



**ACTION REPORT
CITY OF ORMOND BEACH, FLORIDA
CITY COMMISSION MEETING
September 21, 2022
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: 386-677-0311

Web: www.ormondbeach.org

- 1. CALL TO ORDER**
- 2. INVOCATION**
- 3. PLEDGE OF ALLEGIANCE**
- 4. PRESENTATIONS AND PROCLAMATIONS**
 - A. Recognition of Florida Legislators
- 5. ADOPTION OF FISCAL YEAR 2022-2023 MILLAGE RATES AND BUDGET**
 - A. **RESOLUTION NO. 2022-110:** A RESOLUTION ADOPTING FINAL MILLAGE RATES TO BE LEVIED FOR FISCAL YEAR 2022-2023; DIRECTING CERTIFICATION; EXPRESSING LEGISLATIVE INTENT; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Kelly McGuire, Finance Director (386-676-3226)
APPROVED
 - B. **ORDINANCE NO. 2022-26:** AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE 2022-2023 FISCAL YEAR BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

6. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA

7. APPROVAL OF MINUTES

A. Minutes from City Commission meeting – September 7, 2022 **APPROVED**

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. 2022-111:** 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: *Brian Rademacher, Economic Development Director (386-676-3266)* **APPROVED**

B. **RESOLUTION NO. 2022-112:** A RESOLUTION AUTHORIZING THE EXECUTION OF A COOPERATIVE ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE CITY OF ORMOND BEACH AND TEAM VOLUSIA ECONOMIC DEVELOPMENT CORPORATION; AND SETTING FORTH AN EFFECTIVE DATE.

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

C. **RESOLUTION NO. 2022-113:** A RESOLUTION ACCEPTING PROPOSALS FOR THE PROVISION OF VARIOUS FORMS OF INSURANCE COVERAGE, INCLUDING PROPERTY, INLAND MARINE, AUTO PHYSICAL DAMAGE, EXCESS WORKERS' COMPENSATION, CRIME, ACCIDENTAL DEATH AND DISMEMBERMENT (POLICE OFFICERS AND FIREFIGHTERS), NATIONAL FLOOD INSURANCE PROGRAM (NFIP) FLOOD, POLLUTION, PROFESSIONAL LIABILITY (EMT'S AND PARAMEDICS), GENERAL LIABILITY (INCLUDING LAW ENFORCEMENT LIABILITY), TENANT AND USERS LIABILITY (TULIP) (SPECIAL EVENTS), CYBER LIABILITY, AND ACTIVE SHOOTER LIABILITY INSURANCE; AUTHORIZING THE EXECUTION OF DOCUMENTS RELATIVE THERETO; AUTHORIZING PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

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

D. **RESOLUTION NO. 2022-114:** A RESOLUTION AUTHORIZING A COST OF LIVING INCREASE BASED ON THE CONSUMER PRICE INDEX PURSUANT TO THE AMENDMENT AND RESTATEMENT OF AGREEMENT FOR FIELD MAINTENANCE SERVICES BETWEEN THE CITY OF ORMOND BEACH AND AUSTIN OUTDOOR, LLC D/B/A

YELLOWSTONE LANDSCAPE, INC.; AND SETTING FORTH AN EFFECTIVE DATE.

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

- E. **RESOLUTION NO. 2022-115:** A RESOLUTION AUTHORIZING A COST OF LIVING INCREASE BASED ON THE CONSUMER PRICE INDEX PURSUANT TO THE GROUNDS MAINTENANCE SERVICES AGREEMENT BETWEEN THE CITY OF ORMOND BEACH AND AUSTIN OUTDOOR, LLC D/B/A YELLOWSTONE LANDSCAPE, INC.; AND SETTING FORTH AN EFFECTIVE DATE.

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

- F. **Riverside Drive Road Closure Request for 2022-2023**

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

Disposition: Approve as recommended in the City Manager memorandum dated September 21, 2022.
APPROVED

- G. **Construction & Demolition Franchise Renewal for Waste Management Inc. of Florida**

Staff Contact: Kevin Gray, Deputy Public Works Director (386-676-3577)

Disposition: Approve as recommended in the City Manager memorandum dated September 21, 2022.
APPROVED

- H. **City Manager Status Report, September 2022**

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

Disposition: Approve as recommended in the City Manager memorandum dated September 21, 2022.
APPROVED

