

**MINUTES  
ORMOND BEACH CITY COMMISSION  
HELD AT CITY HALL COMMISSION CHAMBERS**

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**September 5, 2017**

**7:00 p.m.**

**Commission Chambers**

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Present were: Mayor Bill Partington, Commissioners Dwight Selby, Troy Kent, Rick Boehm, and Rob Littleton, City Manager Joyce Shanahan, City Attorney Randy Hayes, and City Clerk Scott McKee.

**A G E N D A**

- 1. CALL TO ORDER**
- 2. INVOCATION**
- 3. PLEDGE OF ALLEGIANCE**
- 4. ADOPTION OF FY 2017-2018 PROPOSED MILLAGE RATES AND TENTATIVE BUDGET**
  - A. **RESOLUTION NO. 2017-157** : A RESOLUTION ADOPTING PROPOSED MILLAGE RATES FOR THE 2017-2018 FISCAL YEAR; ESTABLISHING A DATE TIME AND PLACE FOR A PUBLIC HEARING TO ADOPT FINAL MILLAGE RATES AND FINAL BUDGET; AND SETTING FORTH AN EFFECTIVE DATE.  
*Staff Contact: Kelly McGuire, Finance Director (386-676-3226)*
  - B. **ORDINANCE NO. 2017-22** : AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE 2017-2018 FISCAL YEAR BEGINNING OCTOBER 1, 2017 AND ENDING SEPTEMBER 30, 2018; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.  
*Staff Contact: Kelly McGuire, Finance Director (386-676-3226)*
- 5. PRESENTATIONS AND PROCLAMATIONS**
  - A. Recognition for Ormond Beach's "A" Schools –  
Ormond Beach Elementary, Pine Trail Elementary, Tomoka Elementary
- 6. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA**
- 7. APPROVAL OF MINUTES**
  - A. Minutes from City Commission meeting - August 15, 2017
- 8. 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. 2017-158** : A RESOLUTION AUTHORIZING A COST OF LIVING INCREASE BASED ON THE CONSUMER PRICE INDEX PURSUANT TO THE SOLID WASTE, YARD WASTE, RECYCLING AND ROLL-OFF COLLECTION AND DISPOSAL SERVICES AGREEMENT BETWEEN THE CITY OF ORMOND BEACH AND WASTE PRO OF FLORIDA, INC.; AND SETTING FORTH AN EFFECTIVE DATE.  
*Staff Contact: Kevin Gray, Public Works Operations Manager (386-676-3522)*

- B. **RESOLUTION NO. 2017-160** : A RESOLUTION AUTHORIZING THE EXECUTION OF A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF ORMOND BEACH AND THE NATIONAL ASSOCIATION OF GOVERNMENT EMPLOYEES; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:** *Claire Whitley, Human Resources Director (386-676-3202)*
- C. **RESOLUTION NO. 2017-161** : A RESOLUTION AUTHORIZING THE EXECUTION OF A SERVICE CONTRACT BETWEEN THE CITY OF ORMOND BEACH AND THE ORMOND BEACH CHAMBER OF COMMERCE; SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:** *Joe Mannarino, Economic Development Director (386-676-3266)*
- D. **RESOLUTION NO. 2017-162** : A RESOLUTION AUTHORIZING THE EXECUTION OF A COOPERATIVE ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE CITY OF ORMOND BEACH AND TEAM VOLUSIA ECONOMIC DEVELOPMENT CORPORATION; SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:** *Joe Mannarino, Economic Development Director (386-676-3266)*
- E. **RESOLUTION NO. 2017-163** : A RESOLUTION AUTHORIZING THE EXECUTION OF A WATER, SEWER AND ANNEXATION AGREEMENT BETWEEN THE CITY AND INDEPENDENCE RECYCLING OF FLORIDA, INC. FOR PROPERTY LOCATED AT 800 HULL ROAD, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA; PROVIDING FOR RECORDATION; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:** *Ric Goss, Planning Director (386-676-3238)*
- F. **RESOLUTION NO. 2017-164** : A RESOLUTION APPOINTING A MEMBER TO THE QUALITY OF LIFE ADVISORY BOARD; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:** *Scott McKee, City Clerk (386-676-3340)*
- G. **RESOLUTION NO. 2017-165** : A RESOLUTION REAPPOINTING ALLEN HARRELL AS A MEMBER TO SERVE AS A COMMISSIONER OF THE ORMOND BEACH HOUSING AUTHORITY; SETTING FORTH TERM AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:** *Scott McKee, City Clerk (386-676-3340)*
- H. **RESOLUTION NO. 2017-166** : A RESOLUTION AUTHORIZING THE EXECUTION OF A CONSENT TO ASSIGNMENT AND AMENDMENT TO CONTINUING ENGINEERING SERVICES AGREEMENTS BETWEEN THE CITY OF ORMOND BEACH AND ECS-FLORIDA, LLC, FOR THE LIMITED PURPOSE OF ACKNOWLEDGING THE CORRECT IDENTITY OF THE ENTITY PROVIDING ENVIRONMENTAL SERVICES AND GEOTECHNICAL SERVICES UNDER THE AGREEMENTS; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:** *John Noble, City Engineer (386-676-3269)*
- I. **RESOLUTION NO. 2017-167** : A RESOLUTION AUTHORIZING THE EXECUTION OF A CONSENT TO ASSIGNMENT AND AMENDMENT TO CONTINUING ENGINEERING SERVICES AGREEMENTS BETWEEN THE CITY OF ORMOND BEACH AND ALFRED BENESCH & COMPANY FOR THE LIMITED PURPOSE OF ACKNOWLEDGING THE CORRECT IDENTITY OF THE ENTITY PROVIDING GENERAL CIVIL ENGINEERING SERVICES AND PLANNING AND DESIGN SERVICES UNDER THE AGREEMENTS; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:** *John Noble, City Engineer (386-676-3269)*

- J. **RESOLUTION NO. 2017-168** : A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA URGING MEMBERS OF THE FLORIDA STATE LEGISLATURE TO ADOPT LEGISLATION AMENDING CURRENT ANIMAL CRUELTY LAWS TO IMPOSE STRICTER, PENALTIES FOR ACTS OF ANIMAL CRUELTY, AND ESTABLISHING AN EFFECTIVE DATE.

**Staff Contact:** *Scott McKee, City Clerk (386-676-3340)*

- K. **RESOLUTION NO. 2017-173** : A RESOLUTION AUTHORIZING THE EXECUTION OF A SETTLEMENT AGREEMENT BETWEEN THE CITY AND WESTFIELD INSURANCE COMPANY; AUTHORIZING THE EXECUTION OF ALL PAPERS NECESSARY AND INCIDENTAL THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

**Staff Contact:** *Ann-Margret Emery, Deputy City Attorney (386-676-3218)*

- L. **RESOLUTION NO. 2017-174** : A RESOLUTION ACCEPTING PROPOSALS FOR THE PROVISION OF VARIOUS FORMS OF INSURANCE COVERAGE, INCLUDING PROPERTY, INLAND MARINE, CRIME, AUTO PHYSICAL DAMAGE, EXCESS WORKERS' COMPENSATION, LIABILITY INCLUDING PUBLIC OFFICIALS, EMPLOYMENT PRACTICES AND LAW ENFORCEMENT ACTIVITIES, ACCIDENTAL DEATH AND DISMEMBERMENT (POLICE OFFICERS AND FIREFIGHTERS), POLLUTION, PROFESSIONAL LIABILITY (EMT AND PARAMEDICS), AND TULIP INSURANCE COVERAGES; AUTHORIZING THE EXECUTION OF DOCUMENTS RELATIVE THERETO; AUTHORIZING PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

**Staff Contact:** *Claire Whitley, Human Resources Director (386-676-3202)*

- M. **2017 City of Ormond Beach Legislative Action Agenda**

**Staff Contact:** *Joyce Shanahan, City Manager (386-676-3200)*

**Disposition:** Approve as recommended in the City Manager memorandum dated September 5, 2017.

**9. PUBLIC HEARINGS**

- A. **ORDINANCE NO. 2017-17** : AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF ARTICLE 1, 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 A CERTAIN PARCELS OF REAL PROPERTY TOTALING APPROXIMATELY 32.58± ACRES LOCATED AT 550 WEST GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-01-13-0073), 600 WEST GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241- 01-13-0070), 634 TOMOKA AVENUE (VOLUSIA COUNTY PARCEL NUMBER 4241-01-13-0090), 636 TOMOKA AVENUE (VOLUSIA COUNTY PARCEL NUMBER 4241-01-13-0091), 650 TOMOKA AVENUE (VOLUSIA COUNTY PARCEL NUMBER 4241-01-13-0110), 690 WEST GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241- 01-13-0100), 101 BENNETT LANE (VOLUSIA COUNTY PARCEL NUMBER 4241-01-14-0280), NO ADDRESS, NORTH SIDE OF GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-01-12-0100), NO ADDRESS, NORTH SIDE OF GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-01-10-0070), NO ADDRESS, NORTH SIDE OF GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-01-09-0120), NO ADDRESS, NORTH SIDE OF GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-01-09-0110), FROM PBD (PLANNED BUSINESS DEVELOPMENT – EXPIRED), R-3 (SINGLE FAMILY MEDIUM DENSITY) AND B-9 (BOULEVARD) TO PBD (PLANNED BUSINESS DEVELOPMENT), AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

- B. **ORDINANCE NO. 2017-18** : AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A PLANNED BUSINESS DEVELOPMENT TO BE KNOWN AS "GRANADA POINTE", AUTHORIZING THE DEVELOPMENT OF COMMERCIAL USES ON 19.48 ACRES SOUTH OF GRANADA BOULEVARD WITH THE REALIGNMENT OF THE TOMOKA AVENUE RIGHT-OF-WAY, INSTALLATION OF A TRAFFIC SIGNAL AT WEST GRANADA BOULEVARD AND TOMOKA AVENUE, ASSOCIATED ROADWAY IMPROVEMENTS, AN INTERCONNECTED WET DETENTION STORMWATER POND, AND UTILITY AND SITE IMPROVEMENTS. ON THE NORTH SIDE OF GRANADA BOULEVARD, THE PROJECT PROPOSES A 3.05- ACRE COMMERCIAL TRACT AND A 10.06-ACRE PARCEL FOR TREE PROTECTION AND WETLAND CONSERVATION TO BE LOCATED AT 550 WEST GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-01-13-0073), 600 WEST GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-01-13-0070), 634 TOMOKA AVENUE (VOLUSIA COUNTY PARCEL NUMBER 4241-01-13-0090), 636 TOMOKA AVENUE (VOLUSIA COUNTY PARCEL NUMBER 4241-01-13-0091), 650 TOMOKA AVENUE (VOLUSIA COUNTY PARCEL NUMBER 4241-01-13-0110), 690 WEST GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-01-13-0100), 101 BENNETT LANE (VOLUSIA COUNTY PARCEL NUMBER 4241-01-14-0280), NO ADDRESS, NORTH SIDE OF GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-01-12-0100), NO ADDRESS, NORTH SIDE OF GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-01-10-0070), NO ADDRESS, NORTH SIDE OF GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-01-09-0120), NO ADDRESS, NORTH SIDE OF GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-01-09-0110); AUTHORIZING A MASTER DEVELOPMENT PLAN INCLUDING CERTAIN WAIVERS TO THE LAND DEVELOPMENT CODE AND PUBLIC BENEFITS; ESTABLISHING CONDITIONS AND EXPIRATIONS OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

