



**ACTION REPORT  
CITY OF ORMOND BEACH, FLORIDA  
CITY COMMISSION MEETING  
September 18, 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: 386-676-3297**

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

- 1. CALL TO ORDER**
- 2. INVOCATION**
- 3. PLEDGE OF ALLEGIANCE**
- 4. ADOPTION OF FY 2019-2020 PROPOSED MILLAGE RATES AND TENTATIVE BUDGET**
  - A. RESOLUTION NO. 2019-153:** A RESOLUTION ADOPTING PROPOSED MILLAGE RATES FOR THE 2019-2020 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. 2019-29:** AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE 2019-2020 FISCAL YEAR BEGINNING OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

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

**5. PRESENTATIONS AND PROCLAMATIONS**

- A. 2019 Ormond Beach 9U All-Stars World Series Team
- B. Constitution Week - Ormond Chapter DAR

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

**7. APPROVAL OF MINUTES**

- A. Minutes from City Commission meeting – August 20, 2019 **APPROVED**

**8. COMMUNITY REDEVELOPMENT AGENCY**

- A. **RESOLUTION NO. 2019-163:** A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, AUTHORIZING THE EXECUTION OF A BUILDING IMPROVEMENT GRANT AGREEMENT WITH HEJAHA, LLC.; AUTHORIZING A WAIVER OF THE SHARED PARKING AND INDEMNIFICATION REQUIREMENTS RELATED THERETO; AND SETTING FORTH AN EFFECTIVE DATE. **(SEE ITEM 9A)**

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

**9. 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. 2019-163:** A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, AUTHORIZING THE EXECUTION OF A BUILDING IMPROVEMENT GRANT AGREEMENT WITH HEJAHA, LLC.; AUTHORIZING A WAIVER OF THE SHARED PARKING AND INDEMNIFICATION REQUIREMENTS RELATED THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

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

- B. **RESOLUTION NO. 2019-154:** 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**

- C. **RESOLUTION NO. 2019-155:** 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:** *Brian Rademacher, Economic Development Director (386-676-3266)* **APPROVED**

- D. **RESOLUTION NO. 2019-156:** A RESOLUTION RATIFYING THE EXECUTION OF AN AGREEMENT WITH THE STATE OF FLORIDA, OFFICE OF THE ATTORNEY GENERAL REGARDING FUNDING FOR THE CITY'S VICTIM'S ADVOCATE PROGRAM; AND SETTING FORTH AN EFFECTIVE DATE.

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

- E. **RESOLUTION NO. 2019-157:** A RESOLUTION AUTHORIZING THE EXECUTION OF CONTRACT RENEWALS WITH TWO FIRMS PROVIDING DEBRIS REMOVAL, REDUCTION AND DISPOSAL SERVICES; AND SETTING FORTH AN EFFECTIVE DATE.

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

- F. **RESOLUTION NO. 2019-158:** A RESOLUTION ACCEPTING A BID FROM LATOUR ENTERPRIZES, INC. D/B/A ECONOMY ELECTRIC COMPANY FOR CONSTRUCTION SERVICES REGARDING THE NOVA COMMUNITY PARK UNDERGROUND ELECTRIC UTILITIES PROJECT, UNDER BID NO. 2019-33; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; REJECTING ALL OTHER BIDS; AND SETTING FORTH AN EFFECTIVE DATE.

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

- G. **RESOLUTION NO. 2019-159:** A RESOLUTION ACCEPTING A BID FROM RJ LANDSCAPE CONTRACTORS, INC. FOR CONSTRUCTION SERVICES REGARDING THE GRANADA BLVD. MEDIAN LANDSCAPE IMPROVEMENTS PROJECT, UNDER BID NO. 2019-12; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; REJECTING ALL OTHER BIDS; AND SETTING FORTH AN EFFECTIVE DATE.

