



AGENDA
CITY OF ORMOND BEACH, FLORIDA
CITY COMMISSION MEETING
August 4, 2021
7:00 PM

Mayor Bill Partington

Zone 1 – Commissioner Dwight Selby

Zone 3 – Commissioner Susan Persis

Zone 2 – Commissioner Troy Kent

Zone 4 – Commissioner Rob Littleton

COMMISSION CHAMBERS

22 South Beach Street, Ormond Beach, FL 32174

Phone: 386-677-0311

Web: www.ormondbeach.org

1. CALL TO ORDER

2. INVOCATION

3. PLEDGE OF ALLEGIANCE

4. PRESENTATIONS AND PROCLAMATIONS

A. Ned Huhta

5. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA

6. APPROVAL OF MINUTES

A. The minutes from the July 13, 2021 Special City Commission meeting and the July 20, 2021 City Commission meeting will be available for approval at the August 17, 2021 City Commission meeting.

7. CONSENT AGENDA

The action proposed is stated for each item on the Consent Agenda. Unless a City Commissioner removes an item from the Consent Agenda, no discussion on individual items will occur and a single motion will approve all items.

A. **RESOLUTION NO. 2021-118:** A RESOLUTION ACKNOWLEDGING THE RECEIPT OF THE 2021 ORMOND CROSSINGS ANNUAL REPORT DATED JUNE 2021; AND SETTING FORTH AN EFFECTIVE DATE

Staff Contact: Steven Spraker, Planning Director (386-676-3341)

- B. **RESOLUTION NO. 2021-119:** A RESOLUTION AUTHORIZING THE EXECUTION OF A QUITCLAIM DEED IN FAVOR OF KEVIN AND MARCIA KROLL RELEASING A FIVE-FOOT (5.0') PORTION OF A TEN-FOOT (10.0') STORM DRAINAGE, UTILITY AND MAINTENANCE EASEMENT LOCATED ALONG THE EAST REAR YARD PROPERTY LINE OF LOT 10, TUSCANY SUBDIVISION, (29 APIAN WAY); PROVIDING FOR RECORDATION; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Steven Spraker, Planning Director (386-676-3341)

- C. **RESOLUTION NO. 2021-120:** A RESOLUTION ACCEPTING THE BID OF SABOUNGI CONSTRUCTION, INC. REGARDING CONSTRUCTION SERVICES FOR THE SOUTH ORMOND NEIGHBORHOOD CENTER GYMNASIUM PROJECT, UNDER BID NO. 2021-16; REJECTING ALL OTHER BIDS; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Shawn Finley, Public Works Director (386-676-3292)

- D. **RESOLUTION NO. 2021-121:** A RESOLUTION ACCEPTING A BID FROM MASCI GENERAL CONTRACTOR, INC. FOR CONSTRUCTION SERVICES REGARDING THE 2021 ROADWAY REPAVING PROJECT, UNDER BID NO. 2021-21; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; REJECTING ALL OTHER BIDS; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Shawn Finley, Public Works Director (386-676-3292)

- E. **RESOLUTION NO. 2021-122:** A RESOLUTION AUTHORIZING THE EXECUTION OF AN ASSIGNMENT AND AMENDMENT TO AGREEMENT FOR ELEVATOR SERVICES FOR THE LIMITED PURPOSE OF ACKNOWLEDGING A CHANGE IN THE CORPORATE ENTITY PROVIDING ELEVATOR INSPECTIONS AND REPAIR SERVICES FROM PREMIER ELEVATOR CO., INC. TO ORACLE ELEVATOR HOLDCO, INC.; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Robert Carolin, Leisure Services Director (386-676-3279)

- F. **RESOLUTION NO. 2021-123:** A RESOLUTION AUTHORIZING A COST OF LIVING INCREASE BASED ON THE CONSUMER PRICE INDEX PURSUANT TO THE AMENDMENT AND RESTATEMENT OF AGREEMENT FOR FIELD MAINTENANCE SERVICES BETWEEN THE CITY OF ORMOND BEACH AND AUSTIN OUTDOOR, LLC D/B/A YELLOWSTONE LANDSCAPE, INC.; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Robert Carolin, Leisure Services Director (386-676-3279)

- G. **RESOLUTION NO. 2021-124:** A RESOLUTION AUTHORIZING A COST OF LIVING INCREASE BASED ON THE CONSUMER PRICE INDEX

PURSUANT TO THE GROUNDS MAINTENANCE SERVICES AGREEMENT BETWEEN THE CITY OF ORMOND BEACH AND AUSTIN OUTDOOR, LLC D/B/A YELLOWSTONE LANDSCAPE, INC.; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Robert Carolin, Leisure Services Director (386-676-3279)

H. C&D Franchise Renewal for Samsula Landfill, Inc.

Staff Contact: Kevin Gray, Deputy Public Works Director (386-676-3577)

Disposition: Approve as recommended in the City Manager memorandum dated August 4, 2021.

I. Intent to Bid the Purchase of Calcium Hypochlorite for the Water Reclamation Facility

Staff Contact: Tim Heyrend, Utilities Manager (386-676-3305)

Disposition: Approve as recommended in the City Manager memorandum dated August 4, 2021.

J. Intent to Bid Water and Wastewater Chemical Purchases 2021

Staff Contact: Tim Heyrend, Utilities Manager (386-676-3305)

Disposition: Approve as recommended in the City Manager memorandum dated August 4, 2021.

K. Capital Improvement Plan FY 2021-22 to FY 2025-26

Staff Contact: Kelly McGuire, Finance Director (386-676-3226)

Disposition: Approve as recommended in the City Manager memorandum dated August 4, 2021.

L. Volusia League of Cities 2021 Distinguished Service Awards

Staff Contact: Joyce Shanahan, City Manager (386-676-3200)

Disposition: Approve as recommended in the City Manager memorandum dated August 4, 2021.

M. City Manager Status Report - August 2021

Staff Contact: Joyce Shanahan, City Manager (386-676-3200)

Disposition: Approve as recommended in the City Manager memorandum dated August 4, 2021.

8. PUBLIC HEARINGS

A. ORDINANCE NO. 2021-20: AN ORDINANCE AMENDING CHAPTER 1, GENERAL ADMINISTRATION, ARTICLE III, DEFINITIONS AND ACRONYMS, SECTION 1-22, DEFINITIONS OF TERMS AND WORDS

AND CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE III, GENERAL REGULATIONS, SECTION 2-50, ACCESSORY USES, OF THE LAND DEVELOPMENT CODE TO ADD DEFINITIONS AND ACCESSORY USE STANDARDS TO ALLOW MOBILE FOOD DISPENSING VEHICLES (FOOD TRUCKS) UNDER CERTAIN CONDITIONS AND WITHIN CERTAIN ZONING DISTRICTS; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.
(SECOND READING)

Staff Contact: Steven Spraker, Planning Director (386-676-3341)

- B. **ORDINANCE NO. 2021-22:** AN ORDINANCE AMENDING CHAPTER 3, PERFORMANCE STANDARDS, ARTICLE VI, ARCHITECTURAL DESIGN STANDARDS, SECTION 3-70, SPECIAL STRUCTURE PROVISIONS, OF THE LAND DEVELOPMENT CODE TO AMEND THE REQUIREMENTS FOR MOTOR VEHICLE SERVICE STATION CANOPIES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.
(SECOND READING)

Staff Contact: Steven Spraker, Planning Director (386-676-3341)

- C. **ORDINANCE NO. 2021-25:** AN ORDINANCE AMENDING CHAPTER 1, GENERAL ADMINISTRATION, ARTICLE III, DEFINITIONS AND ACRONYMS, SECTION 1-22, DEFINITIONS OF TERMS AND WORDS; AND CHAPTER 3, PERFORMANCE STANDARDS, ARTICLE II, ENVIRONMENTAL PROTECTION STANDARDS, OF THE CITY OF ORMOND BEACH, LAND DEVELOPMENT CODE, BY AMENDING THE FLOODPLAIN MANAGEMENT AND PROTECTION REGULATIONS; AND REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR APPLICABILITY; SEVERABILITY; AND AN EFFECTIVE DATE.

Staff Contact: Steven Spraker, Planning Director (386-676-3341)

- D. **ORDINANCE NO. 2021-26:** AN ORDINANCE AMENDING CHAPTER 3, PERFORMANCE STANDARDS, ARTICLE V, UTILITY AND INFRASTRUCTURE DESIGN STANDARDS, SECTION 3-61, UTILITY LINE EXTENSIONS, OF THE LAND DEVELOPMENT CODE TO REQUIRE WATER AND SEWER LINES BE EXTENDED ACROSS THE SITE FRONTAGE FOR NEW DEVELOPMENT WHERE UTILITY EXTENSIONS ARE REQUIRED; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Steven Spraker, Planning Director (386-676-3341)

- E. **ORDINANCE NO. 2021-27:** AN ORDINANCE AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE VI, OVERLAY DISTRICTS, SECTION 2-70, DOWNTOWN OVERLAY DISTRICT, OF THE LAND DEVELOPMENT CODE TO UPDATE THE SECTION CONSISTENT

WITH THE 2019 DOWNTOWN MASTER PLAN UPDATE; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Steven Spraker, Planning Director (386-676-3341)

- F. **ORDINANCE NO. 2021-28:** AN ORDINANCE AMENDING CHAPTER 3, PERFORMANCE STANDARDS, ARTICLE V, UTILITY AND INFRASTRUCTURE DESIGN STANDARDS, SECTION 3-55, BICYCLE AND PEDESTRIAN WAYS, OF THE LAND DEVELOPMENT CODE TO ALLOW PAYMENT IN LIEU OF CONSTRUCTING SIDEWALKS UNDER CERTAIN CONDITIONS AND REQUIRING SIDEWALKS ON BOTH SIDES OF THE STREET IN NEW SUBDIVISIONS; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Steven Spraker, Planning Director (386-676-3341)

- G. **ORDINANCE NO. 2021-29:** AN ORDINANCE AMENDING SECTION 8-3, LOCAL AMENDMENTS TO BUILDING CODE, OF ARTICLE 1, IN GENERAL, OF CHAPTER 8, BUILDING AND CONSTRUCTION REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF ORMOND BEACH TO AMEND THE SCHEDULE OF PERMIT FEES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Steven Spraker, Planning Director (386-676-3341)

- H. **ORDINANCE NO. 2021-30:** AN ORDINANCE AMENDING SECTION 8-10, APPLICATION PROCESSING FEES, OF ARTICLE 1, IN GENERAL, OF CHAPTER 8, BUILDING AND CONSTRUCTION REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF ORMOND BEACH TO AMEND APPLICATION PROCESSING FEES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Steven Spraker, Planning Director (386-676-3341)

9. SECOND READING OF ORDINANCES

- A. **ORDINANCE NO. 2021-24:** AN ORDINANCE APPROVING THE FINAL PLAT FOR THE "ORMOND GATEWAY" SUBDIVISION, A COMMERCIAL THREE (3) LOT SUBDIVISION; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

Staff Contact: Steven Spraker, Planning Director (386-676-3341)

10. RESOLUTIONS

- A. **RESOLUTION NO. 2021-125:** A RESOLUTION APPROVING A CORRECTIVE LEGAL DESCRIPTION TO THE SPECIAL EXCEPTION DEVELOPMENT ORDER PERTAINING TO THE ORMOND MEMORIAL

ART MUSEUM & GARDENS PROJECT LOCATED AT 78 EAST GRANADA BOULEVARD; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Steven Spraker, Planning Director (386-676-3341)

11. REPORTS, SUGGESTIONS, REQUESTS

12. ADJOURNMENT

Website Address – www.ormondbeach.org

NOTICE – Pursuant to Section 286.0105 of the Florida Statutes, if any person decides to appeal any decision made by the City Commission with respect to any matter considered at this public meeting, such person will need a record of the proceedings and for such purpose, such person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.



For special accommodations, please notify the City Clerk's Office at least 72 hours in advance.
Phone: 386-677-0311



Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained from the City Clerk's Office.

In accordance with the Americans with Disabilities Act (ADA), persons with a disability, such as a vision, hearing or speech impairment, or persons needing other types of assistance, and who wish to attend City Commission meetings or any other board or committee meeting may contact the City Clerk's Office in writing, or may call 386-677-0311 for information regarding available aids and services.



CITY OF ORMOND BEACH

City Manager • 22 S. Beach Street • Ormond Beach • Florida • 32174 • (386) 676-3200 • Fax (386) 676-3384

CITY MANAGER MEMORANDUM

To: The Honorable Mayor Partington and City Commissioners

Through: Joyce A. Shanahan, City Manager

From: Steven Spraker, Planning Director

Date: August 4, 2021

Subject: Ormond Crossings, 2021 Annual Report acceptance

Commission Goal: Community Development - Other

Introduction

This is a request to receive and accept the 2021 Ormond Crossings Annual Report filed by Ormond Crossings, as required by the development agreement between Tomoka Holdings, LLC and the City of Ormond Beach.

Background

The City Commission approved a development agreement for the Ormond Crossings development in February 2010. The development agreement contains a provision that required Ormond Crossings to provide a written report demonstrating good-faith compliance with the terms of the agreement.

Ormond Crossings is a 2,924-acre master planned development that includes area for commercial, industrial and residential uses. The following intensity/density maximums were established in the development agreement as follows:

Uses	Square feet	Units	Students	Acres
Retail Commercial	200,000			
Office	900,000			
Business/Flex-space (light industrial)	350,000			
Industrial (does not include Business/Flex space)	800,000			
Storage	240,000			
Warehouse/Distribution	560,000			
Public/Institutional	165,000			
Elementary School			720	
Residential		2,950		

Stormwater and Lakes				400
Open Space				450

Discussion

The attached annual report provides a summary of development activity and development agreement requirements/commitments. Two actions have occurred since the last annual report:

1. Completion of a traffic signal and turn improvements at Broadway and North U.S. Highway 1.
2. Within tract 11, located within a planned stormwater drainage pond, an easement was purchased by Destination Interchange LLC (Ormond Gateway) for compensating stormwater storage.

Budget Impact

The annual report is a requirement of the development agreement and there is no budget impact.

Citizen Impact

There are no citizen impacts associated with the provision of the annual report. The annual report provides information on the status of the Ormond Crossings project.

Recommendation

It is recommended that the City Commission **RECEIVE and ACCEPT** the 2021 Ormond Crossings Annual Report as required by the Ormond Crossings Development Agreement.

Attachments:

- 21-118 Ormond Crossings - 2021 Annual Report Acceptance (P21-0095G) (PDF)
- Exhibit A, Ormond Crossings Annual Report 2021 (PDF)

REVIEWED BY:


 Kelly McGuire, Finance Director 6/22/2021



Claire Whitley, Assistant City Manager 7/23/2021

APPROVED BY:



Joyce A. Shanahan, City Manager 7/27/2021

RESOLUTION NO. 2021-118

A RESOLUTION ACKNOWLEDGING THE RECEIPT OF THE
2021 ORMOND CROSSINGS ANNUAL REPORT DATED JUNE
2021; AND SETTING FORTH AN EFFECTIVE DATE

**BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF
ORMOND BEACH, FLORIDA, THAT:**

SECTION ONE. The City Commission hereby acknowledges receipt of the 2021 Ormond Crossings Annual Report dated June 2021 as required by the Development Agreement between Tomoka Holdings, LLC and the City of Ormond Beach. A copy of said report is attached hereto as Exhibit “A” and incorporated herein by reference.

SECTION TWO. This Resolution shall take effect immediately upon its adoption.

APPROVED AND AUTHENTICATED this 4th day of August, 2021.

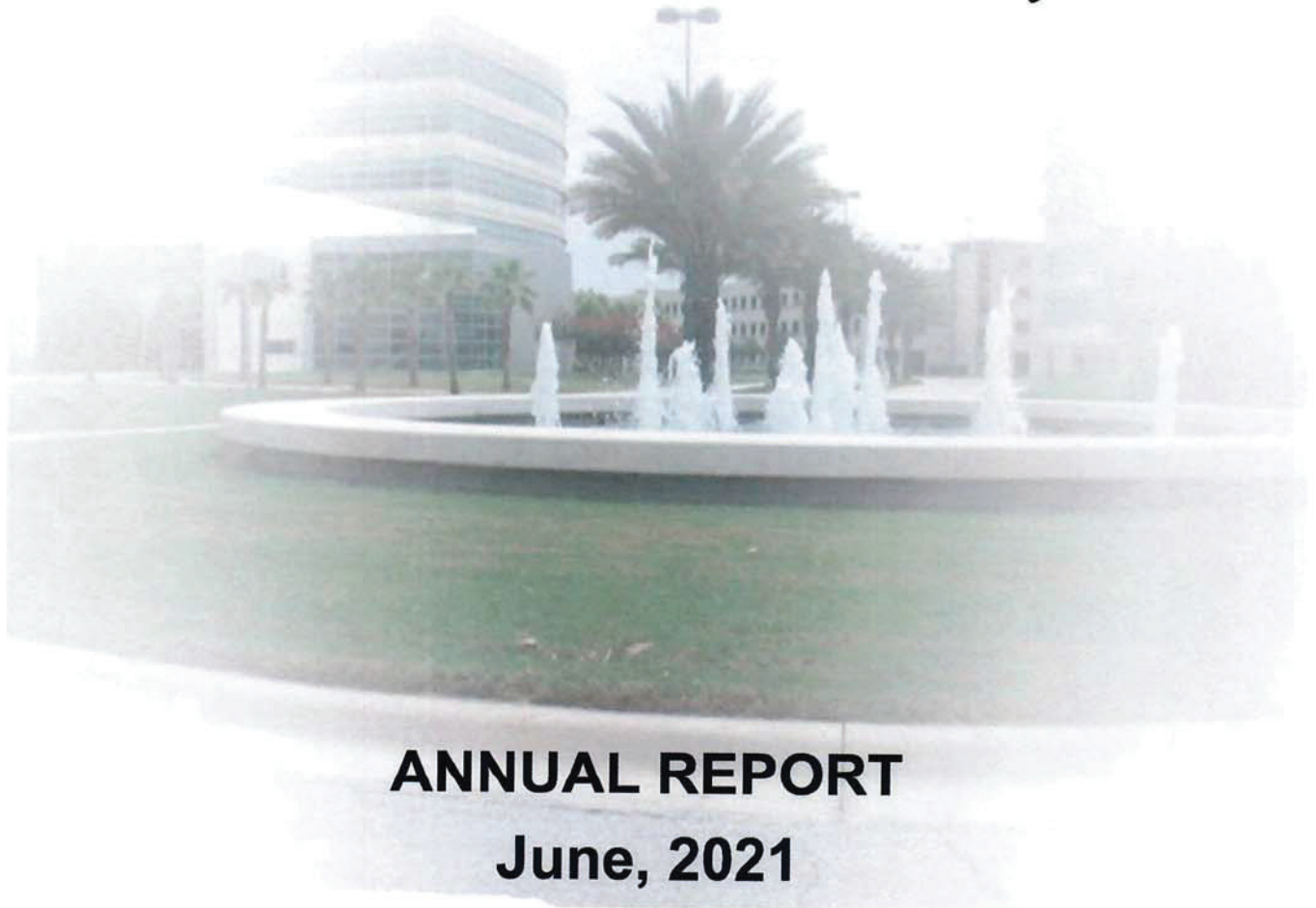
BILL PARTINGTON
Mayor

ATTEST:

WENDY J. HONTZ
Acting City Clerk

EXHIBIT "A"
TO RESOLUTION
CONSISTING OF 17 PAGES

Ormond Crossings



ANNUAL REPORT
June, 2021

Ormond Crossings Overview

Ormond Crossings is a 2,924 acre planned development by Tomoka Holdings, LLC located at the southeast quadrant and southwest quadrant of the intersection of I-95 and US-1 in the City of Ormond Beach, Florida (the "City"). The Ormond Crossings site is adjacent to the City airport and is bordered on the east by the Florida East Coast Railroad which has existing sidings adjacent to the site. Because of its proximity to these major transportation links (I-95, US-1, airport and rail), Ormond Crossings is an ideal location for all types of business and industrial development, supported by a broad mixture of residential opportunities. Ormond Crossings will be developed as a mixed-use project that incorporates areas for extensive business and light industrial development, commercial uses and a variety of appropriate residential types.

Ormond Crossings Master Development Plan

The Ormond Crossings Master Development Plan (see Attachment 1) sets the framework for development of the project. The Master Development Plan shows the three primary development areas (Business Park, Business Park/Town Center and Residential) and also identifies the other areas within the project site (Agriculture/Recreation/Upland, Park, Lake and Wetlands) and the major roadways within the project (Crossings Boulevard Section 1, Crossings Boulevard Section 2 and the general location of internal connector roads).

Land Use Areas

Ormond Crossings will be made up of the following land use areas as shown on the Master Development Plan:

(a) Business Park - The "Business Park" will include sites for a combination of mixed-uses, including the following: office; business/flex-space (light industrial); industrial; storage; warehouse/distribution; public/institutional uses; and support retail/commercial.

(b) Business Park/Town Center - The "Business Park/Town Center" will consist of an urban downtown type area with convenient automobile access but a strong pedestrian orientation. The Business Park/Town Center will include sites for the combination of mixed-uses, including the following: retail/commercial; office; multi-family residential; and elderly housing, such as independent living, assisted living and congregate care; and possibly also public/institutional uses.

(c) Residential Areas - The "Residential Areas" will include sites for various housing types including the following: apartment units; condominium units; townhomes; patio homes; single-family detached homes.

The following table identifies the mixture of land uses that are approved by the Ormond Crossings Development Agreement:

<u>Land Use</u>	<u>Gross Bldg./Units/Students/Acreage</u>
Retail/Comm.	200,000/SF
Office	900,000/SF
Business/Flex-space (light industrial)	350,000/SF
Industrial (does not include Business/Flex space)	800,000/SF
Storage	240,000/SF
Warehouse/Distribution	560,000/SF
Public/Institutional	165,000/SF
Elementary School	720 students
Residential	2,950 units
Stormwater and Lakes	400 acres
Open Space	450 acres

Development Agreement Annual Report

The City approved a Development Agreement for the Ormond Crossings development in Feb. 2010. The Development Agreement was amended in August, 2017. The Development Agreement contains a provision that states "The City shall review the progress of Ormond Crossings once every 12 months to determine if there has been demonstrated good-faith compliance with the terms of this Agreement. Beginning 12 months after the effective date of this Agreement and continuing annually thereafter, the Developer shall provide the City with a written and accurate status report which shall include all information necessary for the City to conduct its 12 month review". This Annual Report is provided to fulfill that requirement.

Summary of Development Activity

Annexation – On July 20, 2004, Ormond Crossings, along with adjacent land that was also owned by the Developer, was annexed into the City.

Comprehensive Plan Amendments - Following the Annexation, the City prepared comprehensive plan amendments whereby the land that was the subject of the Annexation would be designated Activity Center on the City's Future Land Use Map (the "Activity Center Comp Plan Amendments").

In October 2004, the Activity Center Comp Plan Amendments were submitted to the Florida Department of Community Affairs ("DCA") for review and in September 2005, the Activity Center Comp Plan Amendments were adopted by the City Commission and transmitted to the DCA. In November 2005, DCA issued a Notice of Intent to Find in Non-Compliance. An administrative proceeding between the City and DCA followed in December 2005 (State of Florida, Department of Community Affairs vs City of Ormond Beach, Florida, DCA Docket No. 05-1-Nol-6411-(A)-(N); DOAH Case No. 05-4365GM). In August 2006, the City and DCA agreed on the framework to settle the administrative proceeding which required the City to adopt certain remedial amendments to the Activity Center Comp Plan Amendments to address DCA's issues regarding the proposed Activity Center Comp Plan Amendments.

The City adopted a Stipulated Settlement Agreement (Resolution 2010-13) and Remedial Comp Plan Amendments (Ord. 2010-06) on Feb. 16, 2010. The agreement and amendments were approved by DCA and became effective April 9, 2010.

Development of Regional Impact – An Application for Development Approval for the Ormond Crossings DRI was submitted to the City for review on August 19, 2005. The City approved the Ormond Crossings Development Order on Dec., 19, 2006 (Resolution 2006-269). Effective in July 2009, Ormond Crossings was exempted from being a DRI pursuant to the provisions of the Community Renewal Act that was enacted by the Florida Legislature during its 2009 legislative session. The Ormond Crossings Development Order was subsequently rescinded by the City Commission on Feb. 16, 2010 (Ordinance 2010-08).

Development Agreement – The City Commission approved the Ormond Crossings Development Agreement as authorized by Chapter 163, Florida Statutes on Feb. 16, 2010.

To facilitate construction of Security First Insurance Company's corporate headquarters, the Development Agreement was amended and restated by that First Amended Ormond Crossings Development Agreement dated August 10, 2017 ("Amended Development Agreement").

North Mainland/Ormond Crossings Community Redevelopment Agency – on July 8, 2004, the Volusia County Council adopted Resolution 2004-131 which delegated the

exercise of specified County redevelopment powers to the City of Ormond Beach for the Ormond Crossings' Project Area.

On January 17, 2006, the City Commission adopted Resolution No. 2006-35 which finds the existence of blighted areas within Project Area ("Findings of Blight"), adopted Resolution No. 2006-36 which created a community redevelopment agency known as the North Mainland/Ormond Crossings Community Redevelopment Agency ("CRA") and adopted Resolution No. 2006-37 which approved the Master Redevelopment Plan for the CRA.

On Feb. 2, 2010 the City Commission adopted Resolution 2010-14 approving and adopting the Amendment/Update to the Master Development Plan for the CRA.

On July 8, 2010 the Volusia County Council adopted Resolution 2010-114 restating the delegation of specified County redevelopment powers to the City of Ormond Beach for the Ormond Crossings' Area.

On April 21, 2015 the City Commission approved a request to seek a time extension of 5 years to the requirement that construction begin on the entrance road to the Business Park. The 5 year time extension was approved by the Volusia County Council on June 11, 2015 as adopted by Resolution 2015-077.

On March 3, 2020, the City Commission approved a request to seek an additional time extension from June 11, 2020 through December 31, 2034 to commence construction of the entrance road to the Business Park. The request was approved by the County Council on April 21, 2020.

FEMA Floodplain Revisions – In 2006 the City requested that the developer undertake a drainage study for the entire Ormond Crossing drainage basin. The study was completed in August, 2007 and presented to the City for review. The study was approved by the City in October, 2008.

An application for a Letter or Map Revision (LOMR) was submitted to the Federal Emergency Management Agency (FEMA) on April 9, 2010. The LOMR was approved by FEMA on April 13, 2011. An open house for public viewing of the Preliminary Flood Maps was held in June 2011. Minor corrections to the Flood Insurance Rate Maps (FIRMs) for some information displayed on the Ormond Crossings property were provided to FEMA's consultant for revision on June 20, 2011. Notice of the effective FIRMs and Flood Insurance Study (FIS) was sent to the City of Ormond Beach and Volusia County on July 26, 2011. The FIRMs and FIS became effective on December 6, 2011.

Planned Mixed Use Development Zoning – the Ormond Crossings development has been designated a Planned Mixed Use Development. The project rezoning to Planned Mixed Use Development was completed upon the adoption of a Master Development Plan (MDP) and Design Standards by the City Commission on Sept. 3, 2013.

Phase "A" Preliminary Plat – an application for Preliminary Plat for the area known as Phase "A" (see Attachment 2) within Ormond Crossings was submitted to the City on Dec. 11, 2008. Phase "A" contains Segment 1 of Crossings Blvd., a connection to Broadway Ave., a connection to Pineland Trail and the roadway connecting Crossings Blvd. to Tymber Creek Road utilizing the I-95 underpass. It includes a total of 9 lots within the Business Park area including a lot to be deeded to the City for the location of the water storage tank and future fire station. Initial comments were received from the City on Jan. 9, 2009. After the final approval of the MPD and Design Standards, the Developer submitted a revised Phase "A" submittal to the City on August 1, 2014. A workshop was held with City Staff on Sept. 3, 2014 to review the submittal and discuss revisions to the plans. City comments on the 2nd submittal were received on October 8, 2014. The Developer's consultant team requested a time extension to provide responses to the City comments and revised plans. The plat was put on hold when the prior owner of Tomoka Holdings, LLC decided to discontinue its Florida real estate operations. The plat remains on hold.

Phase "A" Permitting – Following are the permits and approvals that were received or are pending for development of Phase "A".

St. Johns River Water Management District (SJRWMD) – an Environmental Resource Permit (ERP) application was submitted on May 16, 2008 for the Phase "A" stormwater improvements. The ERP (4-127-116310-1) was issued on July 5, 2011. The permit was reissued on Dec. 4, 2017 in conjunction with the permitting of the Security First site. It has an expiration date of Dec. 4, 2022. Tomoka Holdings has applied for a revised permit that will extend the expiration date another five years. That request is currently under review.

US Army Corps of Engineers (ACOE) – a Dredge and Fill permit (2008-04425(IP-JCP)) was issued by the ACOE on June 21, 2012. The original permit has expired. The ACOE issued a No Permit Required letter on August 25, 2020 for the area within Phase "A".

Florida East Coast Railroad (FECRR) – an application to cross the FECRR rail right-of-way was submitted on Nov. 8, 2010. The application covers the Crossings Blvd. Segment 1 roadway flyover and utilities, the Phase "A" drainage crossings and the Broadway Ave. extension crossing. A Subgrade Crossing Agreement for the drainage crossing associated with Phase "A" was received from FECRR on April 12, 2013. An Aerial Crossing Easement Agreement for the roadway flyover bridge and utility lines associated with the bridge was received from FECRR on January 20, 2014 and recorded in the public records of Volusia County, Florida in Official Records Book 6955, Pages 2993 through 3006.

Federal Emergency Management Agency (FEMA) – an application for a Conditional Letter of Map Revision – Fill (CLOMR-F) was submitted to the City on November 19, 2012. The City approved the application and it was submitted to FEMA on Dec. 27,

2012. Developer coordinated with FEMA and submitted the necessary responses to Requests for Additional Information. Final approval from FEMA was issued on Aug. 20, 2014 (Case No. 14-04-1948R).

Phase "B" Permitting – an application for a Formal Wetland Determination (Application No. 16-127-116310-3) was filed with the SJRWMD on Dec. 9, 2010 for the area known as Phase "B" (see Attachment 3). Phase "B" contains the westerly portions of Crossings Blvd. leading to its terminus at US 1 and most of the adjacent Town Center and residential area. This is the initial step towards beginning the platting, permitting and design for this area. Petition No. 16-127-116310-3 was issued by SJRWMD on June 13, 2012. The permit was reissued on June 1, 2017 and is active for 5 years.

The preliminary plat and construction plans for Phase "B" were submitted to the City on December 19, 2014 for review. City comments were received on January 23, 2015. The Developer's consultant team requested a time extension to provide responses to the City comments and revised plans. As in the case of the plat for Phase "A", the plat for Phase "B" was put on hold and remains on hold.

Florida East Coast Railroad (FECRR) – an application to cross the FECRR rail right-of-way was submitted on Nov. 8, 2010. The application covers the Crossings Blvd. Segment 3 roadway flyover, utilities and the Phase "B" drainage crossing. A Subgrade Crossing Agreement for the drainage crossing associated with Phase "B" was received from FECRR on April 12, 2013. An Aerial Crossing Easement Agreement for the roadway flyover bridge and utility lines associated with the bridge was received from FECRR on January 20, 2014 and recorded in the public records of Volusia County, Florida in Official Records Book 6955, Pages 3007 through 3020.

Federal Emergency Management Agency (FEMA) – an application for a Conditional Letter of Map Revision – Fill (CLOMR-F) was approved by the City on Sep. 22, 2014 and submitted to FEMA on Sep. 30, 2014. The Developer submitted responses to several requests for additional information throughout 2015. Final approval from FEMA was issued April 26, 2016.

Tract 18 (Security First) Site Approvals/Permits – Following are the permits and approvals that were received as part of the development of Tract 18 (Security First site). The Security First site plan is shown on Attachment 4.

SJRWMD Individual Permit – Issued 9/07/2017.

FECRR Utility Crossing Permit – Issued 10/05/2017.

FECRR Surface Improvement Permit (Broadway Ave. Improvements) – 3/19/2019.

FDOT Utility Permit – Issued 12/01/2017.

FDOT Utility Permit (Offsite) - Issued 1/02/2019

FDOT Driveway Connection Permit – 6/26/2019.

FDOT Drainage Permit – 6/26/2019.

City of Ormond Beach Development Order – Issued 12/13/2017.

City of Ormond Beach Plat Approval – Approved 10/15/2019.

Volusia County Use Permit (Utilities) - Issued 11/17/2017.
Volusia County Use Permit (Broadway Ave. Improvements) – Issued 12/19/2017.
FDEP Wastewater Permit (Onsite Improvements) – Issued 12/14/2017.
FDEP Wastewater Permit (Offsite Improvements) – Issued 12/14/2017.
FDEP Potable Water Permit (Onsite Improvements) – Issued 12/21/2017.
FDEP Potable Water Permit (Offsite Improvements) – Issued 6/18/2018.
USACE Permit Extension – Issued 12/21/2017. This permit has expired. The USACE issued a No Permit Required letter on August 25, 2020 for the area within Phase “A”.

Summary of Development Agreement Requirements/Commitments

The Ormond Crossings Development Agreement contains many requirements and commitments. The following table lists each requirement/commitment and its current status.

ORMOND CROSSINGS DEVELOPMENT AGREEMENT
REQUIREMENTS/COMMITMENTS

Development Agreement Paragraph	Requirement	Status	Comments
Part III, #2(a)(i)	No later than July 31, 2013, the Developer shall pay the Florida Department of Transportation ("FDOT") \$500,000 as funding for a PD&E study for general consideration of State Road 40 improvements from Tymber Creek Road to I-95 (the "PD&E study"). The limits of the PD&E study will be subject to the FDOT's discretion. If the PD&E study is completed and paid for prior to July 31, 2013, instead of paying the \$500,000 to the FDOT, the Developer shall apply the \$500,000 to traffic related improvements that benefit Ormond Crossings as the City directs, or at the direction of the City, some or all of the \$500,000 shall be applied to improvements or operations that have the effect of reducing vehicle miles traveled from and to Ormond Crossings.	Completed	PD&E Study was funded by FDOT and was complete or substantially complete by July, 31, 2013. In accordance with the provisions of the Development Agreement, Developer, FDOT and the City agreed to an alternative mitigation payment plan. The \$500,000 mitigation payment was to be paid in 4 installments: \$20,000 in 2014 followed by \$160,000 installments in 2015, 2016 and 2017. All required payments have been completed.
Part III, #2(a)(ii)	Upgrade 4.15 mile segment of Tymber Creek Rd from Airport Rd to I-95 (repaving 2 lane road) within one year from first subdivision or site plan approval for portion located west of I-95 with completion within 1 year from commencement.	Completed	This segment of Tymber Creek Road has been widened and resurfaced by Volusia County.

Development Agreement Paragraph	Requirement	Status	Comments
Part III, #2(a)(iv)	Developer, City and North Mainland/OC's CRA shall pursue design and construction of Crossings Blvd., including the overpass of I-95. Segment 1 construction to commence within 5 years from recording of Phase A plat with completion prior to exceeding 2017 net external peak hour trips. CDD/Developer responsible for any amount over \$12M.	Not Yet Required	Ormond Crossings Segment 1 design is included in Phase A plat construction plans.
Part III, #2(a)(iv)	The Developer or the CDD shall commence design and permitting of Segment 2 at such time as the CRA Authority provides written notice that it can reasonably foresee having the ability, within two years, to repay the Segment 1 loan. The Developer or the CDD shall proceed with the construction of Segment 2 upon repayment of the Segment 1 loan or as soon as the design and permitting of Segment 2 are completed, whichever is later, but provided that in any event Segment 2 shall be completed prior to the project exceeding 4,000 net external peak-hour trips.	Not Yet Required	
Part III, #2(a)(v)	Within 6 months following commencement of Segment 1 construction, the Developer or the CDD shall commence construction of a road segment from Segment 1 northward to connect to Tymber Creek Rd via I-95 underpass – to be completed with 1 year.	Not Yet Required	
Part III, #2(a)(vi)	Install a traffic signal and turn lane improvements at US-1 and Broadway Ave. Required prior to eastbound Broadway Ave. traffic exceeding 53 vehicles during 8 highest hours of an average weekday.	Completed	Tract 18 (Security First) construction included the required additional lanes at the Broadway Ave./US 1 intersection. Although the Amended Development Agreement provides that Security First's initial phase will not trigger the requirement for the traffic signal, a permanent signal has been installed and is operational.
Part III,	Install a traffic signal and additional turn lanes at US 1	Not Yet Required	The Amended Development Agreement provides

Development Agreement Paragraph	Requirement	Status	Comments
#2(a)(vii)	and Hull Rd within 1 year from 1 st certificate of occupancy or warranted traffic study.		that Security First's initial phase will not trigger the requirement for the Hull Road Signal and Turn Lanes.
Part III, #2(a)(viii)	Install traffic signals at the entrances to Ormond Crossings from US 1 north and south of the I-95 interchange when traffic meets traffic signal warrants based on FDOT study procedures. Within 6 months following request from the City or County, but no later than 12/21/20, Developer must provide timing study for traffic signals on US-1 between the North and South entrances to Ormond Crossings.	Not Yet Required	Notwithstanding the 12/31/20 outside date, the North and South entrances are not yet constructed.
Part III, #2(a)(ix)	Prior to the project exceeding 2,275 net external peak-hour trips, developer must complete the following improvements at I-95/US 1 interchange: - to the I-95 southbound ramps, add a 2nd southbound I-95 to southbound US 1 left-turn lane, convert the existing inside left-turn lane to a shared through/left-turn lane and extend the southbound I-95 to northbound US-1 right-turn lane to 550 feet. - to the I-95 northbound ramps, add a 2nd I-95 northbound to US-1 southbound left-turn lane and extend the northbound I-95 to northbound US-1 right-turn lane to 550 feet.	Not Yet Required	
Part III, #2(d)	Prior to issuance of 1 st certificate of occupancy, enter into an agreement with Votran and City. Fifth year after agreement signed meet with City and Votran to decide on multi-model transportation strategies.	Not Yet Required	The Amended Development Agreement provides that Security First's initial phase will not trigger the requirement for an agreement among the Developer, the City and Votran.
Part III, #2(g)iv	Enter into an agreement at City's request, with City and Votran in order to determine the appropriate number and location of pull-out bays, transit shelters, covered	Not Yet Required	

Development Agreement Paragraph	Requirement	Status	Comments
	walk-ways, future transit super-stop and viability of a CDD operated internal tram system.		
Part III, #3(b)	Deed to the City 45 acres of uplands, in not more than 5 project park sites, prior to the build-out of 2,000 residential units.	Not Yet Required	
Part III, #3(b)(i-x)	Prior to build-out of 1,000 residential units, build 1 community center (6,000 sq. ft), trail system (.75 miles) hard surface walkways, picnic shelter, 1 soccer/football field, 1 baseball/softball field, 2 basketball courts with lights, 2 shuffleboard courts, 1 bocce ball court, 1 tennis court and 1 racquetball court.	Not Yet Required	
Part III, #3(b)(i)	Prior to build-out of 2,000 residential units, build 1 or more community centers (4,000 sq. ft), trail system (.525 miles), 36.5 acres passive park, dog park, covered playground, 1 baseball/softball field, 2 outside basketball courts with lights, 2 shuffle board courts, 1 bocce ball court, 2 tennis courts and 1 racquetball court.	Not Yet Required	
Part III, #4	Deed minimum 20 acres upland to Volusia County School Board prior to issuance of residential building permits.	Not Yet Required	Tract 15 is designated as a School/Park site.
Part III, # 5	Deed minimum 3 upland acres to City for fire station to be part of initial plat.	Not Yet Required	Fire Station site included in Phase A plat submittal
Part III, # 5 (b)	Design and construction of fire station and purchase of a "Class "A" pumper vehicle and a ladder truck.	Not Yet Required	

Summary of Contracts and Sales Agreements

In March 2017, Security First Insurance Company signed a contract to purchase all of Tract 18 in the Business Park (approximately 50 acres). The purchase closed on Sept. 14, 2017. Security First plans to develop a large office complex on Tract 18 and has completed an initial building of approximately 134,000 s.f. Security First held their grand opening on November 14, 2019.

In March 2021, Destinations Interchange, LLC purchased an easement for compensating stormwater storage for its Ormond Gateway project. The easement is located within a planned stormwater drainage pond on Ormond Crossings Tract 11 as it does not interfere with the conceptual plan for the project.

Tomoka Holdings continues to work closely with the City of Ormond Beach officials and economic development staff to identify potential businesses suitable for the project and is currently in discussions with a number of residential lot developers and home builders.

Ormond Crossings

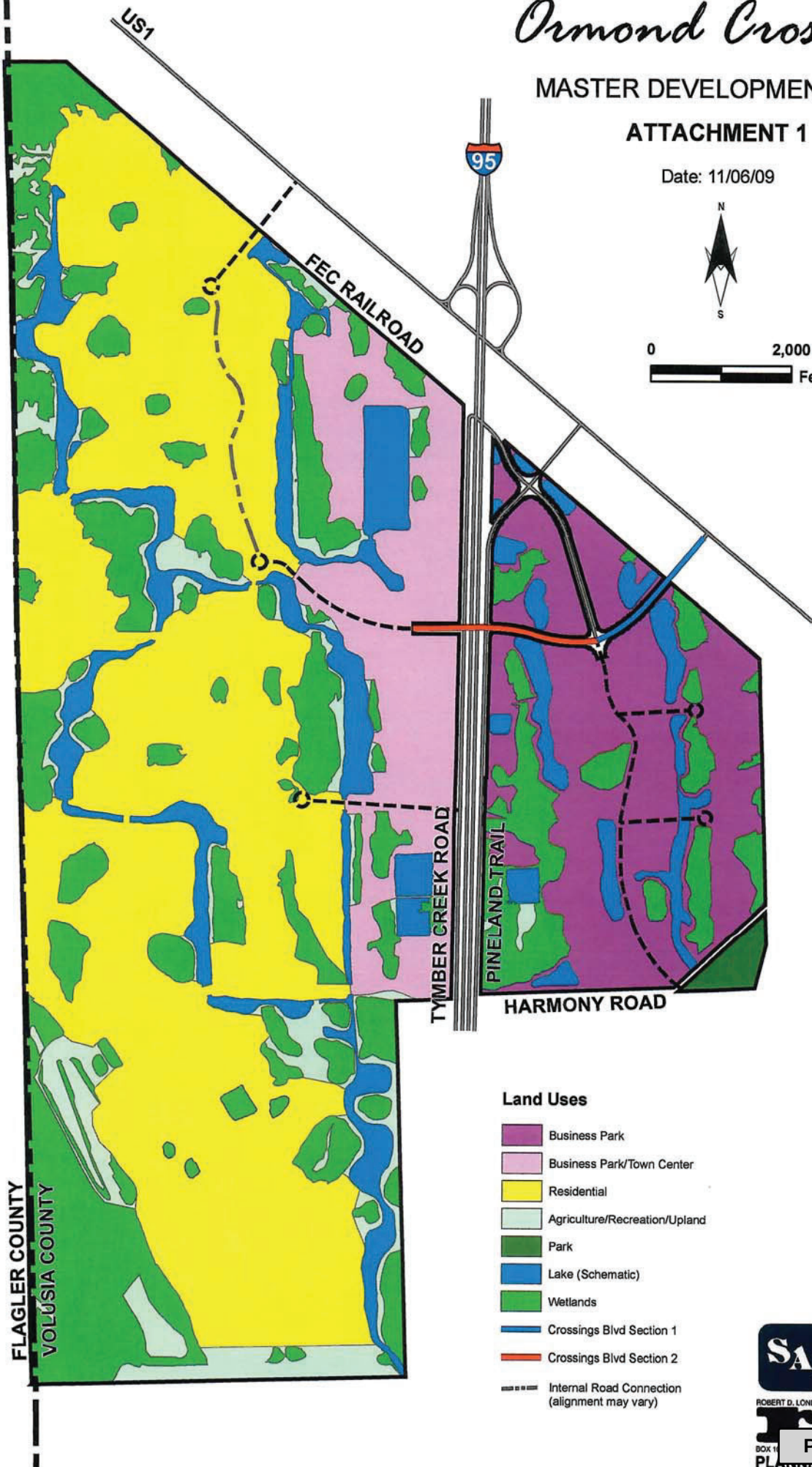
MASTER DEVELOPMENT PLAN

ATTACHMENT 1

Date: 11/06/09



0 2,000
Feet



Land Uses

- Business Park
- Business Park/Town Center
- Residential
- Agriculture/Recreation/Upland
- Park
- Lake (Schematic)
- Wetlands
- Crossings Blvd Section 1
- Crossings Blvd Section 2
- Internal Road Connection (alignment may vary)

SAI SINGHOFFEN & ASSOCIATES
INCORPORATED

ROBERT D. LONDEREE LAND PLANNER

SAI
BOX 14
PLANNING AND DESIGN

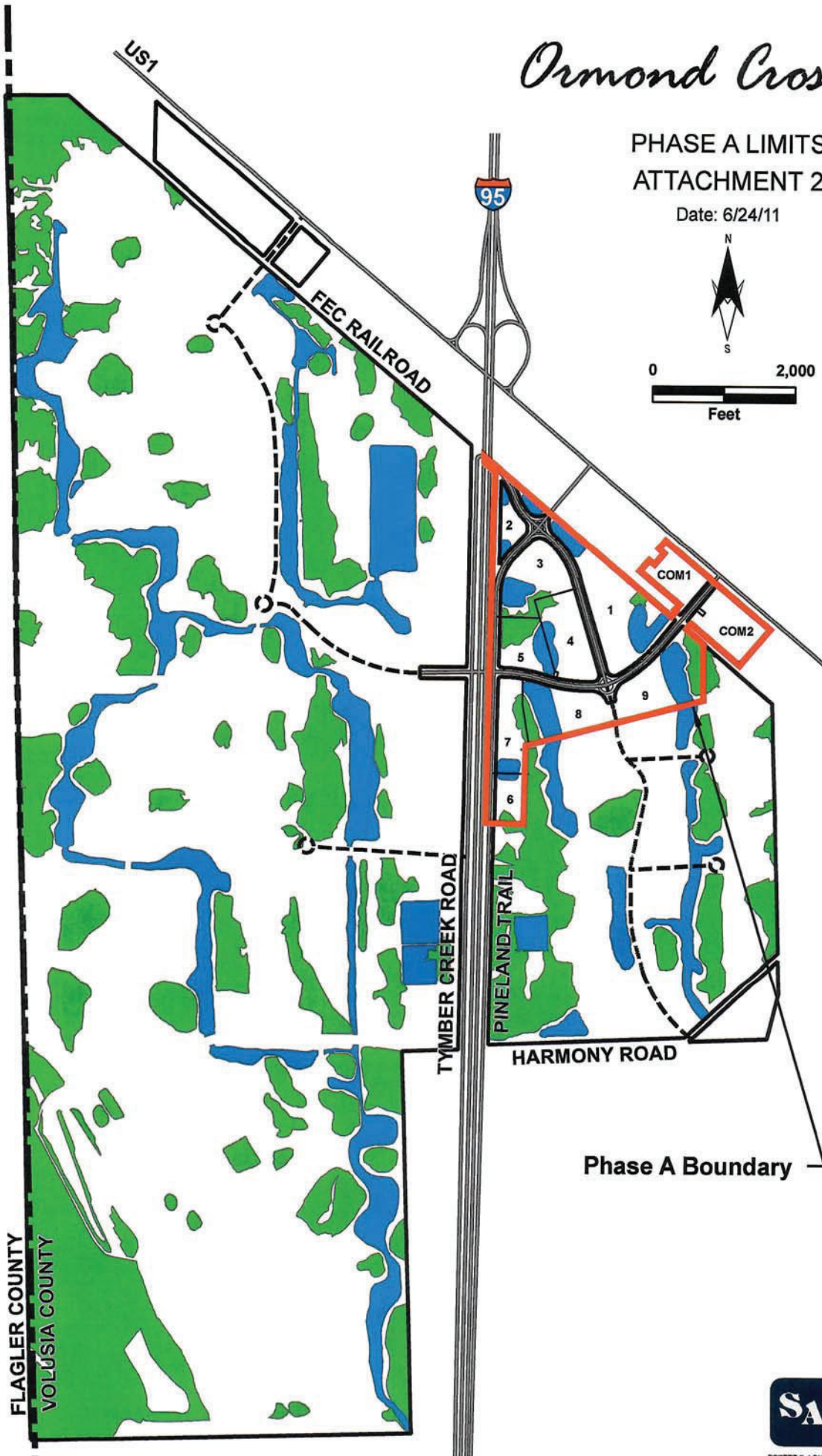
Ormond Crossings

PHASE A LIMITS ATTACHMENT 2

Date: 6/24/11



0 2,000
Feet



Phase A Boundary

SAI SINGHOFEN
& ASSOCIATES
INCORPORATED

ROBERT D. LONDEREE LAND PLANNER

PLAN

BOX 10
PLANNING AND DESIGN

Packet Pg. 25

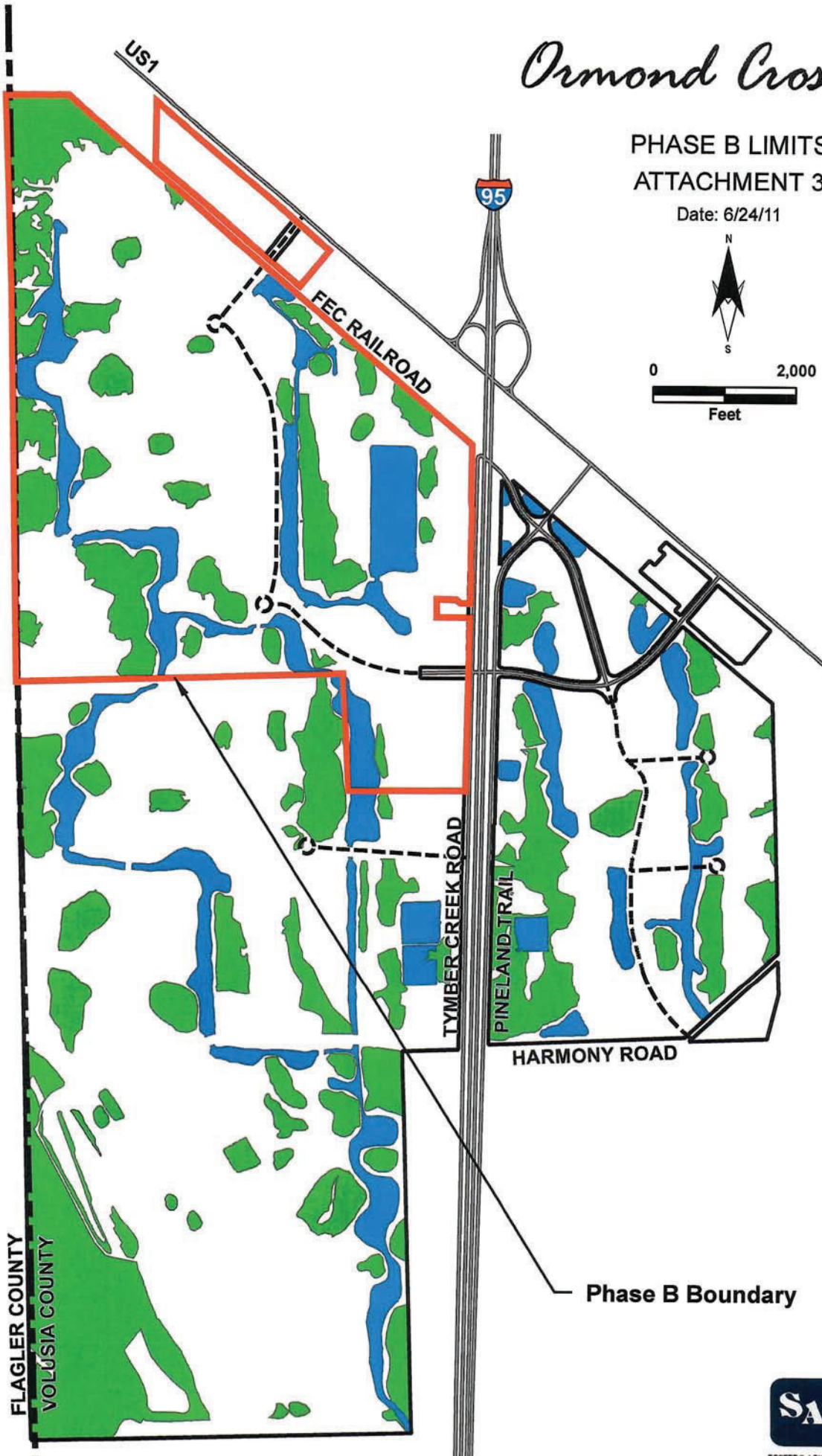
Ormond Crossings

PHASE B LIMITS ATTACHMENT 3

Date: 6/24/11



0 2,000
Feet

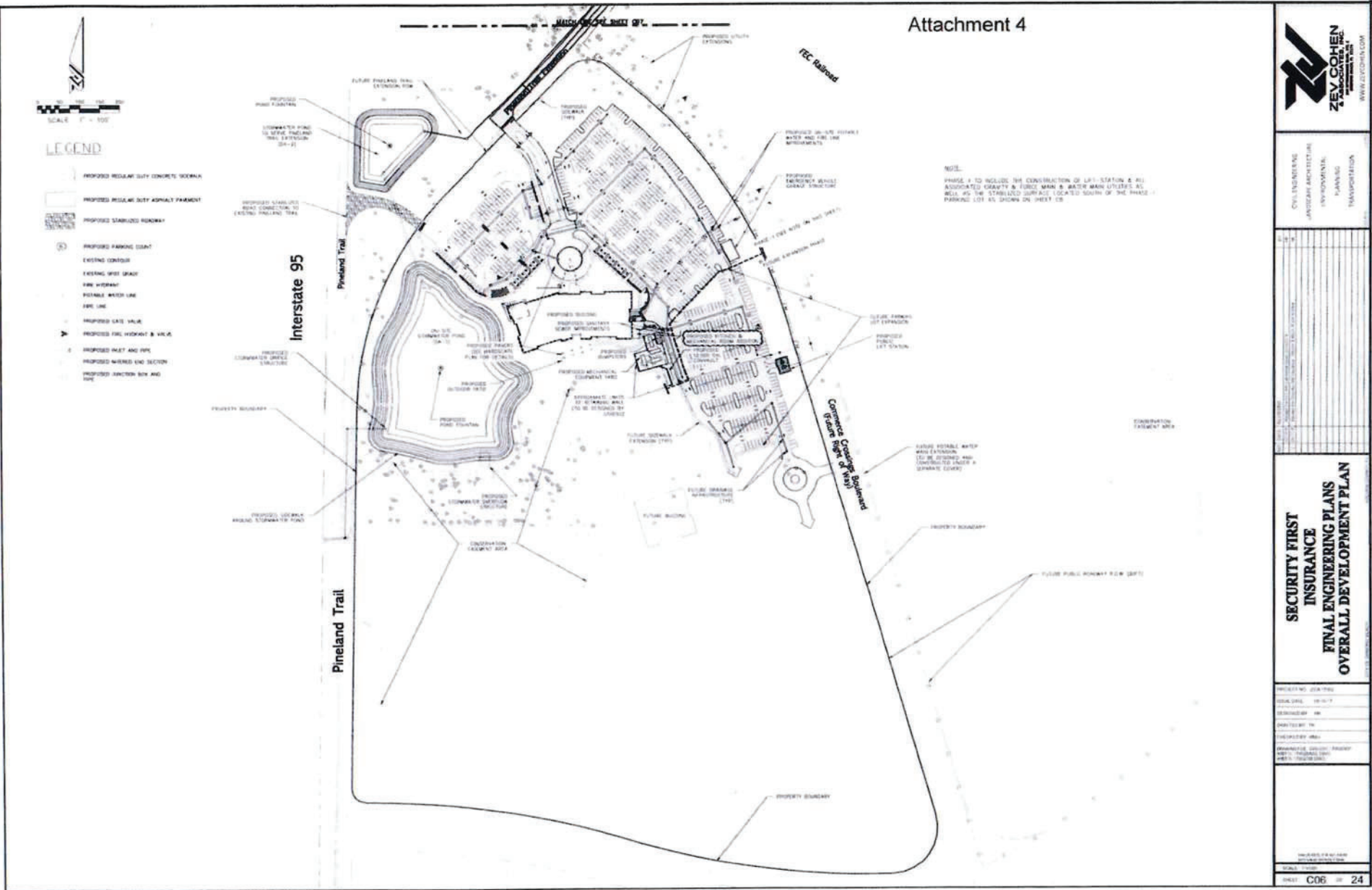


SAI SINGHOFEN & ASSOCIATES INCORPORATED

ROBERT D. LONDEREE LAND PLANNER

PLAN
BOX 10
PLANNING AND DESIGN

Packet Pg. 26





CITY OF ORMOND BEACH

City Manager • 22 S. Beach Street • Ormond Beach • Florida • 32174 • (386) 676-3200 • Fax (386) 676-3384

CITY MANAGER MEMORANDUM

To: The Honorable Mayor Partington and City Commissioners

Through: Joyce A. Shanahan, City Manager

From: Steven Spraker, Planning Director

Date: August 4, 2021

Subject: 29 Apian Way Partial Easement Release

Commission Goal: Community Development - Other

Introduction

This is a request submitted by the property owners, Kevin and Marcia Kroll of property located at 29 Apian Way, for a partial 5-foot utility easement release of 286 square feet on the east side of the property, to construct a pool and pool deck in the rear yard.

Background

The subject property is 8,336± square feet in size. The lot is conforming to the Tuscany Planned Residential Development (PRD) zoning district of the Land Development Code. The property is part of the Tuscany subdivision. As part of the plat recorded in 2004, there is a 10' storm drainage, utility and maintenance easement along the rear lot line of the property. The property owners are requesting a portion of a 10' storm drainage, utility and maintenance easement be vacated to construct a pool and pool deck along the rear property line. All other easements along the property's boundaries would be maintained if the requested easement vacation were approved.

As part of the easement release request, the property owner has provided letters of no objection from the potentially affected utility providers including FPL, Spectrum (Charter Communications), TECO, and AT&T. Additionally, the City's Site Plan Review Committee has reviewed the easement vacation and has no objections to the request.

Budget Impact

There is no budget impact to this request.

Citizen Impact

There are no citizen impacts associated with this request.

Recommendation

It is recommended that the City Commission **APPROVE** a partial utility easement release of 5', totaling 286 square feet, on the east side of the property located at 29 Apian Way to allow the construction of a new pool and pool deck.

Attachments:

- 21-119 Partial Easement Release - 29 Apian Way (P21-0101G) (PDF)
- Quitclaim Deed Apian Way (PDF)
- Location Map (PDF)
- Utilities Letters (PDF)

REVIEWED BY:


Kelly McGuire, Finance Director 7/13/2021


Claire Whitley, Assistant City Manager 7/22/2021

APPROVED BY:


Joyce A. Shanahan, City Manager 7/27/2021

RESOLUTION NO. 2021-119

A RESOLUTION AUTHORIZING THE EXECUTION OF A QUITCLAIM DEED IN FAVOR OF KEVIN AND MARCIA KROLL RELEASING A FIVE-FOOT (5.0') PORTION OF A TEN-FOOT (10.0') STORM DRAINAGE, UTILITY AND MAINTENANCE EASEMENT LOCATED ALONG THE EAST REAR YARD PROPERTY LINE OF LOT 10, TUSCANY SUBDIVISION, (29 APIAN WAY); PROVIDING FOR RECORDATION; AND SETTING FORTH AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA, THAT:

SECTION ONE. The Mayor and the City Manager are hereby authorized and directed to execute that Quitclaim Deed in favor of Kevin and Marcia Kroll, a copy of which is attached hereto and incorporated herein by reference, for the purpose of releasing a five-foot (5.0") portion of a ten-foot (10.0') storm drainage, utility and maintenance easement along the east rear yard of the property described therein for utility purposes, said property being commonly located at 29 Apian Way, Volusia County Parcel ID Number 4126-09-00-0100.

SECTION TWO. The city clerk is hereby directed to record a certified copy of this Resolution and the executed Quitclaim Deed in the public records of Volusia County, Florida.

SECTION THREE. This Resolution shall take effect immediately upon its adoption.

APPROVED AND AUTHENTICATED this 4th day of August, 2021.

BILL PARTINGTON
Mayor

ATTEST:

WENDY J. HONTZ
Acting City Clerk

THIS INSTRUMENT PREPARED BY:

RANDAL A. HAYES, ESQUIRE

Florida Bar No. 0747157

173 South Beach Street

Post Office Box 277

Ormond Beach, FL 32175

386-676-3217

Location: 29 Apian Way, Ormond Beach, FL**A Five-foot (5.0') Portion of Parcel ID #:** 4126-09-00-0100**QUITCLAIM DEED**

THIS QUITCLAIM DEED, executed this ____ day of August 2021, by the **CITY OF ORMOND BEACH**, a Florida municipal corporation, whose post office address is 22 South Beach Street, Ormond Beach, Florida 32174 ("the Grantor"), to **KEVIN AND MARCIA KROLL**, whose post office address is 29 Apian Way, Ormond Beach, Florida 32174 ("the Grantee").

WHEREAS, the Grantee is the owner of certain land by virtue of that Warranty Deed dated June 2, 2017 and recorded at Book 7406, Page 3387 of the Public Records of Volusia County, Florida, said land being legally described within as follows: "LOT 10, TUSCANY, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN MAP BOOK 51, PAGE 46 THROUGH 49, INCLUSIVE, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA."

WITNESSETH, that the Grantor, for and in consideration of the sum of \$10.00, in hand paid by the Grantee, the receipt whereof is hereby acknowledged, does hereby remise, release and quitclaim unto the Grantees forever, all of the right, title, interest, claim and demand which the Grantor has in and to a five-foot (5.0') portion of the ten-foot (10.0') storm drainage, utility and maintenance easement along the east rear yard on a portion of that real property described and depicted on Exhibit "A" attached hereto and incorporated herein by reference (29 Apian Way, Ormond Beach, Volusia County, Florida [Parcel ID # 4126-09-00-0100]).

THE PURPOSE OF THIS QUITCLAIM DEED IS TO RELEASE ANY INTEREST WHICH THE CITY OF ORMOND BEACH MAY HAVE IN AND TO THE USE OF THE AFOREDESCRIBED REAL PROPERTY FOR A FIVE-FOOT (5.0') PORTION OF THE TEN (10') FOOT STORM DRAINAGE, UTILITY AND MAINTENANCE EASEMENT ALONG THE EAST REAR YARD.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in any wise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the Grantor, either in law or equity, to the only proper use, benefit and behoof of the Grantee forever.

IN WITNESS WHEREOF, the Grantor has signed and sealed these presents the day and year first above written.

**Signed, sealed and
in presence of:**

CITY OF ORMOND BEACH, a Florida delivered
municipal corporation

Print Name: _____

By: _____

BILL PARTINGTON, Mayor
22 South Beach Street
Ormond Beach, FL 32174

Print Name: _____

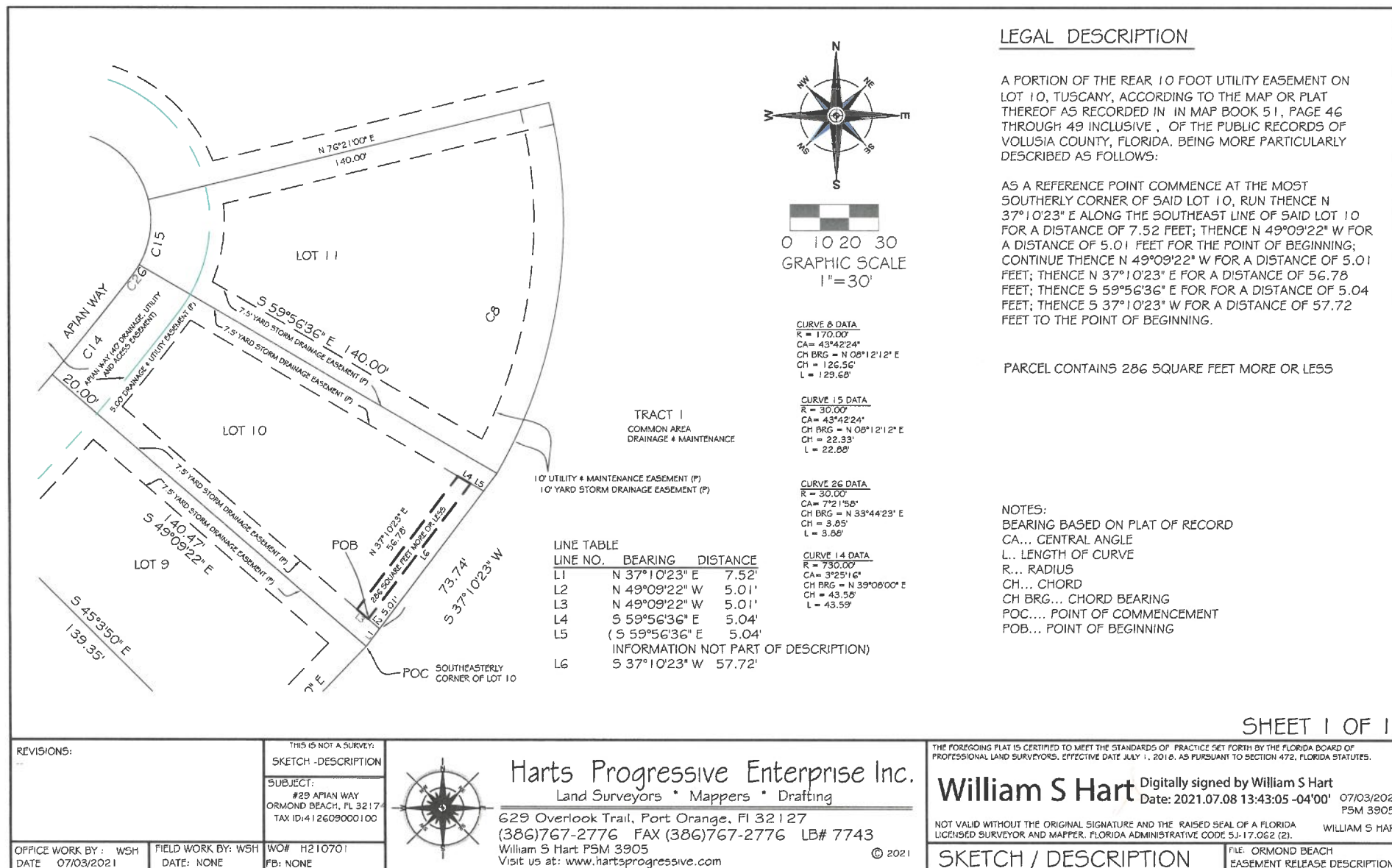
Attest: _____

JOYCE A. SHANAHAN, City Manager
22 South Beach Street
Ormond Beach, FL 32174

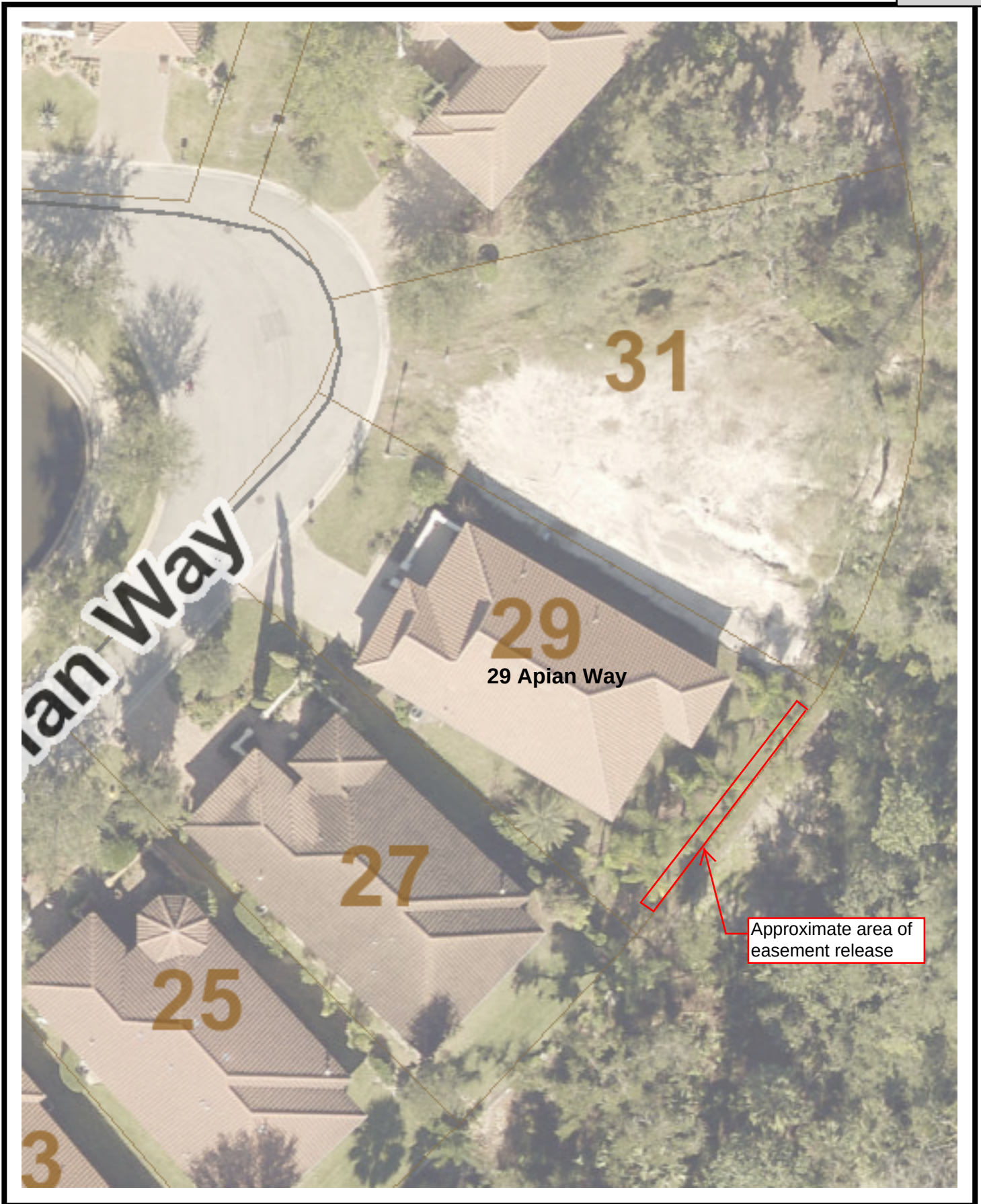
STATE OF FLORIDA)
)ss:
COUNTY OF VOLUSIA)

The foregoing instrument was acknowledged before me this _____ day of August, 2021, by **BILL PARTINGTON** and **JOYCE A. SHANAHAN**, as the Mayor and the City Manager, respectively, of the City of Ormond Beach who are personally known to me.

