



**ACTION REPORT
CITY OF ORMOND BEACH, FLORIDA
CITY COMMISSION MEETING**

**April 3, 2012
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**
 - A. Rev. Bill Owens, First United Methodist Church of Ormond Beach
- 3. PLEDGE OF ALLEGIANCE**
- 4. PRESENTATIONS AND PROCLAMATIONS**
 - A. Employee of the Quarter - Jason McKinney
- 5. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA**
- 6. APPROVAL OF MINUTES**
 - A. Minutes from City Commission meeting - March 6, 2012 **APPROVED**
 - B. Minutes from City Commission meeting - March 15, 2012 **APPROVED**

7. CONSENT AGENDA

- A. **Resolution No. 2012-39 :** A RESOLUTION AUTHORIZING THE EXECUTION OF A QUITCLAIM DEED IN FAVOR OF GEORGE E. CALDWELL AND ANGELA CALDWELL, RELEASING A 7.5-FOOT SIDE YARD UTILITY EASEMENT EXCLUDING THE FRONT 5.0- FOOT EASEMENT ALONG COQUINA LAKE WAY LOCATED ON LOT 20 (35 COQUINA LAKE WAY) BREAKAWAY TRAILS, PHASE 3, UNIT 2B DEVELOPMENT OF REGIONAL IMPACT; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

- B. **Resolution No. 2012-40 :** A RESOLUTION AUTHORIZING THE EXECUTION OF A QUITCLAIM DEED IN FAVOR OF GEORGE E. CALDWELL AND ANGELA CALDWELL, RELEASING A 7.5-FOOT SIDE YARD UTILITY EASEMENT EXCLUDING THE FRONT 5.0-FOOT EASEMENT ALONG COQUINA LAKE WAY LOCATED ON LOT 21 (31 COQUINA LAKE WAY) BREAKAWAY TRAILS, PHASE 3, UNIT 2B DEVELOPMENT OF REGIONAL IMPACT; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

- C. **Resolution No. 2012-41 :** A RESOLUTION AUTHORIZING THE EXECUTION OF A QUITCLAIM DEED IN FAVOR OF CREEKSIDE DEVELOPMENT OF VOLUSIA COUNTY, LLC, RELEASING A PORTION OF THE REAR 7.5-FOOT UTILITY, DRAINAGE AND MAINTENANCE EASEMENT LOCATED ON LOT 66 (139 CREEK FOREST LANE) CREEKSIDE PLANNED RESIDENTIAL DEVELOPMENT; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

- D. **Resolution No. 2012-42 :** A RESOLUTION AUTHORIZING THE EXECUTION OF A QUITCLAIM DEED IN FAVOR OF VANACORE HOMES, INC, RELEASING A PORTION OF THE REAR 7.5-FOOT UTILITY, DRAINAGE AND MAINTENANCE EASEMENT LOCATED ON LOT 65 (137 CREEK FOREST LANE) CREEKSIDE PLANNED RESIDENTIAL DEVELOPMENT; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

- E. **Resolution No. 2012-43 :** A RESOLUTION AUTHORIZING THE EXECUTION OF A JOINT PARTICIPATION AGREEMENT WITH THE COUNTY OF VOLUSIA REGARDING UTILITY RELOCATION ON TYMBER CREEK ROAD FROM SR40 TO PERUVIAN LANE; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

- F. **Resolution No. 2012-44 :** A RESOLUTION AUTHORIZING THE EXECUTION OF A COST SHARE AGREEMENT BETWEEN THE CITY OF ORMOND BEACH AND THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT, REGARDING THE WEST ORMOND BEACH RECLAIMED WATER DISTRIBUTION PROJECT; AND SETTING FORTH AN EFFECTIVE DATE

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

APPROVED

- G. **Resolution No. 2012-45 :** A RESOLUTION AUTHORIZING A LOCAL AGENCY PROGRAM SUPPLEMENTAL AGREEMENT BETWEEN THE CITY AND THE FLORIDA DEPARTMENT OF TRANSPORTATION REGARDING THE SR 40 TRAFFIC SIGNAL FIBER OPTIC CABLE INTERCONNECTION; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

- H. **Resolution No. 2012-46 :** A RESOLUTION AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION TO THE VOLUSIA TRANSPORTATION PLANNING ORGANIZATION FOR FUNDING ASSISTANCE RELATIVE TO MAST ARMS ON A1A AT CARDINAL DRIVE AND HARVARD DRIVE; 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: *John Noble, City Engineer (386-676-3269)*