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

- H. **RESOLUTION NO. 2019-160:** A RESOLUTION ACCEPTING A PROPOSAL FROM A.M. WEIGEL CONSTRUCTION, INC. TO PROVIDE CONSTRUCTION MANAGEMENT SERVICES REGARDING THE GRANADA BOULEVARD MEDIANS IRRIGATION REUSE CONNECTION PROJECT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

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

**APPROVED**

- I. **RESOLUTION NO. 2019-161:** A RESOLUTION RENEWING A BROKER SERVICE AGREEMENT BETWEEN THE CITY OF ORMOND BEACH AND BROWN & BROWN OF FLORIDA, INC., FOR AN ADDITIONAL ONE YEAR TERM; AUTHORIZING BROWN AND BROWN OF FLORIDA, INC., TO PROVIDE INSURANCE CONSULTING SERVICES AS THE CITY'S AGENT OF RECORD FOR PROPERTY AND CASUALTY INSURANCE; AUTHORIZING PAYMENT FOR THE SERVICES TO BE PERFORMED THEREUNDER; AND SETTING FORTH AN EFFECTIVE DATE.

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

**APPROVED**

- J. **RESOLUTION NO. 2019-162:** 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), NFIP FLOOD, POLLUTION, PROFESSIONAL LIABILITY (EMT'S AND PARAMEDICS), GENERAL LIABILITY (INCLUDING LAW ENFORCEMENT LIABILITY) AND TULIP (SPECIAL EVENTS) INSURANCE COVERAGE; 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**

- K. **RESOLUTION NO. 2019-164:** A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR SERVICES BETWEEN THE CITY AND HALIFAX HUMANE SOCIETY, INC.; AND SETTING FORTH AN EFFECTIVE DATE.

**Staff Contact:** *Jesse Godfrey, Police Chief (386-676-3525)*

**APPROVED**

- L. **RESOLUTION NO. 2019-165:** 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**

- M. **RESOLUTION NO. 2019-166:** 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**

- N. **RESOLUTION NO. 2019-167:** A RESOLUTION RATIFYING AND AFFIRMING AN EMERGENCY PROCUREMENT FROM J.D. WEBER CONSTRUCTION FOR REPAIRS TO A SANITARY SEWER GRAVITY MAIN AT THE INTERSECTION OF GRANADA BLVD. AND CLYDE MORRIS BLVD.; AND SETTING FORTH AN EFFECTIVE DATE.

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

- O. **RESOLUTION NO. 2019-168:** A RESOLUTION ACCEPTING A PROPOSAL FROM MCKIM & CREED, INC. FOR CONSTRUCTION ADMINISTRATION SERVICES REGARDING THE WATER TREATMENT PLANT LIME SLUDGE DEWATERING IMPROVEMENTS PROJECT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

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

- P. **RESOLUTION NO. 2019-169:** A RESOLUTION AUTHORIZING EXECUTION OF A LEASE AGREEMENT BETWEEN THE CITY AND THE ORMOND MEMORIAL ART MUSEUM, INC.; AND SETTING FORTH AN EFFECTIVE DATE.

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

- Q. **RESOLUTION NO. 2019-170:** A RESOLUTION AUTHORIZING THE EXECUTION OF A HIGHWAY MAINTENANCE MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF ORMOND BEACH AND THE FLORIDA DEPARTMENT OF TRANSPORTATION; AND SETTING FORTH AN EFFECTIVE DATE.

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

- R. **RESOLUTION NO. 2019-172:** A RESOLUTION AUTHORIZING EXECUTION OF A SERVICE AGREEMENT BETWEEN THE CITY AND THE ORMOND MEMORIAL ART MUSEUM, INC.; AUTHORIZING THE EXPENDITURE OF FUNDING; AND SETTING FORTH AN EFFECTIVE DATE.

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

- S. **RESOLUTION NO. 2019-173:** A RESOLUTION AUTHORIZING THE EXECUTION OF A JOINT PARTICIPATION AGREEMENT BETWEEN THE CITY AND THE FLORIDA DEPARTMENT OF TRANSPORTATION, REGARDING THE INSTALLATION OF A TRAFFIC SIGNAL AT THE INTERSECTION OF BROADWAY AVENUE AND US1; AND SETTING FORTH AN EFFECTIVE DATE.