NOTARY PUBLIC State of Florida-at-large
Official Seal



SHEET 1 OF 1



LOCATION MAP





Michael J Moore
AT&T SE - MGR PLNG & Design, SE/CA
268 N Ridgewood Ave, Room 232
Daytona Beach, FL 32117

T: 386.281.6953
F: 386.252.7121
mm0409@att.com

June 21, 2021

Kevin and Marcia Kroll,
29 Apian Way
Ormond Beach, FL 32174

**Re: *No objection letter for partial release of easement on the following property.
Lot 10, Tuscany, Of Record in Map Book 51, Pages 46 to 49, Inclusive
Public Records of Volusia County, Florida. 29 Apian Way Ormond Beach, Florida***

Dear Mr. and Ms. Kroll,

This letter is in response to a request made to the below-signed utility provider in the City of Ormond Beach located in Volusia County, Florida. This request concerns a 5' portion of the 10' rear Utility Easement on Lot 10, Tuscany.

NO OBJECTION: AT&T Florida has no objection to the requested partial release of 5' of the 10' rear Utility Easement, as depicted on the attached survey. Please accept this letter as our notification of agreement to relinquish any interest and all rights to the requested 5' portion.

If you have any questions regarding this matter, please contact me at 386-281-6953.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael J. Moore".

Michael J. Moore
MGR PLNG & Design, SE/CA
mm0409@att.com / 386-281-6953



Stacy Stafford
Supervisor, Construction
Field Ops

June 21, 2021

Kevin and Marcia Kroll
29 Apian Way
Ormond Beach, FL 32174

RE: PROPOSED VACATION OF LOT 10, TUSCANY, OF RECORD IN MAP BOOK 51, PAGES 46 TO 49, INCLUSIVE, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA

To Whom It May Concern:

This letter is in response to a request to Charter Communications - Spectrum to vacate the above referenced "Easements" which is also described in the attached survey map.

Spectrum has "no objection" to the vacation of the rear easement of the above mentioned property as described in the attached "Exhibit A" and survey map.

If you have any questions regarding this, please contact me.

Sincerely,

A handwritten signature in blue ink that reads "Stacy R. Stafford".

Stacy R. Stafford
Charter Spectrum
Construction Supervisor
(407) 532-8614

Florida Power & Light Company, 3000 Spruce Creek Rd., Port Orange, FL 32129



June 22nd, 2021

Kevin J Kroll
29 Apian Way
Ormond Beach FL, 32174

Re: No objection to the partial release of our rights in the 10' easement located on
Lot 10 Tuscany, The Public Records of Volusia County
Map Book 51, Pages 46-49.

Please be advised that FPL does not object to the vacation of the easement as follows:
The southeastern 10' of lot 10 of Tuscany as shown and described in the attached Exhibit
A.

If you have any questions regarding this matter, please contact Nicholas Rockefeller,
FPL's local representative at 386-586-6476.

Thank you,

A handwritten signature in blue ink, appearing to read 'Josh Zehnder', with a long horizontal flourish extending to the right.

Joshua Zehnder
Engineering Lead



6/24/2021

To: Kevin and Marcia Kroll
29 Apian Way
Ormond Beach, FL 32174

RE: Vacate of Easement
29 Apian Way
Ormond Beach, FL 32174

LOT 10 TUSCANY, OF RECORD IN MAP BOOK 51, PAGES 46 TO 49, INCLUSIVE
PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

From: TECO Peoples Gas

To Whom It May Concern:

Thank you for contacting TECO Peoples Gas Company regarding the vacate of easement at the above referenced location. After reviewing the documents provided, TECO-PGS has NO objection to this request.

If you have further questions, please do not hesitate to call.

Sincerely,

A handwritten signature in black ink, appearing to read "Joan Domning".

Joan Domning
Administrative Specialist, Senior
Peoples Gas-Distribution Engineering
8416 Palm River Road
Tampa, FL 33619
Office: 813-275-3783

June 21, 2021

To Whom It May Concern:

RE: No objection letter for partial release of easement on the following property.

**LOT 10, TUSCANY, OF RECORD IN MAP BOOK 51, PAGES 46 TO 49, INCLUSIVE
PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.**

This request concerns the 10 foot Utility Easement located at the back of our property. We are asking for the release of 5 foot of this 10 foot easement so that we have room to place a pool in the backyard.

Informational Note: **ALL** utility"s in this subdivision are located in the front yards.

If at all possible, could we have your response no later then July 2, 2021 in order to meet submission deadline for review at City Commission meeting in August.

Included with this request is the following documentation:

1. Platt of subdivision with lot indicated.
2. Lot boundary survey. Requested easement release area highlighted in yellow.
3. No objection letter received by homeowner in my subdivision for similar request.

Please do not hesitate to contact us if you have questions or need additional information.

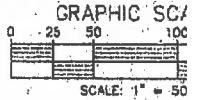
Thank You,

Kevin and Marcia Kroll
29 Apian Way
Ormond Beach, FL 32174
402-416-3844
Email: koibrewingco@hotmail.com

TOWNSHIP 14 SOUTH, RANGE 31 EAST CITY OF ORMOND BEACH, VOLUSIA COUNTY, FLORIDA

NOTE: ALL LINES IN CURVES
AREA RADIAL UNLESS AS (NR)
(NON-RADIAL)

R=1022.24'
L=706.95'
Δ=38°37'26"
CB=S80°46'01"E
CH=682.95'

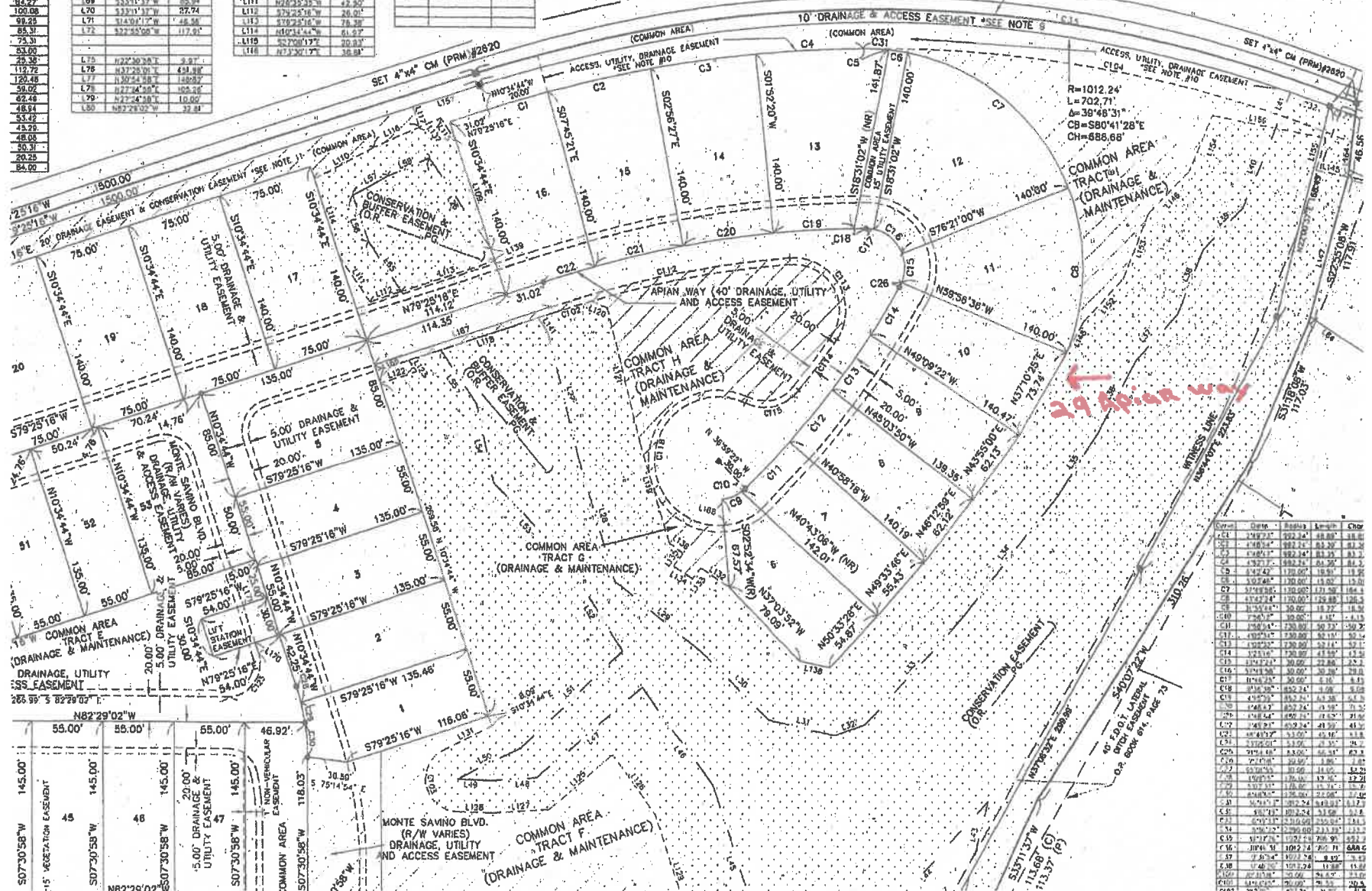


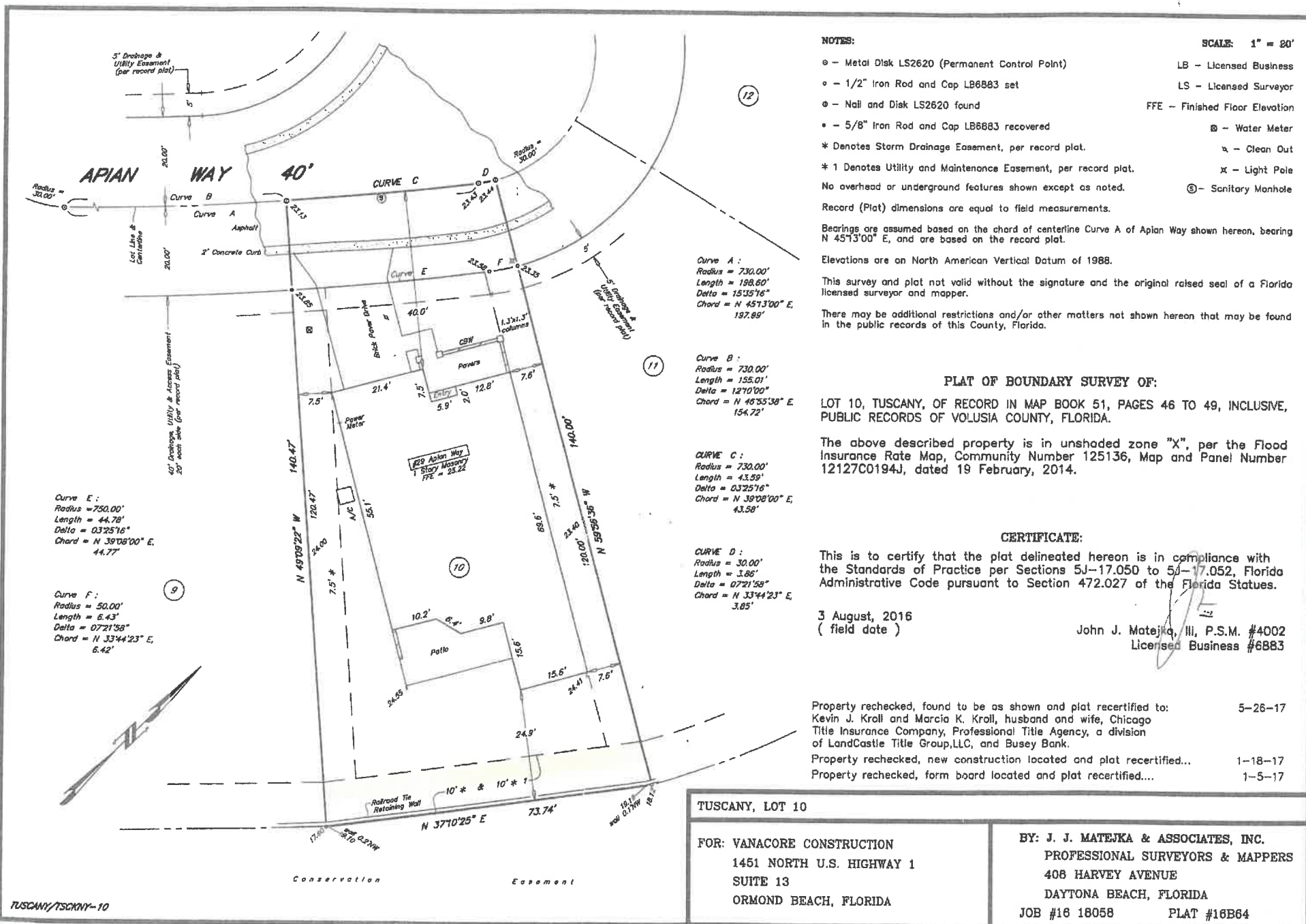
25.72	L51	N82°41'24"E	110.78
105.84	L52	N34°41'34"W	85.45
55.11	L53	N30°41'18"W	76.02
23.85	L54	N08°22'12"E	63.08
33.18	L55	N28°55'25"W	50.05
26.81	L56	N11°08'27"W	37.44
60.76	L57	N68°54'50"E	30.85
43.85	L58	N7°32'17"E	35.74
43.32	L59	S12°04'17"E	10.42
41.68	L60	S14°04'17"W	5.81
30.84	L61	S14°04'17"W	41.91
35.29	L62	S14°04'17"W	4.85
47.46	L63	S22°35'05"W	115.54
44.84	L64	S29°04'08"E	1.85
48.24	L65	N38°35'35"W	46.36
4.57	L66	S40°07'22"W	15.07
7.89	L67	S49°07'22"W	146.66
41.86	L68	N33°31'17"E	85.24
100.08	L69	S33°31'17"E	27.74
98.25	L70	S14°04'17"W	46.58
85.31	L72	S27°55'08"W	117.91
75.31			
53.90			
25.38			
112.72	L75	N27°30'38"E	9.87
120.46	L76	N37°25'01"E	43.88
59.02	L77	N30°44'58"E	180.87
62.68	L78	N77°44'28"E	105.39
48.94	L79	S21°24'48"E	10.06
53.42	L80	N67°28'02"W	39.81
45.26			
48.68			
20.25			
84.00			

L88	N38°41'07"E	115.79
L89	N38°41'07"E	108.00
L90	S37°31'57"E	35.26
L91	S27°25'20"E	25.61
L92	N68°21'17"E	152.32
L93	N28°12'31"E	44.44
L94	S04°41'27"E	12.16
L100	N00°00'00"W	80.23
L101	S20°16'27"E	34.78
L102	S67°29'02"E	158.81
L103	S03°10'40"E	74.73
L104	N88°03'41"W	25.09
L105	N00°35'36"W	22.24
L106	S28°25'16"W	172.80
L107	N00°22'22"E	25.22
L108	N00°24'43"E	21.67
L109	S10°34'43"E	67.83
L110	N88°00'00"E	52.35
L111	S28°25'16"E	20.01
L112	N28°25'16"E	42.30
L113	S79°25'16"W	79.38
L114	N10°44'44"E	61.97
L115	S27°08'17"E	30.83
L116	N73°30'17"E	38.88

L125	S07°13'36"W	65.68
L126	N28°41'44"W	56.96
L127	N63°20'16"W	44.44
L128	S00°04'54"E	26.92
L129	N07°22'09"E	53.85
L130	N65°24'06"E	0.00
L131	S21°32'47"W	41.52
L132	N48°17'22"E	10.47
L133	S28°41'12"E	26.25
L134	S50°38'24"E	17.12
L135	S41°14'44"E	12.45
L136	S44°02'18"E	16.75
L137	N13°38'12"E	18.15
L138	N48°24'08"E	22.57
L139	S10°24'44"E	10.39
L140	S38°11'37"W	113.68
L141	S27°08'17"E	13.26

L152	N50°12'07"E	46.54
L153	N28°15'08"E	54.17
L154	N30°50'24"E	47.01
L155	S24°17'47"W	25.67
L156	S21°15'27"E	9.41
L157	N79°25'16"E	55.04
L158	S75°25'16"W	24.73
L159	N10°01'56"E	22.70
L163	S10°14'24"E	20.00
L164	S14°04'17"E	1.81
L165	S22°35'08"E	25.87
L166	S10°14'44"E	13.43
L167	S28°25'16"W	143.37
L168	S05°25'24"E	20.01
L169	S10°34'44"E	9.34
L171	S10°34'44"E	30.97







CITY OF ORMOND BEACH

City Manager • 22 S. Beach Street • Ormond Beach • Florida • 32174 • (386) 676-3200 • Fax (386) 676-3384

CITY MANAGER MEMORANDUM

To: The Honorable Mayor Partington and City Commissioners

Through: Joyce A. Shanahan, City Manager

From: Shawn Finley, Public Works Director

Date: August 4, 2021

Subject: SONC Gym Expansion Project Bid Award 2021-16

Commission Goal: N/A

Introduction

This is a request for the City Commission to award a bid for the construction of the South Ormond Neighborhood Center (SONC) gym expansion project, Bid Number 2021-16.

Background

In November 2019, the construction of an additional gymnasium at SONC was determined to be a priority by the Leisure Services Advisory Board and the City Commission directed staff to move forward with this project. In 2020, the City submitted a grant request to Daytona Beach Racing and Recreation Facilities District (District), and the District awarded a grant for \$235,000.

This project will provide additional indoor gymnasium facilities at the South Ormond Neighborhood Center. This will allow the center to enhance programming for indoor activities including basketball, volleyball, and pickle ball by expanding league and tournament play, and providing additional time for open recreational play.

Included with this project is an additive alternate that is described as follows: provide two (2) toilet rooms as indicated on the plans. Included in the project are foundations, floor, exterior and interior walls, pre-engineered structure, roofing, siding, finishes, plumbing fixtures and accessories, exhaust fans, lighting/power/fire alarm and doors/frames/hardware.

Discussion

On May 17, 2021, bids for the project were opened, and six (6) bids were received. Bids ranged from \$1,079,880 to \$1,299,300, which includes the alternate price. The lowest bidder was Saboungi Construction, Inc., with a base bid of \$1,031,580 and

alternate price of \$48,300. The bid tabulation has been included for reference. Saboungi Construction is a local contractor who has successfully completed past projects for the City.

Budget Impact

The project was originally proposed by the Leisure Service Advisory Board (LSAB) in 2019 with an estimated cost of \$800,000. The City Commission committed \$500,000 of General Fund reserve for the project and directed staff to apply for \$300,000 from the Daytona Beach Racing and Recreational Facilities District as suggested by the LSAB. The Daytona Beach Racing and Recreational Facilities District agreed to provide \$235,200 toward the project.

As the grant funds were lower than expected and the bid price is higher than the estimate provided by the LSAB, additional General Fund Reserves in the amount of \$344,680 are required to award the bid, which would reduce the Reserves from 19.16% to 18.11%. The total General Fund Reserves allocated to the project would then be \$844,680.

Citizen Impact

The South Ormond Neighborhood Center gym expansion project will benefit the community by providing additional indoor facilities for activities. The construction of this project will require temporary closure of some of the existing facilities.

Recommendation

Staff recommends award of the bid for the South Ormond Neighborhood Center gym expansion project, Bid Number 2021-16, to Saboungi Construction, Inc., for the total bid amount of \$1,079,880.

Attachments:

- 21-120 SONC Gym - Saboungi (P21-0064G) (PDF)
- 2021-16 Saboungi Construction Bid (PDF)
- Addendum 1 (PDF)
- Addendum 2 (PDF)
- Addendum 3 (PDF)
- BID 2021-16 Bid Tabulation (PDF)

REVIEWED BY:


 Kelly McGuire, Finance Director 6/22/2021



Claire Whitley, Assistant City Manager 7/3/2021

APPROVED BY:



Joyce A. Shanahan, City Manager 7/15/2021

RESOLUTION NO. 2021-120

A RESOLUTION ACCEPTING THE BID OF SABOUNGI CONSTRUCTION, INC. REGARDING CONSTRUCTION SERVICES FOR THE SOUTH ORMOND NEIGHBORHOOD CENTER GYMNASIUM PROJECT, UNDER BID NO. 2021-16; REJECTING ALL OTHER BIDS; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, the City advertised for bids (Bid No. 2021-16) for construction services regarding the South Ormond Neighborhood Center gymnasium (“Project”) in accordance with Section 2-300, *Code of Ordinances*, and

WHEREAS, the City’s professional staff have reviewed the bids received and have determined that the bid submitted by Saboungi Construction, Inc. with a base bid of \$1,031,580.00, plus alternate bid #1 at \$48,300.00, for a total bid in the amount of \$1,079,880.00 is the lowest responsible and responsive bid (a copy of said bid being attached hereto and incorporated herein by reference), and

WHEREAS, the City Manager has certified that the Project will be paid for with a grant from the Daytona Beach Racing and Recreational Facilities District in the amount of \$235,200.00 and General Fund Reserves in the amount of \$844,880.00 and that these funds are not appropriated for any other purpose, and

WHEREAS, the City Commission concurs in the said determination and recommendation, now therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA, THAT:

SECTION ONE. The bid submitted by Saboungi Construction, Inc. to provide construction services for the Project at a cost not to exceed \$1,079,880.00 is hereby accepted.

SECTION TWO. All other bids to provide construction services for the Project are hereby rejected upon the execution of a contract with Saboungi Construction, Inc.

SECTION THREE. The Mayor and the City Manager are hereby authorized and directed to execute a contract between the City of Ormond Beach and Saboungi Construction, Inc. for the provision of construction services regarding the South Ormond Neighborhood Center gymnasium project at the said price, and to pay the cost therefor using a grant from the Daytona Beach Racing And Recreational Facilities District and General Fund Reserves.

SECTION FOUR. This Resolution shall take effect immediately upon its adoption.

APPROVED AND AUTHENTICATED this 4th day of August, 2021.

BILL PARTINGTON
Mayor

ATTEST:

WENDY J. HONTZ
Acting City Clerk

**SECTION 00300
BID**

CONTRACTORS NAME Saboungi Construction, Inc. LICENSE NO. CGC 013521

PROJECT IDENTIFICATION: **South Ormond Neighborhood Center Gymnasium**

CONTRACT IDENTIFICATION AND NUMBER: Bid No. 2021-16

THIS BID IS SUBMITTED TO:
(Name and Address of Owner)

City of Ormond Beach
22 South Beach Street
Ormond Beach, Florida 32174

1. The undersigned BIDDER proposes and agrees, if this Bid is accepted, to enter into an Agreement with OWNER in the form included in the Contract Documents to complete all Work as specified or indicated in the Contract Documents for the Contract Price and within the Contract Time indicated in this Bid and in accordance with the Contract Documents.

2. BIDDER certifies that he has investigated the requirements to do business in the jurisdiction where the project is located, and that he is either qualified to do business or will obtain such prequalification prior to award of the contract.

3. BIDDER accepts all of the terms and conditions of the Instructions to Bidders (Section 00100) including, without limitation, those dealing with the disposition of Bid Security, Public Entity Crimes, and Minority Policies. This Bid will remain open for 90 days after the day of Bid opening. BIDDER will sign the Agreement and submit the Contract security and other documents required by the Contract Documents within ten (10) days after the date of OWNER'S Notice of Award.

4. In submitting this Bid, BIDDER represents, as more fully set forth in the Agreement, that:

(a) BIDDER has examined copies of all the Contract Documents and of the following addenda:

<u>Date</u>	<u>Number</u>
<u>4/19/2021</u>	<u>1</u>
<u>4/29/2021</u>	<u>2</u>
<u>5/11/2021</u>	<u>3</u>
<u> </u>	<u> </u>

(receipt of all of which is hereby acknowledged) and also copies of the Advertisement to Bid and the Instructions to Bidders;

BID (Cont'd.)
South Ormond Neighborhood Center Gymnasium
ORMOND BEACH, FLORIDA

(b) BIDDER has examined the site and locality where the Work is to be performed, the legal requirements (federal, state and local laws, ordinances, rules and regulations) and the conditions affecting cost, progress or performance of the Work and has made such independent investigations as BIDDER deems necessary.

(c) This Bid is genuine and not made in the interest of or on behalf of any undisclosed person, firm or corporation and is not submitted in conformity with any agreement or rules of any group, association, organization or corporation; BIDDER has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid; BIDDER has not solicited or induced any person, firm or a corporation to refrain from bidding; and BIDDER has not sought by collusion to obtain for himself any advantage over any other Bidder or over OWNER; and

5. BIDDER will complete the Work for the following price(s):

BID SCHEDULE

<u>Item</u> <u>No.</u>	<u>Description</u>	<u>Estimated</u> <u>Quantity</u>	<u>Unit</u>	<u>Unit</u> <u>Price</u>	<u>Total</u> <u>Estimated Price</u>
1.	Total Project Cost	1	LS	\$ <u>1,031,580.00</u>	\$ <u>1,031,580.00</u>
TOTAL BID					\$ <u>1,031,580.00</u>

Alternate Bid

1.	Total Project Cost	1	LS	\$ <u>48,300.00</u>	\$ <u>48,300.00</u>
----	--------------------	---	----	---------------------	---------------------

(Figures)

One Million thirty one thousand five hundred eighty Dollars and ----- 00/100
 (Words)

BID (Cont'd.)
South Ormond Neighborhood Center Gymnasium
ORMOND BEACH, FLORIDA

BIDDER acknowledges that the quantities are not guaranteed and final payment will be based on actual quantities determined as provided in the Contract Documents.

BIDDER agrees that the Work will be substantially completed within 120 calendar days after the date when the Contract Time commences to run, and completed within 150 calendar days after the date when the Contract Time commences to run.

BIDDER recognizes that time is of the essence to complete this Project and that OWNER will suffer financial loss if the Work is not substantially complete within the time specified above, plus any extensions thereof allowed in accordance with Article 12 of the General Conditions. The BIDDER also recognize the delays, expense and difficulties involved in proving, in a legal or arbitration proceeding, the actual loss suffered by OWNER if the Work is not substantially complete on time. Accordingly, instead of requiring any such proof, OWNER has determined and BIDDER agrees to accept that as liquidated damages for delay (but not as a penalty) CONTRACTOR shall pay OWNER Three Hundred Dollars (\$300) for each calendar day that expires after the time specified above for substantial completion until the Work is substantially complete. After substantial completion, if CONTRACTOR shall neglect, refuse or fail to complete the remaining Work within the time specified above for completion and readiness for final payment or any proper extension thereof granted by OWNER, CONTRACTOR shall pay the OWNER an amount equal to all actual expenses incurred by the OWNER as a direct result of the CONTRACTOR'S negligence, refusal, or failure to so complete the remaining work. In the event the CONTRACTOR is terminated or abandons the work prior to the scheduled date for final completion, the CONTRACTOR may be liable for both liquidated damages attributable to delay and for excess completion costs.

6. The following documents are attached to and made a condition of this Bid:

(a) Required Bid Security in the form of

(1) a certified check drawn in favor of the City of Ormond Beach in the amount of 5 percent of the total bid; or

(2) a Bid Bond in the amount of 5 percent of the total bid.

(b) Equipment, Material, and Subcontractors List

(c) All information required by the Trench Safety Act (Part VI, Chapter 553, Florida Statutes).

(d) Drug Free Workplace Certificate

(e) Conflict, Non-Conflict of Interest, Litigation Statement

(f) Local Vendor Preference

BID (Cont'd.)
South Ormond Neighborhood Center Gymnasium
ORMOND BEACH, FLORIDA

7. Communications to the BIDDER concerning this Bid shall be addressed to:

Mailing Address: SAME

Street Address: 290A N US Highway 1,

City, State, Zip Code: Ormond Beach, FL 32174

Email: info@saboungiconstruction.com

Telephone No.: (386) 672-2077

Fax No.: (386) 673-4189

8. The terms used in this Bid which are defined in the General Conditions of the Construction Contract included as part of the Contract DOCUMENTS have the meanings assigned to them in the General Conditions.

SUBMITTED on May 17, 20 21.

If BIDDER is:

An Individual

By _____
 (Individual's Name - Signature)

 (Individual's Name - Typed or Printed) (SEAL)

doing business as _____

Business address: _____

Phone No.: _____

Fax No.: _____

BID (Cont'd.)
South Ormond Neighborhood Center Gymnasium
ORMOND BEACH, FLORIDA

If BIDDER is:

A Partnership

By _____ (SEAL)
(Firm Name)

(General Partner - Signature)

(General Partner - Typed or Printed)

Business Address: _____

Phone No.: _____

Fax No.: _____

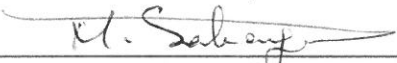
BID (Cont'd.)
South Ormond Neighborhood Center Gymnasium
ORMOND BEACH, FLORIDA

If BIDDER is:

A Corporation

By Saboungi Construction, Inc.
 (Corporation Name)

Florida
 (State of Incorporation)

By 
 (Name of Person Authorized to Sign - Signature)

Mahmoud Saboungi
 (Name of Person Authorized to Sign - Typed or Printed)

President
 (Title)

(Corporate Seal)

Attest _____

Business address: 290A North US Highway 1
Ormond Beach, FL 32174

Phone No.: (386) 672-2077

Fax No.: (386) 673-4189

BID (Cont'd.)
South Ormond Neighborhood Center Gymnasium
ORMOND BEACH, FLORIDA

If BIDDER is:

A Joint Venture

By _____
(Name - Signature)

(Name - Typed or Printed)

Address: _____

Phone No.: _____

Fax No.: _____

By _____
(Name - Signature)

(Name - Typed or Printed)

Address: _____

Phone No.: _____

Fax No.: _____

(Each joint venturer must sign. The manner of signing for each individual, partnership and corporation that is a party to the joint venture should be in the manner indicated above.)

BID (Cont'd.)
South Ormond Neighborhood Center Gymnasium
ORMOND BEACH, FLORIDA

EQUIPMENT AND SUBCONTRACTORS LIST

List the names of the manufacturers whose product is proposed for use. No more than one manufacturer's name shall be inserted for each item of material and/or equipment listed. Failure to list materials and equipment supplier may result in the Bid being rejected as incomplete and nonresponsive. If any Subcontractors are proposed to be used for any portions of the Work, the names, addresses, phone numbers and work classifications of each such Subcontractor must be listed. The failure to list all Subcontractors proposed for the work may result in the Bid being rejected as incomplete and nonresponsive. If more than one manufacturer or subcontractor is listed, selection will be made by the OWNER. If none is listed, those listed as the "Basis for Design" will be used.

Materials and Equipment:

<u>Item</u>	<u>Supplier</u>
	<u>As Needed</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Subcontractors:

Work Classification: Electrical

Name: Bayshore Electric, Inc.

Address: 804 Root St. Daytona Beach, FL 32114

Phone Number: 386-252-2287

Fax Number: 386-257-1920

BID (Cont'd.)
South Ormond Neighborhood Center Gymnasium
ORMOND BEACH, FLORIDA

Subcontractors:

Work Classification: HVAC

Name: MSTC Mechanical LLC

Address: 4085 LB McLeod Rd Suite A Orlando, FL 32811

Phone Number: 407.286.0982 Fax Number: _____

Work Classification: Plumbing

Name: G & W Welborn Plumbing, LLC

Address: 1709 N. Nova Rd., Holly Hill, FL 32117

Phone Number: 386-257-1172 Fax Number: 386-252-5979

Work Classification: Metal Building

Name: Trimak Building Systems

Address: 2502 N Frontage Park Pl, Plant City, FL 33563

Phone Number: 813-800-4766 Fax Number: _____

Work Classification: Wood Floor

Name: Southeastern Surfaces & Equipment, Inc

Address: P.O. Box 602 New Smyrna Beach, FL 32170

Phone Number: 800-644-8875 Fax Number: 386-428-8767

Work Classification: Site Work

Name: R C Johnston & Son, Inc.

Address: 2081 Oriole Ln. South Daytona, FL 32119

Phone Number: 386-233-5580 Fax Number: _____

BID (Cont'd.)
South Ormond Neighborhood Center Gymnasium
ORMOND BEACH, FLORIDA

TRENCH SAFETY STANDARDS

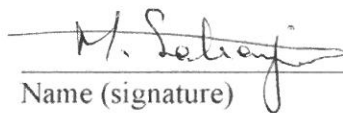
If this project includes trench excavation in excess of five (5) feet in depth, the following trench safety standards will be in effect during the period of construction of the project:

The Occupational Safety and Health Administration's excavation safety standards, 29 C.F.R.s. 1926.650 Subpart P, and any regulation promulgated there under are hereby incorporated as the standard for this project.

The Bidder hereby certifies that the Contractor performing the trench excavation will comply with the applicable trench safety standards.

The Bidder further certifies that the cost (which is included in his unit cost) of compliance with applicable trench safety standards is:

	<u>Estimated Quantity</u>	<u>Units</u>	<u>Unit Price</u>	<u>Total Estimated Price</u>
<u>ITEM</u>				
1. Trench Excavation	_____	L.F.	<u>Included in Base Bid</u>	_____
2. Sheeting/Shoring	_____	S.F.	_____	_____



 Name (signature)

5/17/21

 Date

Mahmoud Saboungi

 Name (typed or printed)

President

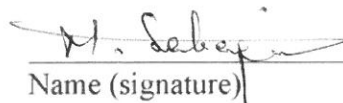
 Title

BID (Cont'd.)
South Ormond Neighborhood Center Gymnasium
ORMOND BEACH, FLORIDA

DRUG-FREE WORKPLACE CERTIFICATION

Identical Or "Tie" Bids: Preference shall be given to businesses with drug-free workplace programs. Whenever two or more proposals which are equal in respect to price, quality, and service are received by the State or by any political subdivision for the procurement of commodities or contractual services, a bid received from a business that certifies that it has implemented a drug-free workplace program shall be given preference in the award process. Established procedures for processing tie bids will be followed if none of the tied vendors have a drug-free workplace program. In order to have a drug-free workplace program, a business shall:

- 1) Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
- 2) Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violation.
- 3) Give each employee that engages in providing the commodities or contractual services that are under bid a copy of the statement specified in subsection (1).
- 4) In the statement specified in subsection (1), notify the employees that, as a condition of working on the commodities or contractual services that are under bid, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation of Chapter 893 or of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than five (5) calendar days after such conviction.
- 5) Impose sanctions on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community, by any employee who is so convicted.
- 6) Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

	5/17/21
Name (signature)	Date
Mahmoud Saboungi	
Name (typed or printed)	
President	
Title	

BID (Cont'd.)
South Ormond Neighborhood Center Gymnasium
ORMOND BEACH, FLORIDA

CONFLICT, NON-CONFLICT OF INTEREST STATEMENT
LITIGATION STATEMENT

1.

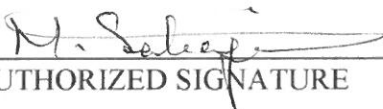
- ☒ To the best of our knowledge, the undersigned firm has no potential conflicts of interest due to any other clients or contracts for this project.
- ☐ The undersigned firm, by attachment to this form, submits information which may be a potential conflict of interest due to other clients or contracts for this project.

2.

- ☐ The undersigned firm has had no litigation on any project in the last five (5) years.
- ☐ The undersigned firm, by attachment to this form, submits a summary and disposition of individual cases of litigation during the past five (5) years.

Saboungi Construction, Inc.

COMPANY NAME


 AUTHORIZED SIGNATURE

Mahmoud Saboungi

NAME (PRINT OR TYPE)

President

TITLE

May 17, 2021

DATE

BID (Cont'd.)
South Ormond Neighborhood Center Gymnasium
ORMOND BEACH, FLORIDA

LOCAL VENDOR PREFERENCE

The following is taken from the Code of Ordinances, City of Ormond Beach, Chapter 2, Financial Matters, Division 3, Purchasing, Article IX, Section 2-304:

Except where otherwise provided by federal or state law or other funding source restrictions, purchases of goods and services under the Purchasing Code shall give preference to local businesses as follows:

- (a) Under a competitive bid solicitation, the City *may* give a local preference in the amount of three percent (3%) of the bid price or \$25,000, whichever is less. The bid price shall include not only the base bid price but all alternatives which are part of the bid and actually purchased or awarded.
- (b) A *local business* shall mean a vendor that has a valid occupational license issued by the City of Ormond Beach at least one year prior to bid opening, with a physical business address located within the municipal boundaries of the City of Ormond Beach from which the vendor operates or performs business on a day-to-day basis that is a substantial component of the goods or services being offered and has provided a Local Vendor Affidavit of Eligibility at the time the bid is submitted.
- (c) A *Local Vendor Affidavit of Eligibility* shall accompany the bid submittal to be considered valid and shall include, but not be limited to, the following information:
 - (1) A physical business and location address;
 - (2) A copy of current City of Ormond Beach Local Business Tax Receipt (occupational license) to verify the business location;
 - (3) Proof of payment of business tax and real property tax due to the City of Ormond Beach;
 - (4) A copy of the firm's most recent annual corporation report to the Florida Division of Corporations;
 - (5) Any additional information necessary to verify local status.
- (d) *Exemptions:* Goods or services provided under a cooperative purchasing agreement, contracts for professional services subject to Consultants' Competitive Negotiation Act, purchases or contracts funded in whole or part by a governmental entity that does not allow local preferences, purchases made under another agency's agreements or contracts (piggybacking), purchases under emergency or sole source situations and procurements subject to formal proposals including but not limited to request for proposals (RFP) or continuing contract, and request for quotes (RFQ) versus straight competitive bids.
- (e) This section shall not be deemed to require the granting of a local preference, and nothing herein prohibits the award of a contract to a non-local vendor where such award is in the public interest.

BID (Cont'd.)
South Ormond Neighborhood Center Gymnasium
ORMOND BEACH, FLORIDA

LOCAL VENDOR AFFIDAVIT OF ELIGIBILITY

I certify that my company meets all of the following qualifications to be eligible for the local vendor preference:

- a. My company has a physical business address located within the municipal boundaries of the City of Ormond Beach which is used to perform business on a day-to-day basis.
- b. My company holds any business (occupational) or contractor license required by the City of Ormond Beach at least one year prior to bid opening.
- c. Payment of business tax and real property tax due to the City of Ormond Beach is current
- d. My company is in compliance with annual reporting to the Florida Division of Corporations

Company Name: Saboungi Construction, Inc.

Address: 290A N US Highway 1, Ormond Beach, FL 32174

Business or Contractor License Number: CGC 013521

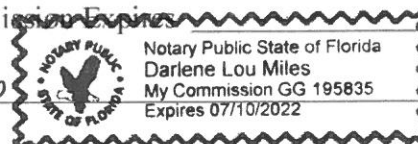
Phone Number: (386) 672-2077 Fax Number: (386) 673-4189

Owner's Name: Mahmoud Saboungi Signature: *M. Saboungi*

Sworn to before me this 17th day of May

Notary Public for the State of Florida My Commission Expires 07/10/2022

Notary Public Signature: *Darlene Lou Miles*



Printed Name: Darlene Lou Miles

To be approved as a local bidder and receive bid preference on an eligible local project, this affidavit of eligibility, a copy of your local business or contractor license, copy of business tax/real property tax and a copy of the firm's most recent annual corporation report must be submitted with your bonafide BID package. Bid preference is provided at the City's sole discretion.

VENDOR DO NOT COMPLETE BELOW

To be verified and completed by an authorized representative of the City of Ormond Beach's Purchasing Department:

Vendor Certified by: _____ Date: _____

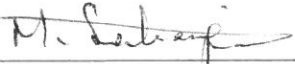
BID (Cont'd.)
South Ormond Neighborhood Center Gymnasium
ORMOND BEACH, FLORIDA

VERIFICATION OF EMPLOYMENT STATUS USING E-VERIFY SYSTEM

1. Undersigned firm warrants it **IS** currently registered with the U.S. Department of Homeland Security's E-Verify system, **and** is compliant with the requirements of Sections 448.09 and 448.095, *Florida Statutes*.
2. Undersigned firm warrants it **has not** had any contracts terminated as a result of violations of Sections 448.09 or 448.095, *Florida Statutes*, that prohibit it from contracting with a public agency.
3. Undersigned firm warrants that if it enters into an agreement with a subcontractor, an express provision shall be included in all of its subcontracts requiring subcontractors, who perform work or provide services pursuant to the contract, to use the E-Verify system to verify employment eligibility of all new employees hired by the subcontractor during the contract term.
4. Undersigned firm understands that any subcontractor must provide the contractor with an affidavit stating that the subcontractor does not employ, contract with, or subcontract with an unauthorized alien, and the contractor understands it shall maintain any such affidavits for the duration of the contract, and the contract with the subcontractor must be immediately terminated if the City has a good faith belief that the subcontractor knowingly violated Section 448.09 (1), *Florida Statutes*.
5. Undersigned firm understands that in the event the City has a good faith belief that the contractor has knowingly violated Section 448.09 (1), *Florida Statutes*, the City shall terminate the contract, and the contractor may not be awarded a public contract for a period of at least one (1) year after the date of termination. The contractor may be held liable for any additional costs incurred by the City as a result of termination of the contract.

Saboungi Construction, Inc.

COMPANY NAME


 AUTHORIZED SIGNATURE

Mahmoud Saboungi

NAME (PRINT OR TYPE)

President

TITLE

May 17, 2021

DATE

END OF BID

00300-15

**SECTION 00410
BID BOND**

KNOW ALL MEN BY THESE PRESENTS, that we Saboungi Construction, Inc.

290 A North US Highway 1, ORMOND BEACH, FL 32174

(hereinafter called *Principal*) and

Westfield Insurance Company - P. O. Box 5001, Westfield Center, OH 44251

(hereinafter called the *Surety*) a corporation chartered and existing under the Laws of the State of Ohio of with its principal offices in the County of Medina and authorized to do business in the State of Florida, in the full and just sum of -- FIVE PERCENT (5%) OF PROPOSED BID --

Dollars (\$ ---5%---) good and lawful money of the United States of America, to be paid upon demand of the City of Ormond Beach, Florida, to which payment well and truly to be made we bind ourselves, our heirs, executors, administrators, and assigns, jointly and severally and firmly by these presents.

WHEREAS, the Principal is about to submit, or has submitted to the City of Ormond Beach, Florida, a bid for work to be done on the South Ormond Neighborhood Center Gymnasium (Bid No. 2021-16) in, and for the City and

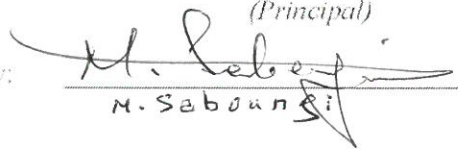
WHEREAS, the Principal desires to file this bond in accordance with law, in lieu of a certified or cashier's check otherwise required to accompany this Bid.

NOW, THEREFORE: the conditions of this obligation are such that if the Bid be accepted the Principal shall within ten (10) days after the receipt of notification of the acceptance thereof execute a contract in accordance with the Bid and upon the terms, conditions and unit or lump sum prices set forth therein, in the form and manner required by the Owner, and execute a sufficient and satisfactory Contract Bond payable to the Owner, in an amount not less than the total contract price, as indicated by the approximate quantities shown in the Bid, in form and with security satisfactory to the said City, then this obligation to be void; otherwise to be and remain in full force and virtue in law; and the Surety shall upon the failure of the Principal to comply with any or all of the foregoing requirements within the time specified above, immediately pay to the aforesaid City upon demand the amount hereof in good and lawful money of the United States of America, not as a penalty, but as liquidated damages.

IN TESTIMONY WHEREOF, the Principal and Surety have caused these presents to be duly signed and sealed this 13th day May, 20 21.

Saboungi Construction, Inc.

(Principal)

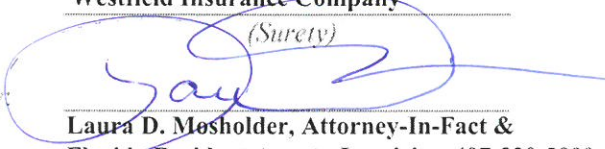
By: 

M. Saboungi

ATTEST:

Westfield Insurance Company

(Surety)

By: 

Laura D. Mosholder, Attorney-In-Fact &
Florida Resident Agent - Inquiries: 407-330-3990

see attached power of attorney

(SEAL)

END OF SECTION
00410 - 1

THIS POWER OF ATTORNEY SUPERCEDES ANY PREVIOUS POWER BEARING THIS SAME POWER # AND ISSUED PRIOR TO 02/20/20, FOR ANY PERSON OR PERSONS NAMED BELOW.

General
Power
of Attorney

POWER NO. 0994592 00

Westfield Insurance Co.
Westfield National Insurance Co.
Ohio Farmers Insurance Co.
Westfield Center, Ohio

CERTIFIED COPY

Know All Men by These Presents, That WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, corporations, hereinafter referred to individually as a "Company" and collectively as "Companies," duly organized and existing under the laws of the State of Ohio, and having its principal office in Westfield Center, Medina County, Ohio, do by these presents make, constitute and appoint
DON BRAMLAGE, LAURA D. MOSHOLDER, EDWARD M. CLARK, JOINTLY OR SEVERALLY

of **ST PETERSBURG** and State of **FL** its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings, or other instruments or contracts of suretyship.

LIMITATION: THIS POWER OF ATTORNEY CANNOT BE USED TO EXECUTE NOTE GUARANTEE, MORTGAGE DEFICIENCY, MORTGAGE GUARANTEE, OR BANK DEPOSITORY BONDS.

and to bind any of the Companies thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the corporate seal of the applicable Company and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in the premises. Said appointment is made under and by authority of the following resolution adopted by the Board of Directors of each of the WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY:

"Be it Resolved, that the President, any Senior Executive, any Secretary or any Fidelity & Surety Operations Executive or other Executive shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

The Attorney-in-Fact, may be given full power and authority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements of indemnity and other conditional or obligatory undertakings and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be as binding upon the Company as if signed by the President and sealed and attested by the Corporate Secretary."

"Be it Further Resolved, that the signature of any such designated person and the seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signatures or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached." (Each adopted at a meeting held on February 8, 2000).

In Witness Whereof, WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY have caused these presents to be signed by their National Surety Leader and Senior Executive and their corporate seals to be hereto affixed this 20th day of FEBRUARY A.D., 2020.

Corporate
Seals
Affixed



WESTFIELD INSURANCE COMPANY
WESTFIELD NATIONAL INSURANCE COMPANY
OHIO FARMERS INSURANCE COMPANY

By:
Gary W. Stumper, National Surety Leader and Senior Executive

State of Ohio
County of Medina ss.:

On this 20th day of FEBRUARY A.D., 2020, before me personally came **Gary W. Stumper** to me known, who, being by me duly sworn, did depose and say, that he resides in **Hartford, CT**; that he is **National Surety Leader and Senior Executive** of WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, the companies described in and which executed the above instrument; that he knows the seals of said Companies; that the seals affixed to said instrument are such corporate seals; that they were so affixed by order of the Boards of Directors of said Companies; and that he signed his name thereto by like order.

Notarial
Seal
Affixed



David A. Kotnik, Attorney at Law, Notary Public
My Commission Does Not Expire (Sec. 147.03 Ohio Revised Code)

State of Ohio
County of Medina ss.:

I, **Frank A. Carrino**, Secretary of WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Companies, which is still in full force and effect; and furthermore, the resolutions of the Boards of Directors, set out in the Power of Attorney are in full force and effect.

In Witness Whereof, I have hereunto set my hand and affixed the seals of said Companies at Westfield Center, Ohio, this 13th day of May A.D., 2021.



Frank A. Carrino, Secretary

BPOAC2 (combined) (06-02)

ADDENDUM NO. 1

April 19, 2021

TO: Prospective Bidders and Others Concerned.

SUBJECT: Addendum No. 1 to the Project Manual for
SOUTH ORMOND NEIGHBORHOOD CENTER GYMNASIUM,
Bid No. 2021-16

The Project Manual shall be amended as follows:

(1) TABLE OF CONTENTS

The table of contents is to be updated to include Section 01010 – Summary of Work.

(2) SECTION 00300 Bid

The Bid Schedule shall be revised to reflect an allowance for the installation of the Telescoping Stands/Bleachers for \$2,000, and an allowance for installation of the Backboards of \$4,000.

(2) SECTION 01010 – SUMMARY OF WORK

Section 01010 – Summary of Work is to be added to the bid documents.

(3) SECTION 012300 – ALTERNATES

3.1 Schedule of Alternates shall read: Alternate No. 1: Provide two (2) toilet rooms as indicated on sheets A1.0, A4.0, M1.0, P0.2, P1.0, E1.0, E2.0 and E3.0. Included are foundations, floor, exterior and interior walls, pre-engineered structure, roofing, siding, finishes, plumbing fixtures and accessories, exhaust fans, lighting/power/fire alarm and doors/frames/hardware. Disregard alternate No. 2.

(3) SECTION 126600 – TELESCOPING STANDS

Telescoping stands/bleachers shall be Furnished by Owner and Installed by Contractor.

(4) **PROJECT DRAWINGS**

The Structural Plan sheets are to be included with the project drawings. They are sheets S0.1, S1.1, and S2.1.

The foregoing changes are hereby incorporated into the Bidding Requirements and Contract Documents for **SOUTH ORMOND NEIGHBORHOOD CENTER GYMNASIUM, Bid No. 2021-16**, for the City of Ormond Beach.

City of Ormond Beach, Florida
County of Volusia

End of Addendum

ADDENDUM NO. 2

April 29, 2021

TO: Prospective Bidders and Others Concerned.**SUBJECT:** Addendum No. 2 to the Invitation to Bid for
SOUTH ORMOND NEIGHBORHOOD CENTER GYMNASIUM,
Bid No. 2021-16

TO ALL BIDDERS: You are requested to make all changes and/or additions contained in this Addendum to the Bidding Documents. Failure to acknowledge this Addendum in Proposal may result in rejection of bid.

A change is being made to the bid opening date. The last day for questions remains **May 6, 2021 at 5:00 p.m.** The bid opening is now scheduled for **2:00 p.m., May 14, 2021.** Bids will be opened and read aloud in the City Hall Training Room at 22 S. Beach Street.

The foregoing changes are hereby incorporated into the Bidding Requirements and Contract Documents for **SOUTH ORMOND NEIGHBORHOOD CENTER GYMNASIUM, Bid No. 2021-16**, for the City of Ormond Beach.

END OF ADDENDUM No. 2

ADDENDUM NO. 3

**City of Ormond Beach
South Ormond Neighborhood Center Gymnasium
Ormond Beach, Florida
Bid No. 2021-16**

The following information is to be incorporated into the Bid Documents for the above project:

A change is being made to the bid opening date. The bid opening is now scheduled for **2:00 p.m., May 17, 2021**. Bids will be opened and read aloud in the City Hall Training Room at 22 S. Beach Street.

Item No. 1 – Pre-Bid:

1. Depth of the slab recess?
Answer: Depth of recess depends upon the wood floor selected.
2. Does the wood require certification?
Answer: Yes.
3. Are performance / thrusher pads to be included?
Answer: This should be at the Customer's option.
4. Type of transition between the wood and concrete to allow the wood to move?
Answer: Aluminum threshold.
5. Resilient base (per finish schedule) or wood base (per spec section)?
Answer: Resilient base per Finish Schedule.
6. Will the HVAC controls be independent or connected to the adjacent building?
Answer: The system is independent and each AHU/ACU will have separate thermostatic control.
7. What is the engineer's estimate?
Answer: The Engineer's estimate for the base bid is \$758,391.99.
8. Is a Bid Bond required?
Answer: Yes, it is required.
9. Bid Form: Should plumbing be removed from base bid and moved to alternate?
Answer: Yes, if the restrooms are a bid alternate than the water and sewer services should be considered an alternate as well. This and the below will be handled through making the whole job a single lump sum bid. So create a base bid tab and an alternate bid tab.
 - Should an electrical bid tab be added?
Answer: The bid is now referenced as a Lump Sum Bid

City of Ormond Beach
 South Ormond Neighborhood Center Gymnasium
 May 11, 2021

Bid form is too vague, it is difficult to delineate the line items for the contractors.

Answer: The bid is now referenced as a Lump Sum Bid

- Should the allowances be added to the bid form?

Answer: The allowances do not need to be added, they are handled through the addendum.

10. Where is the resilient sheet flooring located?

Answer: There is no Sheet Flooring scheduled.

11. What are the yearly scheduled events at the existing complex?

Answer: At this time, there are no scheduled events. The contractor will need to work with the Center to coordinate efforts.

12. With massive lead times on prefabricated steel buildings, 120 days to completion will not be sufficient. We either need to add 5-6 months on to completion, or add language to provide that the clock doesn't start until the building has been received?

Answer: The City will work with the contractor in good faith given the current climate.

13. Is there an existing line under Hammock lane, or will a bore be required for the underground sprinkler?

Answer: There are no bores required. All connections are made on City property or within our side of the Right-of-Way.

14. What are the Impact fees?

Answer: The City will handle the Impact fees in house.

Item No. 2 – Submitted Questions/ Answers:

The following are questions submitted by proposed bidders with responses provided by the City/Engineer:

1. Sheet/Spec # A.3.0: Are steel frames, perlines, or girts to be painted? If so, please specify.

Answer: Per Specifications Section 099110-Painting, 1.1.A, B, and C: paint all exposed-to-view unfinished surfaces.

2. Sheet/Spec # 096400 1.3.B: Please confirm if the Maple itself has to be FSC Certified.

Answer: Yes.

3. Sheet/Spec # 096400 2.1.A.2.9: Please verify if wood pegs required for this installation.

Answer: No.

4. Sheet/Spec # 096400 2.2.A: Please confirm if this section applies to wood sleepers. If not, please confirm size requirement for sleepers and if they are to receive rubber pads.

Answer: No.

5. Sheet/Spec # 096400 2.2.D: Please confirm if this section applies to wood sleepers. If not, please confirm size requirement for sleepers and if they are to receive rubber pads.

Answer: Between the concrete slab and the sleepers.

City of Ormond Beach
South Ormond Neighborhood Center Gymnasium
May 11, 2021

6. Sheet/Spec # 096400 2.2.J.1: Please confirm if the 2' solid concrete border requires a base.

Answer: An aluminum threshold is required between wood floor and concrete.

7. Sheet/Spec # 096400 2.2.J.1: Please confirm if the 2' solid concrete border requires a base.

Answer: No.

8. Sheet/Spec # 096400: Substitution Request: Connor Sports Duracushion II Product Data

Answer: Specifications Section 096400-Wood Flooring, 2.1 A (2) Connor Sports Duracushion II is an acceptable product.

9. Sheet/Spec # IR-1: Please verify Point of Connection for Irrigation Water Source

Answer: Point of Connection is assumed adjacent to the front of the existing building. Please verify with the City of Ormond Beach if an alternative location is desired.

10. Sheet/Spec # IR-1: Please confirm if new irrigation is to tie into existing controller, and if so please confirm location and controller type. If not, please confirm if new controller is needed.

Answer: It is assumed that new irrigation will tie into the existing controller. Confirm with City Staff if a new controller is desired and proposed location.

11. Sheet/Spec # C-5: Are we to consider that the water service, sewer connection and piping to the proposed restrooms is part of the alternate cost?

Answer: Yes.

12. Sheet/Spec # SOW: According to the Summary of Work there are no subsurface reports. The civil cover sheet states to refer to geotechnical report for soil requirements and recommendations. Is there a report?

Answer: No report was completed or is available.

13. Will the City or the Contractor be responsible for material testing and the steel inspections fees?

Answer: Per Specifications Section 014000-Quality Requirements, 1.7 B: Test and inspections not explicitly assigned to Owner shall be the Contractor's responsibility.

14. Under local vendor preference it states that the City (May) give a local preference in the amount of 3% of the bid price or \$25,000, whichever is less. Has it been determined if the City will be using the local preference option?

Answer: Local Vendor Preference will remain unchanged within the bid documents. It is a tool that the City often opts into using.

15. Sheet/Spec # C-2: Can the civil engineer determine if a NPDES permit will be applicable for this project?

Answer: Yes, Contractor will be responsible for applying for this.

16. Please confirm if the Fire Riser Room is Metal Stud framed drywall walls. Ceiling is specified as GWB.

City of Ormond Beach
 South Ormond Neighborhood Center Gymnasium
 May 11, 2021

Answer: Fire Riser Room walls shall be constructed of 20 gauge 3-5/8" steel framing @ 24" O.C. with 5/8" MR GWB on both faces.

17. Electrical plans mention scoreboard and goal post; however, none are specified. Is Owner providing scoreboard and goal equipment?

Answer: Basketball backstops and bleachers are furnished by Owner and installed by Contractor as designated in Allowance No. 1.

18. Please advise on where to include the Fire Sprinkler System price. Please consider adding a separate item on the updated bid schedule.

Answer: The Fire Sprinkler System should be included in the Base Bid.

19. On the door schedule under door types there is an overhead door called out that does not show up anywhere else on the plans. Please verify if an overhead door is to be included.

Answer: There is no longer an overhead door included; it was considered early-on.

20. Do the interior steel components of the Pre-Engineered metal building get field painted with a finish coat, or remain with the shop primer?

Answer: All interior exposed-to-view components shall be field-painted.

21. Depth of the slab recess?

Answer: Depth of recess depends upon the wood floor selected.

22. Does the wood require certification?

Answer: Yes.

23. Are performance/thrusher pads to be included?

Answer: This should be at the Customer's option.

24. Type of transition between the wood and concrete to allow the wood to move?

Answer: Aluminum threshold.

25. Resilient base (per finish schedule) or wood base (per spec section)?

Answer: Resilient base per Finish Schedule.

26. Please confirm where in the system asphalt-saturated felt paper is to be installed.

Answer: Asphalt-saturated Felt is captioned under Specifications Section 096400, Wood Flooring: 2.2 Accessory Materials-'D' and may be used as a vapor-retarder.

27. On the civil drawings, on sheet C5, there is Asphalt Pavement on the legend. Can you confirm which area needs to be paved and if there are any specs?

Answer: There is no proposed asphalt within this project.

City of Ormond Beach
South Ormond Neighborhood Center Gymnasium
May 11, 2021

Drawings:

The bid documents are revised to include the following;

- Specification 00300 BID is now correctly labeled as a Lump Sum with a line item provided for the Alternate Bid
- Specification 01025 MEASUREMENT & PAYMENT now shows Lump Sum Base Bid and Alternate Bid items.
- Revised sheet C5 which now shows the revised legend which removed the asphalt paving which is not required in the project

The foregoing changes are hereby incorporated into the Bidding Requirements and Contract Documents for **SOUTH ORMOND NEIGHBORHOOD CENTER GYMNASIUM, Bid No. 2021-16**, for the City of Ormond Beach.

City of Ormond Beach, Florida
County of Volusia

End of Addendum



City of Ormond Beach
BID OPENING TABULATION
SONC Gym Expansion
Bid No. 2021-16

7.C.f

Bid Opening Date: May 17, 2021 Time: 2:00 P.M.

Company Submitting Bid	Company Address	Bid Bond	Addendum No. 1	Addendum No. 2	Addendum No. 3	Total Bid
Saboungi Construction	290 A North U.S. Hwy 1 Ormond Beach, FL 32174	✓	✓	✓	✓	\$1,031,580.00 ALT. \$48,300
A.M. Weigel Construction inc.	166 S. Palmetto Avenue Daytona Beach, FL 32114	✓	✓	✓	✓	\$1,113,263.00 ALT. \$41,856.00
APM Construction Corp.	424 Luna Bella Lane Suite 130 New Smyrna Beach FL 32168	✓	✓	✓	✓	\$1,253,300.00 ALT. \$46,060.00
A.G. Pifer Construction Co., inc.	3629 Old Deland ROAD Daytona Beach, FL 32124	✓	✓	✓	✓	\$1,119,999.00 ALT. \$35,605.32
Keator Construction, LLC	599 Maguire ROAD Ocoee, FL 34761	✓	✓	✓	✓	\$1,150,000.00 ALT. \$55,000.00
Paul Curver Construction, inc.	1301 Beville ROAD, Suite 6 Daytona Beach, FL 32119	✓	✓	✓	✓	\$1,127,977.00 ALT. \$44,000.00

Opened By:

(Signature)

Rob Hart, Purchasing Coordinator

Tabulated By:

(Signature)

Cole Buck, Civil Engineer



CITY OF ORMOND BEACH

City Manager • 22 S. Beach Street • Ormond Beach • Florida • 32174 • (386) 676-3200 • Fax (386) 676-3384

CITY MANAGER MEMORANDUM

To: The Honorable Mayor Partington and City Commissioners

Through: Joyce A. Shanahan, City Manager

From: Shawn Finley, Public Works Director

Date: August 4, 2021

Subject: 2021 Roadway Resurfacing - Bid Award

Commission Goal: N/A

Introduction

This is a request for award of a bid for the construction of the 2021 Roadway Resurfacing Project, Bid Number 2021-21.

Background

2021 Road Resurfacing is a scheduled Capital Improvement Project. The work will include approximately 2.65 miles of additional asphalt road resurfacing on various streets throughout the City and replacement of curb and gutter on several streets where the curb and gutter is degraded. Also included in the project is the repair of adjacent sidewalks to bring them up to ADA standards. Street location maps are attached as exhibits to this memo. The project contract documents have been prepared by the City's Engineering Division. A disposition item for advertisement of competitive bidding for the project was presented to the City Commission on June 1, 2021.

Discussion

On July 6, 2021, bids for the project were opened, and four (4) bids were received. Bids ranged from a high of \$487,765.00 to a low of \$399,844.00. The low bidder was Masci General Contractor, Inc., of Port Orange, Florida. The bid tabulation has been included for reference. Masci General Contractor, Inc., has successfully completed similar projects for the City and is recommended by staff for this project.

Budget Impact

Funding in the amount of \$450,000 was included in the FY 2020-21 budget of the 308-Transportation Improvement Fund for this project.

Citizen Impact

Residents will experience minor, temporary traffic delays and access inconveniences associated with the construction activities of this project. One to two streets are typically milled within a day and new asphalt is paved typically within two to three days after milling. The process of removing and replacing curb and gutter will usually take approximately three to five weeks. Work will be performed between 7:00 a.m. to 7:00 p.m., Monday through Friday. Road resurfacing is an important pavement maintenance activity which prolongs the service life of city roads and defers costly reconstruction of roadways.

Recommendation

Staff recommends award of the bid for the 2021 Roadway Resurfacing Project, Bid Number 2021-21, to Masci General Contractor, Inc., at the contract amount of \$399,844.00.

Attachments:

- 21-121 Road paving Resurfacing - Masci (P21-0100G) (PDF)
- Masci GC Bid (PDF)
- Street List & Maps (PDF)
- Bid Tabulation 2021-21 (PDF)

REVIEWED BY:


Kelly McGuire, Finance Director 7/23/2021

APPROVED BY:


Joyce A. Shanahan, City Manager 7/27/2021

RESOLUTION NO. 2021-121

A RESOLUTION ACCEPTING A BID FROM MASCI GENERAL CONTRACTOR, INC. FOR CONSTRUCTION SERVICES REGARDING THE 2021 ROADWAY REPAVING PROJECT, UNDER BID NO. 2021-21; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; REJECTING ALL OTHER BIDS; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, the City advertised for bids (Bid No. 2021-21) regarding construction services for the 2021 roadway repaving project (“the Project”) pursuant to section 2-300, *Code of Ordinances*, and

WHEREAS, the City’s professional staff have reviewed the bids received and have determined that the bid submitted by Masci General Contractor, Inc. in the amount of \$399,844.00 (a copy of which is attached hereto and incorporated herein by reference) is the lowest responsible and responsive bid, and

WHEREAS, the City Manager has certified that funds for the Project have been appropriated to the credit of the Transportation Improvement Fund (308) and have not been appropriated for any other purpose, and

WHEREAS, the City Commission concurs with the foregoing recommendations, now therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA, THAT:

SECTION ONE. The bid submitted by Masci General Contractor, Inc. to perform the Project at a total cost not to exceed \$399,844.00 is hereby accepted.

