



**ACTION REPORT
CITY OF ORMOND BEACH, FLORIDA
CITY COMMISSION MEETING
July 31, 2012
7:00 PM**

Mayor Ed Kelley

Zone 1 - Commissioner James Stowers

Zone 3 - Commissioner Rick Boehm

Zone 2 - Commissioner Troy Kent

Zone 4 - Commissioner Bill Partington

COMMISSION CHAMBERS

22 South Beach Street, Ormond Beach, FL 32174

Phone: 386-677-0311

Web: www.ormondbeach.org

1. CALL TO ORDER

2. INVOCATION

A. Chaplin George Pilcher, Tomoka Christian Church

3. PLEDGE OF ALLEGIANCE

4. ADOPTION OF FY 2012-2013 PROPOSED MILLAGE RATES

A. **Resolution No. 2012-106** : A RESOLUTION ADOPTING PROPOSED MILLAGE RATES FOR THE 2012-2013 FISCAL YEAR; ESTABLISHING THE DATE, TIME AND PLACE FOR THE FIRST PUBLIC HEARING ON THE PROPOSED MILLAGE RATES AND THE TENTATIVE BUDGET; DIRECTING COMMUNICATION; EXPRESSING LEGISLATIVE INTENT; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

5. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA

6. APPROVAL OF MINUTES

A. Minutes from City Commission meeting - July 3, 2012 **APPROVED**

7. COMMUNITY REDEVELOPMENT AGENCY

- A. **Resolution No. 2012-99** : A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, AUTHORIZING A WAIVER OF THE SHARED PARKING AND INDEMNIFICATION REQUIREMENTS RELATED THERETO; AUTHORIZING THE EXECUTION OF A BUILDING IMPROVEMENT GRANT AGREEMENT BETWEEN THE AGENCY AND TRIEBEL FAMILY ENTERPRISES, INC.; AND SETTING FORTH AN EFFECTIVE DATE. (See Item #8A) **APPROVED**
- B. **Resolution No. 2012-100** : A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, ACCEPTING THE BID OF SOUTHERN ELECTRIC COMPANY, INC. D/B/A REXEL, FOR THE PURCHASE OF DECORATIVE LIGHT FIXTURES FOR THE DECORATIVE LIGHTING PURCHASE - CDBG & CRA DISTRICTS PROJECT (BID NO. 2012-17); REJECTING ALL OTHER BIDS; AUTHORIZING THE EXECUTION OF A CONTRACT, AND PAYMENT THEREUNDER; AND SETTING FORTH AN EFFECTIVE DATE. (See Item #8B) **TABLED FOR FUTURE MEETING**

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. 2012-99** : A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, AUTHORIZING A WAIVER OF THE SHARED PARKING AND INDEMNIFICATION REQUIREMENTS RELATED THERETO; AUTHORIZING THE EXECUTION OF A BUILDING IMPROVEMENT GRANT AGREEMENT BETWEEN THE AGENCY AND TRIEBEL FAMILY ENTERPRISES, INC.; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

- B. **Resolution No. 2012-100** : A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, ACCEPTING THE BID OF SOUTHERN ELECTRIC COMPANY, INC. D/B/A REXEL, FOR THE PURCHASE OF DECORATIVE LIGHT FIXTURES FOR THE DECORATIVE LIGHTING PURCHASE - CDBG & CRA DISTRICTS PROJECT (BID NO. 2012-17); REJECTING ALL OTHER BIDS; AUTHORIZING THE EXECUTION OF A CONTRACT, AND PAYMENT THEREUNDER; AND SETTING FORTH AN EFFECTIVE DATE.

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

REMOVED (SEE 7B)

- C. **Resolution No. 2012-101** : A RESOLUTION APPROVING AND AUTHORIZING THE REMOVAL OF AN HISTORIC TREE LOCATED AT 83 LAKEBLUFF DRIVE; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

- D. **Resolution No. 2012-102** : A RESOLUTION ACCEPTING A PROPOSAL FROM A.M. WEIGEL CONSTRUCTION, INC. TO PROVIDE CONSTRUCTION MANAGEMENT SERVICES REGARDING RENOVATIONS OF THE T-BALL FIELDS AND PARKING LOT AT THE ORMOND BEACH SPORTS COMPLEX; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

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

- E. **Resolution No. 2012-103** : A RESOLUTION ACCEPTING A PROPOSAL FROM A.M. WEIGEL CONSTRUCTION, INC. TO PROVIDE CONSTRUCTION MANAGEMENT SERVICES REGARDING THE PLAYGROUND AND EQUIPMENT REPLACEMENT PROJECT AT THE CAMERON BRENNEMAN MEMORIAL PLAYGROUND; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

- F. **Resolution No. 2012-104** : A RESOLUTION TERMINATING AN AGREEMENT WITH THE ORMOND BEACH YOUTH FOOTBALL AND CHEERLEADERS ASSOCIATION, INC., REGARDING THE OPERATION OF A POP WARNER PROGRAM AT THE ORMOND BEACH MIDDLE SCHOOL; AND SETTING FORTH AN EFFECTIVE DATE.

