



**ACTION REPORT
CITY OF ORMOND BEACH, FLORIDA
CITY COMMISSION MEETING
August 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

1. CALL TO ORDER

2. INVOCATION

3. PLEDGE OF ALLEGIANCE

4. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA

5. APPROVAL OF MINUTES

A. The minutes from the July 30, 2019 City Commission meeting will be available for approval at the August 20, 2019 City Commission meeting.

6. 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. 2019-135:** A RESOLUTION AUTHORIZING THE EXECUTION OF A WATER, SEWER AND ANNEXATION AGREEMENT BETWEEN THE CITY OF ORMOND BEACH AND TERRY M. MCBRIDE AND PAULA S. MCBRIDE FOR PROPERTY LOCATED AT 251 NORTH TYMBER CREEK ROAD, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA; PROVIDING FOR RECORDATION; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

- B. **RESOLUTION NO. 2019-136:** A RESOLUTION AUTHORIZING THE EXECUTION OF A QUITCLAIM DEED IN FAVOR OF NORMAN SHERRIN AND BLANCHE SHERRIN, RELEASING A FIFTEEN-FOOT (15.0') UTILITY AND DRAINAGE EASEMENT LOCATED ALONG NORTHERLY SIDE OF LOTS 6 AND 7, SHORELAND PARK ROSEMONT SUBDIVISION (680 RIVERSIDE DRIVE); PROVIDING FOR RECORDATION; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

- C. **RESOLUTION NO. 2019-137:** A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A PUBLIC UTILITY, ACCESS AND MAINTENANCE EASEMENT DEED FROM GRANADA PLAZA GROUP, LLC, FOR PROPERTY LOCATED AT 125 EAST GRANADA BOULEVARD IN CONJUNCTION WITH THE STARBUCKS DEVELOPMENT PROJECT; PROVIDING FOR RECORDATION; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

- D. **RESOLUTION NO. 2019-138:** A RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE ORDER NUMBER ONE (1) TO THAT CONTRACT AWARDED TO TANK REHAB.COM, LLC REGARDING THE WATER TREATMENT PLANT ELEVATED WATER TANK REHABILITATION PROJECT, BY INCREASING THE CONTRACT PRICE BY \$30,000.00; INCREASING THE CONTRACT TIME BY 105 DAYS; AND SETTING FORTH AN EFFECTIVE DATE.

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

- E. **RESOLUTION NO. 2019-139:** A RESOLUTION AUTHORIZING THE EXECUTION OF A RESERVATION AND SALES AGREEMENT BETWEEN THE CITY OF ORMOND BEACH AND THE LAKE SWAMP, LLC FOR RUNWAY EXTENSION PROJECT TO EXTEND RUNWAY 9 AND TAXIWAY ALPHA AT THE ORMOND BEACH MUNICIPAL AIRPORT; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Steven Lichliter, Airport Manager (386-615-7019)

APPROVED

- F. **RESOLUTION NO. 2019-140:** A RESOLUTION APPOINTING A MEMBER TO SERVE ON THE CITIZENS' LAW ENFORCEMENT ADVISORY BOARD; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

- G. **RESOLUTION NO. 2019-141:** A RESOLUTION ACCEPTING A PROPOSAL FROM CATHEDRAL CORPORATION TO PROVIDE UTILITY BILLING SERVICES; REJECTING ALL OTHER PROPOSALS; AUTHORIZING THE EXECUTION OF AN AGREEMENT THEREFORE; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

- H. **RESOLUTION NO. 2019-145:** A RESOLUTION ACCEPTING A PROPOSAL FROM MEAD & HUNT, INC. TO PROVIDE DESIGN SERVICES REGARDING THE WESTERN SERVICE AREA UPDATE TO THE 2015 UTILITY MASTER PLAN; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

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

- I. **Request to Advertise for Aquatic Weed Control Maintenance and Ditch Cleaning Services RFP 2019-35**

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

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

- J. **Water Treatment Plant Chemical Feed System Upgrades**

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

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

- K. **North Peninsula Sewer Retrofit**

Staff Contact: Shawn Finley, City Engineer (386-615-7049)

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

- L. **Letter of Support Urging Volusia County Support for Septic to Sewer Conversion on North Penn**

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

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

7. PUBLIC HEARINGS

- A. **ORDINANCE NO. 2019-19:** AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A FIRST AMENDED INTERLOCAL SERVICE BOUNDARY AGREEMENT BETWEEN THE CITY OF ORMOND BEACH AND COUNTY OF VOLUSIA, FLORIDA, REGARDING THE NORTH U.S. 1 JOINT PLANNING AND MUNICIPAL SERVICE AREA; PROVIDING FOR RECORDATION; AND SETTING FORTH AN EFFECTIVE DATE.

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

- B. **ORDINANCE NO. 2019-20:** 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 ONE (1) PARCEL OF REAL PROPERTY TOTALING 2.17± ACRES LOCATED AT 2260 AIRPORT ROAD, VOLUSIA COUNTY PROPERTY APPRAISER PARCEL NUMBER 4123-00-00-0072 FROM "PUBLIC/ INSTITUTIONAL" (PI) TO "SUBURBAN LOW DENSITY RESIDENTIAL" (SLDR); 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. 2019-142:** A RESOLUTION DECLARING THE INTENTION OF THE CITY COMMISSION TO CONSIDER VACATING A PORTION OF GOWER STREET, BETWEEN FLAGLER ROAD AND THE FLORIDA EAST COAST RAILROAD; ESTABLISHING A TIME CERTAIN FOR A PUBLIC HEARING; AND SETTING FORTH AN EFFECTIVE DATE.

