



AGENDA
CITY OF ORMOND BEACH, FLORIDA
CITY COMMISSION MEETING
September 5, 2017
7:00 PM

Mayor Bill Partington

Zone 1 – Commissioner Dwight Selby

Zone 3 – Commissioner Rick Boehm

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. 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)

APPROVED

- 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)

APPROVED

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 **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. 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) **APPROVED**

- 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) **APPROVED**

- 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) **APPROVED**

- 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) **APPROVED**

- 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)

APPROVED

- 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) **APPROVED**

- 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) **APPROVED**

- 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)

APPROVED

- 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)

APPROVED

- 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) **APPROVED**

- 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) **APPROVED**

- 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) **APPROVED**

- 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. **APPROVED**

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)
APPROVED

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)

APPROVED

- 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)

APPROVED

- 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)

APPROVED

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)

APPROVED

- 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)

APPROVED

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)* **APPROVED**

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)*
APPROVED

- 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)*
APPROVED

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)
APPROVED

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)
APPROVED

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

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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