



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

SUMMARY OF ACTION

TUESDAY, APRIL 9, 2013 – 6:30 P.M.

**CITY COMMISSION CHAMBER, CITY HALL,
210 SAMS AVENUE, NEW SMYRNA BEACH, FLORIDA**

I. Call to Order/Roll Call:

6:30 p.m. – Commissioner Reiker was absent

II. Invocation/Pledge of Allegiance:

Police Department Chaplain Beverly Richardson will be present and give the invocation.

No action.

III. Approval of the Agenda:

No action.

IV. Announcements/Presentations/Recognition:

- A. 2013 Law Enforcement Torch Run – an overview of the Law Enforcement Torch Run planned activities for April 10, 2013, by NSB Police Motor Officer Mike Delahanty.

No action.

- B. 2013 Lipton Cup Regatta – an overview of the Lipton Cup Regatta planned activities for April 12, 13 and 14, 2013, by David Smith, representing the Smyrna Yacht Club.

No action.

V. Mayor and Commission Reports:

No action.

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

- A. Resolution No. 16-13/TPO Reapportionment – Adopt a resolution supporting the Planning Area Boundary adjustment and Membership Reapportionment Plan to expand the Metropolitan Planning Area Boundary and to reapportion the voting membership of the Volusia Transportation Planning Organization.

Adopted as submitted.

- B. Resolution No. 17-13/Military Family and Community Covenant Day – Adopt a resolution proclaiming April 17, 2013 as Military Family and Community Covenant Day.

Adopted as submitted.

- C. Police Motorcycle Lease – Approve entering into a lease agreement with Bruce Rossmeyer’s New Smyrna Harley Davidson, for a period of two years commencing May 1, 2013, and at a cost of \$400 monthly per motorcycle.

Approved as recommended.

- D. Washington Street Streetscape Project/Request for Time Extension – Approve staff’s recommendation to grant a ten-day extension to the required completion date for the Washington Street Streetscape Project, due to unforeseen utilities delays. There is no fiscal impact.

Approved as recommended.

- E. Award of Bid/Mary Avenue Tot Lot – Approve the award of bid for the Mary Avenue Tot Lot Project to A.G. Pifer Construction Company, Inc., for buildings and concrete work, in the amount of \$65,805; and, Jim’s Fencing, for installation of 4-foot white vinyl picket fencing, in the amount of \$6,400. Staff continues to accept bids for playground equipment.

Approved as recommended.

- F. Request for Proposal to Lease City Property/450 3rd Avenue – Approve staff’s recommendation to issue a “Request for Proposal” for the lease of City-owned property at 450 3rd Avenue, the undeveloped portion of the beachside fire station).

Approved as recommended.

- G. Amendment to the Opportunity Site Grant Agreement/Canal Street Center – Consider approval of staff’s recommended amendment to the Opportunity Site Grant Agreement for Canal Street Center, the former Badcock Furniture Store. The proposed amendments would outline two phases for expenditure reimbursements with the first phase being prior to April 1, 2013, and the second phase being from April 1, 2013.

Approved as recommended.

- H. Special Events – Approve the following special events as recommended by the Special Events Committee:

1. “Waves of Grace” Film Production – Grant permission to utilize several venues in the City for the filming of a feature length film, entitled “Waves of Grace”, intended for future commercial release by the company C. Joy Productions. The period of filming is April 11 through May 10, 2013. Also approve the closure of Flagler Avenue from South Cooper Street to South Atlantic Avenue on Monday, April 15, 2013, from 6 am to 6 pm.

Approved as recommended.

2. 5th Annual New Smyrna Beach Food Festival – Approve the conduct of the 5th Annual New Smyrna Beach Food Festival on Thursday, April 18, 2013 from 5 to 9 pm, as hosted by the Merchants of Flagler Hospitality Group. Also approve the closure of Flagler Avenue from Pine Street to South Atlantic Avenue from 3 to 10 pm, the day of the event.