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

- D. **RESOLUTION NO. 2019-143:** A RESOLUTION DECLARING THE INTENTION OF THE CITY COMMISSION TO CONSIDER VACATING A PORTION OF FLAGLER ROAD SOUTH OF BROADWAY AVENUE, ABUTTING VOLUSIA COUNTY PARCEL NUMBER 3136-01- 070-0010; ESTABLISHING A TIME CERTAIN FOR A PUBLIC HEARING; AND SETTING FORTH AN EFFECTIVE DATE.

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

- E. **RESOLUTION NO. 2019-144:** A RESOLUTION DECLARING THE INTENTION OF THE CITY COMMISSION TO CONSIDER VACATING A PORTION OF MAGNOLIA STREET, BETWEEN FLAGLER ROAD AND

THE FLORIDA EAST COAST RAILROAD; ESTABLISHING A TIME CERTAIN FOR A PUBLIC HEARING; AND SETTING FORTH AN EFFECTIVE DATE.

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

8. FIRST READING OF ORDINANCES

- A. **ORDINANCE NO. 2019-21:** AN ORDINANCE AMENDING ARTICLE VIII, CAMPAIGN FINANCES, OF CHAPTER 13, ELECTIONS, OF THE CODE OF ORDINANCES; CREATING SECTION 13-81, "CAMPAIGN TREASURER'S REPORTS," REQUIRING FILING OF CAMPAIGN TREASURER'S REPORTS THROUGH THE ELECTRONIC FILING SYSTEM OF THE VOLUSIA COUNTY SUPERVISOR OF ELECTIONS OFFICE; PROVIDING FOR CONFLICTS, CODIFICATION, AND SEVERABILITY; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Colby Cilento, City Clerk (386-676-3340)
APPROVED ON FIRST READING

- B. **ORDINANCE NO. 2019-22:** AN ORDINANCE AMENDING CHAPTER 11, HEALTH AND SANITATION OF THE CODE OF ORDINANCES; BY ESTABLISHING A NEW CHAPTER TO BE CAPTIONED HEALTH, SANITATION, AND ENVIRONMENTAL PROTECTION; BY ESTABLISHING ARTICLE II, ENVIRONMENTAL PROTECTION, INCLUDING DIVISIONS AND SECTIONS THEREUNDER TO BE NUMBERED AND CAPTIONED AS FOLLOWS: DIVISION 1, GENERAL PROVISIONS; SECTION 11-14, AUTHORITY, LEGISLATIVE INTENT, PURPOSE; SECTION 11-15, DEFINITIONS; DIVISION 2, PROHIBITION ON CITY OWNED PROPERTY; SECTION 11-16, DISTRIBUTION AND USE OF PLASTIC STRAWS AND STIRRERS PROHIBITED ON CITY OWNED PROPERTY; SECTION 11-17, EXEMPTIONS; DIVISION 3, PROHIBITION IN RESTAURANTS; SECTION 11-18, DISTRIBUTION AND USE OF PLASTIC STRAWS AND STIRRERS PROHIBITED IN RESTAURANTS; SECTION 11-19, EXEMPTIONS; DIVISION 4, ENFORCEMENT; SECTION 11-20, ENFORCEMENT; DIVISION 5, PUBLIC EDUCATION; SECTION 11-21, PUBLIC EDUCATION PROGRAM, VOLUNTARY COMPLIANCE INITIATIVE; BY PROHIBITING THE DISTRIBUTION AND USE OF PLASTIC STRAWS AND STIRRERS ON CITY PROPERTY; PROHIBITING THE DISTRIBUTION AND USE OF PLASTIC STRAWS AND STIRRERS IN COMMERCIAL ESTABLISHMENTS; PROVIDING EXEMPTIONS; ENCOURAGING ALL PEOPLE AND COMMERCIAL ESTABLISHMENTS TO DISCONTINUE THE USE OF SINGLE-USE PLASTIC STRAWS, SINGLE-USE PLASTIC STIRRERS, AND POLYSTYRENE AND POLYPROPYLENE PRODUCTS; ESTABLISHING A PUBLIC EDUCATION AND PUBLIC AWARENESS PROGRAM; ESTABLISHING EARTH DAY, APRIL 22, 2021 AS THE DATE

BY WHICH THE FULL AND COMPLETE DISCONTINUANCE OF THE USE OF POLYSTYRENE AND POLYPROPYLENE PRODUCTS SHOULD BE ACHIEVED; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *Joyce Shanahan, City Manager (386-676-3200)*
AMENDMENTS APPROVED; WILL BE AMENDED FOR FUTURE READINGS

9. SECOND READING OF ORDINANCES

- A. **ORDINANCE NO. 2019-18:** AN ORDINANCE AMENDING CHAPTER 12, BUSINESS REGULATIONS, ARTICLE IX, SOLICITORS, OF THE CODE OF ORDINANCES, BY AMENDING SECTION 12-249, DEFINITIONS; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

Staff Contact: *Ann-Margret Emery, Deputy City Attorney (386-676-3218)* **APPROVED ON SECOND READING**

10. REPORTS, SUGGESTIONS, REQUESTS

11. 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: 386-676-3297



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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.