- C. **ORDINANCE NO. 2017-19** : AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA, VACATING A 0.44+ ACRE PORTION OF TOMOKA AVENUE THAT INTERSECTS WITH WEST GRANADA BOULEVARD, A PLATTED FIFTY (50') FOOT RIGHT-OF-WAY LYING WEST OF 600 WEST GRANADA BOULEVARD, VOLUSIA COUNTY PARCEL #4241-01-13-0070, AND EAST OF 690 WEST GRANADA BOULEVARD, VOLUSIA COUNTY PARCEL #4241-01-13-0100, 650 TOMOKA AVENUE, VOLUSIA COUNTY PARCEL #4241-01-13-0110, 636 TOMOKA AVENUE, VOLUSIA COUNTY PARCEL #4241-01-13-0091, AND A PORTION OF 634 TOMOKA AVENUE, VOLUSIA COUNTY PARCEL #4241-01-13-0090; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; SETTING CERTAIN CONDITIONS; PROVIDING FOR RECORDATION AND TRANSMITTAL AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

- D. **ORDINANCE NO. 2017-23** : AN ORDINANCE AMENDING SECTION 22-23, MINIMUM METER RATES GENERALLY; 22-24, MULTIPLE MINIMUM CHARGES; AND 22-71, SERVICE CHARGE ESTABLISHED; OF CHAPTER 22, WATER AND SEWERS, THE CITY OF ORMOND BEACH CODE OF ORDINANCES, BY INCREASING THE MINIMUM WATER AND SEWER RATES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

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

**10. FIRST READING OF ORDINANCES**

- A. **ORDINANCE NO. 2017-24** : AN ORDINANCE AMENDING CHAPTER 10, SOLID WASTE, YARD WASTE AND RECYCLABLES, SECTION 10-16, FEES FOR COLLECTION AND DISPOSAL ESTABLISHED, OF THE CODE OF ORDINANCES, BY INCREASING FEES FOR THE COLLECTION AND DISPOSAL OF SOLID WASTE; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; SETTING FORTH AN EFFECTIVE DATE.

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

- B. **ORDINANCE NO. 2017-25** : AN ORDINANCE AMENDING SECTION 22-115, FEE IMPOSED; SCHEDULE; OF CHAPTER 22, WATER AND SEWERS, OF THE CITY OF ORMOND BEACH CODE OF ORDINANCES, BY INCREASING THE WATER AND SEWER SERVICE IMPACT FEES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

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

**11. SECOND READING OF ORDINANCES**

- A. **ORDINANCE NO. 2017-21** : AN ORDINANCE REPEALING SECTION 2-228, PUBLIC WORKS ADVISORY BOARD, OF ARTICLE VI, BOARDS, COMMISSIONS, COMMITTEES AND OTHER AGENCIES, OF CHAPTER 2, ADMINISTRATION; OF THE CODE OF ORDINANCES; RESERVING SAID ARTICLE FOR FUTURE USE; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

*Staff Contact: Scott McKee, City Clerk (386-676-3340)*

**12. RESOLUTIONS**

- A. **RESOLUTION NO. 2017-169** : A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A WARRANTY DEED FROM GRANADA POINTE INVESTORS, LLC, A FLORIDA LIMITED LIABILITY COMPANY TO DEDICATE FIFTEEN (15.0') FEET OF RIGHT-OF-WAY ALONG THE WESTERN AND NORTHERN BOUNDARY OF THE EXISTING BENNETT LANE TOTALING APPROXIMATELY 0.47 ACRES TO THE CITY OF ORMOND BEACH AS PART OF THE GRANADA POINTE PLANNED BUSINESS DEVELOPMENT; AND SETTING FORTH AN EFFECTIVE DATE.

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

- B. **RESOLUTION NO. 2017-170** : A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A WARRANTY DEED FROM GRANADA POINTE INVESTORS, LLC, A FLORIDA LIMITED LIABILITY COMPANY DEDICATING THE RE-LOCATED TOMOKA AVENUE RIGHT-OF-WAY CONSISTING OF EIGHTY (80.0') FEET IN WIDTH AND TOTALING APPROXIMATELY 8,811 SQUARE FEET, TO THE CITY OF ORMOND BEACH, UPON THE SATISFACTION OF CERTAIN CONDITIONS AS PART OF THE GRANADA POINTE PLANNED BUSINESS DEVELOPMENT; AND SETTING FORTH AN EFFECTIVE DATE.

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

- C. **RESOLUTION NO. 2017-171** : A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A DRAINAGE, ACCESS AND MAINTENANCE EASEMENT DEED FROM GRANADA POINTE INVESTORS, LLC, A FLORIDA LIMITED LIABILITY ON PROPERTY LOCATED AT 550 WEST GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-01-13-0073), 600 WEST GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-01-13-0070), 634 TOMOKA AVENUE (VOLUSIA COUNTY PARCEL NUMBER 4241-01-13-0090), 636 TOMOKA AVENUE (VOLUSIA COUNTY PARCEL NUMBER 4241-01-13-0091), 650 TOMOKA AVENUE (VOLUSIA COUNTY PARCEL NUMBER 4241-01-13-0110), 690 WEST GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-01-13-0100), 101 BENNETT LANE (VOLUSIA COUNTY PARCEL NUMBER 4241-01-14-0280), NO ADDRESS, NORTH SIDE OF GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-01-12-0100), NO ADDRESS, NORTH SIDE OF GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-01-10-0070), NO ADDRESS, NORTH SIDE OF GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-01-09-0120), NO ADDRESS, NORTH SIDE OF GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-01-09-0110); AND SETTING FORTH AN EFFECTIVE DATE.

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

- D. **RESOLUTION NO. 2017-172** : A RESOLUTION APPROVING AND AUTHORIZING THE REMOVAL OF TWO HISTORIC TREES LOCATED AT THE NORTHEAST CORNER OF STERTHAUS DRIVE AND NORTH CENTER STREET; AND SETTING FORTH AN EFFECTIVE DATE.

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

### 13. DISCUSSION ITEMS

- A. **City Manager Annual Evaluation**

*Staff Contact:* Joyce Shanahan, City Manager (386-676-3200)

- B. **City Attorney Annual Evaluation**

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

### 14. REPORTS, SUGGESTIONS, REQUESTS

### 15. ADJOURNMENT

#### Item #1 – Meeting Call to Order

Mayor Partington called the meeting to order at 7:02 p.m.

#### Item #2 – Invocation

Pastor Joshua Peoples, Providence Church, gave the invocation.

#### Item #3 – Pledge of Allegiance

Mayor Partington led the Pledge of Allegiance.

#### Item #4A- Proposed Millage Rates for FY 2017-18

City Clerk Scott McKee read by title only:

#### RESOLUTION NO. 2017-157

A RESOLUTION ADOPTING PROPOSED MILLAGE RATES FOR THE 2017-2018 FISCAL YEAR; ESTABLISHING A DATE TIME AND PLACE FOR A PUBLIC HEARING TO ADOPT FINAL MILLAGE RATES AND FINAL BUDGET; AND SETTING FORTH AN EFFECTIVE DATE.

Mayor Partington stated that per Florida Statute, he was required to state that the proposed millage rate for the City of Ormond Beach necessary to fund the fiscal year

2017-2018 budget was 4.2843 mills. He noted that that rate was 6.2 percent above the rolled back rate of 4.0343 mills. He stated that the tentative debt service millage rates were 0.0935 for the 2002 General Obligation Bond Sinking Fund, 0.0394 for the 2003 General Obligation Bond Sinking Fund, and 0.1190 for the 2010 General Obligation Bond Sinking Fund.

Mayor Partington asked if there were any comments from the Commission regarding the tax rate or budget.

Commissioner Littleton stated that he had been opposed to the millage rate for a while. He noted that in the current proposed budget, solid waste, water and wastewater, and leisure service fees were all proposed to be increased. He stated that the millage rate was proposed to be increased to 6.2 percent over the rollback rate. He noted that that was a 4.5 percent increase over last year and an 8.79 percent increase over the rollback rate from the year before that. He stated that he was trying to give the citizens of Ormond Beach a break in some way. He noted that if the rest of the Commission was willing to consider it, staff would be able to show them the services the city could provide while maintaining the current revenue and the services which were provided with the new proposed millage rate. He stated that he was against the proposed millage rate.

Commissioner Kent stated that this resolution was the second hearing involving the millage rate. He noted that Ormond Beach had historically had the second or third lowest millage rate out of the 16 municipalities in Volusia County. He stated that Ormond Beach citizens received valuable services. He explained that when citizens left Ormond Beach to go to other communities, it was evident to them that they were no longer in Ormond Beach. He noted that he was proud that Ormond Beach's millage rate was as low as it was. He stated that he was appreciative of Commissioner Littleton wanting to find budget cuts. He noted that he was eagerly waiting for Commissioner Littleton to find those cuts. He stated that through the annual audits, the city was determined to be a lean, mean running machine and noted that Ormond Beach did things right fiscally.

Commissioner Kent stated that he and Mayor Partington grew up playing basketball at Nova Community Park. He noted 12 to 13 years earlier the facility had been shut down in the summertime because of rain. He stated that he and Mayor Partington were never again going to allow the roofs to have leaks and children to not be able to play in the city's facilities because of them. He noted that at that time they had to take care of what they felt like past Commissions had not taken proper care of.

Commissioner Kent stated that one year there was an increase of over 30 percent in the water and wastewater rates because the prior Commission had gone a decade without approving an increase. He noted that the Commission now believed it was better to have small incremental increases. He stated that the water and wastewater rates would remain the lowest or second lowest in Volusia County. He noted that the millage rate was to remain at the third lowest in Volusia County. He stated that City Manager Joyce Shanahan and her team did a wonderful job. He noted that Ms. Shanahan provided incredible service to the community.

Commissioner Kent stated that with the upcoming hurricane, many did not know that Ormond Beach was one of the only communities that bagged the sand bags for their residents. He noted that he had never seen anything like what Ormond Beach did for their residents. He stated that there was a machine that bagged the sand with human assistance. He explained that when residents pulled up to receive their sandbags, all they had to do was show their Ormond Beach identification, and workers would ask the residents to stay in their car, pop their trunk, and then the workers would load the sandbags in the trunk. He noted that he was very comfortable with the millage rate.

Commissioner Boehm stated that last year's hurricane cost the city \$8.5 million. He noted that the city had submitted a claim to the Federal Emergency Management Agency (FEMA) for which the city could receive 85 percent reimbursement. He stated that the out-of-pocket amount the city paid came out of water and wastewater funds. He noted that that was over \$1 million that the city had to pay for last year's hurricane. He stated that the city was not able to absorb paying that kind of money indefinitely. He noted that incrementally smaller increases, in light of dealing with those kinds of losses, were something that could be borne by everyone.

Commissioner Boehm stated that he had received his Truth In Millage Notice (TRIM) notice and he had hoped that other residents had received theirs. He noted that what many had ignored with the 6.2 percent increase was that residents who had lived in



Ormond Beach for a year had the benefit of “Save Our Homes.” He noted that those residents’ increases were only going to increase by three percent or increase by the cost of living, which was around 2.38 percent this year. He noted that his Ormond Beach tax bill was going to increase by \$20. He stated that he was able to deal with paying \$20 for the benefit and services that the city provided to its residents. He noted that he believed that Ormond Beach provided greater services. He stated that he was in support of the millage rate.

Commissioner Selby stated that the average home would see their taxes increase by less than \$18 a year for the quality of life in Ormond Beach. He noted that he had lived in Ormond Beach for 33 years. He explained that the rollback rate was the exact same dollar amount that the city had last year excluding annexations and new construction. He noted that it would be impossible to operate the city at the rollback rate. He stated that a modest increase of \$1.50 per month was palatable and he hoped that citizens would think that also.