Approved as recommended.

3. 6th Annual New Smyrna Beach Shrimp and Seafood Festival – Approve the conduct of the 6th Annual New Smyrna Beach Shrimp and Seafood Festival on Thursday, August 15, 2013 from 5 to 9 pm, as hosted by the Merchants of Flagler Hospitality Group. Also approve the closure of Flagler Avenue from Pine Street to South Atlantic Avenue from 3 to 10 pm, the day of the event.

Approved as recommended.

4. Founder’s Day Celebration – Approve the conduct of the Founder’s Day Celebration on Friday and Saturday, November 1 and 2, 2013 from 6 to 10 pm on Friday and 8 am to 4 pm Saturday, as hosted by the Southeast Volusia Historical Society. Also approve the closure of Sam’s Avenue and Julia Street from Riverside Drive to Sams Avenue from 8 am to 5 pm on Saturday, November 2, 2013.

Approved as recommended.

VII. Ordinances – Second Reading and Public Hearings:

- A. Ordinance No. 29-13/ New Smyrna Harbor Marina PUD Master Development Agreement and Conceptual Development Plan – Conduct the second reading and public hearing of an ordinance, which if adopted, would rezone approximately 4 acres generally located south of the North Causeway, east of Boatyard Street and west of Marina Bay Drive, from a Commercial Marina (CM) to a Planned Unit Development (PUD) zoning district, and approving the New Smyrna Harbor Marina PUD Master Development Agreement and Conceptual Development Plan.

Adopted as submitted.

- B. Ordinance No. 30-13/ 3403 South Atlantic Avenue/HJH, LLC – Conduct the second reading and public hearing of an ordinance, which if adopted, would rezone approximately 1 acre located at 3403 South Atlantic Avenue from Ocean Commercial with a maximum building height of four stories (B-4(4)) to Ocean Commercial with a maximum building height of eight stories (B-4 (8)).

Adopted as submitted.

- C. Ordinance No. 31-13/CCSL Relocation/903 Lazy Sago Lane – Conduct the first of two required public hearings of an ordinance, which if adopted, would amend the *Land Development Regulations* regarding development seaward of the City's Coastal Construction Setback Line (CCSL), by moving the line eastward toward the ocean for property located at 903 Lazy Sago Lane, east of 903 South Atlantic Avenue.

Approved on first reading and first public hearing. The second and final of two required public hearings was scheduled for the regular meeting on April 23, 2013.

VIII. Public Participation:

No action.

IX. Ordinances – First Reading:

- A. Ordinance No. 32-13/CRA Plan Amendment – Conduct the first reading of an ordinance, which if adopted, would amend and modify the City's Community Redevelopment Plan to incorporate amendments to the January 2010 Community Redevelopment Agency Master Plan Update.

Approved on first reading. The second reading and public hearing was scheduled for the regular meeting on April 23, 2013.

- B. Ordinance No. 36-13/Interlocal Service Boundary Agreement with Volusia County – Conduct the first reading of an ordinance, which if adopted, would enter into an Interlocal Service Boundary Agreement with Volusia County.

Approved on first reading. The second reading and public hearing was scheduled for the regular meeting on April 23, 2013.

X. Administrative Items/New Business:

- A. Citizen Survey – 2013 – Consider approval of staff's recommendation to enter into a contract with the University of Central Florida Institute for Social and Behavioral Sciences, in order to conduct a Citizen's Survey of City Services for 2013, at the approximate cost of \$10,112.

Approved as recommended.

- B. Discussion/Pioneer Trail-Interstate 95 Interchange – Discuss staff's recommended support of the inclusion of the Interstate 95 interchange at Pioneer Trail as an unfunded project on the Volusia County Transportation Planning Organization 2035 Long Range Transportation Plan.

No action.

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:
No action.

XV. Adjournment:
8:30 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 April 9, 2013, pending approval of the official minutes of the meeting.

Johnny R Bledsoe, City Clerk