



**ACTION REPORT  
CITY OF ORMOND BEACH, FLORIDA  
CITY COMMISSION AND  
COMMUNITY REDEVELOPMENT AGENCY MEETING  
Tuesday, November 1, 2011  
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**

**CITY COMMISSION CHAMBERS**

**22 South Beach Street, Ormond Beach, Florida 32174**

**City Clerk's Office: (386) 677-0311**

**Fax: (386) 676-3330**

**1. CALL TO ORDER**

**2. INVOCATION** – Pastor David Sharp  
Crossroads Calvary Chapel

**3. PLEDGE OF ALLEGIANCE**

**4. AUDIENCE REMARKS** – Regarding items not on the agenda.

**5. APPROVAL OF MINUTES**

**A.** Minutes from the City Commission meeting – October 18, 2011  
**APPROVED**

**6. COMMUNITY REDEVELOPMENT AGENCY**

**A.** **Second Property Improvement Grant Program Extension – Maria Bonita Parking Improvements, 9 North Yonge Street** (*Planning Director*)

- 1. Resolution No. 2011-165** - A resolution of the city commission, also acting as the Community Redevelopment Agency, of the City of Ormond Beach, Florida, authorizing the second extension of sixty calendar days for the Property Improvement Grant Agreement between the agency and Taxco LLC (9 North Yonge street); and setting forth an effective date. **RECOMMENDED FOR APPROVAL WITH AMENDMENT OF 120 DAYS EXTENSION**

2. **Resolution No. 2011-166** - A resolution of the City Commission, also acting as the Community Redevelopment Agency, of the City of Ormond Beach, Florida, authorizing the second extension of sixty calendar days for the Property Improvement Grant Agreement between the Agency and Taxco LLC (195 North Yonge Street); and setting forth an effective date. **RECOMMENDED FOR APPROVAL WITH AMENDMENT OF 120 DAYS EXTENSION**

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. 2011-167** – A resolution authorizing the execution of a modification (Number One) to subgrant agreement between the Division of Emergency Management and the city regarding the Hazard Mitigation Grant program for the Central Park Drainage Improvements Project; and setting forth an effective date. *(City Engineer)* **APPROVED**

- B. **Ormond Scenic Loop and Trail Wayfinding and Interpretation Assessment Plan** *(City Engineer)* **APPROVED**

DISPOSITION: Approve as recommended in City Manager memorandum dated October 27, 2011.

## 8. PUBLIC HEARINGS

- A. **Ordinance No. 2011-43** – 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 1.31-acres located at 1520 North US highway 1, from Volusia County B-6 (Highway Interchange Commercial) to Ormond Beach B-7 (Highway Tourist Commercial), authorizing revision of official zoning map; repealing all inconsistent ordinances or parts thereof; and setting forth an effective date. *(Planning Director)* **APPROVED ON FIRST READING**

- B. **Ordinance No. 2011-44** – 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 2.16-acres located at 1521 North US Highway 1, from Volusia County B-6 (Highway Interchange Commercial) to Ormond Beach B-7 (Highway Tourist Commercial), authorizing revision of official zoning map; repealing all inconsistent ordinances or parts thereof; and setting forth an effective date. *(Planning Director)* **APPROVED ON FIRST READING**

- C. Ordinance No. 2011-45** – 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 2.58-acres located at 1530 North US Highway 1, from Volusia County B-6 (Highway Interchange Commercial) to Ormond Beach B-7 (Highway Tourist Commercial), authorizing revision of official zoning map; repealing all inconsistent ordinances or parts thereof; and setting forth an effective date. (*Planning Director*) **APPROVED ON FIRST READING**
- D. Ordinance No. 2011-46** – 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 1.42-acres located at 1545 North US Highway 1, from Volusia County B-6 (highway interchange commercial) to Ormond Beach B-7 (Highway Tourist Commercial), authorizing revision of Official Zoning Map; repealing all inconsistent ordinances or parts thereof; and setting forth an effective date. (*Planning Director*) **APPROVED ON FIRST READING**
- E. Ordinance No. 2011-47** – 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 2.74-acres located at 1560 North US Highway 1, from Volusia County B-6 (Highway Interchange Commercial) to Ormond Beach B-7 (Highway Tourist Commercial), authorizing revision of Official Zoning Map; repealing all inconsistent ordinances or parts thereof; and setting forth an effective date. (*Planning Director*) **APPROVED ON FIRST READING**
- F. Ordinance No. 2011-48**– 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 2.19-acres located at 1561 North US Highway 1, from Volusia County b-6 (Highway interchange commercial) to Ormond Beach B-7 (Highway Tourist Commercial), authorizing revision of Official Zoning Map; repealing all inconsistent ordinances or part thereof; and setting forth an effective date. (*Planning Director*) **APPROVED ON FIRST READING**