SECTION TWO. All other bids relative to the aforescribed Project shall be deemed rejected upon the execution of a contract with Masci General Contractor, Inc.

SECTION THREE. The Mayor and the City Manager are hereby authorized and directed to execute a contract with Masci General Contractor, Inc. for the performance of the Project at the said price, and to pay the cost thereof from the Transportation Improvement Fund.

SECTION FOUR. This Resolution shall take effect immediately upon its adoption.

APPROVED AND AUTHENTICATED this 4th day of August, 2021.

BILL PARTINGTON
Mayor

ATTEST:

WENDY J. HONTZ
Acting City Clerk

**SECTION 00300
BID**

CONTRACTORS NAME Masci General Contractor, Inc. LICENSE NO. CGC1518864
CUC056854
PE68418

PROJECT IDENTIFICATION:

ROADWAY RESURFACING 2021

CONTRACT IDENTIFICATION AND NUMBER:

Bid No. 2021-21

THIS BID IS SUBMITTED TO:

(Name and Address of Owner)

City of Ormond Beach
22 South Beach Street
Ormond Beach, Florida 32174

1. The undersigned BIDDER proposes and agrees, if this Bid is accepted, to enter into an Agreement with OWNER in the form included in the Contract Documents to complete all Work as specified or indicated in the Contract Documents for the Contract Price and within the Contract Time indicated in this Bid and in accordance with the Contract Documents.

2. BIDDER certifies that he has investigated the requirements to do business in the jurisdiction where the project is located, and that he is either qualified to do business or will obtain such prequalification prior to award of the contract.

3. BIDDER accepts all of the terms and conditions of the Instructions to Bidders (Section 00100) including, without limitation, those dealing with the disposition of Bid Security, Public Entity Crimes, and Minority Policies. This Bid will remain open for 90 days after the day of Bid opening. BIDDER will sign the Agreement and submit the Contract security and other documents required by the Contract Documents within ten (10) days after the date of OWNER'S Notice of Award.

4. In submitting this Bid, BIDDER represents, as more fully set forth in the Agreement, that:

(a) BIDDER has examined copies of all the Contract Documents and of the following addenda:

<u>Date</u>	<u>Number</u>
<u>06/08/2021</u>	<u>1</u>
<u>06/29/2021</u>	<u>2</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

(receipt of all of which is hereby acknowledged) and also copies of the Advertisement to Bid and the Instructions to Bidders;

BID (Cont'd.)
ROADWAY RESURFACING 2021
ORMOND BEACH, FLORIDA

(b) BIDDER has examined the site and locality where the Work is to be performed, the legal requirements (federal, state and local laws, ordinances, rules and regulations) and the conditions affecting cost, progress or performance of the Work and has made such independent investigations as BIDDER deems necessary.

(c) This Bid is genuine and not made in the interest of or on behalf of any undisclosed person, firm or corporation and is not submitted in conformity with any agreement or rules of any group, association, organization or corporation; BIDDER has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid; BIDDER has not solicited or induced any person, firm or a corporation to refrain from bidding; and BIDDER has not sought by collusion to obtain for himself any advantage over any other Bidder or over OWNER; and

5. BIDDER will complete the Work for the following price(s):

BID SCHEDULE

Item No.	Item Description	Item Quantity	Unit	Unit Price	Total Estimated Price
1	Asphalt Concrete Surface Course-S.P. 9.5	2900	Tons	\$95.90	\$278,110.00
2	Asphalt Concrete Leveling Course - S.P. 9.5	290	Tons	\$95.90	\$27,811.00
3	Mill Existing Surface	34500	SY	\$1.30	\$44,850.00
4	Adjust Manhole to Grade	31	EA	\$350.00	\$10,850.00
5	Adjust Valves to Grade	6	EA	\$50.00	\$300.00
6	Thermoplastic Striping	1	LS	\$11,123.00	\$11,123.00
7	Curb & Gutter	250	LF	\$23.00	\$5,750.00
8	Miscellaneous Driveway	250	SY	\$39.90	\$9,975.00
9	Sidewalk	250	SY	\$37.90	\$9,475.00
10	Asphalt Millings	400	CY	\$4.00	\$1,600.00

TOTAL BID

\$ 399,844.00

(Figures)

Three Hundred Ninety Nine Thousand Eight Hundred Forty Four Dollars and No Cents

(Words)

BID (Cont'd.)
ROADWAY RESURFACING 2021
ORMOND BEACH, FLORIDA

7.D.b

BIDDER acknowledges that the quantities are not guaranteed and final payment will be based on actual quantities determined as provided in the Contract Documents.

BIDDER agrees that the Work will be substantially completed within 120 calendar days after the date when the Contract Time commences to run, and completed within 150 calendar days after the date when the Contract Time commences to run.

BIDDER recognizes that time is of the essence to complete this Project and that OWNER will suffer financial loss if the Work is not substantially complete within the time specified above, plus any extensions thereof allowed in accordance with Article 12 of the General Conditions. The BIDDER also recognize the delays, expense and difficulties involved in proving, in a legal or arbitration proceeding, the actual loss suffered by OWNER if the Work is not substantially complete on time. Accordingly, instead of requiring any such proof, OWNER has determined and BIDDER agrees to accept that as liquidated damages for delay (but not as a penalty) CONTRACTOR shall pay OWNER Three Hundred Dollars (\$ 300) for each calendar day that expires after the time specified above for substantial completion until the Work is substantially complete. After substantial completion, if CONTRACTOR shall neglect, refuse or fail to complete the remaining Work within the time specified above for completion and readiness for final payment or any proper extension thereof granted by OWNER, CONTRACTOR shall pay the OWNER an amount equal to all actual expenses incurred by the OWNER as a direct result of the CONTRACTOR'S negligence, refusal, or failure to so complete the remaining work. In the event the CONTRACTOR is terminated or abandons the work prior to the scheduled date for final completion, the CONTRACTOR may be liable for both liquidated damages attributable to delay and for excess completion costs.

6. The following documents are attached to and made a condition of this Bid:

- (a) Required Bid Security in the form of
 - (1) a certified check drawn in favor of the City of Ormond Beach in the amount of 5 percent of the total bid; or
 - (2) a Bid Bond in the amount of 5 percent of the total bid.
- (b) Equipment, Material, and Subcontractors List
- (c) All information required by the Trench Safety Act (Part VI, Chapter 553, Florida Statutes).
- (d) Drug Free Workplace Certificate
- (e) Conflict, Non-Conflict of Interest, Litigation Statement
- (f) Local Vendor Preference
- (g) Verification of Employment Status Using E-Verify System

BID (Cont'd.)
ROADWAY RESURFACING 2021
ORMOND BEACH, FLORIDA

7. Communications to the BIDDER concerning this Bid shall be addressed to:

Mailing Address: Masci General Contractor, Inc.

Street Address: 5752 S. Ridgewood Avenue

City, State, Zip Code: Port Orange, FL 32127

Email: leticiamasci@mascigc.com

Telephone No.: 386-322-4500

Fax No.: 386-322-4600

8. The terms used in this Bid which are defined in the General Conditions of the Construction Contract included as part of the Contract DOCUMENTS have the meanings assigned to them in the General Conditions.

SUBMITTED on July 6, 2021.

If BIDDER is:

An Individual

By N/A

(Individual's Name - Signature)

(SEAL)

(Individual's Name - Typed or Printed)

doing business as _____

Business address: _____

Phone No.: _____

Fax No.: _____

BID (Cont'd.)
ROADWAY RESURFACING 2021
ORMOND BEACH, FLORIDA

If BIDDER is:

A Partnership

By N/A (SEAL)
(Firm Name)

(General Partner - Signature)

(General Partner - Typed or Printed)

Business Address: _____

Phone No.: _____

Fax No.: _____

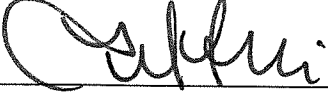
BID (Cont'd.)
ROADWAY RESURFACING 2021
ORMOND BEACH, FLORIDA

If BIDDER is:

A Corporation

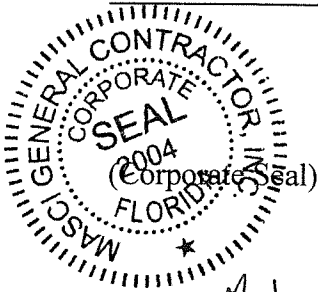
By Masci General Contractor, Inc.
 (Corporation Name)

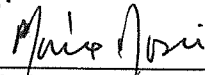
Florida
 (State of Incorporation)

By 
 (Name of Person Authorized to Sign - Signature)

Leticia M. Ferreira
 (Name of Person Authorized to Sign - Typed or Printed)

Vice President
 (Title)



Attest 
 Maria Masci, Corporate Secretary

Business address: Masci General Contractor, Inc.

5752 S. Ridgewood Avenue

Port Orange, FL 32127

Phone No.: 386-322-4500

Fax No.: 386-322-4600

BID (Cont'd.)
ROADWAY RESURFACING 2021
ORMOND BEACH, FLORIDA

If BIDDER is:

A Joint Venture

By N/A
(Name - Signature)

(Name - Typed or Printed)

Address: _____

Phone No.: _____

Fax No.: _____

By _____
(Name - Signature)

(Name - Typed or Printed)

Address: _____

Phone No.: _____

Fax No.: _____

(Each joint venturer must sign. The manner of signing for each individual, partnership and corporation that is a party to the joint venture should be in the manner indicated above.)

BID (Cont'd.)
ROADWAY RESURFACING 2021
ORMOND BEACH, FLORIDA

7.D.b

Subcontractors:

Work Classification: _____

Name: _____

Address: _____

Phone Number: _____ Fax Number: _____

Work Classification: _____

Name: _____

Address: _____

Phone Number: _____ Fax Number: _____

Work Classification: _____

Name: _____

Address: _____

Phone Number: _____ Fax Number: _____

Work Classification: _____

Name: _____

Address: _____

Phone Number: _____ Fax Number: _____

Work Classification: _____

Name: _____

Address: _____

Phone Number: _____ Fax Number: _____

BID (Cont'd.)
ROADWAY RESURFACING 2021
ORMOND BEACH, FLORIDA

TRENCH SAFETY STANDARDS

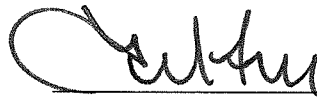
If this project includes trench excavation in excess of five (5) feet in depth, the following trench safety standards will be in effect during the period of construction of the project:

The Occupational Safety and Health Administration's excavation safety standards, 29 C.F.R.s. 1926.650 Subpart P, and any regulation promulgated there under are hereby incorporated as the standard for this project.

The Bidder hereby certifies that the Contractor performing the trench excavation will comply with the applicable trench safety standards.

The Bidder further certifies that the cost (which is included in his unit cost) of compliance with applicable trench safety standards is:

	<u>Estimated Quantity</u>	<u>Units</u>	<u>Unit Price</u>	<u>Total Estimated Price</u>
<u>ITEM</u>				
1. Trench Excavation	<u>100</u>	L.F.	<u>\$5.00</u>	<u>\$500.00</u>
2. Sheeting/Shoring	<u> </u>	S.F.	<u> </u>	<u> </u>



Name (signature)

07/06/2021

Date

Leticia M. Ferreira

Name (typed or printed)

Vice President

Title

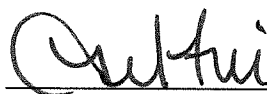
BID (Cont'd.)
ROADWAY RESURFACING 2021
ORMOND BEACH, FLORIDA

7.D.b

DRUG-FREE WORKPLACE CERTIFICATION

Identical Or "Tie" Bids: Preference shall be given to businesses with drug-free workplace programs. Whenever two or more proposals which are equal in respect to price, quality, and service are received by the State or by any political subdivision for the procurement of commodities or contractual services, a bid received from a business that certifies that it has implemented a drug-free workplace program shall be given preference in the award process. Established procedures for processing tie bids will be followed if none of the tied vendors have a drug-free workplace program. In order to have a drug-free workplace program, a business shall:

- 1) Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
- 2) Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violation.
- 3) Give each employee that engages in providing the commodities or contractual services that are under bid a copy of the statement specified in subsection (1).
- 4) In the statement specified in subsection (1), notify the employees that, as a condition of working on the commodities or contractual services that are under bid, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation of Chapter 893 or of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than five (5) calendar days after such conviction.
- 5) Impose sanctions on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community, by any employee who is so convicted.
- 6) Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.



07/06/2021

Name (signature)

Date

Leticia M. Ferreira

Name (typed or printed)

Vice President

Title

BID (Cont'd.)
ROADWAY RESURFACING 2021
ORMOND BEACH, FLORIDA

7.D.b

CONFLICT, NON-CONFLICT OF INTEREST STATEMENT
LITIGATION STATEMENT

1.

- ☒ To the best of our knowledge, the undersigned firm has no potential conflicts of interest due to any other clients or contracts for this project.
- ☐ The undersigned firm, by attachment to this form, submits information which may be a potential conflict of interest due to other clients or contracts for this project.

2.

- ☐ The undersigned firm has had no litigation on any project in the last five (5) years.
- ☐ The undersigned firm, by attachment to this form, submits a summary and disposition of individual cases of litigation during the past five (5) years.

Masci General Contractor, Inc.

COMPANY NAME



AUTHORIZED SIGNATURE

Leticia M. Ferreira

NAME (PRINT OR TYPE)

Vice President

TITLE

07/06/2021

DATE

BID (Cont'd.)
ROADWAY RESURFACING 2021
ORMOND BEACH, FLORIDA

7.D.b

LOCAL VENDOR PREFERENCE

The following is taken from the Code of Ordinances, City of Ormond Beach, Chapter 2, Financial Matters, Division 3, Purchasing, Article IX, Section 2-304:

Except where otherwise provided by federal or state law or other funding source restrictions, purchases of goods and services under the Purchasing Code shall give preference to local businesses as follows:

- (a) Under a competitive bid solicitation, the City *may* give a local preference in the amount of three percent (3%) of the bid price or \$25,000, whichever is less. The bid price shall include not only the base bid price but all alternatives which are part of the bid and actually purchased or awarded.
- (b) A *local business* shall mean a vendor that has a valid occupational license issued by the City of Ormond Beach at least one year prior to bid opening, with a physical business address located within the municipal boundaries of the City of Ormond Beach from which the vendor operates or performs business on a day-to-day basis that is a substantial component of the goods or services being offered and has provided a Local Vendor Affidavit of Eligibility at the time the bid is submitted.
- (c) A *Local Vendor Affidavit of Eligibility* shall accompany the bid submittal to be considered valid and shall include, but not be limited to, the following information:
 - (1) A physical business and location address;
 - (2) A copy of current City of Ormond Beach Local Business Tax Receipt (occupational license) to verify the business location;
 - (3) Proof of payment of business tax and real property tax due to the City of Ormond Beach;
 - (4) A copy of the firm's most recent annual corporation report to the Florida Division of Corporations;
 - (5) Any additional information necessary to verify local status.
- (d) *Exemptions*: Goods or services provided under a cooperative purchasing agreement, contracts for professional services subject to Consultants' Competitive Negotiation Act, purchases or contracts funded in whole or part by a governmental entity that does not allow local preferences, purchases made under another agency's agreements or contracts (piggybacking), purchases under emergency or sole source situations and procurements subject to formal proposals including but not limited to request for proposals (RFP) or continuing contract, and request for quotes (RFQ) versus straight competitive bids.
- (e) This section shall not be deemed to require the granting of a local preference, and nothing herein prohibits the award of a contract to a non-local vendor where such award is in the public interest.

1977
BID (Cont'd.)
ROADWAY RESURFACING 2021
ORMOND BEACH, FLORIDA

7.D.b

LOCAL VENDOR AFFIDAVIT OF ELIGIBILITY

I certify that my company meets all of the following qualifications to be eligible for the local vendor preference:

- a. My company has a physical business address located within the municipal boundaries of the City of Ormond Beach which is used to perform business on a day-to-day basis.
- b. My company holds any business (occupational) or contractor license required by the City of Ormond Beach at least one year prior to bid opening.
- c. Payment of business tax and real property tax due to the City of Ormond Beach is current
- d. My company is in compliance with annual reporting to the Florida Division of Corporations

Company Name: _____

Address: _____

Business or Contractor License Number: _____

Phone Number: _____ Fax Number: _____

Owner's Name: _____ Signature: _____

Sworn to before me this _____ day of _____

Notary Public for the State of _____ My Commission Expires _____

Notary Public Signature: _____

Printed Name: _____

To be approved as a local bidder and receive bid preference on an eligible local project, this affidavit of eligibility, a copy of your local business or contractor license, copy of business tax/real property tax and a copy of the firm's most recent annual corporation report must be submitted with your bonafide BID package. Bid preference is provided at the City's sole discretion.

VENDOR DO NOT COMPLETE BELOW

To be verified and completed by an authorized representative of the City of Ormond Beach's Purchasing Department:

Vendor Certified by: _____ Date: _____

BID (Cont'd.)
ROADWAY RESURFACING 2021
ORMOND BEACH, FLORIDA

7.D.b

VERIFICATION OF EMPLOYMENT STATUS USING E-VERIFY SYSTEM

1. Undersigned firm warrants it **IS** currently registered with the U.S. Department of Homeland Security's E-Verify system, **and** is compliant with the requirements of Sections 448.09 and 448.095, *Florida Statutes*.
2. Undersigned firm warrants it **has not** had any contracts terminated as a result of violations of Sections 448.09 or 448.095, *Florida Statutes*, that prohibit it from contracting with a public agency.
3. Undersigned firm warrants that if it enters into an agreement with a subcontractor, an express provision shall be included in all of its subcontracts requiring subcontractors, who perform work or provide services pursuant to the contract, to use the E-Verify system to verify employment eligibility of all new employees hired by the subcontractor during the contract term.
4. Undersigned firm understands that any subcontractor must provide the contractor with an affidavit stating that the subcontractor does not employ, contract with, or subcontract with an unauthorized alien, and the contractor understands it shall maintain any such affidavits for the duration of the contract, and the contract with the subcontractor must be immediately terminated if the City has a good faith belief that the subcontractor knowingly violated Section 448.09 (1), *Florida Statutes*.
5. Undersigned firm understands that in the event the City has a good faith belief that the contractor has knowingly violated Section 448.09 (1), *Florida Statutes*, the City shall terminate the contract, and the contractor may not be awarded a public contract for a period of at least one (1) year after the date of termination. The contractor may be held liable for any additional costs incurred by the City as a result of termination of the contract.

Masci General Contractor, Inc.

COMPANY NAME



AUTHORIZED SIGNATURE

Leticia M. Ferreira

NAME (PRINT OR TYPE)

Vice President

TITLE

07/06/2021

DATE

END OF BID

00300-15

**SECTION 00410
BID BOND**

KNOW ALL MEN BY THESE PRESENTS, that we Masci General Contractor, Inc.

5752 S. Ridgewood Avenue, Port Orange, FL 32127

(hereinafter called Principal) and

Arch Insurance Company, Harborside 3, 210 Hudson St., #300, Jersey City, NJ 07311-1107

(hereinafter called the Surety) a corporation chartered and existing under the Laws of the State of Missouri

Hudson in New Jersey of with its principal offices in the County of Hudson and authorized to do business in the State of Florida, in the full and just sum of Five Percent of Amount Bid

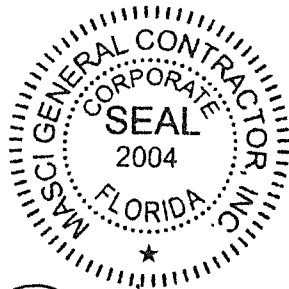
----- Dollars (\$ -----5%-----) good and lawful money of the United States of America, to be paid upon demand of the City of Ormond Beach, Florida, to which payment well and truly to be made we bind ourselves, our heirs, executors, administrators, and assigns, jointly and severally and firmly by these presents,

WHEREAS, the Principal is about to submit, or has submitted to the City of Ormond Beach, Florida, a bid for work to be done on the **Roadway Resurfacing 2021 (Bid No. 2021-21)** in, and for the City and

WHEREAS, the Principal desires to file this bond in accordance with law, in lieu of a certified or cashier's check otherwise required to accompany this Bid.

NOW, THEREFORE: the conditions of this obligation are such that if the Bid be accepted the Principal shall within ten (10) days after the receipt of notification of the acceptance thereof execute a contract in accordance with the Bid and upon the terms, conditions and unit or lump sum prices set forth therein, in the form and manner required by the Owner, and execute a sufficient and satisfactory Contract Bond payable to the Owner, in an amount not less than the total contract price, as indicated by the approximate quantities shown in the Bid, in form and with security satisfactory to the said City, then this obligation to be void; otherwise to be and remain in full force and virtue in law; and the Surety shall upon the failure of the Principal to comply with any or all of the foregoing requirements within the time specified above, immediately pay to the aforesaid City upon demand the amount hereof in good and lawful money of the United States of America, not as a penalty, but as liquidated damages.

IN TESTIMONY WHEREOF, the Principal and Surety have caused these presents to be duly signed and sealed this 6th day July, 2021.



ATTEST:

Gloria A. Richards
(SEAL)

Gloria A. Richards, Witness

Masci General Contractor, Inc.

By:

(Principal)
Leida M. Ferreira, Vice President

Arch Insurance Company

By:

(Surety)
Teresa L. Durham
Teresa L. Durham, Attorney-in-Fact
and Florida Licensed Resident Agent
Inquiries: 407-786-7770

**END OF SECTION
00410 - 1**

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated. Not valid for Note, Loan, Letter of Credit, Currency Rate, Interest Rate or Residential Value Guarantees.

POWER OF ATTORNEY

Know All Persons By These Presents:

That the Arch Insurance Company, a corporation organized and existing under the laws of the State of Missouri, having its principal administrative office in Jersey City, New Jersey (hereinafter referred to as the "Company") does hereby appoint:

Cheryl Foley, Emily Golecki, Gloria A. Richards, Jeffrey W. Reich, Kim E. Niv, Lisa Roseland, Robert P. O'Linn, Sarah K. O'Linn, Susan L. Reich and Teresa L. Durham of Maitland, FL (EACH)

its true and lawful Attorney(s)-in-Fact, to make, execute, seal, and deliver from the date of issuance of this power for and on its behalf as surety, and as its act and deed: Any and all bonds, undertakings, recognizances and other surety obligations, in the penal sum not exceeding Ninety Million Dollars (90,000,000.00). This authority does not permit the same obligation to be split into two or more bonds in order to bring each such bond within the dollar limit of authority as set forth herein.

The execution of such bonds, undertakings, recognizances and other surety obligations in pursuance of these presents shall be as binding upon the said Company as fully and amply to all intents and purposes, as if the same had been duly executed and acknowledged by its regularly elected officers at its principal administrative office in Jersey City, New Jersey.

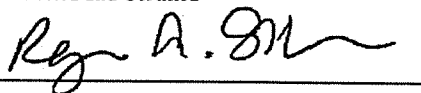
This Power of Attorney is executed by authority of resolutions adopted by unanimous consent of the Board of Directors of the Company on December 11, 2020, true and accurate copies of which are hereinafter set forth and are hereby certified to by the undersigned Secretary as being in full force and effect:

"VOTED, That the Chairman of the Board, the President, or the Executive Vice President, or any Senior Vice President, of the Surety Business Division, or their appointees designated in writing and filed with the Secretary, or the Secretary shall have the power and authority to appoint agents and attorneys-in-fact, and to authorize them subject to the limitations set forth in their respective powers of attorney, to execute on behalf of the Company, and attach the seal of the Company thereto, bonds, undertakings, recognizances and other surety obligations obligatory in the nature thereof, and any such officers of the Company may appoint agents for acceptance of process."

This Power of Attorney is signed, sealed and certified by facsimile under and by authority of the following resolution adopted by the unanimous consent of the Board of Directors of the Company on December 11, 2020:

VOTED, That the signature of the Chairman of the Board, the President, or the Executive Vice President, or any Senior Vice President, of the Surety Business Division, or their appointees designated in writing and filed with the Secretary, and the signature of the Secretary, the seal of the Company, and certifications by the Secretary, may be affixed by facsimile on any power of attorney or bond executed pursuant to the resolution adopted by the Board of Directors on December 11, 2020, and any such power so executed, sealed and certified with respect to any bond or undertaking to which it is attached, shall continue to be valid and binding upon the Company. In Testimony Whereof, the Company has caused this instrument to be signed and its corporate seal to be affixed by their authorized officers, this 11th day of May, 2021

Attested and Certified



Regan A. Shulman, Secretary



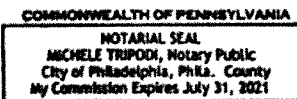
Arch Insurance Company

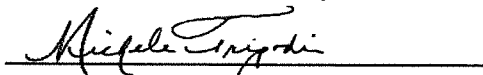


Stephen C. Ruschak, Executive Vice President

STATE OF PENNSYLVANIA SS
COUNTY OF PHILADELPHIA SS

I, Michele Tripodi, a Notary Public, do hereby certify that Regan A. Shulman and Stephen C. Ruschak personally known to me to be the same persons whose names are respectively as Secretary and Executive Vice President of the Arch Insurance Company, a Corporation organized and existing under the laws of the State of Missouri, subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that they being thereunto duly authorized signed, sealed with the corporate seal and delivered the said instrument as the free and voluntary act of said corporation and as their own free and voluntary acts for the uses and purposes therein set forth.



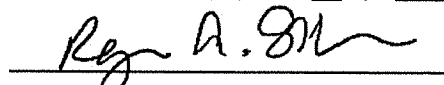


Michele Tripodi, Notary Public
My commission expires 07/31/2021

CERTIFICATION

I, **Regan A. Shulman**, Secretary of the Arch Insurance Company, do hereby certify that the attached **Power of Attorney dated May 11, 2021** on behalf of the person(s) as listed above is a true and correct copy and that the same has been in full force and effect since the date thereof and is in full force and effect on the date of this certificate; and I do further certify that the said Stephen C. Ruschak, who executed the Power of Attorney as Executive Vice President, was on the date of execution of the attached Power of Attorney the duly elected Executive Vice President of the Arch Insurance Company.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the Arch Insurance Company on this 6th day of JULY 2021.



Regan A. Shulman, Secretary

This Power of Attorney limits the acts of those named therein to the bonds and undertakings specifically named therein and they have no authority to bind the Company except in the manner and to the extent herein stated.

PLEASE SEND ALL CLAIM INQUIRIES RELATING TO THIS BOND TO THE FOLLOWING ADDRESS:

Arch Insurance – Surety Division
3 Parkway, Suite 1500
Philadelphia, PA 19102



To verify the authenticity of this Power of Attorney, please contact Arch Insurance Company at SuretyAuthentic@archinsurance.com
Please refer to the above named Attorney-in-Fact and the details of the bond to which the power is attached.



Ron DeSantis, Governor

Halsey Beshears, Secretary



STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

CONSTRUCTION INDUSTRY LICENSING BOARD

THE GENERAL CONTRACTOR HEREIN IS CERTIFIED UNDER THE
 PROVISIONS OF CHAPTER 489, FLORIDA STATUTES

MASCI, LEONEL ANDRES

MASCI GENERAL CONTRACTOR, INC.
 5752 S RIDGEWOOD AVE
 PORT ORANGE FL 32127

LICENSE NUMBER: CGC1518864

EXPIRATION DATE: AUGUST 31, 2022

Always verify licenses online at MyFloridaLicense.com



Do not alter this document in any form.

This is your license. It is unlawful for anyone other than the licensee to use this document.



Ron DeSantis, Governor

Halsey Beshears, Secretary



STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

CONSTRUCTION INDUSTRY LICENSING BOARD

THE UNDERGROUND UTILITY & EXCAVATION CO HEREIN IS CERTIFIED UNDER THE
PROVISIONS OF CHAPTER 489, FLORIDA STATUTES

MASCI, LEONEL ANDRES

MASCI CONSTRUCTION INC
5752 S RIDGEWOOD AVE
HARBOR OAKS FL 32127

LICENSE NUMBER: CUC056854

EXPIRATION DATE: AUGUST 31, 2022

Always verify licenses online at MyFloridaLicense.com

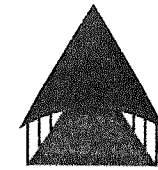


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This is your license. It is unlawful for anyone other than the licensee to use this document.



Ron DeSantis, Governor



FBPE
FLORIDA BOARD OF
PROFESSIONAL ENGINEERS

STATE OF FLORIDA

BOARD OF PROFESSIONAL ENGINEERS

THE PROFESSIONAL ENGINEER HEREIN IS LICENSED UNDER THE
PROVISIONS OF CHAPTER 471, FLORIDA STATUTES

MASCI, LEONEL ANDRES

5752 SOUTH RIDGEWOOD AVE
PORT ORANGE FL 32127

LICENSE NUMBER: PE68418

EXPIRATION DATE: FEBRUARY 28, 2023

Always verify licenses online at MyFloridaLicense.com



Do not alter this document in any form.

This is your license. It is unlawful for anyone other than the licensee to use this document.



Florida Department of Transportation

RON DESANTIS
GOVERNOR

605 Suwannee Street
Tallahassee, FL 32399-0450

KEVIN J. THIBAUT, P.E.
SECRETARY

April 22, 2021

MASCI GENERAL CONTRACTORS, INC
5752 SOUTH RIDGEWOOD AVE
PORT ORANGE, FLORIDA 32127

RE: CERTIFICATE OF QUALIFICATION

Dear Sir/Madam:

The Department of Transportation has qualified your company for the type of work indicated below. Unless your company is notified otherwise, this Certificate of Qualification will expire 6/30/2022. However, the new application is due 4/30/2022.

In accordance with S.337.14 (1) F.S. your next application must be filed within (4) months of the ending date of the applicant's audited annual financial statements.

If your company's maximum capacity has been revised, you can access it by logging into the Contractor Prequalification Application System via the following link:
<HTTPS://fdotwpl.dot.state.fl.us/ContractorPreQualification/>

Once logged in, select "View" for the most recently approved application, and then click the "Manage" and "Application Summary" tabs.

FDOT APPROVED WORK CLASSES:

DRAINAGE, FLEXIBLE PAVING, GRADING, GRASSING, SEEDING AND SODDING, HOT PLANT-MIXED BITUM. COURSES, INTERMEDIATE BRIDGES, MINOR BRIDGES, SIDEWALK, CURB & GUTTER, UNDERGROUND UTILITIES (WATER & SEWER).

You may apply for a Revised Certificate of Qualification at any time prior to the expiration date of this certificate according to Section 14-22.0041(3), Florida Administrative Code (F.A.C.), by accessing your most recently approved application as shown above and choosing "Update" instead of "View." If certification in additional classes of work is desired, documentation is needed to show that your company has done such work with your own forces and equipment or that experience was gained with another contractor and that you have the necessary equipment for each additional class of work requested.

All prequalified contractors are required by Section 14-22.006(3), F.A.C., to certify their work underway monthly in order to adjust maximum bidding capacity to available bidding capacity. You can find the link to this report at the website shown above.

Sincerely,

Darlene Anderson, for

Alan Autry, Manager
Contracts Administration Office

AA:cg

Improve Safety, Enhance Mobility, Inspire Innovation
www.fdot.gov

Form **W-9**
(Rev. October 2018)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

► Go to www.irs.gov/FormW9 for instructions and the latest information.

Give Form to the
requester. Do not
send to the IRS.

Print or type.
See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.

2 Business name/disregarded entity name, if different from above

Masci General Contractor, Inc.

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.

☐ Individual/sole proprietor or single-member LLC ☒ C Corporation ☐ S Corporation ☐ Partnership ☐ Trust/estate

☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ► _____

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is **not** disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

☐ Other (see instructions) ► _____

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) _____

Exemption from FATCA reporting code (if any) _____

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.

5752 S. Ridgewood Avenue

6 City, state, and ZIP code

Port Orange, FL 32127

7 List account number(s) here (optional)

Requester's name and address (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number

____ - ____ - ____

or

Employer identification number

2 0 - 2 0 4 5 8 0 0

Part II Certification

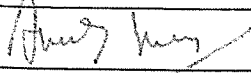
Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign
Here

Signature of
U.S. person ►



Date ► 1/13/2021

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.



MASCCON-01

BJONES

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

8/7/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER ASSOCIATES AGENCY, INC. 11470 N 53rd St Temple Terrace, FL 33617	CONTACT NAME: PHONE (A/C, No, Ext): (813) 988-1234 FAX (A/C, No): (813) 988-0989 E-MAIL ADDRESS: certs@associatesins.com
INSURER(S) AFFORDING COVERAGE	
INSURER A: Liberty Insurance Corporation NAIC # 42404	
INSURER B: Liberty Mutual Fire Insurance Company 23035	
INSURER C: Ironshore Specialty Insurance Co 25445	
INSURER D:	
INSURER E:	
INSURER F:	

COVERAGES		CERTIFICATE NUMBER:		REVISION NUMBER:		
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.						
INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☒ PROJECT ☒ LOC OTHER:		TB7-Z51-292486-020	8/8/2020	8/8/2021	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 4,000,000 PRODUCTS - COM/OP AGG \$ 4,000,000
A	AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☒ HIRED AUTOS ONLY ☒ NON-OWNED AUTOS ONLY		AS7-Z51-292486-030	8/8/2020	8/8/2021	COMBINED SINGLE LIMIT (Ea accident) \$ 2,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ PIP \$ 10,000
B	☒ UMBRELLA LIAB ☒ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE DED ☒ RETENTION \$ 0		TH7-Z51-292486-060	8/8/2020	8/8/2021	EACH OCCURRENCE \$ 3,000,000 AGGREGATE \$ 3,000,000
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) ☐ Y/N If yes, describe under DESCRIPTION OF OPERATIONS below	N/A	WC2-Z51-292486-010	8/8/2020	8/8/2021	☒ PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
C	Pollution Policy		004164400	8/8/2020	8/8/2021	Occ \$1,000,000/Agg 2,000,000
B	Equipment Floater		YM2-Z51-292486-040	8/8/2020	8/8/2021	Rented/Leased Equip 750,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

For Bidding Purposes

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

2020/ 2021

Volusia County Business Tax Receipt

Issued pursuant to F.S. 205 and Volusia County Code of Ordinances Chapter 114-1 by:
Volusia County Revenue Division - 123 W Indiana Ave, Room 103, DeLand, FL 32720 – (386) 736-5938



Account # 201902070002 Expires: September 30, 2021
Business Location: 5752 RIDGEWOOD AVE

Business Name: MASCI GENERAL CONTRACTOR, INC
Owner Name: LEONEL MASCI, P.E.
Mailing Address: 5752 S RIDGEWOOD AVE
PORT ORANGE, FL 32127

BUSINESS TYPE	REQ DOC #	CODE	COUNT	TAX
Business Service		471	14	\$80.00
Utilites-Undrgrnd or Overhead	CGC1518864	301UT	14	\$36.00
Construction Subcontractor		451	14	\$80.00
Hazardous Waste Fee		820	1	\$39.00

- This receipt indicates payment of a tax, which is levied for the privilege of doing the type(s) of business listed above within Volusia County. This receipt is non-regulatory in nature and is not meant to be a certification of the holder's ability to perform the service for which he is registered. This receipt also does not indicate that the business is legal or that it is in compliance with State or local laws and regulations.
- The business must meet all County and/or Municipality planning and zoning requirements or this Business Tax Receipt may be revoked and all taxes paid would be forfeited.
- The information contained on this Business Tax Receipt must be kept up to date. Contact the Volusia County Revenue Division for instructions on making changes to your account.

**THIS PORTION OF THE BUSINESS TAX RECEIPT MUST BE
POSTED CONSPICUOUSLY IN YOUR PLACE OF BUSINESS**

Volusia County Business Tax Receipt

Revenue Division - 123 W Indiana Ave, Room 103, DeLand, FL 32720 – (386) 736-5938

DATE PAID: 09/30/2020
RECEIPT #: BT 1-20-0000027
TOTAL TAX: 235.00
PENALTY: 0.00
TOTAL PAID: 235.00

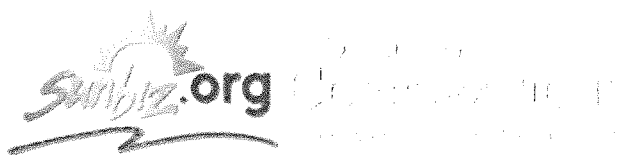


Business Name: MASCI GENERAL CONTRACTOR, INC
Owner Name: LEONEL MASCI, P.E.
Mailing Address: 5752 S RIDGEWOOD AVE
PORT ORANGE, FL 32127



Account # 201902070002 Expires: September 30, 2021
Business Location: 5752 RIDGEWOOD AVE

PLEASE DETACH THIS PORTION OF THE BUSINESS TAX RECEIPT FOR YOUR RECORDS



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Florida Profit Corporation

MASCI GENERAL CONTRACTOR, INC.

Filing Information

Document Number	P04000169369
FEI/EIN Number	20-2045800
Date Filed	12/17/2004
State	FL
Status	ACTIVE
Last Event	AMENDMENT
Event Date Filed	06/01/2010
Event Effective Date	NONE

Principal Address

5752 SOUTH RIDGEWOOD AVE
PORT ORANGE, FL 32127

Mailing Address

5752 SOUTH RIDGEWOOD AVE
PORT ORANGE, FL 32127

Registered Agent Name & Address

MASCI, MARIA
5751 WHITE ACRES LN
PORT ORANGE, FL 32127

Name Changed: 04/09/2012

Address Changed: 02/12/2007

Officer/Director Detail

Name & Address

Title President

MASCI, LEONEL
5752 SOUTH RIDGEWOOD AVE
PORT ORANGE, FL 32127

Title VP

MASCI, ANDRES

5752 SOUTH RIDGEWOOD AVE
PORT ORANGE, FL 32127

Title S

MASCI, MARIA
5751 WHITE ACRES LANE
PORT ORANGE, FL 32127

Title VP

Ferreira, Leticia Maria Masci
5752 SOUTH RIDGEWOOD AVE
PORT ORANGE, FL 32127

Annual Reports

Report Year	Filed Date
2018	02/02/2018
2019	02/07/2019
2020	01/20/2020

Document Images

<u>01/20/2020 -- ANNUAL REPORT</u>	View image in PDF format
<u>02/07/2019 -- ANNUAL REPORT</u>	View image in PDF format
<u>02/02/2018 -- ANNUAL REPORT</u>	View image in PDF format
<u>01/06/2017 -- ANNUAL REPORT</u>	View image in PDF format
<u>01/15/2016 -- ANNUAL REPORT</u>	View image in PDF format
<u>04/09/2015 -- AMENDED ANNUAL REPORT</u>	View image in PDF format
<u>01/09/2015 -- ANNUAL REPORT</u>	View image in PDF format
<u>04/03/2014 -- AMENDED ANNUAL REPORT</u>	View image in PDF format
<u>01/10/2014 -- ANNUAL REPORT</u>	View image in PDF format
<u>07/25/2013 -- AMENDED ANNUAL REPORT</u>	View image in PDF format
<u>02/19/2013 -- ANNUAL REPORT</u>	View image in PDF format
<u>04/09/2012 -- ANNUAL REPORT</u>	View image in PDF format
<u>01/06/2012 -- ANNUAL REPORT</u>	View image in PDF format
<u>01/20/2011 -- ANNUAL REPORT</u>	View image in PDF format
<u>06/01/2010 -- Amendment</u>	View image in PDF format
<u>05/17/2010 -- Amendment</u>	View image in PDF format
<u>01/14/2010 -- ANNUAL REPORT</u>	View image in PDF format
<u>01/27/2009 -- ANNUAL REPORT</u>	View image in PDF format
<u>01/14/2008 -- ANNUAL REPORT</u>	View image in PDF format
<u>02/12/2007 -- ANNUAL REPORT</u>	View image in PDF format
<u>01/19/2006 -- ANNUAL REPORT</u>	View image in PDF format
<u>04/29/2005 -- ANNUAL REPORT</u>	View image in PDF format
<u>12/17/2004 -- Domestic Profit</u>	View image in PDF format

Appendix "A"

Proposed FY 2021 Roadway Resurfacing

Street List

	Street	From	To	Approximate Street Length (ft)	Approximate Average Street Width (ft)	Milling	Pavement Application Thickness (Inches)	Curb & Gutter Replacement
1	ORMOND SHORES DR	S. ATLANTIC AVE	DEAD END	367	20	Full Width	1.5	As Directed
2	HARVARD DR	RIVERSIDE DR	S. ATLANTIC AVE	2204	21	Full Width	1.5	As Directed
3	GOLFVIEW LN	COUNTRY CLUB DR	N.HALIFAX DR	881	21	Full Width	1.5	As Directed
4	FAIRWAY DR	COUNTRY CLUB DR	COUNTRY CLUB DR	2604	20	Full Width	1.5	As Directed
5	FOXFORDS CHASE	SHADOW CROSSINGS BLVD	CUL-DE-SAC	1912	21	Full Width	1.5	As Directed
6	FOXHUNTER FLAT	FOXFORDS CHASE	HUNTSMAN LOOK	1766	20	Full Width	1.5	As Directed
7	STAGDEN LOOK	FOXFORDS CHASE	CUL-DE-SAC	209	21	Full Width	1.5	As Directed
8	WHIPPER-IN CIR	FOXFORDS CHASE	CUL-DE-SAC	256	21	Full Width	1.5	As Directed
9	FOREST HILLS BLVD	VANDERBILT DR.	FERNWAY DR	1036	20	Full Width	1.5	As Directed
10	CHARDON RD	BILTMORE DR	FERNWAY DR	600	20	Full Width	1.5	As Directed
11	PARK TER	PARK PL W	CUL-DE-SAC	230	20	Full Width	1.5	As Directed
12	PARK PLACE WEST	PARK PL	CUL-DE-SAC	680	21	Full Width	1.5	As Directed
13	PARK PL	HAND AVE	PARK PL W	1247	21	Full Width	1.5	As Directed

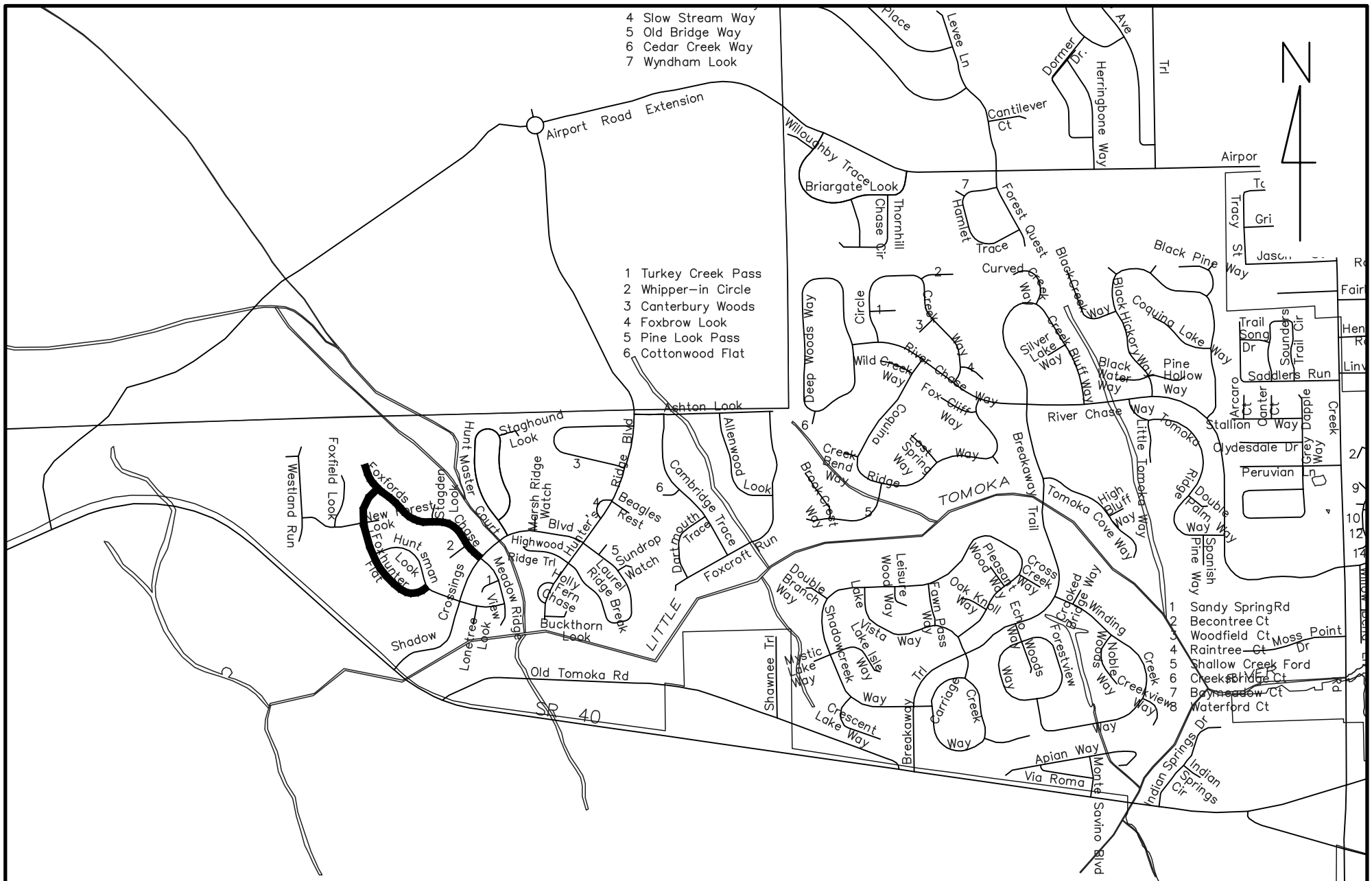
Note: All measurement to be field verified by Contractor.

Note: Blue reflective pavement markers shall be installed for each fire hydrant on all resurfaced streets.

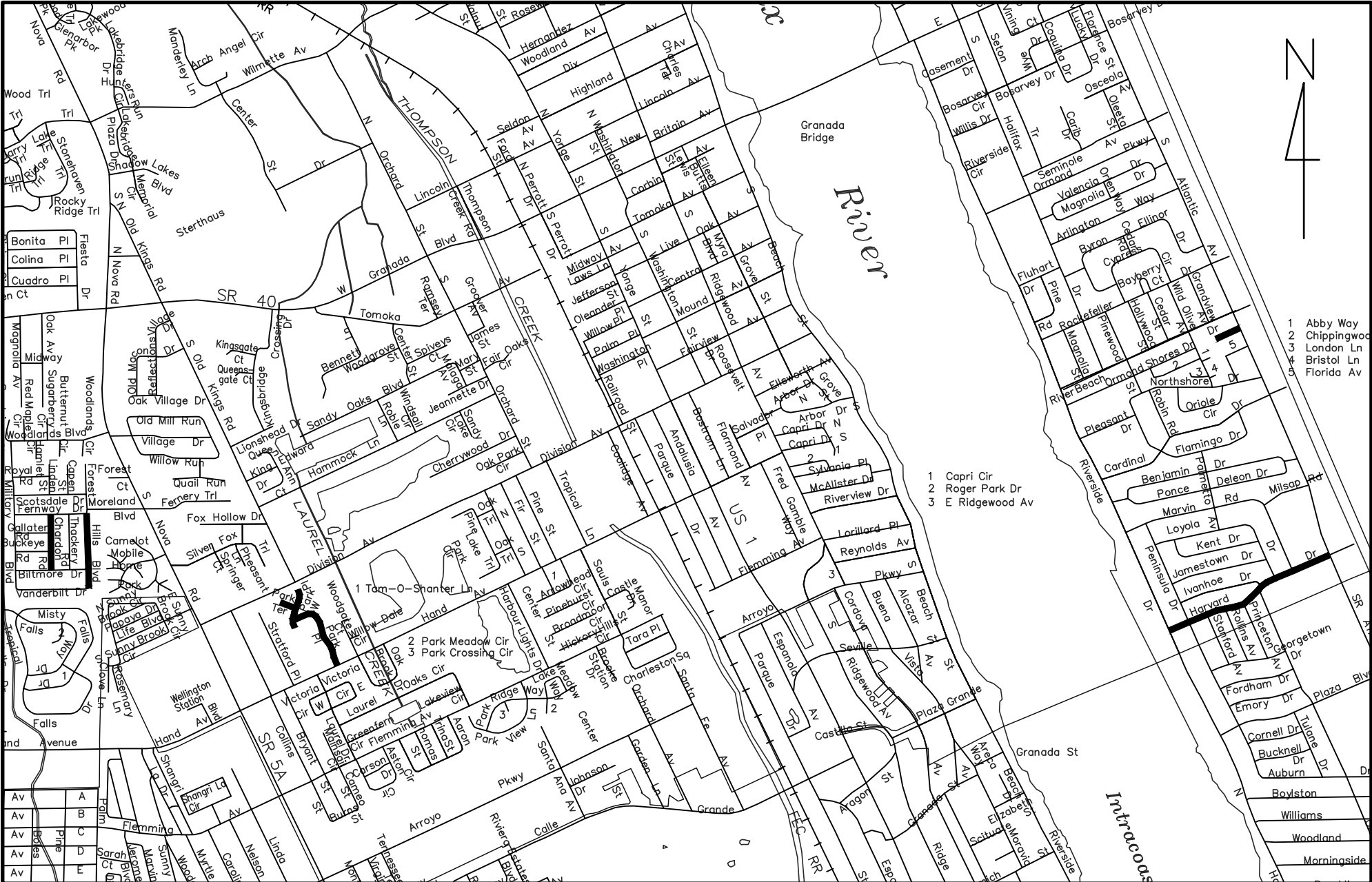
Note: Thermoplastic stop bars to be installed at all intersections with stop signs.

Note: Thermoplastic cross walks to be installed at all intersections having sidewalk approaches.

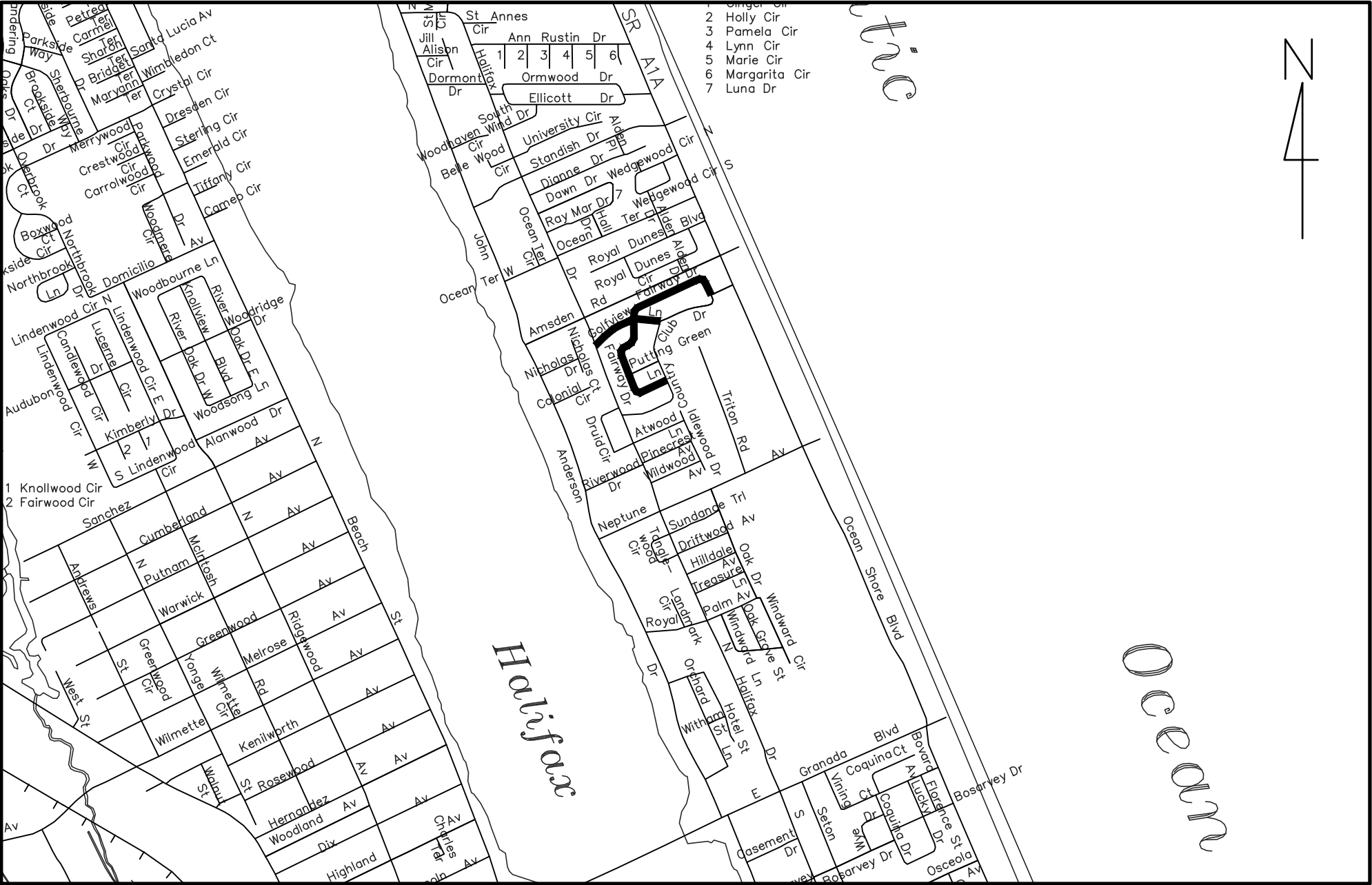
ROAD REHAB 2021



ROAD REHAB 2021



ROAD REHAB 2021





City of Ormond Beach
BID OPENING TABULATION
2021 Road Rehabilitation
Bid No. 2021-21

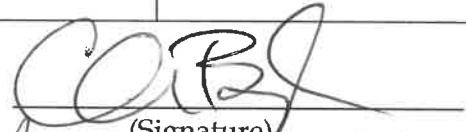
7.D.d

JUL 6 21 2:00PM

Bid Opening Date: July 6, 2021 Time: 2:00 P.M.

Company Submitting Bid	Company Address	Bid Bond	Addendum No. 1	Addendum No. 2	Total Bid
Halifax Paving Inc.	P.O. Box 730549 Ormond Beach, FL 32173	✓	✓	✓	\$ 470,500.00
Masci General Contractor, Inc.	5752 S. Ridgewood Ave. Port Orange, FL 32127	✓	✓	✓	\$ 399,844.00
SPARKS Concrete + Asphalt	4106 So. Nova Road Port Orange, FL 32127	✓	✓	✓	\$ 459,550.00
P+S Paving	3701 Olson Dr. Daytona Beach, FL 32124	✓	✓	✓	\$ 487,765.00

Opened By:


(Signature)
Assistant Finance Director
(Title)

Tabulated By:


(Signature)
Core Duck, Project Engineer.
(Title)



CITY OF ORMOND BEACH

City Manager • 22 S. Beach Street • Ormond Beach • Florida • 32174 • (386) 676-3200 • Fax (386) 676-3384

CITY MANAGER MEMORANDUM

To: The Honorable Mayor Partington and City Commissioners

Through: Joyce A. Shanahan, City Manager

From: Robert Carolin, Leisure Services Director

Date: August 4, 2021

Subject: Premier Elevator Company, Inc. Change in Corporate Entity

Commission Goal: Quality of Life - Other

Introduction

This is a request to amend the City's contract that maintains and repairs the elevators throughout the city to reflect a new corporate partnership between Premier Elevator Company, Inc. and Oracle Elevator Holdco, Inc.

Background

On March 20, 2018, via Resolution No. 2018-35, the City awarded Bid No. 2018-12 to Premier Elevator Company, Inc.

Discussion

In March 2021, the City became aware that Oracle Elevator Holdco, Inc. had formed a partnership with Premier Elevator Company, Inc. The City requested a New Vendor Packet from Oracle Elevator Holdco, Inc., which was submitted and deemed complete by purchasing staff. The corporate partnership was filed with the Secretary of State and is listed as active.

Budget Impact

The change in corporate entity has no impact on the budget.

Citizen Impact

This is an administrative matter, there is no citizen impact.

Recommendation

Staff recommends the execution of the amendment acknowledging the new entity

providing elevator services from Premier Elevator Company, Inc. to Oracle Elevator Holdco, Inc., under the same terms and conditions as the original bid award.

Attachments:

- 21-122 Oracle Elevator amendment (P21-0097G) (PDF)
- Premier Elevator chg to Oracle - Assignment-Oracle REVISED(PDF)
- DBPR Information (PDF)
- State of Florida Business Regulation (PDF)

REVIEWED BY:


Kelly McGuire, Finance Director 7/13/2021


Claire Whitley, Assistant City Manager 7/22/2021

APPROVED BY:


Joyce A. Shanahan, City Manager 7/27/2021

RESOLUTION NO. 2021-122

A RESOLUTION AUTHORIZING THE EXECUTION OF AN ASSIGNMENT AND AMENDMENT TO AGREEMENT FOR ELEVATOR SERVICES FOR THE LIMITED PURPOSE OF ACKNOWLEDGING A CHANGE IN THE CORPORATE ENTITY PROVIDING ELEVATOR INSPECTIONS AND REPAIR SERVICES FROM PREMIER ELEVATOR CO., INC. TO ORACLE ELEVATOR HOLDCO, INC.; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, on March 20, 2018 by Resolution 2018-35, the City awarded a bid for miscellaneous crafts & trades (Bid No. 2018-12) to several vendors in fifteen different categories, and

WHEREAS, Premier Elevator Co., Inc. is the vendor providing elevator inspections and repair services to the City, and

WHEREAS, the City received a letter dated March 16, 2021 from Premier Elevator Co., Inc. stating that a new corporation, Oracle Elevator Holdco, Inc., is the entity which will be providing elevator inspections and repair services for the duration of the bid term, now therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA, THAT:

SECTION ONE. The Mayor and City Manager are hereby authorized and directed to execute an Assignment and Amendment to Agreement with Premier Elevator Co., Inc. and Oracle Elevator Holdco, Inc. for the limited purpose of acknowledging the new entity

providing elevator inspections and repair services for the City. A copy of said Assignment and Amendment is attached hereto and incorporated herein by reference.

SECTION TWO. This Resolution shall take effect immediately upon its adoption.

APPROVED AND AUTHENTICATED, this 4th day of August, 2021.

BILL PARTINGTON
Mayor

ATTEST:

WENDY J. HONTZ
Acting City Clerk

ASSIGNMENT AND AMENDMENT TO AGREEMENT

THIS ASSIGNMENT AND AMENDMENT TO AGREEMENT is made and entered into by and between the **City of Ormond Beach, Florida** (hereinafter referred to as “City”), **Premier Elevator Co., Inc.** and **Oracle Elevator Holdco, Inc.**, (hereinafter referred to as “Contractor”) as of August ___, 2021 (“Effective Date”) for the purposes stated herein, as follows:

WHEREAS, the City and Premier Elevator Co., Inc. are parties to an Agreement for elevator inspections and repair services having an effective date of March 20, 2018, and

WHEREAS, on or about March 16, 2021, Premier Elevator Co., Inc. requested that Oracle Elevator Holdco, Inc. be recognized as the elevator inspections and repair services contractor under the subject Agreement, and

WHEREAS, the City Commission of the City of Ormond Beach desires to give its consent and approval of the assignment and transfer of the subject Agreement for the limited purpose of acknowledging the new entity which will provide elevator inspections and repair services for the City; now therefore,

1. The introductory paragraph of that certain Agreement between the City and Premier Elevator Co., Inc. is hereby amended to read as follows:

THIS AGREEMENT is made and entered into by and between the **City of Ormond Beach** (“City”), a Florida municipal corporation, 22 South Beach Street, Ormond Beach, Volusia County, Florida and **Oracle Elevator Holdco, Inc.** (“Contractor”), 8800 Grand Oak Circle, Suite 550, Tampa, FL 33637, and in consideration of the mutual promises and covenants herein contained, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree to the following:

2. Paragraph 9 of that certain Agreement between the City and Premier Elevator Co., Inc. is hereby amended to read as follows:

Notices. All notices which are required by this Agreement shall be provided to the parties at the following addresses, or such other addresses as may be requested in writing by either party:

City of Ormond Beach
Joyce Shanahan, City Manager
to City Attorney)
22 South Beach Street
Ormond Beach, FL 32174

Oracle Elevator Holdco, Inc.
T.J. O’Dell, General Manager (copy
8800 Grand Oak Circle
Suite 550
Tampa, FL 33637

3. Assignment. Premier does hereby convey, transfer, deliver and assign to Oracle as of the Effective Date and Oracle does hereby accept from Premier, all of Premier's right, title and interest in and to the Assigned Contract arising on and after the Effective Date.

4. Assumption. In consideration of such transfer, Oracle hereby agrees to be bound by and promptly to perform or cause to be performed the terms, conditions and covenants, if any, agreed to be done, kept and performed by Premier arising on and after the Effective Date under the Agreement as if it were the original party to the Agreement.

5. Consent. City hereby: (i) ratifies the transfer of the Assigned Contract to Oracle and waives any claims and rights against Premier that it may have in the future performance of the Assigned Contract after the Effective Date; (ii) agrees to be bound by and to perform said Assigned Contract in accordance with the conditions contained in the Assigned Contract as if it were still under contract to Premier; and (iii) agrees to fully cooperate with the transfer of the Assigned Contract to Oracle by performing all of the actions and executing all documents necessary to complete a timely transition.

6. All other terms and conditions of the subject Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Assignment and Amendment to be executed by the undersigned officials as of the date listed below.

DATED: _____, 2021.

CITY OF ORMOND BEACH, FLORIDA

BY: _____
Bill Partington, Mayor

ATTEST: _____
Joyce A. Shanahan, City Manager

DATED: _____, 2021.

PREMIER ELEVATOR CO., INC.

BY: _____

Name: _____

Title: _____

ATTEST: _____

Name: _____

Title: _____

DATED: _____, 2021.

ORACLE ELEVATOR HOLDCO, INC.

BY: _____

Name: _____

Title: _____

ATTEST: _____

Name: _____

Title: _____


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Licensee Details

Licensee Information

Name:	ORACLE ELEVATOR HOLDCO INC (Primary Name) ORACLE ELEVATOR (DBA Name)
Main Address:	250 NATIONAL PL STE 152 LONGWOOD Florida 32750
County:	SEMINOLE
License Mailing:	250 NATIONAL PL STE 152 LONGWOOD FL 32750
County:	SEMINOLE
LicenseLocation:	250 NATIONAL PL STE 152 LONGWOOD FL 32750
County:	SEMINOLE

License Information

License Type:	Registered Elevator Company
Rank:	Elevator Co.
License Number:	786
Status:	Current
Licensure Date:	05/04/2017
Expires:	12/31/2021

Special Qualifications

Qualification Effective

Alternate Names



**STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

7.E.d

**BUREAU OF ELEVATOR SAFETY
2601 BLAIR STONE ROAD
TALLAHASSEE FL 32399-1013**

850-487-1395

**ORACLE ELEVATOR HOLDCO INC
ORACLE ELEVATOR
250 NATIONAL PL STE 152
LONGWOOD FL 32750**

Congratulations! With this license you become one of the nearly one million Floridians licensed by the Department of Business and Professional Regulation. Our professionals and businesses range from architects to yacht brokers, from boxers to barbeque restaurants, and they keep Florida's economy strong.

Every day we work to improve the way we do business in order to serve you better. For information about our services, please log onto www.myfloridalicense.com. There you can find more information about our divisions and the regulations that impact you, subscribe to department newsletters and learn more about the Department's initiatives.

Our mission at the Department is: License Efficiently, Regulate Fairly. We constantly strive to serve you better so that you can serve your customers. Thank you for doing business in Florida, and congratulations on your new license!



DETACH HERE

RON DESANTIS, GOVERNOR

HALSEY BESHEARS, SECRETARY

**STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
BUREAU OF ELEVATOR SAFETY**

LICENSE NUMBER

ELC786

The ELEVATOR COMPANY
Named below IS REGISTERED
Under the provisions of Chapter 399 FS.
Expiration date: DEC 31, 2021

**REQUIRED TO CARRY OR BE COVERED
BY GENERAL LIABILITY INSURANCE**

**ORACLE ELEVATOR HOLDCO INC
ORACLE ELEVATOR
250 NATIONAL PL STE 152
LONGWOOD FL 32750**



NON-
TRANSFERABLE



ISSUED: 12/10/2020

DISPLAY AS REQUIRED BY LAW

SEQ # L20121000

Packet Pg. 116



CITY OF ORMOND BEACH

City Manager • 22 S. Beach Street • Ormond Beach • Florida • 32174 • (386) 676-3200 • Fax (386) 676-3384

CITY MANAGER MEMORANDUM

To: The Honorable Mayor Partington and City Commissioners

Through: Joyce A. Shanahan, City Manager

From: Robert Carolin, Leisure Services Director

Date: August 4, 2021

Subject: Yellowstone Landscape Athletic Fields Maintenance Contract CPI Cost Adjustment Request

Commission Goal: Quality of Life - Other

Introduction

This item is a request from Yellowstone Landscape for a Consumer Price Index (CPI) rate adjustment to the athletic field maintenance services contract with the City.

Background

The City has had an athletic field maintenance services contract with Yellowstone Landscape since 2015. As a part of that contract, the contractor may petition the City for a rate adjustment. The contract states that:

"No later than June 1, of each contract year, the Contractor may petition the City through the Contract Manager for a rate adjustment to reflect the change in the cost of doing business, as measured by fluctuations in the Consumer Price Index (CPI), All Urban Customers, published by the U.S. Department of Labor, Bureau of Labor Statistics, for the preceding July 1 - June 30 period. The maximum increase for any annual period shall be four percent (4%) which will only apply to the future year; increases will not be retroactive. The adjusted rate, if approved by the City Commission shall take effect on October 1, of the year in which approved."

Discussion

Per their contract, Yellowstone Landscape submitted a request on June 1, 2021, for a cost of doing business increase for the athletic field maintenance services contract. The adjustment to this contract for FY 2021-22 would be an additional 2.62% based on the CPI for the period.

Yellowstone Landscape provides a high quality of work in performing the athletic fields maintenance for the City of Ormond Beach. Yellowstone is proactive when providing

services, responsive to concerns, and willing to take on new projects.

The CPI provision in the current contract contemplates incremental increases in an effort to avoid steep increases at contract renewal, anticipates unknown variables at the time of negotiations, and provides for general increases in the cost of doing business. The current contract is competitively priced such that incremental CPI increases are necessary to avoid a steep market increase upon contract renewal.

Budget Impact

The contract would increase from \$589,175.08 to \$604,611.46, resulting in an annual increase of \$15,436.38. Funding for this increase has been included in the FY 21-22 Proposed Budget of the General Fund. This resolution, if adopted, will be an amendment to the current contract.

Citizen Impact

Yellowstone Landscape will continue to effectively provide athletic field maintenance services, allowing both residents and visitors to enjoy the high-quality athletic venues offered by the City of Ormond Beach.

Recommendation

Staff recommends approval of the CPI rate adjustment to the Yellowstone Landscape athletic fields' maintenance contract.