Mayor Partington stated that his taxes increased by \$12 from last year. He noted that that amounted to an increase of one dollar per month. He stated that the budget was scoured, developed, and unanimously approved by the city’s Budget Advisory Board. He noted that the board was made up of citizens who were bankers, accountants, and business citizens. He stated that many of the board members had lived in Ormond Beach for decades. He noted that the board had reviewed the budget with Finance Director Kelly McGuire month after month in order to help put the budget together.

Mayor Partington stated that the millage rate item was a public hearing. He asked if there were any members of the public who wished to speak or ask questions prior to the adoption of the tentative millage rate and budget.

**Commissioner Boehm moved, seconded by Commissioner Kent, for approval of Resolution No. 2017-157, as read by title only.**

Mayor Partington stated that the tentative operating millage of 4.2843 mills was 6.2 percent above the rolled back millage rate. He noted that the resolution also included adoption of the tentative debt service millage rates of 0.0935 for the 2002 General Obligation Bond Sinking Fund, 0.0394 for the 2003 General Obligation Bond Sinking Fund, and 0.1190 for the 2010 General Obligation Bond Sinking Fund.

Call Vote:	Commissioner Selby	Yes
	Commissioner Kent	Yes
	Commissioner Boehm	Yes
	Commissioner Littleton	No
Carried.	Mayor Partington	Yes

Mayor Partington stated that the operating millage rate was set at 4.2843 mills, which was equal to the 6.2 percent above the rolled back millage rate of 4.0343 mills.

Item #4B- Final Budget for FY 2017-18

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2017-22  
 AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE 2017-2018 FISCAL YEAR BEGINNING OCTOBER 1, 2017 AND ENDING SEPTEMBER 30, 2018; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

**Commissioner Kent moved, seconded by Commissioner Boehm, for approval of Ordinance No. 2017-22, on first reading, as read by title only.**

Mayor Partington asked the City Clerk to call the vote to adopt the budget of \$93,776,390.

Call Vote:	Commissioner Kent	Yes
	Commissioner Boehm	Yes
	Commissioner Littleton	Yes
	Commissioner Selby	Yes
Carried.	Mayor Partington	Yes

Mayor Partington asked for any objection to closing the public hearing. He noted that hearing none, the public hearing was closed.

#### Item 5- Presentations and Proclamations

Mayor Partington invited representatives from Ormond Beach Elementary, Pine Trail Elementary, and Tomoka Elementary forward. He stated that Principal Tucker Harris and his crowd were present from Ormond Beach Elementary. He noted that Ormond Beach Elementary had improved from a "B" to an "A" in Principal Harris's first year at the helm. He stated that Principal Susan Tuten was present at the meeting with some teachers from Tomoka Elementary. He noted that Principal Tuten had been principal at Tomoka Elementary for three years. He stated that the Tomoka Elementary had improved from a "B" to an "A" school this year. He stated that Principal Tami Fisher and Assistant Principal Jeffrey Levine were present at the meeting from Pine Trail Elementary. He noted that Pine Trail Elementary had maintained their "A" rating from the prior year.

Mayor Partington stated that education was of unparalleled importance, and schools provided children with the knowledge, skills, and tools they needed to learn, grow, and lead productive personal and professional lives. He noted that the Florida Department of Education released the 2017 school grades this summer, and that three Ormond Beach elementary schools had received grades of "A" for the 2016-2017 school year. He explained that Ormond Beach Elementary, Pine Trail Elementary, and Tomoka Elementary all received the highest letter grade and that for the second year, schools were being graded under new, stricter grading criteria measuring learning gains towards grade level performance.

Mayor Partington stated that students and faculty of the aforementioned elementary schools strived for success with diligence, determination, and dedication. He noted that they ultimately achieved letter grades which reflected their passion for education and commitment to excellence. He stated that schools brought together adults and children, educators and volunteers, administrators and parents, and served as an integral part of the community. He noted that three of the eight "A" rated elementary schools in Volusia County were located within the City of Ormond Beach. He stated that that served as a testament to the quality of education and experience being provided by those schools to the City's children.

Mayor Partington, on behalf of the city of Ormond Beach, proclaimed September 5, 2017, as a day to recognize Ormond Beach's "A" schools and encouraged residents to congratulate Ormond Beach Elementary, Pine Trail Elementary, and Tomoka Elementary on their outstanding achievements; to acknowledge the hard work and perseverance that went into attaining recognition as "A" schools; and to celebrate their significant impact on the children of Ormond Beach and the community as a whole.

Principal Tucker Harris, Ormond Beach Elementary, stated that he wanted to thank the city for their ongoing support of the schools and recognition. He noted that he appreciated the Commission being visible out in the community.

Mayor Partington thanked the schools for all that they did and noted that he appreciated them for coming to the meeting.

#### Item #6- Audience Remarks

Mayor Partington noted that there were no members of the public that had requested to speak on items that were not on the printed agenda.

#### Item #7 – Approval of Minutes

Mayor Partington advised that the minutes of the August 15, 2017, regular meeting had been sent to the Commission for review and posted on the city's website for public viewing. He asked for any corrections, additions, or omissions. He stated that hearing no corrections, the minutes would stand approved as presented.

#### Item #8 – Consent Agenda

Mayor Partington advised that the actions proposed for the items on the Consent Agenda were stated on the agenda. He asked if any member of the Commission had questions or wished to discuss any items separately.

**Commissioner Selby requested that item 8A be pulled from the Consent Agenda.**

**Commissioner Kent moved, seconded by Commissioner Selby, for approval of the Consent Agenda, absent item 8A.**

Call Vote:	Commissioner Boehm	Yes
	Commissioner Littleton	Yes
	Commissioner Selby	Yes
	Commissioner Kent	Yes
Carried.	Mayor Partington	Yes

Item #8A- CPI Rate Adjustment Request – Waste Pro of Florida, Inc.

City Clerk Scott McKee read by title only:

RESOLUTION NO. 2017-158

A RESOLUTION AUTHORIZING A COST OF LIVING INCREASE BASED ON THE CONSUMER PRICE INDEX PURSUANT TO THE SOLID WASTE, YARD WASTE, RECYCLING AND ROLL-OFF COLLECTION AND DISPOSAL SERVICES AGREEMENT BETWEEN THE CITY OF ORMOND BEACH AND WASTE PRO OF FLORIDA, INC.; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Selby stated that this item was spoken about briefly at the Operating Budget Workshop. He noted that it was his understanding that for the first two years of the Waste Pro contract, the fee for collecting garbage was a fixed rate. He stated that in the third year, Waste Pro had the ability to request a Consumer Price Index (CPI) increase. He noted that that was what Waste Pro had done. He stated that he wanted to make sure that those facts were accurate before he rendered his opinion about this item.

Mayor Partington stated that he believed that that was accurate.

Ms. Joyce Shanahan, City Manager, stated that the contract would be coming up on its fourth year.

Commissioner Selby asked if it was a fixed rate for three years and then beginning in the fourth year, Waste Pro had the right to ask for the increase.

Mr. Kevin Gray, Public Works Operations Manager, stated that the first two years of the Waste Pro contract were fixed rates. He noted that in the third year, the city had a 0.9 percent increase. He stated that this year Waste Pro had requested a 2.38 percent increase.

Commissioner Selby asked if the contract mandated an increase or if the increase optional. He noted that he believed that Waste Pro had the right to ask but the city did not have the duty to pay it. He asked Mr. Gray if that was correct; whereby Mr. Gray confirmed that was correct.

Commissioner Selby asked what would happen next year; whereby, Mr. Gray stated that whatever the CPI increase was, Waste Pro could request that increase.

Commissioner Selby explained that he did not have a good answer for a taxpayer who would inquire as to why a company that the city hired to do work at \$100 would be paid \$102.38 just because they asked. He noted that he wanted to hear the rationale from anyone who wanted to tell him why the Commission should approve the increase.

Ms. Shanahan stated that the city had gone out to bid when their contract with Waste Management had expired and their new contract bid came in \$2 million higher. She noted that Waste Pro only came in \$1 million higher. She explained that the city's prior contract was so low because increases had not been provided to raise the amount to the current market rate. She stated that the city contracted with Waste Pro. She noted that it was staff's understanding and belief that if the city did not provide the increase now, when the contract came up for renewal, there would be a greater increase at that time. She explained that that was why staff had recommended the increase.

Mayor Partington stated that the current Commission had not lived through the situation with Waste Management and that adjustment. He noted that at that time he had agreed more with Commissioner Selby's line of thinking, but then realized that giving small

increases tied to the CPI made a lot more sense in the long run. He stated that Commissioner Kent had spoken earlier about bringing residents along slowly, and how that was kinder than waiting ten years and whacking them with a 30 percent increase. He noted that that was why he supported the item. He stated that Waste Pro gave the documentation for their increased costs that were tied to the CPI. He noted that he understood where Commissioner Selby was coming from because he had been there before. He stated that in the long run, in a continuing relationship, he wanted to be fair to the contractors that the city worked with. He noted that it was important to understand that Waste Pro had been meeting the city's needs and working hard to satisfy the residents of Ormond Beach. He stated that staff had a good relationship and was comfortable supporting the increase.

Commissioner Kent stated that he wanted to applaud Commissioner Selby for bringing the item up and voicing his concerns. He noted that this was one of the uncomfortable items and that residents had elected them into office to question everything. He stated that he believed that the Commission could not be wrong with whatever way this item went. He noted that the last time the city had dealt with this; it ended in a 3-2 vote. He stated that he and Commissioner Boehm were on the losing side of that vote. He noted that he and Commissioner Boehm wanted to give Waste Management an increase of approximately \$300,000 and keep them because Waste Management had been with the city since the city gotten itself out of the garbage business. He stated that Waste Management was who the city had that relationship with. He noted that that Commission had voted "no" to the increase. He stated that when the bids came back to the city, Waste Management offered a \$2 million increase and Waste Pro came in at a \$1 million increase over the current contract. He noted that that Commission had thought they had made a \$700,000 mistake.

Commissioner Kent stated that just like Commissioner Selby had mentioned, the cost of living went up every year. He noted that Waste Pro was likely paying their employees more. He noted that there was a little hiccup the first week that Waste Pro had taken over, which was thrower's fatigue. He explained that the Commission was calling Ms. Shanahan asking what was going on because garbage was being picked up at ten o'clock at night for some residents. He noted that Ms. Shanahan had stated that Waste Pro was new to the route and Waste Pro had thrower's fatigue and their arms needed to get ready for the new route. He stated that after that first week, there were not any complaints with Waste Pro. He noted that they had done an excellent job in the City of Ormond Beach. He stated that he was going to vote for the modest increase.

Commissioner Boehm stated that in the staff recommendation, Waste Pro had indicated that they had an eight percent increase in labor costs and a 33.1 percent increase in compressed natural gas prices over the past few years. He noted that in three years, Waste Pro had received a 0.9 percent increase. He stated that in the fourth year, Waste Pro was requesting a 2.38 percent increase. He noted that Waste Pro was strictly receiving a 33.1 percent increase in compressed natural gas prices, noting that it was quite a bit of an increase. He stated that Waste Pro was only asking for what they were entitled to under the contract. He noted that he agreed with Mayor Partington and Commissioner Kent in supporting the increase.

Commissioner Selby stated that he respected where the Commission was coming from. He noted that he believed the Commission was conflating two different issues. He stated that one issue was whether or not citizens would be prepared for an increase at the end of the term of this contract in the event that that happened. He noted that that was being addressed later in the meeting with a modest increase in the solid waste fees. He stated that he believed that the Commission's responsibility was to the taxpayers. He noted that he believed that the increase to Waste Pro was effectively a donation. He stated that it was a gift and the Commission had no contractual responsibility to give it. He explained that when Waste Pro had bid the contract, they did not plan or budget for the CPI increase in the fourth year and potentially in the fifth year. He stated that Waste Pro had budgeted based on what they knew for certain that they were going to receive.