APPROVED

- I. **Resolution No. 2012-47 :** A RESOLUTION AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION TO THE VOLUSIA TRANSPORTATION PLANNING ORGANIZATION FOR FUNDING ASSISTANCE RELATIVE TO AN ADAPTIVE TRAFFIC SIGNAL CONTROL SYSTEM ALONG SR40 FROM MAIN TRAIL TO TYMBER CREEK ROAD; 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: *John Noble, City Engineer (386-676-3269)*

APPROVED

- J. **Resolution No. 2012-48 :** 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 EILEEN D. MCGINN, LOCATED AT 31 BELLEWOOD CIRCLE, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA (PARCEL ID NO. 4210-03-00-0070) FOR COSTS INCURRED BY THE CITY TO TERMINATE OR ABATE A SITE MAINTENANCE VIOLATION; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *Joanne Naumann, Neighborhood Improvement Manager (386-615-7069)* **APPROVED**

- K. **Resolution No. 2012-49 :** A RESOLUTION ACCEPTING PROPOSALS AND AUTHORIZING THE EXECUTION OF CONTINUING CONTRACTS WITH FOUR (4) PROFESSIONAL SERVICES FIRMS FOR CONSTRUCTION MANAGEMENT AT RISK SERVICES, UNDER RFQ 2011-29; REJECTING ALL OTHER PROPOSALS; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

- L. **Resolution No. 2012-50 :** A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY AND THE COUNTY OF VOLUSIA REGARDING THE ANDY ROMANO BEACHFRONT PARK; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *Theodore MacLeod, Assistant City Manager (386-676-3200)* **REMOVED BY STAFF**

- M. **AUTHORIZATION FOR EAST VOLUSIA MOSQUITO CONTROL DISTRICT TO CONTINUE TO PERFORM LOW-LEVEL FLIGHTS OVER THE CITY OF ORMOND BEACH**

Staff Contact: *Joshua Fruecht, City Clerk (386-676-3340)*

Disposition: Approve as recommended in the City Manager memorandum dated April 3, 2012. **APPROVED**

**N. CITY OF ORMOND BEACH WASTEWATER TREATMENT FACILITY
FDEP CONSENT ORDER OCD-C-WW-12-0148**

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

Disposition: Approve as recommended in the City Manager memorandum dated April 3, 2012. **APPROVED**

**O. REQUEST FOR PRICING ADJUSTMENT-FIREWORKS BY SANTORE,
INC.**

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

Disposition: Approve as recommended in the City Manager memorandum dated April 3, 2012. **APPROVED**

P. WELCOME SIGNS IDENTIFYING LIBERIA AND SUDAN

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

Disposition: Approve as recommended in the City Manager memorandum dated April 3, 2012. **APPROVED**

Q. BID SPECIFICATIONS FOR SEPTIC TRUCK REPLACEMENT

Staff Contact: *Theodore MacLeod, Assistant City Manager
(386-676-3200)*

Disposition: Approve as recommended in the City Manager memorandum dated April 3, 2012. **APPROVED**

R. AMES HOUSE REPAIRS

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

Disposition: Approve as recommended in the City Manager memorandum dated April 3, 2012. **APPROVED**

**S. AUTO RENEW CONTRACT FOR CROSS CONNECTION CONTROL
PROGRAM MANAGEMENT SERVICES WITH HYDRO DESIGNS, INC.**

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

Disposition: Approve as recommended in the City Manager memorandum dated April 3, 2012. **APPROVED**

8. PUBLIC HEARINGS

- A. **SECOND READING OF Ordinance No. 2012-11** : AN ORDINANCE GRANTING A HISTORIC PRESERVATION AD VALOREM TAX EXEMPTION FOR IMPROVEMENTS TO HISTORIC PROPERTY LOCATED AT 160 EAST GRANADA BOULEVARD; REQUIRING THE EXECUTION OF AN AGREEMENT BETWEEN THE PROPERTY OWNER AND THE CITY; SETTING AN EXPIRATION DATE; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

