



**ACTION REPORT
CITY OF ORMOND BEACH, FLORIDA
CITY COMMISSION MEETING
April 16, 2013
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. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA**
- 5. APPROVAL OF MINUTES**
 - A. Minutes from City Commission meeting – April 2, 2013 **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. 2013-61** : A RESOLUTION AUTHORIZING THE APPROVAL AND EXECUTION OF A PURCHASE AUTHORIZATION (REQUISITION #00000010211) FOR THE PURCHASE OF ONE FORD F550 WALK-IN VAN, UNDER FLORIDA SHERIFFS ASSOCIATION BID NO. 12-20-0905; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *Facundo Tassara, Fleet Operations Manager (386-676-3506) **APPROVED***

- B. **RESOLUTION NO. 2013-62** : A RESOLUTION AUTHORIZING THE EXECUTION OF A RELEASE AND SATISFACTION OF SPECIAL MAGISTRATE ADMINISTRATIVE FINE/LIEN FOR A CODE VIOLATION ON PROPERTY LOCATED AT 739 EAST RIVER OAK DRIVE, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA (PARCEL ID NO. 3242-05-26-0050); AND SETTING FORTH AN EFFECTIVE DATE.

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

- C. **RESOLUTION NO. 2013-63** : A RESOLUTION AUTHORIZING THE EXECUTION OF A RELEASE OF TWO SPECIAL MAGISTRATE ADMINISTRATIVE FINE/LIENS FOR CODE VIOLATIONS ON PROPERTY LOCATED AT 189 HIGHLAND AVENUE, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA (PARCEL ID NO. 4215-06-02-0150); AND SETTING FORTH AN EFFECTIVE DATE.

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

- D. **RESOLUTION NO. 2013-64** : A RESOLUTION AUTHORIZING THE EXECUTION OF A COMMUNITY DEVELOPMENT SUBRECIPIENT AGREEMENT BETWEEN THE CITY AND GREAT KIDS EXPLORER CLUB, INC. REGARDING TUTORING SERVICES FOR AT-RISK STUDENTS; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *Loretta Moisio, Grants Coordinator/PIO (386-676-3315)* **APPROVED**

- E. **RESOLUTION NO. 2013-65** : A RESOLUTION AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE SCHOOL BOARD OF VOLUSIA COUNTY REGARDING THE UNDERGROUNDING OF UTILITIES; AND SETTING FORTH AN EFFECTIVE DATE.

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

- F. **RESOLUTION NO. 2013-66** : A RESOLUTION ACCEPTING A BID FROM GRAYBAR ELECTRIC COMPANY, INC. FOR ELECTRICAL SERVICES REGARDING SECURITY LIGHTING UPGRADES AT THE ORMOND BEACH MUNICIPAL AIRPORT, UNDER BID NO. 2013-20; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; REJECTING ALL OTHER BIDS; AND SETTING FORTH AN EFFECTIVE DATE.

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

- G. **RESOLUTION NO. 2013-67** : A RESOLUTION ACCEPTING A BID FROM THADCON, LLC FOR CONSTRUCTION SERVICES REGARDING THE NORTH PENINSULA 2" WATER MAIN REPLACEMENT PROJECT, UNDER BID NO. 2013-04; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; REJECTING ALL OTHER BIDS; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

- H. **RESOLUTION NO. 2013-68** : A RESOLUTION ACCEPTING A PROPOSAL FROM MCKIM & CREED, P.A. TO PROVIDE CONSTRUCTION ADMINISTRATION SERVICES FOR THE NORTH PENINSULA 2" WATER MAIN REPLACEMENT PROJECT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

- I. **RESOLUTION NO. 2013-69** : A RESOLUTION ACCEPTING A BID FROM MCMAHAN CONSTRUCTION CO., INC. FOR CONSTRUCTION SERVICES REGARDING THE SOUTH PENINSULA 2" WATER MAIN REPLACEMENT PROJECT, UNDER BID NO. 2013-05; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; REJECTING ALL OTHER BIDS; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

- J. **RESOLUTION NO. 2013-70** : A RESOLUTION ACCEPTING A PROPOSAL FROM QUENTIN L. HAMPTON ASSOCIATES, INC. TO PROVIDE CONSTRUCTION ADMINISTRATION SERVICES FOR THE SOUTH PENINSULA 2" WATER MAIN REPLACEMENT PROJECT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