Commissioner Selby stated that it was not the Commission's responsibility to enhance Waste Pro's bottom line at the expenses of Ormond Beach residents. He noted that that was not the right thing to do. He stated that some Commissioners spoke about watching every penny, but then gave away \$111,000 to a for-profit company that was under contract to deliver services to the city of Ormond Beach. He noted that he believed it was dereliction of duty for the Commission to vote for the increase. He stated that it was the Commission's job to watch out for taxpayers' money and the Commission had no

duty to pay for the increase. He noted that Waste Pro was asking for a gift and that he would be voting “no.”

Commissioner Boehm stated that Commissioner Selby was entitled to his opinion. He noted that he believed it was not a gift. He noted the \$700,000 that the city had paid the last time the Commission had voted “no.” He stated that Commissioner Selby had been around the county, noting that he had been too. He stated that there were two waste companies in Volusia county, Waste Pro and Waste Management. He explained that it was not like if the city went to put this out to bid that 23 companies would place a bid in. He stated that those two companies knew what to charge, what the market would bear, and what they needed to receive. He noted that those companies had absolutely drilled the city the last time. He stated that Commissioner Selby could vote “no” and argue that he was saving taxpayers’ dollars, but if in 2019 Commissioner Selby rejected the \$1 or \$2 million increase, there would be nowhere else to go. He noted that the city could not go back into the garbage business. He stated that the city was not in a position in which it had leverage against those companies.

Commissioner Kent stated that there was no dereliction of duty on his part and he took offense to that comment. He noted that it was no dereliction of his duty to vote to approve the increase. He stated that it was written in the contract that Waste Pro was able to ask the city for an increase. He noted that Waste Pro had done an excellent job in Ormond Beach and the increase was not a gift. He stated that the increase was saying that the city was happy and pleased with the service and would like Waste Pro to stay servicing the city.

Mayor Partington stated that he agreed with Commissioner Kent. He noted that it was great to be passionate about arguments but to accuse a sitting Commissioner or anyone of dereliction of duty was pushing the limits of acceptability.

Commissioner Selby stated that he did not mean to accuse anyone on the Commission of dereliction of duty. He noted that he wanted to apologize for that.

**Commissioner Kent moved, seconded by Commissioner Selby, for approval of Resolution No. 2017-158, as read by title only.**

Call Vote:	Commissioner Littleton	Yes
	Commissioner Selby	No
	Commissioner Kent	Yes
	Commissioner Boehm	Yes
Carried.	Mayor Partington	Yes

Consent Agenda Comments

Commissioner Boehm stated that Team Volusia CEO Keith Norden was present at the meeting. He noted that the city was renewing their agreement with Team Volusia, which the city had had with them from the onset. He stated that he believed that the city had a great working relationship with Team Volusia. He noted that he knew this was a little bit out of order but asked if Mr. Norden could address the Commission. He stated that Mr. Norden did take the time to come to the meeting. He asked Mayor Partington if he would consent to Mr. Norden being able to address the Commission; whereby, Mayor Partington agreed to allow it.

Mayor Partington stated that the Commission saw Mr. Norden last week at the Team Volusia executive board meeting that was held at Oceanside Country Club. He noted that it had been a great turnout for a great group. He stated that Commissioner Selby had been there as a presenting sponsor. He noted that the city was proud of their participation with Team Volusia and were always happy to hear from Mr. Norden.

Mr. Keith Norden, CEO of Team Volusia, stated that he appreciated the audience in front of the Commission. He noted that Team Volusia had a long and wonderful relationship with Ormond Beach. He stated that Ormond Beach was a founding investor. He noted that when Team Volusia started seven years ago, there was an initial counting funding of \$250,000. He explained that Team Volusia added the first eight cities and that now Team Volusia had 13 of the 16 cities in Volusia County as members. He noted that Team Volusia had 80 private sector investors involved. He stated that there were seven colleges and universities involved. He noted that Team Volusia had a banner year. He stated that there were currently four projects in Ormond Beach that Team Volusia was very proud of. He stated that Team Volusia was successful in bringing TeleTech into a

building on Bill France Boulevard. He noted that TeleTech was a regional employment center. He stated that there was originally going to be 600 employees hired but that was raised to 900 employees. He noted that many of those employees would be living in Ormond Beach.

Mr. Norden stated that Team Volusia had had great success this year with 1,293 jobs with a payroll of \$46 million feeding right into the community. He noted that some of those companies were not in Ormond Beach but a lot of the employees were living in Ormond Beach. He stated that he appreciated the relationship Team Volusia had with the economic development department and Ms. Shanahan, who served on the executive committee.

Mayor Partington stated that Mr. Norden had said something at the executive board meeting that had struck him. He asked Mr. Norden if the jobs at TeleTech had benefits; whereby, Mr. Norden stated that all the jobs came with benefits.

Mr. Norden stated that 100 of the 900 jobs paid between \$44,000 and \$100,000. He noted that the other jobs were the counties average with 401K and full healthcare benefits. He stated that TeleTech was an insurance provider so they were putting a lot of their employees through insurance courses so that they could be licensed insurance agents. He noted that those employees could leave TeleTech if they wanted to and go someplace else and be a licensed insurance agent. He stated that it was an exciting project.

Commissioner Boehm stated that the city was renewing their contract with the Ormond Beach Chamber of Commerce for the 32<sup>nd</sup> year. He noted that the agreement with the Chamber of Commerce had been a great working agreement. He stated that CEO Debbie Cotton was present at the meeting. He asked Mayor Partington if he would consent to Ms. Cotton addressing the Commission.

Ms. Debbie Cotton, CEO of Ormond Beach Chamber of Commerce, stated that she had been on board for a year. She stated that the Chamber of Commerce enjoyed their working relationship with the city. She noted that the Chamber of Commerce partnered with the city on many projects. She stated that "Support Our Schools" was one of her favorite events to recognize Ormond Beach teachers. She noted that there had been an upward trend of citizens looking to relocate to the city. She stated that she hoped that TeleTech would join the Ormond Beach Chamber of Commerce. She joked that maybe Mr. Norden would be able to put in a good word for her. She stated that she wanted to thank the city for their support and continue to make the city and chamber members proud. She noted that there were over 850 members in the community.

Mayor Partington stated that the city appreciated their partnership with the Chamber of Commerce.

Commissioner Boehm stated that the city had also reached an agreement with the general employees' union. He noted that the agreement was for three years and ended in 2019. He stated that the city had previously reached agreements with the police and fire unions. He noted that the agreement was reached without acrimony or bitterness. He stated that the Commission believed that they were treating their employees fairly. He noted that he was ecstatic that the Commission had a settled arrangement with the unions.

Commissioner Boehm stated that the Commission also approved an agreement to end several years of litigation. He noted that Deputy City Attorney Ann-Margret Emery was the lead attorney on the litigation, with the private council the city had hired, against Westville Insurance Company. He stated that it had been a long and difficult litigation. He noted that it was resolved favorably on behalf of the city. He stated that he wanted to give thanks to Ms. Emery and City Attorney Randy Hayes for their support and for bringing about the settlement with Westville Insurance Company.

Commissioner Selby stated that as a relatively new dog owner, he wanted to mention the animal cruelty item. He noted that the Commission had passed a resolution in the consent agenda suggesting to the state legislature that they increase the penalty for cruelty to animals from a third degree misdemeanor to a second degree misdemeanor. He stated that there was a horrific case of animal cruelty recently in Ponce Inlet, Florida, that spurred the resolution. He noted that the dog's name had been Ponce and that he was brutally and savagely beaten to death. He stated that the punishment for that crime

was relatively minor. He noted that the Commission was in support of making animal cruelty a more severe penalty.

Item #9 – Public Hearings

Mayor Partington opened the public hearings.

Item #9A- 600 West Granada Boulevard, Granada Pointe, PBD – Zoning Amendment

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2017-17

AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF ARTICLE 1, 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 A CERTAIN PARCELS OF REAL PROPERTY TOTALING APPROXIMATELY 32.58± ACRES LOCATED AT 550 WEST GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-01-13-0073), 600 WEST GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241- 01-13-0070), 634 TOMOKA AVENUE (VOLUSIA COUNTY PARCEL NUMBER 4241-01-13-0090), 636 TOMOKA AVENUE (VOLUSIA COUNTY PARCEL NUMBER 4241-01-13-0091), 650 TOMOKA AVENUE (VOLUSIA COUNTY PARCEL NUMBER 4241-01-13-0110), 690 WEST GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241- 01-13-0100), 101 BENNETT LANE (VOLUSIA COUNTY PARCEL NUMBER 4241-01-14-0280), NO ADDRESS, NORTH SIDE OF GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-01-12-0100), NO ADDRESS, NORTH SIDE OF GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-01-10-0070), NO ADDRESS, NORTH SIDE OF GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-01-09-0120), NO ADDRESS, NORTH SIDE OF GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-01-09-0110), FROM PBD (PLANNED BUSINESS DEVELOPMENT – EXPIRED), R-3 (SINGLE FAMILY MEDIUM DENSITY) AND B-9 (BOULEVARD) TO PBD (PLANNED BUSINESS DEVELOPMENT), AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

**Commissioner Littleton moved, seconded by Commissioner Selby, for approval of Ordinance No. 2017-17, on second reading, as read by title only.**

Commissioner Kent addressed the applicant, Mr. Paul Holub, and let Mr. Holub know that if the Wawa gas station was already open in Ormond Beach, he would not have had to go to Port Orange, Florida, to receive his non-ethanol gas for his generator. He noted that the sooner it was built, the better, and thanked Mr. Holub.

Call Vote:	Commissioner Selby	Yes
	Commissioner Kent	Yes
	Commissioner Boehm	Yes
	Commissioner Littleton	Yes
Carried.	Mayor Partington	Yes

Item # 9B- 600 West Granada Boulevard, Granada Pointe, PBD Development Order

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2017-18

AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A PLANNED BUSINESS DEVELOPMENT TO BE KNOWN AS "GRANADA POINTE", AUTHORIZING THE DEVELOPMENT OF COMMERCIAL USES ON 19.48 ACRES SOUTH OF GRANADA BOULEVARD WITH THE REALIGNMENT OF THE TOMOKA AVENUE RIGHT-OF-WAY, INSTALLATION OF A TRAFFIC SIGNAL AT WEST GRANADA BOULEVARD AND TOMOKA AVENUE, ASSOCIATED ROADWAY IMPROVEMENTS, AN INTERCONNECTED WET DETENTION STORMWATER POND, AND UTILITY AND SITE IMPROVEMENTS. ON THE NORTH SIDE OF GRANADA BOULEVARD, THE PROJECT PROPOSES A 3.05- ACRE COMMERCIAL TRACT AND A 10.06-ACRE PARCEL FOR TREE PROTECTION AND WETLAND CONSERVATION TO BE LOCATED AT 550 WEST GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-01-13-0073), 600 WEST GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-01-13-0070), 634 TOMOKA AVENUE (VOLUSIA COUNTY PARCEL NUMBER 4241-01-13-0090), 636 TOMOKA AVENUE (VOLUSIA COUNTY PARCEL NUMBER 4241-01-13-0091), 650 TOMOKA AVENUE (VOLUSIA COUNTY PARCEL NUMBER 4241-01-13-0110), 690 WEST GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-01-13-0100), 101 BENNETT LANE (VOLUSIA COUNTY PARCEL NUMBER 4241-01-14-0280), NO ADDRESS, NORTH SIDE OF GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-01-12-0100), NO ADDRESS, NORTH SIDE OF GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-01-10-0070), NO ADDRESS, NORTH SIDE OF GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-01-09-0120), NO ADDRESS, NORTH SIDE OF GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-01-09-0110); AUTHORIZING A MASTER DEVELOPMENT PLAN INCLUDING CERTAIN WAIVERS TO THE LAND DEVELOPMENT CODE AND PUBLIC BENEFITS; ESTABLISHING CONDITIONS AND EXPIRATIONS OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

**Commissioner Boehm moved, seconded by Commissioner Selby, for approval of Ordinance No. 2017-18, on second reading, as read by title only.**

Call Vote:	Commissioner Kent	Yes
	Commissioner Boehm	Yes
	Commissioner Littleton	Yes
	Commissioner Selby	Yes
Carried.	Mayor Partington	Yes

Item #9C – Tomoka Avenue (partial) ROW Vacation

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2017-19

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA, VACATING A 0.44+ ACRE PORTION OF TOMOKA AVENUE THAT INTERSECTS WITH WEST GRANADA BOULEVARD, A PLATTED FIFTY (50') FOOT RIGHT-OF-WAY LYING WEST OF 600 WEST GRANADA BOULEVARD, VOLUSIA COUNTY PARCEL #4241-01-13-0070, AND EAST OF 690 WEST GRANADA BOULEVARD, VOLUSIA COUNTY PARCEL #4241-01-13-0100, 650 TOMOKA AVENUE, VOLUSIA COUNTY PARCEL #4241-01-13-0110, 636 TOMOKA AVENUE, VOLUSIA COUNTY PARCEL #4241-01-13-0091, AND A PORTION OF 634 TOMOKA AVENUE, VOLUSIA COUNTY PARCEL #4241-01-13-0090; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; SETTING CERTAIN CONDITIONS; PROVIDING FOR RECORDATION AND TRANSMITTAL AND SETTING FORTH AN EFFECTIVE DATE.

