

City of Ormond Beach Memorandum

To: Honorable Mayor Kelley and City Commissioners
From: Joyce Shanahan, City Manager
Subject: Weekly Report – EXECUTIVE SUMMARY
Date: October 19, 2012

1. City Manager: **Page 1**

City Manager

Reviewed and prepared with staff as follows:

- Weekly discussion with City Attorney
- Discussion with staff on landscaping contract
- Bi-weekly meetings with Economic Development Director
- Discussion with staff on Central Park lakes property lines

Spoke to, attended and/or met with:

- Cameron Brenneman playground dedication
- Mayor's Walk through Central Park II
- As requested, agenda review discussions with Commissioners Boehm and Stowers
- Rotary meeting
- Weekly conference call with FCCMA staff
- Introductory meeting with Keith Norden, new CEO/President for Team Volusia
- Held Walking with the Manager, Finance Director Kelly McGuire was the guest walker, several citizens attended
- General discussion with Tony Capozzi, Executive Director Ormond Beach Chamber of Commerce
- Daytona Beach Chamber Eggs & Issues
- As requested, met with Commissioner Kent, Mr. Carroll and Neighborhood Improvement Division Manager regarding code enforcement issues
- Monthly conference call with FCCMA Executive Committee
- Claims committee meeting

2. Community Development: **Page 1**

- Staff has been in contact with Volusia County staff concerning the annexation strategy proposed to Volusia County regarding the Chelsea Place. The annexation strategy proposed to Volusia County is as follows:
 - City to annex all properties with recorded annexation instruments assuming VC agrees that the strategy reduces the size of an existing enclave.
 - Annex FDOT and VC properties upon a simple consent (memo, letter, email, etc).
 - Work with the existing properties to which we sent letters to gain voluntary annexation by holding them harmless regarding property rights and use in order to continue to reduce the size of the enclave; and,
 - As a last resort, seek an Interlocal Agreement to annex those parcels remaining with the idea of holding harmless the property owners rights to use.
- This week the Director received an email from the VC Traffic Engineer indicating that the City's mobility fee is a replacement of the City's road impact fee and that the

mobility fee is in addition to the County's Road Impact Fee. The Director believes this is incorrect for the following reasons: **(Page 2)**

- SB 360 which authorized the City's mobility plan and fee had an expressed purpose of encouraging infill development. It was never intended to have two impact fees apply or it would be cheaper to build in unincorporated VC.
- SB 360 was a general law of applicability with no grandfathering exemptions for county charters which had countywide impact fee legislation just for the county.
- The Countywide impact fee is collected on state roads in OB for which the County has no concurrency responsibility. The city has concurrency responsibility on A1A, US1, and SR40 within our jurisdiction. Since the city has concurrency responsibility, it follows that a funding source to ensure concurrency is met is required. If the City has to have a fee and the County a fee, it will always be cheaper to build in unincorporated Volusia County since there is only one fee in Volusia County.
- The county spends no impact fee money collected on state roads on state roads - only on county roads with the reasoning there is an impact on county roads from development on state roads. The City's analysis as part of the Mobility Plan which is included in the plan is this: Based upon 15 traffic studies approved by VC, almost 70% of the trips were distributed to state roads - not county roads.
- Ormond Beach did not sign any agreement regarding the County Impact Fee applicability on state roads in OB to which we have concurrency responsibility for.
- The mobility fee recognizes that the City does not want to widen US 1, A1A or SR 40 so we have indicated that we want more funds to be allocated to transit and non-motorized modes of travel while the Volusia County fee is devoted to capacity improvements on county roads only.
- VC and Votran were involved in the review and comment of our mobility plans prior to adoption as early as 2009. The record is clear, correspondence exists, and the City's intentions were known. No challenge was made by VC on our mobility plan or fee in the Comp Plan when it went to the VGMC in 2010.
- The mobility fee costs less since the road component is not for capacity improvements, only efficiency improvements. So it promotes ED.
- VC has provided exemptions from the County Road Impact fee before for ED purposes - most recently housing construction for two years. Previously, exemptions were provided for industrial development.

There are two approaches to the resolution of this matter. First, the City can amend the Comp Plan and delete the TCEA, mobility plan, and everything else that the City fought for with DCA in 2010. The City can go back to the way concurrency was done before. If development occurs on SR40 and because it fails, we turn down development as the City has done in the past. The future is mobility fees. The City can't delete the mobility fee and keep the Transportation Concurrency Exception Areas since it was approved as a multimodal corridor with a funding source. Development should not have two fees assessed.

Second, City can meet with VC and ask for an exception to the County Impact Fee for implementation of our Mobility Fee or enter into an Interlocal Agreement to do the same. The City is the only one with a mobility fee so this course of action would be narrowly defined and limited in scope. There are a number of communities in the county talking now about mobility fees rather than road impact fees since it is too costly to continue to expand roads. In our meetings with VC administration, they have indicated our mobility strategy application is a good one. Upper management and political action is needed to move this since the Planning Director has been unable to make this matter a top priority of VC.