- K. **RESOLUTION NO. 2013-71** : A RESOLUTION AUTHORIZING THE EXECUTION OF THE FIFTH AMENDMENT TO THE INTERLOCAL AGREEMENT PROVIDING FOR THE ESTABLISHMENT OF THE EAST VOLUSIA GOVERNMENT FIRE-RESCUE AND EMERGENCY MEDICAL SERVICES AUTOMATIC AID AND CLOSEST UNIT RESPONSE SYSTEM BETWEEN THE CITIES OF EDGEWATER, NEW SMYRNA BEACH, PORT ORANGE, SOUTH DAYTONA, DAYTONA BEACH, DAYTONA BEACH SHORES, ORMOND BEACH, HOLLY HILL, AND TOWN OF PONCE INLET FOR THE PURPOSE OF EXTENDING THE AGREEMENT; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *Bob Mandarino, Fire Chief (386-676-3333)*

APPROVED

- L. **RESOLUTION NO. 2013-72** : A RESOLUTION SUPPORTING THE PLANNING AREA BOUNDARY ADJUSTMENT AND MEMBERSHIP REAPPORTIONMENT PLAN TO EXPAND THE METROPOLITAN PLANNING AREA BOUNDARY AND TO REAPPORTION THE VOTING MEMBERSHIP OF THE VOLUSIA TRANSPORTATION PLANNING ORGANIZATION; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

- M. **RESOLUTION NO. 2013-73** : A RESOLUTION TERMINATING AN AGREEMENT WITH MCNEAL & WHITE CONTRACTORS, INC., FOR MISCELLANEOUS FENCING SERVICES; AND SETTING FORTH AN EFFECTIVE DATE.

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

- N. **RESOLUTION NO. 2013-74** : A RESOLUTION AUTHORIZING EXECUTION OF A DRAINAGE IMPROVEMENT FUNDING AGREEMENT BETWEEN THE CITY AND THE COUNTY OF VOLUSIA REGARDING THE JOHN ANDERSON DRIVE DRAINAGE IMPROVEMENTS PROJECT; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

- O. **RESOLUTION NO. 2013-75** : A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA AUTHORIZING THE ISSUANCE OF: (I) ITS WATER AND SEWER REVENUE BOND, SERIES 2013A IN A PRINCIPAL AMOUNT NOT TO EXCEED \$3,420,000 FOR THE PURPOSE OF FINANCING THE CONSTRUCTION AND ACQUISITION OF CERTAIN ADDITIONS, EXTENSIONS AND IMPROVEMENTS TO THE WATER AND SEWER SYSTEM OF THE CITY, (II) ITS WATER AND SEWER REVENUE REFUNDING BOND, SERIES 2013B, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$6,575,000 FOR THE PURPOSE OF CURRENTLY REFUNDING THE CITY'S OUTSTANDING WATER AND SEWER REFUNDING REVENUE BOND, SERIES 2007; AND (III) ITS WATER AND SEWER REVENUE REFUNDING BOND, SERIES 2013C, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$6,750,000 FOR THE PURPOSE OF CURRENTLY REFUNDING THE CITY'S OUTSTANDING WATER AND SEWER REFUNDING REVENUE BOND, SERIES 2006; DETERMINING CERTAIN DETAILS OF SAID BONDS; PROVIDING FOR THE SECURITY OF SAID BONDS; APPROVING THE FORM AND DISTRIBUTION OF REQUESTS FOR PROPOSALS FOR THE PURCHASE OF SAID BONDS; PROVIDING FOR THE AWARD OF THE SALE OF SAID BONDS TO THE SUCCESSFUL PROPOSER OR PROPOSERS FOR SAID BONDS; APPOINTING A PAYING AGENT AND REGISTRAR FOR SAID BONDS; AUTHORIZING PROPER OFFICIALS TO DO ALL THINGS DEEMED NECESSARY IN CONNECTION WITH THE ISSUANCE, SALE AND DELIVERY OF SAID BONDS; AND PROVIDING AN EFFECTIVE DATE.

