



**CITY OF NEW SMYRNA BEACH
CITY COMMISSION REGULAR MEETING**

SUMMARY OF ACTION

TUESDAY, FEBRUARY 12, 2013 – 6:30 P.M.

**THE BRANNON CENTER (East Entrance),
105 SOUTH RIVERSIDE DRIVE, NEW SMYRNA BEACH, FLORIDA**

I. Call to Order/Roll Call:

All present.

II. Invocation/Pledge of Allegiance:

Police Department Chaplain Peter Carter, Jr. will be present and give the invocation.

No action.

III. Approval of the Agenda:

No action.

IV. Announcements/Presentations/Recognition:

No action.

V. Mayor and Commission Reports:

Commissioner Reiker requested a future presentation by the Atlantic Center for the Arts to outline the organization's future plans for events and activities.

VI. Consent Agenda (Approval of Minutes/Routine Resolutions):

- A. Approval of Meeting Minutes – Approve the minutes of the regular meetings held January 8 and January 22, 2013; and goals workshop held December 3, 2012.

Approved as submitted.

- B. Ratification of Labor Contract/ Teamsters – Ratify the negotiated labor contract as negotiated with the Teamsters International, effective October 1, 2012.

Approved as submitted.

- C. Purchase of Property/122 1/2 Railroad Street – Consider approval of the purchase of property at 122 1/2 Railroad Street at a cost of \$15,000 for the purpose of being a part of the CRA Interlocal agreement with the Housing Authority of New Smyrna Beach.

Approved per staff's recommendation.

- D. CRA Rental Assistance Program/132 Canal Street – "The Hub" – Approve the Application for funding under the Non-Profit Cultural Arts Business Consortia component of the Rental Assistance Program, in the amount of \$50,000 for "The Hub" at 132 Canal Street.

Approved per staff's recommendation.

- E. Washington Street Streetscape Power Pole Relocation – Approve the payment of \$6,322.19 to the Utilities Commission for the relocation of a power pole as part of the Washington Street Streetscape Project.

Approved per staff's recommendation.

- F. Acceptance of Easement from Robert Wiley/Rush Street and Canal Street – Accept an easement from Robert Wiley to connect the CRA public parking lot on Julia Street to the parking lot behind the "Pennysaver" Building on Canal Street.

Accepted per staff's recommendation.

- G. CRA Opportunity Site Grant Extension Request/Canal Street Center – Approve the granting of an extension to the owner of the Canal Street Center (former Badcock Building) for project completion from February 28, 2013 to May 31, 2013.

Approved per staff's recommendation.

- H. Resolution No. 06-13/LAP Agreement for the Pedestrian Trail – Adopt a resolution authorizing the Mayor to make, execute and deliver to the State of Florida Department of Transportation, a Local Agency Program Agreement for the construction of a pedestrian trail.

Adopted as submitted.

- I. Change Order No. 6/Esther Street Park Improvements – Approve Change Order No. 6 to the contract with A.G. Pifer Construction Co., Inc., for the Esther Street Park Improvements Project in the amount of \$62,938.17. Also approve a forty (40) day extension to the existing contract completion date.

Approved per staff's recommendation.

- J. Cuts for Cudas III – Approve the conduct of the Cuts for Cudas III event on Sunday, March 10, 2013, from 8 a.m. to 5 p.m. The event is a fundraiser to benefit the group "Cudas Unhooked", also approve the associated street closure of Canal Street from U.S. Highway 1 to Palmetto Street, throughout the duration of the event.

Approved per staff's recommendation.

VII. Ordinances – Second Reading and Public Hearings:

- A. Application to Amend Development Agreement/Proposed "Causeway Landings" Project on North Causeway – Conduct the first of two required public hearings of an application to amend the development agreement for approximately 14 acres located on the north side of the North Causeway, east of Riverside Drive.

Denied.

VIII. Public Participation:

No action.

IX. Ordinances – First Reading:

- A. Ordinance No. 08-13/Budget Amendment – Conduct the first reading of an ordinance, which if adopted, would amend the current expenses and capital outlay required by the City for the fiscal year October 1, 2012 through September 30, 2013.

Approved as amended. The second reading and public hearing of the proposed ordinance will be conducted at the regular meeting on February 26, 2013.

- B. Ordinance No. 09-13/Density Calculations and Rights-of-Way – Conduct the first reading of an ordinance, which if adopted, would amend the *Land Development Regulations* to clarify that lands sold or dedicated to a governmental entity or condemned by a governmental entity for the purpose or right-of-way widening and improvements shall be allowed to be used for calculating density on the privately owned adjacent property.

Approved as submitted. The second reading and public hearing of the proposed ordinance will be conducted at the regular meeting on February 26, 2013.

X. Administrative Items/New Business:

- A. Bid Award/Central Fire Station – Consider approval of the award of bid for the construction of the central fire station on City property located south of S.R. 44, to APM Construction of Daytona Beach for the bid amount of \$2,857,015, as funded through the general obligation bond as approved by the citizens of New Smyrna Beach in 2005.

Approved per staff's recommendation, to include the transfer of \$70,000.

XI. Boards and Commissions:

No action.

XII. City Manager's Report:

No action.

XIII. City Clerk's Report:

No action.

XIV. City Attorney's Report:

Approved the dismissal of the Alexander litigation, for no costs other than legal fees incurred by the City.

XV. Adjournment:

7:58 p.m.

The foregoing summary of action is a true and accurate record of action taken by the New Smyrna Beach City Commission at its regular meeting on February 12, 2013, pending approval of the official minutes of the meeting.

Johnny R Bledsoe, City Clerk