Attachments:

- 21-123 Athletic Field Maint - Yellowstone CPI (P21-0199G) (PDF)
- COB Athletic Fields CPI Letter 5.17.21 (PDF)

REVIEWED BY:


Kelly McGuire, Finance Director 7/13/2021


Claire Whitley, Assistant City Manager 7/22/2021

APPROVED BY:


Joyce A. Shanahan, City Manager 7/27/2021

RESOLUTION NO. 2021-123

A RESOLUTION AUTHORIZING A COST OF LIVING INCREASE BASED ON THE CONSUMER PRICE INDEX PURSUANT TO THE AMENDMENT AND RESTATEMENT OF AGREEMENT FOR FIELD MAINTENANCE SERVICES BETWEEN THE CITY OF ORMOND BEACH AND AUSTIN OUTDOOR, LLC d/b/a YELLOWSTONE LANDSCAPE, INC.; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, on June 2, 2015, the City of Ormond Beach and Austin Outdoor, LLC d/b/a Yellowstone Landscape, Inc. (“Yellowstone”) entered into an Amendment and Restatement of Agreement For Field Maintenance Services, and

WHEREAS, the Agreement allows the contractor to request an annual cost of living increase based on the Consumer Price Index (“CPI”), and

WHEREAS, the request by Yellowstone amounts to a 2.62% percent increase in rates pursuant to the Agreement, said increase to become effective on October 1, 2021, and

WHEREAS, City staff recommends that the request be approved by the City Commission, and

WHEREAS, the City Commission concurs with the staff recommendation, now therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA, THAT:

SECTION ONE. The City Commission hereby authorizes a CPI rate increase of 2.62% for the provision of field maintenance services by Yellowstone, said increase to become effective on October 1, 2021.

SECTION TWO. This Resolution shall take effect immediately upon its adoption.

APPROVED AND AUTHENTICATED this 4th day of August, 2021.

BILL PARTINGTON

Mayor

ATTEST:

WENDY J. HONTZ

Acting City Clerk

May 17, 2021

Mr. Michael Demchak
Grounds Contract Manager
City of Ormond Beach
22 South Beach Street
Ormond Beach, FL 32174

Re: City of Ormond Beach Athletic Fields Service Contract

Mike:

Relating to the City of Ormond Beach Athletic Fields Service Contract, page 18 of 34R paragraph 5 Cost Adjustment, please consider this letter as our request for a rate adjustment based upon the fluctuations in the Consumer Price Index, All Urban Consumers, published by the United States Department of Labor, Bureau of Statistics for the preceding period.

Thank you for your consideration. Please contact me if you have any questions or discussions on this matter at 386-248-3298 or bweatherby@yellowstonelandscape.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Weatherby". The signature is stylized with a large, sweeping loop at the end.

Brian Weatherby
Branch Manager



CITY OF ORMOND BEACH

City Manager • 22 S. Beach Street • Ormond Beach • Florida • 32174 • (386) 676-3200 • Fax (386) 676-3384

CITY MANAGER MEMORANDUM

To: The Honorable Mayor Partington and City Commissioners

Through: Joyce A. Shanahan, City Manager

From: Robert Carolin, Leisure Services Director

Date: August 4, 2021

Subject: Yellowstone Landscape Grounds Maintenance Contract CPI Cost Adjustment Request

Commission Goal: Quality of Life - Other

Introduction

This item is a request from Yellowstone Landscape for a Consumer Price Index (CPI) rate adjustment to the grounds maintenance services contract with the City.

Background

The City has had a grounds maintenance services contract with Yellowstone Landscape since 2012. As a part of that contract, the contractor may petition the City for a rate adjustment. The contract states that:

"No later than June 1, of each contract year, the Contractor may petition the City through the Contract Manager for a rate adjustment to reflect the change in the cost of doing business, as measured by fluctuations in the Consumer Price Index (CPI), All Urban Customers, published by the U.S. Department of Labor, Bureau of Labor Statistics, for the preceding July 1 - June 30 period. The maximum increase for any annual period shall be four percent (4%) which will only apply to the future year; increases will not be retroactive. The adjusted rate, if approved by the City Commission shall take effect on October 1, of the year in which approved."

Discussion

Per their contract, on June 1, 2021, Yellowstone Landscape submitted a request for a cost of doing business increase for the grounds maintenance services contract. The adjustment to this contract for FY 20-21 would be an additional 2.62% based on the CPI for the period.

Yellowstone Landscape provides a high quality of work in performing the landscaping and grounds maintenance services for the City of Ormond Beach. Yellowstone is

proactive when providing services, responsive to concerns, and willing to take on new projects.

The CPI provision in the current contract contemplates incremental increases in an effort to avoid steep increases at contract renewal, anticipates unknown variables at the time of negotiations, and provides for general increases in the cost of doing business. The current contract is competitively priced such that incremental CPI increases are necessary to avoid a steep market increase upon contract renewal.

Budget Impact

If the CPI adjustment is approved, the contract would increase from \$1,707,845.33 to \$1,752,590.87, resulting in an annual increase of \$44,745.54. Funding for the CPI adjustment has been included in the FY 21-22 Proposed Budget. This resolution, if adopted, will be an amendment to the current contract.

Citizen Impact

Yellowstone Landscape will continue to provide consistent and high-quality grounds maintenance services throughout the City for all residents and visitors to enjoy.

Recommendation

Staff recommends approval of the CPI rate adjustment to the Yellowstone Landscape grounds maintenance contract.

Attachments:

- 21-124 Grounds Maint Yellowstone CPI Adj (P21-0098G) (PDF)
- COB CPI Letter 5.17.21 (PDF)

REVIEWED BY:


Kelly McGuire, Finance Director 7/13/2021


Claire Whitley, Assistant City Manager 7/22/2021

APPROVED BY:


Joyce A. Shanahan, City Manager 7/27/2021

RESOLUTION NO. 2021-124

A RESOLUTION AUTHORIZING A COST OF LIVING INCREASE BASED ON THE CONSUMER PRICE INDEX PURSUANT TO THE GROUNDS MAINTENANCE SERVICES AGREEMENT BETWEEN THE CITY OF ORMOND BEACH AND AUSTIN OUTDOOR, LLC d/b/a YELLOWSTONE LANDSCAPE, INC.; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, on October 1, 2012, the City of Ormond Beach and Austin Outdoor, LLC d/b/a Yellowstone Landscape, Inc. (“Yellowstone”) entered into a Grounds Maintenance Services Agreement, and

WHEREAS, the Agreement allows the contractor to request an annual cost of living increase based on the Consumer Price Index (“CPI”), and

WHEREAS, the request by Yellowstone amounts to a 2.62% percent increase in rates pursuant to the Agreement, said increase to become effective on October 1, 2021, and

WHEREAS, City staff recommends that the request be approved by the City Commission, and

WHEREAS, the City Commission concurs with the staff recommendation, now therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA, THAT:

SECTION ONE. The City Commission hereby authorizes a CPI rate increase of 2.62% for the provision of grounds maintenance services by Yellowstone, said increase to become effective on October 1, 2021.

SECTION TWO. This Resolution shall take effect immediately upon its adoption.

APPROVED AND AUTHENTICATED this 4th day of August, 2021.

BILL PARTINGTON

Mayor

ATTEST:

WENDY J. HONTZ

Acting City Clerk

May 17, 2021

Mr. Michael Demchak
Grounds Contract Manager
City of Ormond Beach
22 South Beach Street
Ormond Beach, FL 32174

Re: City of Ormond Beach Grounds Maintenance Service Contract

Mike:

Relating to the City of Ormond Beach Grounds Maintenance Service Contract, page 20R paragraph 1 Cost Adjustment, please consider this letter as our request for a rate adjustment based upon the fluctuations in the Consumer Price Index, All Urban Consumers, published by the United States Department of Labor, Bureau of Statistics for the preceding period.

Thank you for your consideration. Please contact me if you have any questions or discussions on this matter at 386-248-3298 or bweatherby@yellowstonelandscape.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Weatherby". The signature is stylized with a large, sweeping loop at the end.

Brian Weatherby
Branch Manager



CITY OF ORMOND BEACH

City Manager • 22 S. Beach Street • Ormond Beach • Florida • 32174 • (386) 676-3200 • Fax (386) 676-3384

CITY MANAGER MEMORANDUM

To: The Honorable Mayor Partington and City Commissioners

Through: Joyce A. Shanahan, City Manager

From: Kevin Gray, Deputy Public Works Director

Date: August 4, 2021

Subject: C&D Franchise Renewal for Samsula Landfill, Inc.

Commission Goal: N/A

Introduction

This item is to notify the City Commission of the renewal of an existing non-exclusive franchise agreement for the collection and disposal of construction and demolition debris generated within the City of Ormond Beach to Samsula Landfill, Inc.

Background

On June 2, 2021, Samsula Landfill, Inc., a business located at 363 S. State Rd. 415, New Smyrna Beach, Florida, 32168, submitted a construction and demolition roll-off services franchise agreement renewal application, affidavit of acknowledgment of business type, and a non-refundable renewal fee of \$1,500.00 to the City of Ormond Beach.

Samsula Landfill's contract will expire on August 4, 2021. Samsula Landfill, Inc. acknowledges the per roll-off charge of \$48.95 to be remitted by the tenth day of each month accompanied with appropriate documentation.

Discussion

Attached is the construction and demolition roll-off services franchise agreement renewal application in its entirety. City staff had previously conducted background checks and a financial ability analysis of Samsula Landfill, Inc. to perform construction and demolition roll-off services within the City of Ormond Beach, and reported the checks had provided no information to disallow the City Commission to grant a non-exclusive franchise agreement.

Samsula Landfill, Inc. has been in business in the Volusia County area since 2004 and offers multiple-sized roll-off containers. The principal owners have an extensive background in the recycling and solid waste industry, and staff expects a high level of

customer satisfaction from the company.

Budget Impact

Revenues from this non-exclusive agreement will be \$5,000.00 from the receipt of the franchise fee, \$1,500.00 from the renewal fee, and approximately \$2,500.00 from pull charges.

Citizen Impact

The franchising of waste haulers ensures that these businesses operate within the requirements of the City of Ormond Beach. Currently, Samsula Landfill, Inc., Waste Management Inc. of Florida, Waste Pro of Florida, Creech Enterprises, Inc., WCA America, and GEL Recycling serve as the only roll-off haulers permitted to do business within the corporate limits of the City of Ormond Beach. Having a variety of authorized haulers provides residents a varied selection from which to choose.

Recommendation

City staff is providing public notice of its intent to renew the non-exclusive franchise agreement for the collection and disposal of construction and demolition debris generated within the City of Ormond Beach to Samsula Landfill from August 4, 2021, to August 4, 2022, unless otherwise instructed by the City Commission.

Attachments:

- Samsula Landfill 2021 (PDF)

REVIEWED BY:


Kelly McGuire, Finance Director 6/22/2021


Claire Whitley, Assistant City Manager 7/22/2021

APPROVED BY:


Joyce A. Shanahan, City Manager 7/27/2021

City of Ormond Beach
Public Works Department
Construction & Demolition Roll Off Services Franchise Application

Check one

☐ New

☒ Renewal

☐ Transfer

☐ Modification

Applicant Information:

Name: Samsula Landfill, Inc.

Address: 363 S. State Rd. 415

City/State/Zip Code: New Smyrna Beach, Fl. 32108

Phone Number: 386-423-6769

Contact Name: Natasha McDonald

To the applicant: The following information checklist is provided to assist you in preparing your application for a non-exclusive franchise to provide containers for construction and demolition debris collection and disposal services to properties located in the City of Ormond Beach. Please provide the required information identified in this checklist as an attachment to the franchise application.

Franchise Application Requirements
And Requirement Checklist

- ☒ 1. Name(s) and business address(es) of principal officers and stockholders and other persons having financial or controlling interest in any partnership or corporation;
- ☐ 2. Name(s) and business address(es) of local managing officers of any publicly owned corporation having more than 25 shareholders;
- ☒ 3. Proof that corporation is in good standing in the State, and if not a Florida corporation, proof that applicant is qualified to do business in the State of Florida;
- ☐ 4. If applicant is other than a corporation, and is operating under a fictitious name, applicant shall be required to submit information that such fictitious name is registered and held by applicant;
- ☒ 5. List of type, number and complete description of all equipment to be used by applicant for providing safe and efficient services;
- ☒ 6. Description or listing of the applicant's and its related entity's experience in the collection of construction and demolition debris;
- ☒ 7. List of all franchises awarded to the applicant and the status of those franchises;

City of Ormond Beach
Public Works Department
Construction & Demolition Roll Off Services Franchise Application

- ☐ 8. List of all franchises applied for which were not granted during the previous five year period;
- ☐ 9. Written response to selection criteria as follows:
1. The public need for the proposed franchise or franchise transfer.
 2. The financial ability of the applicant to perform
 3. Such other matters or information regarding the applicant or proposed franchise that the City Commission may determine relevant in its legislative discretion;
- ☒ 10. Applicant shall maintain in full force and effect the insurance coverages required by Exhibit "A" of City of Ormond Beach Resolution No. 98-132 and any subsequent amendments thereto. Commercial General Liability coverage shall be \$1 million each occurrence, \$1 million aggregate products and completed operations and \$50,000 fire damage (any one fire).
- ☐ 11. An applicant for an initial franchise, or a material modification of an existing franchise, or a transfer of a franchise shall file the original and ten (10) copies of the application with the city clerk, or his or her designee. Any transfer of more than twenty-five (25) per cent of the ownership of the franchisee shall be deemed to be a "transfer of a franchise."
- ☒ 12. Contemporaneously with the filing of an application for an initial franchise, the applicant shall remit to the city a nonrefundable application fee in the amount of two thousand five hundred dollars (\$2,500.00); and contemporaneously with the filing of an application for a material modification of an existing franchise, or a transfer of a franchise, the applicant shall remit to the city, unless otherwise prohibited by law or waived by the city, a nonrefundable application fee in the amount of one thousand five hundred dollars (\$1,500.00). "Material modification" shall mean a change in any term or condition that substantially or materially affects any right or obligation of the franchisee or city under a franchise.
- ☐ 13. Within ten (10) business days after the filing of an application, the applicant shall furnish a complete copy of the application to all other collectors of construction and demolition debris that have franchises in the city. The copy shall be furnished by personal delivery or sent by certified mail, return receipt requested, to the principal business office of such other collectors of construction and demolition debris.

Definitions:

1. **Applicant:** a person or corporation applying to the City of Ormond Beach for a non-exclusive franchise to provide construction and demolition roll-off containers and/or collect construction and demolition debris within the City for hire, remuneration or other consideration.
2. **Franchisee:** person or corporation to whom the City has issued a non exclusive franchise to provide roll-off containers for construction and demolition services and/or to provide construction and demolition debris collection and disposal services to properties in the City.

City of Ormond Beach
Public Works Department
Construction & Demolition Roll Off Services Franchise Application

Applicant agrees to comply with all applicable provisions of the City of Ormond Beach, Florida Code of Ordinances Chapter 10, Article IV, as may be amended.

Natasha McDonald
Applicant name (Print or Type)

N. McDonald
Applicant signature

Application submission date

Dennis Bayne 6/2/21
Application received by date

Dennis Bayne 31439 5/26/21
Application fee received by check number check date

[Signature] 6/2/21
Approved City Manager/designee signature date

City of Ormond Beach
Public Works Department
Construction & Demolition Roll Off Services Franchise Application

Affidavit
ACKNOWLEDGMENT OF BUSINESS TYPE

The below named person, as applicant or legal representative for applicant, does hereby certify that all required information has been attached to the application and becomes a part thereof.

Applicant or applicant's legal representative agrees that applicant will comply with all provisions of the City of Ormond Beach Code of Ordinances, the laws, rules, ordinances and regulations of Volusia County, the State of Florida and the United States of America.

BUSINESS ADDRESS of APPLICANT:

Address: 363 S. State rd. 415

City: New Smyrna Beach State FL. Zip 32168

Telephone No. 386-423-6769 Fax No. 386-423-1436

Federal ID. No. 59-3546154

SIGNATURE OF APPLICANT

If an Individual: D. McDonald, doing business
 Signature

as _____

If a Partnership: _____ by: _____
 General Partner Signature

If a Corporation: Samsula Land Fill, Inc.
 Corporate Name

(a Florida Corporation)

by: _____
 Signature

Title: _____

Attest: _____ (SEAL)
 Corporate Secretary

NOTARY PUBLIC: Kelley A. Biederman

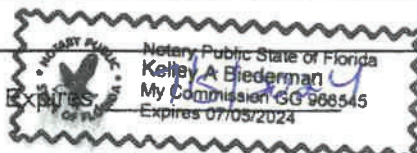
STATE OF: Florida COUNTY OF: Volusia

The foregoing instrument was acknowledged before me this day of 2005, by D. McDonald who is (are) personally known to me or who has produced as identification and who did (did not) take an oath.

NOTARY PUBLIC SIGNATURE: Kelley A. Biederman

NOTARY NAME, PRINTED, TYPED OR STAMPED: _____

Commission Number: 66 966545 My Commission Expires _____



2021 FLORIDA PROFIT CORPORATION ANNUAL REPORT

DOCUMENT# P98000096451

Entity Name: SAMSULA LANDFILL, INC.**Current Principal Place of Business:**363 S STATE ROAD 415
NEW SMYRNA BEACH, FL 32168**Current Mailing Address:**363 S STATE ROAD 415
NEW SMYRNA BEACH, FL 32168 US**FEI Number:** 59-3546154**Certificate of Status Desired:** No**Name and Address of Current Registered Agent:**MCDONALD, CHARLES Y
363 S STATE ROAD 415
NEW SMYRNA BEACH, FL 32168 US*The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.***SIGNATURE:**_____
Electronic Signature of Registered Agent_____
Date**Officer/Director Detail :**

Title	DP
Name	MCDONALD, CHARLES Y
Address	363 S STATE ROAD 415
City-State-Zip:	NEW SMYRNA BCH. FL 32168

Title	VP, SECRETARY
Name	MCDONALD, NATASHA N
Address	363 S STATE ROAD 415
City-State-Zip:	NEW SMYRNA BEACH FL 32168

I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am an officer or director of the corporation or the receiver or trustee empowered to execute this report as required by Chapter 607, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.

SIGNATURE: NATASHA MCDONALD

VP/SEC

04/14/2021

Electronic Signature of Signing Officer/Director Detail_____
Date

ATTACHMENTS LIST WITH PHOTOS 2019

PRINT SIZE 48

EQ #	YEAR	MAKE	TYPE	S.N.	MODEL
ATC-10		235 GRAPPLE	GRAPPLE	423588	5CG-1019-44-85156
ATC-9		235 GRAPPLE	GRAPPLE	414006	BSC-1024-1016
ATC-11	2001	ALITEC POWER	TILLER	4200910301	TL52FNH
SG40		ALITEC POWER	STUMP GRINDER	81860300	SG-40
ATC-12		ALLIED KOB 235	JACKHAMMER		
ATC-3		ALLIED KOM 450	JACKHAMMER		G3088
ATC-13		ATLAS	JACKHAMMER	0122	RSC750
ATC-14		ATLAS COPCO	MATERIAL PROCESSOR		
ATC-6	2018	AUTO GUIDE POLE DRIVER	EXTRACTER	6182	39844
ATC-15		BOBCAT	TRENCHER		45401795
ATC-49		BOBCAT	ROLLER		
BH-1		BRUSH HOG	CUTTER		Y57-15
BH-2		BRUSH HOG	CUTTER		
BH-3		BRUSH HOG	CUTTER		
BH-4		BRUSH HOG	CUTTER		
ATC-16		BTI	MATERIAL PROCESSOR		BIM-CP-900
ATC-17		BTI	JACKHAMMER	BW-509130	TB30XC
ATC-18		CAT	BUCKET	125045	
ATC-19		CAT	BUCKET	125085	
GRA-3		CAT 310	GARAPPLE	M322D	1001-4-1210
ATC-20		CAT EXCAVATOR	SKELETON BUCKET		CAT320
ATC-21		CAT EXCAVATOR	SKELETON BUCKET		CAT336
ATC-22		CAT EXCAVATOR	SKELETON BUCKET		CAT320
ATC-23		CP	BUCKET	126-0-39777-1	PC200-5 KOMATSU
ATC-24		CP	BUCKET		SK140SR
ATC-25		EMAQ	BUCKET		
LIT-1	2000	FERMAC	BOX BLADE		HD4484HXD001206
ATC-26		GEITH	BUCKET		235

ATC-27		GENSCO GRAPPLE	GRAPPLE		MGL/5G-60
ATC-28	2018	H&M H-65 DRIVER	EXTRACTER	209CUM85HP	B.33 PTCUM
ATC-29		HENSLEY	BUCKET	25438	
ATC-30		HENSLEY	BUCKET	32611	KOB2420PSK2004
PIM-15		JOHN DEER RAKE	544 RAKE-2	LR4405-30206	
CUT-1		JOHN DEERE	DISKER		
GRA-4		JOHN DEERE 544	BUCKET	GPB4364-0206	
PIM-1		JOHN DEERE 544	RAKE-1	LR4392-3-0106	
PIM-6		JOHN DEERE 644H	BUCKET	AT211582-644H	
PIM-5		JOHN DEERE 644H GRAPPLE	RAKE	265640307B	
ATC-31		KABLECO 330 GRAPPLE	SK330		409779
ATC-32		KABLECO KX91-0	BUCKET		
PIM-2		KAWASAKI Z-70	BUCKET	3617-3.5-0502	
PIM-3		KAWASAKI Z-70	RAKE	3.N3928-4-1003L	
ATC-2		KENT	JACKHAMMER	3259	KHB5G
ATC-33		KOB 235	413588	SG-1019	
PIM-4		KOMATSU PC450	BUCKET	BKT34570HD	
KUB-6.2		KUBOTA MOWER DECK	KUBOTA ZD1211L	13735	RCK72P-1200Z
ATC-49		KUBOTA SVL	BUCKET	304978	S6612
ATC-34		LABOUNTY	MATERIAL PROCESSOR		UP20SV
ATC-35		NPK	JACKHAMMER	36849	H3XA
PIM-10		PEMBERTON	CUTTER	04530113	0476KOB330/235
PIM-11		PEMBERTON	CLAM GRAPPLE	WT88640105	3845KOB330/235
PIM-12		PEMBERTON	400 MATERIAL PROCESSOR	CD0150190	IN8LEY1500
PIM-13		PEMBERTON	BUCKET	CPB423948150809	40799KOB330/235
PIM-14		PEMBERTON	BUCKET	3860400998	PC400L03NEX
PIM-7		PEMBERTON	SK235 GRAPPLE		KOB330/235
PIM-8		PEMBERTON	SK115 GRAPPLE	5530903	KOB330/235
PIM-9		PEMBERTON	BUCKET		
ATC-36		RAMMER	HAMMER	29AAA0021	

ATC-37		RAMMER	JACKHAMMER	2557A1205	2577
ATC-8	2016	RAMMER	HAMMER	999A0996	999
ATC-38		SEC	BUCKET		SK210
ATC-39		VOLVO 330	409779	1313 0908	CHUCK
10440		SKID STEER	72" ROCK BUCKET		
10445		SKID STEER	72" ROCK BUCKET		
ATC-1		STANLEY 235	JACKHAMMER	2442	50EX
ATC-40		STELLEO	MATERIAL PROCESSOR		SC34
ATC-41		SVL 90	BUCKET		
ATC-42		SVL 90	SKELETON BUCKET		
ATC-43		SVL 90	FORK		
SW-1	2012	SWEEPSTER	SKIDSTEER SWEEPER	1214006	20384M-0899
ATC-44	2009	TB830XC	HAMMER	509130	320B
ATC-45		THE MAJOR	FORKLIFT	179020	59199687
ATC-46		VOLVO 235	BUCKET	E130134	14646828/CBA-1700
ATC-47		VOLVO 235	BUCKET TEETH		30SEN
ATC-4		VOLVO L120	SPARE RAKE		06-04-08C
ATC-5		VOLVO L120	FORK		207.9005
ATC-48		WINKLE 235 LINKBELT	MAGNET		MG2020
		VOLVO L90H	BUCKET	86303	623342
		VOLVO L90H	FORK	F129111	
YANCEY FARM	2020	KUBOTA SVL 75-2	BUCKET	AP-HD74LC	



Samsula Demolition

363 S SR 415

New Smyrna Bch, FL 32168

P: (386) 423-6769

F: (386) 423-1436

Date: May 25, 2021

RE: Letter of Transmittal

To whom it may concern,

Our Company, Samsula Waste, Inc. dba Samsula Demolition, is submitting Construction & Demolition Roll Off Services Franchise Application.

Our company has been in Business since April 2004, we own our own equipment, roll-off trucks and roll-off containers; our employees have worked in this business for years and have the knowledge it takes to complete the task at hand. Combined together with our sub-contractors, we will complete this job in the required time frame and in a professional manner.

The following persons are designated to represent our company for this project:

Charles Y McDonald, President
363 S SR 415
New Smyrna Bch, FL 32168

Office: (386) 423-6769
Cell: (386) 547-4575
Email: yanceys99@aol.com

Nikole McDonald, VP/ Sec
363 S SR 415
New Smyrna Bch, FL 32168

Office: (386) 423-6769
Cell: (386) 547-4223
Email: nikmcdonald99@yahoo.com

Please CC all Emails to our main office email at office@samsulademolition.com

Thank you for the opportunity to bid on this project and we look forward to hearing from you,

General Business Information

1. Samsula Waste, Inc dba Samsula Demolition
363 S SR 415
New Smyrna Bch, FL 32168
P: (386) 423-6769 F: (386) 423-1436

Charles Y. McDonald, President
Samsula Waste, Inc dba Samsula Demolition

2020/ 2021

Volusia County Business Tax Receipt

Issued pursuant to F.S. 205 and Volusia County Code of Ordinances Chapter 114-1 by:
Volusia County Revenue Division - 123 W Indiana Ave, Room 103, DeLand, FL 32720 – (386) 736-5938



Volusia County
FLORIDA

Account # 200406170008 Expires: September 30, 2021
Business Location: 2455 TOMOKA FARMS RD

Business Name: SAMSULA WASTE INC
Owner Name: CHARLES Y MCDONALD
Mailing Address: 363 STATE ROAD 415
NEW SMYRNA BEACH, FL 32168

BUSINESS TYPE	REQ DOC #	CODE	COUNT	TAX
Demolition - Excavating		200		\$22.00
Hazardous Waste Fee		820		\$39.00

- This receipt indicates payment of a tax, which is levied for the privilege of doing the type(s) of business listed above within Volusia County. This receipt is non-regulatory in nature and is not meant to be a certification of the holder's ability to perform the service for which he is registered. This receipt also does not indicate that the business is legal or that it is in compliance with State or local laws and regulations.
- The business must meet all County and/or Municipality planning and zoning requirements or this Business Tax Receipt may be revoked and all taxes paid would be forfeited.
- The information contained on this Business Tax Receipt must be kept up to date. Contact the Volusia County Revenue Division for instructions on making changes to your account.

**THIS PORTION OF THE BUSINESS TAX RECEIPT MUST BE
POSTED CONSPICUOUSLY IN YOUR PLACE OF BUSINESS**

Volusia County Business Tax Receipt

Revenue Division - 123 W Indiana Ave, Room 103, DeLand, FL 32720 – (386) 736-5938

DATE PAID: 08/18/2020
RECEIPT #: WWW-19-0041917
TOTAL TAX: 61.00
PENALTY: 0.00
TOTAL PAID: 61.00



Business Name: SAMSULA WASTE INC
Owner Name: CHARLES Y MCDONALD
Mailing Address: 363 STATE ROAD 415
NEW SMYRNA BEACH, FL 32168



Account # 200406170008 Expires: September 30, 2021
Business Location: 2455 TOMOKA FARMS RD

PLEASE DETACH THIS PORTION OF THE BUSINESS TAX RECEIPT FOR YOUR RECORDS



FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION RECOVERED MATERIALS DEALER CERTIFICATION

2021

CERTIFICATE NO: 203
ISSUED: 06/10/2020
EXPIRES: 06/30/2021

SAMSULA LANDFILL INC.
363 SR 415
NEW SMYRNA, FL 32168

The Florida Department of Environmental Protection verifies that the above named Company reports certain recycling information and is certified in accordance with Chapter 62.722, Florida Administrative Code.

REPORTING FACILITIES COVERED BY THIS CERTIFICATION

<u>WACS ID</u>	<u>FACILITY NAME</u>	<u>FACILITY ADDRESS</u>	<u>COUNTY</u>
83626	SAMSULA LANDFILL INC.	363 S STATE ROAD 415 NEW SMYRNA BEACH, FL 32168-9029	VOLUSIA



SAMSWAS-02

SONIM

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

4/29/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Insurance Office of America, Inc. 1855 West State Road 434 Longwood, FL 32750	CONTACT Teresa Maddox NAME: PHONE (A/C, No, Ext): (407) 998-5161 FAX (A/C, No): E-MAIL ADDRESS: Teresa.Maddox@ioausa.com
INSURED Samsula Waste, Inc. Samsula Landfill, Inc. 363 S SR 415 New Smyrna Beach, FL 32168	INSURER(S) AFFORDING COVERAGE
	INSURER A : Nautilus Insurance Company 17370
	INSURER B : Great Divide Insurance Company 25224
	INSURER C : American Interstate Insurance Company of Texas 12228
	INSURER D : Great American Insurance Company 16691
INSURER E :	
INSURER F :	

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY	X	ECP201996614	11/9/2020	11/9/2021	EACH OCCURRENCE \$ 1,000,000
	☐ CLAIMS-MADE ☒ OCCUR					DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000
	☒ Contractor's Polluti					MED EXP (Any one person) \$ 5,000
	GEN'L AGGREGATE LIMIT APPLIES PER:					PERSONAL & ADV INJURY \$ 1,000,000
	☐ POLICY ☒ PROJECT ☒ LOC					GENERAL AGGREGATE \$ 3,000,000
	OTHER:					PRODUCTS - COMP/OP AGG \$ 3,000,000
B	☒ AUTOMOBILE LIABILITY		BAP201996514	11/9/2020	11/9/2021	PROFESSIONAL LI \$ 1,000,000
	☒ ANY AUTO OWNED AUTOS ONLY					COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
	☐ SCHEDULED AUTOS					BODILY INJURY (Per person) \$
	☒ HIRED AUTOS ONLY					BODILY INJURY (Per accident) \$
	☒ NON-OWNED AUTOS ONLY					PROPERTY DAMAGE (Per accident) \$
A	☒ UMBRELLA LIAB		FFX201996714	11/9/2020	11/9/2021	PIP \$ 10,000
	☒ EXCESS LIAB					EACH OCCURRENCE \$ 1,000,000
	DED ☐ RETENTION \$					AGGREGATE \$
						Aggregate \$ 1,000,000
C	☒ WORKERS COMPENSATION AND EMPLOYERS' LIABILITY	Y/N ☒ N	AVWCFL2890742021	5/4/2021	5/4/2022	☒ PER STATUTE ☐ OTH-ER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)					E.L. EACH ACCIDENT \$ 1,000,000
	If yes, describe under DESCRIPTION OF OPERATIONS below					E.L. DISEASE - EA EMPLOYEE \$ 1,000,000
						E.L. DISEASE - POLICY LIMIT \$ 1,000,000
A	General Liability		SSP201999414	11/9/2020	11/9/2021	Each Condition \$ 1,000,000
D	Equipment Floater		IMPE54681301	11/9/2020	11/9/2021	Leased/Rented 250,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 CITY OF ORMOND BEACH IS ADDITIONAL INSURED AS RESPECTS TO GENERAL LIABILITY WHEN REQUIRED BY WRITTEN CONTRACT.

CERTIFICATE HOLDER

CANCELLATION

CITY OF ORMOND BEACH PO BOX 277 BUILDING DEPT Ormond Beach, FL 32175	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
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CITY OF ORMOND BEACH

City Manager • 22 S. Beach Street • Ormond Beach • Florida • 32174 • (386) 676-3200 • Fax (386) 676-3384

CITY MANAGER MEMORANDUM

To: The Honorable Mayor Partington and City Commissioners

Through: Joyce A. Shanahan, City Manager

From: Tim Heyrend, Utilities Manager

Date: August 4, 2021

Subject: Intent to Bid the Purchase of Calcium Hypochlorite for the Water Reclamation Facility

Commission Goal: Water Quality and Environment - Other

Introduction

This is a disposition item notifying the City Commission of staff's intent to utilize the attached documents for purposes of securing bids from interested companies to provide and deliver chemicals for use at the City's Water Reclamation facility for the upcoming fiscal year, with an option to renew the awarded bid pricing and conditions for two additional annual periods.

Background

Regulatory standards require certain chemicals be utilized to perform and enhance processes used for proper and reliable treatment of wastewater and potable water. The City's Water and Wastewater Utilities Division is required to prepare bid specifications and contract conditions for these chemicals utilized at the City's water and wastewater treatment facilities.

Discussion

The attached bid specifications define product criteria, estimated annual quantities for use, and pertinent delivery conditions and locations. The bid advertisement is scheduled for August 9, 2021, with receipt of bids due on September 8, 2021. Upon receipt of bids, City staff will conduct an evaluation of the bids for determining the lowest and most responsive vendor. Upon staff determination of the lowest responsive bidder, an eventual recommendation for award will be provided to the City Commission.

Budget Impact

The eventual bid award will reflect the vendor provided unit pricing for the desired unit of measure for each chemical. Funding for annual Water Reclamation Facility chemical

costs is contained in the Water and Wastewater Operating Funds.

Citizen Impact

The public advertisement and eventual award of services to the most responsive bidder insures vendors supplying essential products meet the City's qualifications standards and pricing obtained is competitively based.

Recommendation

This item serves as notification to the City of Ormond Beach City Commission of staff's intent to utilize the aforementioned and attached bid documents for advertisement and eventual award for pertinent chemical provision and delivery, unless otherwise instructed. Subsequent action will be requested in the future for recommendation of bid award to the lowest most responsive vendor determined upon review of bids received as a result of this bid advertisement.

Attachments:

- Bid 2021-27 Calcium Hypochlorite (PDF)

REVIEWED BY:


Kelly McGuire, Finance Director 7/26/2021

APPROVED BY:


Joyce A. Shanahan, City Manager 7/27/2021



City of Ormond Beach

22 South Beach Street
Ormond Beach, Florida 32174
Telephone (386) 676-3223
Fax (386) 676-3330

INVITATION TO BID

BIDDER ACKNOWLEDGEMENT FORM

THIS FORM MUST BE COMPLETED AND RETURNED WITH YOUR BID

BID TITLE: Annual Supply of Calcium Hypochlorite

BID NUMBER: 2021 - 27

BID OPENING DATE & TIME: September 8, 2021 at 2:15 PM

BID OPENING LOCATION: City Hall Training Rm, Ormond Beach City Hall 22 S. Beach Street

PRE-BID MEETING DATE & TIME: N/A

PRE-BID MEETING LOCATION: N/A

Bids Received After The Above Date And Time Will Not Be Accepted.

BIDDER'S NAME: _____

BIDDER'S MAILING ADDRESS: _____

CITY-STATE-ZIP: _____

F.E.I.N. or S.S. NUMBER: _____

PHONE NUMBER: _____

EMAIL: _____

If returning as a "No Bid", please state reason (s): _____

I certify that this Bid is made without prior understanding, agreement, or connection with any corporation, firm, or person submitting a Bid for the same materials, supplies, or equipment, and is in all respects fair and made without collusion or fraud. I agree to abide by all conditions of this Bid and certify that I am authorized to sign this Bid for the Bidder. In submitting a Bid to the City of Ormond Beach, the Bidder offers and agrees that if the Bid is accepted, the Bidder will convey, assign or transfer to the City of Ormond Beach all rights, title, and interest in and to all causes of action it may now or hereafter acquire under the Antitrust laws of the United States and the State of Florida for price fixing relating to the particular commodities or services purchased or acquired by the City of Ormond Beach. At the City's discretion, such assignment shall be made and become effective at the time the City tenders final payment to the Bidder.

X _____
AUTHORIZED SIGNATURE (MANUAL)

NAME (TYPED)

TITLE

DATED

GENERAL CONDITIONS

PUBLIC ENTITY CRIMES: A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a Bid on a contract to provide any goods or services to a public entity, may not submit a Bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit Bids on leases or real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list.

DISCRIMINATION: Pursuant to Section 287.134(2)(a), Florida Statutes, an entity or affiliate who has been placed on the discriminatory vendor list may not submit a bid or proposal on a contract to provide any goods or services to a public entity, may not submit a bid or proposal on a contract with a public entity for the construction or repair of a public building or public work, may not submit bid or proposal on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity.

PUBLIC RECORDS/NON-CONFIDENTIALITY OF BIDS AND/OR PROPOSALS.

The City of Ormond Beach cannot and does not warrant the confidentiality of any information submitted in response to this solicitation. Florida law provides that municipal records shall at all times be open for personal inspection by any person, Section 119.01, F.S., The Public Records Law. Information and materials received by the City of Ormond Beach in connection with all Proposers' response shall be deemed to be public records subject to public inspection upon award, recommendation for award, or 10 days after bid opening, whichever occurs first. Section 119.071, F.S.

NOTIFICATION OF BIDS AND RFP'S: The City uses the services of DemandStar (www.demandstar.com) for notification of its Bids and RFP's on-line on the Internet. If you have received a copy of this Bid/RFP from any source other than DemandStar, please be aware that you may not have received the latest version of the Bid/RFP or any related addendums.

SUBMISSION OF BIDS: All Bids shall be submitted in a sealed envelope. The Invitation to Bid (ITB) number, title, and opening date shall be clearly displayed on the outside of the sealed envelope. The delivery of said Bid to the Purchasing Office on or before the specified opening date and time is solely and strictly the responsibility of the Bidder. Any Bid received by the Purchasing Office after the specified date and time will not be accepted. Bids must be submitted on forms provided by the City. No other forms will be accepted. Telephone, telefax and telegraph Bids will not be considered. No Bid may be modified after opening. **No Bid may be withdrawn after opening for a period of ninety (90) days unless otherwise specified.**

EXECUTION OF BID: Bid must contain a manual signature of authorized representative in the space(s) provided. Bids must be typed or printed in ink. Use of erasable ink is not permitted. All corrections made by Bidder to any Bid entry must be initialed. The company name and Federal Employer Identification Number (F.E.I.D.) or Social Security (S.S.) number shall appear in the space(s) provided.

BID OPENING: Bids shall be opened and the name of the Bidders and the bid amounts shall be read publicly. Bid amounts announced at the bid opening are subject to change due to math errors made by Bidders

BID TABULATION: Any Bidder wishing to receive a copy of the Bid tabulation is required to enclose a stamped, self-addressed envelope with their Bid response. Bid opening tabulations will be posted on DemandStar.com.

CLARIFICATION/CORRECTION OF BID ENTRY: The City of Ormond Beach reserves the right to allow for the clarification of questionable entries and for the correction of obvious mistakes.

INTERPRETATION: Any questions concerning conditions and specifications shall be directed to the Purchasing Coordinator. Those interpretations which may affect the eventual outcome of this Bid will be furnished in writing to all prospective Bidders. No interpretation shall be considered binding unless provided in writing by the City of Ormond Beach.

MINORITY POLICIES: The City of Ormond Beach, Florida, encourages the full participation of Disadvantaged and Women Business Enterprises (D&WBE) in the provision of goods and services.

LICENSES AND PERMITS: The vendor is responsible for obtaining all necessary permits and licenses to comply with all Federal, State, and Local laws, rules and regulations required to perform work in accordance with the specifications.

LOCAL VENDOR PREFERENCE: The City *may* give a local preference in the amount of three percent (3%) of the bid price or \$25,000, whichever is less. The bid price shall include not only the base bid price but all alternatives which are part of the bid and actually purchased or awarded. A Local Vendor Affidavit of Eligibility shall accompany the bid submittal to be considered valid.

PRICING: Firm prices shall be proposed and include FOB DESTINATION, all packing, handling, shipping charges and delivery to any point within the City of Ormond Beach to a secure area or inside delivery. Prices shall be valid for ninety (90) days from date of Bid opening. In the event there is a discrepancy between the unit price and the extended amount, the unit price will prevail.

ADDITIONAL TERMS AND CONDITIONS: The City of Ormond Beach reserves the right to reject Bids containing any additional terms or conditions not specifically requested in the original conditions and specifications.

TAXES: The City of Ormond Beach is exempt from Federal Excise Taxes and all sales taxes.

DISCOUNTS: All discounts EXCEPT THOSE FOR PROMPT PAYMENT shall be considered in determining the lowest net cost for Bid evaluation purposes. If a Bidder offers a discount, it is understood that the discount time will be computed from the date of satisfactory delivery, at the place of acceptance, and receipt of correct invoice, at the office specified, whichever occurs last.

SILENCE OF SPECIFICATIONS: The apparent silence of any specification and any supplemental specifications as to any details or the omission from same of any detailed description concerning any point shall be regarded as meaning that only the best commercial practices are to prevail and that only materials of first quality and correct type, size, and design are to be used. All workmanship is to be first quality. All interpretations of the specifications shall be made upon the basis of this statement.

ASSIGNMENT: Any purchase order or contract issued pursuant to a Bid and the monies which may become due thereunder are not assignable except with the prior written approval of the City Manager or City Commissioner, whichever authorized the purchase.

LIABILITY: The vendor shall hold and save the City of Ormond Beach, its officers, agents, and employees harmless against claims by third parties resulting from the vendor's or supplier's breach of contract or negligence, including all attorney's fees and costs, and shall pay any and all damages, fees, and costs assessed on behalf of the City. The City expressly reserves all rights, privileges and benefits of sovereign immunity.

PATENTS AND ROYALTIES: The Bidder, without exception, shall indemnify and save harmless the City of Ormond Beach and its employees from liability of any kind, including cost and expenses for or on account of any copyrighted, patented, or unpatented invention, process, or article manufactured or used in the performance of the contract, including its use by the City of Ormond Beach. If the Bidder uses any design, device, or materials covered by letters, patent or copyright, it is mutually agreed and understood without exception that the Bid prices shall include all royalties or cost arising from the use of such design, device, or materials in any way involved in the work.

SAFETY WARRANTY: The selling dealer, distributor, supplier, and manufacturer shall be responsible for compliance with all Federal, State and local laws, rules and regulations concerning the equipment and/or service specified and the use thereof, applicable and effective on the date of manufacture including safety and environmental standards as apply to both private industry and governmental agencies.

WARRANTY: The Bidder agrees that, unless otherwise specified, the services furnished under the Bid shall be covered by the most favorable commercial warranty for comparable services, and that the rights and remedies provided herein are in addition to and do not limit any rights afforded to the City of Ormond Beach by other provision of the Bid.

AWARDS: The City reserves the right, in its sole discretion, as the best interest of the City may require, to make award(s) by individual item, group of items, all or none, or a combination thereof; on a geographical basis and/or with one or more vendors or contractors; or to reject any and all Bids or waive any minor irregularity or technicality in the Bids received.

NON-APPROPRIATION OF FUNDS: In the event sufficient budget funds are not available for a new fiscal period, the CITY shall notify the VENDOR/CONTRACTOR of such occurrence and the contract shall terminate on the last day of the current fiscal period, without any penalty or expense to the CITY of any kind whatsoever.

OTHER AGENCIES: All Bidder(s) awarded contracts from this bid or proposal may, permit any municipality or other government agency to participate in the contract under the same prices, terms, and conditions, if agreed to by both parties.

It is understood that at no time will any city, municipality, or other agency be obligated for placing an order for any other city, municipality, or agency: nor will any city, municipality, or agency be obligated for any bills incurred by any other city, municipality, or agency. Further, it is understood that each agency will issue its own purchase orders to the awarded bidder(s).

COMPLIANCE WITH FLORIDA PUBLIC RECORDS LAW:

Contractor expressly agrees that it shall comply with the public records law provided in Florida Statutes, Chapter 119, and specifically to:

- (a) Keep and maintain public records required by the City to perform the contracted service.
- (b) Upon request from the City Clerk, provide the City with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in Chapter 119, Florida Statutes, or as otherwise provided by law.
- (c) Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the contract term and following completion of the contract if the contractor does not transfer the records to the City.
- (d) Upon completion of the contract, transfer at no cost, to the City all public records in possession of the contractor or keep and maintain public records required by the City to perform the service. If the contractor transfers all public records to the City upon completion of the contract, the contractor shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If

the contractor keeps and maintains public records upon the completion of the contract, the contractor shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the City, upon request from the City Clerk, in a format that is compatible with the information technology systems of the City. (e) Failure of the Contractor to comply with Public Records Law as provided by Florida Statutes, Chapter 119, shall subject the Contractor to penalties under Chapter 119.10 and subject this Agreement to termination for cause by the City.

IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT:

**CITY CLERK
22 SOUTH BEACH STREET
ORMOND BEACH, FLORIDA 32175.
(386)676-0311
CITYCLERK@ORMONDBEACH.ORG**

Ref: Fla. Stat. §119.0701(2016)

THE CITY OF ORMOND BEACH RESERVES THE RIGHT TO REJECT ANY OR ALL BIDS, AND TO WAIVE INFORMALITIES, AS MAY BE DEEMED TO BE IN THE BEST INTEREST OF THE CITY.

DEFINITIONS:

BIDDER - The term used herein refers to any individual, company or other entity submitting a Bid to the CITY in response to an Invitation to Bid (ITB).

CITY/OWNER - The terms CITY or OWNER herein refers to the City of Ormond Beach, Florida, and its duly authorized representatives.

CONTRACT MANAGER - The term refers to the CITY representative(s) who will be acting on the CITY's part to manage all the Contract actions.

FURNISH - The terms "furnish", "furnish and install", "install", and "provide" or words with similar meaning shall be interpreted, unless otherwise specifically stated, to mean "furnish and install, complete in place and ready for service".

PROJECT - The total construction of which the Work to be provided under the Contract Documents may be the whole, or a part as indicated elsewhere in the Contract Documents.

PROJECT MANUAL - The term "Project Manual" includes Bid Requirements, General Conditions, Scope of Work, Specifications, Risk Management requirements and any associated attachments.

SPECIFICATIONS - The term refers to those portions of the Project Manual consisting of written technical descriptions of materials, equipment, construction systems, standards and workmanship as applied to the Work and certain administrative details applicable thereto.

SUPPLIER - The term used herein refers to any individual, company or other entity supplying services pursuant to the terms, conditions, and quotations of a Bid or Proposal.

VENDOR, CONTRACTOR, or VENDOR/CONTRACTOR - The term(s) used herein refers to any individual, company, or other entity that is awarded a contract by the CITY, pursuant to the terms, conditions, and quotations of a bid/proposal.

WORK - The entire, completed job or the various separately identifiable parts thereof, required to be furnished under the Contract Documents. Work is the result of providing goods and/or services, furnishing labor and/or furnishing and incorporating materials and equipment into the construction, as required by the Contract Documents.

NON-APPROPRIATION OF FUNDS: In the event sufficient budget funds are not available for a new fiscal period, the CITY shall notify the VENDOR/CONTRACTOR of such occurrence and the contract shall terminate on the last day of the current fiscal period, without any penalty or expense to the CITY of any kind whatsoever.

City of Ormond Beach
ANNUAL SUPPLY OF CALCIUM HYPOCHLORITE
Bid No. 2021 - 27

GENERAL INSTRUCTIONS:

Bid Delivery: Submit one (1) signed and unbound original of the complete Bid packet and one (1) electronic file, with all required attachments, by the closing date and time. Deliver Bids to: Rob Hart, Purchasing Coordinator, Ormond Beach City Hall Room 101, 22 South Beach Street, Ormond Beach, Florida 32174. **Make sure the bid number is clearly visible on the outside of the delivery package. Bids delivered after the time and date specified will not be accepted.** For any question regarding bid delivery contact the purchasing office at 386-676-3223.

Technical Questions: Submit all technical questions regarding this Bid to the City's Purchasing Coordinator, Robert Hart, by e-mailing rob.hart@ormondbeach.org.

Rejection Rights: The City of Ormond Beach reserves the right, at any time, to modify, waive or otherwise vary the terms and conditions of this Bid including, but not limited to, the deadlines for submission and submission requirements. The City further reserves the right to reject any or all submittals, to cancel or withdraw this Bid at any time and to negotiate with any party prior to or after submittal of Bid.

Cost of Bid Preparation: No reimbursement will be made by the City of Ormond Beach for any costs incurred in the preparation of the Bid, proposal or presentation.

Bids to be in Effect: Each Bid shall state that it is valid for a period of not less than ninety (90) days from date of receipt.

Equipment: Contractor shall own and have in good repair all equipment necessary to perform the described services in particular and the equipment necessary to complete related tasks. The City will not provide any equipment to do this work.

Registration And Risk Management Requirements: Any Vendor delivering a product or Contractor doing work for the City of Ormond Beach, on City property shall be **registered** to do business in the City of Ormond Beach and shall provide **proof of**, abide by and maintain, for the entire life of the Contractual Agreement, including any and all approved time extensions, such **insurance** as is required by City ordinance, which shall be incorporated in and made part of the contract documents. A vendor using a common carrier is exempt from this requirement. This proof of insurance will be required prior to commencement of any **on-site** work. Refer to **Exhibit A** for the City's registration and risk management requirements.

TERM OF AGREEMENT:

The initial term of this Agreement shall be for a period of **one (1) year** and will be automatically renewed for two additional **one (1) year** periods unless either party provides at least ninety (90) days prior written notice to the other party of their intent not to renew the Agreement.

SCOPE OF WORK:**GENERAL**

The City of Ormond Beach invites qualified vendors to submit bids to furnish the estimated annual requirements of Calcium Hypochlorite used for the treatment of wastewater. The successful vendor will be required to provide a chemical that meets the specifications noted in the bid. Specifications for the chemical is included in the Invitation to Bid documents. The chemical shall meet or exceed the specific requirements identified in the bid documents.

Calcium Hypochlorite Quantity: Approximately 7 – 8 pallets
--

General Description of Services

Calcium Hypochlorite is used at the City of Ormond Beach Water Reclamation Facility located at 550 North Orchard Street, Ormond Beach, FL 32174. The product shall be furnished in accordance with the following general specifications and shall conform to the latest, approved edition of one or more of the following the standards for the ANSI/NSF. The Calcium Hypochlorite shall be in solid form and shall meet the following general list of physical properties:

- Ca(OCl)₂ content 65.0% minimum
- Specific Gravity (H₂O=1) 0.98@680F minimum
- Appearance Solid White Granule

Calcium Hypochlorite will be delivered as solid (price per pallet)

Bidders shall provide an affidavit of compliance with one or more of the standards adopted in Rule 62-555.320(3), F.A.C., product specifications.

The bidder must submit a certified analysis, as to the composition of the product with the bid.

The successful bidder must supply S.D.S. (Safety Data Sheets) on the product.

The successful bidder will supply copies of the manufacturer's shipping and handling safety procedures.

Deliveries will be between the business hours of 7:30 AM and 3:00 PM Monday through Friday with exception of holidays. F.O.B. Ormond Beach, Florida.

Delivery Requirements

Delivery shall be in pallets. Each pallet shall have 10 non-ferrous buckets with each bucket containing 100 pounds of chemical. Buckets shall be provided at the expense of the supplier and shall be accepted by the City of Ormond Beach when, and as, needed. Delivery quantities shall vary between one (1) and two (2) pallets delivered to the above referenced facility. Delivery shall be made within 72 hours of notification of need. The supplier shall provide 24 hours' notice prior to delivery and be responsible for unloading on site.

Contractor shall make "normal" deliveries within three (3) days after receipt of order and must make "emergency" deliveries within 24 hours. An emergency delivery is defined as a delivery which is necessary in order to prevent the Purchaser from running out of referenced chemical in less than 36 hours. Purchaser shall endeavor to minimize the number of "emergency" deliveries.

The Contractor shall be responsible for any spills resulting from the failure of its or its subcontractor's delivery equipment or from failure of attendant delivery personnel in the proper performance of their duties. Proper performance shall require attendant delivery personnel's constant inspection and observation of unloading operations and knowledgeable response to problems or emergencies, which would most commonly be expected to occur. The Purchaser reserves the right to refuse any and all deliveries made with equipment that is poorly maintained.

Because of security and safety concerns, all delivery vehicle drivers shall be U.S. citizens and have a proper commercial driver's license with a Hazardous Material endorsement. Contractor's drivers shall display its driver's license and whenever challenged by Purchaser during the delivery.

A certificate of compliance and certified analysis as to the composition of the product must be provided with each delivery.

Bidders must comply with the insurance and risk management requirements of the City of Ormond Beach, attached to this specification as Attachment A. IN THE EVENT THE SUPPLIER IS UNABLE TO SUPPLY, THE CITY OF ORMOND BEACH, RESERVES THE RIGHT TO PURCHASE SUPPLIES FROM THE BEST AVAILABLE SOURCE.

QUANTITIES:

The City does not assume any responsibility that the final quantities shall remain in strict accordance with the estimated quantities, nor shall the bidder plead misunderstanding or deception because of such estimate of quantities.

COST ADJUSTMENTS:

The Contractor is required to provide a firm price, as stated in subparagraph (a), for the initial one (1) year term of this Contract for the Services provided. Upon any exercise of contract renewal, but no later than ninety (90) days before the end of each contract period, the Contractor may request a rate adjustment subject only to changes in mutually-agreed, nationally recognized, indices (for example: Consumer Price Index), changes in the scope of work, changes in the location of land application sites, changes in energy or chemical costs, and changes in applicable laws, rules, regulations, or directives. Any change in the rates stated in subparagraph (a) shall be negotiated by the parties, and approved by the City Commission of the City, in its absolute discretion, in advance of the effective date of any such change. The maximum increase for any annual period shall be four (4%) percent which will only apply to the future year, increases will not be retroactive. The adjusted rate, if approved shall take effect on October 1, of the year in which approved.

AWARD:

The City reserves the right to award any contract(s) to the bidder(s) which it deems to offer the best overall service; therefore, the City is not bound to award any contract(s) based solely on lowest quoted price. The City also reserves the right to negotiate separately with competing bidders as deemed to be in the City's best interest.

TAXES:

The Contractor is responsible for paying any and all taxes associated with this agreement.

OTHER AGENCIES:

Any bidder(s) awarded a contract resulting from this bid is/are given the privilege and is/are required to permit all public and governmental entities in the State of Florida to participate in the contract under the same terms and conditions.

It is understood that at no time will any agency be obligated for placing an order for any other agency. Each agency will only have the authority to obligate itself and will not be held responsible for bills incurred by any other agency. Further, it is understood that each agency will issue its own purchase order(s) or contract to successful bidder(s).

City of Ormond Beach
ANNUAL SUPPLY OF CALCIUM HYPOCHLORITE
Bid No. 2021 - 27

VERIFICATION OF EMPLOYMENT STATUS USING E-VERIFY SYSTEM

1. Undersigned firm warrants it **IS** currently registered with the U.S. Department of Homeland Security's E-Verify system, **and** is compliant with the requirements of Sections 448.09 and 448.095, *Florida Statutes*.

2. Undersigned firm warrants it **has not** had any contracts terminated as a result of violations of Sections 448.09 or 448.095, *Florida Statutes*, that prohibit it from contracting with a public agency.

3. Undersigned firm warrants that if it enters into an agreement with a subcontractor, an express provision shall be included in all of its subcontracts requiring subcontractors, who perform work or provide services pursuant to the contract, to use the E-Verify system to verify employment eligibility of all new employees hired by the subcontractor during the contract term.

4. Undersigned firm understands that any subcontractor must provide the contractor with an affidavit stating that the subcontractor does not employ, contract with, or subcontract with an unauthorized alien, and the contractor understands it shall maintain any such affidavits for the duration of the contract, and the contract with the subcontractor must be immediately terminated if the City has a good faith belief that the subcontractor knowingly violated Section 448.09 (1), *Florida Statutes*.

5. Undersigned firm understands that in the event the City has a good faith belief that the contractor has knowingly violated Section 448.09 (1), *Florida Statutes*, the City shall terminate the contract, and the contractor may not be awarded a public contract for a period of at least one (1) year after the date of termination. The contractor may be held liable for any additional costs incurred by the City as a result of termination of the contract.

COMPANY NAME

AUTHORIZED SIGNATURE

NAME

TITLE

DATE

City of Ormond Beach
ANNUAL SUPPLY OF CALCIUM HYPOCHLORITE
Bid No. 2021 - 27

BID RESPONSE FORM

THIS BID IS SUBMITTED TO:
 (Name and Address of Owner)

Purchasing Coordinator
 City of Ormond Beach
 22 S. Beach Street
 Ormond Beach, Florida 32174
 Phone: (386) 676-3223

The undersigned BIDDER proposes and agrees, if this Bid is accepted, to enter into an Agreement with the CITY in the form included in the Bid Documents to complete all Work as specified or indicated in the Bid Documents for the Contract Price and within the Contract Time indicated in this Bid and in full accordance with the Bid Documents.

BIDDER certifies that he has investigated the requirements to do business in the jurisdiction where the project is located, and that he is either qualified to do business or will obtain such prequalification prior to award of the contract.

BIDDER accepts all of the terms and conditions of the General Conditions. BIDDER will sign the Agreement (Contract) and submit the Contract security (when applicable) and other documents required by the Contract Documents within ten (10) days after the date of CITY's Notice of Award.

In submitting this Bid, BIDDER represents, as more fully set forth in the Agreement, that:

BIDDER has examined copies of all the Bid Documents and of the following Addenda:

<u>Addendum Date</u>	<u>Addendum Number</u>
_____	_____
_____	_____
_____	_____

Receipt of all of which is hereby acknowledged.

BIDDER has examined the site and locality where the Work is to be performed, when applicable, the legal requirements (federal, state and local laws, ordinances, rules and regulations) and the conditions affecting cost, progress or performance of the Work and has made such independent investigations as BIDDER deems necessary.

BID RESPONSE FORM
(continued)

This Bid is genuine and not made in the interest of or on behalf of any undisclosed person, firm or corporation and is not submitted in conformity with any agreement or rules of any group, association, organization or corporation; BIDDER has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid; BIDDER has not solicited or induced any person, firm or a corporation to refrain from bidding; and BIDDER has not sought by collusion to obtain for himself any advantage over any other Bidder or over the CITY.

THIS BID IS SUBMITTED BY:

COMPANY NAME: _____

VENDOR/CONTRACTOR LICENSE NUMBER: _____

ADDRESS: _____

PHONE NO.: _____ EMAIL: _____

SUBMITTER'S NAME: _____
 (Typed or Printed in Ink)

TITLE: _____

AUTHORIZED SIGNATURE: I, _____ hereby
 (Original Signature)

declare that I have read and fully understand the Invitation to Bid, including the General Conditions, Specifications and Drawings (when applicable) and that I am duly authorized to sign and submit this bid.

The CITY reserves the right to reject any and all bids, to waive informalities, and to accept any bid or parts thereof as the CITY, in its sole discretion, determines to be in the best interest of the CITY.

City of Ormond Beach
ANNUAL SUPPLY OF CALCIUM HYPOCHLORITE
Bid No. 2021 - 27

The BIDDER will complete the Work, as described herein, for the following price(s):

BID SCHEDULE

Item	<u>Description:</u>	<u>Quantity:</u>	<u>Unit:</u>	<u>Unit Price:</u>
1.	CALCIUM HYPOCHLORITE	1	1,000 lb. Pallet	\$_____

TOTAL BID FOR CONTRACT \$_____
(Figures)

(Words)

City of Ormond Beach
ANNUAL SUPPLY OF CALCIUM HYPOCHLORITE
Bid No. 2021 - 27

CITY OF ORMOND BEACH, FLORIDA

**CONFLICT, NON-CONFLICT OF INTEREST STATEMENT
LITIGATION STATEMENT**

1.

- [] To the best of our knowledge, the undersigned firm has no potential conflicts of interest due to any other clients or contracts for this project.
- [] The undersigned firm, by attachment to this form, submits information which may be a potential conflict of interest due to other clients or contracts for this project.

2.

- [] The undersigned firm has had no litigation on any project in the last five (5) years.
- [] The undersigned firm, by attachment to this form, submits a summary and disposition of individual cases of litigation during the past five (5) years.

COMPANY NAME

AUTHORIZED SIGNATURE

NAME (PRINT OR TYPE)

TITLE

DATE

CITY OF ORMOND BEACH

DRUG-FREE WORKPLACE CERTIFICATION

IDENTICAL OR "TIE" BID: Preference shall be given to businesses with drug-free workplace programs. Whenever two or more Bids which are equal in respect to price, quality, and service are received by the State or by any political subdivision for the procurement of commodities or contractual services, a Bid received from a business that certifies that it has implemented a drug-free workplace program shall be given preference in the award process. Established procedures for processing tie Bids will be followed if none of the tied vendors have a drug-free workplace program. In order to have a drug-free workplace program, a business shall:

Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.

Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violation.

Give each employee that engages in providing the commodities or contractual services that are under proposal a copy of the statement specified in subsection (1).

In the statement specified in subsection (1), notify the employees that, as a condition of working on the commodities or contractual services that are under proposal, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation of Chapter 893 or of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than five (5) calendar days after such conviction.

Impose sanctions on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community, by any employee who is so convicted.

Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

COMPANY NAME

AUTHORIZED SIGNATURE

NAME (PRINT OR TYPE)

LOCAL VENDOR PREFERENCE

The following is taken from the Code of Ordinances, City of Ormond Beach, Chapter 2, Financial Matters, Division 3, Purchasing, Article IX, Section 2-304:

Except where otherwise provided by federal or state law or other funding source restrictions, purchases of goods and services under the Purchasing Code shall give preference to local businesses as follows:

- (a) Under a competitive bid solicitation, the City *may* give a local preference in the amount of three percent (3%) of the bid price or \$25,000, whichever is less. The bid price shall include not only the base bid price but all alternatives which are part of the bid and actually purchased or awarded.
- (b) A *local business* shall mean a vendor that has a valid occupational license issued by the City of Ormond Beach at least one year prior to bid opening, with a physical business address located within the municipal boundaries of the City of Ormond Beach from which the vendor operates or performs business on a day-to-day basis that is a substantial component of the goods or services being offered and has provided a Local Vendor Affidavit of Eligibility at the time the bid is submitted.
- (c) A *Local Vendor Affidavit of Eligibility* shall accompany the bid submittal to be considered valid and shall include, but not be limited to, the following information:
 - (1) A physical business and location address;
 - (2) A copy of current City of Ormond Beach Local Business Tax Receipt (occupational license) to verify the business location;
 - (3) Proof of payment of business tax and real property tax due to the City of Ormond Beach;
 - (4) A copy of the firm's most recent annual corporation report to the Florida Division of Corporations;
 - (5) Any additional information necessary to verify local status.
- (d) *Exemptions:* Goods or services provided under a cooperative purchasing agreement, contracts for professional services subject to Consultants' Competitive Negotiation Act, purchases or contracts funded in whole or part by a governmental entity that does not allow local preferences, purchases made under another agency's agreements or contracts (piggybacking), purchases under emergency or sole source situations and procurements subject to formal proposals including but not limited to request for proposals (RFP) or continuing contract, and request for quotes (RFQ) versus straight competitive bids.
- (e) This section shall not be deemed to require the granting of a local preference, and nothing herein prohibits the award of a contract to a non-local vendor where such award is in the public interest.



Local Vendor Affidavit of Eligibility

I certify that my company meets all of the following qualifications to be eligible for the local vendor preference:

- a. My company has a physical business address located within the municipal boundaries of the City of Ormond Beach which is used to perform business on a day-to-day basis.
- b. My company holds any business (occupational) or contractor license required by the City of Ormond Beach at least one year prior to bid opening.
- c. Payment of business tax and real property tax due to the City of Ormond Beach is current
- d. My company is in compliance with annual reporting to the Florida Division of Corporations

Company Name: _____

Address: _____

Business or Contractor License Number: _____

Phone Number: _____ Fax Number: _____

Owner's Name: _____ Signature: _____

Sworn to before me this _____ day of _____

Notary Public for the State of _____ My Commission Expires _____

Notary Public Signature: _____ Printed Name: _____

To be approved as a local bidder and receive bid preference on an eligible local project, this affidavit of eligibility, a copy of your local business or contractor license, copy of business tax/real property tax and a copy of the firm's most recent annual corporation report must be submitted with your bonafide BID package. Bid preference is provided at the City's sole discretion.

VENDOR DO NOT COMPLETE BELOW

To be verified and completed by an authorized representative of the City of Ormond Beach's Purchasing Department:

Vendor Certified by: _____ Date: _____

**Attachment A
City of Ormond Beach
REGISTRATION AND INSURANCE REQUIREMENTS FOR VENDOR/CONTRACTOR
WORKING ON CITY PROJECTS**

Registration Requirements

VENDORS doing business within the City Limits must be registered with the City.

Requirements for registering a business are as follows:

Copy of City Business Tax Receipt (where your business is located).

Certificate of Insurance showing General Liability and Workers' Comp (or State Workers' Comp Exemption form).

Application Fee: \$25.00 For more information, contact the City's Business Tax Receipt official.

State Certified/Registered Contractors

All registered contractors must be registered with Volusia County. Volusia County Contractor Licensing, 123 W. Indiana Ave., Rm 203, Deland, FL 32720 (386) 736-5957 Opt. 2 – (386) 740-5215 Fax. Certified Contractors have the option of registering with Volusia County, or providing information directly to the business tax receipt official.

If you have any questions regarding the above requirements, please contact the business tax receipt official at (386) 676-3234.

Insurance Requirements

[From Ormond Beach Code of Ordinances establishing minimum requirements for risk management, commercial general liability insurance, and comprehensive general liability insurance, as amended by Resolution No. 2011-116 (8/16/11)]:

B. Contractual Provisions Relative to Risk Management

All contracts for any public works to be performed, and service-related contracts, for or on behalf of the City shall include the following, or substantially similar, provisions:

1. Hold Harmless

(a) General

The City, its agents, employees, and officials, both elected and appointed, shall be held harmless from and against all claims for bodily injury, sickness, disease, death or personal injury or damage to property or loss of use resulting there from, arising out of the agreement, contract or lease unless such claims are a result of the City's sole negligence, as determined by the final arbiter of such claim.

(b) Professional Services Contracts

The City, its agents, employees, and officials, both elected and appointed shall be held harmless from and against all claims for bodily injury, sickness, disease, death or personal injury or damage to property or loss of use resulting there from arising out of performance of the agreement or contract, unless such claims are a result of the City's sole negligence, as determined by the final arbiter of such claim.

The City, its agents, employees, and officials, both elected and appointed shall also be held harmless from and against all claims for financial loss with respect to the provision of or failure to provide professional or other services resulting in professional, malpractice, or errors and omissions liability arising out of performance of the agreement or contract, unless such claims are a result of the City's sole negligence, as determined by the final arbiter of such claim.

2. Payment on Behalf of City

The Contractor shall pay all costs of the City's legal defense, as may be selected by the City, for all claims described in the Hold Harmless paragraph.

Such payment on behalf of the City shall be in addition to any and all other legal remedies available to the City and shall not be considered to be the City's exclusive remedy.

3. Loss Control/Safety

Precaution shall be exercised at all times by the Contractor for the protection of all persons, including employees and property. The Contractor shall comply with all applicable laws, regulations and ordinances related to safety and health, shall make special efforts to detect hazardous conditions, and shall take prompt action when loss control/safety measures are reasonably necessary.

The City may order work to be stopped if conditions exist that present an immediate danger to persons or property. The Contractor acknowledges that such work stoppage will not shift responsibility for any damages from the Contractor to the City.

