



**ACTION REPORT
CITY OF ORMOND BEACH, FLORIDA
CITY COMMISSION MEETING
Tuesday, December 13, 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
Phone: (386) 677-0311 Fax: (386) 676-3330**

1. CALL TO ORDER

INVOCATION

3. PLEDGE OF ALLEGIANCE

4. AUDIENCE REMARKS - Regarding items not on the agenda.

5. APPROVAL OF MINUTES

A. Minutes from the City Commission meeting - December 1, 2011
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. 2011-188 - A RESOLUTION AUTHORIZING A TIME EXTENSION AND ACCEPTING A LETTER FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION REGARDING THE SR 40 TRAFFIC SIGNAL FIBER OPTIC CABLE INTERCONNECTION; AND SETTING FORTH AN EFFECTIVE DATE. (City Engineer) **APPROVED**

B. RESOLUTION NO. 2011-189 - A RESOLUTION AUTHORIZING EXECUTION OF A COMMUNITY DEVELOPMENT BLOCK GRANT SUBRECIPIENT AGREEMENT FOR FISCAL YEAR 2011-2012 BETWEEN THE CITY AND THE COUNTY OF VOLUSIA; AND SETTING FORTH AN EFFECTIVE DATE. (Finance Director) **APPROVED**

C. RESOLUTION NO. 2011-190 - A RESOLUTION ACCEPTING THE

PROPOSAL OF D & A BUILDING SERVICES, INC., REGARDING PROFESSIONAL JANITORIAL SERVICES; AUTHORIZING THE EXECUTION OF AN AGREEMENT AND PAYMENT THEREFOR; REJECTING ALL OTHER PROPOSALS; AND SETTING FORTH AN EFFECTIVE DATE. (Leisure Services Director) **APPROVED**

- D. RESOLUTION NO. 2011-191** - A RESOLUTION AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT BETWEEN THE CITY AND HALIFAX URBAN MINISTRIES, INC., FOR THE "OLD HOUSING AUTHORITY BUILDING" LOCATED AT 164 WEST GRANADA BOULEVARD; AND SETTING FORTH AN EFFECTIVE DATE. (City Clerk) **APPROVED**
- E. RESOLUTION NO. 2011-192** - A RESOLUTION ACCEPTING A BID FROM MASCI CORPORATION FOR CONSTRUCTION SERVICES REGARDING THE AIRPORT ROAD FORCEMAIN AND RECLAIMED WATERMAIN IMPROVEMENTS PROJECT, UNDER BID NO. 2011-30; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; REJECTING ALL OTHER BIDS; AND SETTING FORTH AN EFFECTIVE DATE. (City Engineer) **APPROVED**
- F. RESOLUTION NO. 2011-193** - A RESOLUTION AUTHORIZING THE EXECUTION OF A RELEASE OF TWO SPECIAL MASTER ADMINISTRATIVE FINE/LIENS FOR CODE VIOLATIONS ON PROPERTY LOCATED AT 883 VILLAGE DRIVE, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA (PARCEL ID NO. 4221-03-00-0690); AND SETTING FORTH AN EFFECTIVE DATE. (City Clerk) **APPROVED**
- G. RESOLUTION NO. 2011-194** - 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 RAYMOND P. BAXTER, LOCATED AT 799 EAST RIVER OAK DRIVE, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA (PARCEL ID NO. 3242-05-24-0030) FOR COSTS INCURRED BY THE CITY TO TERMINATE OR ABATE A SITE MAINTENANCE VIOLATION; AND SETTING FORTH AN EFFECTIVE DATE. (Neighborhood Improvement Manager) **AGENDA ITEM PULLED BY STAFF**
- H. RESOLUTION NO. 2011-195** - 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 BRANDON G. BUSBEE, LOCATED AT 749 SOUTH ATLANTIC AVENUE, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA (PARCEL ID NO. 4223-10-01-0060) FOR COSTS INCURRED BY THE CITY TO TERMINATE OR ABATE A SITE MAINTENANCE VIOLATION; AND SETTING FORTH AN EFFECTIVE DATE. (Neighborhood Improvement Manager) **AGENDA ITEM PULLED BY STAFF**
- I. RESOLUTION NO. 2011-196** - 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 DUDA FD ORMOND, LLC, LOCATED AT 274 WEST GRANADA BOULEVARD, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA (PARCEL ID NO. 4241-07-04-0050) FOR COSTS INCURRED BY THE CITY TO TERMINATE OR ABATE A SITE MAINTENANCE VIOLATION; AND SETTING FORTH AN EFFECTIVE DATE. (*Neighborhood Improvement Manager*) **APPROVED**