- G. Ordinance No. 2011-49** – 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 2.46-acres located at 1567 North US Highway 1, from Volusia County B-6 (Highway Interchange Commercial) to Ormond Beach B-7 (Highway Tourist Commercial), authorizing revision of Official zoning Map; repealing all inconsistent ordinances or parts thereof; and setting forth an effective date. (*Planning Director*) **APPROVED ON FIRST READING**
- H. Ordinance No. 2011-50** – 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 0.36-acres located at 1570 North US Highway 1, from Volusia County B-6 (Highway Interchange Commercial) to Ormond Beach B-7 (Highway Tourist Commercial), authorizing revision of Official Zoning Map; repealing all inconsistent ordinances or parts thereof; and setting forth an effective date. (*Planning Director*) **APPROVED ON FIRST READING**
- I. Ordinance No. 2011-51** – 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 7.07-acres located at 1571 North US Highway 1, from Volusia County B-6 (highway interchange commercial) to Ormond Beach b-7 (Highway Tourist Commercial), authorizing revision of Official Zoning Map; repealing all inconsistent ordinances or parts thereof; and setting forth an effective date. (*Planning Director*) **APPROVED ON FIRST READING**
- J. Ordinance No. 2011-52** – 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 0.76-acres located at 1576 North US highway 1, from Volusia County B-6 (Highway Interchange Commercial) to Ormond Beach B-7 (Highway Tourist Commercial), authorizing revision of Official Zoning Map; repealing all inconsistent ordinances or parts thereof; and setting forth an effective date. (*Planning Director*) **APPROVED ON FIRST READING**
- K. Second Property Improvement Grant Program Extension – Maria Bonita Parking Improvements, 9 North Yonge Street** (*Planning Director*)

1. **Resolution No. 2011-165** - A resolution of the city commission, also acting as the Community Redevelopment Agency, of the City of Ormond Beach, Florida, authorizing the second extension of sixty calendar days for the Property Improvement Grant Agreement between the agency and Taxco LLC (9 North Yonge street); and setting forth an effective date. **APPROVED AS AMENDED WITH 120 DAYS EXTENSION**
  
2. **Resolution No. 2011-166** - A resolution of the City Commission, also acting as the Community Redevelopment Agency, of the City of Ormond Beach, Florida, authorizing the second extension of sixty calendar days for the Property Improvement Grant Agreement between the Agency and Taxco LLC (195 North Yonge Street); and setting forth an effective date. **APPROVED AS AMENDED WITH 120 DAYS EXTENSION**

## 9. SECOND READING OF ORDINANCES

- A. **Ordinance No. 2011-41** – An ordinance of the City of Ormond Beach prohibiting commercial gaming devices and regulating automatic amusement centers/game rooms and automatic amusement devices, by amending chapter 12, article v automatic amusement devices, of the code of ordinances of the City of Ormond beach by providing a revised title to include commercial gaming devices; amending section 12-141 by adding new definitions; repealing section 12-142, purposes and objectives and adding a new section 12-142 titled legislative findings and purpose; amending section 12-144 to include additional regulations for automatic amusement devices and centers; repealing section 12-146, number of machines and adding a new section 12-146 titled prohibition of commercial gaming devices; adding a new section 12-147 to include remedies and penalties; adding a new section 12-148 establishing exemptions; adding a new section 12-149, conflict with state law; providing for the repeal of ordinances or parts of ordinances in conflict herewith; providing for a separability clause; and providing for an effective date. *(City Attorney)*  
**APPROVED ON SECOND READING**
  
- B. **Ordinance No. 2011-42** – An ordinance amending Section 4-6, regulation of conduct in establishments licensed to sell alcoholic beverages, of chapter 4, alcoholic beverages, of the code of ordinances of the City of Ormond Beach, Florida; by adding Section (G), providing penalties for violations; repealing all inconsistent ordinances or parts thereof; providing severability; and setting forth an effective date. *(City Attorney)*  
**APPROVED ON SECOND READING**

## 10. FIRST READING OF ORDINANCES

- A. **Ordinance No. 2011-53** – An ordinance amending the annual budget for Fiscal Year 2010-2011 by amending the General Fund; the Downtown Redevelopment Fund; the Ormond Crossings Fund; the Stormwater Fund;

the Economic Development Fund; the Facility Fee Fund; the Grant Fund; the Facilities Renewal & Replacement Fund; the Ormond beach Redevelopment Fund; the Lease Financing Fund; the 2003 GOB Debt Fire Station #92 Fund; the 2004 Revenue Bonds Fire Station #91 Fund; the 2010 GOB Beachfront Park Fund; the General Capital Improvements Fund; the General Vehicle Replacement Fund; the Ormond Beach Redevelopment Fund; the Transportation Fund; the Recreation Impact Fee Fund; the Local Road Impact Fee Fund; the Stormwater Impact Fee Fund; the Fire Station #92 Construction Fund; the Fire Station #91 Construction Fund; the Beachfront Park Fund; the Water/Wastewater Fund; the Water/Wastewater Capital Project Fund; the Water Impact Fee Fund; the Water System Construction Fund; the Water Plant Construction Fund; the Workers Compensation Fund; and the General Liability Fund; and setting forth an effective date. (*Finance Director*) **APPROVED ON FIRST READING**

## **11. STAFF ACTION ITEMS**

**A. Auto Renew Contract - Cassen Park Bait House Lease** (*Finance Director*) **APPROVED CONTRACT RENEWAL WITHOUT RFP**

**12. REPORTS, SUGGESTIONS, REQUESTS** (Mayor, City Commission, City Manager, City Attorney)

## **13. ADJOURNMENT**