



**City Commission Regular Meeting
Tuesday, May 11, 2021 at 6:30 PM**

Brannon Center 105 South Riverside Drive, New Smyrna Beach, FL 32168

1. OPENING OF MEETING

1.A. Call to Order

2. INVOCATION/PLEDGE OF ALLEGIANCE

A Police Department Chaplain will give the invocation. Mayor Owen will lead those present in the Pledge of Allegiance.

3. APPROVAL OF THE AGENDA

4. ANNOUNCEMENTS/PRESENTATION/RECOGNITIONS

4.A **Presentation:** Youth Council Task Force Project Presentation.

4.B **Recognition:** Conduct an Oath of Office for Buddy Davenport, Volusia County - Florida Inland Navigation District (F.I.N.D.) Commissioner.

4.C **Presentation:** October 1, 2019- September 30, 2020 Comprehensive Annual Finance Report (CAFR) by James Moore CPA's.

5. PUBLIC PARTICIPATION

In accordance with Resolution No. 32-13, citizens are provided the opportunity to address the City Commission regarding any topic, for up to three minutes.

6. CONSENT AGENDA

- 6.A Consider the adoption of the City Commission workshop and regular meeting held on Tuesday, April 27, 2021.
- 6.B Resolution No. 12-21: Consider the adoption of a Resolution, which if adopted, would authorize the City Commission to participate in a joint meeting with the City of Edgewater City Council and the City of Oak Hill City Commission to discuss matters of mutual interest related to economic development in Southeast Volusia.
- 6.C Resolution No. 13- 21: Consider the adoption of a Resolution, which if adopted, would authorize the City to join with the State and other local governments as a participant in the Florida Memorandum of Understanding and Formal Agreement implementing a Unified Plan for the allocation and use of opioid settlement proceeds.
- 6.D Resolution No 14-21: Consider the adoption of a Resolution, which if adopted, would approve of a FDOT Agreement - FDOT Financial Management No. 437935-1-4B/43-01, for right-of-way acquisition for the Barracuda Boulevard Bridge Replacement Project and the associated Three Party Escrow Agreement.
- 6.E Resolution No 15-21: Consider the adoption of a Resolution, which if adopted, would approve of a FDOT Agreement - FDOT Financial Management No. 437935-1-52-01, for construction of the Barracuda Boulevard Bridge Replacement Project and the associated Three Party Escrow Agreement.
- 6.F Resolution No 16-21: Consider the adoption of a Resolution, which if adopted, would approve of a FDOT Agreement - FDOT Financial Management No. 437935-1-62-01, for Construction Engineering and Inspection (CEI) services for the Barracuda Boulevard Bridge Replacement Project and the associated Three Party Escrow Agreement.
- 6.G Resolution 17-21: Consider the adoption of a Resolution, which if adopted, would authorize a non-revolving draw-down loan from Regions Capital Advantage, Inc. in the amount of not to exceed \$14,000,000.
- 6.H Consider a request to implement "No Parking" signs along the north side of Casello Drive.

- 6.I Consider approval of the Coronavirus Emergency Residual Funding Grant to supplement the Police Department costs for PPE.
- 6.J Consider the approval of a release agreement and indemnity with the Utilities Commission.
- 6.K Consider a Request to Accept an Easement Deed from Bethel Baptist Church for 312 N. Duss Street to allow for the installation of pedestrian facilities for a streetscape project.
- 6.L Consider a Request to Accept an Easement Deed from the Black Heritage Festival of New Smyrna Beach, Inc. to allow for the installation of pedestrian facilities in association with a streetscape project on property located at 314 N. Duss Street.
- 6.M Consider the approval to purchase replacement computer equipment.
- 6.N Special Event: Consider the approval of NSB Shrimp & Seafood Festival.
- 6.O Special Event: Consider the approval of the 32nd Annual Seaside Fiesta.
- 6.P Special Event: Consider the approval of the Light Up Flagler Event.
- 6.Q Special Event: Consider the approval of the July Fireworks Display to be held on the 4th of July.

7. ADMINISTRATIVE ITEMS/NEW BUSINESS

- 7.A Consider a Request for Code Enforcement Lien Amnesty for 612 N Duss St, New Smyrna Beach, FL.

8. ORDINANCES - SECOND READING AND PUBLIC HEARINGS

- 8.A Ordinance No. 19-21: Conduct a Public Hearing for the First Reading of an Ordinance, which if adopted, would modify the list of permitted uses in the I-2, Heavy Industrial Zoning District to permit temporary housing facilities as part of government owned and/or operated facilities.
- 8.B Ordinance No. 22-21: Conduct the Second Reading and Public Hearing of an

Ordinance, which if adopted, would amend sections 201 and 703 of the Land Development Regulations, to implement revisions to the location and regulations pertaining to the City's Coastal Construction Setback Line.

- 8.C Ordinance No. 23-21: Conduct the Second Reading and Public Hearing of an Ordinance, which if adopted, would amend Chapter 26 of the City Code to repeal Article IX, Seawalls and Other Coastal Armoring Structures, Section 26-771, Construction.

9. ORDINANCES - FIRST READING

- 9.A Ordinance No. 24-21: Conduct the First Reading of an Ordinance, which if adopted at Second Reading and Public Hearing, would create a definition of "Temporary Housing Facility" in Section 201.00 of the Land Development Regulations.

10. BOARDS AND COMMISSIONS

- 10.A Code Enforcement Board: Consider the appointment of one (1) citizen to serve an unexpired term ending on March 3, 2022 due to the resignation of Wade Mahood and consider the reappointments of two (2) members to serve three-year terms set to expire on March 3, 2024.
- 10.B Pension Board Appointments: Consider the appointment of two (2) citizens to serve either a four (4) year term on the Fire Pension Board, expiring on November 1, 2024 or a two (2) year term on the Police Pension Board, expiring on October 1, 2022.

11. MAYOR AND COMMISSION REPORTS

12. CITY MANAGER'S REPORT

- 12.A City Manager's Report

13. CITY CLERK'S REPORT

14. CITY ATTORNEY'S REPORT

15. ADJOURNMENT

Pursuant to Florida Statutes 286.0105, if an individual decides to appeal any decision made by the board, agency or commission of the City of New Smyrna Beach with respect to any matter considered at this meeting, a record of the proceedings will be required and the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. Such person must provide a method for recording the proceedings.

In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk's office in person or by mail at 210 Sams Avenue, New Smyrna Beach, Florida 32168, (386) 410-2630, prior to the meeting.