4. Service Bond

For Service-related contracts only, the City may require the Contractor to secure a service bond with a minimum \$25,000 coverage limit for the period of the service agreement. The service bond covers dishonest acts of the contractor's employees against the City. A copy of the bond shall be provided to the City when the agreement commences.

Service-related contracts include and are not limited to businesses providing janitorial, pest control, general repair, security, carpet cleaning, locksmith, temporary employment, painting, moving services or other contracts as determined in the discretion of the Risk Manager as necessary to minimize loss.

C. Contractor's Insurance

1. General

The Contractor, including service-related contractors, shall purchase and maintain for the entire life of the Project, including any and all approved time extensions, until its final acceptance by the City, such insurance as will protect the Contractor from claims under Workers' Compensation, disability benefit laws or other similar employee benefit laws; from claims for damages because of bodily injury, occupational sickness or disease, or death of Contractor's employees; from claims insured by usual or unusual injury liability coverage; from claims or injury to or destruction of tangible property and from claims insured by usual Commercial General Liability coverage. This includes loss of use resulting there from, any or all of which may arise out of the Contractor's operations under the Contract Documents, whether such operations be by the Contractor, by any Subcontractor, or by anyone directly or indirectly employed by any of them or for whose acts any of them may be legally liable. The Contractor's deductibles/self-insured retentions shall be disclosed to the City and may be disapproved by the City, and may be reduced or eliminated at the sole discretion of the City. The Contractor is responsible for the amount of any deductible or self-insured retention.

2. Types of Insurance and Limits of Liability

The insurance required herein shall be written for not less than any limits of liability specified and incorporated as part of the Contract Documents or as required by law, whichever is greater, and shall include the following:

- (a)** Workers' Compensation Insurance in statutory limits for the State of Florida with Coverage B - Employer's Liability limits of not less than:

\$100,000. Each Accident Bodily Injury by Accident

\$100,000. Each Employee Bodily Injury by Disease

\$500,000. Policy Limit Bodily Injury by Disease

Certificate of Exemptions. If the contractor has a State-issued Certificate of Exemption, the contractor may provide a copy in place of the requirement for coverage. However, if the contractor subcontracts or retains any other person or entity to perform under the contract, that person or entity must provide proof of workers' compensation insurance as required by law or provide a Certificate of Exemption.

It is the intent of the City that any individual who either contracts directly with the city or performs any work on behalf of any such contractor be covered by workers compensation insurance or have a valid exemption from said coverage.

(If applicable to the Project, the policy must include benefits under the United States Longshoremen's and Harbor Workers' Act and the Jones Act coverage--all maritime coverage.)

(b) Commercial General Liability Insurance shall be written on a coverage form as broad as Insurance Services Office (ISO) Form CG 00 01 11 88, or its successor form, including but not limited to the following coverage (any deviation shall be noted on the Certificates of Insurance):

- a. Premises and Operations
- b. Owners' & Contractors' Protective
- c. Products & Completed Operation
- d. Explosion, Collapse & Underground Conditions
- e. Blanket Contractual Liability
- f. Personal Injury Liability
- g. Broad Form Property Damage Endorsement, including Completed Operations
- h. Independent Contractors
- i. Watercraft--Owned and Non-Owned (if applicable, endorsement must be included in General Liability policy or a separate Protection & Indemnity Policy must be written)
- j. Pollution Liability (if applicable)
- k. Asbestos Abatement (if applicable)
- l. Fire Damage Liability

Certain coverage outlined above may not be required if they do not relate to the Project, as may be determined at the sole discretion of the City.

Commercial General Liability Coverage shall be written on an occurrence basis and the limits shall be no less than the following amounts for all tiers of Contractors and Subcontractors:

<u>Contract Value</u>	<u>Limits (not less than)</u>
0 - 25,000	\$300,000 Each Occurrence \$300,000 General Aggregate* \$300,000 Aggregate Products & Completed Operations \$ 25,000 Fire Damage (any one fire)
\$25,001 - \$250,000	\$500,000 Each Occurrence \$1 Million General Aggregate* \$1 Million Aggregate Products & Completed Operations \$ 50,000 Fire Damage (any one fire)
\$250,001 - \$3,000,000	\$1 Million Each Occurrence \$1 Million General Aggregate* \$1 Million Aggregate Products & Completed Operations \$ 50,000 Fire Damage (any one fire)
\$3,000,001 & over	20% of the Value of the Contract [Minimum \$1 Million Each Occurrence/\$2 Million General Aggregate]

* NOTE: Commercial General Liability Coverage must be purchased on either a project basis (separate policy per contract) or an endorsement allocating an aggregate limit per location or specified project.

- (c) Automobile Liability Insurance for the operation, use, maintenance, loading or unloading of automobiles - ISO Symbol 1 (Any Auto) or alternatively a combination of Symbol 2 (Owned Autos), Symbol 8 (Hired Autos), and Symbol 9 (Non-Owned Autos).

<u>Contract Value</u>	<u>Limits (not less than)</u>
0 - \$25,000	\$300,000 Combined Single Limit
\$25,001 - \$250,000	\$500,000 Combined Single Limit
\$250,001 and over	\$1 Million Combined Single Limit

(d) Excess Liability

For Contracts of \$250,000 or more, and in addition to the scheduled underlying policies for Commercial General Liability, Automobile Liability and Employers' Liability, the Contractor shall also provide an Excess Liability Policy with a maximum self-insured retention for occurrences insured in this Excess Policy not to exceed \$25,000 and a minimum limit of \$1 Million.

(e) Professional Liability, Malpractice and/or Errors and Omissions

The Contractor shall purchase and maintain professional liability, malpractice, or errors or omissions insurance with minimum limits of \$1,000,000 per occurrence. If a claims made form of coverage is provided, the retroactive date of coverage shall be no later than the inception date of claims made coverage, unless the prior policy was extended indefinitely to cover prior acts. Coverage shall be extended beyond the policy year either by a supplemental extended reporting period (ERP) of as great a duration as is available, and with no less coverage and with reinstated aggregate limits, or by requiring that any new policy provides a retroactive date no later than the inception date of claims made coverage.

D. Requirements for Certificates of Insurance

1. With the execution of the Contract Documents, the Contractor, including service-related contractors, shall provide certificates of such insurance acceptable to the City. These certificates and insurance policies shall contain a provision that the coverage under the policies will not be canceled, non-renewed or materially changed until at least thirty (30) days' prior written notice of such cancellation, non-renewal or change (except for nonpayment of premium, which shall be ten (10) days) has been given to the City. The contractor shall be required to replace any expired or canceled policies in like amount and coverage to the satisfaction of the City. The Certificate of Insurance shall be the ACORD FORM 25-S (7/90), or its successor form, and shall be made a part of the Contract Documents.
2. New certificates of insurance shall be provided to the City at least fifteen (15) days prior to coverage renewals.
3. If requested by the City, the contractor shall furnish complete copies of the Contractor's insurance policies, forms and endorsements.

4. For Commercial General Liability coverage the Contractor shall, at the option of the City, provide an indication of the amount of claims payments or reserves chargeable to the aggregate amount of liability coverage. If the Commercial General Liability form of coverage includes an annual aggregate limitation on the amount of insurance provided, a separate project aggregate limit may be required by the City for the given contract.
5. If the Contractor fails to obtain and maintain for the life of the Project the insurance required hereby or to replace any such expired or canceled policy, the City may obtain and maintain such insurance with such company as it deems satisfactory. Any amounts expended by the City in payment of premiums for such insurance shall be deducted by the City from the amount due the Contractor for the work covered by the Contract.

E. Policies of Insurance

1. Except as otherwise provided in this Exhibit, all insurance policies shall be issued by insurers licensed to do business in the State of Florida on an admitted basis or which is an eligible surplus lines insurer in the State of Florida, and any such insuring company is required to have a minimum financial rating of (A-), in the latest edition of "Best's Key Rating Guide", published by A. M. Best Co., Inc., or some similarly nationally recognized rating authority, including Standard and Poors and Demotech.
2. For Workers' Compensation coverage only, self-insurance programs are acceptable with a minimum A- rated reinsurance carriers; written confirmation is required.
3. All policies of insurance or certificates thereof referred to in this Exhibit shall be deposited with the City Clerk.
4. The City shall be named an Additional Insured on General Liability and Automobile Liability policies of insurance and certificates thereof.



CITY OF ORMOND BEACH

City Manager • 22 S. Beach Street • Ormond Beach • Florida • 32174 • (386) 676-3200 • Fax (386) 676-3384

CITY MANAGER MEMORANDUM

To: The Honorable Mayor Partington and City Commissioners

Through: Joyce A. Shanahan, City Manager

From: Tim Heyrend, Utilities Manager

Date: August 4, 2021

Subject: Intent to Bid Water and Wastewater Chemical Purchases 2021

Commission Goal: Water Quality and Environment - Other

Introduction

This is a disposition item notifying the City Commission of staff's intent to utilize the attached documents for purposes of securing bids from interested companies to provide and deliver chemicals for use at the City's water and wastewater treatment facilities for the upcoming fiscal year, with an option to renew the awarded bid pricing and conditions for two additional annual periods.

Background

Regulatory standards require certain chemicals be utilized to perform and enhance processes used for proper and reliable treatment of wastewater and potable water. The City's Water and Wastewater Utilities Division is required to prepare bid specifications and contract conditions for these chemicals utilized at the City's water and wastewater treatment facilities.

Discussion

The attached bid specifications define product criteria, estimated annual quantities for use, and pertinent delivery conditions and locations. The bid advertisement is scheduled for August 9, 2021, with receipt of bids due on September 8, 2021. Upon receipt of bids, City staff will conduct an evaluation of the bids for determining the lowest and most responsive vendor. Upon staff determination of the lowest responsive bidder, an eventual recommendation for award will be provided to the City Commission.

Budget Impact

The eventual bid award will reflect the vendor provided unit pricing for the desired unit of measure for each chemical. Funding for annual water and wastewater treatment plant chemical costs is contained in the Water and Wastewater Operating Funds.

Citizen Impact

The public advertisement and eventual award of services to the most responsive bidder ensures vendors supplying essential products meet the City's qualification standards and pricing obtained is competitively based.

Recommendation

This item serves as notification to the City of Ormond Beach City Commission of staff's intent to utilize the aforementioned and attached bid documents for advertisement and eventual award for pertinent chemical provision and delivery. Subsequent action will be requested in the future for recommendation of bid award to lowest most responsive vendor determined upon review of bids received as a result of this bid advertisement.

Attachments:

- BID 2021-25 Hydrofluosilicic Acid (PDF)
- BID 2021-24 Soldium Bisulfite (PDF)

REVIEWED BY:


Kelly McGuire, Finance Director 7/23/2021

APPROVED BY:


Joyce A. Shanahan, City Manager 7/27/2021



City of Ormond Beach

22 South Beach Street
Ormond Beach, Florida 32174
Telephone (386) 676-3223
Fax (386) 676-3330

INVITATION TO BID

BIDDER ACKNOWLEDGEMENT FORM

THIS FORM MUST BE COMPLETED AND RETURNED WITH YOUR BID

BID TITLE: Annual Supply of Hydrofluosilicic Acid

BID NUMBER: 2021 - 25

BID OPENING DATE & TIME: September 8, 2021 at 2:30 PM

BID OPENING LOCATION: City Hall Training Rm, Ormond Beach City Hall 22 S. Beach Street

PRE-BID MEETING DATE & TIME: N/A

PRE-BID MEETING LOCATION: N/A

Bids Received After The Above Date And Time Will Not Be Accepted.

BIDDER'S NAME: _____

BIDDER'S MAILING ADDRESS: _____

CITY-STATE-ZIP: _____

F.E.I.N. or S.S. NUMBER: _____

PHONE NUMBER: _____

EMAIL: _____

If returning as a "No Bid", please state reason (s): _____

I certify that this Bid is made without prior understanding, agreement, or connection with any corporation, firm, or person submitting a Bid for the same materials, supplies, or equipment, and is in all respects fair and made without collusion or fraud. I agree to abide by all conditions of this Bid and certify that I am authorized to sign this Bid for the Bidder. In submitting a Bid to the City of Ormond Beach, the Bidder offers and agrees that if the Bid is accepted, the Bidder will convey, assign or transfer to the City of Ormond Beach all rights, title, and interest in and to all causes of action it may now or hereafter acquire under the Antitrust laws of the United States and the State of Florida for price fixing relating to the particular commodities or services purchased or acquired by the City of Ormond Beach. At the City's discretion, such assignment shall be made and become effective at the time the City tenders final payment to the Bidder.

X _____
AUTHORIZED SIGNATURE (MANUAL)

NAME (TYPED)

TITLE

DATED

GENERAL CONDITIONS

PUBLIC ENTITY CRIMES: A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a Bid on a contract to provide any goods or services to a public entity, may not submit a Bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit Bids on leases or real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list.

DISCRIMINATION: Pursuant to Section 287.134(2)(a), Florida Statutes, an entity or affiliate who has been placed on the discriminatory vendor list may not submit a bid or proposal on a contract to provide any goods or services to a public entity, may not submit a bid or proposal on a contract with a public entity for the construction or repair of a public building or public work, may not submit bid or proposal on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity.

PUBLIC RECORDS/NON-CONFIDENTIALITY OF BIDS AND/OR PROPOSALS.

The City of Ormond Beach cannot and does not warrant the confidentiality of any information submitted in response to this solicitation. Florida law provides that municipal records shall at all times be open for personal inspection by any person, Section 119.01, F.S., The Public Records Law. Information and materials received by the City of Ormond Beach in connection with all Proposers' response shall be deemed to be public records subject to public inspection upon award, recommendation for award, or 10 days after bid opening, whichever occurs first. Section 119.071, F.S.

NOTIFICATION OF BIDS AND RFP'S: The City uses the services of DemandStar (www.demandstar.com) for notification of its Bids and RFP's on-line on the Internet. If you have received a copy of this Bid/RFP from any source other than DemandStar, please be aware that you may not have received the latest version of the Bid/RFP or any related addendums.

SUBMISSION OF BIDS: All Bids shall be submitted in a sealed envelope. The Invitation to Bid (ITB) number, title, and opening date shall be clearly displayed on the outside of the sealed envelope. The delivery of said Bid to the Purchasing Office on or before the specified opening date and time is solely and strictly the responsibility of the Bidder. Any Bid received by the Purchasing Office after the specified date and time will not be accepted. Bids must be submitted on forms provided by the City. No other forms will be accepted. Telephone, telefax and telegraph Bids will not be considered. No Bid may be modified after opening. **No Bid may be withdrawn after opening for a period of ninety (90) days unless otherwise specified.**

EXECUTION OF BID: Bid must contain a manual signature of authorized representative in the space(s) provided. Bids must be typed or printed in ink. Use of erasable ink is not permitted. All corrections made by Bidder to any Bid entry must be initialed. The company name and Federal Employer Identification Number (F.E.I.D.) or Social Security (S.S.) number shall appear in the space(s) provided.

BID OPENING: Bids shall be opened and the name of the Bidders and the bid amounts shall be read publicly. Bid amounts announced at the bid opening are subject to change due to math errors made by Bidders

BID TABULATION: Any Bidder wishing to receive a copy of the Bid tabulation is required to enclose a stamped, self-addressed envelope with their Bid response. Bid opening tabulations will be posted on DemandStar.com.

CLARIFICATION/CORRECTION OF BID ENTRY: The City of Ormond Beach reserves the right to allow for the clarification of questionable entries and for the correction of obvious mistakes.

INTERPRETATION: Any questions concerning conditions and specifications shall be directed to the Purchasing Coordinator. Those interpretations which may affect the eventual outcome of this Bid will be furnished in writing to all prospective Bidders. No interpretation shall be considered binding unless provided in writing by the City of Ormond Beach.

MINORITY POLICIES: The City of Ormond Beach, Florida, encourages the full participation of Disadvantaged and Women Business Enterprises (D&WBE) in the provision of goods and services.

LICENSES AND PERMITS: The vendor is responsible for obtaining all necessary permits and licenses to comply with all Federal, State, and Local laws, rules and regulations required to perform work in accordance with the specifications.

LOCAL VENDOR PREFERENCE: The City *may* give a local preference in the amount of three percent (3%) of the bid price or \$25,000, whichever is less. The bid price shall include not only the base bid price but all alternatives which are part of the bid and actually purchased or awarded. A Local Vendor Affidavit of Eligibility shall accompany the bid submittal to be considered valid.

PRICING: Firm prices shall be proposed and include FOB DESTINATION, all packing, handling, shipping charges and delivery to any point within the City of Ormond Beach to a secure area or inside delivery. Prices shall be valid for ninety (90) days from date of Bid opening. In the event there is a discrepancy between the unit price and the extended amount, the unit price will prevail.

ADDITIONAL TERMS AND CONDITIONS: The City of Ormond Beach reserves the right to reject Bids containing any additional terms or conditions not specifically requested in the original conditions and specifications.

TAXES: The City of Ormond Beach is exempt from Federal Excise Taxes and all sales taxes.

DISCOUNTS: All discounts EXCEPT THOSE FOR PROMPT PAYMENT shall be considered in determining the lowest net cost for Bid evaluation purposes. If a Bidder offers a discount, it is understood that the discount time will be computed from the date of satisfactory delivery, at the place of acceptance, and receipt of correct invoice, at the office specified, whichever occurs last.

SILENCE OF SPECIFICATIONS: The apparent silence of any specification and any supplemental specifications as to any details or the omission from same of any detailed description concerning any point shall be regarded as meaning that only the best commercial practices are to prevail and that only materials of first quality and correct type, size, and design are to be used. All workmanship is to be first quality. All interpretations of the specifications shall be made upon the basis of this statement.

ASSIGNMENT: Any purchase order or contract issued pursuant to a Bid and the monies which may become due thereunder are not assignable except with the prior written approval of the City Manager or City Commissioner, whichever authorized the purchase.

LIABILITY: The vendor shall hold and save the City of Ormond Beach, its officers, agents, and employees harmless against claims by third parties resulting from the vendor's or supplier's breach of contract or negligence, including all attorney's fees and costs, and shall pay any and all damages, fees, and costs assessed on behalf of the City. The City expressly reserves all rights, privileges and benefits of sovereign immunity.

PATENTS AND ROYALTIES: The Bidder, without exception, shall indemnify and save harmless the City of Ormond Beach and its employees from liability of any kind, including cost and expenses for or on account of any copyrighted, patented, or unpatented invention, process, or article manufactured or used in the performance of the contract, including its use by the City of Ormond Beach. If the Bidder uses any design, device, or materials covered by letters, patent or copyright, it is mutually agreed and understood without exception that the Bid prices shall include all royalties or cost arising from the use of such design, device, or materials in any way involved in the work.

SAFETY WARRANTY: The selling dealer, distributor, supplier, and manufacturer shall be responsible for compliance with all Federal, State and local laws, rules and regulations concerning the equipment and/or service specified and the use thereof, applicable and effective on the date of manufacture including safety and environmental standards as apply to both private industry and governmental agencies.

WARRANTY: The Bidder agrees that, unless otherwise specified, the services furnished under the Bid shall be covered by the most favorable commercial warranty for comparable services, and that the rights and remedies provided herein are in addition to and do not limit any rights afforded to the City of Ormond Beach by other provision of the Bid.

AWARDS: The City reserves the right, in its sole discretion, as the best interest of the City may require, to make award(s) by individual item, group of items, all or none, or a combination thereof; on a geographical basis and/or with one or more vendors or contractors; or to reject any and all Bids or waive any minor irregularity or technicality in the Bids received.

NON-APPROPRIATION OF FUNDS: In the event sufficient budget funds are not available for a new fiscal period, the CITY shall notify the VENDOR/CONTRACTOR of such occurrence and the contract shall terminate on the last day of the current fiscal period, without any penalty or expense to the CITY of any kind whatsoever.

OTHER AGENCIES: All Bidder(s) awarded contracts from this bid or proposal may, permit any municipality or other government agency to participate in the contract under the same prices, terms, and conditions, if agreed to by both parties.

It is understood that at no time will any city, municipality, or other agency be obligated for placing an order for any other city, municipality, or agency: nor will any city, municipality, or agency be obligated for any bills incurred by any other city, municipality, or agency. Further, it is understood that each agency will issue its own purchase orders to the awarded bidder(s).

COMPLIANCE WITH FLORIDA PUBLIC RECORDS LAW:

Contractor expressly agrees that it shall comply with the public records law provided in Florida Statutes, Chapter 119, and specifically to:

- (a) Keep and maintain public records required by the City to perform the contracted service.
- (b) Upon request from the City Clerk, provide the City with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in Chapter 119, Florida Statutes, or as otherwise provided by law.
- (c) Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the contract term and following completion of the contract if the contractor does not transfer the records to the City.
- (d) Upon completion of the contract, transfer at no cost, to the City all public records in possession of the contractor or keep and maintain public records required by the City to perform the service. If the contractor transfers all public records to the City upon completion of the contract, the contractor shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If

the contractor keeps and maintains public records upon the completion of the contract, the contractor shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the City, upon request from the City Clerk, in a format that is compatible with the information technology systems of the City. (e) Failure of the Contractor to comply with Public Records Law as provided by Florida Statutes, Chapter 119, shall subject the Contractor to penalties under Chapter 119.10 and subject this Agreement to termination for cause by the City.

IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT:

**CITY CLERK
22 SOUTH BEACH STREET
ORMOND BEACH, FLORIDA 32175.
(386)677-0311
CITYCLERK@ORMONDBEACH.ORG**

Ref: Fla. Stat. §119.0701(2016)

THE CITY OF ORMOND BEACH RESERVES THE RIGHT TO REJECT ANY OR ALL BIDS, AND TO WAIVE INFORMALITIES, AS MAY BE DEEMED TO BE IN THE BEST INTEREST OF THE CITY.

DEFINITIONS:

BIDDER - The term used herein refers to any individual, company or other entity submitting a Bid to the CITY in response to an Invitation to Bid (ITB).

CITY/OWNER - The terms CITY or OWNER herein refers to the City of Ormond Beach, Florida, and its duly authorized representatives.

CONTRACT MANAGER - The term refers to the CITY representative(s) who will be acting on the CITY's part to manage all the Contract actions.

FURNISH - The terms "furnish", "furnish and install", "install", and "provide" or words with similar meaning shall be interpreted, unless otherwise specifically stated, to mean "furnish and install, complete in place and ready for service".

PROJECT - The total construction of which the Work to be provided under the Contract Documents may be the whole, or a part as indicated elsewhere in the Contract Documents.

PROJECT MANUAL - The term "Project Manual" includes Bid Requirements, General Conditions, Scope of Work, Specifications, Risk Management requirements and any associated attachments.

SPECIFICATIONS - The term refers to those portions of the Project Manual consisting of written technical descriptions of materials, equipment, construction systems, standards and workmanship as applied to the Work and certain administrative details applicable thereto.

SUPPLIER - The term used herein refers to any individual, company or other entity supplying services pursuant to the terms, conditions, and quotations of a Bid or Proposal.

VENDOR, CONTRACTOR, or VENDOR/CONTRACTOR - The term(s) used herein refers to any individual, company, or other entity that is awarded a contract by the CITY, pursuant to the terms, conditions, and quotations of a bid/proposal.

WORK - The entire, completed job or the various separately identifiable parts thereof, required to be furnished under the Contract Documents. Work is the result of providing goods and/or services, furnishing labor and/or furnishing and incorporating materials and equipment into the construction, as required by the Contract Documents.

NON-APPROPRIATION OF FUNDS: In the event sufficient budget funds are not available for a new fiscal period, the CITY shall notify the VENDOR/CONTRACTOR of such occurrence and the contract shall terminate on the last day of the current fiscal period, without any penalty or expense to the CITY of any kind whatsoever.

City of Ormond Beach
ANNUAL SUPPLY OF HYDROFLUOSILICIC ACID
Bid No. 2021 - 25

GENERAL INSTRUCTIONS:

Bid Delivery: Submit one (1) signed and unbound original of the complete Bid packet and one (1) electronic file, with all required attachments, by the closing date and time. Deliver Bids to: Rob Hart, Purchasing Coordinator, Ormond Beach City Hall Room 101, 22 South Beach Street, Ormond Beach, Florida 32174. **Make sure the bid number is clearly visible on the outside of the delivery package. Bids delivered after the time and date specified will not be accepted.** For any question regarding bid delivery contact the purchasing office at 386-676-3223.

Technical Questions: Submit all technical questions regarding this Bid to the City's Purchasing Coordinator, Robert Hart, by e-mailing rob.hart@ormondbeach.org.

Rejection Rights: The City of Ormond Beach reserves the right, at any time, to modify, waive or otherwise vary the terms and conditions of this Bid including, but not limited to, the deadlines for submission and submission requirements. The City further reserves the right to reject any or all submittals, to cancel or withdraw this Bid at any time and to negotiate with any party prior to or after submittal of Bid.

Cost of Bid Preparation: No reimbursement will be made by the City of Ormond Beach for any costs incurred in the preparation of the Bid, proposal or presentation.

Bids to be in Effect: Each Bid shall state that it is valid for a period of not less than ninety (90) days from date of receipt.

Equipment: Contractor shall own and have in good repair all equipment necessary to perform the described services in particular and the equipment necessary to complete related tasks. The City will not provide any equipment to do this work.

Registration And Risk Management Requirements: Any Vendor delivering a product or Contractor doing work for the City of Ormond Beach, on City property shall be **registered** to do business in the City of Ormond Beach and shall provide **proof of**, abide by and maintain, for the entire life of the Contractual Agreement, including any and all approved time extensions, such **insurance** as is required by City ordinance, which shall be incorporated in and made part of the contract documents. A vendor using a common carrier is exempt from this requirement. This proof of insurance will be required prior to commencement of any **on-site** work. Refer to **Exhibit A** for the City's registration and risk management requirements.

TERM OF AGREEMENT:

The initial term of this Agreement shall be for a period of **one (1) year** and will be automatically renewed for two additional **one (1) year** periods unless either party provides at least ninety (90) days prior written notice to the other party of their intent not to renew the Agreement.

SCOPE OF WORK:**GENERAL**

The City of Ormond Beach invites qualified vendors to submit bids to furnish the estimated annual requirements of hydrofluorosilicic acid used for the treatment of water. The successful vendor will be required to provide a chemical that meets the specifications noted in the bid. Specifications for the chemical is included in the Invitation to Bid documents. Chemical shall meet or exceed the specific requirements identified in the bid documents.

Hydrofluorosilicic Acid
Quantity: approximately 15-25 tons

General Description of Services

Hydrofluosilicic Acid (HFS) shall be supplied for use at the City of Ormond Beach Water Treatment Plant, 298 Tomoka Avenue, Ormond Beach, FL 32174. The HSF product shall be in liquid form and shall conform to the latest, approved edition of one or more of the following: the standards adopted in Rule 62-555.320(3), F.A.C., NSF International Standard 60, Water Chemicals Codex, Food Chemicals Codex, and certified to meet AWWA Standard B703.

The Hydrofluosilicic Acid provided shall be in accordance with the following general list of physical properties:

- Percent mixture as H_2SiF_6 22%-24%
- Active Ingredients (Fluoride) 18% minimum
- Appearance (Color) water white and <10 units of color
- pH of a 1% solution @ 25degrees C <2.0
- Specific Gravity 1.19 to 1.23
- Arsenic concentration, % 0.001 maximum
- Heavy Metals, expressed % as Pb 0.02 maximum

- Hydrofluosilicic Acid will be delivered as liquid (price per ton) and shall be final filtered through no greater than 1 micron filter to support removal of contaminants.

- Vendor shall be prepared to provide the owner with a sample of HFS product for delivery prior to offloading to ascertain product clarity. The owner reserves the

right to reject the delivery based upon clarity of sample. The owner also reserves the right to test a sample taken from the delivered product for any and all physical properties listed above with a third party laboratory for determination of specification compliance. Deliveries found to be out of compliance with one or more physical properties tested shall be subject to rejection. Vendor shall be responsible for removal and disposal of rejected project and replacement with compliant product within 1 week of notification by owner.

- Bidders shall provide an affidavit of compliance with one or more of the standards adopted in Rule 62-555.320(3), F.A.C., product specifications and certified to meet AWWA Standard B703.
- Regulated metals, Single Product Allowable Concentration (SPAC) shall not exceed those listed in NSF/ANSI 60 – 2004, Table D1 – U.S. Environmental Protection Agency and Health Canada NSF/ANSI 60 drinking water criteria.
- The bidder must submit a certified analysis, as to the composition of the product with the bid.
- The successful bidder must supply an S.D.S. (Safety Data Sheets) on the product.
- The successful bidder's shipper is responsible for matching our receiving tank equipment with the proper tank truck discharge system.
- The successful bidder will supply copies of the manufacturer's shipping and handling safety procedures.
- Deliveries will be between the business hours of 7:30 AM and 3:00 PM Monday through Friday with exception of holidays. F.O.B. Ormond Beach, Florida.

Delivery Requirements

Delivery shall be in bulk at the expense of the supplier and shall, upon acceptance by the City of Ormond Beach, be delivered in bulk into two (2) tanks, having capacity of 1,500 gallons per each tank. Maximum delivery volume due to storage constraints is twelve (12) Tons of hydrofluosilicic acid. Delivery will be scheduled when and as needed. The supplier shall provide 24 hours notice prior to delivery.

Contractor shall make "normal" deliveries within three (3) days after receipt of order and must make "emergency" deliveries within 24 hours. An emergency delivery is defined as a delivery which is necessary in order to prevent the Purchaser from running out of referenced chemical in less than 36 hours. Purchaser shall endeavor to minimize the number of "emergency" deliveries.

The Contractor shall be responsible for any spills resulting from the failure of its or its subcontractor's delivery equipment or from failure of attendant delivery personnel in the proper performance of their duties. Proper performance shall require attendant delivery personnel's constant inspection and observation of unloading operations and

knowledgeable response to problems or emergencies, which would most commonly be expected to occur. The Purchaser reserves the right to refuse any and all deliveries made with equipment that is poorly maintained.

Because of security and safety concerns, all delivery vehicle drivers shall be U.S. citizens and have a proper commercial driver's license with a Hazardous Material endorsement. Contractor's drivers shall display its driver's license and whenever challenged by Purchaser during the delivery.

A certificate of compliance and certified analysis as to the composition of the product must be provided with each delivery.

Bidders must comply with the insurance and risk management requirements of the City of Ormond Beach, attached to this specification as Attachment A.

IN THE EVENT THE SUPPLIER IS UNABLE TO SUPPLY, THE CITY OF ORMOND BEACH, RESERVES THE RIGHT TO PURCHASE SUPPLIES FROM THE BEST AVAILABLE SOURCE.

QUANTITIES:

The City does not assume any responsibility that the final quantities shall remain in strict accordance with the estimated quantities, nor shall the bidder plead misunderstanding or deception because of such estimate of quantities.

COST ADJUSTMENTS:

The Contractor is required to provide a firm price, as stated in subparagraph (a), for the initial one (1) year term of this Contract for the Services provided. Upon any exercise of contract renewal, but no later than ninety (90) days before the end of each contract period, the Contractor may request a rate adjustment subject only to changes in mutually-agreed, nationally recognized, indices (for example: Consumer Price Index), changes in the scope of work, changes in the location of land application sites, changes in energy or chemical costs, and changes in applicable laws, rules, regulations, or directives. Any change in the rates stated in subparagraph (a) shall be negotiated by the parties, and approved by the City Commission of the City, in its absolute discretion, in advance of the effective date of any such change. The maximum increase for any annual period shall be four (4%) percent which will only apply to the future year, increases will not be retroactive. The adjusted rate, if approved shall take effect on October 1, of the year in which approved.

AWARD:

The City reserves the right to award any contract(s) to the bidder(s) which it deems to offer the best overall service; therefore, the City is not bound to award any contract(s) based solely on lowest quoted price. The City also reserves the right to negotiate separately with competing bidders as deemed to be in the City's best interest.

TAXES:

The Contractor is responsible for paying any and all taxes associated with this agreement.

OTHER AGENCIES:

Any bidder(s) awarded a contract resulting from this bid is/are given the privilege and is/are required to permit all public and governmental entities in the State of Florida to participate in the contract under the same terms and conditions.

It is understood that at no time will any agency be obligated for placing an order for any other agency. Each agency will only have the authority to obligate itself and will not be held responsible for bills incurred by any other agency. Further, it is understood that each agency will issue its own purchase order(s) or contract to successful bidder(s).

City of Ormond Beach
ANNUAL SUPPLY OF HYDROFLUOSILICIC ACID
Bid No. 2021 - 25

VERIFICATION OF EMPLOYMENT STATUS USING E-VERIFY SYSTEM

1. Undersigned firm warrants it **IS** currently registered with the U.S. Department of Homeland Security's E-Verify system, **and** is compliant with the requirements of Sections 448.09 and 448.095, *Florida Statutes*.
2. Undersigned firm warrants it **has not** had any contracts terminated as a result of violations of Sections 448.09 or 448.095, *Florida Statutes*, that prohibit it from contracting with a public agency.
3. Undersigned firm warrants that if it enters into an agreement with a subcontractor, an express provision shall be included in all of its subcontracts requiring subcontractors, who perform work or provide services pursuant to the contract, to use the E-Verify system to verify employment eligibility of all new employees hired by the subcontractor during the contract term.
4. Undersigned firm understands that any subcontractor must provide the contractor with an affidavit stating that the subcontractor does not employ, contract with, or subcontract with an unauthorized alien, and the contractor understands it shall maintain any such affidavits for the duration of the contract, and the contract with the subcontractor must be immediately terminated if the City has a good faith belief that the subcontractor knowingly violated Section 448.09 (1), *Florida Statutes*.
5. Undersigned firm understands that in the event the City has a good faith belief that the contractor has knowingly violated Section 448.09 (1), *Florida Statutes*, the City shall terminate the contract, and the contractor may not be awarded a public contract for a period of at least one (1) year after the date of termination. The contractor may be held liable for any additional costs incurred by the City as a result of termination of the contract.

 COMPANY NAME

 AUTHORIZED SIGNATURE

 NAME

 TITLE

 DATE

City of Ormond Beach
ANNUAL SUPPLY OF HYDROFLUOSILICIC ACID
Bid No. 2021 - 25

BID RESPONSE FORM

THIS BID IS SUBMITTED TO:
 (Name and Address of Owner)

Purchasing Coordinator
 City of Ormond Beach
 22 S. Beach Street
 Ormond Beach, Florida 32174
 Phone: (386) 676-3223

The undersigned BIDDER proposes and agrees, if this Bid is accepted, to enter into an Agreement with the CITY in the form included in the Bid Documents to complete all Work as specified or indicated in the Bid Documents for the Contract Price and within the Contract Time indicated in this Bid and in full accordance with the Bid Documents.

BIDDER certifies that he has investigated the requirements to do business in the jurisdiction where the project is located, and that he is either qualified to do business or will obtain such prequalification prior to award of the contract.

BIDDER accepts all of the terms and conditions of the General Conditions. BIDDER will sign the Agreement (Contract) and submit the Contract security (when applicable) and other documents required by the Contract Documents within ten (10) days after the date of CITY's Notice of Award.

In submitting this Bid, BIDDER represents, as more fully set forth in the Agreement, that:

BIDDER has examined copies of all the Bid Documents and of the following Addenda:

<u>Addendum Date</u>	<u>Addendum Number</u>
_____	_____
_____	_____
_____	_____

Receipt of all of which is hereby acknowledged.

BIDDER has examined the site and locality where the Work is to be performed, when applicable, the legal requirements (federal, state and local laws, ordinances, rules and regulations) and the conditions affecting cost, progress or performance of the Work and has made such independent investigations as BIDDER deems necessary.

BID RESPONSE FORM
(continued)

This Bid is genuine and not made in the interest of or on behalf of any undisclosed person, firm or corporation and is not submitted in conformity with any agreement or rules of any group, association, organization or corporation; BIDDER has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid; BIDDER has not solicited or induced any person, firm or a corporation to refrain from bidding; and BIDDER has not sought by collusion to obtain for himself any advantage over any other Bidder or over the CITY.

THIS BID IS SUBMITTED BY:

COMPANY NAME: _____

VENDOR/CONTRACTOR LICENSE NUMBER: _____

ADDRESS: _____

PHONE NO.: _____ EMAIL: _____

SUBMITTER'S NAME: _____
 (Typed or Printed in Ink)

TITLE: _____

AUTHORIZED SIGNATURE: I, _____ hereby
 (Original Signature)

declare that I have read and fully understand the Invitation to Bid, including the General Conditions, Specifications and Drawings (when applicable) and that I am duly authorized to sign and submit this bid.

The CITY reserves the right to reject any and all bids, to waive informalities, and to accept any bid or parts thereof as the CITY, in its sole discretion, determines to be in the best interest of the CITY.

City of Ormond Beach

The BIDDER will complete the Work, as described herein, for the following price(s):

BID SCHEDULE

Item	Description:	Quantity:	Unit:	Unit Price:
1.	HYDROFLUOSILICIC ACID	1	TON	\$ _____

TOTAL BID FOR CONTRACT \$ _____

(Figures)

(Words)

City of Ormond Beach
ANNUAL SUPPLY OF HYDROFLUOSILICIC ACID
Bid No. 2021 - 25

CITY OF ORMOND BEACH, FLORIDA

**CONFLICT, NON-CONFLICT OF INTEREST STATEMENT
LITIGATION STATEMENT**

1.

- [] To the best of our knowledge, the undersigned firm has no potential conflicts of interest due to any other clients or contracts for this project.
- [] The undersigned firm, by attachment to this form, submits information which may be a potential conflict of interest due to other clients or contracts for this project.

2.

- [] The undersigned firm has had no litigation on any project in the last five (5) years.
- [] The undersigned firm, by attachment to this form, submits a summary and disposition of individual cases of litigation during the past five (5) years.

COMPANY NAME

AUTHORIZED SIGNATURE

NAME (PRINT OR TYPE)

TITLE

DATE

CITY OF ORMOND BEACH

DRUG-FREE WORKPLACE CERTIFICATION

IDENTICAL OR "TIE" BID: Preference shall be given to businesses with drug-free workplace programs. Whenever two or more Bids which are equal in respect to price, quality, and service are received by the State or by any political subdivision for the procurement of commodities or contractual services, a Bid received from a business that certifies that it has implemented a drug-free workplace program shall be given preference in the award process. Established procedures for processing tie Bids will be followed if none of the tied vendors have a drug-free workplace program. In order to have a drug-free workplace program, a business shall:

Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.

Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violation.

Give each employee that engages in providing the commodities or contractual services that are under proposal a copy of the statement specified in subsection (1).

In the statement specified in subsection (1), notify the employees that, as a condition of working on the commodities or contractual services that are under proposal, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation of Chapter 893 or of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than five (5) calendar days after such conviction.

Impose sanctions on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community, by any employee who is so convicted.

Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

COMPANY NAME

AUTHORIZED SIGNATURE

NAME (PRINT OR TYPE)

LOCAL VENDOR PREFERENCE

The following is taken from the Code of Ordinances, City of Ormond Beach, Chapter 2, Financial Matters, Division 3, Purchasing, Article IX, Section 2-304:

Except where otherwise provided by federal or state law or other funding source restrictions, purchases of goods and services under the Purchasing Code shall give preference to local businesses as follows:

- (a) Under a competitive bid solicitation, the City *may* give a local preference in the amount of three percent (3%) of the bid price or \$25,000, whichever is less. The bid price shall include not only the base bid price but all alternatives which are part of the bid and actually purchased or awarded.
- (b) A *local business* shall mean a vendor that has a valid occupational license issued by the City of Ormond Beach at least one year prior to bid opening, with a physical business address located within the municipal boundaries of the City of Ormond Beach from which the vendor operates or performs business on a day-to-day basis that is a substantial component of the goods or services being offered and has provided a Local Vendor Affidavit of Eligibility at the time the bid is submitted.
- (c) A *Local Vendor Affidavit of Eligibility* shall accompany the bid submittal to be considered valid and shall include, but not be limited to, the following information:
 - (1) A physical business and location address;
 - (2) A copy of current City of Ormond Beach Local Business Tax Receipt (occupational license) to verify the business location;
 - (3) Proof of payment of business tax and real property tax due to the City of Ormond Beach;
 - (4) A copy of the firm's most recent annual corporation report to the Florida Division of Corporations;
 - (5) Any additional information necessary to verify local status.
- (d) *Exemptions:* Goods or services provided under a cooperative purchasing agreement, contracts for professional services subject to Consultants' Competitive Negotiation Act, purchases or contracts funded in whole or part by a governmental entity that does not allow local preferences, purchases made under another agency's agreements or contracts (piggybacking), purchases under emergency or sole source situations and procurements subject to formal proposals including but not limited to request for proposals (RFP) or continuing contract, and request for quotes (RFQ) versus straight competitive bids.
- (e) This section shall not be deemed to require the granting of a local preference, and nothing herein prohibits the award of a contract to a non-local vendor where such award is in the public interest.



Local Vendor Affidavit of Eligibility

I certify that my company meets all of the following qualifications to be eligible for the local vendor preference:

- a. My company has a physical business address located within the municipal boundaries of the City of Ormond Beach which is used to perform business on a day-to-day basis.
- b. My company holds any business (occupational) or contractor license required by the City of Ormond Beach at least one year prior to bid opening.
- c. Payment of business tax and real property tax due to the City of Ormond Beach is current
- d. My company is in compliance with annual reporting to the Florida Division of Corporations

Company Name: _____

Address: _____

Business or Contractor License Number: _____

Phone Number: _____ Fax Number: _____

Owner's Name: _____ Signature: _____

Sworn to before me this _____ day of _____

Notary Public for the State of _____ My Commission Expires _____

Notary Public Signature: _____ Printed Name: _____

To be approved as a local bidder and receive bid preference on an eligible local project, this affidavit of eligibility, a copy of your local business or contractor license, copy of business tax/real property tax and a copy of the firm's most recent annual corporation report must be submitted with your bonafide BID package. Bid preference is provided at the City's sole discretion.

VENDOR DO NOT COMPLETE BELOW

To be verified and completed by an authorized representative of the City of Ormond Beach's Purchasing Department:

Vendor Certified by: _____ Date: _____

**Attachment A
City of Ormond Beach
REGISTRATION AND INSURANCE REQUIREMENTS FOR VENDOR/CONTRACTOR
WORKING ON CITY PROJECTS**

Registration Requirements

VENDORS doing business within the City Limits must be registered with the City.

Requirements for registering a business are as follows:

Copy of City Business Tax Receipt (where your business is located).

Certificate of Insurance showing General Liability and Workers' Comp (or State Workers' Comp Exemption form).

Application Fee: \$25.00 For more information, contact the City's Business Tax Receipt official.

State Certified/Registered Contractors

All registered contractors must be registered with Volusia County. Volusia County Contractor Licensing, 123 W. Indiana Ave., Rm 203, Deland, FL 32720 (386) 736-5957 Opt. 2 – (386) 740-5215 Fax. Certified Contractors have the option of registering with Volusia County, or providing information directly to the business tax receipt official.

If you have any questions regarding the above requirements, please contact the business tax receipt official at (386) 676-3234.

Insurance Requirements

[From Ormond Beach Code of Ordinances establishing minimum requirements for risk management, commercial general liability insurance, and comprehensive general liability insurance, as amended by Resolution No. 2011-116 (8/16/11)]:

B. Contractual Provisions Relative to Risk Management

All contracts for any public works to be performed, and service-related contracts, for or on behalf of the City shall include the following, or substantially similar, provisions:

1. Hold Harmless

(a) General

The City, its agents, employees, and officials, both elected and appointed, shall be held harmless from and against all claims for bodily injury, sickness, disease, death or personal injury or damage to property or loss of use resulting there from, arising out of the agreement, contract or lease unless such claims are a result of the City's sole negligence, as determined by the final arbiter of such claim.

(b) Professional Services Contracts

The City, its agents, employees, and officials, both elected and appointed shall be held harmless from and against all claims for bodily injury, sickness, disease, death or personal injury or damage to property or loss of use resulting there from arising out of performance of the agreement or contract, unless such claims are a result of the City's sole negligence, as determined by the final arbiter of such claim.

The City, its agents, employees, and officials, both elected and appointed shall also be held harmless from and against all claims for financial loss with respect to the provision of or failure to provide professional or other services resulting in professional, malpractice, or errors and omissions liability arising out of performance of the agreement or contract, unless such claims are a result of the City's sole negligence, as determined by the final arbiter of such claim.

2. Payment on Behalf of City

The Contractor shall pay all costs of the City's legal defense, as may be selected by the City, for all claims described in the Hold Harmless paragraph.

Such payment on behalf of the City shall be in addition to any and all other legal remedies available to the City and shall not be considered to be the City's exclusive remedy.

3. Loss Control/Safety

Precaution shall be exercised at all times by the Contractor for the protection of all persons, including employees and property. The Contractor shall comply with all applicable laws, regulations and ordinances related to safety and health, shall make special efforts to detect hazardous conditions, and shall take prompt action when loss control/safety measures are reasonably necessary.

The City may order work to be stopped if conditions exist that present an immediate danger to persons or property. The Contractor acknowledges that such work stoppage will not shift responsibility for any damages from the Contractor to the City.

4. Service Bond

For Service-related contracts only, the City may require the Contractor to secure a service bond with a minimum \$25,000 coverage limit for the period of the service agreement. The service bond covers dishonest acts of the contractor's employees against the City. A copy of the bond shall be provided to the City when the agreement commences.

Service-related contracts include and are not limited to businesses providing janitorial, pest control, general repair, security, carpet cleaning, locksmith, temporary employment, painting, moving services or other contracts as determined in the discretion of the Risk Manager as necessary to minimize loss.

C. Contractor's Insurance

1. General

The Contractor, including service-related contractors, shall purchase and maintain for the entire life of the Project, including any and all approved time extensions, until its final acceptance by the City, such insurance as will protect the Contractor from claims under Workers' Compensation, disability benefit laws or other similar employee benefit laws; from claims for damages because of bodily injury, occupational sickness or disease, or death of Contractor's employees; from claims insured by usual or unusual injury liability coverage; from claims or injury to or destruction of tangible property and from claims insured by usual Commercial General Liability coverage. This includes loss of use resulting there from, any or all of which may arise out of the Contractor's operations under the Contract Documents, whether such operations be by the Contractor, by any Subcontractor, or by anyone directly or indirectly employed by any of them or for whose acts any of them may be legally liable. The Contractor's deductibles/self-insured retentions shall be disclosed to the City and may be disapproved by the City, and may be reduced or eliminated at the sole discretion of the City. The Contractor is responsible for the amount of any deductible or self-insured retention.

2. Types of Insurance and Limits of Liability

The insurance required herein shall be written for not less than any limits of liability specified and incorporated as part of the Contract Documents or as required by law, whichever is greater, and shall include the following:

- (a)** Workers' Compensation Insurance in statutory limits for the State of Florida with Coverage B - Employer's Liability limits of not less than:

\$100,000. Each Accident Bodily Injury by Accident

\$100,000. Each Employee Bodily Injury by Disease

\$500,000. Policy Limit Bodily Injury by Disease

Certificate of Exemptions. If the contractor has a State-issued Certificate of Exemption, the contractor may provide a copy in place of the requirement for coverage. However, if the contractor subcontracts or retains any other person or entity to perform under the contract, that person or entity must provide proof of workers' compensation insurance as required by law or provide a Certificate of Exemption.

It is the intent of the City that any individual who either contracts directly with the city or performs any work on behalf of any such contractor be covered by workers compensation insurance or have a valid exemption from said coverage.

(If applicable to the Project, the policy must include benefits under the United States Longshoremen's and Harbor Workers' Act and the Jones Act coverage--all maritime coverage.)

(b) Commercial General Liability Insurance shall be written on a coverage form as broad as Insurance Services Office (ISO) Form CG 00 01 11 88, or its successor form, including but not limited to the following coverage (any deviation shall be noted on the Certificates of Insurance):

- a. Premises and Operations
- b. Owners' & Contractors' Protective
- c. Products & Completed Operation
- d. Explosion, Collapse & Underground Conditions
- e. Blanket Contractual Liability
- f. Personal Injury Liability
- g. Broad Form Property Damage Endorsement, including Completed Operations
- h. Independent Contractors
- i. Watercraft--Owned and Non-Owned (if applicable, endorsement must be included in General Liability policy or a separate Protection & Indemnity Policy must be written)
- j. Pollution Liability (if applicable)
- k. Asbestos Abatement (if applicable)
- l. Fire Damage Liability

Certain coverage outlined above may not be required if they do not relate to the Project, as may be determined at the sole discretion of the City.

Commercial General Liability Coverage shall be written on an occurrence basis and the limits shall be no less than the following amounts for all tiers of Contractors and Subcontractors:

<u>Contract Value</u>	<u>Limits (not less than)</u>
0 - 25,000	\$300,000 Each Occurrence \$300,000 General Aggregate* \$300,000 Aggregate Products & Completed Operations \$ 25,000 Fire Damage (any one fire)
\$25,001 - \$250,000	\$500,000 Each Occurrence \$1 Million General Aggregate* \$1 Million Aggregate Products & Completed Operations \$ 50,000 Fire Damage (any one fire)
\$250,001 - \$3,000,000	\$1 Million Each Occurrence \$1 Million General Aggregate* \$1 Million Aggregate Products & Completed Operations \$ 50,000 Fire Damage (any one fire)
\$3,000,001 & over	20% of the Value of the Contract [Minimum \$1 Million Each Occurrence/\$2 Million General Aggregate]

* NOTE: Commercial General Liability Coverage must be purchased on either a project basis (separate policy per contract) or an endorsement allocating an aggregate limit per location or specified project.

- (c) Automobile Liability Insurance for the operation, use, maintenance, loading or unloading of automobiles - ISO Symbol 1 (Any Auto) or alternatively a combination of Symbol 2 (Owned Autos), Symbol 8 (Hired Autos), and Symbol 9 (Non-Owned Autos).

<u>Contract Value</u>	<u>Limits (not less than)</u>
0 - \$25,000	\$300,000 Combined Single Limit
\$25,001 - \$250,000	\$500,000 Combined Single Limit
\$250,001 and over	\$1 Million Combined Single Limit

(d) Excess Liability

For Contracts of \$250,000 or more, and in addition to the scheduled underlying policies for Commercial General Liability, Automobile Liability and Employers' Liability, the Contractor shall also provide an Excess Liability Policy with a maximum self-insured retention for occurrences insured in this Excess Policy not to exceed \$25,000 and a minimum limit of \$1 Million.

(e) Professional Liability, Malpractice and/or Errors and Omissions

The Contractor shall purchase and maintain professional liability, malpractice, or errors or omissions insurance with minimum limits of \$1,000,000 per occurrence. If a claims made form of coverage is provided, the retroactive date of coverage shall be no later than the inception date of claims made coverage, unless the prior policy was extended indefinitely to cover prior acts. Coverage shall be extended beyond the policy year either by a supplemental extended reporting period (ERP) of as great a duration as is available, and with no less coverage and with reinstated aggregate limits, or by requiring that any new policy provides a retroactive date no later than the inception date of claims made coverage.

D. Requirements for Certificates of Insurance

1. With the execution of the Contract Documents, the Contractor, including service-related contractors, shall provide certificates of such insurance acceptable to the City. These certificates and insurance policies shall contain a provision that the coverage under the policies will not be canceled, non-renewed or materially changed until at least thirty (30) days' prior written notice of such cancellation, non-renewal or change (except for nonpayment of premium, which shall be ten (10) days) has been given to the City. The contractor shall be required to replace any expired or canceled policies in like amount and coverage to the satisfaction of the City. The Certificate of Insurance shall be the ACORD FORM 25-S (7/90), or its successor form, and shall be made a part of the Contract Documents.
2. New certificates of insurance shall be provided to the City at least fifteen (15) days prior to coverage renewals.
3. If requested by the City, the contractor shall furnish complete copies of the Contractor's insurance policies, forms and endorsements.

4. For Commercial General Liability coverage the Contractor shall, at the option of the City, provide an indication of the amount of claims payments or reserves chargeable to the aggregate amount of liability coverage. If the Commercial General Liability form of coverage includes an annual aggregate limitation on the amount of insurance provided, a separate project aggregate limit may be required by the City for the given contract.
5. If the Contractor fails to obtain and maintain for the life of the Project the insurance required hereby or to replace any such expired or canceled policy, the City may obtain and maintain such insurance with such company as it deems satisfactory. Any amounts expended by the City in payment of premiums for such insurance shall be deducted by the City from the amount due the Contractor for the work covered by the Contract.

E. Policies of Insurance

1. Except as otherwise provided in this Exhibit, all insurance policies shall be issued by insurers licensed to do business in the State of Florida on an admitted basis or which is an eligible surplus lines insurer in the State of Florida, and any such insuring company is required to have a minimum financial rating of (A-), in the latest edition of "Best's Key Rating Guide", published by A. M. Best Co., Inc., or some similarly nationally recognized rating authority, including Standard and Poors and Demotech.
2. For Workers' Compensation coverage only, self-insurance programs are acceptable with a minimum A- rated reinsurance carriers; written confirmation is required.
3. All policies of insurance or certificates thereof referred to in this Exhibit shall be deposited with the City Clerk.
4. The City shall be named an Additional Insured on General Liability and Automobile Liability policies of insurance and certificates thereof.



City of Ormond Beach

22 South Beach Street
Ormond Beach, Florida 32174
Telephone (386) 676-3223
Fax (386) 676-3330

INVITATION TO BID

BIDDER ACKNOWLEDGEMENT FORM

THIS FORM MUST BE COMPLETED AND RETURNED WITH YOUR BID

BID TITLE: Annual Supply of Sodium Bisulfite

BID NUMBER: 2021 - 24

BID OPENING DATE & TIME: September 8, 2021 at 2:00 PM

BID OPENING LOCATION: City Hall Training Rm, Ormond Beach City Hall 22 S. Beach Street

PRE-BID MEETING DATE & TIME: N/A

PRE-BID MEETING LOCATION: N/A

Bids Received After The Above Date And Time Will Not Be Accepted.

BIDDER'S NAME: _____

BIDDER'S MAILING ADDRESS: _____

CITY-STATE-ZIP: _____

F.E.I.N. or S.S. NUMBER: _____

PHONE NUMBER: _____

EMAIL: _____

If returning as a "No Bid", please state reason (s): _____

I certify that this Bid is made without prior understanding, agreement, or connection with any corporation, firm, or person submitting a Bid for the same materials, supplies, or equipment, and is in all respects fair and made without collusion or fraud. I agree to abide by all conditions of this Bid and certify that I am authorized to sign this Bid for the Bidder. In submitting a Bid to the City of Ormond Beach, the Bidder offers and agrees that if the Bid is accepted, the Bidder will convey, assign or transfer to the City of Ormond Beach all rights, title, and interest in and to all causes of action it may now or hereafter acquire under the Antitrust laws of the United States and the State of Florida for price fixing relating to the particular commodities or services purchased or acquired by the City of Ormond Beach. At the City's discretion, such assignment shall be made and become effective at the time the City tenders final payment to the Bidder.

X _____
AUTHORIZED SIGNATURE (MANUAL)

NAME (TYPED)

TITLE

DATED

GENERAL CONDITIONS

PUBLIC ENTITY CRIMES: A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a Bid on a contract to provide any goods or services to a public entity, may not submit a Bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit Bids on leases or real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list.

DISCRIMINATION: Pursuant to Section 287.134(2)(a), Florida Statutes, an entity or affiliate who has been placed on the discriminatory vendor list may not submit a bid or proposal on a contract to provide any goods or services to a public entity, may not submit a bid or proposal on a contract with a public entity for the construction or repair of a public building or public work, may not submit bid or proposal on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity.

PUBLIC RECORDS/NON-CONFIDENTIALITY OF BIDS AND/OR PROPOSALS.

The City of Ormond Beach cannot and does not warrant the confidentiality of any information submitted in response to this solicitation. Florida law provides that municipal records shall at all times be open for personal inspection by any person, Section 119.01, F.S., The Public Records Law. Information and materials received by the City of Ormond Beach in connection with all Proposers' response shall be deemed to be public records subject to public inspection upon award, recommendation for award, or 10 days after bid opening, whichever occurs first. Section 119.071, F.S.

NOTIFICATION OF BIDS AND RFP'S: The City uses the services of DemandStar (www.demandstar.com) for notification of its Bids and RFP's on-line on the Internet. If you have received a copy of this Bid/RFP from any source other than DemandStar, please be aware that you may not have received the latest version of the Bid/RFP or any related addendums.

SUBMISSION OF BIDS: All Bids shall be submitted in a sealed envelope. The Invitation to Bid (ITB) number, title, and opening date shall be clearly displayed on the outside of the sealed envelope. The delivery of said Bid to the Purchasing Office on or before the specified opening date and time is solely and strictly the responsibility of the Bidder. Any Bid received by the Purchasing Office after the specified date and time will not be accepted. Bids must be submitted on forms provided by the City. No other forms will be accepted. Telephone, telefax and telegraph Bids will not be considered. No Bid may be modified after opening. **No Bid may be withdrawn after opening for a period of ninety (90) days unless otherwise specified.**

EXECUTION OF BID: Bid must contain a manual signature of authorized representative in the space(s) provided. Bids must be typed or printed in ink. Use of erasable ink is not permitted. All corrections made by Bidder to any Bid entry must be initialed. The company name and Federal Employer Identification Number (F.E.I.D.) or Social Security (S.S.) number shall appear in the space(s) provided.

BID OPENING: Bids shall be opened and the name of the Bidders and the bid amounts shall be read publicly. Bid amounts announced at the bid opening are subject to change due to math errors made by Bidders

BID TABULATION: Any Bidder wishing to receive a copy of the Bid tabulation is required to enclose a stamped, self-addressed envelope with their Bid response. Bid opening tabulations will be posted on DemandStar.com.

CLARIFICATION/CORRECTION OF BID ENTRY: The City of Ormond Beach reserves the right to allow for the clarification of questionable entries and for the correction of obvious mistakes.

INTERPRETATION: Any questions concerning conditions and specifications shall be directed to the Purchasing Coordinator. Those interpretations which may affect the eventual outcome of this Bid will be furnished in writing to all prospective Bidders. No interpretation shall be considered binding unless provided in writing by the City of Ormond Beach.

MINORITY POLICIES: The City of Ormond Beach, Florida, encourages the full participation of Disadvantaged and Women Business Enterprises (D&WBE) in the provision of goods and services.

LICENSES AND PERMITS: The vendor is responsible for obtaining all necessary permits and licenses to comply with all Federal, State, and Local laws, rules and regulations required to perform work in accordance with the specifications.

LOCAL VENDOR PREFERENCE: The City *may* give a local preference in the amount of three percent (3%) of the bid price or \$25,000, whichever is less. The bid price shall include not only the base bid price but all alternatives which are part of the bid and actually purchased or awarded. A Local Vendor Affidavit of Eligibility shall accompany the bid submittal to be considered valid.

PRICING: Firm prices shall be proposed and include FOB DESTINATION, all packing, handling, shipping charges and delivery to any point within the City of Ormond Beach to a secure area or inside delivery. Prices shall be valid for ninety (90) days from date of Bid opening. In the event there is a discrepancy between the unit price and the extended amount, the unit price will prevail.

ADDITIONAL TERMS AND CONDITIONS: The City of Ormond Beach reserves the right to reject Bids containing any additional terms or conditions not specifically requested in the original conditions and specifications.

TAXES: The City of Ormond Beach is exempt from Federal Excise Taxes and all sales taxes.

DISCOUNTS: All discounts EXCEPT THOSE FOR PROMPT PAYMENT shall be considered in determining the lowest net cost for Bid evaluation purposes. If a Bidder offers a discount, it is understood that the discount time will be computed from the date of satisfactory delivery, at the place of acceptance, and receipt of correct invoice, at the office specified, whichever occurs last.

SILENCE OF SPECIFICATIONS: The apparent silence of any specification and any supplemental specifications as to any details or the omission from same of any detailed description concerning any point shall be regarded as meaning that only the best commercial practices are to prevail and that only materials of first quality and correct type, size, and design are to be used. All workmanship is to be first quality. All interpretations of the specifications shall be made upon the basis of this statement.

ASSIGNMENT: Any purchase order or contract issued pursuant to a Bid and the monies which may become due thereunder are not assignable except with the prior written approval of the City Manager or City Commissioner, whichever authorized the purchase.

LIABILITY: The vendor shall hold and save the City of Ormond Beach, its officers, agents, and employees harmless against claims by third parties resulting from the vendor's or supplier's breach of contract or negligence, including all attorney's fees and costs, and shall pay any and all damages, fees, and costs assessed on behalf of the City. The City expressly reserves all rights, privileges and benefits of sovereign immunity.

PATENTS AND ROYALTIES: The Bidder, without exception, shall indemnify and save harmless the City of Ormond Beach and its employees from liability of any kind, including cost and expenses for or on account of any copyrighted, patented, or unpatented invention, process, or article manufactured or used in the performance of the contract, including its use by the City of Ormond Beach. If the Bidder uses any design, device, or materials covered by letters, patent or copyright, it is mutually agreed and understood without exception that the Bid prices shall include all royalties or cost arising from the use of such design, device, or materials in any way involved in the work.

SAFETY WARRANTY: The selling dealer, distributor, supplier, and manufacturer shall be responsible for compliance with all Federal, State and local laws, rules and regulations concerning the equipment and/or service specified and the use thereof, applicable and effective on the date of manufacture including safety and environmental standards as apply to both private industry and governmental agencies.

WARRANTY: The Bidder agrees that, unless otherwise specified, the services furnished under the Bid shall be covered by the most favorable commercial warranty for comparable services, and that the rights and remedies provided herein are in addition to and do not limit any rights afforded to the City of Ormond Beach by other provision of the Bid.

AWARDS: The City reserves the right, in its sole discretion, as the best interest of the City may require, to make award(s) by individual item, group of items, all or none, or a combination thereof; on a geographical basis and/or with one or more vendors or contractors; or to reject any and all Bids or waive any minor irregularity or technicality in the Bids received.

NON-APPROPRIATION OF FUNDS: In the event sufficient budget funds are not available for a new fiscal period, the CITY shall notify the VENDOR/CONTRACTOR of such occurrence and the contract shall terminate on the last day of the current fiscal period, without any penalty or expense to the CITY of any kind whatsoever.

OTHER AGENCIES: All Bidder(s) awarded contracts from this bid or proposal may, permit any municipality or other government agency to participate in the contract under the same prices, terms, and conditions, if agreed to by both parties.

It is understood that at no time will any city, municipality, or other agency be obligated for placing an order for any other city, municipality, or agency: nor will any city, municipality, or agency be obligated for any bills incurred by any other city, municipality, or agency. Further, it is understood that each agency will issue its own purchase orders to the awarded bidder(s).

COMPLIANCE WITH FLORIDA PUBLIC RECORDS LAW:

Contractor expressly agrees that it shall comply with the public records law provided in Florida Statutes, Chapter 119, and specifically to:

- (a) Keep and maintain public records required by the City to perform the contracted service.
- (b) Upon request from the City Clerk, provide the City with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in Chapter 119, Florida Statutes, or as otherwise provided by law.
- (c) Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the contract term and following completion of the contract if the contractor does not transfer the records to the City.
- (d) Upon completion of the contract, transfer at no cost, to the City all public records in possession of the contractor or keep and maintain public records required by the City to perform the service. If the contractor transfers all public records to the City upon completion of the contract, the contractor shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If

the contractor keeps and maintains public records upon the completion of the contract, the contractor shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the City, upon request from the City Clerk, in a format that is compatible with the information technology systems of the City. (e) Failure of the Contractor to comply with Public Records Law as provided by Florida Statutes, Chapter 119, shall subject the Contractor to penalties under Chapter 119.10 and subject this Agreement to termination for cause by the City.

IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT:

**CITY CLERK
22 SOUTH BEACH STREET
ORMOND BEACH, FLORIDA 32175.
(386)677-0311
CITYCLERK@ORMONDBEACH.ORG**

Ref: Fla. Stat. §119.0701(2016)

THE CITY OF ORMOND BEACH RESERVES THE RIGHT TO REJECT ANY OR ALL BIDS, AND TO WAIVE INFORMALITIES, AS MAY BE DEEMED TO BE IN THE BEST INTEREST OF THE CITY.

DEFINITIONS:

BIDDER - The term used herein refers to any individual, company or other entity submitting a Bid to the CITY in response to an Invitation to Bid (ITB).

CITY/OWNER - The terms CITY or OWNER herein refers to the City of Ormond Beach, Florida, and its duly authorized representatives.

CONTRACT MANAGER - The term refers to the CITY representative(s) who will be acting on the CITY's part to manage all the Contract actions.

FURNISH - The terms "furnish", "furnish and install", "install", and "provide" or words with similar meaning shall be interpreted, unless otherwise specifically stated, to mean "furnish and install, complete in place and ready for service".

PROJECT - The total construction of which the Work to be provided under the Contract Documents may be the whole, or a part as indicated elsewhere in the Contract Documents.

PROJECT MANUAL - The term "Project Manual" includes Bid Requirements, General Conditions, Scope of Work, Specifications, Risk Management requirements and any associated attachments.

SPECIFICATIONS - The term refers to those portions of the Project Manual consisting of written technical descriptions of materials, equipment, construction systems, standards and workmanship as applied to the Work and certain administrative details applicable thereto.

SUPPLIER - The term used herein refers to any individual, company or other entity supplying services pursuant to the terms, conditions, and quotations of a Bid or Proposal.

VENDOR, CONTRACTOR, or VENDOR/CONTRACTOR - The term(s) used herein refers to any individual, company, or other entity that is awarded a contract by the CITY, pursuant to the terms, conditions, and quotations of a bid/proposal.

WORK - The entire, completed job or the various separately identifiable parts thereof, required to be furnished under the Contract Documents. Work is the result of providing goods and/or services, furnishing labor and/or furnishing and incorporating materials and equipment into the construction, as required by the Contract Documents.

NON-APPROPRIATION OF FUNDS: In the event sufficient budget funds are not available for a new fiscal period, the CITY shall notify the VENDOR/CONTRACTOR of such occurrence and the contract shall terminate on the last day of the current fiscal period, without any penalty or expense to the CITY of any kind whatsoever.

City of Ormond Beach
ANNUAL SUPPLY OF SODIUM BISULFITE
Bid No. 2021 - 24

GENERAL INSTRUCTIONS:

Bid Delivery: Submit one (1) signed and unbound original of the complete Bid packet and one (1) electronic file, with all required attachments, by the closing date and time. Deliver Bids to: Rob Hart, Purchasing Coordinator, Ormond Beach City Hall Room 101, 22 South Beach Street, Ormond Beach, Florida 32174. **Make sure the bid number is clearly visible on the outside of the delivery package. Bids delivered after the time and date specified will not be accepted.** For any question regarding bid delivery contact the purchasing office at 386-676-3223.

Technical Questions: Submit all technical questions regarding this Bid to the City's Purchasing Coordinator, Robert Hart, by e-mailing rob.hart@ormondbeach.org.

Rejection Rights: The City of Ormond Beach reserves the right, at any time, to modify, waive or otherwise vary the terms and conditions of this Bid including, but not limited to, the deadlines for submission and submission requirements. The City further reserves the right to reject any or all submittals, to cancel or withdraw this Bid at any time and to negotiate with any party prior to or after submittal of Bid.

Cost of Bid Preparation: No reimbursement will be made by the City of Ormond Beach for any costs incurred in the preparation of the Bid, proposal or presentation.

Bids to be in Effect: Each Bid shall state that it is valid for a period of not less than ninety (90) days from date of receipt.