9. PUBLIC HEARINGS

- A. **ORDINANCE NO. 2022-28:** AN ORDINANCE ANNEXING ONE PARCEL OF REAL PROPERTY INTO THE CITY OF ORMOND BEACH, SAID PROPERTY LOCATED AT 1405 NORTH U.S. HIGHWAY 1, VOLUSIA COUNTY PARCEL NUMBER 3136-01-45-0010; SETTING FORTH ZONING PRIVILEGES AND OBLIGATIONS REGARDING THE PROPERTY; REDEFINING THE TERRITORIAL BOUNDARIES OF THE CITY OF ORMOND BEACH TO INCLUDE THE PROPERTY; REDESIGNATING THE BOUNDARIES OF ZONE 1 OF THE CITY OF ORMOND BEACH TO INCLUDE THE PROPERTY; PROVIDING FOR

TRANSMISSION; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED ON FIRST READING

- B. **ORDINANCE NO. 2022-29:** AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF ORMOND BEACH BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF THREE PARCELS OF REAL PROPERTY TOTALING 33.31± ACRES GENERALLY LOCATED AT OLD DIXIE HIGHWAY AND PLANTATION OAKS BOULEVARD, VOLUSIA COUNTY PROPERTY APPRAISER PARCEL NUMBERS: 3124-00-00-0022, 3239-03-17-0130, AND 3239-03-07-0100, FROM ORMOND BEACH “LOW DENSITY RESIDENTIAL” AND VOLUSIA COUNTY “URBAN LOW INTENSITY” TO ORMOND BEACH “RECREATION/OPEN SPACE”; PROVIDING FOR CONFLICT; AUTHORIZING TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED ON FIRST READING

- C. **RESOLUTION NO. 2022-116:** A RESOLUTION AUTHORIZING THE EXECUTION AND ISSUANCE OF A THIRD AMENDED SPECIAL EXCEPTION DEVELOPMENT ORDER ASSOCIATED WITH “RIVERBEND ACADEMY” LOCATED AT 2080 WEST GRANADA BOULEVARD, IN THE SR (SUBURBAN RESIDENTIAL) ZONING DISTRICT, AUTHORIZING AN INCREASE IN THE ALLOWED NUMBER OF STUDENTS; REMOVING LIMITED HOURS OF OPERATION FOR THE SCHOOL; AND AUTHORIZING THE EXPANSION OF THE BUILDING BY APPROXIMATELY 13,327± SQUARE FEET UNDER CERTAIN CONDITIONS; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

10. SECOND READING OF ORDINANCES

- A. **ORDINANCE NO. 2022-27:** AN ORDINANCE OF THE CITY OF ORMOND BEACH, FLORIDA, AMENDING ARTICLE III, FIREFIGHTERS’ PENSION TRUST FUND, OF CHAPTER 16, PENSIONS AND RETIREMENT, OF THE CODE OF ORDINANCES; AMENDING SECTION 16-43, ESTABLISHMENT AND OPERATION OF FUND; FINANCES AND FUND MANAGEMENT; PROVIDING FOR SEVERABILITY OF PROVISIONS; PROVIDING FOR CODIFICATION; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE. **(SECOND READING)**

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

APPROVED ON SECOND READING

11. RESOLUTIONS

- A. **RESOLUTION NO. 2022-117:** A RESOLUTION FINDING A PUBLIC PURPOSE FOR THE CITY TO PARTICIPATE IN A JOINT PARTICIPATION AGREEMENT BETWEEN ST. JOHNS RIVER WATER MANAGEMENT DISTRICT, VOLUSIA COUNTY, AND THE CITY OF ORMOND BEACH, FOR THE ACQUISITION OF CERTAIN REAL PROPERTY LOCATED AT 901 AIRPORT ROAD IN ORMOND BEACH, FLORIDA, CONSISTING OF APPROXIMATELY 18.6 ACRES; APPROVING AND AUTHORIZING THE EXECUTION OF A JOINT PARTICIPATION AGREEMENT FOR ORMOND BEACH'S PORTION OF THE PURCHASE OF THE PROPERTY; APPROVING AND AUTHORIZING THE EXECUTION OF AN OPTION AGREEMENT FOR SALE AND PURCHASE OF THE PROPERTY; APPROVING AND AUTHORIZING THE EXECUTION OF A PERPETUAL CONSERVATION EASEMENT IN FAVOR OF ST. JOHNS RIVER WATER MANAGEMENT DISTRICT; AUTHORIZING THE EXECUTION OF ALL DOCUMENTS INCIDENTAL THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

12. REPORTS, SUGGESTIONS, REQUESTS

13. ADJOURNMENT

Website Address – www.ormondbeach.org

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



For special accommodations, please notify the City Clerk's Office at least 72 hours in advance.
Phone: 386-677-0311



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In accordance with the Americans with Disabilities Act (ADA), persons with a disability, such as a vision, hearing or speech impairment, or persons needing other types of assistance, and who wish to attend City Commission meetings or any other board or committee meeting may contact the City Clerk's Office in writing, or may call 386-677-0311 for information regarding available aids and services.