



**ACTION REPORT  
CITY OF ORMOND BEACH, FLORIDA  
CITY COMMISSION MEETING  
September 17, 2013  
7:00 PM**

**Mayor Ed Kelley**

**Zone 1 – Commissioner James Stowers**

**Zone 3 – Commissioner Rick Boehm**

**Zone 2 – Commissioner Troy Kent**

**Zone 4 – Commissioner Bill Partington**

**COMMISSION CHAMBERS**

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

**Phone: 386-677-0311**

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

- 1. CALL TO ORDER**
- 2. INVOCATION**
- 3. PLEDGE OF ALLEGIANCE**
- 4. ADOPTION OF FY 2013-2014 MILLAGE RATES AND BUDGET**
  - A. RESOLUTION NO. 2013-157 : A RESOLUTION ESTABLISHING THE FINAL MILLAGE RATES TO BE LEVIED FOR FISCAL YEAR 2013-2014; DIRECTING CERTIFICATION; EXPRESSING LEGISLATIVE INTENT; AND SETTING FORTH AN EFFECTIVE DATE.**

*Staff Contact: Kelly McGuire, Finance Director (386-676-3226)*  
**APPROVED**
  - B. ORDINANCE NO. 2013-52 : AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE 2013-2014 FISCAL YEAR BEGINNING OCTOBER 1, 2013 AND ENDING SEPTEMBER 30, 2014; 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**

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

6. **APPROVAL OF MINUTES**

A. Minutes from City Commission meeting – September 3, 2013 **APPROVED**

7. **COMMUNITY REDEVELOPMENT AGENCY**

A. **RESOLUTION NO. 2013-158** : A RESOLUTION OF THE CITY COMMISSION, INDIVIDUALLY AND ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY FOR THE CENTRAL BUSINESS DISTRICT AND ADJACENT AREAS, AUTHORIZING THE EXECUTION OF A SERVICE AGREEMENT BETWEEN THE CITY/AGENCY AND ORMOND BEACH MAIN STREET, INC., FOR THE PROMOTION OF ECONOMIC, PHYSICAL AND AESTHETIC REDEVELOPMENT AND MAINTENANCE OF THE ORMOND BEACH MAIN STREET DISTRICT; AND SETTING FORTH AN EFFECTIVE DATE. **(SEE ITEM 8A)**

**Staff Contact:** Ric Goss, Planning Director (386-676-3238)  
**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. 2013-158** : A RESOLUTION OF THE CITY COMMISSION, INDIVIDUALLY AND ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY FOR THE CENTRAL BUSINESS DISTRICT AND ADJACENT AREAS, AUTHORIZING THE EXECUTION OF A SERVICE AGREEMENT BETWEEN THE CITY/AGENCY AND ORMOND BEACH MAIN STREET, INC., FOR THE PROMOTION OF ECONOMIC, PHYSICAL AND AESTHETIC REDEVELOPMENT AND MAINTENANCE OF THE ORMOND BEACH MAIN STREET DISTRICT; AND SETTING FORTH AN EFFECTIVE DATE.

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

B. **RESOLUTION NO. 2013-159** : A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE CITY AND THE VOLUSIA TRANSPORTATION PLANNING ORGANIZATION IN SUPPORT OF PLANNING AND FUNDING OF VOLUSIA COUNTY TRANSPORTATION SYSTEM PROJECTS; AUTHORIZING THE EXPENDITURE OF FUNDING; AND SETTING FORTH AN EFFECTIVE DATE.

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

- C. **RESOLUTION NO. 2013-160** : A RESOLUTION AUTHORIZING THE EXECUTION OF A SERVICE CONTRACT BETWEEN THE CITY AND THE ORMOND BEACH CHAMBER OF COMMERCE; SETTING FORTH AN EFFECTIVE DATE.

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

- D. **RESOLUTION NO. 2013-161** : A RESOLUTION AUTHORIZING THE EXECUTION OF A COOPERATIVE ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE CITY AND TEAM VOLUSIA ECONOMIC DEVELOPMENT CORPORATION; SETTING FORTH AN EFFECTIVE DATE.

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

- E. **RESOLUTION NO. 2013-162** : A RESOLUTION AUTHORIZING THE EXECUTION OF AN ENGAGEMENT LETTER BETWEEN THE CITY AND PENNINGTON P.A. REGARDING LEGISLATIVE LOBBYING SERVICES FOR THE 2014 FLORIDA LEGISLATIVE SESSION; AND SETTING FORTH AN EFFECTIVE DATE.

