



**ACTION REPORT  
CITY OF ORMOND BEACH, FLORIDA  
CITY COMMISSION MEETING  
May 7, 2019  
7:00 PM**

**Mayor Bill Partington**

**Zone 1 – Commissioner Dwight Selby**

**Zone 3 – Commissioner Susan Persis**

**Zone 2 – Commissioner Troy Kent**

**Zone 4 – Commissioner Rob Littleton**

**COMMISSION CHAMBERS**

**22 South Beach Street, Ormond Beach, FL 32174**

**Phone: 386-677-3297**

**Web: [www.ormondbeach.org](http://www.ormondbeach.org)**

**1. CALL TO ORDER**

**2. INVOCATION**

**3. PLEDGE OF ALLEGIANCE**

**4. PRESENTATIONS AND PROCLAMATIONS**

A. Kiwanis Ormond Beach READS! Kick-Off Day

B. National Public Works Week

**5. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA**

**6. APPROVAL OF MINUTES**

A. Minutes from City Commission meeting – April 16, 2019 **APPROVED**

**7. 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. 2019-87:** A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A TEMPORARY ACCESS EASEMENT DEED IN FAVOR OF THE CITY OF ORMOND BEACH, ON PROPERTY LOCATED AT 1001 BROADWAY AVENUE (PARCEL ID 3136-01-76-0010);

PROVIDING FOR EXPIRATION; PROVIDING FOR RECORDATION; AND SETTING FORTH AN EFFECTIVE DATE.

**Staff Contact:** Steven Spraker, Planning Director (386-676-3341)

**APPROVED**

- B. **RESOLUTION NO. 2019-88:** A RESOLUTION AUTHORIZING THE EXECUTION OF A QUITCLAIM DEED IN FAVOR OF RICHARD D. BENNETT, JR. RELEASING A PORTION OF A FIFTEEN-FOOT (15.0') UTILITY EASEMENT LOCATED ALONG THE REAR PROPERTY LINE OF LOT 150, TOMOKA OAKS UNIT 7-B (9 NOTTINGHAM DRIVE); PROVIDING FOR RECORDATION; AND SETTING FORTH AN EFFECTIVE DATE.

**Staff Contact:** Steven Spraker, Planning Director (386-676-3341)

**APPROVED**

- C. **RESOLUTION NO. 2019-89:** A RESOLUTION AUTHORIZING THE EXECUTION OF A WATER, SEWER AND ANNEXATION AGREEMENT BETWEEN THE CITY OF ORMOND BEACH AND TRENT J. BROWN AND JACQUELINE A. O'NEILL FOR PROPERTY LOCATED AT 3131 JOHN ANDERSON DRIVE, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA; PROVIDING FOR RECORDATION; AND SETTING FORTH AN EFFECTIVE DATE.

**Staff Contact:** Steven Spraker, Planning Director (386-676-3341)

**APPROVED**

- D. **RESOLUTION NO. 2019-90:** A RESOLUTION ACCEPTING A BID FROM VERDEGO LANDSCAPE, LLC FOR LANDSCAPE SERVICES REGARDING THE AMES PARKING IMPROVEMENTS AND LANDSCAPE RENOVATIONS PROJECT, UNDER BID NO. 2019-11; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; REJECTING ALL OTHER BIDS; AND SETTING FORTH AN EFFECTIVE DATE.

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

**APPROVED**

- E. **RESOLUTION NO. 2019-91:** A RESOLUTION ACCEPTING A PROPOSAL FROM REISS ENGINEERING, INC. FOR CONSTRUCTION ADMINISTRATION SERVICES REGARDING THE WATER TREATMENT PLANT UPGRADES PROJECT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

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

**APPROVED**

- F. **RESOLUTION NO. 2019-92:** A RESOLUTION ACCEPTING A BID FROM DANA SAFETY SUPPLY, INC. FOR FOUR EMERGENCY LIGHT BAR PACKAGES UNDER BID 2019-22; AUTHORIZING THE EXECUTION OF A

PURCHASE AUTHORIZATION AND PAYMENT THEREFOR; REJECTING ALL OTHER BIDS; AND SETTING FORTH AN EFFECTIVE DATE.

**Staff Contact:** Gabe Menendez, Public Works Director (386-676-3292) **APPROVED**

- G. **RESOLUTION NO. 2019-93:** A RESOLUTION ACCEPTING THE PROPOSAL OF SPARKS CONCRETE, LLC, FOR SIDEWALK REPAIR AND REPLACEMENT ON FDOT MOA RIGHTS-OF-WAY UNDER RFP 2019-20; AUTHORIZING THE EXECUTION OF AN AGREEMENT AND PAYMENT THEREFOR; REJECTING ALL OTHER PROPOSALS; AND SETTING FORTH AN EFFECTIVE DATE.

**Staff Contact:** Kevin Gray, Public Works Operations Manager (386-676-3522) **APPROVED**

- H. **RESOLUTION NO. 2019-94:** A RESOLUTION APPOINTING A MEMBER TO THE BOARD OF ADJUSTMENT AND APPEALS; SETTING FORTH TERM AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.

**Staff Contact:** Colby Cilento, City Clerk (386-676-3340) **APPROVED**

- I. **RESOLUTION NO. 2019-95:** A RESOLUTION APPOINTING A MEMBER TO SERVE ON THE DOWNTOWN STEERING COMMITTEE; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.