- The timeline for the adoption of the Granada Brownfield expansion to beachside is as follows: **(Page 3)**
 - October 24, 2012 – Workshop
 - Planning Board Public Hearing – November 8, 2012
 - Brownfield Advisory Board Public Hearing – November 13, 2012
 - City Commission Adoption Public Hearing – December 18, 2012
3. Economic Development: **Page 3**
Airport Business Park
- Staff is working with existing businesses on possible expansion projects. The property search includes both existing commercial and industrial space and preparing conceptual plans for the use of the available City land located along West Tower Circle in the Business Park.
- Ormond Beach Chamber and Main Street
- Staff is attending the Florida Redevelopment Association annual meeting held in Daytona Beach from October 24-26. Plans are underway for a bus tour of the Volusia County cities. Staff is coordinating with Ormond Main Street staff for the tour of the Ormond Beach Main Street district. **Page 4**
4. Airport: **Page 4**
5. Finance: **Page 4**
6. Fire: **Page 5**
Significant Incidents Page 6
- 10/10/12, 12:54 AM: 170 N. Old Kings Rd. – Vehicle Fire – Upon arrival found fully involved fire in vehicle in rear parking lot – fire coming from trunk and extending into passenger compartment – extinguished fire with 150 gallons of water – fire started in or near the trunk – estimated dollar loss of approximately \$8,000 – no injuries.
7. Human Resources **Page 6**
- **The annual Employee Appreciation Day will be held on 10/24/12 at Rockefeller Gardens Park. A barbecue lunch will be served for all employees from 11:30 a.m. to 1:30 p.m.** During lunch employees who have reached milestone years of service will be presented with their service pin and certificate. Once again, “Above & Beyond” awards will be presented to those employees who really stepped up to the plate this past year by resolving a specific problem, far exceeding a customer's expectation, or just by going Above & Beyond what's expected in job performance. **Page 7**
8. Information Technology: **Page 8**
- Notable Events: Record number of virus emails detected and prevented from being delivered to our system this past week. Normal number is well less than 200, this week 3,874.
9. Leisure Services: **Page 8**
- Athletics Maintenance. **Page 9**
 - Future Events at PAC. **Page 10**
 - Parks and Irrigation. **Page 11**
 - Building Maintenance. **Page 12**

10. Police: **Page 12**

- Criminal Investigations. **Page 12**
- Community Service/Animal Service. **Page 13**
- Operations – Summary of specific crimes. **Page 13**
- Neighborhood Improvement. **Page 14 See staff report for detail on other cases.**
- 152 Dix Avenue – A complaint was received with regard to two addresses in that they are occupied by Wyo-Tech students and that there appear to be permit issues with regard to building conversions. The only violation that exists is renovation work done on 152 Dix Avenue without benefit of a permit. A notice of violation was issued providing 30 days from receipt to have the violation corrected. The letter was signed for on June 28th. The owner has until the end of July to obtain permits or change the detached structure back to a garage. Permits may also be required to make any further changes to this structure. The owner has stopped cooperating with staff. A citation of \$100 and notice of hearing has been issued to the property owner for the illegal conversion of accessory building. This case is scheduled for the Special Magistrate hearing on September 24, 2012. The Special Magistrate provided the respondent a 60 day continuance as requested due to medical reasons. **This case is scheduled for the November 26th hearing.**
- 7 Queen Ann Court – Staff has received a number of complaints that the contractor for the lending institution handling this property is doing a very poor job. The last inspection revealed that the contractor is still leaving debris behind and has not been mowing certain areas of the property. **A notice of violation has been issued to the lending institution for failure to comply with the maintenance requirements of the city.**

11. Public Works **Page 15**

- Engineering: **Page 15**
 - City Hall Parking Lot – Milling and paving were completed in the area behind City Hall. Milling and some paving were performed in the parking lot area behind the library. The remaining work will be completed Saturday, October 20, 2012.
 - Central Park Paving – Work began on Fleming Avenue parking lot. An alternative parking area was established off Fleming Avenue. Retention ponds are being excavated, including rough site grading. Work will begin on Hammock Lane on October 22nd. **Page 16**
 - Andy Romano Beachfront Park – Contractor has completed masonry work on the restroom/concession facility and has formed the tie-beams. Contractor is starting the Coquina veneer. Inspection of the underground stormwater system indicated one of the storage units had partially collapsed. The contractor has removed this and replaced it. Construction of three pavilions has been completed. Other site work is on-going as well. **Page 16**
 - Hand Avenue – The first phase of work from US1 to Coolidge was opened on Friday. We have installed 1-inch of paving and intend to come back once all phases are complete and install a second 1-inch lift the entire length of the road. So for now there will be a 1-inch difference in the pavement elevation and the edge of curb. This will provide a final road with no joints which will enhance the final appearance and ride of the road. FDOT typically follows this procedure for State roads. On Monday August 20th the contractor began work on the phase 2 work area which will close Hand Avenue from Nova Road to Oak Brook Drive. Water mains and storm water mains have been installed and the culvert crossing at Laurel Creek has been replaced with larger diameter pipes. A meeting was held with the school Board Director to discuss and coordinate bus stop routing and student safety within the construction work area. **Page 16**
- Environmental Management Division: **Page 18**
 - Asphalt/Concrete. **Page 18**

- Tree Crew. **Page 18**
- Stormwater Maintenance. **Page 19**
- Street Sweeping. **Page 20**

- Fleet Operations: **Page 20**

- Utilities: **Page 20**
 - Airport Road Force Main/Reuse Main Extension – A directional drill is being performed underneath the railroad tracks on Airport Road.
 - Industrial Pretreatment Program: The new permits have been delivered to the City's Industrial - Significant User (IU) facilities. The comment period is nearing its end term and the IU permits will become effective soon after the 1st week of October. Staff forwarded News Journal proof of publish record for Florida Department of Environmental Protection (FDEP) prepared legal notice describing period for receipt of comments prior to official department acceptance of recent amendments to the Utility's Sewer Use Ordinance and Local Limits. Following the comment period the FDEP will issue the City an implementation date. **Page 23**

12. Support Services/City Clerk **Page 24**