



**City Commission Regular Meeting
Tuesday, December 13, 2022 at 6:30 PM**

**City Commission Chambers
214 Sams Avenue, New Smyrna Beach, Florida 32168**

1. OPENING OF MEETING

1.A. Call to Order

2. INVOCATION/PLEDGE OF ALLEGIANCE

Police Department Chaplain Pete Carter will give the invocation. Mayor Fred Cleveland will lead those present in the Pledge of Allegiance.

3. APPROVAL OF THE AGENDA

4. ANNOUNCEMENTS/PRESENTATION/RECOGNITIONS

- 4A. [Presentation: Regarding an update on Hurricane Nicole efforts by Volusia County conducted by Volusia County Council District 3 Representative Danny Robins.](#)

5. PUBLIC PARTICIPATION

In accordance with Resolution No. 21-18, citizens are provided the opportunity to address the City Commission regarding any topic, for up to three minutes.

6. CONSENT AGENDA

- 6A. [Resolution No. 70-22: Consider the adoption of a Resolution, which if adopted, would amend the FY2023 Budget.](#)

- 6B. Consider the approval of FY 22/23 Homeless and Disadvantaged Grant Fund awards to local non-profit organizations and/or disadvantaged programs.
- 6C. Consider the purchase of one (1) unmarked, Police Department Vehicle and Safety Equipment.
- 6D. Consider the approval to purchase renewal Barracuda Email Protection subscription.
- 6E. Consider the award of contract of ITB 41-22-CIP, Old Fort Wall Repair and Restoration - Rebid to MGN Contracting, Inc.
- 6F. Consider the award of contract of ITB 42-22-CIP, Women's Club Restoration - Rebid to MGN Contracting, Inc.
- 6G. Consider the approval of Construction Engineering Inspection (CEI) services for ITB 05-22-CIP, Joint Participation Agreement (JPA) between FDOT and the City of New Smyrna Beach for US 1 (Financial Project ID: 444-928-1-58-01) and SR 44 (Financial Project ID: 444-929-1-58-01) Median Landscape Improvements utilizing our Continuing Professional Engineering Services contract with DRMP.
- 6H. Consider the approval of a Contract Renewal for DBI Demolition.
- 6I. Consider the approval of a contract between the City of New Smyrna Beach and Engineering Firm, Jones Edmunds & Associates.
- 6J. Consider the approval of Amendment No. 10 to the Consulting Engineering Agreement for GAI Consultants, Inc. for Noise Program Professional Services
- 6K. Consider the approval of a City Temporary Overflow Parking Lot located at the Northeast Corner of the Faulkner Street and Washington Street Intersection.
- 6L. Special Event: Consider the approval of the Art Fiesta / Chalk It Up Event 2023.

7. ADMINISTRATIVE ITEMS/NEW BUSINESS

- 7A. Discussion: Position Classifications
- 7A1. Resolution No. 71-22: Consider the adoption of a Resolution, which if adopted, would amend the FY2022-2023 budget.
- 7B. Consider the approval of Variance Application No. V-11-22 for the property located at 3311 Hill Street.
- 7C. Consider the approval of a grant request for the Community Strong Corporation rental waiver of the Brannon Center.
- 7D. Discussion: Solar Options at Maintenance Operations facility
- 7E. Consider a request from the Volusia County School Board for a three-way partnership with Volusia County and the City of New Smyrna Beach to participate in the funding of a traffic signal on 10th Street at the NSB High School.
- 7E1. Resolution No. 72-22: Consider the adoption of a Resolution, which if adopted, would amend the FY 2022-2023 Budget.

8. ORDINANCES - SECOND READING AND PUBLIC HEARINGS

- 8A. Special Exception Application No. SE-2-22: Conduct a Public Hearing to consider the approval of Special Exception Application No. SE-2-22 for the property located at 720 South Dixie Highway.
- 8B. Ordinance No. 74-22: Conduct the First Reading and Public Hearing of an Ordinance, which if adopted, would approve a temporary moratorium on the consideration of certain types of applications for properties 10 acres in size or larger proposed for residential development in flood zones A or AE in the City for a period ending June 27, 2023.
This item requires a Public Hearing and a vote on First and Second Readings.
- 8C. Ordinance No. 75-22: Conduct the Second Reading and Public Hearing of an Ordinance, which if adopted, would allow Residents whose properties have suffered flood damage as a result of Hurricane Ian to reside in RV'S, Campers or FEMA Temporary Housing Quarters.

9. ORDINANCES - FIRST READING

- 9A. [Ordinance No. 77-22: Conduct the First Reading of an Ordinance, which if adopted upon the Second Reading and Public hearing, would codify the existing benefits offered to city commissioners.](#)

10. BOARDS AND COMMISSIONS

- 10A. [Planning and Zoning Board: Consider the appointment of one \(1\) citizen to serve an unexpired three-year term, expiring on October 31, 2024.](#)

11. MAYOR AND COMMISSION REPORTS

12. CITY MANAGER'S REPORT

- 12A. [City Manager's Report](#)

13. CITY CLERK'S REPORT

- 13A. [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.