**Staff Contact:** Steven Spraker, Planning Director (386-676-3341) **APPROVED**

- J. **2019 Floodplain Management Plan Annual Progress Report**

**Staff Contact:** Steven Spraker, Planning Director (386-676-3341)

**Disposition:** Approve as recommended in the City Manager memorandum dated May 7, 2019. **APPROVED**

- K. **Nova Community Park Underground Electric Utilities**

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

**Disposition:** Approve as recommended in the City Manager memorandum dated May 7, 2019. **APPROVED**

- L. **Memorial Gardens Retaining Wall Improvements**

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

**Disposition:** Approve as recommended in the City Manager memorandum dated May 7, 2019. **APPROVED**

- M. **Budget Status Report for October 2018-December 2018**

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

**Disposition:** Approve as recommended in the City Manager memorandum dated May 7, 2019. **APPROVED**

**N. Community Planning Technical Assistance Grant Funding**

**Staff Contact:** Brian Rademacher, Economic Development Director (386-676-3266)

**Disposition:** Approve as recommended in the City Manager memorandum dated May 7, 2019. **APPROVED**

**8. PUBLIC HEARINGS**

**A. ORDINANCE NO. 2019-11:** AN ORDINANCE AMENDING SUBSECTION (7), MISCELLANEOUS, OF SECTION 8-10, APPLICATION PROCESSING FEES, OF CHAPTER 8, BUILDINGS AND CONSTRUCTION REGULATIONS, ARTICLE I, IN GENERAL OF THE CITY OF ORMOND BEACH CODE OF ORDINANCES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

**Staff Contact:** Steven Spraker, Planning Director (386-676-3341)  
**APPROVED ON SECOND READING**

**B. ORDINANCE NO. 2019-13:** AN ORDINANCE AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE VI, OVERLAY DISTRICTS, SECTION 2-71, HISTORIC DISTRICTS AND LANDMARKS, OF THE LAND DEVELOPMENT CODE BY REMOVING THE PROPERTY LOCATED AT 56 NORTH BEACH STREET (THE ORMOND BEACH UNION CHURCH) FROM THE ORMOND BEACH HISTORIC LANDMARKS LIST; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

**Staff Contact:** Steven Spraker, Planning Director (386-676-3341)  
**APPROVED ON SECOND READING**

**C. RESOLUTION NO. 2019-96:** A RESOLUTION AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A SPECIAL EXCEPTION REGARDING THE "LUCKY'S MARKET" GROCERY STORE LOCATED AT 101 EAST GRANADA BOULEVARD, WITHIN THE B-4 (CENTRAL BUSINESS) ZONING DISTRICT, WITHIN THE DOWNTOWN OVERLAY DISTRICT; TO ALLOW OUTDOOR ACTIVITY TO INCLUDE THE PERMANENT OUTDOOR DISPLAY AND SALES OF MERCHANDISE AND CART CORRALS; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

**Staff Contact:** Steven Spraker, Planning Director (386-676-3341)  
**APPROVED**

**9. SECOND READING OF ORDINANCES**

- A. **ORDINANCE NO. 2019-12:** AN ORDINANCE AMENDING SECTION 5-1, DEFINITIONS, AND SECTION 5-5, CRUELTY, OF CHAPTER 5, ANIMALS AND FOWL, ARTICLE I, IN GENERAL, OF THE CODE OF ORDINANCES OF THE CITY OF ORMOND BEACH BY PROHIBITING THE TETHERING OF ANIMALS; PROVIDING EXCEPTIONS AND CONDITIONS FOR THE HUMANE TETHERING OF ANIMALS; PROVIDING FOR ENFORCEMENT; PROVIDING PENALTIES FOR VIOLATORS; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

**Staff Contact:** *Jesse Godfrey, Police Chief (386-676-3525)*

**APPROVED ON SECOND READING**

- B. **ORDINANCE NO. 2019-14:** AN ORDINANCE APPROVING THE FINAL PLAT FOR "PINELAND P.R.D. SUBDIVISION – PHASE ONE" SUBDIVISION, A PLANNED RESIDENTIAL DEVELOPMENT; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

**Staff Contact:** *Steven Spraker, Planning Director (386-676-3341)*

**APPROVED ON SECOND READING**

- C. **ORDINANCE NO. 2019-15:** AN ORDINANCE APPROVING THE FINAL PLAT FOR THE " PINELAND P.R.D. SUBDIVISION – PHASES 2 & 3" SUBDIVISION, A PLANNED RESIDENTIAL DEVELOPMENT; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

**Staff Contact:** *Steven Spraker, Planning Director (386-676-3341)*

**APPROVED ON SECOND READING**

## 10. REPORTS, SUGGESTIONS, REQUESTS

## 11. ADJOURNMENT

Website Address – [www.ormondbeach.org](http://www.ormondbeach.org)

**NOTICE** – Pursuant to Section 286.0105 of the Florida Statutes, if any person decides to appeal any decision made by the City Commission with respect to any matter considered at this public meeting, such person will need a record of the proceedings and for such purpose, such person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.



For special accommodations, please notify the City Clerk's Office at least 72 hours in advance.  
Phone: 386-677-3297



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In accordance with the Americans with Disabilities Act (ADA), persons with a disability, such as a vision, hearing or speech impairment, or persons needing other types of assistance, and who wish to attend City Commission meetings or any other board or committee meeting may contact the City Clerk's Office in writing, or may call 386-677-3297 for information regarding available aids and services.