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

- G. **Resolution No. 2012-105** : A RESOLUTION APPROVING AND ADOPTING A CAPITAL IMPROVEMENTS PLAN FOR FY2012-13 TO FY2016-17; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

- H. **Resolution No. 2012-107** : A RESOLUTION APPROVING LOCAL LIMITS REGARDING THE CITY'S PUBLICLY OWNED TREATMENT WORKS; ADOPTING A LOCAL LIMITS TABLE; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *Dave Ponitz, Utilities Manager (386-676-3305)*

APPROVED

- I. **Resolution No. 2012-108** : A RESOLUTION APPROVING AND AUTHORIZING THE ADOPTION OF A BUDGET POLICY; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

- J. **Resolution No. 2012-109** : A RESOLUTION ACCEPTING THE PROPOSAL OF ARBITRAGE COMPLIANCE SPECIALISTS, INC. REGARDING ARBITRAGE CALCULATION SERVICES; AUTHORIZING THE EXECUTION OF AN AGREEMENT AND PAYMENT THEREFOR; REJECTING ALL OTHER PROPOSALS; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

- K. **Resolution No. 2012-110** : A RESOLUTION ACCEPTING A BID FROM LANDMARCSLIGO, LLC D/B/A LUCAS TECHNOLOGIES, REGARDING THE PRETREATMENT EFFLUENT PUMP REPLACEMENT PROJECT, UNDER BID NO. 2012-22; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; REJECTING ALL OTHER BIDS; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Dave Ponitz, Utilities Manager (386-676-3305)

APPROVED

- L. **Resolution No. 2012-111** : A RESOLUTION ACCEPTING THE PROPOSAL OF PFM ASSET MANAGEMENT, LLC REGARDING INVESTMENT ADVISORY SERVICES; AUTHORIZING THE EXECUTION OF AN AGREEMENT AND PAYMENT THEREFOR; REJECTING ALL OTHER PROPOSALS; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

- M. **Resolution No. 2012-112** : A RESOLUTION AUTHORIZING THE EXECUTION OF A VOLUNTARY COOPERATION MUTUAL AID AGREEMENT BETWEEN THE CITY AND THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

- N. **Resolution No. 2012-113** : A RESOLUTION APPOINTING A MEMBER TO SERVE ON THE HISTORIC LANDMARK PRESERVATION BOARD; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Lois Towey, Acting City Clerk (386-676-3332)

APPROVED

O. Auto Renew Contracts

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

Disposition: Approve as recommended in the City Manager memorandum dated July 31, 2012. **APPROVED**

P. Airport Appraisal Services

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

Disposition: Approve as recommended in the City Manager memorandum dated July 31, 2012. **APPROVED**

9. PUBLIC HEARINGS

A. Ordinance No. 2012-26 : AN ORDINANCE RELATIVE TO STORMWATER MANAGEMENT; AMENDING SECTION 22-158, UTILITY FEE ESTABLISHED, OF ARTICLE V, STORMWATER DRAINAGE UTILITY, OF CHAPTER 22, WATER AND SEWERS, OF THE CODE OF ORDINANCES, BY REMOVING THE SUNSET PROVISION OF THE STORMWATER UTILITY FEE; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; SETTING FORTH AN EFFECTIVE DATE.

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

B. Ordinance No. 2012-27 : AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY INTO THE CITY OF ORMOND BEACH, SAID PROPERTY BEING GENERALLY LOCATED ALONG THE WEST SIDE OF NORTH U.S. HIGHWAY 1 APPROXIMATELY 3,036 LINEAR FEET SOUTH OF THE INTERSECTION OF INTERSTATE 95 AND NORTH U.S. HIGHWAY 1 INTERCHANGE AND BEING COMMONLY LOCATED AT 1438 NORTH U.S. HIGHWAY 1; 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; SETTING FORTH ZONING, PRIVILEGES, AND OBLIGATIONS OF SAID PROPERTY; PROVIDING FOR TRANSMISSION; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

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

- C. **Ordinance No. 2012-28** : AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY INTO THE CITY OF ORMOND BEACH, SAID PROPERTY BEING GENERALLY LOCATED ALONG THE WEST SIDE OF NORTH U.S. HIGHWAY 1 APPROXIMATELY 3,095 LINEAR FEET SOUTH OF THE I-95 AND NORTH U.S. HIGHWAY 1 INTERCHANGE AND BEING COMMONLY LOCATED AT 1428 NORTH U.S. HIGHWAY 1; 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; SETTING FORTH ZONING, PRIVILEGES, AND OBLIGATIONS OF SAID PROPERTY; PROVIDING FOR TRANSMISSION; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

10. FIRST READING OF ORDINANCES

- A. **Ordinance No. 2012-25** : AN ORDINANCE AMENDING CHAPTER 3, PERFORMANCE STANDARDS, OF ARTICLE VI, ARCHITECTURAL DESIGN STANDARDS, SECTION 3-66, PURPOSE AND INTENT; SECTION 3-67, IN GENERAL; SECTION 3-68, GENERAL DESIGN CRITERIA; SECTION 3-69, ARCHITECTURAL STYLE; AND SECTION 3-71, INDUSTRIAL DISTRICT EXEMPTIONS; AND CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE II, DISTRICT REGULATIONS, SECTION 2-42, DESIGN STANDARDS BY AMENDING ARCHITECTURAL DESIGN STANDARDS; BY REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

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

REMOVED BY STAFF

- B. **Ordinance No. 2012-29** : AN ORDINANCE AMENDING CHAPTER 22, ARTICLE II, DIVISION 2, SECTIONS 22-85 THROUGH 110, OF THE CODE OF ORDINANCES OF THE CITY OF ORMOND BEACH, FLORIDA, BY ADOPTING PROVISIONS REGARDING UNIFORM REQUIREMENTS FOR DIRECT AND INDIRECT CONTRIBUTIONS TO THE WASTEWATER COLLECTION AND TREATMENT SYSTEM; PROVIDING FOR ADMINISTRATION, PERMITS, AND ENFORCEMENT, PENALTIES; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Staff Contact: Dave Ponitz, Utilities Manager (386-676-3305)

APPROVED

11. REPORTS, SUGGESTIONS, REQUESTS

12. 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



Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained from the City Clerk's Office.

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.