



**City Commission Regular Meeting
Tuesday, April 23, 2024 at 6:30 PM**

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

1. OPENING OF MEETING

Call to Order

2. INVOCATION/PLEDGE OF ALLEGIANCE

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

3. APPROVAL OF THE AGENDA

4. ANNOUNCEMENTS/PRESENTATION/RECOGNITIONS

- 4.A Recognition: of Sergeant William "Billy" Helms for his planning and implementation of Operation Spring Break.
- 4.B Recognition: of Life-Saving Efforts for Lt. Cody Curren, Driver/Engineer Ty Tarnow, FF/PM Eduardo Hernandez, FF/PM Allie Peach, and FF/EMT Nicholas Pescrilli.
- 4.C Presentaton: Flagler Avenue Loading Zones

5. CITY MANAGER'S REPORT

- 5.A City Manager's Report

6. PUBLIC PARTICIPATION

In accordance with Resolution No. 09-23, citizens are provided the opportunity to address the City Commission regarding any topic, for up to three minutes.

7. CONSENT AGENDA

- 7.A Resolution No. 25-24: Consider the adoption of a Resolution, which if adopted, would amend FY 2023-2024 budget to purchase a Ford Bronco for the Public Information Officer (PIO).
- 7.B Resolution No. 26-24: Consider the adoption of a Resolution, which if adopted, would amend the FY2023-2024 budget.
- 7.C Resolution No. 27-24: Consider the adoption of a Resolution, which if adopted, would approve applying for a FWC (Florida Fish and Wildlife Conservation Commission) Grant for North Causeway Boat Ramp: Dock & Amenity Improvements Project I.
- 7.D Resolution No. 28-24: Consider the adoption of a Resolution, which if adopted, would approve applying for a FWC (Florida Fish and Wildlife Conservation Commission) Grant for North Causeway Boat Ramp: Dock & Amenity Improvements Project II.
- 7.E Resolution No. 29-24: Consider the adoption of a Resolution, which if adopted, would establish a new rate structure for annual and transient boat slips for the City Marina.
- 7.F Consider a Request to Ratify the Acceptance of ECHO Grant Funds for Skate Park Expansion, to include the execution of Restrictive Covenants, and authorize the Mayor to execute all necessary documents on behalf of the City.
- 7.G Consider the approval of the third amendment, which provides a time extension, to the grant agreement for the Restoration and Stabilization of the Old Fort Wall and the accompanying Restrictive Covenants, and authorizing the City Manager to execute the amendment.
- 7.H Consider the approval of an addendum to a City of New Smyrna Beach Community Redevelopment Agency (CRA) Non-Profit Business Small-Scale

Property Improvement Grant Agreement with The Church Parish Nurse Ministries, Inc. for an eligible property improvement project located at 699 West Street, New Smyrna Beach.

- 7.I Consider the approval of a Temporary Parking Lot for the property located at 409 Flagler Avenue.
- 7.J Consider the acceptance of a Temporary Easement for Ditch Clearing and authorize David Ray, Director of Maintenance Operations, to execute the Easement on behalf of the city.
- 7.K Consider the approval of a recommendation for 2nd Avenue along the ditch.
- 7.L Consider the approval to use Sourcewell Contract #092222 to perform annual service on city generators.
- 7.M Consider the approval to lease vehicles from Bancorp.

8. ADMINISTRATIVE ITEMS/NEW BUSINESS

- 8.A Consider the request for a fee waiver for "The Event" at the Sports Complex for May 11, 2024.
- 8.B Consider the request for a special event fee waiver for the Kiwanis Kids Fishing Day on November 2, 2024.
- 8.C Consider the approval of a Real Estate Purchase Agreement for a Turnbull Creek Conservation property.
Staff recommends approval of the Agreement.

9. ORDINANCES - SECOND READING AND PUBLIC HEARINGS

10. ORDINANCES - FIRST READING

- 10.A Ordinance No. 18-24: Conduct the First Reading of an Ordinance, which if adopted upon the Second Reading and Public Hearing, would annex

approximately 0.065 + acres of land located on Corbin Park Road.

- 10.B Ordinance No. 19-24: Conduct the First Reading of an Ordinance, which if adopted upon the Second Reading and Public Hearing, create a Small Scale Comprehensive Plan amendment on approximately 0.065 + acres of land changing the Future Land Use to City Medium Density Residential for property located on Corbin Park Road as part of an overall annexation application.
- 10.C Ordinance No. 20-24: Conduct the First Reading of an Ordinance, which if adopted upon the Second Reading and Quasi-Judicial Public Hearing, rezone approximately 0.065 + acres of land to R-2, Single Family Residential with an "A" attached for Airport Height Notification Zone on property located on Corbin Park Road as part of an overall annexation application.
- 10.D Ordinance No. 21-24: Conduct the First Reading of an Ordinance, which if adopted upon the Second Reading and Public Hearing, would annex approximately 0.32 + acres of land for property located on Pioneer Trail.
- 10.E Ordinance No. 22-24: Conduct the First Reading of an Ordinance, which if adopted upon the Second Reading and Public Hearing, would create a Small Scale Comprehensive Plan amendment on 0.32 + acres of land changing the Future Land Use to City Low Density Residential for property located on Pioneer Trail as part of an overall annexation application.
- 10.F Ordinance No. 23-24: Conduct the First Reading of an Ordinance, which if adopted upon the Second Reading and Quasi-Judicial Public Hearing, would rezone approximately 0.32 + acres of land to City R-2, Single Family Residential for property located on Pioneer Trail as part of an overall annexation application.
- 10.G Ordinance No. 24-24: Conduct the First Reading of an Ordinance, which if adopted upon the Second Reading and Public Hearing, would annex approximately 1.1 + acres of land located on Oliver Drive.
- 10.H Ordinance No. 25-24: Conduct the First Reading of an Ordinance, which if adopted upon the Second Reading and Public Hearing, would create a Small Scale Comprehensive Plan amendment on 1.1 + acres of land changing the Future Land Use to City Medium Density Residential for property located on Oliver Drive as part of an overall annexation application.

- 10.I Ordinance No. 26-24: Conduct the First Reading of an Ordinance, which if adopted upon the Second Reading and Quasi-Judicial Public Hearing, would rezone approximately 1.1 + acres of land to City R-2, Single-Family Residential for property located on Oliver Drive as part of an overall annexation application.
- 10.J Ordinance No. 27-24: Consider the adoption of an Ordinance, which if adopted, would authorize the City Commission to grant exemption from City Ad Valorem Property Taxes for up to ten years for certain new and expanded businesses; calling a referendum November 5, 2024, to authorize exemptions.

11. BOARDS AND COMMISSIONS

- 11.A Historic Preservation Commission: Consider the reappointments of three (3) members and the appointment of one (1) citizen to serve three-year terms, expiring on May 14, 2027.

12. MAYOR AND COMMISSION REPORTS

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.