



**ACTION REPORT
CITY OF ORMOND BEACH, FLORIDA
CITY COMMISSION MEETING
October 18, 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. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA**
- 5. APPROVAL OF MINUTES**

A. Minutes from City Commission meeting – October 3, 2016 **APPROVED**

6. 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. 2016-143** : A RESOLUTION AUTHORIZING THE EXECUTION AND TRANSMITTAL OF A TEMPORARY CONSTRUCTION EASEMENT DEED IN FAVOR OF RPA VESTMENTS, LLC, A FLORIDA LIMITED LIABILITY COMPANY ON PROPERTY LOCATED AT 900 WEST GRANADA BOULEVARD (PARCEL ID 4220-02-05-0120); PROVIDING FOR EXPIRATION; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

- B. **RESOLUTION NO. 2016-144** : A RESOLUTION AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION UNDER THE FLORIDA RECREATION DEVELOPMENT ASSISTANCE PROGRAM FOR FUNDING ASSISTANCE REGARDING NEW LIGHTING FOR THE TENNIS COURTS AT NOVA COMMUNITY PARK; 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**

- C. **RESOLUTION NO. 2016-146** : A RESOLUTION ACCEPTING A PROPOSAL FROM FLORIDA HEALTH CARE PLANS, INC. FOR THE PROVISION OF EMPLOYEE HEALTH/MEDICAL BENEFIT SERVICES; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; REJECTING ALL OTHER PROPOSALS; AND SETTING FORTH AN EFFECTIVE DATE.

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

- D. **RESOLUTION NO. 2016-147** : A RESOLUTION ACCEPTING A PROPOSAL FROM HUMANA, INC. FOR THE PROVISION OF EMPLOYEE VISION INSURANCE BENEFITS; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; REJECTING ALL OTHER PROPOSALS; AND SETTING FORTH AN EFFECTIVE DATE.

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

- E. **RESOLUTION NO. 2016-148** : A RESOLUTION APPROVING A SETTLEMENT OF A PERSONAL INJURY CLAIM FILED BY DANIEL L. DRUCKENMILLER; 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**

- F. **RESOLUTION NO. 2016-149** : A RESOLUTION AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING WITH THE COUNTY OF VOLUSIA REGARDING SEVERE STORM DEBRIS REMOVAL ON CITY AND COUNTY RIGHT-OF-WAYS AND COOPERATIVE ASSISTANCE WITH FEMA REIMBURSEMENT; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Ann-Margret Emery, Deputy City Attorney (386-676-3218) **APPROVED**

G. Proposal for Review and Recodification of Land Development Code

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

Disposition: Approve as recommended in the City Attorney memorandum dated October 18, 2016. **APPROVED**

H. Sanitary Sewer System Pipe Inspection, Bid Disposition

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

Disposition: Approve as recommended in the City Manager memorandum dated October 18, 2016. **APPROVED**

7. PUBLIC HEARINGS

A. ORDINANCE NO. 2016-36 : AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF ARTICLE I, 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 CERTAIN REAL PROPERTY TOTALING 0.20± ACRES LOCATED EAST OF 1245 WEST GRANADA BOULEVARD AND WEST OF 1225 WEST GRANADA BOULEVARD, VOLUSIA COUNTY PROPERTY APPRAISER PARCEL NUMBER 4230-00-00-0051 FROM SR (SUBURBAN RESIDENTIAL) TO B-10 (SUBURBAN BOULEVARD), 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

B. ORDINANCE NO. 2016-37 : AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF ARTICLE I, 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 CERTAIN REAL PROPERTY TOTALING 0.15± ACRES LOCATED AT 26 PLAZA DRIVE FROM VOLUSIA COUNTY URBAN SINGLE-FAMILY RESIDENTIAL (R-4) TO ORMOND BEACH SINGLE-FAMILY LOW-MEDIUM DENSITY (R-2.5), 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. 2016-38** : AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF ARTICLE I, 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 CERTAIN REAL PROPERTY TOTALING 4.14± ACRES LOCATED AT 1195 ROBERTS STREET FROM VOLUSIA COUNTY URBAN SINGLE-FAMILY RESIDENTIAL (R-3) AND CITY INTERLOCAL SERVICE BOUNDARY AGREEMENT AREA LIGHT INDUSTRIAL (I-1) TO ORMOND BEACH SINGLE-FAMILY MEDIUM DENSITY (R-3), 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

- D. **ORDINANCE NO. 2016-39** : AN ORDINANCE AMENDING PARAGRAPH "N" COMPENSATORY STORAGE, OF SUB-PART (2) SPECIFIC STANDARDS, OF SUB-SECTION (D) FLOOD HAZARD REDUCTION STANDARDS, OF ARTICLE II ENVIRONMENTAL PROTECTION STANDARDS, OF CHAPTER 3, PERFORMANCE STANDARDS OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE; BY ELIMINATING THE PAYMENT-IN-LIEU OF PROVIDING ON-SITE COMPENSATORY STORAGE MITIGATION FOR THE DEVELOPMENT OF CERTAIN LANDS IN THE FLOODPLAIN; PROVIDING VESTING FOR CERTAIN DEVELOPMENTS THAT HAVE FILED WITH THE PLANNING DEPARTMENT FULLY COMPLETED DEVELOPMENT APPLICATIONS; 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

