



**ACTION REPORT
CITY OF ORMOND BEACH, FLORIDA
CITY COMMISSION MEETING
November 1, 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. PRESENTATIONS AND PROCLAMATIONS

A. Employee of the Quarter - Marty Hayes

5. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA

6. APPROVAL OF MINUTES

A. Minutes from City Commission meeting – October 18, 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. 2016-150** : A RESOLUTION OF THE CITY OF ORMOND BEACH ENDORSING THE CITY'S 2017-2019 STRATEGIC ECONOMIC DEVELOPMENT PLAN; AND SETTING FORTH AN EFFECTIVE DATE.

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

- B. **RESOLUTION NO. 2016-151** : A RESOLUTION AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT BETWEEN THE CITY AND ST. JOHN'S RIVER WATER MANAGEMENT DISTRICT FOR FUNDING ASSISTANCE RELATIVE TO THE EXTENSION OF THE RECLAIMED WATER SYSTEM ON THE SOUTH PENINSULA; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

- C. **RESOLUTION NO. 2016-152** : 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. 2016-37; AUTHORIZING THE APPROVAL OF REQUISITION #0000014779 AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

- D. **RESOLUTION NO. 2016-153** : A RESOLUTION AUTHORIZING THE EXECUTION OF A HIGHWAY MAINTENANCE MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF ORMOND BEACH AND THE FLORIDA DEPARTMENT OF TRANSPORTATION; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

- E. **RESOLUTION NO. 2016-154** : A RESOLUTION APPROVING AND ADOPTING THE OFFICIAL ORGANIZATIONAL CHART OF THE CITY OF ORMOND BEACH; REPEALING ALL INCONSISTENT RESOLUTIONS OR PARTS THEREOF; SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

- F. **RESOLUTION NO. 2016-156** : A RESOLUTION ACCEPTING A PROPOSAL FROM FLORIDA HOSPITAL MEMORIAL MEDICAL CENTER FOR THE PROVISION OF EMPLOYEE HEALTH CARE 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

- G. **RESOLUTION NO. 2016-157** : A RESOLUTION RELATING TO REMOVAL OF STORM DEBRIS GENERATED BY HURRICANE MATTHEW LOCATED ON PRIVATE RIGHT OF WAYS, AND PROVIDING FOR THE DETERMINATION OF PUBLIC INTEREST, DOCUMENTATION OF LEGAL RESPONSIBILITY, INDEMNIFICATION, AVOIDANCE OF DUPLICATION OF BENEFITS AND PROPER PROCUREMENT AS REQUIRED BY FEMA REGULATIONS TO AUTHORIZE AND FUND DEBRIS REMOVAL ON SUCH ROADS, AND SETTING FORTH AN EFFECTIVE DATE.

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

- H. **Renewal of Non-Exclusive Franchise Agreement with E & J Recycling and Disposal Service, LLC**

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

Disposition: Approve as recommended in the City Manager memorandum dated November 1, 2016. **APPROVED**

- I. **Renewal of Non-Exclusive Franchise Agreement with Sunshine Recycling Inc**

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

Disposition: Approve as recommended in the City Manager memorandum dated November 1, 2016. **APPROVED**

- J. **Emergency Procurement - Hurricane Matthew - Thompson Consulting Services, LLC.**

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

Disposition: Approve as recommended in the City Manager memorandum dated November 1, 2016. **APPROVED**

- K. **Emergency Procurement - Grant Management Services**

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

Disposition: Approve as recommended in the City Manager memorandum dated November 1, 2016. **APPROVED**

8. PUBLIC HEARINGS

- A. **ORDINANCE NO. 2016-01** : AN ORDINANCE AMENDING CHAPTER 8-1, TELECOMMUNICATIONS SERVICE PROVIDERS; ARTICLE I, GENERAL PROVISIONS, SECTIONS 8.1-3 DEFINITIONS AND 8.1-4 REGISTRATIONS; ARTICLE III, CONSTRUCTION, UNDERGROUND INSTALLATION AND RELOCATION, SECTION 8.1-8 USE OF RIGHTS-OF-WAY; ARTICLE IV COMPLIANCE WITH OTHER LAWS, LIABILITIES AND REMEDIES, SECTION 8.1-14 ENFORCEMENT REMEDIES; AND ARTICLE V MISCELLANEOUS PROVISIONS, SECTION 8.1-17 RESERVATION OF RIGHTS, OF THE CITY CODE OF ORDINANCES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

- B. **ORDINANCE NO. 2016-36** : 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. **(SECOND READING)**

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

- C. **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. **(SECOND READING)**

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

APPROVED ON SECOND READING

- D. **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. **(SECOND READING)**

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

APPROVED ON SECOND READING

- E. **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. **(SECOND READING)**

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

APPROVED ON SECOND READING

- F. **RESOLUTION NO. 2016-155** : A RESOLUTION OF THE CITY OF ORMOND BEACH, FLORIDA ADOPTING THE 2016-2026 BIKE PLAN AS AN EXPRESSION OF THE CITY COMMISSION'S VISION TO ENHANCE CONNECTIVITY BETWEEN PUBLIC DESTINATION POINTS WITHIN THE CITY; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

9. SECOND 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. **(SECOND READING)**

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

APPROVED ON SECOND READING

- B. **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. **(SECOND READING)**

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

APPROVED ON SECOND READING

- C. **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. **(SECOND READING)**

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

APPROVED ON SECOND READING

- D. **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. **(SECOND READING)**

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

APPROVED ON SECOND READING

10. STAFF ACTION ITEMS

A. Public Dog Park Project

Staff Contact: Randal Hayes, City Attorney (386-676-3217)
MOTION TO ACCEPT STAFF REPORT - APPROVED

B. Housing Authority PILOT Waiver Request

Staff Contact: Kelly McGuire, Finance Director (386-676-3226)
MOTION TO APPROVE PILOT WAIVER REQUEST - APPROVED

C. Appoint Voting Delegate and/or Alternate for National League of Cities (NLC) Annual Business Meeting

Staff Contact: Scott McKee, City Clerk (386-676-3340) **MOTION TO APPOINT COMMISSIONER PARTINGTON AS VOTING DELEGATE AND COMMISSIONER KENT AS ALTERNATE - APPROVED**

11. REPORTS, SUGGESTIONS, REQUESTS

12. 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.