**Commissioner Boehm moved, seconded by Commissioner Littleton, for approval of Ordinance No. 2017-19, on second reading, as read by title only.**



Call Vote:	Commissioner Boehm	Yes
	Commissioner Littleton	Yes
	Commissioner Selby	Yes
	Commissioner Kent	Yes
Carried.	Mayor Partington	Yes

Item #9D- Amendment to Water and Wastewater Rate

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2017-23

AN ORDINANCE AMENDING SECTION 22-23, MINIMUM METER RATES GENERALLY; 22-24, MULTIPLE MINIMUM CHARGES; AND 22-71, SERVICE CHARGE ESTABLISHED; OF CHAPTER 22, WATER AND SEWERS, THE CITY OF ORMOND BEACH CODE OF ORDINANCES, BY INCREASING THE MINIMUM WATER AND SEWER RATES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Mayor Partington noted that there were three audience members who wished to speak on the item. He stated that Ms. Elizabeth Aloisa was the first card and called her to the podium to speak. She was not present in the chambers.

Ms. Andrea Roslosnik, 483 South Halifax Drive, stated that the city was currently in the process of performing the reclaimed water mains installation. She noted that she had attended the Planning Board meeting for the reclaimed water mains installation. She stated that the wastewater crews were very kind in telling residents that choose to go onto the reclaimed water line that their wastewater hookup fees would be waived. She noted that this item before the Commission was raising the water rates. She stated that the city was raising the solid waste rates, the millage rates, the wastewater rates, and the water rates.

Ms. Roslosnik noted that she was new to the area. She stated that she had seen that there were marginalized residents in the community. She noted that many of the residents of Ormond Beach were on fixed incomes. She stated that some still had the capability of finding employment but that the economy in Ormond Beach did not support residents 60 years of age or older getting well-paid positions. She stated that with the increases for the marginalized residents, the city would see foreclosures because those residents were on fixed income and not capable of securing employment. She noted that those residents were fortunate enough to have roofs over their heads and be able to afford that. She stated that senior citizens were on fixed incomes and received one increase every three years on social security. She noted that that increase was just for the cost of living. She stated that with the population that Ormond Beach had, and the limited economy to support the senior citizen age group, it was devastating to see all the increases. She noted that she was unsure of where senior citizens were going to get the money to pay for the increases.

Mayor Partington stated that there was one member of the Budget Advisory Board who had voted "no" on the increase for water for just that reason. He noted that Ormond Beach still had the second lowest rate in Volusia County. He stated that the Commission was doing heroic efforts to maintain the city's infrastructure, some of which was 60 to 70 years old. He noted that balancing those concerns that Ms. Roslosnik was voicing and trying to figure out what the right thing to do was had been difficult. He stated that he believed that the Commission was not insensitive to those concerns.

Ms. Roslosnik suggested that there be some kind of a scale. She noted that there were no senior discounts on the services. She stated that most of the residents in Ormond Beach were senior citizens, herself included. She suggested that there be some kind of a senior discount rate depending on age groups.

Mayor Partington stated that it was something to think about and thanked Ms. Roslosnik for her comments.

Ms. Judie Branum, 12 Rising Moon Trail, expressed her support for the previous speaker's comments.

**Commissioner Littleton moved, seconded by Commissioner Kent, for approval of Ordinance No. 2017-23, on first reading, as read by title only.**

Call Vote:	Commissioner Littleton	Yes
	Commissioner Selby	Yes
	Commissioner Kent	Yes
	Commissioner Boehm	Yes
Carried.	Mayor Partington	Yes

Mayor Partington closed the public hearing without objection.

Item #10A- Amendment to Solid Waste Rates

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2017-24

AN ORDINANCE AMENDING CHAPTER 10, SOLID WASTE, YARD WASTE AND RECYCLABLES, SECTION 10-16, FEES FOR COLLECTION AND DISPOSAL ESTABLISHED, OF THE CODE OF ORDINANCES, BY INCREASING FEES FOR THE COLLECTION AND DISPOSAL OF SOLID WASTE; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; SETTING FORTH AN EFFECTIVE DATE.

**Commissioner Kent moved, seconded by Commissioner Boehm, for approval of Ordinance No. 2017-24, on first reading, as read by title only.**

Call Vote:	Commissioner Selby	Yes
	Commissioner Kent	Yes
	Commissioner Boehm	Yes
	Commissioner Littleton	Yes
Carried.	Mayor Partington	Yes

Item #10B – Amendment to Water & Sewer Impact Fees

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2017-25

AN ORDINANCE AMENDING SECTION 22-115, FEE IMPOSED; SCHEDULE; OF CHAPTER 22, WATER AND SEWERS, OF THE CITY OF ORMOND BEACH CODE OF ORDINANCES, BY INCREASING THE WATER AND SEWER SERVICE IMPACT FEES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Ms. Roslosnik interjected from the audience and asked the Commission about the proposals for increasing fees and asked what percentage were the fees increasing to; whereby Mayor Partington stated that the item was read by title only and the supporting documents contained the exact amounts. He stated that Finance Director Kelly McGuire would be able to provide that information to Ms. Roslosnik.

Mayor Partington stated that the material was online for citizens to view.

Commissioner Kent asked City Manager Joyce Shanahan if there was a hard copy in the back of the room at the meeting for citizens to view; whereby, Ms. Shanahan stated that Ms. McGuire had a hard copy that she would be able to share with Ms. Roslosnik.

**Commissioner Kent moved, seconded by Commissioner Boehm, for approval of Ordinance No. 2017-25, on first reading, as read by title only.**

Commissioner Selby stated that he had spoken to Ms. Shanahan earlier that day about the item. He noted that he had tried to understand it as he read through the agenda packet. He stated that he was unsure if the city had raised the fees every year and the methodology that the city had used to do so. He noted that the fees were being raised by construction pricing index. He stated that he was unfamiliar with that as it was not CPI. He noted that he had general questions of regarding the ordinance. He stated that together the water and wastewater impact fees for a dwelling unit came to \$5,364. He noted that many city employees and the Commission did not want to hear it, but the homeowner did not get anything for impact fees and they really were just a tax. He

stated that he knew increases would help to pay the hard cost of providing and making the service available to the residents of Ormond Beach. He noted that before the impact taxes were adopted, somehow cities were able to provide those services.

Mayor Partington stated that he did not believe the city raised fees every year but had made a better effort to keep it current with inflation.

Ms. Shanahan stated that in the city's Code of Ordinances, Section 22-115, D, it required that the water and waste water impact fees be adjusted. She noted that the adjustment needed to be made every year. She stated that the city had been doing so since 1990. She noted that the city used to use the CPI but that was changed around 1990 to the engineering news record construction cost index. She stated that that was tied to the construction industry and what it cost to make replacements. She noted that she did not know how that was selected back in 1990, but that was what had been required. She stated that the increase had been adjusted annually since 1990 with what was required by the statute.

Commissioner Selby stated that he understood the rationale, but noted that there was no adjustment in impact taxes or impact fees based on the value of the home. He stated that a citizen, who was building a modest home of \$150,000 or a multiple million dollar home on the ocean, paid the exact same water and wastewater impact fee. He noted that in some ways that made sense because it did not cost more to provide those pipes or to process the water and wastewater. He stated that he did not know what the city would be able to do about the increase as it had been a long established tradition. He noted that they needed to stimulate housing that was affordable to working citizens. He stated that this was clearly a detriment to that.

Mayor Partington thanked Commissioner Selby and noted that that may be an item to bring up in the Brainstorming Session Workshop. He stated that the city was following their own laws by doing the increase every year, but after 15 or 20 years it may be time to review that and the concerns that were brought up. He noted that at the Brainstorming Session Workshop, the Commission could come up with a way of directing staff to a system or method that still meet the city goals but provided some flexibility in the requirements that the city required of themselves every year.

Call Vote:	Commissioner Kent	Yes
	Commissioner Boehm	Yes
	Commissioner Littleton	Yes
	Commissioner Selby	Yes
Carried.	Mayor Partington	Yes

Item #11A – Public Works Advisory Board

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2017-21  
AN ORDINANCE REPEALING SECTION 2-228, PUBLIC WORKS ADVISORY BOARD, OF ARTICLE VI, BOARDS, COMMISSIONS, COMMITTEES AND OTHER AGENCIES, OF CHAPTER 2, ADMINISTRATION; OF THE CODE OF ORDINANCES; RESERVING SAID ARTICLE FOR FUTURE USE; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

**Commissioner Selby moved, seconded by Commissioner Littleton, for approval of Ordinance No. 2017-21, on second reading, as read by title only.**

Mayor Partington stated that he appreciated Commissioner Littleton bringing the item to the Commission.

Call Vote:	Commissioner Boehm	Yes
	Commissioner Littleton	Yes
	Commissioner Selby	Yes
	Commissioner Kent	Yes
Carried.	Mayor Partington	Yes

Item #12A- Bennett Avenue ROW dedication (Granada Pointe)

City Clerk Scott McKee read by title only:

RESOLUTION NO. 2017-169

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A WARRANTY DEED FROM GRANADA POINTE INVESTORS, LLC, A FLORIDA LIMITED LIABILITY COMPANY TO DEDICATE FIFTEEN (15.0') FEET OF RIGHT-OF-WAY ALONG THE WESTERN AND NORTHERN BOUNDARY OF THE EXISTING BENNETT LANE TOTALING APPROXIMATELY 0.47 ACRES TO THE CITY OF ORMOND BEACH AS PART OF THE GRANADA POINTE PLANNED BUSINESS DEVELOPMENT; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Ric Goss, Planning Director, stated that he wanted to explain all three resolutions for 12 A, B, and C on the agenda at once. He noted that the first resolution item for 12A was a vacation of a 15 foot right-of-way for Bennett Lane. He stated that that was part of the planned business development (PBD) and the development order that the Commission had previously approved. He noted that item 12C on the agenda was a drainage easement for drainage that was under State Road 40 (SR-40) that never existed. He stated that it was a public benefit and was part of the PBD and development order. He noted that 12B on the agenda was the replacement of the old Tomoka Avenue right-of-way. He stated that the Commission had just vacated a second reading of the old portion. He noted that the city needed the 80 foot right-of-way dedicated to replace the road. He stated that those were the three resolutions before the Commission.