Equipment: Contractor shall own and have in good repair all equipment necessary to perform the described services in particular and the equipment necessary to complete related tasks. The City will not provide any equipment to do this work.

Registration And Risk Management Requirements: Any Vendor delivering a product or Contractor doing work for the City of Ormond Beach, on City property shall be **registered** to do business in the City of Ormond Beach and shall provide **proof of**, abide by and maintain, for the entire life of the Contractual Agreement, including any and all approved time extensions, such **insurance** as is required by City ordinance, which shall be incorporated in and made part of the contract documents. A vendor using a common carrier is exempt from this requirement. This proof of insurance will be required prior to commencement of any **on-site** work. Refer to **Exhibit A** for the City's registration and risk management requirements.

TERM OF AGREEMENT:

The initial term of this Agreement shall be for a period of **one (1) year** and will be automatically renewed for two additional **one (1) year** periods unless either party provides at least ninety (90) days prior written notice to the other party of their intent not to renew the Agreement.

SCOPE OF WORK:**GENERAL**

The City of Ormond Beach invites qualified vendors to submit bids to furnish the estimated annual requirements of sodium bisulfite used for the treatment of wastewater. The successful vendor will be required to provide a chemical that meets the specifications noted in the bid. Specifications for the chemical is included in the Invitation to Bid documents. The chemical shall meet or exceed the specific requirements identified in the bid documents.

Sodium Bisulfite Quantity: Approximately 10,000 – 15,000 gallons
--

General Description of Services

Sodium bisulfite is used for the purpose of dechlorination at the City of Ormond Beach Water Reclamation Facility, 550 North Orchard Street, Ormond Beach, FL 32174. The sodium bisulfite shall be in liquid form and shall meet the following minimum chemical specifications:

- Sodium Bisulfite Solution: 38% to 42% Solution strength
- Sulfur dioxide equivalent: 23.4% to 24.8%
- Specific Gravity: 1.31 to 1.36 @ room temperature of 60 F
- pH: 4.0 to 4.8
- Fe content shall not exceed 3 parts per million (ppm)

Sodium Bisulfite Solution will be delivered as liquid (price per gallon)

The bidder must submit a certificate of compliance and a certified analysis, as to the composition of the product with the bid.

The successful bidder's shipper is responsible for matching our receiving tank equipment with the proper tank truck discharge system.

The successful bidder must supply an S.D.S. (Safety Data Sheet) on the product.

The successful bidder will supply copies of the manufacturer's shipping and handling safety procedures.

Deliveries will be between the business hours of 7:30 AM and 3:00 PM Monday through Friday with exception of holidays. F.O.B. Ormond Beach, Florida.

Delivery Requirements

Delivery shall be in “bulk” quantities of 2,500 gallons per delivery or less to an existing on-site bulk storage facility consisting of two (2) 2,500 gallon storage tanks located at above referenced facility, on an as needed basis. The supplier shall provide 24 hours notice prior to delivery and be responsible for unloading on site to a two (2) inch PVC male Cam Lock quick coupling connection.

Contractor shall make “normal” deliveries within three (3) days after receipt of order and must make “emergency” deliveries within 24 hours. An emergency delivery is defined as a delivery which is necessary in order to prevent the Purchaser from running out of referenced chemical in less than 36 hours. Purchaser shall endeavor to minimize the number of “emergency” deliveries.

Each shipment shall carry with it some means of identification. The following information shall be legibly marked on each package, drum, other container or bulk shipment:

- Contents: Sodium Bisulfite
 - Net weight
 - Name of manufacturer
 - Brand name, if any

The Contractor shall be responsible for any spills resulting from the failure of its or its subcontractor's delivery equipment or from failure of attendant delivery personnel in the proper performance of their duties. Proper performance shall require attendant delivery personnel's constant inspection and observation of unloading operations and knowledgeable response to problems or emergencies, which would most commonly be expected to occur. The Purchaser reserves the right to refuse any and all deliveries made with equipment that is poorly maintained and/or leaking.

The tanks or trailers shall be clean and free of residue that may contaminate the Contractor's product or impede the unloading process. It is the Contractor's responsibility to verify the cleanliness of the transporting equipment before loading. All appurtenant valves, pumps, and discharge hoses used for the delivery of referenced chemical shall be supplied by the Contractor and shall be clean and free from contaminating material. The Purchaser may reject a load if the equipment is not properly cleaned. The Contractor shall furnish a Purchaser approved, leak-free connection device between the trailer and the Purchaser's intake receptacle. The Contractor shall observe the entire filling operation at each delivery site and shall immediately report any spills caused during the filling operations. The Contractor shall take immediate and appropriate actions to clean up any spilled aluminum sulfate. If the spill is not cleaned up, the Purchaser will hire a certified hazardous material handling company to clean up the spill, and the cost of such service will be charged to the Contractor and deducted from the amount due to the Contractor. If the Purchaser's unloading equipment such as pipe, valves or level indication and alarms

should fail and the spillage is not the fault of the Contractor or its subcontractor, the Contractor shall be relieved of cleanup of the spill.

Because of security and safety concerns, all delivery vehicle drivers shall be U.S. citizens and have a proper commercial driver's license with a Hazardous Material endorsement. Contractor's drivers shall display its driver's license and whenever challenged by Purchaser during the delivery.

A certificate of compliance and certified analysis as to the composition of the product must be provided with each delivery.

Bidders must comply with the insurance and risk management requirements of the City of Ormond Beach, attached to this specification as Attachment A.

IN THE EVENT THE SUPPLIER IS UNABLE TO SUPPLY, THE CITY OF ORMOND BEACH, RESERVES THE RIGHT TO PURCHASE SUPPLIES FROM THE BEST AVAILABLE SOURCE.

QUANTITIES:

The City does not assume any responsibility that the final quantities shall remain in strict accordance with the estimated quantities, nor shall the bidder plead misunderstanding or deception because of such estimate of quantities.

COST ADJUSTMENTS:

The Contractor is required to provide a firm price, as stated in subparagraph (a), for the initial one (1) year term of this Contract for the Services provided. Upon any exercise of contract renewal, but no later than ninety (90) days before the end of each contract period, the Contractor may request a rate adjustment subject only to changes in mutually-agreed, nationally recognized, indices (for example: Consumer Price Index), changes in the scope of work, changes in the location of land application sites, changes in energy or chemical costs, and changes in applicable laws, rules, regulations, or directives. Any change in the rates stated in subparagraph (a) shall be negotiated by the parties, and approved by the City Commission of the City, in its absolute discretion, in advance of the effective date of any such change. The maximum increase for any annual period shall be four (4%) percent which will only apply to the future year, increases will not be retroactive. The adjusted rate, if approved shall take effect on October 1, of the year in which approved.

AWARD:

The City reserves the right to award any contract(s) to the bidder(s) which it deems to offer the best overall service; therefore, the City is not bound to award any contract(s) based solely on lowest quoted price. The City also reserves the right to negotiate separately with competing bidders as deemed to be in the City's best interest.

TAXES:

The Contractor is responsible for paying any and all taxes associated with this agreement.

OTHER AGENCIES:

Any bidder(s) awarded a contract resulting from this bid is/are given the privilege and is/are required to permit all public and governmental entities in the State of Florida to participate in the contract under the same terms and conditions.

It is understood that at no time will any agency be obligated for placing an order for any other agency. Each agency will only have the authority to obligate itself and will not be held responsible for bills incurred by any other agency. Further, it is understood that each agency will issue its own purchase order(s) or contract to successful bidder(s).

City of Ormond Beach
ANNUAL SUPPLY OF SODIUM BISULFITE
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VERIFICATION OF EMPLOYMENT STATUS USING E-VERIFY SYSTEM

1. Undersigned firm warrants it **IS** currently registered with the U.S. Department of Homeland Security's E-Verify system, **and** is compliant with the requirements of Sections 448.09 and 448.095, *Florida Statutes*.
2. Undersigned firm warrants it **has not** had any contracts terminated as a result of violations of Sections 448.09 or 448.095, *Florida Statutes*, that prohibit it from contracting with a public agency.
3. Undersigned firm warrants that if it enters into an agreement with a subcontractor, an express provision shall be included in all of its subcontracts requiring subcontractors, who perform work or provide services pursuant to the contract, to use the E-Verify system to verify employment eligibility of all new employees hired by the subcontractor during the contract term.
4. Undersigned firm understands that any subcontractor must provide the contractor with an affidavit stating that the subcontractor does not employ, contract with, or subcontract with an unauthorized alien, and the contractor understands it shall maintain any such affidavits for the duration of the contract, and the contract with the subcontractor must be immediately terminated if the City has a good faith belief that the subcontractor knowingly violated Section 448.09 (1), *Florida Statutes*.
5. Undersigned firm understands that in the event the City has a good faith belief that the contractor has knowingly violated Section 448.09 (1), *Florida Statutes*, the City shall terminate the contract, and the contractor may not be awarded a public contract for a period of at least one (1) year after the date of termination. The contractor may be held liable for any additional costs incurred by the City as a result of termination of the contract.

 COMPANY NAME

 AUTHORIZED SIGNATURE

 NAME

 TITLE

 DATE

City of Ormond Beach

ANNUAL SUPPLY OF SODIUM BISULFITE
Bid No. 2021 - 24

BID RESPONSE FORM

THIS BID IS SUBMITTED TO:
 (Name and Address of Owner)

Purchasing Coordinator
 City of Ormond Beach
 22 S. Beach Street
 Ormond Beach, Florida 32174
 Phone: (386) 676-3223

The undersigned BIDDER proposes and agrees, if this Bid is accepted, to enter into an Agreement with the CITY in the form included in the Bid Documents to complete all Work as specified or indicated in the Bid Documents for the Contract Price and within the Contract Time indicated in this Bid and in full accordance with the Bid Documents.

BIDDER certifies that he has investigated the requirements to do business in the jurisdiction where the project is located, and that he is either qualified to do business or will obtain such prequalification prior to award of the contract.

BIDDER accepts all of the terms and conditions of the General Conditions. BIDDER will sign the Agreement (Contract) and submit the Contract security (when applicable) and other documents required by the Contract Documents within ten (10) days after the date of CITY's Notice of Award.

In submitting this Bid, BIDDER represents, as more fully set forth in the Agreement, that:

BIDDER has examined copies of all the Bid Documents and of the following Addenda:

<u>Addendum Date</u>	<u>Addendum Number</u>
_____	_____
_____	_____
_____	_____

Receipt of all of which is hereby acknowledged.

BIDDER has examined the site and locality where the Work is to be performed, when applicable, the legal requirements (federal, state and local laws, ordinances, rules and regulations) and the conditions affecting cost, progress or performance of the Work and has made such independent investigations as BIDDER deems necessary.

BID RESPONSE FORM
(continued)

This Bid is genuine and not made in the interest of or on behalf of any undisclosed person, firm or corporation and is not submitted in conformity with any agreement or rules of any group, association, organization or corporation; BIDDER has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid; BIDDER has not solicited or induced any person, firm or a corporation to refrain from bidding; and BIDDER has not sought by collusion to obtain for himself any advantage over any other Bidder or over the CITY.

THIS BID IS SUBMITTED BY:

COMPANY NAME: _____

VENDOR/CONTRACTOR LICENSE NUMBER: _____

ADDRESS: _____

PHONE NO.: _____ EMAIL: _____

SUBMITTER'S NAME: _____
 (Typed or Printed in Ink)

TITLE: _____

AUTHORIZED SIGNATURE: I, _____ hereby
 (Original Signature)

declare that I have read and fully understand the Invitation to Bid, including the General Conditions, Specifications and Drawings (when applicable) and that I am duly authorized to sign and submit this bid.

The CITY reserves the right to reject any and all bids, to waive informalities, and to accept any bid or parts thereof as the CITY, in its sole discretion, determines to be in the best interest of the CITY.

City of Ormond Beach
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The BIDDER will complete the Work, as described herein, for the following price(s):

BID SCHEDULE

Item	<u>Description:</u>	<u>Quantity:</u>	<u>Unit:</u>	<u>Unit Price:</u>
1.	SODIUM BISULFITE	1	GALLON	\$_____

TOTAL BID FOR CONTRACT \$_____
(Figures)

(Words)

City of Ormond Beach
ANNUAL SUPPLY OF SODIUM BISULFITE
Bid No. 2021 - 24

CITY OF ORMOND BEACH, FLORIDA

**CONFLICT, NON-CONFLICT OF INTEREST STATEMENT
LITIGATION STATEMENT**

1.

- [] To the best of our knowledge, the undersigned firm has no potential conflicts of interest due to any other clients or contracts for this project.
- [] The undersigned firm, by attachment to this form, submits information which may be a potential conflict of interest due to other clients or contracts for this project.

2.

- [] The undersigned firm has had no litigation on any project in the last five (5) years.
- [] The undersigned firm, by attachment to this form, submits a summary and disposition of individual cases of litigation during the past five (5) years.

COMPANY NAME

AUTHORIZED SIGNATURE

NAME (PRINT OR TYPE)

TITLE

DATE

CITY OF ORMOND BEACH

DRUG-FREE WORKPLACE CERTIFICATION

IDENTICAL OR "TIE" BID: Preference shall be given to businesses with drug-free workplace programs. Whenever two or more Bids which are equal in respect to price, quality, and service are received by the State or by any political subdivision for the procurement of commodities or contractual services, a Bid received from a business that certifies that it has implemented a drug-free workplace program shall be given preference in the award process. Established procedures for processing tie Bids will be followed if none of the tied vendors have a drug-free workplace program. In order to have a drug-free workplace program, a business shall:

Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.

Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violation.

Give each employee that engages in providing the commodities or contractual services that are under proposal a copy of the statement specified in subsection (1).

In the statement specified in subsection (1), notify the employees that, as a condition of working on the commodities or contractual services that are under proposal, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation of Chapter 893 or of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than five (5) calendar days after such conviction.

Impose sanctions on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community, by any employee who is so convicted.

Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

COMPANY NAME

AUTHORIZED SIGNATURE

NAME (PRINT OR TYPE)

LOCAL VENDOR PREFERENCE

The following is taken from the Code of Ordinances, City of Ormond Beach, Chapter 2, Financial Matters, Division 3, Purchasing, Article IX, Section 2-304:

Except where otherwise provided by federal or state law or other funding source restrictions, purchases of goods and services under the Purchasing Code shall give preference to local businesses as follows:

- (a) Under a competitive bid solicitation, the City *may* give a local preference in the amount of three percent (3%) of the bid price or \$25,000, whichever is less. The bid price shall include not only the base bid price but all alternatives which are part of the bid and actually purchased or awarded.
- (b) A *local business* shall mean a vendor that has a valid occupational license issued by the City of Ormond Beach at least one year prior to bid opening, with a physical business address located within the municipal boundaries of the City of Ormond Beach from which the vendor operates or performs business on a day-to-day basis that is a substantial component of the goods or services being offered and has provided a Local Vendor Affidavit of Eligibility at the time the bid is submitted.
- (c) A *Local Vendor Affidavit of Eligibility* shall accompany the bid submittal to be considered valid and shall include, but not be limited to, the following information:
 - (1) A physical business and location address;
 - (2) A copy of current City of Ormond Beach Local Business Tax Receipt (occupational license) to verify the business location;
 - (3) Proof of payment of business tax and real property tax due to the City of Ormond Beach;
 - (4) A copy of the firm's most recent annual corporation report to the Florida Division of Corporations;
 - (5) Any additional information necessary to verify local status.
- (d) *Exemptions:* Goods or services provided under a cooperative purchasing agreement, contracts for professional services subject to Consultants' Competitive Negotiation Act, purchases or contracts funded in whole or part by a governmental entity that does not allow local preferences, purchases made under another agency's agreements or contracts (piggybacking), purchases under emergency or sole source situations and procurements subject to formal proposals including but not limited to request for proposals (RFP) or continuing contract, and request for quotes (RFQ) versus straight competitive bids.
- (e) This section shall not be deemed to require the granting of a local preference, and nothing herein prohibits the award of a contract to a non-local vendor where such award is in the public interest.



Local Vendor Affidavit of Eligibility

I certify that my company meets all of the following qualifications to be eligible for the local vendor preference:

- a. My company has a physical business address located within the municipal boundaries of the City of Ormond Beach which is used to perform business on a day-to-day basis.
- b. My company holds any business (occupational) or contractor license required by the City of Ormond Beach at least one year prior to bid opening.
- c. Payment of business tax and real property tax due to the City of Ormond Beach is current
- d. My company is in compliance with annual reporting to the Florida Division of Corporations

Company Name: _____

Address: _____

Business or Contractor License Number: _____

Phone Number: _____ Fax Number: _____

Owner's Name: _____ Signature: _____

Sworn to before me this _____ day of _____

Notary Public for the State of _____ My Commission Expires _____

Notary Public Signature: _____ Printed Name: _____

To be approved as a local bidder and receive bid preference on an eligible local project, this affidavit of eligibility, a copy of your local business or contractor license, copy of business tax/real property tax and a copy of the firm's most recent annual corporation report must be submitted with your bonafide BID package. Bid preference is provided at the City's sole discretion.

VENDOR DO NOT COMPLETE BELOW

To be verified and completed by an authorized representative of the City of Ormond Beach's Purchasing Department:

Vendor Certified by: _____ Date: _____

**Attachment A
City of Ormond Beach
REGISTRATION AND INSURANCE REQUIREMENTS FOR VENDOR/CONTRACTOR
WORKING ON CITY PROJECTS**

Registration Requirements

VENDORS doing business within the City Limits must be registered with the City.

Requirements for registering a business are as follows:

Copy of City Business Tax Receipt (where your business is located).

Certificate of Insurance showing General Liability and Workers' Comp (or State Workers' Comp Exemption form).

Application Fee: \$25.00 For more information, contact the City's Business Tax Receipt official.

State Certified/Registered Contractors

All registered contractors must be registered with Volusia County. Volusia County Contractor Licensing, 123 W. Indiana Ave., Rm 203, Deland, FL 32720 (386) 736-5957 Opt. 2 – (386) 740-5215 Fax. Certified Contractors have the option of registering with Volusia County, or providing information directly to the business tax receipt official.

If you have any questions regarding the above requirements, please contact the business tax receipt official at (386) 676-3234.

Insurance Requirements

[From Ormond Beach Code of Ordinances establishing minimum requirements for risk management, commercial general liability insurance, and comprehensive general liability insurance, as amended by Resolution No. 2011-116 (8/16/11)]:

B. Contractual Provisions Relative to Risk Management

All contracts for any public works to be performed, and service-related contracts, for or on behalf of the City shall include the following, or substantially similar, provisions:

1. Hold Harmless

(a) General

The City, its agents, employees, and officials, both elected and appointed, shall be held harmless from and against all claims for bodily injury, sickness, disease, death or personal injury or damage to property or loss of use resulting there from, arising out of the agreement, contract or lease unless such claims are a result of the City's sole negligence, as determined by the final arbiter of such claim.

(b) Professional Services Contracts

The City, its agents, employees, and officials, both elected and appointed shall be held harmless from and against all claims for bodily injury, sickness, disease, death or personal injury or damage to property or loss of use resulting there from arising out of performance of the agreement or contract, unless such claims are a result of the City's sole negligence, as determined by the final arbiter of such claim.

The City, its agents, employees, and officials, both elected and appointed shall also be held harmless from and against all claims for financial loss with respect to the provision of or failure to provide professional or other services resulting in professional, malpractice, or errors and omissions liability arising out of performance of the agreement or contract, unless such claims are a result of the City's sole negligence, as determined by the final arbiter of such claim.

2. Payment on Behalf of City

The Contractor shall pay all costs of the City's legal defense, as may be selected by the City, for all claims described in the Hold Harmless paragraph.

Such payment on behalf of the City shall be in addition to any and all other legal remedies available to the City and shall not be considered to be the City's exclusive remedy.

3. Loss Control/Safety

Precaution shall be exercised at all times by the Contractor for the protection of all persons, including employees and property. The Contractor shall comply with all applicable laws, regulations and ordinances related to safety and health, shall make special efforts to detect hazardous conditions, and shall take prompt action when loss control/safety measures are reasonably necessary.

The City may order work to be stopped if conditions exist that present an immediate danger to persons or property. The Contractor acknowledges that such work stoppage will not shift responsibility for any damages from the Contractor to the City.

4. Service Bond

For Service-related contracts only, the City may require the Contractor to secure a service bond with a minimum \$25,000 coverage limit for the period of the service agreement. The service bond covers dishonest acts of the contractor's employees against the City. A copy of the bond shall be provided to the City when the agreement commences.

Service-related contracts include and are not limited to businesses providing janitorial, pest control, general repair, security, carpet cleaning, locksmith, temporary employment, painting, moving services or other contracts as determined in the discretion of the Risk Manager as necessary to minimize loss.

C. Contractor's Insurance

1. General

The Contractor, including service-related contractors, shall purchase and maintain for the entire life of the Project, including any and all approved time extensions, until its final acceptance by the City, such insurance as will protect the Contractor from claims under Workers' Compensation, disability benefit laws or other similar employee benefit laws; from claims for damages because of bodily injury, occupational sickness or disease, or death of Contractor's employees; from claims insured by usual or unusual injury liability coverage; from claims or injury to or destruction of tangible property and from claims insured by usual Commercial General Liability coverage. This includes loss of use resulting there from, any or all of which may arise out of the Contractor's operations under the Contract Documents, whether such operations be by the Contractor, by any Subcontractor, or by anyone directly or indirectly employed by any of them or for whose acts any of them may be legally liable. The Contractor's deductibles/self-insured retentions shall be disclosed to the City and may be disapproved by the City, and may be reduced or eliminated at the sole discretion of the City. The Contractor is responsible for the amount of any deductible or self-insured retention.

2. Types of Insurance and Limits of Liability

The insurance required herein shall be written for not less than any limits of liability specified and incorporated as part of the Contract Documents or as required by law, whichever is greater, and shall include the following:

- (a)** Workers' Compensation Insurance in statutory limits for the State of Florida with Coverage B - Employer's Liability limits of not less than:

- \$100,000. Each Accident Bodily Injury by Accident
- \$100,000. Each Employee Bodily Injury by Disease
- \$500,000. Policy Limit Bodily Injury by Disease

Certificate of Exemptions. If the contractor has a State-issued Certificate of Exemption, the contractor may provide a copy in place of the requirement for coverage. However, if the contractor subcontracts or retains any other person or entity to perform under the contract, that person or entity must provide proof of workers' compensation insurance as required by law or provide a Certificate of Exemption.

It is the intent of the City that any individual who either contracts directly with the city or performs any work on behalf of any such contractor be covered by workers compensation insurance or have a valid exemption from said coverage.

(If applicable to the Project, the policy must include benefits under the United States Longshoremen's and Harbor Workers' Act and the Jones Act coverage--all maritime coverage.)

(b) Commercial General Liability Insurance shall be written on a coverage form as broad as Insurance Services Office (ISO) Form CG 00 01 11 88, or its successor form, including but not limited to the following coverage (any deviation shall be noted on the Certificates of Insurance):

- a. Premises and Operations
- b. Owners' & Contractors' Protective
- c. Products & Completed Operation
- d. Explosion, Collapse & Underground Conditions
- e. Blanket Contractual Liability
- f. Personal Injury Liability
- g. Broad Form Property Damage Endorsement, including Completed Operations
- h. Independent Contractors
- i. Watercraft--Owned and Non-Owned (if applicable, endorsement must be included in General Liability policy or a separate Protection & Indemnity Policy must be written)
- j. Pollution Liability (if applicable)
- k. Asbestos Abatement (if applicable)
- l. Fire Damage Liability

Certain coverage outlined above may not be required if they do not relate to the Project, as may be determined at the sole discretion of the City.

Commercial General Liability Coverage shall be written on an occurrence basis and the limits shall be no less than the following amounts for all tiers of Contractors and Subcontractors:

<u>Contract Value</u>	<u>Limits (not less than)</u>
0 - 25,000	\$300,000 Each Occurrence \$300,000 General Aggregate* \$300,000 Aggregate Products & Completed Operations \$ 25,000 Fire Damage (any one fire)
\$25,001 - \$250,000	\$500,000 Each Occurrence \$1 Million General Aggregate* \$1 Million Aggregate Products & Completed Operations \$ 50,000 Fire Damage (any one fire)
\$250,001 - \$3,000,000	\$1 Million Each Occurrence \$1 Million General Aggregate* \$1 Million Aggregate Products & Completed Operations \$ 50,000 Fire Damage (any one fire)
\$3,000,001 & over	20% of the Value of the Contract [Minimum \$1 Million Each Occurrence/\$2 Million General Aggregate]

* NOTE: Commercial General Liability Coverage must be purchased on either a project basis (separate policy per contract) or an endorsement allocating an aggregate limit per location or specified project.

- (c) Automobile Liability Insurance for the operation, use, maintenance, loading or unloading of automobiles - ISO Symbol 1 (Any Auto) or alternatively a combination of Symbol 2 (Owned Autos), Symbol 8 (Hired Autos), and Symbol 9 (Non-Owned Autos).

<u>Contract Value</u>	<u>Limits (not less than)</u>
0 - \$25,000	\$300,000 Combined Single Limit
\$25,001 - \$250,000	\$500,000 Combined Single Limit
\$250,001 and over	\$1 Million Combined Single Limit

(d) Excess Liability

For Contracts of \$250,000 or more, and in addition to the scheduled underlying policies for Commercial General Liability, Automobile Liability and Employers' Liability, the Contractor shall also provide an Excess Liability Policy with a maximum self-insured retention for occurrences insured in this Excess Policy not to exceed \$25,000 and a minimum limit of \$1 Million.

(e) Professional Liability, Malpractice and/or Errors and Omissions

The Contractor shall purchase and maintain professional liability, malpractice, or errors or omissions insurance with minimum limits of \$1,000,000 per occurrence. If a claims made form of coverage is provided, the retroactive date of coverage shall be no later than the inception date of claims made coverage, unless the prior policy was extended indefinitely to cover prior acts. Coverage shall be extended beyond the policy year either by a supplemental extended reporting period (ERP) of as great a duration as is available, and with no less coverage and with reinstated aggregate limits, or by requiring that any new policy provides a retroactive date no later than the inception date of claims made coverage.

D. Requirements for Certificates of Insurance

1. With the execution of the Contract Documents, the Contractor, including service-related contractors, shall provide certificates of such insurance acceptable to the City. These certificates and insurance policies shall contain a provision that the coverage under the policies will not be canceled, non-renewed or materially changed until at least thirty (30) days' prior written notice of such cancellation, non-renewal or change (except for nonpayment of premium, which shall be ten (10) days) has been given to the City. The contractor shall be required to replace any expired or canceled policies in like amount and coverage to the satisfaction of the City. The Certificate of Insurance shall be the ACORD FORM 25-S (7/90), or its successor form, and shall be made a part of the Contract Documents.
2. New certificates of insurance shall be provided to the City at least fifteen (15) days prior to coverage renewals.
3. If requested by the City, the contractor shall furnish complete copies of the Contractor's insurance policies, forms and endorsements.

4. For Commercial General Liability coverage the Contractor shall, at the option of the City, provide an indication of the amount of claims payments or reserves chargeable to the aggregate amount of liability coverage. If the Commercial General Liability form of coverage includes an annual aggregate limitation on the amount of insurance provided, a separate project aggregate limit may be required by the City for the given contract.
5. If the Contractor fails to obtain and maintain for the life of the Project the insurance required hereby or to replace any such expired or canceled policy, the City may obtain and maintain such insurance with such company as it deems satisfactory. Any amounts expended by the City in payment of premiums for such insurance shall be deducted by the City from the amount due the Contractor for the work covered by the Contract.

E. Policies of Insurance

1. Except as otherwise provided in this Exhibit, all insurance policies shall be issued by insurers licensed to do business in the State of Florida on an admitted basis or which is an eligible surplus lines insurer in the State of Florida, and any such insuring company is required to have a minimum financial rating of (A-), in the latest edition of "Best's Key Rating Guide", published by A. M. Best Co., Inc., or some similarly nationally recognized rating authority, including Standard and Poors and Demotech.
2. For Workers' Compensation coverage only, self-insurance programs are acceptable with a minimum A- rated reinsurance carriers; written confirmation is required.
3. All policies of insurance or certificates thereof referred to in this Exhibit shall be deposited with the City Clerk.
4. The City shall be named an Additional Insured on General Liability and Automobile Liability policies of insurance and certificates thereof.



CITY OF ORMOND BEACH

City Manager • 22 S. Beach Street • Ormond Beach • Florida • 32174 • (386) 676-3200 • Fax (386) 676-3384

CITY MANAGER MEMORANDUM

To: The Honorable Mayor Partington and City Commissioners

Through: Joyce A. Shanahan, City Manager

From: Kelly McGuire, Finance Director

Date: August 4, 2021

Subject: Capital Improvement Plan FY 2020-21 to FY 2024-25

Commission Goal: Quality of Life - Other

Introduction

This is a request for the City Commission to approve the five-year Capital Improvement Program (CIP).

Background

The CIP was presented to the City Commission at a workshop on July 13, 2021. Some agencies require a formally adopted capital improvement plan in order to be eligible for grant assistance. As such, staff is presenting the CIP to the City Commission for approval.

Discussion

Based upon the direction provided by the City Commission at the Capital Improvement Program workshop the CIP has been modified as follows:

Fund 104-Community Redevelopment Agency

- Downtown Water Taxi was renamed Downtown Transportation Alternatives.

Budget Impact

Projects scheduled in the CIP for FY 2021-22 have been included in the proposed budget of the appropriate capital fund.

Citizen Impact

The CIP represents a substantial effort to identify and schedule capital investment for a multi-year period, and provides the Commission, staff, and the public with detailed project information, as well as recommended financing. The CIP represents projects of

identified importance to the organization.

Recommendation

It is recommended that the City Commission accept the Capital Improvement Plan as presented, and approve the report as part of the consent portion of the agenda.

Attachments:

- Proposed FY 2021-22 CIP (PDF)

REVIEWED BY:


Kelly McGuire, Finance Director 7/26/2021

APPROVED BY:


Joyce A. Shanahan, City Manager 7/27/2021



CAPITAL IMPROVEMENTS PROGRAM

FY 2021-22 THROUGH ¹FY 2025-26





CITY OF ORMOND BEACH

August 4, 2021

Honorable Mayor Partington, City Commissioners and the Citizens of Ormond Beach

Enclosed is the Five-Year Capital Improvements Program (CIP) for the period FY 2021-22 through FY 2025-26 as required by Section 2-294 of the City Code of Ordinances. The Five-Year Capital Improvement Program totals \$72,369,097 with \$15,972,027 for FY 2021-22.

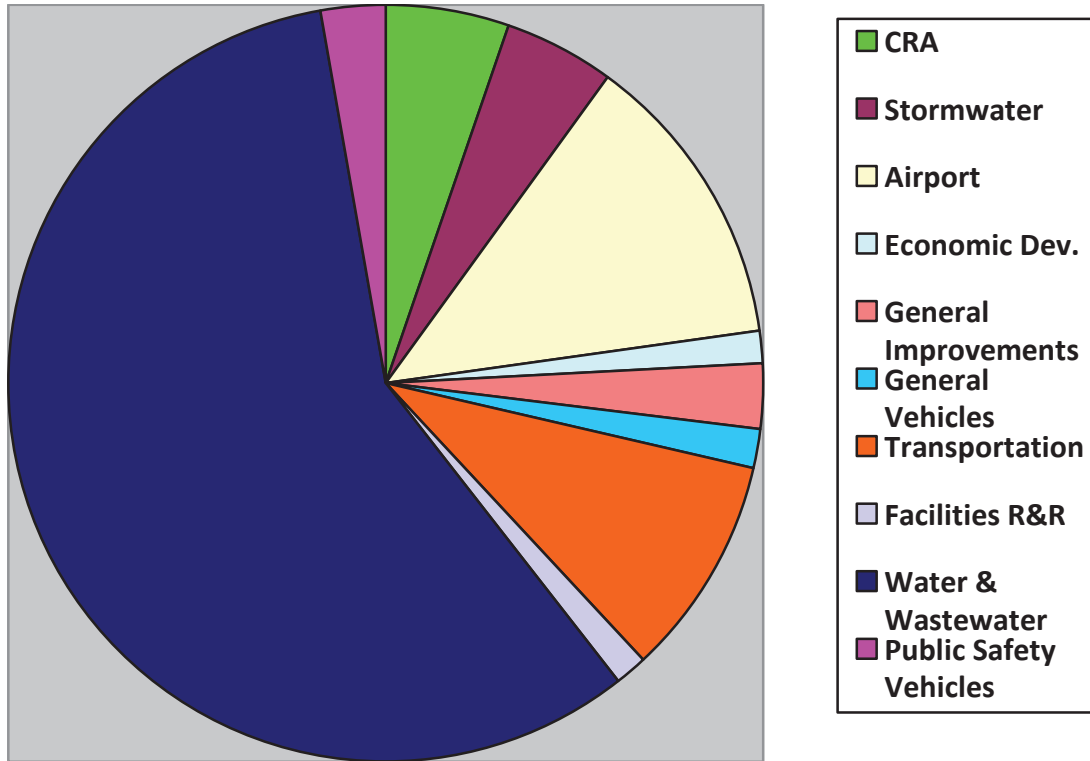
Projects included in the CIP reflect one or more of the following factors with maintenance or upgrade of existing facilities being the highest priority:

- ☐ Involves necessary or planned maintenance, renovation or construction of an existing facility, equipment or infrastructure.
- ☐ Reflects a prior multi-year commitment previously approved by the City Commission.
- ☐ Enhances the use or appearance of an existing facility or City-maintained public area.
- ☐ Included in a previous Master Plan or conceptual plan previously considered and endorsed or reviewed by the City Commission.

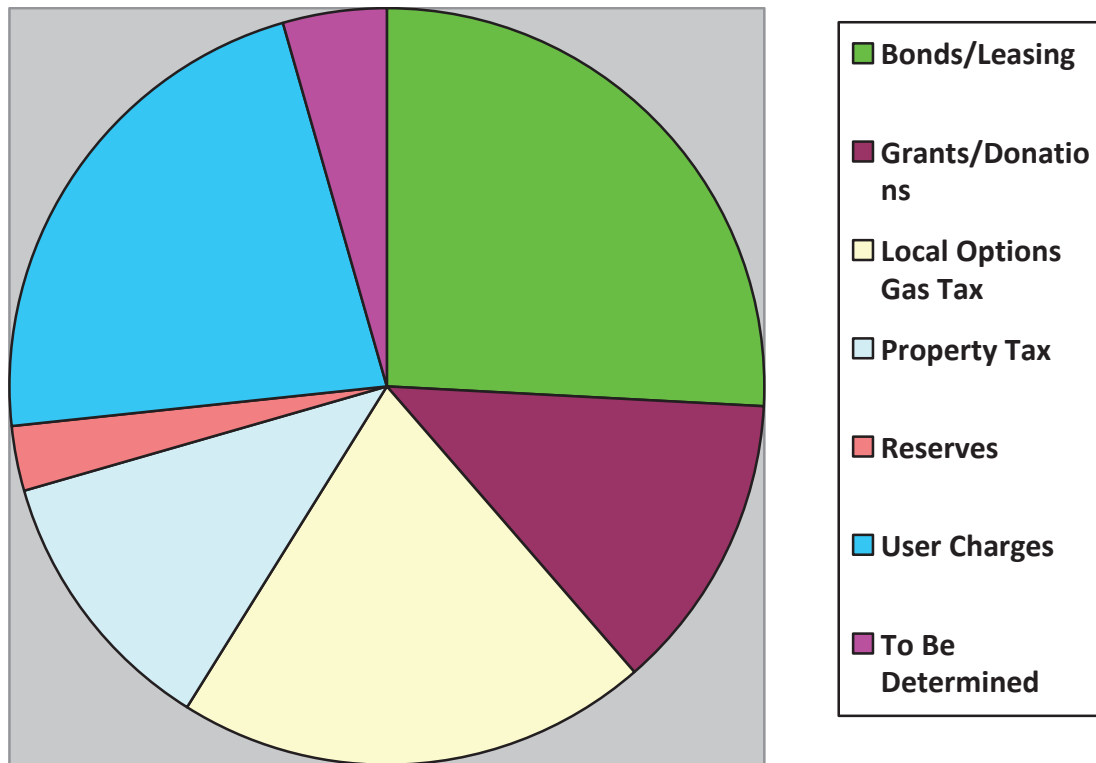
Property tax funded projects for General Capital Improvements, General Vehicle Replacements, Transportation and Facilities Renewal and Replacement are proposed with funding levels consistent with the current Long-term Financial Plan. No reduction in these amounts is being proposed.

Overview

The City's Five-Year Capital Improvements Program represents a substantial effort to identify and schedule capital investments for a multi-year period complete with a project description, justification and recommended financing for each project. The CIP reflects projects that have been identified as being essential to the organization. .



Category	Total
Community Redevelopment	\$3,886,500
Stormwater	3,345,100
Airport	9,305,596
Economic Development	1,002,000
General Improvements	2,016,561
General Vehicles	1,174,000
Public Safety Vehicles	2,025,000
Transportation	6,904,940
Facilities Renewal and Replacement	985,000
Water & Wastewater	41,724,400
TOTAL	\$72,369,097



Category	Total
Bonds/Leasing	\$22,349,000
Grants/Donations	10,920,089
Local Options Gas Tax	1,750,000
Property Tax	12,500,015
Reserves	2,279,493
User Charges	19,300,500
To Be Determined	3,720,000
TOTAL	\$72,369,097

FY 2021-22 CIP Projects

Fund 104-Community Redevelopment

Downtown improvements are funded through property tax revenue which is expendable only within the downtown area. For FY 2021-22 the primary focus is Sidewalk Improvements (\$1,400,000), Alternative Transportation (\$50,000), and East Granada Utility Undergrounding (\$120,000).

Fund 107-Stormwater Drainage Improvements

FY 2021-22 projects include the continuation of the Stormwater Piping Replacement project (\$500,000), Stormwater Construction (\$250,000) and Vehicle Replacements (\$95,100).

Fund 108-Airport Improvement

Reconstruct Taxiway B (\$483,848) and Rehabilitation/Realign Taxiway D (\$1,898,968) are scheduled for FY 2021-22 and will be largely funded by FDOT and FAA grants.

Fund 301-General Improvement Fund

Projects included for FY 2021-22 includes Washington Street Sidewalks funded by CDBG funds (\$114,611) and continuation of the HVAC-Chiller Replacement (\$225,000).

Fund 302-General Vehicle and Equipment Replacement

The FY 2021-22 plan includes the replacement of five General Fund vehicles (\$344,000) including two Streets Maintenance vehicles, two Leisure Service vehicle, and one Building Inspection vehicle.

Fund 305-Public Safety Vehicle and Equipment Replacement

The FY 2021-22 plan includes the replacement of six Patrol Vehicles, two Special Unit vehicles and one motorcycle.

Fund 308-Transportation

Transportation projects include Neighborhood Traffic Calming (\$50,000), Railroad Crossings (\$100,000), Road Rehabilitation (\$750,000), Street Light and Traffic Signal Maintenance (\$99,000), Sidewalk Repairs & Replacements (\$112,000), Doug Thomas Way Extension (\$792,000) and Opticom Equipment (\$60,000).

Fund 317-Facility Renewal and Replacement

For FY 2021-22, projects include Central Park II Gazebo Replacement (\$60,000), Police Department Access Control (\$268,000), and Shell Parking Lot Refurbishment (\$56,000). ***Projects below the CIP threshold of \$25,000 will be included as part of the annual operating budget.***

Fund 408-Water & Wastewater Vehicle and Equipment Replacement

The FY 2021-22 plan includes the replacement of one vehicle (\$200,000).

Fund 409-Water and Wastewater System Improvements

Projects proposed for FY 2021-20 include City-wide Meter Replacement (\$301,000), Filter Structure Repurposing Design (\$50,000), General Facility and System Upgrades (\$980,000), Lift Station Rehabilitation (\$300,000), Meter Installation (\$90,000), PEP Tank Replacement (\$150,000), Relocation of SCADA Radios (\$30,000), Sanitary Sewer Inflow Infiltration (\$300,000), Water Reclamation Facility (\$1,680,000), Water Storage Tank Repairs (\$200,000), Williamson Boulevard Pipe Replacement (\$127,000), WTP Aeration Replacement & Clearwell Rehab (\$2,220,000), WTP Filter Media Replacement (\$126,000), WTP Lime Softening Filter Replacement (\$200,000), WTP Thickener Wetwell (\$34,500) and WWTP Screw Pump Roof Modifications (\$200,000).

Fund 434 & 435-Water & Wastewater Impact Fees

The FY 2021-22 plan includes Hudson Wellfield Expansion Design (\$300,000) and Utility Master Plan Update (\$220,000).

Board Recommendations

The Quality of Life Board reviewed projects within their scope on June 17th and unanimous voted to recommend these projects which covered the areas of Beautification, Recreation and Cultural Improvements and Facilities Renewal and Replacement.

The Aviation Advisory Board reviewed Airport projects with the CIP on June 21st and voted unanimously to recommend the projects as presented.

Ormond Main Street reviewed the CIP and accepted it as presented.

Respectfully submitted,



Joyce A. Shanahan
City Manager

Projects by Funding Source

Page #	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
<u>104-TIF</u>							
EXPENDITURE							
24 Downtown: Alternative Transportation	50,000	205,000	0	0	0	255,000	0
28 Downtown: Sidewalk Renovations	1,400,000	0	0	0	0	1,400,000	0
54 Downtown - East Granada Utility Und	120,000	0	0	0	0	120,000	0
55 Downtown: Traffic calming	0	100,000	0	100,000	0	200,000	0
62 Downtown: E Granada mid-block cros	0	25,000	0	0	0	25,000	0
64 Downtown: Upgrades and Improveme	0	60,000	0	60,000	0	120,000	0
75 Downtown: Thompson Creek, Phase I	0	666,500	0	0	0	666,500	0
79 Downtown: Stormwater Improvement	0	0	1,100,000	0	0	1,100,000	0
82 Downtown: Ocean District Streetlights	0	0	0	0	0	0	525,000
TOTAL EXPENDITURES	1,570,000	1,056,500	1,100,000	160,000	0	3,886,500	525,000
FUNDING							
Property Taxes-TIF	1,450,000	556,625	800,000	160,000	0	2,966,625	0
Stormwater Charges	0	0	300,000	0	0	300,000	0
TIF	120,000	0	0	0	0	120,000	0
To Be Determined	0	0	0	0	0	0	525,000
TPO Grant (pending)	0	499,875	0	0	0	499,875	0
TOTAL FUNDING	1,570,000	1,056,500	1,100,000	160,000	0	3,886,500	525,000

Page #	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
<u>106-Ormond Crossings</u>							
EXPENDITURE							
86 Ormond Crossings Road Improvemen	0	0	0	0	0	0	225,000
TOTAL EXPENDITURES	0	0	0	0	0	0	225,000
FUNDING							
Property Taxes-TIF	0	0	0	0	0	0	225,000
TOTAL FUNDING	0	0	0	0	0	0	225,000

Page #	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
<u>107-Stormwater</u>							
EXPENDITURE							
88 Stormwater Piping	500,000	500,000	500,000	500,000	0	2,000,000	0
98 Stormwater Construction	250,000	250,000	250,000	250,000	250,000	1,250,000	0
101 Vehicle Replacement-Stormwater	95,100	0	0	0	0	95,100	0
108 May 2009 Flood Study - Phase II	0	0	0	0	0	0	21,660,050
TOTAL EXPENDITURES	845,100	750,000	750,000	750,000	250,000	3,345,100	21,660,050
FUNDING							
HMGP Grant	0	0	0	0	0	0	18,207,537
Stormwater Charges	845,100	750,000	750,000	750,000	250,000	3,345,100	0
To Be Determined	0	0	0	0	0	0	3,452,513
TOTAL FUNDING	845,100	750,000	750,000	750,000	250,000	3,345,100	21,660,050

Page #	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
<u>108-Airport</u>							
EXPENDITURE							
112 Reconstruct Taxiway B	483,848	0	0	0	0	483,848	0
114 Rehabilitate & Realign Taxiway D	1,898,968	0	0	0	0	1,898,968	0
120 Replace AWOS	0	175,000	0	0	0	175,000	0
121 Airport Wildlife Mitigation & Security	0	0	58,500	2,762,500	242,500	3,063,500	0
123 Rehabilitate, Mark and Light Taxiway	0	0	150,000	814,280	0	964,280	0
125 Rehabilitate Taxiway Bravo Apron &	0	0	160,000	2,500,000	0	2,660,000	0
128 Airport Tower Handrail Replacement	0	0	0	60,000	0	60,000	0
129 Extend Runway 9/27 East	0	0	0	0	0	0	4,745,000
TOTAL EXPENDITURES	2,382,816	175,000	368,500	6,136,780	242,500	9,305,596	4,745,000
FUNDING							
FAA	2,144,534	157,500	279,000	5,469,102	0	8,050,136	0
FDOT	190,625	14,000	71,600	486,142	194,000	956,367	0
General Fund Reserves	47,657	3,500	17,900	181,536	48,500	299,093	0
To Be Determined	0	0	0	0	0	0	4,745,000
TOTAL FUNDING	2,382,816	175,000	368,500	6,136,780	242,500	9,305,596	4,745,000

Page #	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
<u>110-Economic Development</u>							
EXPENDITURE							
134 Business Park Drive Phase II	0	1,002,000	0	0	0	1,002,000	0
TOTAL EXPENDITURES	0	1,002,000	0	0	0	1,002,000	0
FUNDING							
ED Fund Reserves	0	411,000	0	0	0	411,000	0
FDOT	0	400,000	0	0	0	400,000	0
General Fund Reserves	0	191,000	0	0	0	191,000	0
TOTAL FUNDING	0	1,002,000	0	0	0	1,002,000	0

Page #	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
<u>301-General Improvement Fund</u>							
EXPENDITURE							
138 CDBG Project	114,611	0	0	0	0	114,611	0
141 HVAC - Chiller Replacement	225,000	0	0	0	0	225,000	0
143 Police Department Roof	0	345,000	0	0	0	345,000	0
146 Station Alerting	0	0	240,000	0	0	240,000	0
147 Performing Arts Center Renovations	0	0	80,000	527,000	0	607,000	0
149 OBSC Access and Drainage	0	0	0	484,950	0	484,950	0
152 EDC Trail System Connection	0	0	0	0	0	0	455,000
154 Fiber Optic Connectivity	0	0	0	0	0	0	620,000
155 Landscape Renovations	0	0	0	0	0	0	154,100
165 Nova LED Baseball Lighting	0	0	0	0	0	0	1,800,000
166 Nova Parking & Fitness Stations	0	0	0	0	0	0	901,300
169 OBSC Parking	0	0	0	0	0	0	632,000
170 PAL House	0	0	0	0	0	0	350,000
173 Point to Point Wireless Upgrades	0	0	0	0	0	0	27,000
176 Police Impound Lot	0	0	0	0	0	0	60,000
177 SANS Replacement	0	0	0	0	0	0	125,000
179 Tree Replacement Program	0	0	0	0	0	0	50,000
180 Sports Complex Challenge Course	0	0	0	0	0	0	315,000
181 Electric Vehicle Charging Stations	0	0	0	0	0	0	42,000
TOTAL EXPENDITURES	339,611	345,000	320,000	1,011,950	0	2,016,561	5,531,400
FUNDING							
CDBG	114,611	0	0	0	0	114,611	0
Daytona Beach Racing and Recreational	0	0	0	50,000	0	50,000	0
Donations	0	0	80,000	77,000	0	157,000	0
Echo Grant	0	0	0	400,000	0	400,000	627,500
Property Taxes-General CIP	225,000	345,000	240,000	484,950	0	1,294,950	0
To Be Determined	0	0	0	0	0	0	4,903,900
TOTAL FUNDING	339,611	345,000	320,000	1,011,950	0	2,016,561	5,531,400

Page #	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
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302-General Vehicle Replacement Fund**EXPENDITURE**

188 Vehicle Replacement-General	374,000	200,000	200,000	200,000	200,000	1,174,000	0
TOTAL EXPENDITURES	374,000	200,000	200,000	200,000	200,000	1,174,000	0

FUNDING

Property Taxes-Vehicles	200,000	200,000	200,000	200,000	200,000	1,000,000	0
Vehicle Replacement Fund Reserves	174,000	0	0	0	0	174,000	0
TOTAL FUNDING	374,000	200,000	200,000	200,000	200,000	1,174,000	0

305-Public Safety Vehicle & Equipment Fund**EXPENDITURE**

198 Vehicle Replacement-Public Safety	405,000	405,000	405,000	405,000	405,000	2,025,000	0
TOTAL EXPENDITURES	405,000	405,000	405,000	405,000	405,000	2,025,000	0

FUNDING

Property Taxes-Public Safety	405,000	405,000	405,000	405,000	405,000	2,025,000	0
TOTAL FUNDING	405,000	405,000	405,000	405,000	405,000	2,025,000	0

Page #	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
<u>308-Transportation</u>							
EXPENDITURE							
208 Neighborhood Traffic Calming	50,000	50,000	50,000	50,000	50,000	250,000	0
218 Railroad Crossing	100,000	100,000	100,000	100,000	0	400,000	0
219 Road Rehabilitation	750,000	750,000	750,000	750,000	750,000	3,750,000	0
228 Street Light Maintenance	24,000	23,000	22,000	16,940	0	85,940	0
232 Traffic Signal Maintenance	75,000	80,000	75,000	75,000	75,000	380,000	0
235 Sidewalk Repair and Replacement	112,000	112,000	112,000	112,000	112,000	560,000	0
238 Doug Thomas Way Extension	792,000	0	0	0	0	792,000	0
239 Opticom Equipment	60,000	65,000	45,000	0	0	170,000	0
242 Tomoka Elementary Connector Sidew	0	252,000	0	0	0	252,000	0
242 Williamson/Hand Ave. Pedestrian Imp	0	265,000	0	0	0	265,000	0
250 Pineland Trail Roadway Improvement	0	0	0	0	0	0	5,761,250
266 Fluhart Drive Roundabouts	0	0	0	0	0	0	367,600
270 US 1 North Sidewalk	0	0	0	0	0	0	1,995,300
TOTAL EXPENDITURES	1,963,000	1,697,000	1,154,000	1,103,940	987,000	6,904,940	8,124,150
FUNDING							
Local Option Gas Tax	350,000	350,000	350,000	350,000	350,000	1,750,000	0
Property Taxes - Transportation	709,000	781,000	692,000	641,940	525,000	3,348,940	0
Property Taxes-Transportion	112,000	112,000	112,000	112,000	112,000	560,000	0
River to Sea TPO Grant Funding (pending)	0	0	0	0	0	0	4,770,315
TPO Grant (pending)	0	387,000	0	0	0	387,000	2,066,490
Transportation Fund Balance	792,000	67,000	0	0	0	859,000	1,287,345
TOTAL FUNDING	1,963,000	1,697,000	1,154,000	1,103,940	987,000	6,904,940	8,124,150

Page #	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
<u>317-Facilities Renewal and Replacement</u>							
EXPENDITURE							
288 Central Park 2 Gazebo Replacement	60,000	0	0	0	0	60,000	0
290 Police Department Access Control	268,000	0	0	0	0	268,000	0
297 Shell Parking lot	56,000	51,000	51,000	51,000	51,000	260,000	0
302 Bailey Riverbridge Roof Replacement	0	32,000	0	0	0	32,000	0
304 Outdoor Fitness Station	0	97,000	0	0	0	97,000	0
309 Rental Pavilion Replacement	0	65,000	0	0	0	65,000	0
310 Central Park 3 Overlook Replacement	0	0	35,000	0	0	35,000	0
311 OBSC Baseball Netting Replacement	0	0	45,000	0	0	45,000	0
312 Playground Equipment Replacement	0	0	40,000	0	0	40,000	0
313 PAC Box Office Roof Replacement	0	0	0	0	35,000	35,000	0
314 Engineering Dept. Roof Replacement	0	0	0	0	48,000	48,000	0
TOTAL EXPENDITURES	384,000	245,000	171,000	51,000	134,000	985,000	0
FUNDING							
Property Taxes-Facilities R&R	384,000	245,000	171,000	51,000	134,000	985,000	0
TOTAL FUNDING	384,000	245,000	171,000	51,000	134,000	985,000	0

Page #	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
<u>408-Water and Wastewater Vehicle Repl.</u>							
EXPENDITURE							
318 Vehicle Replacement-Water & WWW	200,000	200,000	0	0	0	400,000	0
TOTAL EXPENDITURES	200,000	200,000	0	0	0	400,000	0
FUNDING							
Water & Sewer Charges	200,000	200,000	0	0	0	400,000	0
TOTAL FUNDING	200,000	200,000	0	0	0	400,000	0

Page #	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
<u>409-Water and Wastewater R and R</u>							
EXPENDITURE							
326 City-wide Meter Replacement	301,000	306,000	0	0	0	607,000	0
329 Filter Structure Repurpose Project	50,000	500,000	0	0	0	550,000	0
330 General Facility and System Upgrade	980,000	700,000	700,000	700,000	800,000	3,880,000	0
333 Lift Station Rehabilitation	300,000	60,000	400,000	60,000	0	820,000	0
335 Meter Installation	90,000	90,000	90,000	90,000	90,000	450,000	0
336 Pretreatment Effluent Pump Replace	150,000	150,000	150,000	150,000	150,000	750,000	0
338 Relocation of SCADA Radios	30,000	0	0	0	0	30,000	0
339 Sanitary Sewer Inflow Infiltration	300,000	300,000	300,000	300,000	300,000	1,500,000	0
341 Water Reclamation Facility	1,680,000	300,000	300,000	0	0	2,280,000	0
345 Water Storage Tank Repairs	200,000	100,000	0	0	0	300,000	0
346 Williamson Blvd. Pipe Relocation	127,000	0	0	0	0	127,000	0
0 WTP Aeration Repl. & Clearwell Reha	2,220,000	0	0	0	0	2,220,000	0
353 WTP Filter Media Replacement	126,000	0	0	0	0	126,000	0
355 WTP Replace Lime Softening Filters	200,000	2,800,000	0	0	0	3,000,000	0
356 WTP Thickener Wetwell Discharge R	34,500	0	0	0	0	34,500	0
357 WWTP Screw Pump Roof Modificatio	200,000	0		0	0		0
358 Shadow Crossings Reuse Pump Facil	0	240,000	0	0	0	240,000	0
362 Water Main Replacement	0	1,600,000	1,600,000	0	0	3,200,000	0
370 WRF Clarifier Rehab	0	1,000,000	0	0	0	1,000,000	0
371 Halifax River Force Main Crossing	0	0	352,000	2,933,500	0	3,285,500	1,057,000
372 Halifax River Reclaimed Main Crossin	0	0	156,400	1,251,000	0	1,407,400	0
375 WRF Filter Modifications	0	0	320,000	4,310,000	0	4,630,000	0
376 WTP Scrubbers and De-gasifiers Reh	0	0	164,000	1,461,500	0	1,625,500	0
377 New Reuse Ground Storage Tank	0	0	0	385,000	0	385,000	0
378 WTP Chemical Feed System Upgrad	0	0	0	634,500	0	634,500	0
379 WWTP Odor Control	0	0	0	220,000	0	220,000	0
380 WWTP Admin Building Roof Replace	0	0	0	32,000	0	32,000	0
381 Airport Road - SR 40 Watermain/ For	0	1,650,000	120,000	1,650,000	0	3,420,000	0
382 Western Utility Plant Site Evaluation	0	300,000	0	0	0	300,000	0
TOTAL EXPENDITURES	6,988,500	10,096,000	4,652,400	14,177,500	1,340,000	37,254,400	1,057,000
FUNDING							
Bond Proceeds	4,553,000	6,240,000	1,600,000	9,956,000	0	22,349,000	1,057,000
To Be Determined	0	1,950,000	120,000	1,650,000	0	3,720,000	0
Water & Sewer Charges	2,435,500	1,906,000	2,932,400	2,571,500	1,340,000	11,185,400	0
TOTAL FUNDING	6,988,500	10,096,000	4,652,400	14,177,500	1,340,000	37,254,400	1,057,000

Page #	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
<u>433-Reuse Impact Fees</u>							
EXPENDITURE							
384 Airport Road Reclaim Water Main PH	0	150,000	1,100,000	0	0	1,250,000	1,230,500
TOTAL EXPENDITURES	0	150,000	1,100,000	0	0	1,250,000	1,230,500
FUNDING							
Reuse Impact Fees	0	150,000	1,100,000	0	0	1,250,000	1,230,500
TOTAL FUNDING	0	150,000	1,100,000	0	0	1,250,000	1,230,500

Page #	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
<u>434-Water Impact Fees</u>							
EXPENDITURE							
385 Hudson Wellfield Expansion	300,000	2,300,000	0	0	0	2,600,000	2,355,000
388 Utility Master Plan Update	220,000	0	0	0	0	220,000	0
TOTAL EXPENDITURES	520,000	2,300,000	0	0	0	2,820,000	2,355,000
FUNDING							
Wastewater Impact Fees	110,000	0	0	0	0	110,000	0
Water Impact Fees	410,000	2,300,000	0	0	0	2,710,000	2,355,000
TOTAL FUNDING	520,000	2,300,000	0	0	0	2,820,000	2,355,000

Page #	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Grand Total	15,972,027	18,621,500	10,220,900	23,996,170	3,558,500	72,369,097	45,453,100



104-COMMUNITY REDEVELOPMENT FUND

CAPITAL PROJECT DETAIL

PROJECT TITLE

Downtown: Alternative Transportation

PROJECT#

CATEGORY

Community Redevelopment

FUND

104-TIF

PROJECT LOCATION

East side of Halifax River

MANAGEMENT

Engineering/Planning

PROJECT SCOPE

Investigate options for floating dock on east side of Halifax River to allow a water taxi to operate as well as other alternative transportation options.

JUSTIFICATION

The 2019 Downtown master plan update identified a need to provide alternative modes of transportation. The Transportation and Circulation element identified a priority of establishing a water taxi to connect the four corners parks and the bridge. The project seeks to add a floating dock to the east side of the Halifax River to allow a water taxi to operate during certain times such as special events.

PROJECT COST METHODOLOGY

Engineering staff estimate based upon the Cassen park floating dock.

<u>EXPENDITURE</u>	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Design/Study	50,000	205,000	0	0	0	255,000	0
Total	50,000	205,000	0	0	0	255,000	0

<u>REVENUE</u>	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Property Taxes-TIF	50,000	205,000	0	0	0	255,000	0
Total	50,000	205,000	0	0	0	255,000	0



Transportation & Circulation

MISSION STATEMENT

Reclaim Granada Blvd. and other streets as part of the shared public realm as a quality centerpiece for development, supporting ALL modes of transportation. Leverage the side streets, parallel streets, intersections, alleys & pathways for circulation, parking and gathering.

VIEWPOINT

Transportation, circulation and parking were clearly the most consistent topics of discussion in every meeting. Although it has been enhanced, Granada Blvd. is still considered to be a barrier for the community with harsh traffic behavior, limited safe crossings and negative visual impact.

TOP PRIORITIES

Continue to work on the livability of Granada, while taking advantage of adjacent small streets which can be high character places, connected to more frequent and visible public parking.

- Public Parking in Downtown District – better / different use of City Lot?
- Public / Shared Parking on Beach side – explore all parking options including two-story parking deck behind The Casements
- Walkability Enhancements
 - Traffic Calming, including on side-streets
 - Street graphics / Color for bikes / pedestrians
 - Sidewalks too small – expand via easements
 - Mid-block crossing / mid blocks, especially on Beachside
 - Brand the key walking routes / paths and side streets
 - Delete some dedicated right turn lanes for expanded pedestrian space

SECONDARY PRIORITIES

Explore options that support micro-mobility and circulatory systems.

- Bikes, scooters and other micro-mobility
- Access / ride share program; trolley loop
- Jitneys, scooters or bike share, golf carts; water taxi

City of Ormond Beach, Florida
30-Apr-20

Water Taxi Dock

Probable Cost

GENERAL INFORMATION:

Probable Cost Breakdown:

Construction Cost Breakdown

Item Num	Item Description	QTY	Unit	Unit Cost	Item Cost
1	Timber Dock & Pilings	240	SF	\$ 130.00	\$ 31,200.00
2	Gangway	1	EA	\$ 12,000.00	\$ 12,000.00
3	Floating Dock	720.00	SF	\$ 150.00	\$ 108,000.00

1 **Sub-Total (Construction)= \$ 151,200.00**

2 ENGINEERING & PERMITTING (10%)= \$ 15,120.00

3 Const.Eng. & Inspection (5%)= \$ 7,560.00

4 Contingency (20%)= \$ 30,240.00

5 Subtotal (1 through 5) \$ 204,120.00

6 **Budget for design and construction= \$ 205,000.00**

Probable Cost Breakdown:

Item Description	QTY	Unit	Unit Cost	Item Cost
Asphalt	1,800	Tons	\$ 95.00	\$ 171,000.00
Leveling Coarse	360	Tons	\$ 95.00	\$ 34,200.00
Thermal-Plastic Striping	6,700	LF	\$ 1.00	\$ 6,700.00
Road Grading&Filling	14,000	CY	\$ 8.00	\$ 112,000.00
Temp Silt Fence	11,000	LF	\$ 1.50	\$ 16,500.00
Stormdrain Pipe	2,000	LF	\$ 80.00	\$ 160,000.00
RCP End Sections	60	EA	\$ 300.00	\$ 18,000.00
Catch Basins	50	EA	\$ 600.00	\$ 30,000.00
Swale grading	5,230	LF	\$ 20.00	\$ 104,600.00
Clearing & Grubbing	5	AC	\$ 5,000.00	\$ 25,000.00
Hydro-Seeding	35,000	SY	\$ 1.00	\$ 35,000.00
Survey Layout	1	LS	\$15,000.00	\$ 15,000.00
Curb & Gutter	3,600	LF	\$ 20.00	\$ 72,000.00
Compacted Road Base	19,500	SY	\$ 5.00	\$ 97,500.00
Signage	1	LS	\$ 3,000.00	\$ 3,000.00
Box Culvert	1	LS	\$35,000.00	\$ 35,000.00
As-Builts	1	LS	\$ 5,000.00	\$ 5,000.00
Maintenance of Traffic	1	LS	\$ 7,000.00	\$ 7,000.00
Mobilization	1	LS	\$25,000.00	\$ 25,000.00

Sub-Total= \$ 972,500.00

CAPITAL PROJECT DETAIL

PROJECT TITLE

Downtown: Sidewalk Renovations

PROJECT#

104064

CATEGORY

Community Redevelopment

FUND

104-TIF

PROJECT LOCATION

Downtown CRA

MANAGEMENT

Engineering

PROJECT SCOPE

Remove and replace the existing concrete paver banding in the sidewalk with new clay brick pavers. Phase I is within the River District, Phase II - Orchard Street to A1A

JUSTIFICATION

The existing concrete sidewalks and decorative paver banding was installed in 1991. A majority of the existing pavers have settled and need to be reset on a concrete base with mortar to prevent this from happening again. Most of the existing concrete pavers are faded, so since they are being removed to be reset, now is the time to replace them with new clay brick pavers that will never fade and/or require future replacement. The City has received numerous letters from the Florida Department of Transportation (FDOT) stating that the streetscape pavers need to be repaired due to endangerment to the health, safety & welfare to the public. The drawings will be designed in FY2019/20. The construction of the streetscape sidewalks from Orchard Street to A1A on the north and south sides will be repaired in FY2020/2021.

PROJECT COST METHODOLOGY

Cost is based on proposals received to repair the existing pavers during the Downtown Landscape Renovation project.

EXPENDITURE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Construction	1,400,000	0	0	0	0	1,400,000	0
Total	1,400,000	0	0	0	0	1,400,000	0

REVENUE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Property Taxes-TIF	1,400,000	0	0	0	0	1,400,000	0
Total	1,400,000	0	0	0	0	1,400,000	0



Legend

----- SIDEWALK PAVERS



DOWNTOWN STREETSCAPE SIDEWALK PAVER REPAIRS

Prepared By: The City of Ormond Beach G.I.S. Department - March 29, 2019



0 500 1,000
Packet Pg. 259

Sidewalk banding repair project

- Remove existing **47,112 linear feet** of pavers or **8.92 miles** within CRA Streetscape and re-install selected banding.
- Scope includes side streets with streetscape improvements.
- Remove planted areas by the road to increase the sidewalk width.



- Remove and replace broken or patched sidewalk (old street tree grates).
- Pressure wash sidewalk.

5

ETRUSCAN TILE COLORED CONCRETE w/COQUINA SHELL

COLOR: ETRUSCAN TILE



**Option recommended by
Ormond Main³Street**



ORMOND BEACH MAINSTREET

P.O. Box 2917

Ormond Beach, FL 32175

Phone: (386) 492-2938

Executive Committee 2020-2021

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Robert Macklin, Vice President
Alex Bittner, Secretary
Michael S. Slick, Treasurer
Robert Coleman, Design Committee Chair
John Adams, Economic Vitality Chair

Board of Directors 2020-2021

Dorian Burt
Thomas Caffrey
Rich Cooper
Debbie Cotton
Jerry Janaro
Thomas MacDonald
Stephanie Mellenberndt
David Neubauer
Paul Osterndorf
Bill Partington, II
Chuck Spano
Judith Stein

Ex Officio Members

Dwight Selby, Ormond Beach
City Commissioner
Steven Spraker, Planning Director
City of Ormond Beach

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The City of Ormond Beach
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The Casements Cultural Center
Ormond Beach Historical Society
Ormond Beach Chamber of Commerce

Julia D. Truilo
Executive Director

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S.R. Perrott
WSBB

May 26, 2021

Mr. Steven Spraker
Planning Director
City of Ormond Beach
22 S. Beach St.
Ormond Beach, FL 32114

Re: CRA District sidewalk renovation project

Dear Mr. Spraker,

Thank you for asking the Ormond Beach MainStreet Design Committee for its input on your planned sidewalk renovation project in the CRA District. We appreciated the opportunity to view samples of the various materials that you installed along Washington Street. After extended discussion, the committee preferred the colored concrete with imbedded coquina shell in the "Etruscan Tile" color. The Ormond MainStreet Board agreed.

We look forward to you keeping us up on the timing of this project, along with your proposed maintenance plan for the new surfaces.

Sincerely,

Julia Truilo
Executive Director
Ormond Beach MainStreet, Inc.
julia@ormondmainstreet.com
386-492-2938



Downtown Sidewalk Renovations (Orchard St. to A1A)

Probable Cost

GENERAL INFORMATION: The scope of work for this project is to remove and replace the existing concrete paver banding in the sidewalks and replace cracked concrete panels. We have been working with the MainStreet Board and their recommendation is for the Etruscan Tile integral concrete color with the imbedded coquina shell, see attached letter. Various mock ups of material choices have been shown on North Washington Street on the east side near the Chamber of Commerce building, see attached materials map. The attached quotes are for the integral color with coquina shell, clay pavers and gray concrete.