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

**APPROVED**

- T. **RESOLUTION NO. 2019-174:** A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR CONSTRUCTION OF A TRAFFIC SIGNAL AT US1 AND BROADWAY BETWEEN THE CITY AND TOMOKA HOLDINGS, LLC, REGARDING FUNDING FOR INSTALLATION OF A TRAFFIC SIGNAL AT THE INTERSECTION OF BROADWAY AVENUE AND US1; AND SETTING FORTH AN EFFECTIVE DATE

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

**APPROVED**

- U. **Bid Documents for Broadway Ave. US 1 Traffic Signal (Bid Number 2020-04)**

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

**Disposition:** Approve as recommended in the City Manager memorandum dated September 18, 2019.

**APPROVED**

- V. **Broadway Avenue / US 1 Mast Arm Installation Construction Engineering and Inspection RFQ #2020-05**

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

**Disposition:** Approve as recommended in the City Manager memorandum dated September 18, 2019.

**APPROVED**

- W. **C & D Franchise Renewal for Waste Management Inc. of Florida**

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

**Disposition:** Approve as recommended in the City Manager memorandum dated September 18, 2019.

**APPROVED**

- X. **Auto Renewal Contracts: Interactive Voice Response System**

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

**Disposition:** Approve as recommended in the City Manager memorandum dated September 18, 2019.

**APPROVED**

**Y. Registration of Zayo Group, LLC**

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

**Disposition:** Approve as recommended in the City Manager memorandum dated September 18, 2019.

**APPROVED**

**Z. Approval of Travel - City Commission**

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

**Disposition:** Approve as recommended in the City Manager memorandum dated September 18, 2019.

**APPROVED**

**AA. Riverside Drive Closures 2019-2020**

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

**Disposition:** Approve as recommended in the City Manager memorandum dated September 18, 2019.

**APPROVED**

**AB. CPI Rate Adjustment Request - Waste Pro of Florida, Inc.**

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

**Disposition:** Approve as recommended in the City Manager memorandum dated September 18, 2019. **MOTION**

**TO APPROVE CPI ADJUSTMENT APPROVED**

**AC. Ormond Beach State Legislative Service Contract Renewal**

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

**Disposition:** Approve as recommended in the City Manager memorandum dated September 18, 2019.

**APPROVED**

**AD. 2020 City of Ormond Beach Legislative Action Agenda**

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

**Disposition:** Approve as recommended in the City Manager memorandum dated September 18, 2019.

**APPROVED**

**AE. Capital Improvement Plan FY 2019-20 to FY 2023-24**

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



**Disposition:** Approve as recommended in the City Manager memorandum dated September 18, 2019.

**APPROVED**

## 10. PUBLIC HEARINGS

- A. **ORDINANCE NO. 2019-30:** AN ORDINANCE ANNEXING CERTAIN REAL PROPERTIES INTO THE CITY OF ORMOND BEACH, SAID PROPERTIES BEING GENERALLY LOCATED ALONG THE EAST SIDE OF INTERSTATE 95, SOUTH OF HALIFAX PLANTATION SUBDIVISION, WEST OF OLD DIXIE HIGHWAY, AND NORTH OF U.S. HIGHWAY 1, CONSISTING OF APPROXIMATELY 1,055.36± ACRES; REDEFINING THE TERRITORIAL BOUNDARIES OF THE CITY OF ORMOND BEACH TO INCLUDE THE PROPERTIES; SETTING FORTH ZONING PRIVILEGES AND OBLIGATIONS REGARDING THE PROPERTIES; REDESIGNATING THE BOUNDARIES OF ZONE 1 OF THE CITY OF ORMOND BEACH TO INCLUDE THE PROPERTIES; 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. 2019-34:** AN ORDINANCE AMENDING CHAPTER 3, PERFORMANCE STANDARDS, ARTICLE IV, SIGN REGULATIONS, SECTION 3-47, BUSINESS PREMISE SIGNS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE TO ALLOW THROUGH THE SPECIAL EXCEPTION PROCESS ELECTRONIC CHANGEABLE COPY SIGNS FOR THE DISPLAY OF RETAIL PRICES OF GASOLINE; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