- J. RESOLUTION NO. 2011-197** - 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 NORTH RIDGEWOOD AVENUE, ORMOND BEACH, VOLUSIA COUNTY, (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. (*Neighborhood Improvement Manager*) **AGENDA ITEM PULLED BY STAFF**
- K. RESOLUTION NO. 2011-198** - 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 CRAIG J. RADTKE AND JAIME R. RADTKE, LOCATED AT 5 CARRIAGE CREEK WAY, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA (PARCEL ID NO. 4126-03-00-0060) FOR COSTS INCURRED BY THE CITY TO TERMINATE OR ABATE A SITE MAINTENANCE VIOLATION; AND SETTING FORTH AN EFFECTIVE DATE. (*Neighborhood Improvement Manager*) **APPROVED**
- L. RESOLUTION NO. 2011-199** - 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 JOYCE ZUNIGA, LOCATED AT 3 PINE HOLLOW WAY, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA (PARCEL ID NO. 4123-04-00-0680) FOR COSTS INCURRED BY THE CITY TO TERMINATE OR ABATE A SITE MAINTENANCE VIOLATION; AND SETTING FORTH AN EFFECTIVE DATE. (*Neighborhood Improvement Manager*) **APPROVED**
- M. RESOLUTION NO. 2011-200** - A RESOLUTION AUTHORIZING THE EXECUTION OF A SETTLEMENT AGREEMENT BETWEEN THE CITY AND BETTY J. DULMAGE AND JAMES G. DULMAGE; AND SETTING FORTH AN EFFECTIVE DATE. (City Attorney) **APPROVED**
- N. RESOLUTION NO. 2011-201** - A RESOLUTION APPROVING A SETTLEMENT PROPOSAL REGARDING THE WORKERS' COMPENSATION CLAIM OF MICHAEL ROBERTS; AUTHORIZING THE EXECUTION OF A SETTLEMENT AGREEMENT AND ANY AND ALL DOCUMENTS INCIDENTAL THERETO; AUTHORIZING PAYMENT RELATIVE THERETO; AND SETTING FORTH AN EFFECTIVE DATE. (City Attorney) **APPROVED**

O. RESOLUTION NO. 2011-202 - A RESOLUTION OF THE CITY OF ORMOND BEACH ENDORSING THE CITY'S 2012-2014 STRATEGIC ECONOMIC DEVELOPMENT PLAN (SEDP); AND SETTING FORTH AN EFFECTIVE DATE. (Economic Development Director) **APPROVED**

P. RESOLUTION NO. 2011-206 - A RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH QUENTIN L. HAMPTON ASSOCIATES, INC. TO PROVIDE CONSTRUCTION ADMINISTRATION, CONSTRUCTION INSPECTION AND SRF LOAN/SJRWMD GRANT ADMINISTRATION SERVICES REGARDING THE AIRPORT ROAD FORCEMAIN AND RECLAIMED WATERMAIN IMPROVEMENTS PROJECT; AND SETTING FORTH AN EFFECTIVE DATE. (City Engineer) **APPROVED**

Q. Autorenew Contract for Traffic Control Agreement (Finance Director) **APPROVED**

DISPOSITION: Approve as recommended in City Manager memorandum dated December 8, 2011.

R. Riverside Drive Closure Request for Saturday, December 31, 2011 (Police Chief) **APPROVED**

DISPOSITION: Approve as recommended in City Manager memorandum dated December 8, 2011.

S. Bid Specifications for Hand Avenue Collector Road Upgrade, Bid No. 2012-07 (City Engineer) **APPROVED**

DISPOSITION: Approve as recommended in City Manager memorandum dated December 8, 2011.

T. Construction Management at Risk Services, RFQ No. 2011-29 (City Engineer) **APPROVED**

DISPOSITION: Approve as recommended in City Manager memorandum dated December 8, 2011.