- B. **FIRST READING OF Ordinance No. 2012-12** : AN ORDINANCE VACATING A PORTION OF THE SOUTHWESTERLY SIDE OF FLAGLER ROAD RIGHT-OF-WAY LYING WEST OF NORTH US1, STARTING ON THE SOUTH SIDE OF MAGNOLIA STREET RUNNING SOUTH ALONG FLAGLER ROAD; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

- C. **FIRST READING OF Ordinance No. 2012-13** : AN ORDINANCE AMENDING SUBSECTION A, ZONING MAP, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE I, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, SECTION 2-03, OFFICIAL ZONING MAP AND ZONING DISTRICTS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY REZONING THREE PARCELS OF REAL PROPERTY TOTALING 4.78± ACRES LOCATED ALONG FLAGLERROAD AND WEST OF PORTLAND STREET FROM B-7 (HIGHWAY TOURIST COMMERCIAL) TO PBD (PLANNED BUSINESS DEVELOPMENT); AUTHORIZING REVISION OF THE OFFICIAL ZONING MAP; APPROVING A DEVELOPMENT ORDER FOR A PLANNED BUSINESS DEVELOPMENT TO BE KNOWN AS "GARDEN PLAZA STORAGE", INCLUDING THAT 0.334± ACRE OUTPARCEL SITUATED AT NORTH US HIGHWAY 1 AND PORTLAND STREET; ESTABLISHING CONDITIONS THEREFORE; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

- D. **Ordinance No. 2012-14 :** AN ORDINANCE AMENDING SUBSECTION A, ZONING MAP, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE I, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, SECTION 2-03, OFFICIAL ZONING MAP AND ZONING DISTRICTS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY AMENDING THE OFFICIAL ZONING MAP TO REZONE CERTAIN REAL PROPERTY TOTALING 0.334+ ACRES LOCATED AT THE INTERSECTION OF PORTLAND STREET\ AND NORTH US HIGHWAY 1 FROM B-7 (HIGHWAY TOURIST COMMERCIAL) TO PBD (PLANNED BUSINESS DEVELOPMENT); AUTHORIZING REVISION OF THE 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

9. SECOND READING OF ORDINANCES

- A. **Ordinance No. 2012-10 :** AN ORDINANCE OF THE CITY OF ORMOND BEACH, FLORIDA, AMENDING ARTICLE III, FIREFIGHTERS' PENSION TRUST FUND, OF CHAPTER 16, PENSIONS AND RETIREMENT, OF THE CODE OF ORDINANCES; AMENDING SECTION 16-45, BENEFIT AMOUNTS AND ELIGIBILITY BY ADJUSTING THE PENSION MULTIPLIER; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE.

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

10. FIRST READING OF ORDINANCES

- A. **Ordinance No. 2012-15 :** AN ORDINANCE CALLING AND PROVIDING FOR A REGULAR MUNICIPAL ELECTION OF THE REGISTERED ELECTORS OF THE CITY OF ORMOND BEACH, FLORIDA, TO BE HELD ON NOVEMBER 6, 2012, FOR THE PURPOSE OF ELECTING OFFICERS TO THE OFFICES OF MAYOR AND CITY COMMISSIONER; PROVIDING FOR QUALIFYING AND ELECTION PROCEDURES; ESTABLISHING A DATE FOR TAKING OFFICE; DESIGNATING THE LOCATION OF POLLING PLACES; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Joshua Fruecht, City Clerk (386-676-3340)
APPROVED

- B. **Ordinance No. 2012-16** : AN ORDINANCE AMENDING DIVISION 1, GENERALLY, OF ARTICLE VI, BOARDS, COMMISSIONS, COMMITTEES AND OTHER AGENCIES, OF CHAPTER 2, ADMINISTRATION, BY ADDING A NEW SECTION TO BE NUMBERED AND ENTITLED SECTION 2-210.2, RIGHT OF GENERAL PUBLIC TO PARTICIPATE IN LOCAL GOVERNMENT PROCESS AND SPEAK AT PUBLIC MEETINGS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

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

11. DISCUSSION ITEMS

- A. **CAMERON BRENNEMAN MEMORIAL PLAYGROUND AT SANCHEZ PARK**

Staff Contact: *Robert Carolin, Leisure Services Director (386-676-3279)* **REMOVED BY STAFF, SENT TO LEISURE SERVICES ADVISORY BOARD FOR REVIEW**

12. REPORTS, SUGGESTIONS, REQUESTS

13. 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.



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Phone: 386-677-0311



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