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

**APPROVED AS AMENDED ON FIRST READING**

- C. **ORDINANCE NO. 2019-35:** AN ORDINANCE AMENDING CHAPTER 1, GENERAL ADMINISTRATION, ARTICLE III, DEFINITIONS AND ACRONYMS, SECTION 1-22, DEFINITIONS OF TERMS AND WORDS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE; BY AMENDING THE DEFINITION "TATTOO PARLOR" TO PROVIDE AN EXEMPTION FOR THE APPLICATION OF PERMANENT COSMETICS FOR MEDICAL AND DENTAL PURPOSES ONLY; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

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

**APPROVED ON FIRST READING**

- D. **ORDINANCE NO. 2019-36:** AN ORDINANCE AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE VI, OVERLAY



DISTRICTS, SECTION 2-71, HISTORIC DISTRICTS AND LANDMARKS, OF THE LAND DEVELOPMENT CODE BY REMOVING THE PROPERTY LOCATED AT 71 ORCHARD LANE (THE BRAKEN CABIN) FROM THE ORMOND BEACH HISTORIC LANDMARKS LIST; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

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

**APPROVED ON FIRST READING**

- E. **RESOLUTION NO. 2019-175:** A RESOLUTION AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A SPECIAL EXCEPTION REGARDING THE "WINDOW WORLD" STORE LOCATED AT 906 NORTH U.S. HIGHWAY 1, WITHIN THE LARGER PARENT PARCEL LOCATED AT 900 NORTH U.S. HIGHWAY 1, AND BEING SITUATED WITHIN THE B-8 (COMMERCIAL) ZONING DISTRICT; ALLOWING PERMANENT OUTDOOR STORAGE FOR A PERIOD OF EIGHTEEN MONTHS; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

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

**APPROVED AS AMENDED**

- F. **RESOLUTION NO. 2019-176:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA, AUTHORIZING THE EXECUTION OF A MURAL OWNERSHIP AGREEMENT TO ALLOW A MURAL TO BE INSTALLED ON THE EAST FACING WALL OF THE BUILDING LOCATED AT 50 WEST GRANADA BOULEVARD BETWEEN THE CITY, ANTHONY GUIDICE, WIVIGECO, LLC, (BUILDING OWNER); AND THAYS FRANCA, (ARTIST); AND SETTING FORTH AN EFFECTIVE DATE.

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

**APPROVED**

## 11. FIRST READING OF ORDINANCES

- A. **ORDINANCE NO. 2019-33:** AN ORDINANCE RECOGNIZING A DECLARATION OF EMERGENCY ISSUED BY THE GOVERNOR OF THE STATE OF FLORIDA, EFFECTIVE THROUGHOUT THE STATE INCLUDING VOLUSIA COUNTY AND THE MUNICIPALITIES SITUATED THEREIN; RECOGNIZING A DECLARATION OF LOCAL EMERGENCY ISSUED BY VOLUSIA COUNTY, EFFECTIVE THROUGHOUT THE COUNTY INCLUDING THE MUNICIPALITIES THEREIN; RATIFYING AND AFFIRMING A DECLARATION OF EMERGENCY ISSUED BY THE MAYOR OF THE CITY OF ORMOND BEACH, EFFECTIVE THROUGHOUT THE CITY; AUTHORIZING TEMPORARY EMERGENCY ADMINISTRATIVE PROCEDURES TO FACILITATE THE PROVISION OF EXPEDITIOUS MANAGEMENT OF BUILDING PERMIT APPLICATIONS; AUTHORIZING THE ISSUANCE OF ON-SITE PERMITS FOR REPAIR OF DAMAGE CAUSED BY HURRICANE DORIAN; PROVIDING FOR THE

