION; REPEALING ALL INCONSISTENT ORDINANCE OR PART THEREOF, AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED ON FIRST READING

- D. **ORDINANCE NO. 2016-32** : AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF ORMOND BEACH BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF ONE (1) PARCEL OF REAL PROPERTY TOTALING 0.15± ACRES LOCATED AT 26 PLAZA DRIVE, FROM VOLUSIA COUNTY "URBAN MEDIUM INTENSITY" (UMI) TO ORMOND BEACH "LOW DENSITY RESIDENTIAL" (LDR); PROVIDING FOR CONFLICT; AUTHORIZING TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED ON FIRST READING

- E. **ORDINANCE NO. 2016-33** : AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF ORMOND BEACH BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF ONE (1) PARCEL OF REAL PROPERTY TOTALING 4.14± ACRES LOCATED AT 1195 ROBERTS STREET, FROM VOLUSIA COUNTY "URBAN LOW INTENSITY" (ULI) TO ORMOND BEACH "LOW DENSITY RESIDENTIAL" (LDR) FOR 2.79± ACRES AND FROM ORMOND BEACH "LIGHT INDUSTRIAL/UTILITIES" (LI/U) TO ORMOND BEACH "LOW DENSITY RESIDENTIAL" (LDR) FOR 1.35± ACRES; PROVIDING FOR CONFLICT; AUTHORIZING TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED ON FIRST READING

- F. **ORDINANCE NO. 2016-34** : AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF ORMOND BEACH BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF ONE (1) PARCEL OF REAL PROPERTY TOTALING 0.20± ACRES LOCATED EAST OF 1245 WEST GRANADA BOULEVARD AND WEST OF 1245 WEST GRANADA BOULEVARD, VOLUSIA COUNTY PROPERTY APPRAISER PARCEL NUMBER 4230-00-00-0051 FROM "PUBLIC/INSTITUTIONAL" (PI) TO "RESIDENTIAL, OFFICE, RETAIL" (ROR); PROVIDING FOR CONFLICT; AUTHORIZING TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED ON FIRST READING

- G. **ORDINANCE NO. 2016-35** : AN ORDINANCE APPROVING THE FINAL PLAT FOR "RIVER OAKS OF ORMOND BEACH PHASE-II" SUBDIVISION; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED ON FIRST READING

9. SECOND READING OF ORDINANCES

- A. **ORDINANCE NO. 2016-30** : AN ORDINANCE AMENDING SECTION 22-115, FEE IMPOSED; SCHEDULE; OF CHAPTER 22, WATER AND SEWERS, OF THE CODE OF ORDINANCES, BY INCREASING THE WATER AND SEWER SERVICE IMPACT FEES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

APPROVED ON SECOND 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.