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

APPROVED

- P. **RESOLUTION NO. 2013-76** : A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA, DECLARING THE CITY'S OFFICIAL INTENT TO SEEK REIMBURSEMENT FOR CERTAIN CAPITAL EXPENDITURES MADE AND TO BE MADE BY THE CITY WITH RESPECT TO THE CONSTRUCTION AND ACQUISITION OF CERTAIN ADDITIONS, EXTENSIONS AND IMPROVEMENTS TO THE WATER AND SEWER SYSTEM OF THE CITY FROM THE PROCEEDS OF TAX-EXEMPT DEBT ANTICIPATED TO BE ISSUED BY THE CITY; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

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

APPROVED

- Q. **RESOLUTION NO. 2013-77** : A RESOLUTION ADOPTING AN UPDATED WRITTEN INVESTMENT POLICY FOR CERTAIN INVESTMENT ACTIVITY; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

- R. **RESOLUTION NO. 2013-78** : A RESOLUTION APPROVING AND ADOPTING A NOVA COMMUNITY PARK CONCEPTUAL LONG RANGE MASTER PLAN; AND SETTING FORTH AN EFFECTIVE DATE.

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

- S. **Nova Community Park Skate Park Expansion Design/Build Request for Proposals**

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

Disposition: Approve as recommended in the City Manager memorandum dated April 16, 2013. **APPROVED**

- T. **Votran Trolley Service Subsidy**

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

Disposition: Approve as recommended in the City Manager memorandum dated April 16, 2013. **APPROVED**

- U. **Request to Purchase Fingerprint Scanners Utilizing Law Enforcement Trust Fund Monies.**

Staff Contact: Andy Osterkamp, Police Chief (386-677-0731)

Disposition: Approve as recommended in the City Manager memorandum dated April 16, 2013. **APPROVED**

- V. **Relocation of Fire Administration from City Hall to Fire Station 91**

Staff Contact: Bob Mandarino, Fire Chief (386-676-3333)

Disposition: Approve as recommended in the City Manager memorandum dated April 16, 2013. **APPROVED**

7. PUBLIC HEARINGS

- A. **ORDINANCE NO. 2013-30** : 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 6.88-ACRES LOCATED AT 1608 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.

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

- B. **ORDINANCE NO. 2013-31** : 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 1.15-ACRES LOCATED AT 1622 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.

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

APPROVED

- C. **ORDINANCE NO. 2013-32** : 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 0.46-ACRES LOCATED AT 1626 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.

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

APPROVED

- D. **ORDINANCE NO. 2013-33** : AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF ONE (1) PARCEL OF REAL PROPERTY TOTALING +0.44-ACRES LOCATED AT 305 NORTH TYMBER CREEK ROAD (PARCEL ID NO. 4124-04- 00-0470), FROM VOLUSIA COUNTY "URBAN LOW INTENSITY" TO ORMOND BEACH "LOW DENSITY RESIDENTIAL"; AUTHORIZING TRANSMITTAL; PROVIDING FOR CONFLICT; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

8. SECOND READING OF ORDINANCES

- A. **ORDINANCE NO. 2013-27** : AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF ONE (1) PARCEL OF REAL PROPERTY TOTALING +6.88-ACRES LOCATED AT 1608 NORTH US HIGHWAY 1 (PARCEL ID NO. 3136-01-64-0170), FROM VOLUSIA COUNTY "COMMERCIAL" TO ORMOND BEACH "TOURIST COMMERCIAL"; AUTHORIZING TRANSMITTAL; PROVIDING FOR CONFLICT; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

- B. **ORDINANCE NO. 2013-28** : AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF ONE (1) PARCEL OF REAL PROPERTY TOTALING +1.15-ACRES LOCATED AT 1622 NORTH US HIGHWAY 1 (PARCEL ID NO. 3136-01-64-0020), FROM VOLUSIA COUNTY "COMMERCIAL" TO ORMOND BEACH "TOURIST COMMERCIAL"; AUTHORIZING TRANSMITTAL; PROVIDING FOR CONFLICT; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

- C. **ORDINANCE NO. 2013-29** : AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF ONE (1) PARCEL OF REAL PROPERTY TOTALING +0.46-ACRES LOCATED AT 1626 NORTH US HIGHWAY 1 (PARCEL ID NO. 3136-01-64-0022), FROM VOLUSIA COUNTY "COMMERCIAL" TO ORMOND BEACH "TOURIST COMMERCIAL"; AUTHORIZING TRANSMITTAL; PROVIDING FOR CONFLICT; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

9. REPORTS, SUGGESTIONS, REQUESTS

10. 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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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.