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

- F. **RESOLUTION NO. 2013-163** : A RESOLUTION PURSUANT TO SECTION 14-98, LIENS, OF THE CITY OF ORMOND BEACH CODE OF ORDINANCES AUTHORIZING THE IMPOSITION OF A LIEN AGAINST THE REAL PROPERTY OWNED BY ELEAZAR ZATARAIN AND SANDY RAMIREZ LOCATED AT 16 BROOKWOOD DRIVE, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA (PARCEL ID NO. 4220-05- 00-0040) FOR COSTS INCURRED BY THE CITY TO TERMINATE OR ABATE A SITE MAINTENANCE VIOLATION; AND SETTING FORTH AN EFFECTIVE DATE.

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

- G. **RESOLUTION NO. 2013-164** : A RESOLUTION PURSUANT TO SECTION 14-98, LIENS, OF THE CITY OF ORMOND BEACH CODE OF ORDINANCES AUTHORIZING THE IMPOSITION OF A LIEN AGAINST THE REAL PROPERTY OWNED BY NORMAN M. BROWN AND PAMELA J. BROWN, LOCATED AT 77 PUTNAM AVENUE, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA (PARCEL ID NO. 4240-01-17-0100) FOR COSTS INCURRED BY THE CITY TO TERMINATE OR ABATE A SITE MAINTENANCE VIOLATION; AND SETTING FORTH AN EFFECTIVE DATE.

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

- H. **RESOLUTION NO. 2013-165** : A RESOLUTION PURSUANT TO SECTION 14-98, LIENS, OF THE CITY OF ORMOND BEACH CODE OF ORDINANCES AUTHORIZING THE IMPOSITION OF A LIEN AGAINST THE REAL PROPERTY OWNED BY FULL GOSPEL NATIVE MISSIONARY, INC. LOCATED AT 350 SCOTT DRIVE, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA (PARCEL ID NO. 4220-37-00-0010) FOR COSTS INCURRED BY THE CITY TO TERMINATE OR ABATE A SITE MAINTENANCE VIOLATION; AND SETTING FORTH AN EFFECTIVE DATE.

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

- I. **RESOLUTION NO. 2013-166** : A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A GRANT AWARD FROM THE STATE OF FLORIDA, OFFICE OF THE ATTORNEY GENERAL REGARDING FUNDING FOR THE CITY'S VICTIM'S ADVOCATE PROGRAM; AUTHORIZING THE EXECUTION OF ALL DOCUMENTS INCIDENTAL THERETO, INCLUDING ANY CONTRACT NECESSARY FOR THE CITY TO ACCEPT THE GRANT AWARD; AND SETTING FORTH AN EFFECTIVE DATE.

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

- J. **RESOLUTION NO. 2013-167** : A RESOLUTION AUTHORIZING THE EXECUTION OF A LOCAL AGENCY PROGRAM SUPPLEMENTAL AGREEMENT BETWEEN THE CITY AND FLORIDA DEPARTMENT OF TRANSPORTATION REGARDING THE CONSTRUCTION OF AUDIBLE PEDESTRIAN SIGNALS AT THREE INTERSECTIONS ALONG SR5A; AND SETTING FORTH AN EFFECTIVE DATE.

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

- K. **RESOLUTION NO. 2013-168** : A RESOLUTION ACCEPTING A PROPOSAL SUBMITTED BY BROWN & BROWN OF FLORIDA, INC., FOR THE PURCHASE OF PROPERTY, INLAND MARINE, CRIME, AUTO PHYSICAL DAMAGE, EXCESS WORKERS' COMPENSATION, COMMERCIAL GENERAL LIABILITY, CRIME, ACCIDENTAL DEATH & DISMEMBERMENT, PROFESSIONAL LIABILITY, AND TULIP (SPECIAL EVENT) INSURANCE COVERAGE; AUTHORIZING THE PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

**Staff Contact:** *Shelly Arzola, Human Resources Director (386-676-3202)* **APPROVED**

- L. **RESOLUTION NO. 2013-169** : A RESOLUTION ACCEPTING A PROPOSAL FROM FLORIDA HEALTH CARE PLANS, INC. FOR THE PROVISION OF EMPLOYEE HEALTH/MEDICAL BENEFITS SERVICES; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

**Staff Contact:** Shelly Arzola, Human Resources Director (386-676-3202) **APPROVED**

- M. **RESOLUTION NO. 2013-170** : A RESOLUTION ACCEPTING A PROPOSAL FROM BLUE CROSS BLUE SHIELD OF FLORIDA, INC. FOR THE PROVISION OF EMPLOYEE DENTAL INSURANCE BENEFITS SERVICES; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; REJECTING ALL OTHER PROPOSALS; AND SETTING FORTH AN EFFECTIVE DATE.