Probable Cost Breakdown:

Construction Cost Breakdown

Item Num	Item Description	QTY	Unit	Unit Cost	Item Cost
1	Colored Concrete w/Coquina	1	LS	\$ 2,208,288.00	\$ 2,208,288.00

1 Sub-Total (Construction)= \$ 2,208,288.00

Budget Construction= \$ 2,208,288.00



Decorative concrete

May 7, 2021

Cara Culliver
City of Ormond Beach
22 S. Beach Street,
Ormond Beach, FL 32174
Cara.Culliver@OrmondBeach.org

Re: Granada Streetscape – Scofield Chromix Color Decorative Shell Concrete Proposal
Granada Boulevard,
Ormond Beach, Florida, 32174

Cara,

We are pleased to submit our proposal for the Ormond Beach Granada Boulevard Streetscape – Decorative Concrete project based on the drawings dated 04/25/1991 developed by the City of Ormond Beach. We will furnish all labor and material necessary to complete the work as described below for the lump sum amount of:

Two Million Two Hundred Eight Thousand Two Hundred Eighty Eight Dollars & Zero Cents (\$2,208,288.00).

We have specifically included the following:

1. Remove existing pavers and planters along Granada Boulevard's sidewalks between Orchard Street and the Granada Bridge and from the Granada Bridge to the Granada Beach Approach on Atlantic Avenue.
2. Furnish and install 6" thick 3000 psi **Integral Color Scofield Chromix Decorative Concrete** band with exposed surface Coquina Shell where pavers were removed from sidewalk. Provide chemical retarder and seal coating of decorative concrete banding for exposed shell aggregate. Decorative concrete bands will be from 4" to 6" deep and equal in width to the paver bands removed (8" to 16" varying). Includes saw-cutting of joints.
3. Furnish and install 3000 psi light broom finish 4" depth gray concrete at locations where planters are removed up to new Decorative Concrete banding.
4. Furnish and install epoxy dowel steel reinforcement within new 6" depth Decorative Concrete bands in business driveway entrances.
5. An allowance of \$277,717 is included for removal of Pavers and installation of Decorative Concrete Banding along cross-streets where Pavers continue from Granada Boulevard. This includes sidewalks connecting to Granada along Bovard Avenue, Beach Street (sidewalks in front of Bailey Riverbridge Gardens & Cassen Park), John Anderson Drive (entrance to Fortunado Park), Washington Street, and Atlantic Avenue in front of the Birthplace of Spell Park, Walgreens, and the Royal Floridan.
6. 100% Performance and Payment Bonds.
7. Maintenance of Traffic (MOT) work is included.
8. Removal and replacement of Tactile ADA Warning Mats affected by paver removal is included. A. M. Weigel Construction plans to leave in place any Tactile Warning Mats not damaged from paver removal.
9. An allowance of \$26,250 for repair and replacement of sidewalks, along with an allowance of \$68,040 fill planters.
10. An allowance of \$11,750 for repair and relocation of irrigation.
11. Provide barricades and clean up as necessary, including pressure washing of sidewalks.

12. Full-time supervision of work for an estimated project duration of 6 months.
13. A Project Contingency of 3% has been included.
14. We have included an allowance of \$73,440.00 for additional night shift work if required where sidewalks may obstruct business entrances.
15. Includes removal of pavers around Light Poles and installation of new banding at these locations.

Items excluded:

- Permitting fees are excluded.
- Afterhours or overtime work is excluded.
- Hazardous materials and unforeseen conditions are excluded.
- We have not included pricing to replace pavers within public parks. Note we have included replacement of pavers in sidewalks along Granada Boulevard at parks mentioned above.
- Replacement of paver crosswalks within street intersections is excluded.
- **Costs due to inflation are excluded. The current proposal is based on the cost of materials, labor, and equipment on the date of this proposal. A.M. Weigel Construction, Inc. reserves the right to proportionally adjust the total contract value due to increases in inflation that may occur beyond our control.**
- Davis Bacon Wages have been excluded.

ADD ALTERNATE #1:

- Remove existing concrete sidewalk adjacent to planter beds and replace with all new 4" deep 3000 psi gray concrete sidewalk so that the entire panel is replaced rather than a patch at the planter. Includes demolition, hauling, and standard welded wire mesh reinforcement. **Add \$314,928.00 to contract total.**

Please feel free to call me should you have any further questions regarding our proposal. Pricing is valid for 90 calendar days.

Sincerely,

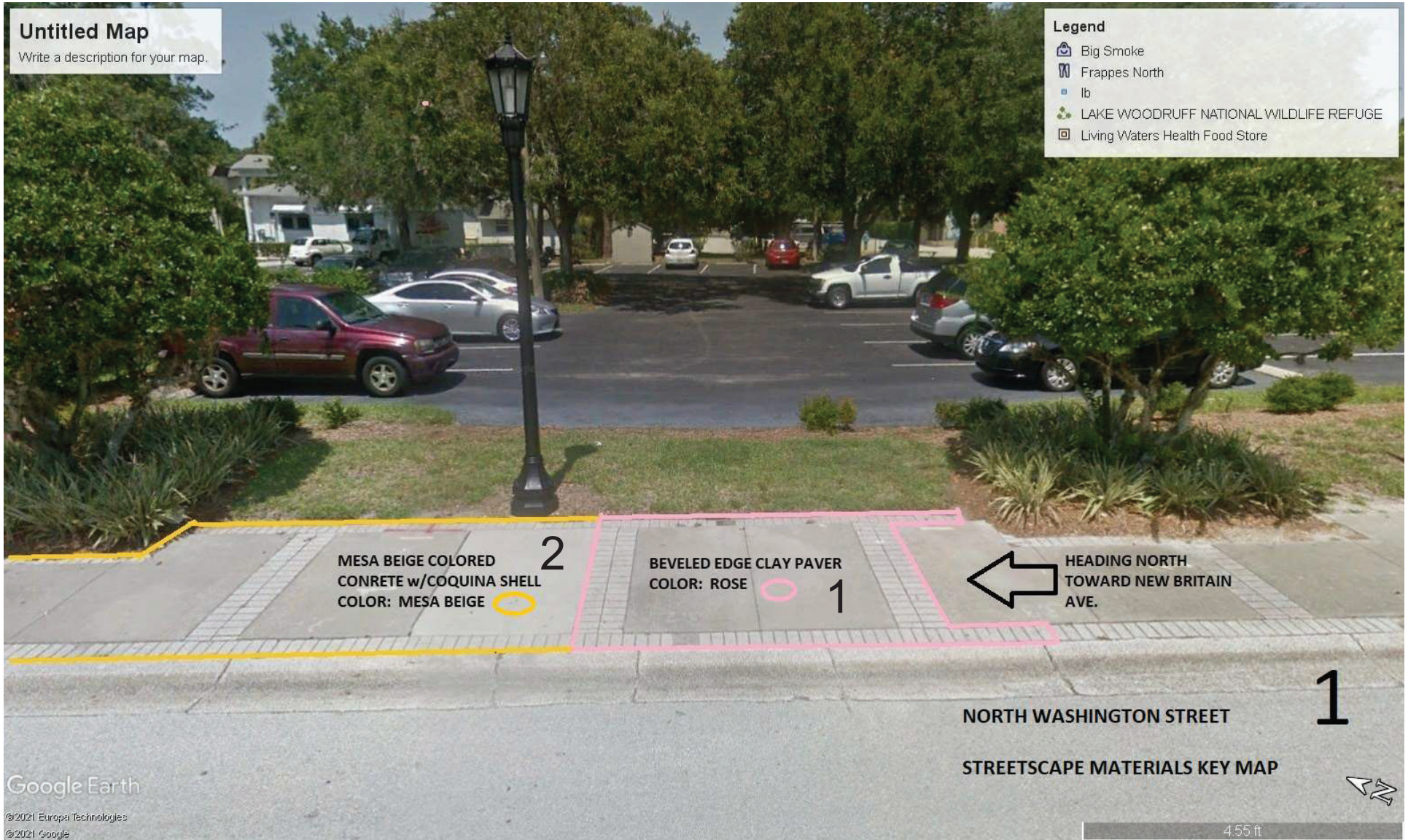


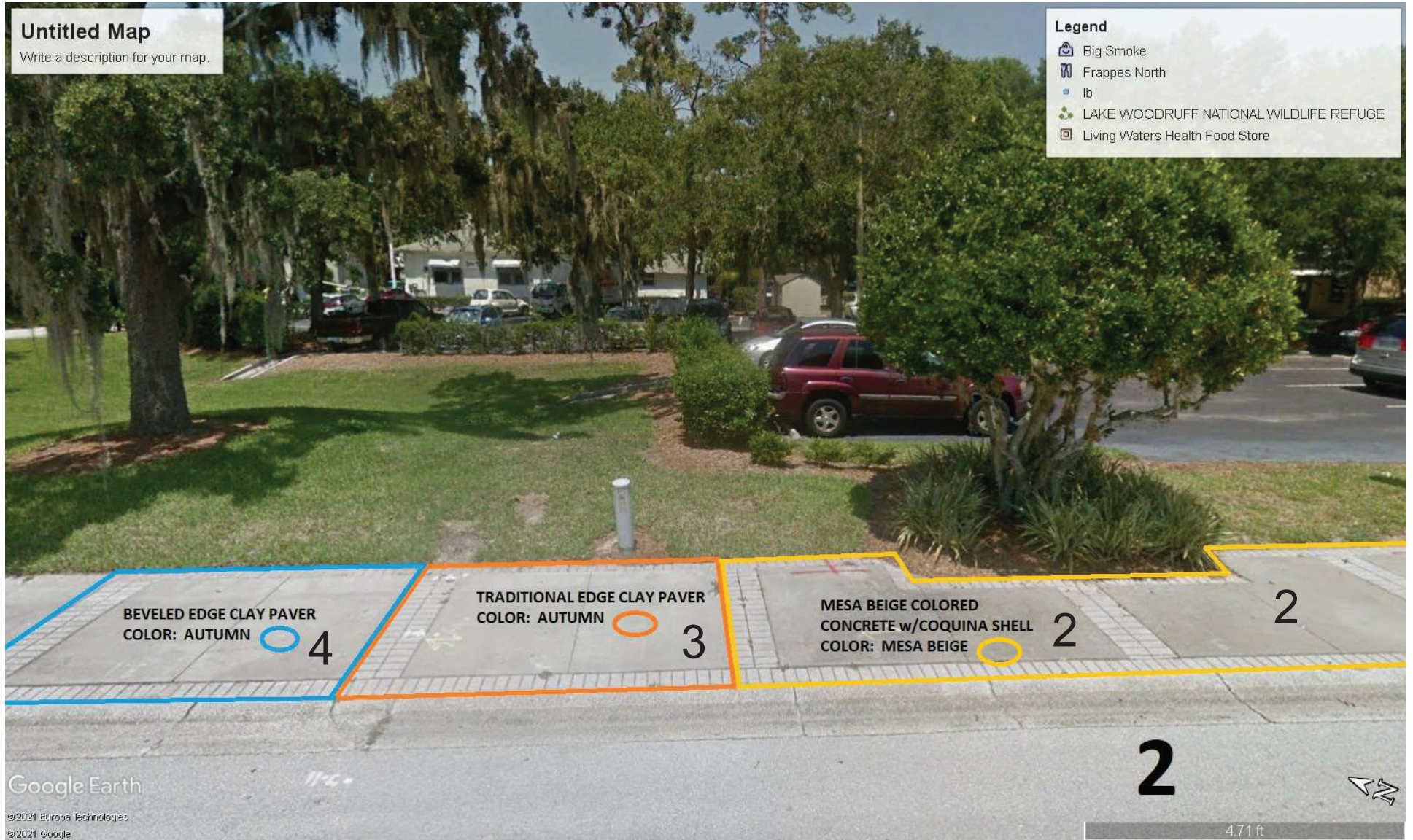
A. Michael Weigel
President

ORMOND BEACH GRANADA BOULEVARD STREETScape OPINION OF COST
SCOFIELD COLORED CONCRETE W/ SHELL

7.K.a

ItemCode	Description	Quantity	UM	Tot.UnitCost	TotalCost
01A General Conditions					
01055.000	Telephone	6	MOS	130.00	780.00
01061.000	Project Manager	13	WKS	1,562.00	20,306.00
01064.000	Superintendent	26	WKS	1,846.00	47,996.00
01641.200	Vehicle / Gas & Oil	6	MOS	400.00	2,400.00
* Total 01A General Conditions					
01B General Requirements					
01110.000	Permits	1	LS	0.00	BY CITY
01312.000	Scheduling	1	LS	3,000.00	3,000.00
01380.000	Progress Photos	6	MOS	150.00	900.00
01517.000	Portable Toilets	6	MOS	200.00	1,200.00
01580.000	Project Sign	1	LS	1,000.00	1,000.00
01590.000	Field Storage	6	MOS	220.00	1,320.00
01595.000	Temporary Fencing	3,000	LF	3.15	9,450.00
01595.000	Temp Fence Gates	3	EA	500.00	1,500.00
01644.000	Misc. Equipment Rental	6	MOS	1,800.00	10,800.00
01711.000	Periodic Cleanup	24	EA	140.00	3,360.00
* Total 01B General Requirements					
01C Maintenance of Traffic Allowance					
02910.000	Allowance to handle maintenance of traffic (ie. lighted barricades, steel plating over trenches, temporary signage, flag men)	47,000	LF	1.00	47,000.00
* Total 01C Maintenance of Traffic					
02A - Portable Water Source					
02910.000	Water Trailer Rental	6	MO	1,104.50	6,627.00
* Total 02A Utilities					
02B Landscape and Irrigation					
02910.000	Allowance to repair/relocate irrigation	47,000	LF	0.25	11,750.00
* Total 02B Landscape and Irrigation					
03C Site Concrete - Edwards Concrete (includes Demolition)					
3200.001	Integral Color Concrete with Shell Aggregate	1	LS	1,334,165.00	1,334,165.00
* Total 03B Site Concrete					
03C Site Concrete - Sidewalk replacement					
3200.001	Allowance to remove/replace broken sidewalks	2,500	SF	10.50	26,250.00
3200.002	Fill in Planter with Concrete Sidewalk (2'x30')	6,480	SF	10.50	68,040.00
* Total 03B Site Concrete					
10A Tactile ADA Warning Mat Replacement impacted by Pavers					
10000.001	Allowance to replace ADA Mats	28	EA	450.00	12,600.00
* Total 10A Warning Mats					
10B Allowance for Streetscape Work on Cross Streets					
10000.001	Allowance to Cross Streets	8,520	LF	32.60	277,717.92
10000.002	Allowance of Extra Shifts for Small Driveways	1	LS	73,440.00	73,440.00
* Total 10B Allowance for Cross Streets					
10C Pressure Washing of Sidewalks					
10000.004	Pressuring Washing Sidewalks	444,160	SF	0.05	22,208.00
* Total 10C Allowance for Pressure Washing					
	CONTINGENCY	3	%		59,514.30
Subtotal Estimate					2,043,324.22
General Liability Insurance					18,389.92
Builders Risk Insurance					4,086.65
Overhead					51,083.11
Profit					71,516.35
Performance & Payment Bond					19,888.00
GRAND TOTAL					2,208,288.24
ADD ALTERNATE #1					
Remove and replace full concrete sidewalk panels by planters.		19440	SF	15.00	\$314,928.00







**Recommended option by
Ormond MainStreet Design Committee**



1

ROSE BEVELED EDGE CLAY PAVER

7.K.a

COLOR: ROSE

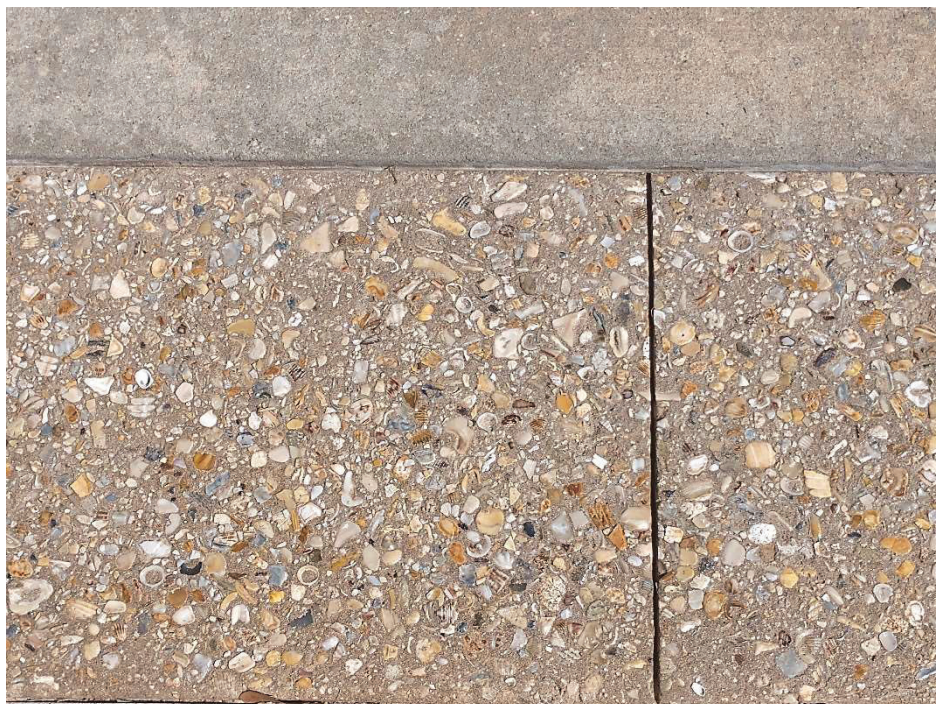


2

MESA BEIGE COLORED CONCRETE w/COQUINA SHELL

7.K.a

COLOR: MESA BEIGE



3

TRADITIONAL EDGE CLAY PAVER (No Bevel)

COLOR: AUTUMN

7.K.a



4

AUTUMN BEVELED EDGE CLAY PAVER
COLOR: AUTUMN



5

ETRUSCAN TILE COLORED CONCRETE w/COQUINA SHELL

COLOR: ETRUSCAN TILE



6

BURNT RED COLORED CONCRETE w/COQUINA SHELL

COLOR: BURNT RED



7

RUST FIELDS COLORED CONCRETE w/COQUINA SHELL
COLOR: RUST FIELDS





PAVERS

May 7, 2021

Cara Culliver
City of Ormond Beach
22 S. Beach Street,
Ormond Beach, FL 32174
Cara.Culliver@OrmondBeach.org

Re: Granada Streetscape – Pine Hall Traditional Edge Pavers
Granada Boulevard,
Ormond Beach, Florida, 32174

Cara,

We are pleased to submit our proposal for the Ormond Beach Granada Boulevard Streetscape – Decorative Paver project based on the drawings dated 04/25/1991 developed by the City of Ormond Beach. We will furnish all labor and material necessary to complete the work as described below for the lump sum amount of:

Two Million One Hundred Twelve Thousand Seven Hundred Seventy Five Dollars & Zero Cents (\$2,112,775.00).

We have specifically included the following:

1. Remove existing pavers and planters along Granada Boulevard's sidewalks between Orchard Street and the Granada Bridge and from the Granada Bridge to the Granada Beach Approach on Atlantic Avenue.
2. Furnish and install 3000 psi concrete 4" thick subgrade subgrade paver base where pavers are removed from sidewalks, including excavation and compaction of soils prior to placement.
3. Furnish and install **8" wide Pine Hall Traditional Edge Pavers in 100% "Autumn"**, above concrete subbase. Includes cutting of pavers to precise fit and polymeric sanding between paver joints.
4. An allowance of \$254,895 is included for removal and replacement of Pavers along cross-streets where Pavers continue from Granada Boulevard. This includes sidewalks connecting to Granada along Bovard Avenue, Beach Street (sidewalks in front of Bailey Riverbridge Gardens & Cassen Park), John Anderson Drive (entrance to Fortunado Park), Washington Street, and Atlantic Avenue in front of the Birthplace of Spell Park, Walgreens, and the Royal Floridan.
5. 100% Performance and Payment Bonds.
6. Maintenance of Traffic (MOT) work is included.
7. Removal and replacement of Tactile ADA Warning Mats affected by paver removal is included. A. M. Weigel Construction plans to leave in place any Tactile Warning Mats not damaged from paver removal.
8. An allowance of \$26,250 for repair and replacement of sidewalks, along with \$68,040 to fill planters.
9. An allowance of \$11,750 for repair and relocation of irrigation.
10. Provide barricades and clean up as necessary, including pressure washing of sidewalks.
11. Full-time supervision of work for an estimated project duration of 6 months.
12. A Project Contingency of 3% has been included.
13. We have included an allowance of \$73,440.00 for additional night shift work if required where sidewalks may obstruct business entrances.
14. Includes removal of pavers around Light Poles and installation of new banding at these locations.

Items excluded:

- Permitting fees are excluded.
- Hazardous materials and unforeseen conditions are excluded.
- We have not included pricing to replace pavers within public parks. Note we have included replacement of pavers in sidewalks along Granada Boulevard at parks mentioned above.
- Replacement of paver crosswalks within street intersections is excluded.
- **Costs due to inflation are excluded. The current proposal is based on the cost of materials, labor, and equipment on the date of this proposal. A.M. Weigel Construction, Inc. reserves the right to proportionally adjust the total contract value due to increases in inflation that may occur beyond our control.**
- Davis Bacon Wages have been excluded.

ADD ALTERNATE #1:

- Remove existing concrete sidewalk adjacent to planter beds and replace with all new 4" deep 3000 psi gray concrete sidewalk so that the entire panel is replaced rather than a patch at the planter. Includes demolition, hauling, and standard welded wire mesh reinforcement. **Add \$314,928.00 to contract total.**

Please feel free to call me should you have any further questions regarding our proposal. Pricing is valid for 90 calendar days.

Sincerely,



A. Michael Weigel
President

	ItemCode	Description	Quantity	UM	Tot.UnitCost	TotalCost
01A	General Conditions					
	01055.000	Telephone	11	MOS	130.00	1,430.00
	01061.000	Project Manager	17	WKS	1,400.00	23,800.00
	01064.000	Superintendent	48	WKS	1,750.00	84,000.00
	01641.200	Vehicle / Gas & Oil	11	MOS	400.00	4,400.00
	* Total 01A General Conditions					
01B	General Requirements					
	01110.000	Permits	1	LS	0.00	0.00
	01312.000	Scheduling	1	LS	3,000.00	3,000.00
	01380.000	Progress Photos	11	MOS	150.00	1,650.00
	01517.000	Portable Toilets	11	MOS	200.00	2,200.00
	01580.000	Project Signs	1	LS	1,000.00	1,000.00
	01590.000	Field Storage	11	MOS	220.00	2,420.00
	01595.000	Temporary Fencing	3,000	LF	3.15	9,450.00
	01595.000	Temp Fence Gates	3	EA	500.00	1,500.00
	01644.000	Misc. Equipment Rental	11	MOS	1,800.00	19,800.00
	01711.000	Periodic Cleanup	48	EA	140.00	6,720.00
	* Total 01B General Requirements					
01C	Maintenance of Traffic Allowance					
	02910.000	Allowance to handle maintenance of traffic (ie. lighted barricades, steel plating over trenches, temporary signage, flag men)	47,000	LF	1.25	58,750.00
	* Total 01C Maintenance of Traffic					
02A	Portable Water Source					
	02910.000	Water Trailer Rental	11	MO	1,104.50	12,149.50
	* Total 02A Utilities					
02B	Landscape and Irrigation					
	02910.000	Allowance to repair/relocate irrigation	47,000	LF	0.25	11,750.00
	* Total 02B Landscape and Irrigation					
02E	Selective Demolition					
	02220.001	Demolition - Pavers and Sidewalks	47,000	LF	4.75	223,250.00
	* Total 02E Selective Demolition					
03B	Site Concrete Base					
	3100.001	Site mixed concrete for paver base	47,000	LF	7.25	340,750.00
	* Total 03B Site Concrete					
03C	Planter Removal and Sidewalk Installation					
	3100.001	Allowance for Repair of Broken Sidewalks	2,500	SF	10.50	26,250.00
	3100.002	Fill in Planter with Concrete Sidewalk (2'x30')	6,480	SF	10.50	68,040.00
	* Total 03C Planter Removal & Sidewalk Install					
02G	Site Hardscape					
	02870.001	Pine Hall Autumn Mixed Pavers	47,000	LF	7.25	340,750.00
	02870.002	Traditional Edge Pavers - Material incl. Tax	1	LS	294,816.04	294,816.04
	* Total 02G Site Hardscape					
10A	Tactile ADA Warning Mat Replacement impacted by Pavers					
	10000.001	Allowance to replace ADA Mats	28	EA	450.00	12,600.00
	* Total 10A Warning Mats					
10B	Allowance for Streetscape Work on Cross Streets					
	10000.002	Allowance to Cross Streets	8,520	LF	29.56	251,812.32
	10000.003	Allowance for Extra Shifts at Small Driveway	1	LS	73,440.00	73,440.00
	* Total 10B Allowance for Cross Streets					
10C	Pressure Washing of Sidewalks					
	10000.004	Pressuring Washing Sidewalks	444,160	SF	0.05	22,208.00
	* Total 10C Allowance for Pressure Washing					
		CONTINGENCY	3%			56,938.08
	Subtotal					1,954,873.93
		General Liability Insurance		General Liability Insurance		17,593.87
		Builders Risk Insurance		Builders Risk Insurance		3,909.75
		Overhead		Overhead		48,871.85
		Profit		Profit		68,420.59
		Performance & Payment Bond		Performance & Payment Bond		19,106.00
		GRAND TOTAL				2,112,775.98
ADD ALTERNATE #1						
		Remove and replace full concrete sidewalk panels by planters.	19440	SF	15.00	\$314,928.00



Gray concrete

May 7, 2021

Cara Culliver
City of Ormond Beach
22 S. Beach Street,
Ormond Beach, FL 32174
Cara.Culliver@OrmondBeach.org

Re: Granada Streetscape – Sidewalk Gray Concrete Banding
Granada Boulevard,
Ormond Beach, Florida, 32174

Cara,

We are pleased to submit our proposal for the Ormond Beach Granada Boulevard Streetscape – Sidewalk Gray Concrete Banding project based on the drawings dated 04/25/1991 developed by the City of Ormond Beach. We will furnish all labor and material necessary to complete the work as described below for the lump sum amount of:

One Million Seven Hundred Ten Thousand Nine Hundred Twenty Eight Dollars & Zero Cents (\$1,710,928.00).

We have specifically included the following:

1. Remove existing pavers and planters along Granada Boulevard's sidewalks between Orchard Street and the Granada Bridge and from the Granada Bridge to the Granada Beach Approach on Atlantic Avenue.
2. Furnish and install **3000 psi standard Gray Concrete** band where pavers and planters were removed from sidewalk. Gray concrete bands will be 4" to 6" deep and equal in width to the paver bands removed (8" to 16" varying). Includes saw-cutting of joints and light broom finish.
3. Furnish and install epoxy dowel steel reinforcement for new 6" depth Concrete bands in business driveway entrances.
4. An allowance of \$168,696.00 is included for removal of Pavers and installation of Decorative Concrete Banding along cross-streets where Pavers continue from Granada Boulevard. This includes sidewalks connecting to Granada along Bovard Avenue, Beach Street (sidewalks in front of Bailey Riverbridge Gardens & Cassen Park), John Anderson Drive (entrance to Fortunado Park), Washington Street, and Atlantic Avenue in front of the Birthplace of Spell Park, Walgreens, and the Royal Floridan.
5. 100% Performance and Payment Bonds.
6. Maintenance of Traffic (MOT) work is included.
7. Removal and replacement of Tactile ADA Warning Mats affected by paver removal is included. A. M. Weigel Construction plans to leave in place any Tactile Warning Mats not damaged from paver removal.
8. An allowance \$26,250 for repair and replacement of sidewalks, along with an allowance of \$68,040 to fill planters.
9. An allowance of \$11,750 for repair and relocation of irrigation.
10. Provide barricades and clean up as necessary, including pressure-washing of sidewalks.
11. Full-time supervision of work for an estimated project duration of 10 months.
12. A Project Contingency of 3% has been included.
13. Includes removal of pavers around Light Poles and installation of new concrete banding at these locations.
14. We have included an allowance of \$73,440.00 for additional night shift work if required where sidewalks may obstruct business entrances.

Items excluded:

- Permitting fees are excluded.
- Colored concrete and decorative shell aggregate are excluded.
- Hazardous materials and unforeseen conditions are excluded.
- We have not included pricing to replace pavers within public parks. Note we have included replacement of pavers in sidewalks along Granada Boulevard at parks mentioned above.
- Replacement of paver crosswalks within street intersections is excluded.
- **Costs due to inflation are excluded. The current proposal is based on the cost of materials, labor, and equipment on the date of this proposal. A.M. Weigel Construction, Inc. reserves the right to proportionally adjust the total contract value due to increases in inflation that may occur beyond our control.**
- Davis-Bacon Wages have been excluded.

ADD ALTERNATE #1:

- Remove existing concrete sidewalk adjacent to planter beds and replace with all new 4" deep 3000 psi gray concrete sidewalk so that the entire panel is replaced rather than a patch at the planter. Includes demolition, hauling, and standard welded wire mesh reinforcement. **Add \$314,928.00 to contract total.**

Please feel free to call me should you have any further questions regarding our proposal. Pricing is valid for 90 calendar days.

Sincerely,



A. Michael Weigel
President

ORMOND BEACH GRANADA BOULEVARD STREETSCAPE OPINION OF COST
GRAY CONCRETE

7.K.a

	ItemCode	Description	Quantity	UM	Tot.UnitCost	TotalCost
01A	General Conditions					
	01055.000	Telephone	10	MOS	130.00	1,300.00
	01061.000	Project Manager	16	WKS	1,400.00	22,400.00
	01064.000	Superintendent	40	WKS	1,750.00	70,000.00
	01641.200	Vehicle / Gas & Oil	10	MOS	400.00	4,000.00
	* Total 01A General Conditions					
01B	General Requirements					
	01110.000	Permits	1	LS	0.00	0.00
	01312.000	Scheduling	1	LS	3,000.00	3,000.00
	01380.000	Progress Photos	10	MOS	150.00	1,500.00
	01517.000	Portable Toilets	10	MOS	200.00	2,000.00
	01580.000	Project Sign	1	LS	1,000.00	1,000.00
	01590.000	Field Storage	10	MOS	220.00	2,200.00
	01595.000	Temporary Fencing	3,000	LF	3.15	9,450.00
	01595.000	Temp Fence Gates	3	EA	500.00	1,500.00
	01644.000	Misc. Equipment Rental	6	MOS	1,800.00	10,800.00
	01711.000	Periodic Cleanup	40	EA	140.00	5,600.00
	* Total 01B General Requirements					
01C	Maintenance of Traffic Allowance					
	02910.000	Allowance to handle maintenance of traffic (ie. lighted barricades, steel plating over trenches, temporary signage, flag men)	47,000	LF	1.24	58,280.00
	* Total 01C Maintenance of Traffic					
02A	Portable Water Source					
	02910.000	Water Trailer Rental	10	MO	1,104.50	11,045.00
	* Total 02A Utilities					
02B	Landscape and Irrigation					
	02910.000	Allowance to repair/relocate irrigation	47,000	LF	0.25	11,750.00
	* Total 02B Landscape and Irrigation					
03C	Planter Removal and Sidewalk Installation					
	3100.001	Allowance for Repair of Broken Sidewalks	2,500	SF	10.50	26,250.00
	3100.002	Fill in Planter with Concrete Sidewalk (2'x30')	6,480	SF	10.50	68,040.00
	* Total 03C Planter Removal & Sidewalk Install					
03D	Site Concrete - Removal of Paver Bands and Replacement with Concrete					
	3200.001	Gray Concrete Install & Paver Removal	1	LS	947,430.00	947,430.00
	* Total 03D Site Concrete					
10A	Tactile ADA Warning Mat Replacement impacted by Pavers					
	10000.001	Allowance to replace ADA Mats	28	EA	450.00	12,600.00
	* Total 10A Warning Mats					
10B	Allowance for Streetscape Work on Cross Streets					
	10000.002	Allowance to Cross Streets	8,520	LF	19.80	168,696.00
	10000.003	Allowance for Extra Shifts at Small Driveway	1	LS	73,440.00	73,440.00
	* Total 10B Allowance for Cross Streets					
10C	Pressure Washing of Sidewalks					
	10000.004	Pressuring Washing Sidewalks	444,160	SF	0.05	22,208.00
	* Total 10C Allowance for Pressure Washing.					
		CONTINGENCY				47,500.00
Subtotal						1,581,989.00
		General Liability Insurance		General Liability Insurance		14,237.90
		Builders Risk Insurance		Builders Risk Insurance		3,163.98
		Overhead		Overhead		39,549.73
		Profit		Profit		55,369.62
		Performance & Payment Bond		Performance & Payment Bond		15,915.00
		GRAND TOTAL				1,710,225.22
ADD ALTERNATE #1						
		Remove and replace full concrete sidewalk panels by planters.	19440	SF	15.00	\$314,928.00



CAPITAL PROJECT DETAIL

PROJECT TITLE

PROJECT#

Downtown - East Granada Utility Undergrounding

CATEGORY

FUND

Community Redevelopment

104-TIF

PROJECT LOCATION

MANAGEMENT

E. Granada Blvd. / S. Halifax

PROJECT SCOPE

Undergrounding of aerial utility features along S. Halifax Drive and E. Granada Blvd.

JUSTIFICATION

Completion of the Boulevard 2000 project and the 2012 Granda Blvd. Utility Undergrounding project eliminate the majority of overhead utility facilities along SR 40. One section not included in these projects are the overhead wires at S. Halifax Dr. between E. Granada Blvd. and Casements Dr. This project will remove these utilities in advance of the completion of the new Ormond Memorial Art Museum

PROJECT COST METHODOLOGY

Historic Costs (2012 Utilities Undergrounding Project)

EXPENDITURE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Construction	100,000	0	0	0	0	100,000	0
Design	20,000	0	0	0	0	20,000	0
Total	120,000	0	0	0	0	120,000	0

REVENUE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
TIF	120,000	0	0	0	0	120,000	0
Total	120,000	0	0	0	0	120,000	0

CAPITAL PROJECT DETAIL

PROJECT TITLE

Downtown: Traffic calming

PROJECT#

CATEGORY

Community Redevelopment

FUND

104-TIF

PROJECT LOCATION

CRA

MANAGEMENT

Engineering/Planning

PROJECT SCOPE

Implement traffic calming techniques throughout the CRA, including side streets

JUSTIFICATION

A common theme throughout the Downtown master plan update was the need to provide additional traffic calming measures. Under the Sense of Place & Appearance theme in the master plan, traffic calming and walkability enhancements were identified top priorities. FY20-21 seeks the installation of four radar feed back signs, two at each end of the Granada Bridge. The item is budgeted as an outer year project with specific improvements to be determined in the capital year which the expenditures would occur.

PROJECT COST METHODOLOGY

<u>EXPENDITURE</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>Total 2021-22 to 2025-26</u>	<u>Other Requests without identified funding source</u>
Traffic calming	0	100,000	0	100,000	0	200,000	0
Total	0	100,000	0	100,000	0	200,000	0

<u>REVENUE</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>Total 2021-22 to 2025-26</u>	<u>Other Requests without identified funding source</u>
Property Taxes-TIF	0	100,000	0	100,000	0	200,000	0
Total	0	100,000	0	100,000	0	200,000	0

City of Ormond Beach
4/30/2020

Proposed Downtown Traffic Calming

Project Notes: Project to include for FY 2020/2021 installation of four radar feed back signs, two at each end of the Granada Bridge.

Project Probable Cost

Construction

Item No.	Description	Estimated Quantity	Unit	Unit Price	Item Price
1	Mobilization/ Demobilization (~5%)	1	LS	\$1,397.50	\$1,398
2	Radar Feedback signs	4	EA	\$4,450.00	\$17,800
3	Installation	1	LS	\$4,450.00	\$4,450
4	Additional Signage	1	LS	\$1,000.00	\$1,000
5	Electric	1	LS	\$1,200.00	\$1,200
6	Restoration	1	LS	\$500.00	\$500
7	Permitting and fees	1	LS	\$1,500.00	\$1,500
8	Maintenance of Traffic	1	LS	\$1,500.00	\$1,500

Construction \$29,348

Construction Budget \$30,000



3001 Orange Avenue
Fort Pierce, FL 34947

Quote
EST-002602

Bill To
City of Ormond Beach
P.O. BOX 277
ORMOND BEACH, FL 32074

Estimate Date : 04.15.20

Primary Contact : Shawn Finley

Ship To
501 N. ORCHARD STREET
ORMOND BEACH, FL 32174

Delivery Preference : None

#	Item & Description	BIN #	Qty	Rate	Amount
1	Evolution 11" Digit - AC - Incl. Strobe, Bluetooth, Data - modem + 12 month network access to cloud SKU : NEV11EYL-AC Data Collection would be an additional \$500 per year. First year included in this price.	N/A	1.00 EA	4,450.00	4,450.00
2	Pole Package, 13' x 4.5" OD, includes: Pole, Base, 18" J-Bolts SKU : N101919-18		1.00 EA	0.00	0.00
3	Cap, 4.5" OD Pole, 4C Cap Signal SKU : N203-00010		1.00 EA	0.00	0.00
Sub Total					4,450.00
FL STATE TAX (6%)					0.00
FL COUNTY TAX (0.5%)					0.00
Total					\$4,450.00

Notes

** Estimated completion is +/- 6 weeks
** No bid foundation, installation, and additional items not listed above.
** Full freight included.

We are looking forward to your business. If you have any questions, please do not hesitate to contact us by phone at 1-800-432-0331 or by email at office@universalsignsfl.com
For issues with orders, please forward concerns to support@universalsignsfl.com. For further pricing requests and inquiries, please route your questions to sales@universalsignsfl.com

Terms & Conditions

** Remit payment to:
FEI: 59-1053866

Universal Signs & Accessories
A Division of McCain Sales of Florida, Inc.
3001 Orange Avenue
Fort Pierce, FL 34947

** All COD accounts must be paid in full prior to processing a sales order.

** All credit accounts must be paid in 30 days from date of invoice.

** All returned items will be subject to a restocking fee, which may equal the items' cost

** Past due invoices will accrue interest at 1.5% per month.

** If it becomes necessary to effect collection, all costs incurred to administrate collection, including attorney fees, court costs, or collection fees will be the responsibility of the customers.

Authorized Signature _____

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11` RADAR SIGNS





EXPLORE

NEWS

SUPPORT

[Back to 11" Signs](#)

SAFEPACE EVOLUTION 11

Compact Entry-Level Speed Sign

The compact SafePace® Evolution 11 sign offers lightweight entry-level speed display for private communities or local roads. The economical sign offers remarkable power efficiency and quick, easy installation.

Features:

- 1 Year cloud connectivity included
- Compact sign with smaller 11" digits
- Affordable pricing
- Static Your Speed message
- Lightweight, compact design
- Energy efficient power options
- Diamond-grade sheeting available
- Strobe activation/deactivation available



Transportation & Circulation

MISSION STATEMENT

Reclaim Granada Blvd. and other streets as part of the shared public realm as a quality centerpiece for development, supporting ALL modes of transportation. Leverage the side streets, parallel streets, intersections, alleys & pathways for circulation, parking and gathering.

VIEWPOINT

Transportation, circulation and parking were clearly the most consistent topics of discussion in every meeting. Although it has been enhanced, Granada Blvd. is still considered to be a barrier for the community with harsh traffic behavior, limited safe crossings and negative visual impact.

TOP PRIORITIES

Continue to work on the livability of Granada, while taking advantage of adjacent small streets which can be high character places, connected to more frequent and visible public parking.

- Public Parking in Downtown District – better / different use of City Lot?
- Public / Shared Parking on Beach side – explore all parking options including two-story parking deck behind The Casements
- Walkability Enhancements
 - Traffic Calming, including on side-streets
 - Street graphics / Color for bikes / pedestrians
 - Sidewalks too small – expand via easements
 - Mid-block crossing / mid blocks, especially on Beachside
 - Brand the key walking routes / paths and side streets
 - Delete some dedicated right turn lanes for expanded pedestrian space

SECONDARY PRIORITIES

Explore options that support micro-mobility and circulatory systems.

- Bikes, scooters and other micro-mobility
- Access / ride share program; trolley loop
- Jitneys, scooters or bike share, golf carts; water taxi

CAPITAL PROJECT DETAIL

PROJECT TITLE

Downtown: E Granada mid-block crossing

PROJECT#

CATEGORY

Community Redevelopment

FUND

104-TIF

PROJECT LOCATION

Granada Blvd.

MANAGEMENT

Engineering

PROJECT SCOPE

Assisting the FDOT in funding a mid-block crossing on East Granada Blvd.

JUSTIFICATION

PROJECT COST METHODOLOGY

EXPENDITURE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Participation with FDOT	0	25,000	0	0	0	25,000	0
Total	0	25,000	0	0	0	25,000	0

REVENUE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Property Taxes-TIF	0	25,000	0	0	0	25,000	0
Total	0	25,000	0	0	0	25,000	0



Transportation & Circulation

MISSION STATEMENT

Reclaim Granada Blvd. and other streets as part of the shared public realm as a quality centerpiece for development, supporting ALL modes of transportation. Leverage the side streets, parallel streets, intersections, alleys & pathways for circulation, parking and gathering.

VIEWPOINT

Transportation, circulation and parking were clearly the most consistent topics of discussion in every meeting. Although it has been enhanced, Granada Blvd. is still considered to be a barrier for the community with harsh traffic behavior, limited safe crossings and negative visual impact.

TOP PRIORITIES

Continue to work on the livability of Granada, while taking advantage of adjacent small streets which can be high character places, connected to more frequent and visible public parking.

- Public Parking in Downtown District – better / different use of City Lot?
- Public / Shared Parking on Beach side – explore all parking options including two-story parking deck behind The Casements
- Walkability Enhancements
 - Traffic Calming, including on side-streets
 - Street graphics / Color for bikes / pedestrians
 - Sidewalks too small – expand via easements
- • Mid-block crossing / mid blocks, especially on Beachside
 - Brand the key walking routes / paths and side streets
 - Delete some dedicated right turn lanes for expanded pedestrian space

SECONDARY PRIORITIES

Explore options that support micro-mobility and circulatory systems.

- Bikes, scooters and other micro-mobility
- Access /ride share program; trolley loop
- Jitneys, scooters or bike share, golf carts; water taxi

CAPITAL PROJECT DETAIL

PROJECT TITLE

Downtown: Upgrades and Improvements

PROJECT#

104057

CATEGORY

Community Redevelopment

FUND

104-TIF

PROJECT LOCATION

Downtown CRA District

MANAGEMENT

Engineering

PROJECT SCOPE

This category provides the necessary enhancements of existing or proposed improvements within the redevelopment area. This would include, but not be limited to, mast arm and decorative light pole upgrades, decorative light pole and fixture purchase, installation and upgrade of, wood decking and handrails, landscape, irrigation, signage and other public improvements.

JUSTIFICATION

The 2007 adopted Downtown Master Plan (pages 26 and 30) identified the need to retain, replace and/ or upgrade the public infrastructure and hardscape improvements that have been invested in the Downtown. This project provides funding to make improvements to the existing infrastructure with the CRA District.

PROJECT COST METHODOLOGY

Projects allocations and estimates are based on actual bids or quotations from past projects of similar scope of work.

EXPENDITURE

Enhancements

2021-22

2022-23

2023-24

2024-25

2025-26

Total
2021-22
to
2025-26Other
Requests
without
identified
funding
source

0

60,000

0

60,000

0

120,000

0

Total

0

60,000

0

60,000

0

120,000

0

REVENUE

Property Taxes-TIF

2021-22

2022-23

2023-24

2024-25

2025-26

Total
2021-22
to
2025-26Other
Requests
without
identified
funding
source

0

60,000

0

60,000

0

120,000

0

Total

0

60,000

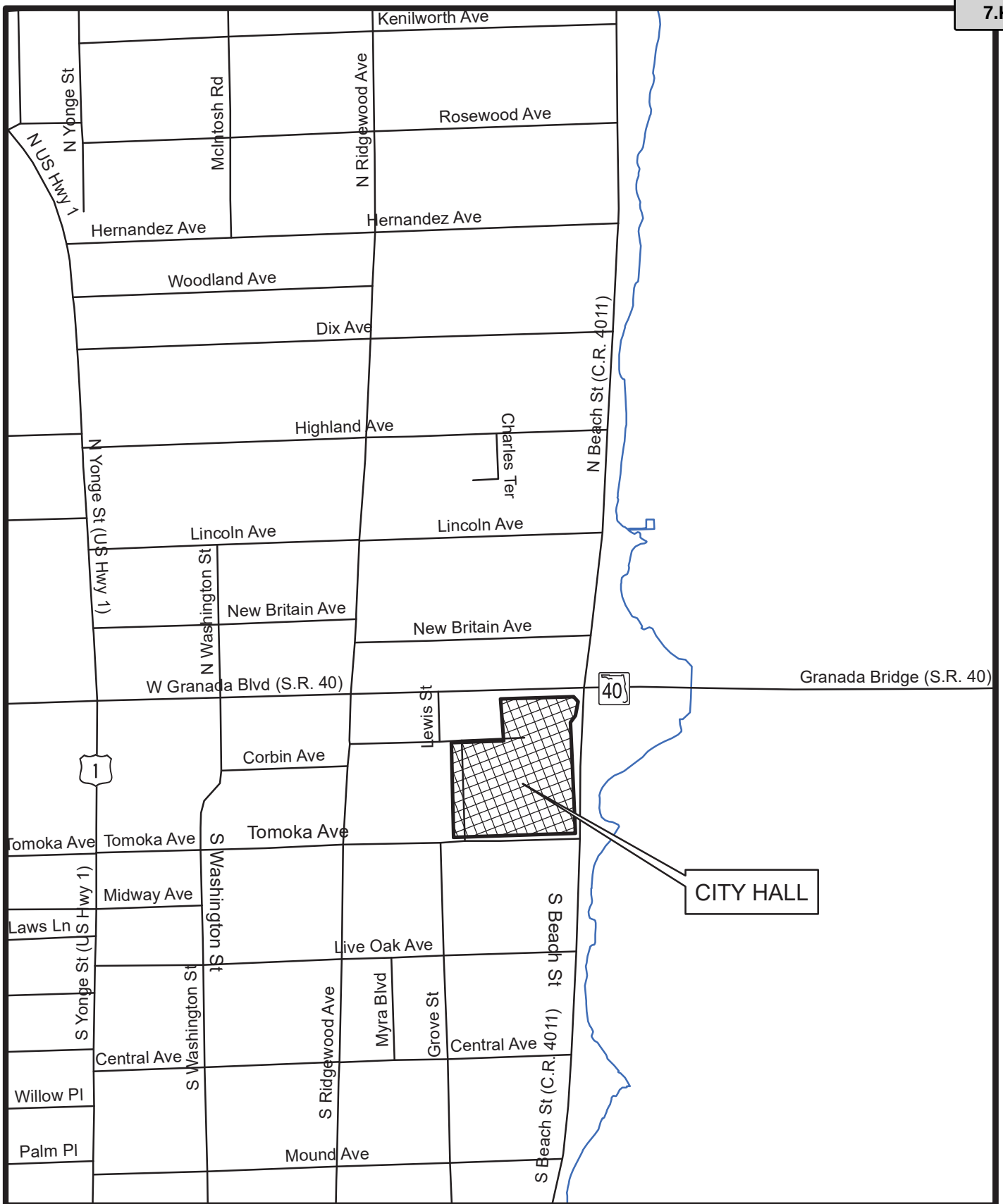
0

60,000

0

120,000

0



CITY HALL DOWNTOWN UPGRADES and IMPROVEMENTS

Prepared By: The City of Ormond Beach
G.I.S. Department - April 27, 2020



Not to Scale

Probable Cost

GENERAL INFORMATION: Due to natural attrition, the landscaping at City Hall needs to be further enhanced with landscaping replacement on the south, east and west sides of the building and parking lot areas.

Construction Cost Breakdown

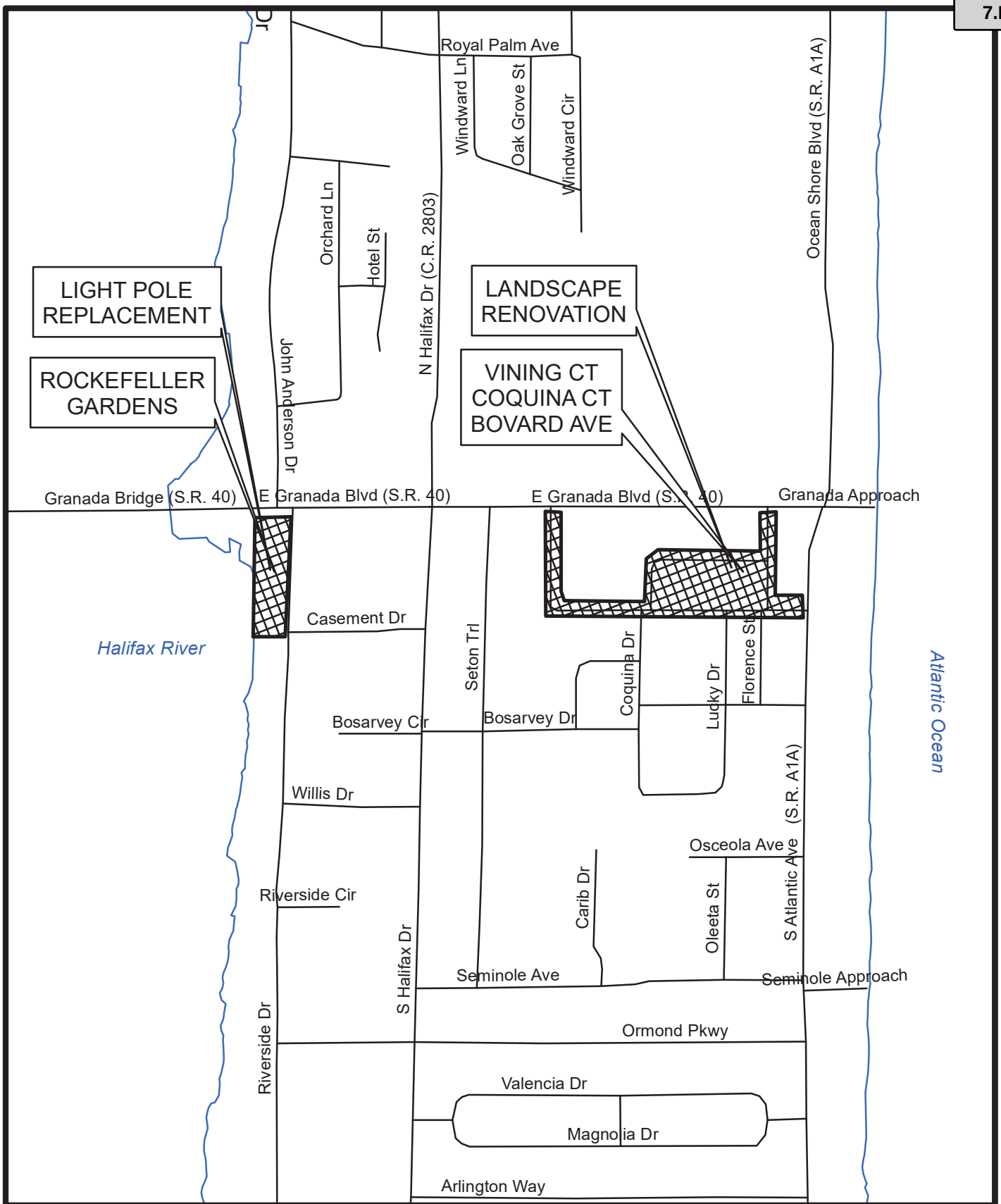
Item Num	Item Description	QTY	Unit	Unit Cost	Item Cost
1	Removal Declined Plants	1	LS	\$ 5,000.00	\$ 5,000.00
2	1 gallon Plant Material	1,000	EA	\$ 5.00	\$ 5,000.00
3	3 gallon Plant Material	1,000	EA	\$ 12.00	\$ 12,000.00
4	Accent Plants	16	EA	\$ 125.00	\$ 2,000.00
5	Palms	8	EA	\$ 250.00	\$ 2,000.00
6	Shade Trees	5	EA	\$ 550.00	\$ 2,750.00
7	Irrigation Repairs	1	LS	\$ 3,000.00	\$ 3,000.00

5 **Budget for design and construction= \$ 32,000.00**

CITY HALL



The City Hall parking lot has gaps in the hedge row which are in need of plants to be added back to screen the parking areas visible from the abutting streets. The declined Holly trees need to be removed. Building foundations plantings and various other areas need attention.



**LIGHTPOLE REPLACEMENT and
STREETSCAPE LANDSCAPE RENOVATION
DOWNTOWN UPGRADES AND IMPROVEMENTS**

Prepared By: The City of Ormond Beach
G.I.S. Department - April 27, 2020



Not to Scale

ROCKEFELLER GARDENS LIGHT POLE REPLACEMENT



City of Ormond Beach, Florida
28-Apr-20

Rockefeller Gardens Light Pole Replacement

Probable Cost

GENERAL INFORMATION: Rockefeller Gardens is a highly used park by Ormond Beach residence and visitors. These LED lights were installed with the this major park renovation in 2009. Four of the existing light poles at this park have large cracks and are in need of replacement, see attached pictures. The warranty for these poles has expired. With the Downtown LED lighting improvements in 2018, there were extra poles and fixtures left over from this project and they will be used for this one.

Probable Cost Breakdown:

Construction Cost Breakdown

Item Num	Item Description	QTY	Unit	Unit Cost	Item Cost
1	Light Pole Installation	1	LS	\$ 3,712.00	\$ 3,712.00
2	Light Pole Boots	2	EA	\$ 800.00	\$ 1,600.00

1	Sub-Total (Construction)=	\$ 5,312.00
2	Engineering & Permitting (10%)=	\$ 531.20
4	Subtotal (1 and 2)	\$ 5,843.20
5	Budget for design and construction=	\$ 6,000.00

Economy Electric Company

538 West Street
Daytona Beach, Florida 32114
Telephone (386) 252-0573
Fax no. (386) 239-0721

Email: JoeWiggins@economyelectricco.com

Engineers

Electrical

Contractors

PE0043445
EB0000287

EC0000709
EC0002188

EC0002189

April 24, 2020

City of Ormond Beach
Attention: Cara Culliver
Cara.Culliver@ormonbeach.org

Re: Rockefeller Gardens

- Job:
- Disconnect and remove (4) light poles and deliver to Public Works.
 - Pick up (4) new poles and boots from Public Works and deliver to Rockefeller Gardens.
 - Install existing fixtures on new poles.
 - Install new poles and boots.
 - Install new wire in poles.

Dear Cara:

As per your request, I am forwarding you a proposal in reference to the above job. The cost shall be \$2,712.00.

If any of the underground conduit and/or wire needs to be replaced, there would be a contingency allowance of \$1,000.00 and the total cost would be \$3,712.00.

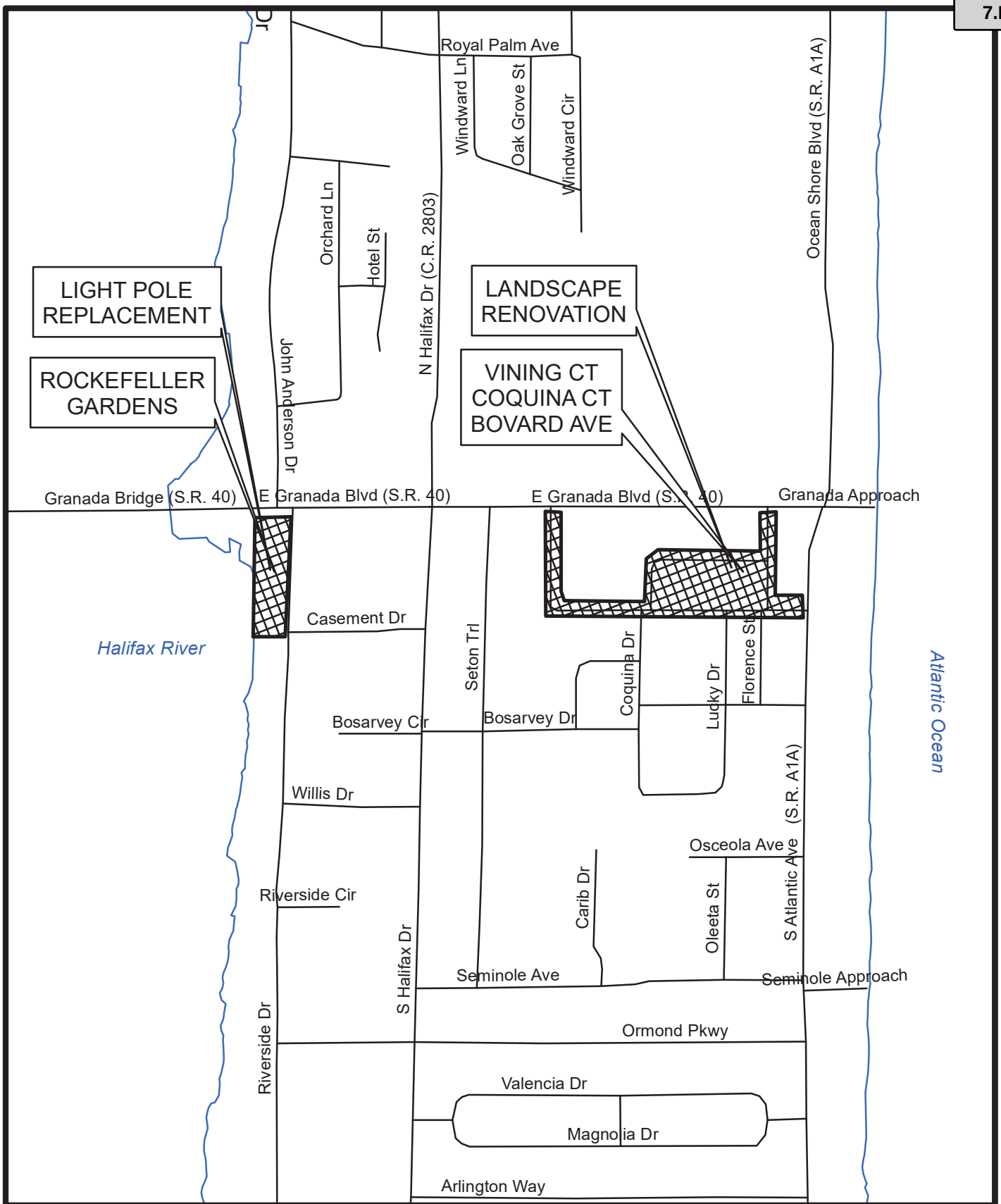
If I can be of any further assistance, please do not hesitate to call.

Sincerely,



Joseph Wiggins
Project Manager

JW/kf



**LIGHTPOLE REPLACEMENT and
STREETSCAPE LANDSCAPE RENOVATION
DOWNTOWN UPGRADES AND IMPROVEMENTS**

Prepared By: The City of Ormond Beach
G.I.S. Department - April 27, 2020



Not to Scale

Vining Ct. Coquina Ct. Bovard Ave. Streetscape Landscape Renovation

Probable Cost

GENERAL INFORMATION: This Vining Court, Coquina Court and Bovard Avenue streetscape was completed in 2011. Over the years plant material has declined and this area has also been impacted by previous hurricanes. Some of the planting beds and landscaped concrete bulb out areas have declined plant material and are in need of replacement. In addition, some of the small trees are in need of replaced.

Probable Cost Breakdown:

Construction Cost Breakdown

Item Num	Item Description	QTY	Unit	Unit Cost	Item Cost
1	Removal Declined Plants	1	LS	\$ 5,000.00	\$ 5,000.00
2	1 Gallon Plant Material	750	EA	\$ 5.00	\$ 3,750.00
3	3 Gallon Plant Material	500	EA	\$ 12.00	\$ 6,000.00
4	Accent Plants	16	EA	\$ 125.00	\$ 2,000.00
5	Small Trees	10	EA	\$ 300.00	\$ 3,000.00

1	Sub-Total (Construction)=	\$	19,750.00
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2 Engineering & Permitting (10%)= \$ 1,975.00

4	Subtotal (1 and 2)	\$	21,725.00
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5 **Budget for design and construction= \$ 22,000.00**

VINING CT COQUINA CT BOVARD AVE. STREETSCAPE LANDSCAPE RENOVATION



Missing Plant Materials



Declined Trees



CAPITAL PROJECT DETAIL

PROJECT TITLE

Downtown: Thompson Creek, Phase II

PROJECT#

104046

CATEGORY

Community Redevelopment

FUND

104-TIF

PROJECT LOCATION

Thompson Creek

MANAGEMENT

Planning & Engineering

PROJECT SCOPE

10 foot wide multi-use path from Division to Wilmette.

JUSTIFICATION

The Thompson Creek Multi-Use path is contained in the adopted Downtown Plan and Multi-Modal Plan, and the proposed 2016 Bike Plan. The path is 6000 linear feet more or less of pavement and decking with a crossing at Granada Boulevard. The estimated cost using FDOT Long Range Estimates (LRE) is \$666,500. The City approved Resolution 2016-43 requesting a feasibility study from the River to Sea Transportation Planning Organization (R2CTPO). Estimated feasibility study cost is \$25,000. This project was submitted to the R2CTPO in 2012 but it has not been funded due to higher rated projects. At the suggestion of TPO staff, the project application was revised and resubmitted in order to get a higher ranking for the grant. The City will provide a match of at least 10% (\$2,500) but not to exceed 25% (\$6,250) of the estimated study costs.

PROJECT COST METHODOLOGY

This project is partly funded from TIF for the portion of the trail that runs from Wilmette Avenue to Division Avenue and remainder is funded from the River to Sea Transportation Planning Organization (R2CTPO). The proposed trail is 6,000 linear feet. The portion of the trail in the Downtown CRA is from Lincoln Avenue to Tomoka Avenue. Costs estimates were obtained by using FDOT LRE for bike facilities and comparing said costs to similar trail projects including SR 40 sidewalk project (Phase 1 and 3) and the Tomoka State Park Trail.

<u>EXPENDITURE</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>Total 2021-22 to 2025-26</u>	<u>Other Requests without identified funding source</u>
Construction	0	666,500	0	0	0	666,500	0
Total	0	666,500	0	0	0	666,500	0

CAPITAL PROJECT DETAIL

PROJECT TITLEPROJECT#

Downtown: Thompson Creek, Phase II104046

REVENUE	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
TPO Grant (pending)	0	499,875	0	0	0	499,875	0
Property Taxes-TIF	0	166,625	0	0	0	166,625	0
Total	0	666,500	0	0	0	666,500	0

SR 40 Multiuse Trail Phase 3 Old Tomoka Road to Airport Road Extension

FDOT Pay Item Number	Pay Item Description	Estimated Quantity	Unit Type	Unit Cost	Total Labor Cost
BASE BID ITEMS					
101-1	Mobilization	1	LS	\$ 15,000.00	\$ 15,000.00
102-1	Maintenance of Traffic	1	LS	\$ 7,500.00	\$ 7,500.00
110-4	Removal of existing concrete pavement	145	SY	\$ 12.63	\$ 1,831.35
104-10-2	Synthetic Bales	24	EA	\$ 7.00	\$ 168.00
104-13-1	Silt Fence (Type III)	5,086	LF	\$ 1.50	\$ 7,629.00
110-1-1	Clear and Grub	1	AC	\$ 8,000.00	\$ 8,000.00
120-1	Regular Excavation	1,278	CY	\$ 6.00	\$ 7,668.00
120-6	Embankment	3,263	CY	\$ 8.00	\$ 26,104.00
425-1541	INLETS, DT BOT, TYPE D, <10'	2	EA	\$ 2,336.01	\$ 4,672.02
430-174-102	Pipe Culv. Round 36", SD	436.00	LF	\$ 50.00	\$ 21,800.00
430-984-138	Mitered End Section Round 36", SD	4	EA	\$ 1,200.00	\$ 4,800.00
515-1-2	Pipe Rail (Aluminum)	156	LF	\$ 35.00	\$ 5,460.00
522-1	8-ft. Wide Concrete Sidewalk, 4"	4,204	SY	\$ 32.00	\$ 134,528.00
522-2	8-ft. Wide Concrete Sidewalk, 6"	72	SY	\$ 35.00	\$ 2,520.00
538-1	Guardrail reset	10	LF	\$ 6.50	\$ 65.00
570-1-2	Performance Turf	15,210	SY	\$ 3.33	\$ 50,649.30
700-40-1	Sign (F&I) Single Post (12'-0")	1	AS	\$ 1,000.00	\$ 1,000.00
711-17	Thermoplastic, Remove	120	SF	\$ 2.50	\$ 300.00
711-11125	Stop Bar - 24" Thermo White	60	LF	\$ 5.00	\$ 300.00
711-11221	Traffic Stripe (Thermo) (Yellow) 6"	80	LF	\$ 1.00	\$ 80.00
2-OB	8 ft wide - 125 LF pedestrian bridge (F&I)	1	LS	\$ 210,000.00	\$ 210,000.00
1-OB	8-ft. Wood Boardwalk (F&I)	2,208	SF	\$ 35.00	\$ 77,280.00
TOTAL BASE BID					\$ 587,354.67

FDOT Pay Item Number	Pay Item Description	Unit Quantity	Unit Type	Unit Cost	Total Labor Cost
101-1	Mobilization	1.00	LS	\$ 5,000.00	\$ 5,000.00
102-1	Maintenance of Traffic	1.00	LS	\$ 5,000.00	\$ 5,000.00
					\$ -
104-10-2	Synthetic Bales	24.00	EA	\$ 12.77	\$ 306.48
104-13-1	Silt Fence (Type III)	4875.00	LF	\$ 1.12	\$ 5,460.00
110-1-1	Clear and Grub	1.46	AC	\$ 8,975.00	\$ 13,103.50
120-1	Regular Excavation	1278.00	CY	\$ 6.26	\$ 8,000.28
120-6	Embankment	3063	CY	\$ 10.21	\$ 31,273.23
					\$ -
					\$ -
					\$ -
	8 ft Boardwalk	1536.00	SF	\$ 35.00	\$ 53,760.00
522-1	8 Feet Concrete Sidewalk, 4"	4163.00	SY	\$ 42.78	\$ 178,093.14
575-1-1	Sodding (Bahia)	15610.00	SY	\$ 2.32	\$ 36,215.20
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
711-11123	Traffic Stripe Solid (Thermo) (White) 12"	320.00	LF	\$ 2.26	\$ 723.20
711-11-125	Stop Bar 24" Thermo White	80.00	LF	\$ 3.93	\$ 314.40
					\$ -
700-40-1	Sign (F&I)(Single Post)(12'-0")	2.00	AS	\$ 278.31	\$ 556.62
					\$ -
					\$ -
HULL ROAD TURN LANE City of Ormond Beach, FL (Hull Rd and N. US1)				Subtotal	\$ 337,806.05
				Design/Survey Costs	
				CEI Cost	
				Contingency	\$ 33,780.61
				Total Project Cost	\$ 371,586.66

CAPITAL PROJECT DETAIL

PROJECT TITLE

Downtown: Stormwater Improvements

PROJECT#

104044

CATEGORY

Community Redevelopment

FUND

104-TIF

PROJECT LOCATION

Downtown CRA

MANAGEMENT

Engineering

PROJECT SCOPE

Implement recommendations of study for stormwater improvements

JUSTIFICATION

The 2007 adopted Downtown Master Plan (pages 15, 27, 31, 32) stated a need to evaluate storm water needs and implement a program of off-line retention where practical to support intensive redevelopment of existing sites. With the assistance of consultant, a Stormwater Master Plan for the Downtown CRA was developed which allowed for the issuance of a conceptual permit for work in the CRA being granted by the St. Johns River Water Management Project. Recent activity in redevelopment of the CRA indicates that the area that may receive the most and earliest impact from a construction project would be the River District, north of Granada and lying between North Beach Street and Ridgewood Avenue. Phase 1 of this project was budgeted and completed in the most recent FY allowing for stormwater treatment for future redevelopment of the north side of New Britain Avenue as well as the construction of a passive park on Lincoln Avenue. This second project involves the construction of an exfiltration system within the New Britain Right of way which provides treatment for the redevelopment of the New Britain Avenue roadway, as well as properties south of New Britain. Costs do not include the acquisition of property and/or easements however it is anticipated that providing credit in the form of stormwater capacity from the regional stormwater facility will offset a large portion of obtaining land rights. The proposed second project is proposed to occur in two phases with infrastructure construction scheduled to occur in the first phase (2018/19) and landscape and hardscape improvements to complete the project in its second phase (2019/2020).