**Commissioner Boehm moved, seconded by Commissioner Kent, for approval of Resolution No. 2017-169, as read by title only.**

Call Vote:	Commissioner Littleton	Yes
	Commissioner Selby	Yes
	Commissioner Kent	Yes
	Commissioner Boehm	Yes
Carried.	Mayor Partington	Yes

Item #12B- Tomoka Avenue, ROW dedication (Granada Pointe)

City Clerk Scott McKee read by title only:

RESOLUTION NO. 2017-170

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A WARRANTY DEED FROM GRANADA POINTE INVESTORS, LLC, A FLORIDA LIMITED LIABILITY COMPANY DEDICATING THE RE-LOCATED TOMOKA AVENUE RIGHT-OF-WAY CONSISTING OF EIGHTY (80.0') FEET IN WIDTH AND TOTALING APPROXIMATELY 8,811 SQUARE FEET, TO THE CITY OF ORMOND BEACH, UPON THE SATISFACTION OF CERTAIN CONDITIONS AS PART OF THE GRANADA POINTE PLANNED BUSINESS DEVELOPMENT; AND SETTING FORTH AN EFFECTIVE DATE.

**Commissioner Littleton moved, seconded by Commissioner Selby, for approval of Resolution No. 2017-170, as read by title only.**

Call Vote:	Commissioner Selby	Yes
	Commissioner Kent	Yes
	Commissioner Boehm	Yes
	Commissioner Littleton	Yes
Carried.	Mayor Partington	Yes

Item #12C- Drainage Easement (Granada Pointe)

City Clerk Scott McKee read by title only:

RESOLUTION NO. 2017-171

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A DRAINAGE, ACCESS AND MAINTENANCE EASEMENT DEED FROM GRANADA POINTE INVESTORS, LLC, A FLORIDA LIMITED LIABILITY ON PROPERTY LOCATED AT 550 WEST GRANADA BOULEVARD

(VOLUSIA COUNTY PARCEL NUMBER 4241-01-13-0073), 600 WEST GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-01-13-0070), 634 TOMOKA AVENUE (VOLUSIA COUNTY PARCEL NUMBER 4241-01-13-0090), 636 TOMOKA AVENUE (VOLUSIA COUNTY PARCEL NUMBER 4241-01-13-0091), 650 TOMOKA AVENUE (VOLUSIA COUNTY PARCEL NUMBER 4241-01-13-0110), 690 WEST GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-01-13-0100), 101 BENNETT LANE (VOLUSIA COUNTY PARCEL NUMBER 4241-01-14-0280), NO ADDRESS, NORTH SIDE OF GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-01-12-0100), NO ADDRESS, NORTH SIDE OF GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-01-10-0070), NO ADDRESS, NORTH SIDE OF GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-01-09-0120), NO ADDRESS, NORTH SIDE OF GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-01-09-0110); AND SETTING FORTH AN EFFECTIVE DATE.

Ms. Julie Sipes, 355 Applegate Landing, stated that she was at the meeting on behalf of a friend of hers who was unable to make it to the meeting. She noted that he was a business owner at 555 West Granada Boulevard. She stated that there were a lot of parcel numbers that were in the resolution and she was unaware of what parcel number it was. She noted that her business owner friend was concerned about the traffic impact. She stated that she and her husband were concerned about the environmental impact. She noted that they had lived in Ormond Beach since 1993. She stated that it was their understanding that there were certain areas that were earmarked as not developable because of the wetlands.

Ms. Sipes noted that as she and her husband went to the YMCA they noticed that when there were modest amounts of rain fall, a lot of flooding occurred. She stated that with the upcoming hurricane approaching and what had happened in Houston, Texas, with the hurricane that hit there, she and her husband were concerned that some of those areas should not be developed. She noted that it was her and her husband's understanding that when they moved up to Ormond Beach, that many of the areas in the city would not be developed. She stated that they were really concerned about the environmental impact and in particular, the potential for flooding. She noted that she had spoken to Mr. Goss about the issue once and that there was a methodology called LID which was low impact development. She stated that that was cognizant of the storm water and environmental run off.

Mayor Partington stated that he always appreciated when he received a letter from Ms. Sipes and her husband. He noted that he appreciated their perspectives, and that they took the time to care about the city enough to share their thoughts and concerns. He stated that Mr. Paul Holub was the applicant and would be the person for either Ms. Sipes or her friend to speak to. He noted that it was his understanding that drainage-wise, the project was an improvement for the entire area. He stated that there was the requirement with a very large retention pond behind one of the parcels. He noted that he was sensitive to the flooding concerns in that area.

Commissioner Kent stated that it had been know that Ormond Beach, historically, had more stringent wetland standards than any city around. He noted that whoever owned property anywhere had rights to it. He stated that the property owner had rights; rights to build and rights to come in front of the Commission. He noted that he would be voting in favor of the item.

**Commissioner Boehm moved, seconded by Commissioner Selby, for approval of Resolution No. 2017-171, as read by title only.**

Call Vote:	Commissioner Kent	Yes
	Commissioner Boehm	Yes
	Commissioner Littleton	Yes
	Commissioner Selby	Yes
Carried.	Mayor Partington	Yes

Item #12D – For Our Parents ALF (Sterthaus Drive) Historic Tree Removal

City Clerk Scott McKee read by title only:

RESOLUTION NO. 2017-172

A RESOLUTION APPROVING AND AUTHORIZING THE REMOVAL OF TWO HISTORIC TREES LOCATED AT THE NORTHEAST CORNER OF STERTHAUS DRIVE AND NORTH CENTER STREET; AND SETTING FORTH AN EFFECTIVE DATE.

**Commissioner Kent moved, seconded by Commissioner Littleton, for approval of Resolution No. 2017-172, as read by title only.**

Ms. Linda Williams, 131 Bosarvey Drive, interjected from the audience; whereby, Mayor Partington asked if she had filled out a card requesting to speak.

Ms. Williams stated that she had arrived at the meeting late; whereby, Mayor Partington gave her permission to approach the podium.

Ms. Williams stated that she had just recently moved back to the community. She noted that she had been working as a military and family life counselor. She stated that she had just seen the item before the meeting and was unaware of the details or the necessity for the removal of the trees.

Ms. Shanahan stated that City Engineer John Noble would be able to speak on the item.

Mayor Partington stated that the supporting documents in the agenda packet reflected that the city had done everything they possible could to try and save the trees.

Mr. John Noble, City Engineer, stated that that was correct. He noted that the removal of the trees was for an assisted living facility (ALF) that was being constructed on the property. He stated that removing the two historic trees came with the building location and issues with the three and half feet of fill that needed to be placed there. He noted that by removing the two trees and keeping the building where it was, it would save 14 other historic trees on the construction site. He stated that it was a tradeoff of two versus 14 trees.

Mayor Partington stated that he and Commissioner Kent had learned years ago that the Commission had dominion over the historic trees within the city. He noted that the Commission decided whether the trees lived or died. He stated that it was a weighty obligation that was taken seriously because there were concerns with not only the environment, but with the beauty that the historic trees provided to Ormond Beach. He noted that for him weighing the two versus 14 trees was important, although he hated seeing the pictures of the trees as beautiful as they were. He noted that the city prided itself on being a Tree City USA designee, but it seemed like the right call. He stated that when staff had done everything possible to save as many trees as they could.

Call Vote:	Commissioner Boehm	Yes
	Commissioner Littleton	Yes
	Commissioner Selby	Yes
	Commissioner Kent	Yes
Carried.	Mayor Partington	Yes

Item #13A- City Manager Annual Evaluation

Ms. Shanahan stated that staff was required to bring this item forward to the Commission every year. She joked that it was her favorite item to bring up, especially on the eve of a hurricane. She stated that she wanted to thank each member of the Commission for their dedication and commitment to the city and for giving her great direction, and giving staff great leadership. She thanked them for their very generous evaluations.

Commissioner Kent stated that the grading scale stated that five was outstanding and four exceed expectations. He noted that Ms. Shanahan's final average was a 4.87. He explained that in the past the Commission had discussed wanting to consider Ms. Shanahan and City Attorney Randy Hayes' compensation when they discussed their evaluations. He noted that what tended to happen was that since the City Manager and City Attorney were not in any bargaining unit, they did not receive any raises when other employees did.

He asked Ms. Shanahan how many years it had been after the Commission had hired her before she had received a raise; whereby, Ms. Shanahan stated that it had been several years, but noted that there had been a recession.

Commissioner Kent stated that he had understood that but wanted to know the number of years; whereby, Ms. Shanahan stated that she believed it was five years.

Commissioner Kent stated to City Attorney Randy Hayes to think of when he last received a raise as he would be asking him on the next agenda item.

Commissioner Kent stated that this was the time to bring this topic up and asked Commissioner Boehm to correct him if he was wrong that the Commission was going to speak about a pay package for the City Manager and Attorney along with their evaluations. He asked Commissioner Boehm and Mayor Partington if that was what the Commission had agreed upon previously, or if they had discussed doing it at the next meeting following their evaluations.

Commissioner Boehm stated that those two items should be discussed together. He noted that he did not believe that the pay discussion should be lost in the process of providing an evaluation. He stated that the Commission could ask that the item be brought forward on the next agenda with confirming information on their current pay.

Mayor Partington stated that he believed the plan was to do the evaluation at one meeting and then the Commission was to ask staff to bring them some options as a discussion item regarding raises.

Commissioner Kent asked that Ms. Shanahan bring to the next Commission meeting some options regarding pay increases for her and Mr. Hayes. He noted that the city had the best of the best when it came to their City Manager. He stated that the city had received her for the heck of a bargain and looked forward to the next meeting. He congratulated Ms. Shanahan for her 4.87 out of five score.

Mayor Partington stated that he would mostly rely on his written comments in the support package on the agenda item. He noted that Ms. Shanahan continued to amaze not only him, but many of the residents of the city, with her professional administrative style. He thanked her on behalf of all the residents of Ormond Beach and appreciated her for everything she had done for the city.

Commissioner Selby stated that one of the things that he had appreciated immensely about Ms. Shanahan was how responsive she was. He noted that he had passed along several citizen questions, comments, and concerns and Ms. Shanahan and her staff had always responded very quickly. He stated that the residents did not always hear exactly what they wanted to hear, but they always received a cogent response. He noted that he really appreciated that and her quick responses. He stated that that was really important and that was what built trust and confidence in local government from the citizens of Ormond Beach.

Commissioner Kent stated that the field trips that Ms. Shanahan did around the city did not go unnoticed. He thanked Ms. Shanahan for getting out in the city with the water employees, noting that she spent time with them mixing concrete, putting on her rubber boots, driving the tractor, and making sure that she had experienced what her employees did on a daily basis. He stated that Ms. Shanahan had spoken from the heart when she had spoken about the empathy that she had for the job that they had done for the city and the heroic job that they were getting ready to do with the hurricane. He noted that it did not go unnoticed and he appreciated that Ms. Shanahan did those things.

Ms. Shanahan joked that she needed to speak with her scheduler because she had her doing outside job days in July.

Commissioner Boehm stated that the Commission was dealing with 2,166 pages in their agenda packet. He noted that Ms. Shanahan had taken pride and had done a wonderful job of developing what the Commission believed to be the most transparent city administration and City Commission anyone would ever find. He stated that every bit of material that was available to the Commission was available to the public. He noted that it was available online and able to be read. He stated that the Commission's preparation for the meetings were based on the same material that residents had available to them. He noted that as Commissioner Selby had pointed out, if there were any questions regarding the agenda packets

that residents had, they were able to contact the Commission or Ms. Shanahan and ask those questions. He stated that residents would receive an answer promptly.