**Staff Contact:** Shelly Arzola, Human Resources Director (386-676-3202) **APPROVED**

- N. **RESOLUTION NO. 2013-171** : A RESOLUTION ACCEPTING A PROPOSAL FROM HUMANA, INC. FOR THE PROVISION OF EMPLOYEE VISION INSURANCE BENEFITS; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; REJECTING ALL OTHER PROPOSALS; AND SETTING FORTH AN EFFECTIVE DATE.

**Staff Contact:** Shelly Arzola, Human Resources Director (386-676-3202) **APPROVED**

- O. **RESOLUTION NO. 2013-172** : A RESOLUTION ACCEPTING A PROPOSAL FROM BLUE CROSS BLUE SHIELD OF FLORIDA, INC. FOR THE PROVISION OF EMPLOYEE LIFE INSURANCE BENEFITS SERVICES; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; REJECTING ALL OTHER PROPOSALS; AND SETTING FORTH AN EFFECTIVE DATE.

**Staff Contact:** Shelly Arzola, Human Resources Director (386-676-3202) **APPROVED**

- P. **RESOLUTION NO. 2013-173** : A RESOLUTION ACCEPTING A PROPOSAL FROM BLUE CROSS BLUE SHIELD OF FLORIDA, INC. FOR THE PROVISION OF EMPLOYEE LONG TERM DISABILITY INSURANCE BENEFITS SERVICES; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; REJECTING ALL OTHER PROPOSALS; AND SETTING FORTH AN EFFECTIVE DATE.

**Staff Contact:** Shelly Arzola, Human Resources Director (386-676-3202) **APPROVED**

- Q. **RESOLUTION NO. 2013-174** : A RESOLUTION ACCEPTING A PROPOSAL FROM A.M. WEIGEL CONSTRUCTION, INC. TO PROVIDE DESIGN AND CONSTRUCTION SERVICES REGARDING THE CONSTRUCTION OF A MULTI-USE BUILDING 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**

- R. **RESOLUTION NO. 2013-175** : A RESOLUTION APPOINTING 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) **APPROVED**

- S. **RESOLUTION NO. 2013-176** : A RESOLUTION AMENDING THE DATES AND TIMES FOR THE HOLDING OF REGULAR MEETINGS OF THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA, FOR THE MONTH OF DECEMBER, 2013; PROVIDING FOR EXCEPTIONS THERETO; SETTING FORTH AN EFFECTIVE DATE.

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

- T. **RESOLUTION NO. 2013-177** : A RESOLUTION AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT BETWEEN THE CITY AND THE FEDERAL AVIATION ADMINISTRATION REGARDING THE TAXIWAY G IMPROVEMENTS PROJECT; AND SETTING FORTH AN EFFECTIVE DATE.

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

- U. **RFP 2013-37 Sports Officials, Umpires and Scorekeepers**

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

**Disposition:** Approve as recommended in the City Manager memorandum dated September 17, 2013.  
**APPROVED**

- V. **Disposal of Mobile Home at Ormond Beach Sports Complex**

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

**Disposition:** Approve as recommended in the City Manager memorandum dated September 17, 2013.  
**APPROVED**

W. **Riverside Drive Closures 2013/14**

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

**Disposition:** Approve as recommended in the City Manager memorandum dated September 17, 2013.

**APPROVED**

X. **2014 City of Ormond Beach Legislative Action Agenda**

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

**Disposition:** Approve as recommended in the City Manager memorandum dated September 17, 2013.

**APPROVED**

9. **PUBLIC HEARINGS**

A. **ORDINANCE NO. 2013-60** : AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF A SECOND AMENDED DEVELOPMENT ORDER FOR "NOVA SHOPPES" PLANNED BUSINESS DEVELOPMENT LOCATED AT 175 SOUTH NOVA ROAD, BY ALLOWING AS A CONDITIONAL USE A PERMANENT COSMETICS USE, DEFINED AS A TATTOO PARLOR BY THE ORMOND BEACH LAND DEVELOPMENT CODE, UNDER CERTAIN CONDITIONS; RATIFYING AND AFFIRMING THE DEVELOPMENT ORDER APPROVED BY RESOLUTION 2004-121 AND AMENDED BY RESOLUTION 2008-54; ESTABLISHING CONDITIONS AND EXPIRATIONS OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