WAIVER OF PERMIT FEES ASSOCIATED THEREWITH; PROHIBITING UNLICENSED OR UNAUTHORIZED CONTRACTORS FROM ENGAGING IN UNLICENSED OR UNAUTHORIZED ACTIVITIES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY, AND SETTING FORTH AN EFFECTIVE DATE. **(FIRST AND ONLY READING)**

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

**APPROVED ON FIRST AND ONLY READING**

- B. ORDINANCE NO. 2019-37:** 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, FINANCES AND FUND MANAGEMENT; ESTABLISHMENT AND OPERATION OF FUND; PROVIDING FOR SEVERABILITY OF PROVISIONS; PROVIDING FOR CODIFICATION; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.

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

**APPROVED ON FIRST READING**

- C. ORDINANCE NO. 2019-38:** AN ORDINANCE OF THE CITY OF ORMOND BEACH, FLORIDA, AMENDING ARTICLE I, GENERAL EMPLOYEES' PENSION PLAN, OF CHAPTER 16, PENSIONS AND RETIREMENT, OF THE CODE OF ORDINANCES; AMENDING SECTION 16-4, FINANCES AND FUND MANAGEMENT; ESTABLISHMENT AND OPERATION OF FUND; PROVIDING FOR SEVERABILITY OF PROVISIONS; PROVIDING FOR CODIFICATION; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.

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

**APPROVED ON FIRST READING**

- D. ORDINANCE NO. 2019-39:** 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 16-74, FINANCES AND FUND MANAGEMENT; ESTABLISHMENT AND OPERATION OF FUND; PROVIDING FOR SEVERABILITY OF PROVISIONS; PROVIDING FOR CODIFICATION; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.

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

**APPROVED ON FIRST READING**

## **12. SECOND READING OF ORDINANCES**

- A. 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 SECTIONS THEREUNDER TO BE NUMBERED AND CAPTIONED AS FOLLOWS: SECTION 11-14, AUTHORITY, LEGISLATIVE INTENT, PURPOSE; SECTION 11-15, DEFINITIONS; SECTION 11-16, DISTRIBUTION AND USE OF PLASTIC STRAWS AND STIRRERS PROHIBITED ON CITY OWNED PROPERTY; SECTION 11-17, EXEMPTIONS; SECTION 11-18, DISTRIBUTION AND USE OF PLASTIC STRAWS AND STIRRERS IN RESTAURANTS; SECTION 11-19, PUBLIC EDUCATION PROGRAM, VOLUNTARY COMPLIANCE INITIATIVE; BY PROHIBITING THE DISTRIBUTION AND USE OF PLASTIC STRAWS AND STIRRERS ON CITY PROPERTY; ENCOURAGING ALL PEOPLE, RESTAURANTS AND COMMERCIAL ESTABLISHMENTS TO DISCONTINUE THE USE OF SINGLE-USE PLASTIC STRAWS AND SINGLE-USE PLASTIC STIRRERS TO THE PRACTICABLE EXTENT POSSIBLE; ESTABLISHING A PUBLIC EDUCATION AND PUBLIC AWARENESS PROGRAM; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

**Staff Contact:** *Joyce Shanahan, City Manager (386-676-3200)*  
**APPROVED ON SECOND READING**

### 13. RESOLUTIONS

- A. **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 135 DAYS; AND SETTING FORTH AN EFFECTIVE DATE.

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

### 14. DISCUSSION ITEMS

- A. **Flagler County Request for Utility Services along North US 1 Corridor**

**Staff Contact:** *Gabe Menendez, Public Works Director (386-676-3292)* **MOTION TO DIRECT STAFF TO LOOK INTO PROVIDING SERVICE APPROVED**

- B. **City Attorney Evaluation**

**Staff Contact:** *Randal Hayes, City Attorney (386-676-3217)*  
**ACCEPTED**

- C. **City Manager Evaluation**

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

## 15. REPORTS, SUGGESTIONS, REQUESTS

## 16. 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: 386-676-3297



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 386-677-3297 for information regarding available aids and services.