Commissioner Boehm stated that there were no secret hidden agendas or hidden items going on. He noted that there was nothing that was not right out in front of the public. He stated that the city had public workshops and public Commission meetings. He noted that residents were invited and able to attend all of the meetings and listen to everything the Commission had to say. He stated that the Commission was guided by the Sunshine Law that did not allow the Commission to discuss anything that was on an agenda until they were in a public forum. He noted that he gave full credit to Ms. Shanahan for having created that atmosphere. He stated that the Ormond Beach government interacted with its residents as well as any government anywhere. He stated that it was a credit to Ms. Shanahan that the Commission had done that.

Mayor Partington stated that the Commission would accept the item as presented.

#### Item #13B- City Attorney Annual Evaluation

Mr. Randy Hayes, City Attorney, stated that he wanted to echo everything that Ms. Shanahan had stated. He noted that their success was directly depending on the Commission. He stated that the Commission provided the resources and direction to do well in the city. He noted that with that being said, it was not all due to him and Ms. Shanahan, but a lot of work had come from their staffs as well. He stated that it was particular challenging to work with limited resources and limited staff. He noted that in the legal department there were four employees besides him. He stated that there were two paralegals and two attorneys. He noted that there was a lot of work that went on behind the scenes for himself, Ms. Shanahan, and the Commission.

Mr. Hayes stated that there was no way to demonstrate the heroic efforts that went into preparing all the agenda items for the Commission. He noted that there were a lot of things done behind the scenes that never made it to the Commission meetings because they had been dealt with quietly. He stated that staff worked very hard to make successes for the Commission. He noted that he appreciated the kind remarks from the Commission and their confidence in him to lead the legal department. He stated that it was all tied to the direction from the Commission. He noted that he looked forward to another successful year coming and many years after that. He stated that he was very humbled by the comments.

Commissioner Selby stated that as a relatively new comer on the Commission, he had a newfound appreciation for the depth of Mr. Hayes' concerns for the community and the way he kept the Commission on the right track. He noted that he believed that the Commission was very fortunate to have Mr. Hayes as their City Attorney and that he appreciated what he and his staff did.

Commissioner Kent stated that he was questioning how anyone could beat Ms. Shanahan's 4.87 and joked that the only person who would be able to answer that was Ms. Hayes, as he notched a 4.9 score. He noted that Mr. Hayes was the best in the business. He stated that Mr. Hayes was a true asset to Ormond Beach. He noted that Mr. Hayes ran a well-oiled machine at the City Attorney's office. He stated that Ormond Beach residents could sleep well knowing that the city's legal matters were in Mr. Hayes' capable hands. He noted that Mr. Hayes was so involved from a legal standpoint and a basic common approach for what was right for the city, the residents, and the Commission.

Commissioner Kent stated that Mr. Hayes' attorneys and staff did a great job because they had a great leader in that office. He noted that Ms. Shanahan's employees did a great job because Ms. Shanahan was a great leader. He stated that one of his favorite things was the relationship between Mr. Hayes and Ms. Shanahan and how they were both on the same page. He noted that Mr. Hayes and Ms. Shanahan complemented each other and were good for Ormond Beach. He thanked Mr. Hayes for what he did for the city.

Commissioner Boehm stated that Mr. Hayes acted only in what he believed to be right for the citizens of Ormond Beach. He noted that Mr. Hayes would tell the Commission "no" when he did not believe the Commission was right. He stated



that this past year, the Commission believed they had a very simple dog park agreement and gave Mr. Hayes hundreds of hours of work to do in order to sort out and get it right because Mr. Hayes understood the legal ramifications. He noted that what was great about Mr. Hayes was that in the 24 years he had worked for the city, he had never seen Mr. Hayes get angry or raise his voice. He stated that he never saw Mr. Hayes outwardly act frustrated although there was any number of occasions the Commission had frustrated him with what they had asked of him. He noted that Mr. Hayes had remained calm. He stated that Mr. Hayes had done his best to do what the Commission had asked of him. He noted that the Commission could not ask any more of a City Attorney than what they had in Mr. Hayes.

Mayor Partington stated that he wanted to rely on his written comments in Mr. Hayes' evaluation. He noted that Mr. Hayes was at the top of his game. He stated that Mr. Hayes was well respected in the legal community and provided tremendous value to Ormond Beach from a legal service perspective. He noted that he continued to be impressed with Mr. Hayes' legal knowledge and grasp of the legal and practical issues of every case he had dealt with. He stated that Mr. Hayes had a great ability to set emotion and personal feelings aside and provide insightful legal advice in the municipal environment. He noted that he believed that Ormond Beach continued to be very lucky to have Mr. Hayes at the helm of the legal department. He stated that when he called Mr. Hayes on any matter, Mr. Hayes would go through the history of a case from a factual perspective and then from a legal analysis perspective. He noted that that was what continually impressed him about Mr. Hayes. He noted that it helped him feel confident that Mr. Hayes was well placed in providing fantastic legal service to the city. He stated that he appreciated Mr. Hayes.

Mayor Partington stated that the Commission accepted the report as presented. He noted that he knew from past experience that both Ms. Shanahan and Mr. Hayes would never ask for a raise. He stated that years had gone by without them doing so.

Commissioner Kent stated that one time they had approved a raise for Mr. Hayes and he had refused to take it because the city was in such dire times.

Mayor Partington stated that that was around the time of the market crash in 2008. He noted that the way the charter was set up, it was the Commission's responsibility to take care of Ms. Shanahan and Mr. Hayes. He stated that it was the Commission's duty to make sure that they did that appropriately. He noted that when Ms. Shanahan did bring the items back to the Commission, he asked her to provide the Commission with enough information for them to make a fair and equitable decision regarding salary ranges compared to similar sized cities. He stated that he believed that Ms. Shanahan had done that for the Commission in the past.

Commissioner Kent asked Mayor Partington if the Commission could ask for a history of raises as well; whereby, Ms. Shanahan stated that she would provide all that information for the Commission.

#### Item #14 – Reports, Suggestions, Requests

##### Upcoming Workshops

Ms. Shanahan stated that there was an upcoming workshop on September 19, 2017, about bridge lighting. She noted that there were some options that the City Engineer had been working on to discuss with the Commission. She stated that the Commission had asked staff to bring the item back to them and noted that she believed that a workshop was a better form to bring the item back, as it would involve more discussion than was typical for a discussion item at a Commission meeting.

Ms. Shanahan stated that on October 3, 2017, there would be a health insurance strategic plan workshop. She noted that the Commission had started that workshop years ago when the city had a great increase in health insurance rates. She stated that staff would update the Commission as to where they were in the bidding process for the renewal of the healthcare coverage starting January 1, 2018.

Ms. Shanahan stated that on October 17, 2017, would be a brainstorming workshop. She noted that there was not an agenda for that workshop. She stated that that

workshop was for thoughts and discussions from the Commission, as they did not have an opportunity to do freely have discussions outside of such a setting. She noted that that workshop was a good time to see where each Commissioner stood on certain issues.

#### Hurricane Irma

Ms. Shanahan stated that most of the city's time was being consumed with Hurricane Irma preparations such as bagging sand. She noted that there were 11,000 sandbags already bagged and the city would be putting out a notice to the public when the sandbags would become available. She stated that staff was hoping that the storm would take a turn and not come for Ormond Beach. She noted that the city was always careful when wishing for that because the city did not want any sister cities to be in harm's way. She stated that the city was hoping and praying that the current would take Hurricane Irma out to sea. She noted that many colleagues were struggling in Houston, Texas, from Hurricane Harvey. She stated that the city had been through hurricanes before and the teams were seasoned and knew what to do. She noted that staff was doing their best to prepare and hoped for the best.

#### First Step Shelter Board Meeting

Commissioner Selby stated that he attended, as the Ormond Beach representative, the First Step Shelter Board meeting. He noted that it was the second meeting and explained that at every meeting it had become more and more obvious that the operation of the shelter was going to be a very complex process. He stated that the First Step Shelter would engage with Catholic charities that had tremendous experience in running shelters. He noted that Catholic charities had housed over 200,000 individuals nationwide in shelters. He stated that security issues, housing, and rules of operation were going to be a much needed area wide service; noting that the shelter would not be a simple operation.

#### Vacation Rentals

Commissioner Selby stated that he had attended a meeting at the Daytona Chamber of Commerce with Senator Jack Latvala from Clearwater, Florida. He noted that one of the items that Senator Latvala had spoken about was the assault on home rule. He stated that Senator Latvala had specifically mentioned vacation rentals. He noted that he believed it was interesting because Senator Latvala had specifically singled out this district's representative, Senator Travis Hutson, as someone who was a big proponent of the Airbnb Company. He stated that Airbnb wanted the state to usurp local governments' ability to regulate vacation rentals. He noted that that disturbed him a lot. He stated that there was another side that he had not considered at all and that was a comment raised from someone else speaking about Daytona Beach and how their beachside, in particular, were cranking down on code enforcement. He noted that vacation rental owners became immune to the zoning associated with how they operated their properties.

Commissioner Selby stated that the bigger issue was that a lot of investors bought a home in a clearly residential neighborhood and then ran the house as a hotel. He noted that some investors were renting out individual rooms in the house. He explained that a six or four bedroom house would have four or six different parties in one house. He stated that that became a big issue. He noted that he was excited that the legislative delegation, which was chaired by Senator Hutson this year, were having their meeting in the Commission Chambers in Ormond Beach; whereby, Ms. Shanahan stated that she believed the meeting was going to be held in December.

Commissioner Selby stated that he believed it would be wise for the Commission to continue the ban on vacation rentals throughout the city. He noted that the Commission should be permitted to be able to continue to regulate vacation rentals within the city. He stated that Airbnb was going to put a lot of funding into that. He noted that the Daytona Beach Convention and Visitors Bureau's Executive Director Lori Campbell Baker was at the meeting and explained that hotels reported their occupancies and their average rate for a room. He stated that there was a lot of data about how the area was performing. He noted that Airbnb sent a check for room tax and there was no documentation. He stated that the city did not know how many visitors, how many nights, or the average rate. He noted that it begged the question if the check was even for the correct amount, on top of everything else.

#### Septic to sewer for the north peninsula

Commissioner Selby stated that he wanted to mention changing septic to sewer for the north peninsula area. He noted that he wanted to preface his comments by explaining

that he fully understood that he was not doing anything with a green light from the Commission. He stated that the Commission had not discussed anything about it, but noted that the septic conversion was in the long range Utility Master Plan. He noted that, however, it was more than five years out because no dollar amounts were put towards it. He noted that since the last Commission meeting he had met with the president of Quentin L. Hampton and Associates (QLH), Brad Blais. He stated that the meeting was to better understand the long-range plan. He noted that he had also met with owners of Wilson-Hillman Developers, Ty Wilson and Bob Hillman, who had a package system on the north peninsula which served in the neighborhood of 600 residents out of the 5,000 on the north peninsula that were on septic. He stated that that was an informational meeting and that Utilities Manager Dave Ponitz was at the meeting as well.

Commissioner Selby explained that the next step was to discuss this at the Commission's brainstorming workshop on October 17, 2017. He noted that he desired to have a fairly in-depth discussion about the topic and provide guidance as to whether or not the Commission should try to move forward with phase one, which would be converting about 700 homes at the far southern end of the north peninsula. He noted that one of the things he had occasionally forgot about was that the citizens on the north peninsula were not Ormond Beach residents but were Ormond Beach utilities customers. He stated that Ormond Beach sold them water and that every resident on the north peninsula received water from the city.