7. SECOND READING OF ORDINANCES

A. ORDINANCE NO. 2011-54 - AN ORDINANCE AMENDING THE BOUNDARIES OF CITY COMMISSION ZONES IN ACCORDANCE WITH THE REAPPORTIONMENT PLAN ACCEPTED BY RESOLUTION 2011-157; DESCRIBING THE REAPPORTIONMENT BOUNDARIES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE. (Planning Director) **APPROVED ON SECOND READING**

B. ORDINANCE NO. 2011-55 - AN ORDINANCE AMENDING CHAPTER 2, ADMINISTRATION, ARTICLE VII, CODE ENFORCEMENT, OF THE CODE OF ORDINANCES, BY AMENDING SECTIONS 2-251, DEFINITIONS; 2-254, SPECIAL MASTERS; 2-255, ENFORCEMENT PROCEDURE; 2-256, NOTICE OF VIOLATIONS; FORM AND CONTENT OF CITATIONS; 2-257, CONDUCT OF HEARING; 2-258, ADMINISTRATIVE FINES AND LIENS; 2

-262, SCHEDULE OF CIVIL FINES; 2-265, NOTICES; 2-266, APPEALS; AND 2-267, DURATION OF LIEN; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE. (*Neighborhood Improvement Manager*) **APPROVED ON SECOND READING**

C. ORDINANCE NO. 2011-56 - AN ORDINANCE AMENDING CHAPTER 14, OFFENSES MISCELLANEOUS, ARTICLE VIII, SITE MAINTENANCE/NUISANCES, OF THE CODE OF ORDINANCES, BY AMENDING SECTION 14-98, LIENS; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE. (*Neighborhood Improvement Manager*) **APPROVED ON SECOND READING**

D. ORDINANCE NO. 2011-57 - AN ORDINANCE AMENDING SECTION 3.3-25, NUISANCE AIRCRAFT, OF ARTICLE III, AIRCRAFT GROUND OPERATIONS, OF CHAPTER 3.3, AIRCRAFT AND AIRPORT; AMENDING SECTION 3.3-54, NON-AIRWORTHY AIRCRAFT, OF ARTICLE IV, COMMERCIAL OPERATIONS, OF CHAPTER 3.3, AIRCRAFT AND AIRPORT; OF THE CODE OF ORDINANCES OF THE CITY OF ORMOND BEACH, FLORIDA; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE. (Economic Development Director) **APPROVED ON SECOND READING**

8. FIRST READING OF ORDINANCES

A. ORDINANCE NO. 2011-58 - AN ORDINANCE ADOPTING CERTAIN UPDATED SCHEDULES TO THE CAPITAL IMPROVEMENTS ELEMENT OF THE CITY OF ORMOND BEACH COMPREHENSIVE PLAN; PROVIDING WHEN SUCH UPDATES SHALL TAKE EFFECT; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE. (*Planning Director*) **APPROVED ON FIRST READING**

9. RESOLUTIONS

A. RESOLUTION NO. 2011-203 - A RESOLUTION APPOINTING MEMBERS TO SERVE ON THE CHARTER REVIEW COMMITTEE; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE. (City Clerk) **APPROVED**

B. RESOLUTION NO. 2011-204 - 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 MONTHS OF JANUARY AND MARCH 2012; PROVIDING FOR AN EXCEPTION THERETO; SETTING FORTH AN EFFECTIVE DATE. (City Clerk) **APPROVED**

C. RESOLUTION NO. 2011-205 - A RESOLUTION SUPPORTING POLICE OFFICER AND FIREFIGHTER PENSION PLAN AND DISABILITY PRESUMPTION REFORMS TO MAKE THE PLANS SUSTAINABLE, SOUND AND SECURE FOR CURRENT AND FUTURE POLICE

OFFICERS AND FIREFIGHTERS; AND SETTING FORTH AN EFFECTIVE DATE. (Finance Director) **APPROVED**

10. DISCUSSION ITEMS

A. **Plantation Oaks Residential Planned Unit Development** (*Planning Director*) **NO ACTION TAKEN BY COMMISSION AT THIS TIME**

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

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



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