- E. **RESOLUTION NO. 2016-145** : A RESOLUTION AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A SPECIAL EXCEPTION FOR A SIGN VARIANCE AT 5 SOUTH YONGE STREET TO ALLOW A GROUND SIGN AT TEN (10') FEET IN HEIGHT WHERE SECTION 3-47(B)(2)(A) OF THE LAND DEVELOPMENT CODE ALLOWS A MAXIMUM MONUMENT SIGN HEIGHT OF EIGHT (8') FEET BASED ON SITE CONDITIONS ; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE

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

APPROVED

8. FIRST READING OF ORDINANCES

- A. **ORDINANCE NO. 2016-40** : AN ORDINANCE AMENDING CHAPTER 8, BUILDINGS AND CONSTRUCTION REGULATIONS, ARTICLE I, IN GENERAL, SECTION 8-10, APPLICATION PROCESSING FEES; BY DELETING SUBSECTION (P) 3, COMPENSATING STORAGE MITIGATION OF THE CITY CODE OF ORDINANCES; 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. 2016-41** : AN ORDINANCE ENACTING TEMPORARY EMERGENCY ADMINISTRATIVE PROCEDURES TO PROVIDE FOR THE EXPEDITIOUS AND COORDINATED MANAGEMENT OF BUILDING PERMIT APPLICATIONS AND FEES; WAIVING SPECIFIC PERMITS AND FEES ISSUED FOR THE REMOVAL OF CERTAIN TREES; ESTABLISHING A METHOD OF ENFORCEMENT OF THE FLORIDA BUILDING CODE SUCH THAT ON-SITE PERMITS MAY BE ISSUED BY APPROPRIATE CITY STAFF FOR REPAIR OF DAMAGE CAUSED BY HURRICANE MATTHEW; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY, AND SETTING FORTH AN EFFECTIVE DATE. **(FIRST AND FINAL READING)**

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

APPROVED ON FIRST AND FINAL READING

- C. **ORDINANCE NO. 2016-42** : AN ORDINANCE OF THE CITY OF ORMOND BEACH, FLORIDA, FURTHER AMENDING ARTICLE III, FIREFIGHTERS' PENSION TRUST FUND, OF CHAPTER 16, PENSIONS AND RETIREMENT, OF THE CODE OF ORDINANCES; AMENDING SECTION 16-40, DEFINITIONS AMENDING THE DEFINITIONS OF "CREDITED SERVICE", "FIREFIGHTER", "SALARY" AND "SPOUSE"; AMENDING SECTION 16-45, BENEFIT AMOUNTS AND ELIGIBILITY; AMENDING SECTION 16-47, DISABILITY; AMENDING SECTION 16-49, OPTIONAL FORMS OF BENEFITS; AMENDING SECTION 16-54, MAXIMUM PENSION; AMENDING SECTION 16-66, PRIOR FIRE SERVICE; AMENDING SECTION 16-67, DEFERRED RETIREMENT OPTION PLAN; ADDING NEW SECTION 16-70, SUPPLEMENTAL BENEFIT COMPONENT FOR SPECIAL BENEFITS; CHAPTER 175 SHARE ACCOUNTS; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE.

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

APPROVED ON FIRST READING

- D. **ORDINANCE NO. 2016-43** : AN ORDINANCE AMENDING THE ANNUAL BUDGET FOR FISCAL YEAR 2015-2016 BY AMENDING THE GENERAL FUND; THE DOWNTOWN REDEVELOPMENT TRUST FUND; THE ORMOND CROSSINGS TRUST FUND; THE ECONOMIC DEVELOPMENT FUND; THE PENSION CONTRIBUTION PASS THROUGH FUND; THE FINANCING DEBT SERVICE FUND; THE CAPITAL IMPROVEMENTS FUND; THE EQUIPMENT RENEWAL & REPLACEMENT FUND; THE WATER & WASTEWATER FUND; THE VEHICLE REPLACEMENT FUND; THE WATER & WASTEWATER RENEWAL & REPLACEMENT FUND; THE 2008 WATER & WASTEWATER CONSTRUCTION FUND; THE WATERMAIN PHASE II FUND; AND SETTING FORTH AN EFFECTIVE DATE.

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

- E. **ORDINANCE NO. 2016-44** : AN ORDINANCE ADOPTING AND ENACTING A NEW CODE OF ORDINANCES FOR THE CITY OF ORMOND BEACH; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR VIOLATIONS THEREOF; PROVIDING THE MANNER FOR AMENDING SAID CODE; PROVIDING AN EFFECTIVE DATE FOR SAID CODE; AND PROVIDING AN EFFECTIVE DATE FOR THIS ORDINANCE.

Staff Contact: Randal Hayes, City Attorney (386-676-3217)
APPROVED ON FIRST READING

9. REPORTS, SUGGESTIONS, REQUESTS

10. 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.