#### Hurricane Irma

Commissioner Selby stated that he was not mentally over last year's hurricane. He noted that he would sleep well that evening and then being preparing hard the following day. He encouraged everyone to get ready for the storm. He stated that Commissioner Kent had informed him earlier that he would be evacuating to Ormond Beach Middle School because as an administrator of the school, he would be running the shelter. He noted that he appreciated Commissioner Kent for that service and that he may be one of the residents there also.

#### Beachside Redevelopment Committee

Commissioner Kent stated that he was the city's appointment to the Beachside Redevelopment Committee and was present at their meeting on August 21, 2017. He noted that at the meeting the committee had received a presentation from Daytona Beach City Manager James Chisholm. He stated that Mr. Chisholm had spoken about the e-zone, and the investors who invested \$192,000,000 for a hotel that had 583 rooms and 143 condominiums. He noted that Mr. Chisholm had spoken about the Land Shark restaurant, the Desert Inn, and the Hard Rock Hotel.

Commissioner Kent stated that Mr. Chisholm had also spoken about Daytona Beach beachside and that 45 percent of the owners there were absent owners. He noted that he was glad that Commissioner Selby had brought up owners renting a home out like a hotel. He stated that he had purchased his home in a residential zoning district, just like everyone else, and not in a business district. He noted that everyone knew who their neighbors were. He explained that if someone was using their home with a company like Airbnb, or someone was short-term renting their home out for the quick dollar, the neighbors were the ones that suffered. He stated that when most people were on vacation, the music went up a little bit louder and screaming and yelling happened, noting that it was not fun to live next to that element.

Commissioner Kent noted that he was adamantly opposed to allowing companies like Airbnb. He stated that he did not agree with Senator Hutson who was in support of vacation rentals and taking the law over at the state level. He noted that that Mayor Partington had received the Home Rule Hero Award, three years in a row, because Mayor Partington fought for home rule rights. He stated that he had hoped to hear from each of the Commission members at the meeting so that they would know how each other feel about the issue. He noted that the 45 percent of absent owners on Daytona Beach's beachside was exactly why Daytona Beach had the code enforcement issues that they had.

Commissioner Kent stated that there had also been a presentation from President Evelyn Fine from Mid Florida Marketing and Research. He noted that Ms. Fine had spoken about all the visitors that went to Daytona Beach, and noted that none were concerned with crime. He stated that he had raised his hand and asked how that could be. He noted that when he went to Daytona Beach with his family to go to the movies, he was concerned about crime. He stated that he had wondered if the right questions were being asked. He noted that he wanted to mention that because the committee had also

received a presentation from the General Manager of the Hilton Daytona Beach Resort Jim Berkley. He stated that Mr. Berkley had a 15 member security detail at the resort. He noted that Mr. Berkley had given away beachfront frontage for the Daytona Beach Police Department to have a substation on his resort because of the problems his customers were experiencing. He stated that he did not understand how they were being told that Daytona Beach visitors were not concerned about crime, but the General Manager who ran the largest resort in Daytona Beach had a 15 man security detail and offered free ocean frontage to the Daytona Beach Police Department for a substation. He noted that that had opened his eyes and he wanted to share that with everyone.

Commissioner Kent stated that the one thing Ms. Fine had stated that had stuck with him was that her research had shown that if Daytona Beach did have a problem, she believed it was the image of Daytona Beach during spring break. He noted that what he had taken away from that was something that parents teach their children. He explained that they would teach that you should be careful with your reputation because it was hard to get your reputation back. He stated that Daytona Beach had the reputation of being a spring break party town. He explained that those visitors that were in Daytona Beach in the 1980's were grown up and had families now. He stated that when those visitors were polled, they never wanted to come and bring their families to a place where they had partied down with MTV. He noted that he hoped that enough years had passed to where that stigma had gone away and Daytona Beach would be seen as a more positive place to visit.

#### REEL in the FUN Kids Fishing Tournament

Commissioner Kent stated that on September 9, 2017, there would be a fishing tournament. He noted that it may be cancelled due to the hurricane. He stated that his son Wyatt Kent was the defending champion from the last fishing tournament but would be at a Christian youth group event the day of the tournament. He noted that if the fishing tournament did get cancelled, his son may be able to defend his title down the road.

#### Movies on the Halifax

Commissioner Kent stated that the previous Friday, the city was going to celebrate eight years of Movies on the Halifax. He noted that it was a wholesome family event. He stated that Leisure Services Director Robert Carolin and his staff were incredible at what they did. He noted that the customer service that they provided was almost Disney-like. He stated that the Leisure Services Department did a great job. He noted that the movie was supposed to be Pete's Dragon, which he was a sucker for, even though the screening would be for the new and improved one. He stated that it had been cancelled because there was pretty serve weather. He noted that the next Movies on the Halifax event would be in October. He stated that Realty Pros were sponsoring the event along with Hershey's Ice Cream. He noted that they had done a trunk or trick before the movie last year and it was an absolute home run. He stated that it was a good, wholesome, free family event and encouraged residents to go.

#### Hurricane Irma

Commissioner Kent encouraged the Police and Fire Chiefs to get their staff members ready for Hurricane Irma. He noted that the city appreciated what the departments did every day for the city. He stated that he did not take their jobs lightly. He noted that the chiefs were absolute professionals and made him proud. He stated that he knew that Public Works had some sleepless nights ahead of them.

#### Vacation Rentals

Commissioner Boehm stated that in this state and in many other states, large corporations seeking for their own benefit to control what happened within their industries had sought to convince state legislators that it was better that the state alone regulate any number of industries in any number of areas. He noted that in doing so, the corporations had failed to take into account that for Florida, there were enormous differences between North Florida and the Panhandle, and South Florida and Miami. He stated that trying to create every city into uniformity and deny local municipalities and counties the right to regulate their own residents created what he believed to be unnecessary and ridiculous regulations.

Commissioner Boehm noted that a recent example, the preemption on gas stations and franchises, which enabled them to go in and put any kind of signs on their buildings and there was nothing the Commission would be able to do about it. He stated that communication companies were able to put cell towers anywhere on the public right-of-ways and the Commission was unable to do anything about it. He noted that with

medical marijuana, they gave the Commission a choice of banning dispensaries altogether or letting the dispensaries go wherever pharmacies were able to go. He stated that the Commission did not have any right to regulate themselves about what would happen with medical marijuana within the city.

Commissioner Boehm noted that it happened repeatedly and the question that Commissioner Selby had brought up was yet another effort by an industry, Airbnb, to preempt the right of the cities to say that the city did not want vacation rentals within their city. He stated that to have the state say that vacation rentals could go wherever and take over regulation and enforcement was unfeasible. He stated that the whole battle between the cities, counties, and state over preemption was one of the major issues the Commission had. He noted that that was one thing residents should be aware of and opposed to because the Commission was there and available. He explained that if a resident wanted to see the Commission and voice their concerns or complainants, the Commission was available. He stated that the Commission and Ms. Shanahan responded to Ormond Beach residents. He noted that it was difficult to get a response from the state and encouraged residents to be aware of that.

#### Hurricane Irma

Commissioner Boehm stated that his son was the assistant to the City Manager in Lake Jackson, Texas, which was located 45 miles southeast of Houston, Texas. He noted that Lake Jackson was where the water shed of the Brazos River was. He stated that the Brazos River ran 840 miles across Texas. He noted that the cities along the Brazos River's drainage systems dumped into the river. He stated that Lake Jackson was waiting for the flood to hit. He explained that the reason he was explaining that was because there was a lot of negativity about government. He stated that the public works, police, and fire departments in Lake Jackson had worked for over two weeks, on twelve hour shifts, day after day, pumping and sandbagging to try and save their city. He noted that those employees were not complaining and had stepped up to work. He stated that that was what Ormond Beach city employees did last year when hurricane Matthew hit and that was what they would do when and if Hurricane Irma hit.

Commissioner Boehm noted that the government did not get enough credit for the good things they did for their cities. He stated that the employees that worked for the city and other cities like Lake Jackson did not just punch a clock. He noted that those employees did not just sit around and wait for the clock to hit five so they could get out the door. He stated that if the need was there, and employees needed to be there at midnight pumping water or putting sandbags together, they would be there doing so because they believed in the good of their city. He stated that the second thing about Lake Jackson was that they had asked for volunteers to put out 160,000 sandbags. He noted that the city had so many volunteers that they had to ask for volunteers to stop coming because they had more volunteers than they could coordinate and handle. He explained that at one point Lake Jackson had to evacuate some of their employees because a neighborhood had been too dangerous for them to be in because the water had risen too high. He stated that volunteers were working that hard to try and save their neighborhoods that they were willing to stand in water up to their waist. He noted that that was America and those volunteers were good Americans. He stated that those were the residents that cared about their cities and their country.

Commissioner Boehm noted that the negativity that came out of Washington deserved every bit of it but all the negativity about the local level, in municipal government, was unfounded because those employees cared for their residents and city. He stated that the city's staff had a meeting that morning to plan for what was going to happen if Hurricane Irma hit. He noted that staff had a plan in place and would do everything in their power no matter how many hours it took to save the city. He stated that, as residents, that was what should be appreciated. He noted that that was what good government did. He stated that the best government was a government that governed locally. He noted that he promised that if the city was going to be hit by Hurricane Irma, city staff would give 110 percent to save the city.

Commissioner Littleton stated that what Commissioner Boehm had just noted was very well said. He noted that he hoped everyone had a great Labor Day. He encouraged residents to prepare for Hurricane Irma if she came to the city.

#### Home Rule

Commissioner Littleton stated that he had always been supportive of home rule.

Vacation Rentals

Mayor Partington asked Ms. Shanahan if she could add that concerns about vacation rentals as a legislative priority to bring back to the Commission next time; whereby, Ms. Shanahan stated that the consensus was pretty clear and the item could be added to the list. She noted that it would not need to be brought back to the Commission if that was fine.

Mayor Partington stated that that was fine if that was the most efficient way to discuss it. He noted that the problems included noise, inadequate parking, infrastructure that's intended for residential use being used on a commercial scale, and decrease in property values. He stated that the city had experienced some issues but nothing on the scale of some communities who were telling stories of homes built for 20 to 25 visitors with a different 20 to 25 visitors every week coming into a residential neighborhood. He noted that that was really outrageous. He thanked Commissioner Selby for bring up the item and noting that the meeting in December would be the appropriate time to discuss that. He stated that he hoped that many of the Commission would be able to attend that meeting. He asked Ms. Shanahan if she would be able to give the Commission exact dates so they could have plenty of advance planning.

Hurricane Irma

Mayor Partington thanked Ms. Shanahan and staff for all the hurricane preparations so far. He noted that so much of the preparations went on behind the scenes. He stated that the Commission was hoping for the best and preparing for any eventuality. He noted that before the meeting he had received an invitation to join a conference call with Governor Rick Scott. He stated that the conference call was at 7:30 p.m., which was right in the middle of the meeting. He noted that Fire Chief Bob Mandarino and others had participated in the conference call on the Commission's behalf. He stated that there were those kinds of things that went on in the background that most citizens did not even know about. He thanked staff in advance for all their efforts over the next few days.

Public Works Director

Mayor Partington stated that he wanted to welcome and introduce the city's new Public Works Director Gabe Menendez. He noted that Mr. Menendez had come to the city after a long career in Tallahassee, Florida. He stated that Mr. Menendez had excellent references and there were a lot of positive comments about what a great hire he was. He noted that Mr. Menendez was going to be tested by fire and hoped to avoid the hurricane. He stated that the Commission appreciated him being there with his knowledge and experience.

Item #15 – Adjournment

The meeting was adjourned at 9:07 p.m.

APPROVED: October 3, 2017

BY: \_\_\_\_\_  
Bill Partington, Mayor

ATTEST:

\_\_\_\_\_  
J. Scott McKee, City Clerk