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

**APPROVED ON FIRST READING**



- B. **ORDINANCE NO. 2013-61** : AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY INTO THE CITY OF ORMOND BEACH, SAID PROPERTY CONSISTING OF APPROXIMATELY 167.47± ACRES AND BEING GENERALLY LOCATED ALONG THE SOUTH SIDE OF STATE ROAD 40 APPROXIMATELY 5,102 LINEAR FEET EAST OF STATE ROAD 40 AND INTERSTATE 95 RAMP BEING COMMONLY LOCATED AT 104-513 CHELSEA PLACE AVENUE, 300-396 CHESHAM STREET, 1200-1225 DRAYCOTT STREET, AND 1201-1234 REGENTS STREET; INCLUDING THAT CERTAIN PORTION OF STATE ROAD 40 RIGHT-OF-WAY ABUTTING THE PROPERTY; REDEFINING THE TERRITORIAL BOUNDARIES OF THE CITY OF ORMOND BEACH TO INCLUDE THE PROPERTY; REDESIGNATING THE BOUNDARIES OF ZONE 4 OF THE CITY OF ORMOND BEACH TO INCLUDE THE PROPERTY; SETTING FORTH ZONING, PRIVILEGES AND OBLIGATIONS REGARDING THE PROPERTY; PROVIDING FOR TRANSMISSION; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

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

**APPROVED ON FIRST READING**

## 10. SECOND READING OF ORDINANCES

- A. **ORDINANCE NO. 2013-53** : AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF ONE (1) PARCEL OF REAL PROPERTY TOTALING +1.25-ACRES LOCATED AT 250 WILLIAMSON BOULEVARD, FROM VOLUSIA COUNTY "COMMERCIAL" TO ORMOND BEACH "GENERAL COMMERCIAL"; PROVIDING FOR CONFLICT; AUTHORIZING TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

**APPROVED ON SECOND READING**

- B. **ORDINANCE NO. 2013-54** : AN ORDINANCE AMENDING SECTIONS 22-23, 22-24 AND 22-71 OF CHAPTER 22, WATER AND SEWERS, THE CODE OF ORDINANCES, BY INCREASING THE MINIMUM WATER AND SEWER RATES; 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**



- C. **ORDINANCE NO. 2013-56** : AN ORDINANCE OF THE CITY OF ORMOND BEACH, FLORIDA, RELATIVE TO THE GENERAL EMPLOYEES' PENSION PLAN, AMENDING ARTICLE I, IN GENERAL, OF CHAPTER 16, PENSIONS AND RETIREMENT, OF THE CODE OF ORDINANCES; AMENDING SECTION 16-1, DEFINITIONS BY AMENDING THE DEFINITION OF "CREDITED SERVICE"; AMENDING SECTION 16-15, MAXIMUM PENSION; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; 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**

- D. **ORDINANCE NO. 2013-57** : AN ORDINANCE OF THE CITY OF ORMOND BEACH, FLORIDA, AMENDING ARTICLE IV, POLICE OFFICERS' PENSION TRUST FUND, OF CHAPTER 16, PENSIONS AND RETIREMENT, OF THE CODE OF ORDINANCES; AMENDING SECTION 16-71, DEFINITIONS BY AMENDING THE DEFINITION OF "CREDITED SERVICE"; AMENDING SECTION 16-85, MAXIMUM PENSION; 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**

- E. **ORDINANCE NO. 2013-58** : 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 16-40, DEFINITIONS AMENDING THE DEFINITION OF "CREDITED SERVICE"; AMENDING SECTION 16-54, MAXIMUM PENSION; PROVIDING FOR SEVERABILITY OF PROVISIONS; 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. DISCUSSION ITEMS**

- A. **Hours of Alcohol Sales on Sunday**

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

**12. REPORTS, SUGGESTIONS, REQUESTS**

**13. 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: 386-677-0311



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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.