PROJECT COST METHODOLOGY

Historic Cost Data (Lincoln Stormwater Park, Andy Romano Park / John Anderson Drive Improvements).

<u>EXPENDITURE</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>Total 2021-22 to 2025-26</u>	<u>Other Requests without identified funding source</u>
Construction -Phase 2	0	0	1,100,000	0	0	1,100,000	0
Total	0	0	1,100,000	0	0	1,100,000	0

CAPITAL PROJECT DETAIL

PROJECT TITLEPROJECT#

Downtown: Stormwater Improvements104044

REVENUE	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Property Taxes-TIF	0	0	800,000	0	0	800,000	0
Stormwater Charges	0	0	300,000	0	0	300,000	0
Total	0	0	1,100,000	0	0	1,100,000	0

New Britain Roadway & Drainage Improvements - Phase 2

15-Apr-19

Engineers Estimate of Cost

Cost Estimate for New Britain Roadway & Drainage Improvements				
Item	Quantity	Unit	Unit Price	Amount
Site Preparation and Miscellaneous				
Misc. Items (Mobilization/Demobilization, Survey & Layout, "As-built" Drawings, Bond, Insurance, etc.)	1	LS	\$ 110,000.00	\$ 110,000.00
Tree Removal & Tree Protection	1	LS	\$ 5,000.00	\$ 5,000.00
Erosion and Sedimentation Control	1	LS	\$ 2,500.00	\$ 2,500.00
Sod and Surface Restoration	1	LS		\$ -
Maintenance of Traffic (Temp. Traffic Control)	1	LS	\$ 50,000.00	\$ 50,000.00
Clearing and Grubbing	1	LS		\$ -
Site Grading	1	LS		\$ -
Relocation of Existing Utilities	1	LS	\$ 85,000.00	\$ 85,000.00
Roadway Improvements				
Pavement Removal	2600	SY	\$ 4.50	\$ 11,700.00
Removal of Curb & Gutter	1150	LF	\$ 3.50	\$ 4,025.00
Removal & Replacement of Rock Material	100	CY	\$ -	\$ -
Removal of Existing Sidewalk	650	SY	\$ 5.00	\$ 3,250.00
Construct Concrete Sidewalk (4-inch thick)	1300	SY	\$ 35.00	\$ 45,500.00
Construct Concrete Driveway (6-inch thick)	600	SY	\$ 43.00	\$ 25,800.00
Stabilized Subgrade	6200	SY	\$ 3.50	\$ 21,700.00
Road Base (8")	5600	SY	\$ 13.00	\$ 72,800.00
Asphalt	345	TON	\$ 110.00	\$ 37,950.00
Curb and Gutter	1100	LF	\$ 14.00	\$ 15,400.00
Asphalt Cut & Patch	100	SY	\$ 6.00	\$ 600.00
Drainage Improvements				
Furnish and Install FDOT Type-J Storm Drain Junction Box	3	EA	\$ 4,200.00	\$ 12,600.00
Furnish and Install Drainage Control Structure	1	EA	\$ 5,000.00	\$ 5,000.00
FDOT Type 'C' Inlet	5	EA	\$ 3,500.00	\$ 17,500.00
FDOT Type 'E' Inlet	2	EA	\$ 4,000.00	\$ 8,000.00
				\$ -
Furnish and Install RCP Pipe				\$ -
a. 18-in RCP	93	LF	\$ 72.00	\$ 6,696.00
b. 24-in RCP	1140	LF	\$ 90.00	\$ 102,600.00
c. 36-in RCP	0	LF		\$ -
Furnish and Install ADS Exfiltration System				\$ -
a. 36-inch	2,120	LF	\$ 120.00	\$ 254,400.00
Furnish and Install Filter Fabric for Exfiltration Piping	2,000	SY	\$ 1.25	\$ 2,500.00
Furnish and Install Washed, Crushed Concrete	1,400	CY	\$ 70.00	\$ 98,000.00
Connect to Existing Inlet/Junction box	1	EA	\$ 4,000.00	\$ 4,000.00
Landscape/Hardscape/Irrigation				
Landscape/Hardscape/Irrigation	1	LS		\$ 140,000.00
Cost Estimate Grand Total:				\$ 1,142,521.00

CAPITAL PROJECT DETAIL

PROJECT TITLE

Downtown: Ocean District Streetlights

PROJECT#

104049

CATEGORY

Community Redevelopment

FUND

104-TIF

PROJECT LOCATION

John Anderson to A1A

MANAGEMENT

Engineering

PROJECT SCOPE

Remove the existing FPL poles and cobra head streetlights and replace with decorative concrete poles and fixtures. Uplight Medjool palms in medians and along the sidewalks where possible.

JUSTIFICATION

New decorative streetlight poles and fixtures were installed on the Westside of the Granada bridge as part of the undergrounding of the utility power lines. This project will remove and replace on the east side of the Granada bridge the existing High Pressure Sodium cobra head fixtures (orange color light) with decorative Metal Halide fixtures (white color light) and decorative concrete poles for consistency and improved lighting in the downtown. LED uplights will be installed in the landscape medians and along both sides of the sidewalk to illuminate the palm tree trunks and fronds.

PROJECT COST METHODOLOGY

Actual bid to underground utilities and install lighting (Carter Electric Bid # 2013-13).

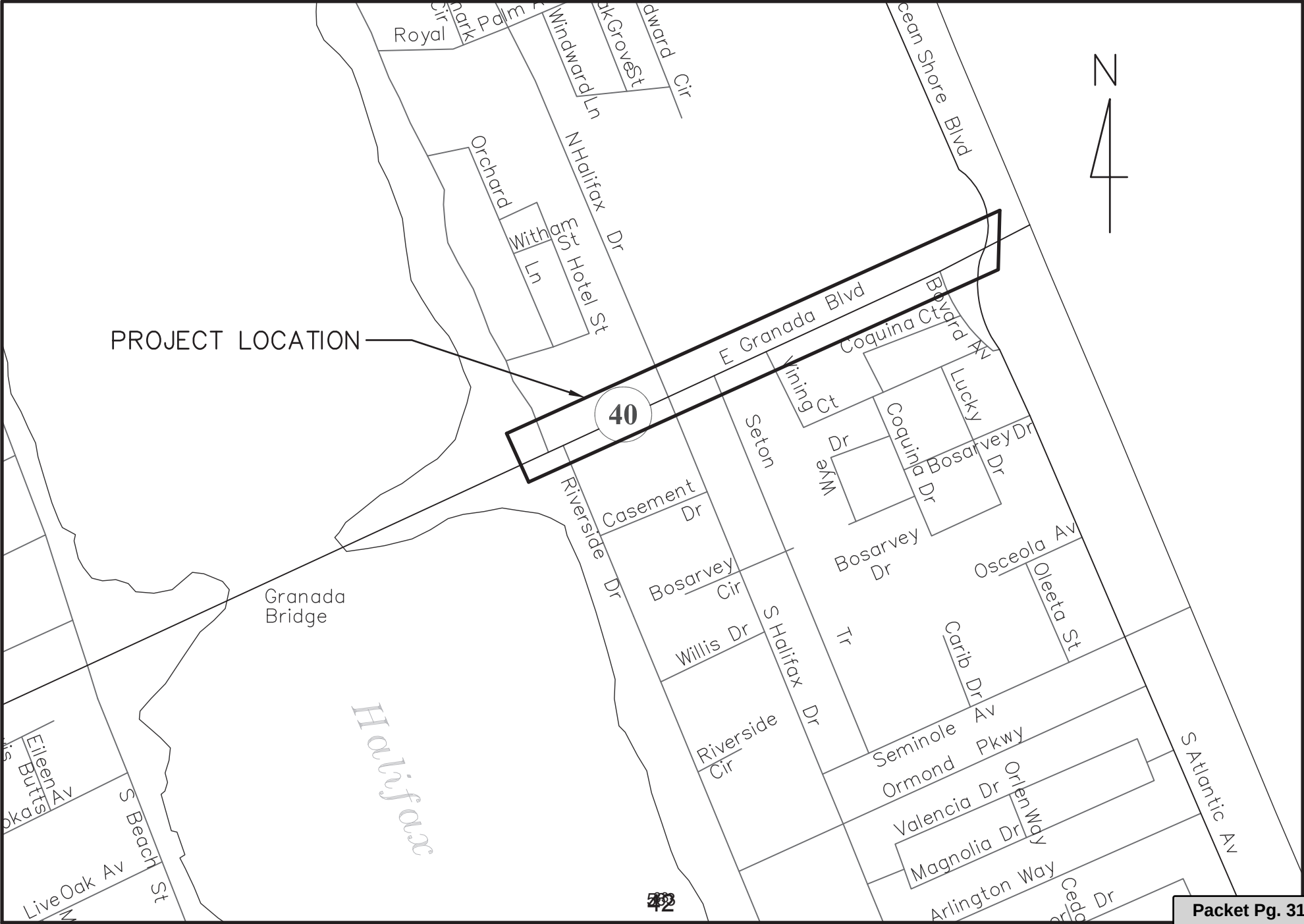
EXPENDITURE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Design and Permit	0	0	0	0	0	0	525,000
Total	0	0	0	0	0	0	525,000

REVENUE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
To Be Determined	0	0	0	0	0	0	525,000
Total	0	0	0	0	0	0	525,000

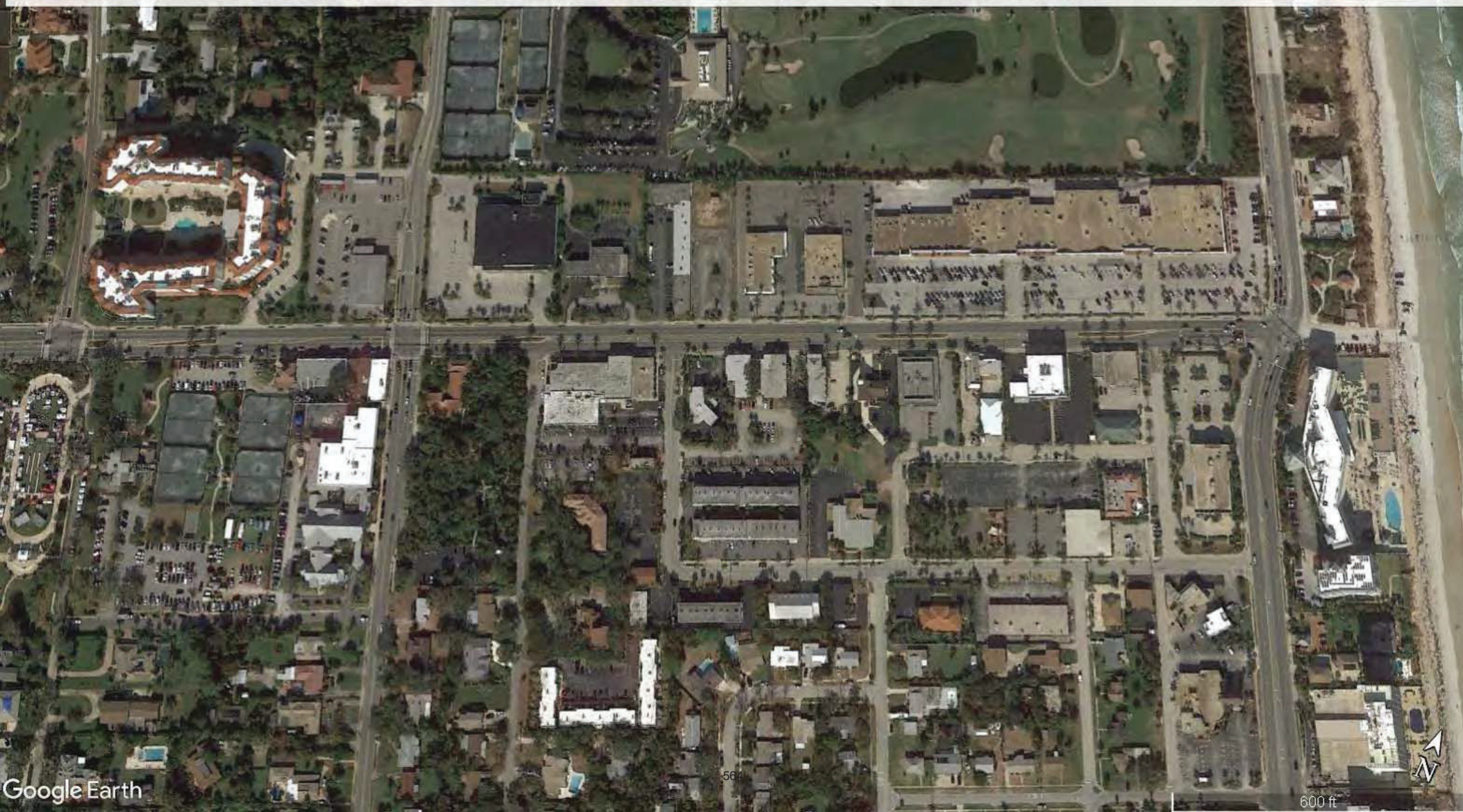
DOWNTOWN OCEAN DISTRICT LIGHTING



Downtown Ocean District Lighting

Legend

Install decorative concrete light poles and fixture to match existing roadway lighting installed during the utility underground project from US1 to Beach Street. Install LED uplighting to the existing medjool palms in the medians in the sidewalk cut



106-ORMOND CROSSINGS FUND

CAPITAL PROJECT DETAIL

PROJECT TITLE

Ormond Crossings Road Improvements

PROJECT#**CATEGORY**

Transportation

FUND

106-Ormond Crossings

PROJECT LOCATION

Ormond Crossings

MANAGEMENT

Engineering

PROJECT SCOPE

TBD

JUSTIFICATION

This CIP item serves to designated all funds within the Ormond Crossings CRA for road improvements as specified within the agreement.

PROJECT COST METHODOLOGY**EXPENDITURE**

Ormond Crossings Road

**2021-22 2022-23 2023-24 2024-25 2025-26 Total
2021-22
to
2025-26**

0 0 0 0 0 0

**Other
Requests
without
identified
funding
source**

225,000

Total

0 0 0 0 0 0

225,000

REVENUE

Property Taxes-TIF

**2021-22 2022-23 2023-24 2024-25 2025-26 Total
2021-22
to
2025-26**

0 0 0 0 0 0

**Other
Requests
without
identified
funding
source**

225,000

Total

0 0 0 0 0 0

225,000

107-STORMWATER FUND

CAPITAL PROJECT DETAIL

PROJECT TITLE

Stormwater Piping

PROJECT#

107154

CATEGORY

Stormwater Improvements

FUND

107-Stormwater

PROJECT LOCATION

Stormwater Service Areas

MANAGEMENT

Engineering

PROJECT SCOPE

Rehabilitation of existing corrugated metal storm piping throughout the City that has been identified as failing due to corrosion and age.

JUSTIFICATION

Much of the City's older stormwater piping, which was installed in excess of 25 years ago, was constructed with corrugated metal piping. This piping has surpassed its design life expectancy and in many areas of the City has significantly corroded, especially along the river outfalls. Rainfall runoff from recent hurricanes resulted in increased flows and debris being conveyed through these pipes which also significantly contributed to the pipe's deterioration. In order to reduce impacts to roads and the public, this project intends to rehabilitate the storm pipes utilizing no-dig slip lining technology.

PROJECT COST METHODOLOGY

Estimate has been based on unit pricing for cured in place PVC lining as obtained from recent quotations for lining projects.

<u>EXPENDITURE</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>Total 2021-22 to 2025-26</u>	<u>Other Requests without identified funding source</u>
Construction	500,000	500,000	500,000	500,000	0	2,000,000	0
Total	500,000	500,000	500,000	500,000	0	2,000,000	0

<u>REVENUE</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>Total 2021-22 to 2025-26</u>	<u>Other Requests without identified funding source</u>
Stormwater Charges	500,000	500,000	500,000	500,000	0	2,000,000	0
Total	500,000	500,000	500,000	500,000	0	2,000,000	0

FY 21-22

Location	Size (in)	Length (ft)	Probable Construction Cost	
708 GARDEN LN. SOUTH TO 716 GARDEN LN.	18	97	\$	20,443.50
100 KIMBERLY TO LINDENWOOD CIR. EAST	18	250	\$	31,625.00
1202 OVERBROOK TO 1206 OVERBROOK	24	202	\$	25,553.00
CENTRAL, GROVE TO S. BEACH	15	562	\$	58,729.00
156 NEW BRITIAN TO WASHINGTON	12	200	\$	19,800.00
4 sycamore cir east to n. beach st	24	221	\$	27,956.50
328 River Bluff	24	151	\$	19,101.50
179 OLEETA TO 205 OLEETA	24	487	\$	61,605.50
s. arbor and beach st	15	95	\$	9,927.50
60 BRAMBLEWOOD WEST TO MH	15	110	\$	11,495.00
WILMETTE/ANDREWS	24	24	\$	3,036.00
357 ANDREWS SOUTH TO WILMETTE	18	178	\$	20,559.00
357 ANDREWS NORTH TO MELROSE	18	255	\$	29,452.50
N. YOUNG / HERANDEZ	12	31	\$	3,069.00
WYE DR & COQUINA DR FROM MH WEST TO INLET	15	30	\$	3,135.00
35'OF 12" CMP INLET TO INLET	12	35	\$	3,465.00
59 WYE DR TO 75 WYE DR	12	203	\$	20,097.00
75 WYE DR MH TO INLET	12	47	\$	4,653.00
74 TO 75 WYE DR	12	34	\$	3,366.00
BOSARVEY & COQUINA DR	15	81	\$	8,464.50
178 BOSARVEY TO 210 BOSVARY	15	387	\$	40,441.50
BOSVARY & LUCKY	18	41	\$	4,735.50
COQUINA CT	15	245	\$	25,602.50
		3966	\$	456,313.00

FY 22-23

Location	Size (in)	Length (ft)	Probable Construction Cost	
PALMETTO EAST TO 165 LOYOLA	24	411	\$	47,265.00
179 TO 205 OLETA	24	488	\$	56,120.00
165 LOYOLA TO 815 LOYOLA	15	239	\$	22,705.00
11 TANGLEWOOD CIR TO 5 TANGLEWOOD CIR	15	202	\$	19,190.00
TANGLEWOOD CIR	15	42	\$	3,990.00
MAYFIELD TER. MANHOLE EAST TO INLET	18	161	\$	16,905.00
WEDGEWOOD CIR. NORTH	15	98	\$	9,310.00
66 RIVERSIDE DR TO OUTFALL	24	300	\$	34,500.00
on fiesta dr Bonita south to cuadro pl	12	655	\$	58,950.00
120 FIESTA DR SOUTH TO 116 FIESTA DR	24	246	\$	28,290.00
6 windingwoods trl	24	122	\$	14,030.00
34/36 Cypress cir	24	240	\$	27,600.00
34 CYPRESS CIR EAST TO INLET	15	145	\$	13,775.00
BACK YARD OF 34 CYPRESS CIR	15	65	\$	6,175.00
56 BYRON ELLINOR DR WEST TO INLET	15	155	\$	14,725.00
270-280 WILMETTE	24	129	\$	14,835.00
319 N. YOUNG SOUTHEAST TO KENILWORTH	15	64	\$	6,080.00
400 JAD TO OUTFALL	18	280	\$	29,400.00
850 JAD TO OUTFALL	24	230	\$	26,450.00
1074 JAD TO OUTFALL	30	172	\$	24,940.00
TOTAL		4444	\$	475,235.00

FY 23-24

Location	Size (in)	Length (ft)	Probable Construction Cost	
FROM 675 RIVERSIDE DR EAST TO PALMETTO	24	1385	\$	159,275.00
PALMETTO EAST TO BEHIND 798 FLAMINGO	24	710	\$	81,650.00
776 RIVERSIDE TO OUTFALL	30	314	\$	45,530.00
RIVERSIDE DR EAST TO 53 LOYOLA	30	272	\$	39,440.00
53 LOYOLA EAST TO PALMETTO	30	627	\$	90,915.00
1537 OAKFOREST DR	30	165	\$	23,925.00
ALL OF FOREST HILLS	15	600	\$	57,000.00
		4073	\$	497,735.00

FY 24-25

Location	Size (in)	Length (ft)	Probable Construction Cost	
Ormond Pkwy (S Halifax to 104)	48	360	\$	91,854.00
Ormond Pkwy (104 to 144)	48	385	\$	98,232.75
Ormond Pkwy (144 to 164)	48	215	\$	54,857.25
Ormond Pkwy (164 to 174)	30	60	\$	8,631.00
Ormond Pkwy to Valencia Dr	24	240	\$	28,350.00
Ormond Pkwy (175)	24	100	\$	11,812.50
Ormond Pkwy (38 to 271)	42	380	\$	82,593.00
Ormond Pkwy (271 to outfall)	42	340	\$	73,899.00
Hammock Lane (west ditch)	48	65	\$	16,584.75
Tomoka Ave (Ditch W of 360)	48	60	\$	15,309.00
Riverbend Park	48	170	\$	43,375.50
		2,375.00		525,498.75

FY 25-26

Location	Size (in)	Length (ft)	Probable Construction Cost	
Ormond Green	36"	177.227631	\$	33,531.47
Ormond Green	36"	121.1249356	\$	22,916.84
Ormond Green	36"	170.6667137	\$	32,290.14
Ormond Green	36"	161.7333068	\$	30,599.94
Lions Head Dr	36"	21.77165475	\$	4,119.20
Lions Head Dr	36"	305.4963848	\$	57,799.92
Lions Head Dr	36"	305.1995941	\$	57,743.76
River Bluff Dr	36"	134.1197269	\$	25,375.45
Melrose Dr	36"	26.31887123	\$	4,979.53
Arroyo Pkwy	36"	18.31679515	\$	3,465.54
Arroyo Pkwy	36"	44.40768047	\$	8,401.93
Arroyo Pkwy	36"	145.2469589	\$	27,480.72
Arroyo Pkwy	36"	157.6644374	\$	29,830.11
Arroyo Pkwy	36"	154.5117612	\$	29,233.63
Arroyo Pkwy	36"	138.4531424	\$	26,195.33
Fleming Ave	36"	41.8085399	\$	7,910.18
Fleming Ave	36"	172.4450117	\$	32,626.60
Fleming Ave	36"	427.027551	\$	80,793.61
		2,724	\$	515,293.90

CORRUGATED METAL PIPE REHAB PROJECT: FY 21-22

N
4

Arroyo Pkwy

Garden Ln

18" CMP - 97'

N
4

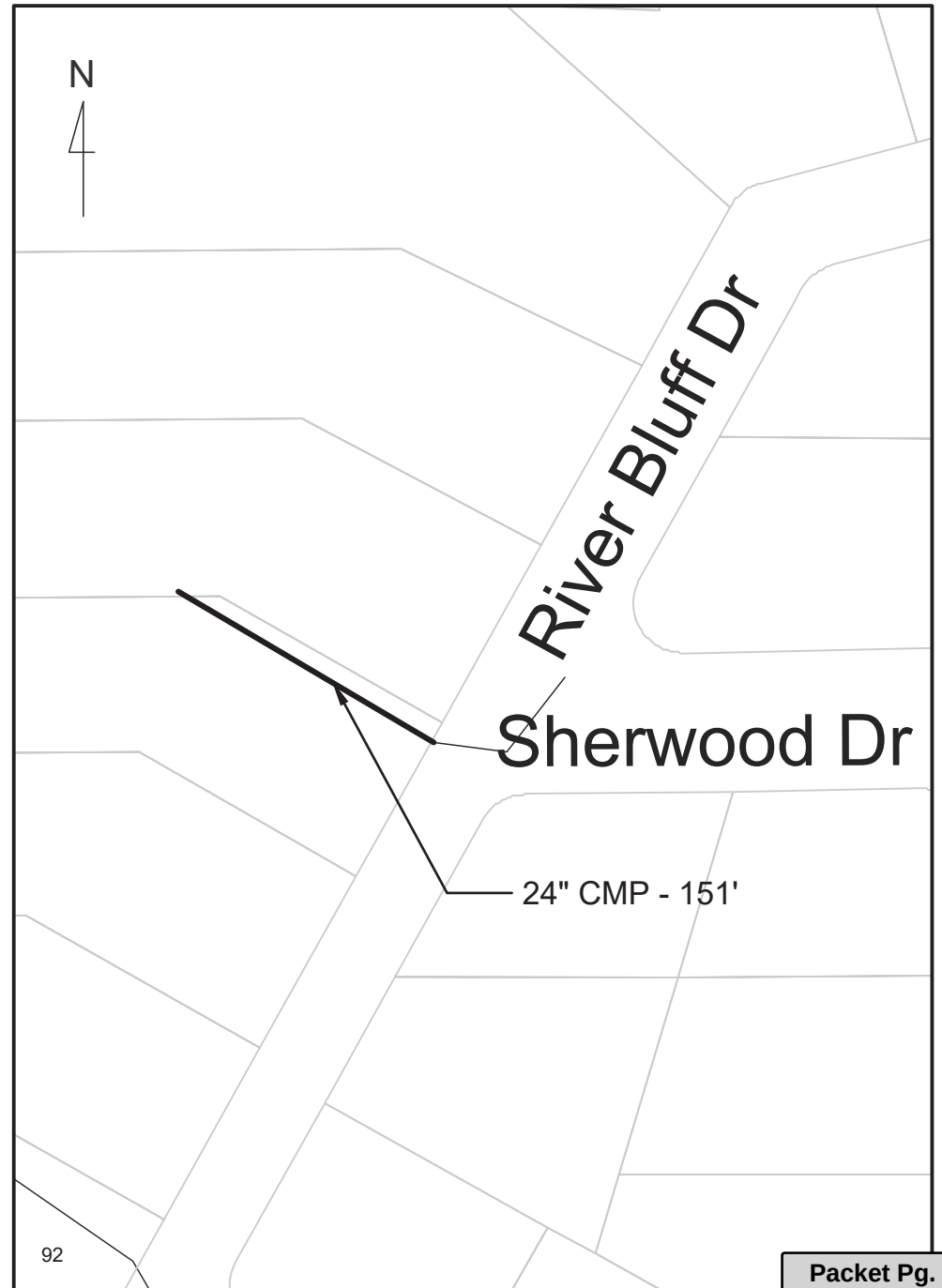
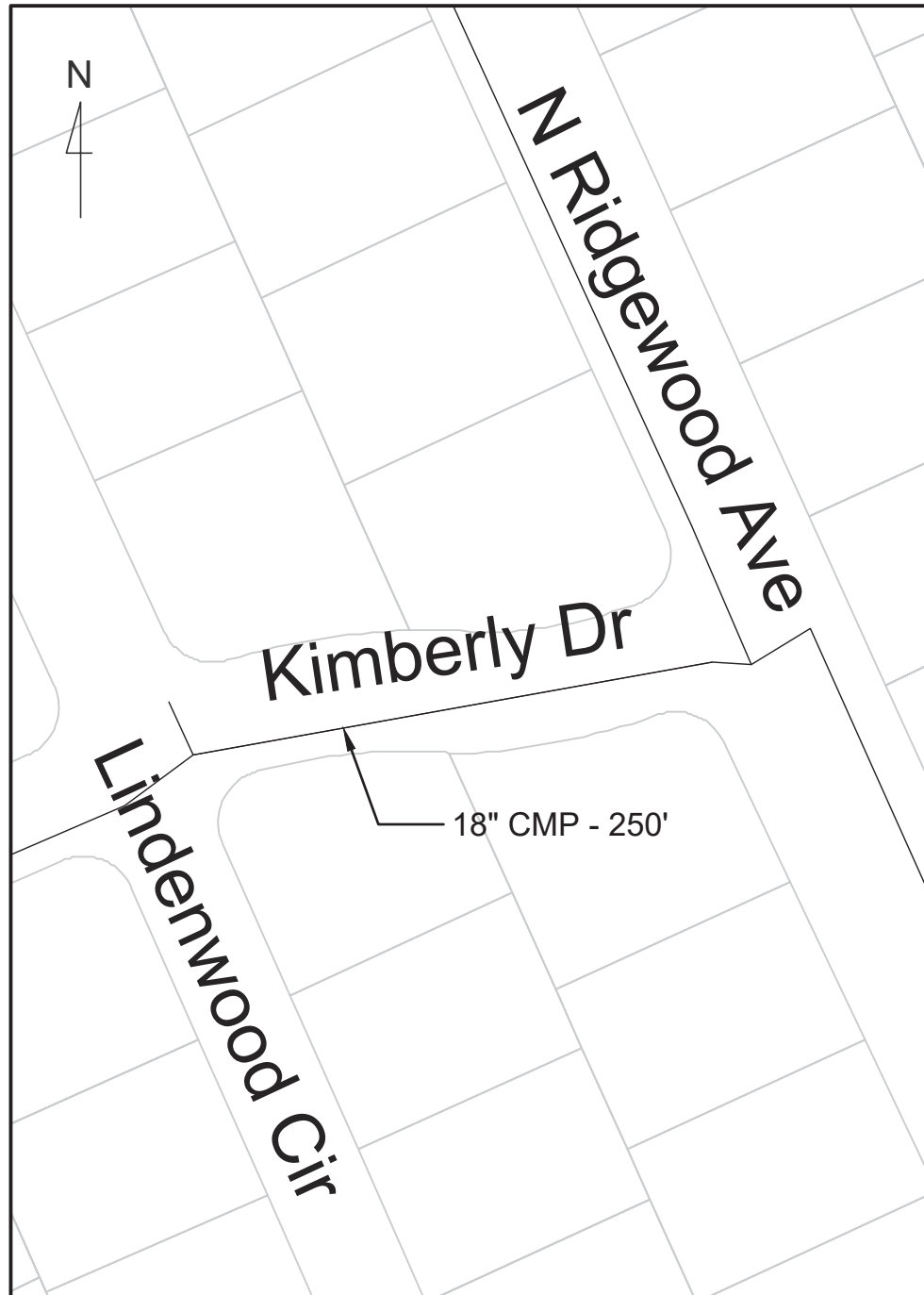
Sycamore Cir

N Beach St

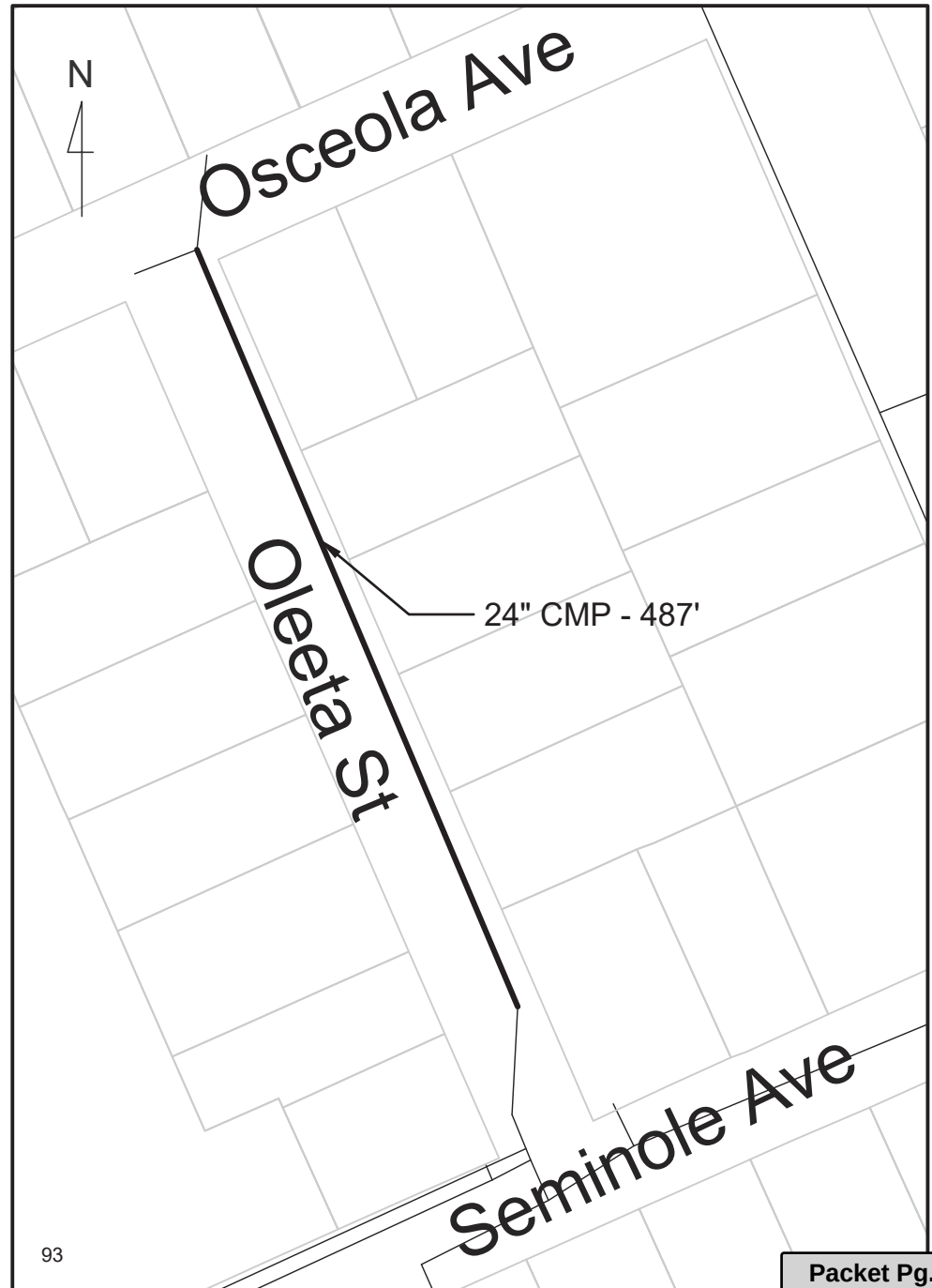
Sycamore Cir

18"x29" ACCMP - 221'

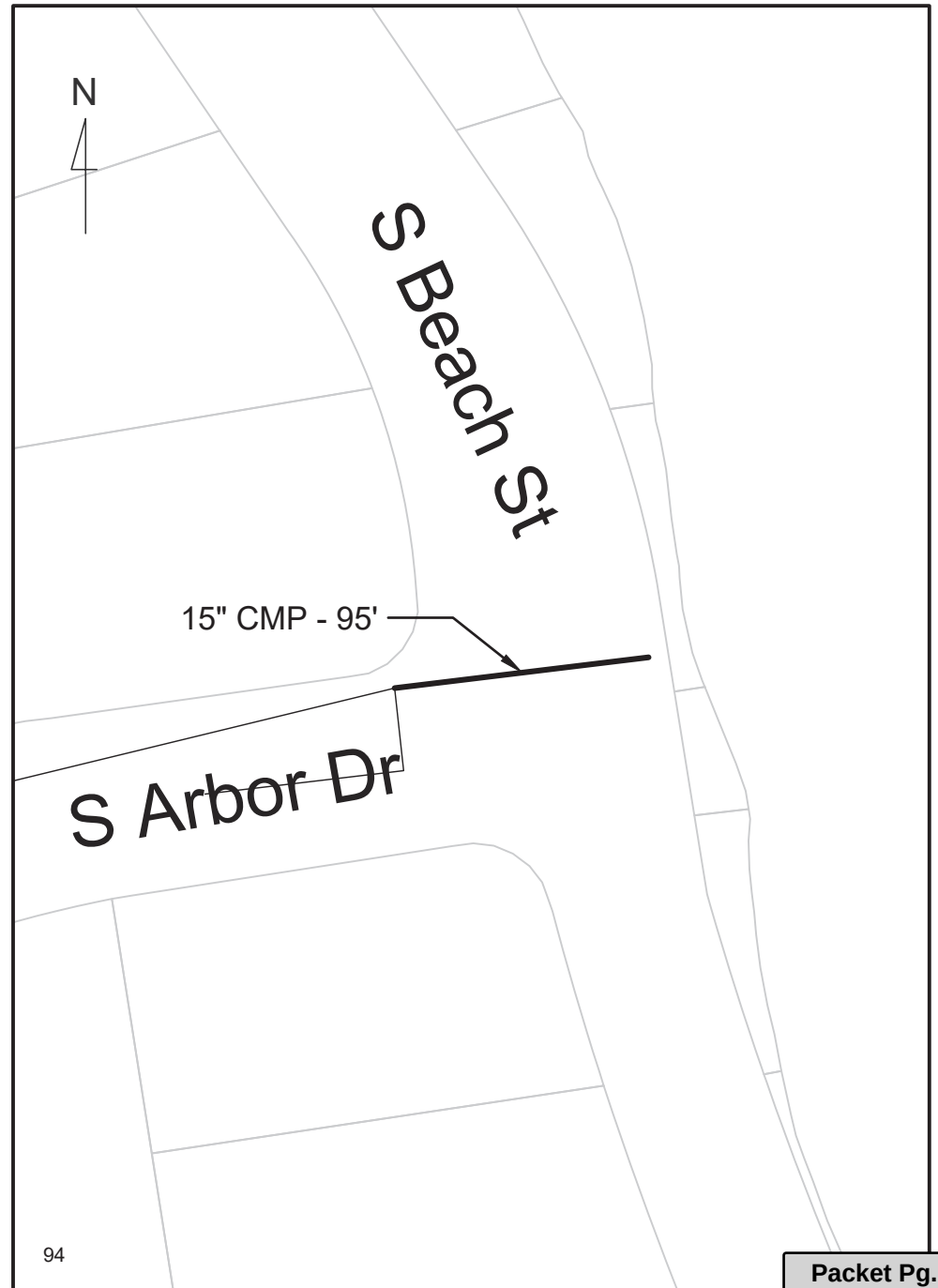
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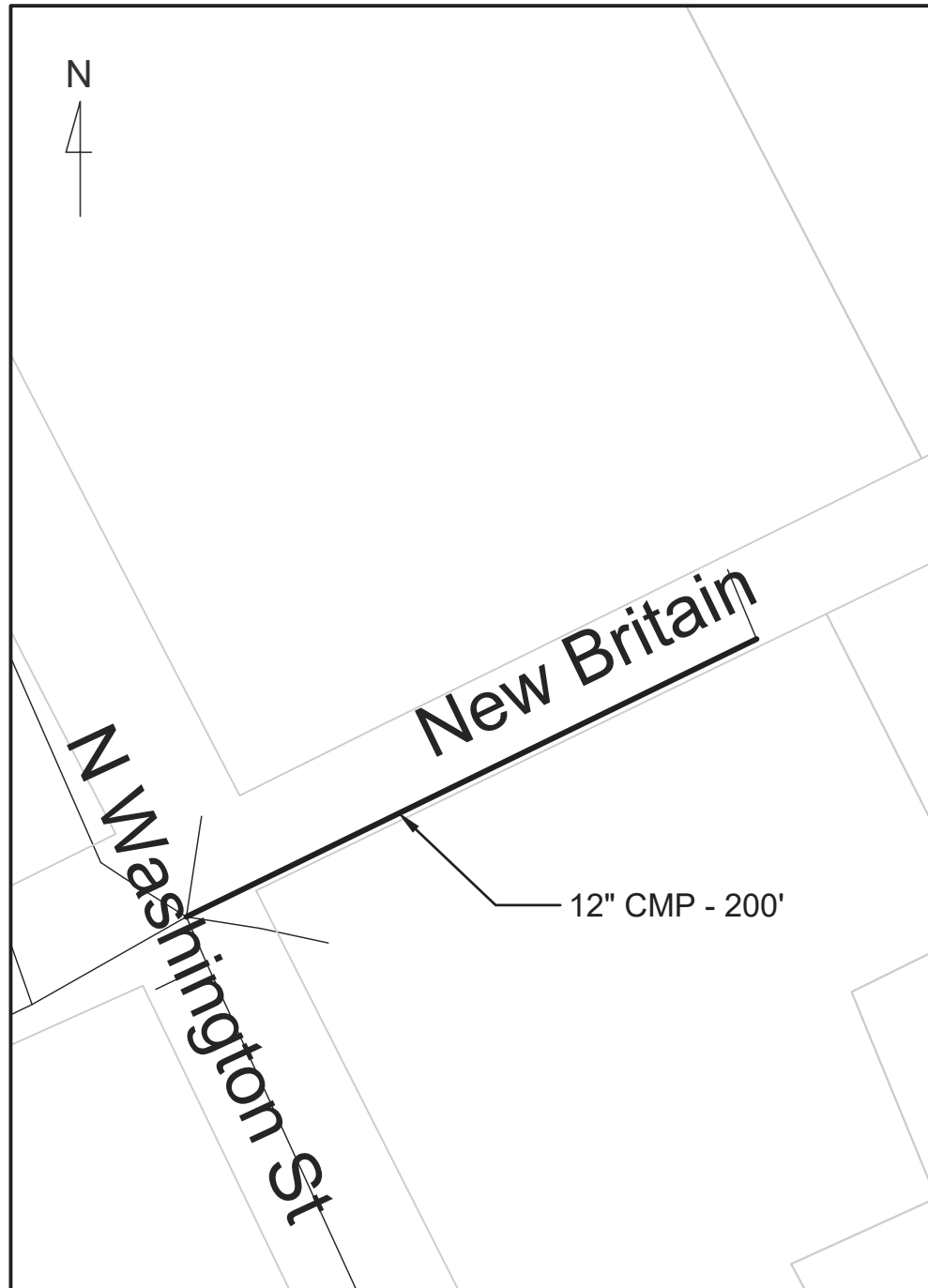
CORRUGATED METAL PIPE REHAB PROJECT: FY 21-22



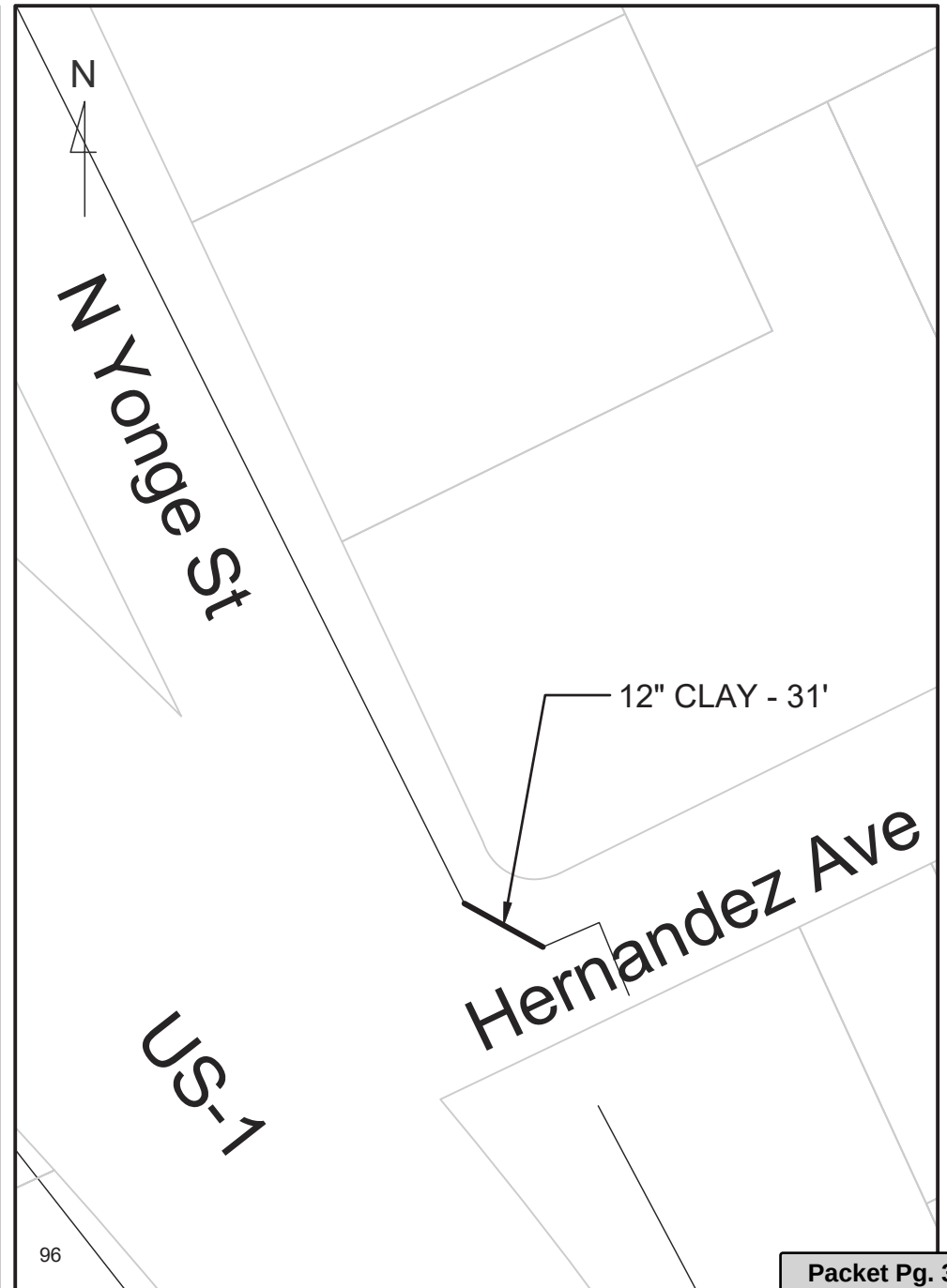
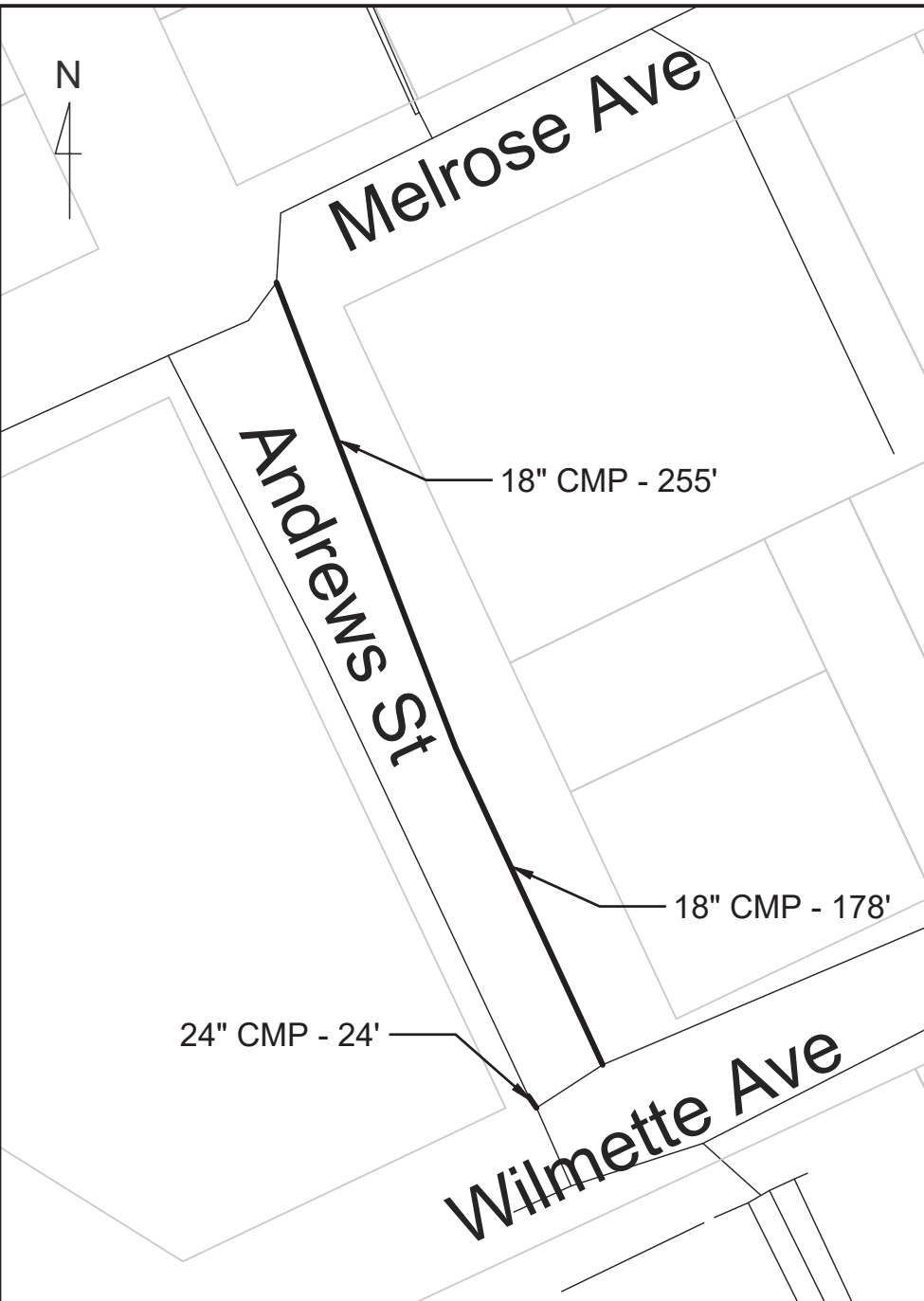
CORRUGATED METAL PIPE REHAB PROJECT: FY 21-22



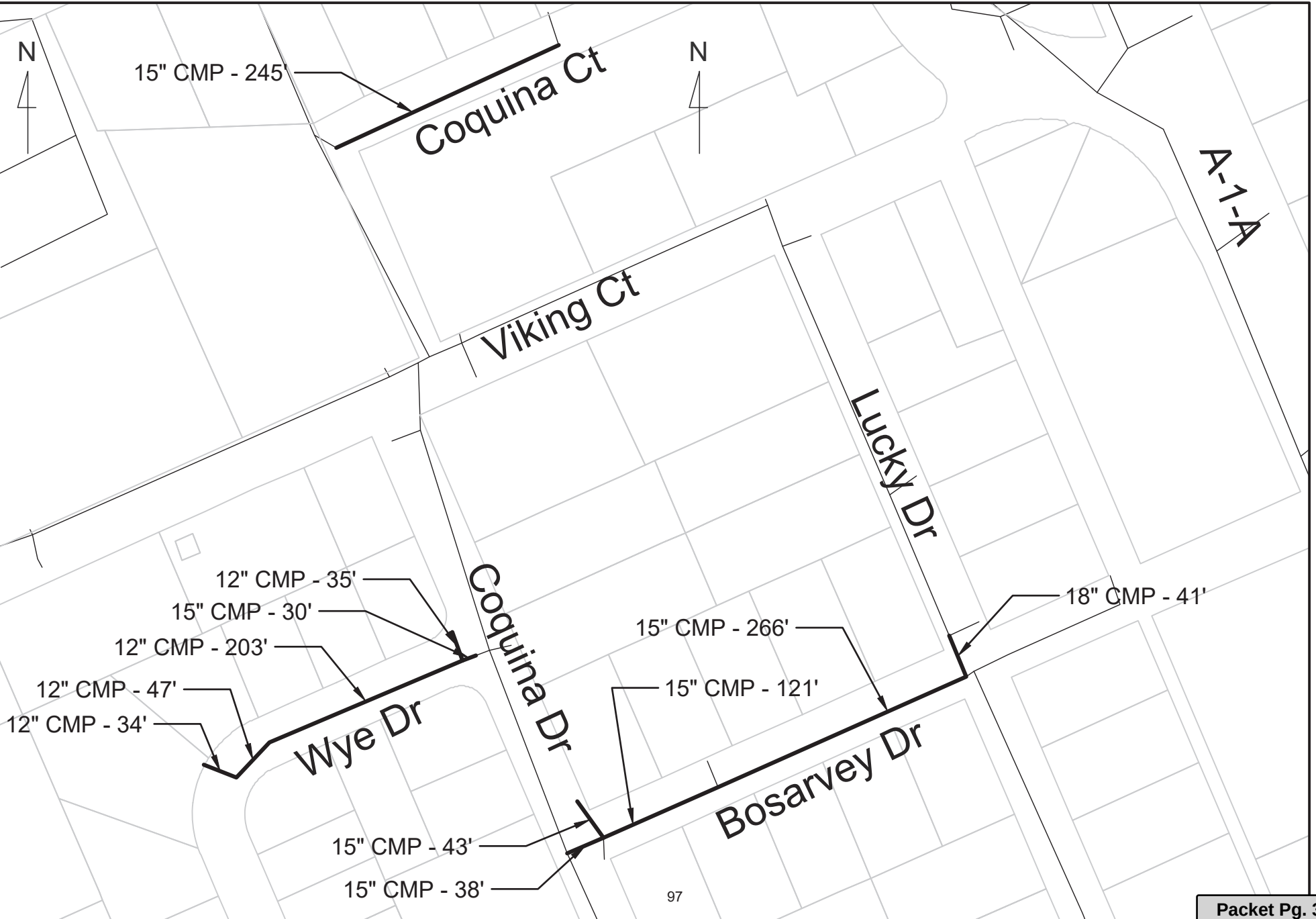
CORRUGATED METAL PIPE REHAB PROJECT: FY 21-22



CORRUGATED METAL PIPE REHAB PROJECT: FY 21-22



CORRUGATED METAL PIPE REHAB PROJECT: FY 21-22



CAPITAL PROJECT DETAIL

PROJECT TITLE

Stormwater Construction

PROJECT#

CATEGORY

Stormwater Improvements

FUND

107-Stormwater

PROJECT LOCATION

City wide

MANAGEMENT

Engineering

PROJECT SCOPE

Construction of varrious stormwater facilities

JUSTIFICATION

The Stormwater Master Plan reccomended many different construction projects, this annual proeject seeks to construct those projects in a timely fashion.

PROJECT COST METHODOLOGY

Based on similar project costs

EXPENDITURE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Construction	250,000	250,000	250,000	250,000	250,000	1,250,000	0
Total	250,000	250,000	250,000	250,000	250,000	1,250,000	0

REVENUE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Stormwater Charges	250,000	250,000	250,000	250,000	250,000	1,250,000	0
Total	250,000	250,000	250,000	250,000	250,000	1,250,000	0

GENERAL INFORMATION: Improvements in Anders St to help Cumberland Ave residents. It is recommended to install new inlets and piping along Andrews Street to cross-connect the systems along Putnam Avenue to Sanchez Avenue which would include rerouting some of the flow running down Cumberland Avenue. This would help to distribute stormwater runoff and may allow for more effective flood recovery in the central portions of the area.

Item Num	Item Description	QTY	Unit	Unit Cost	Item Cost
1	24" Storm Pipe	1,100	LF	\$ 140.00	\$ 154,000.00
2	Storm Inlets	5	ea	\$ 5,000.00	\$ 25,000.00
3	Connect to existing	2	ea	\$ 7,500.00	\$ 15,000.00
4	Check valve	1	ea	\$ 15,000.00	\$ 15,000.00

Packet Pg. 329

City of Ormond Beach, Florida
22-Apr-21

Arbor Dr Improvements

Probable Cost

GENERAL INFORMATION: The drainage pipes along Arbor Drive South appear undersized (12" to 15" in diameter) and may inhibit effective drainage. Likewise, the outfall drainage pipes from Capri Circle are possibly undersized (24" in diameter) and may inhibit effective drainage. Upsizing of these systems would include replacement of CMPs to RCPs and increasing pipe size to aide in drainage.

Probable Cost Breakdown:

Construction Cost Breakdown

Item Num	Item Description	QTY	Unit	Unit Cost	Item Cost
1	18-inch Storm Pipe	1,000	LF	\$ 80.00	\$ 80,000.00
2	24-inch storm pipe	400	ea	\$ 130.00	\$ 52,000.00
3	Storm Inlets	12	EA	\$ 5,000.00	\$ 60,000.00
4	Outfall	1	LS	\$ 25,000.00	\$ 25,000.00
5	Road Patch	4,500	SF	\$ 6.00	\$ 27,000.00
6					

1	Sub-Total (Construction)=	\$ 244,000.00
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2 Engineering & Permitting (10%)= \$ 24,400.00

4	Subtotal (1 and 2)	\$	268,400.00
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5 **Budget for design and construction= \$ 269,000.00**

CAPITAL PROJECT DETAIL

PROJECT TITLE

Vehicle Replacement-Stormwater

PROJECT#

107VEH

CATEGORY

Vehicle and Equipment Replacement

FUND

107-Stormwater

PROJECT LOCATION

Various City Departments

MANAGEMENT

Fleet

PROJECT SCOPE

The project involves the continued implementation of a comprehensive vehicle replacement schedule for the City's fleet. Vehicles beyond the first year of the program will be evaluated at the appropriate time. These vehicles are being shown for scheduling purposes only and will not necessarily be replaced in the year shown.

JUSTIFICATION

The replacement schedule has been designed to replace vehicles which have been identified by the Fleet Manager as: 1) incurring the greatest maintenance expense over the life of the vehicle, 2) reaching or exceeding their expected life in terms of age, and 3) having relatively high mileage.

The benefits of the replacement program are reflected in the reduction of the City's Fleet Maintenance operating and labor costs, as well as lower vehicle downtime which in turn increases service availability to the community.

PROJECT COST METHODOLOGY

State contract pricing.

EXPENDITURE

Vehicle Replacement

2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26
95,100	0	0	0	0	95,100

Other
Requests
without
identified
funding
source

0

Total

95,100	0	0	0	0	95,100
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0

REVENUE

Stormwater Charges

2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26
95,100	0	0	0	0	95,100

Other
Requests
without
identified
funding
source

0

Total

95,100	0	0	0	0	95,100
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0

FY 2021/2022 Budget Vehicle & Motorized Equipment Serviceability Report

Department/Division: 3011 Storm water Priority of

This request is included in: ☒ Budget Submission ☐ List of Adds

Vehicle/Equipment #: 565	Vehicle/Equipment Type (make, model, etc.): 2013 Ford F350 dually
Mileage/hour 39,163	Estimated Repair Cost: \$3,750.00

A bumper-to-bumper inspection has been performed on this vehicle/equipment:

Technician: Danny McIlrath

Date: 04/20/21

The following parts/repairs are required for this vehicle/equipment, but have been deferred:

	Estimated Cost (materials & Labor)
Body and truck bed and tail gate paint repair	\$1,500.00
Engine and trans oil leak repair.	\$1,000.00
Headlight repair	\$500.00
Interior repair	\$750.00

Total: \$3,750.00

Two-year maintenance history:

Year	Cost (materials & labor):	Days Out-of-Service
2018	\$4,279.49	3
2019	\$2,478.12	2

Fleet Recommendation:

☒ Remove from Fleet ☐ High Maintenance ☐ Do Not Replace ☐ Defer to Volunteer Vehicle

Comments:

This truck will be dropped out from a front line vehicle and reassigned as a loaner. We need to upgrade this truck to 4X4 and a lift gate. For use in stormwater.

Fleet Maintenance Supervisor: Danny McIlrath

Date: 04/20/21

Fleet Systems Specialist: Christine Jarrell

Date: 04/20/21

Deputy Public Works Director: Kevin M Gray

Date: 04/20/21

City Manager Concurrence:

☐ Approved ☐ Denied

City Manager: _____

Date: _____

Vehicle and Equipment Repair/Replacement Evaluation

7.K.a

Vehicle: # 565	Evaluated by: Danny McIlrath		Attachment #2
Dept.3011 Stormwater	Supervisor: Kevin M Gray, Deputy PW Director		
	Points Assigned	Comments	
Year of vehicle. One point assigned per year. Example: A 2000 vehicle would be assigned 21 points because it is 21 years old.	8	2013 Ford F350	
Mileage or hours of use. One point is assigned for each 10,000 miles or 1,500 hours of operation. Example: A vehicle with 87,000 miles would receive 9 points as it is rounded up.	7	69,163 miles	
General overall condition. This category takes into consideration body condition, rust, interior condition, anticipated repairs, etc. A scale from 1-5 is used, with 5 being an extremely poor...possibly unsafe condition.	3	Cab and body scratches all around body tail ate paint coming off.Engine and trans small oil leak. Interior worn and dirty. Headlight lenses fading out.	
Type of service. Points are assigned as either 1,3,or 5 depending on the type of use the vehicle had during most of its life. Example: A '5' would be assigned to vehicles that were utilized as patrol cars as that is considered severe service, while a staff car would be a '1'.	2	Stormwater	
Reliability of vehicle. Points are assigned as 1-5 depending on the frequency that the vehicle is in the shop for repairs. A '5' should be assigned to a vehicle that is in the shop 3 or more times a month on average. A '1' would be used for once every 3 months or less.	1	Every couple of months or so.	
Total operating cost. Points are assigned as 1,3,or 5 depending on the total cost per mile factor. This figure includes maintenance and operational costs in relation to other vehicles utilized for the same purpose.	2	Purchase Price \$21,336.00 \$13,990.38 LTD M&R Purchase Price 65% of Cost per mile \$.20	
Have warranties expired?	yes	☐ Check if general overall condition can defer vehicle replacement	
Total Points	22	(Shop Supervisor approval required)	
28 + points		Needs immediate replacement	
23-27 points		Condition is borderline	
18-22 points	X	Condition is fair/good	
Under 18 points		Condition is good/excellent	

Budget shows \$28,000.00
Replacement cost is \$32,000.00

Attachment #2

upgrage to 4X4 \$3,500.00
Up Grade to a lift gate \$3,800.00

Equipment Inventory - FASTER Win 6.9

Equipment Information:: Company 001 Ormond Beach Active Fleet

Equipment Number 565 Year 2013 Make FORD Model F350 Shop 01 TSet EQ License 214085 Print

Meter Reading
M 69163

Parent Equipment
Component

Class MST MEDIUM SIZED TRUCK Department 3011 STORMWATER MAIN

Serial Number 1FTRF3C69DEB42119 Location MG Me <10,001- 19,500 GVW

Color WHT Priority 03 Site 13 AIRPORT RECREATION AREA

Employee UNDEFINED

EAC 08 Monday-Friday 7-3:30

Depreciation .00 Last Work Order 0000093516

Status A

Motor Pool

Last PM

Type	Date Done
B	02/27/2020
A	02/27/2020

Master Billing Notes Acq/Disp Vehicle Replacement Search Query History Composer

Reset FY Begin Month Oct Year 2011 Meter Type M Month Year Include Warranties? Compute Export

Year	Total M+R	Maintenance	Repair	Accident	Capital	Warranty
< >						
Life...	Total M+R	Maintenance	Repair	Accident	Capital	Warranty
< >						

Inquire equipment Completed : ACKNOWLEDGED

PIC Upd





CAPITAL PROJECT DETAIL

PROJECT TITLE

May 2009 Flood Study - Phase II

PROJECT#

107140

CATEGORY

Stormwater Improvements

FUND

107-Stormwater

PROJECT LOCATION

Central Park Area

MANAGEMENT

Engineering

PROJECT SCOPE

This project expands on the Phase I improvements completed in 2013-14 to the Central Park Lake/Laurel Creek Drainage Basin Area. This includes the construction of a stormwater pumping station at Central Park off Fleming Ave, and discharge piping to the Halifax River.

JUSTIFICATION

During the May 2009 Storm significant flooding occurred which impacted roads and flooded homes throughout the City. Recommendations to improve the flooding were identified in a Stormwater Investigation Study which was presented to the City Commission. Phase I of the Study's recommended improvements have been completed. This Phase II provides for the increased pumping capacity to quickly drawdown the 5 interconnected lakes and discharge the stormwater to the Halifax River. FEMA approved the City's HMGP grant application and have awarded the project.

PROJECT COST METHODOLOGY

Costs were estimated during the grant application process.

EXPENDITURE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Construction	0	0	0	0	0	0	20,585,050
CEI	0	0	0	0	0	0	1,075,000
Total	0	0	0	0	0	0	21,660,050

REVENUE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
To Be Determined	0	0	0	0	0	0	3,452,513
HMGP Grant	0	0	0	0	0	0	18,207,537
Total	0	0	0	0	0	0	21,660,050



Legend

- ★ Flooded Houses (May 2009 Storm Event)
- ★ Additional Historic Flooding Complaints
- PS Proposed Pump Station Location
- Proposed Pipe



0 0.25 0.5
Miles

Figure 1
Flooding Complaints in Central Park Area
City of Ormond Beach, FL

108-AIRPORT FUND

CAPITAL PROJECT DETAIL

PROJECT TITLE

Reconstruct Taxiway B

PROJECT#

108079

CATEGORY

Airport Improvements

FUND

108-Airport

PROJECT LOCATION

Airport

MANAGEMENT

Airport Manager

PROJECT SCOPE

This project will produce the necessary design and permitting documents required to reconstruct the pavement of Taxiway B.

JUSTIFICATION

According to the most recent Statewide Airfield Pavement Management Program report for OMN, Taxiway B exhibits significantly aged pavement with large amounts of medium severity block cracking along with longitudinal and transverse cracking. Low severity raveling, swelling and depressions were also identified along the Taxiway Bravo pavement sections. Based the quantities and severities of the observed distresses, the Taxiway Bravo pavements are beyond their useful life and should be considered for major rehabilitation. The pavement management report indicates that Taxiway D has a pavement condition rating of 55, whereas the FDOT Minimum Service Level rating is 65. As a result, the report gives Taxiway B an average condition of "poor."

PROJECT COST METHODOLOGY

Project cost estimates provided by Hoyle, Tanner & Associates, Inc.

<u>EXPENDITURE</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>Total 2021-22 to 2025-26</u>	<u>Other Requests without identified funding source</u>
Construction	483,848	0	0	0	0	483,848	0
Total	483,848	0	0	0	0	483,848	0

<u>REVENUE</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>Total 2021-22 to 2025-26</u>	<u>Other Requests without identified funding source</u>
FAA	435,463	0	0	0	0	435,463	0
FDOT	38,708	0	0	0	0	38,708	0
General Fund Reserves	9,677	0	0	0	0	9,677	0
Total	483,848	0	0	0	0	483,848	0



Table I: Condition Summary by Branch

Branch Name	Area Weighted PCI	PCI Range	Average Condition Rating	FDOT Minimum Service Level	MicroPAVER Minimum PCI	Action Required
CENTER APRON	46	46 - 53	POOR	65	65	X
EAST APRON - HANGAR AREA	24	24	SERIOUS	65	65	X
RUN-UP APRON	100	100	GOOD	65	65	
AP T-HANG	71	71	SATISFACTORY	65	65	
WEST APRON	62	29 - 67	FAIR	65	65	X
RUNWAY 17-35	75	74 - 76	SATISFACTORY	75	65	X
RUNWAY 8-26	67	67	FAIR	75	65	X
TAXIWAY ALPHA	100	100	GOOD	65	65	
TAXIWAY BRAVO	55	37 - 100	POOR	65	65	X
TAXIWAY CHARLIE	100	100	GOOD	65	65	
TAXIWAY DELTA	52	43 - 100	POOR	65	65	X
TAXIWAY ECHO	61	41 - 100	FAIR	65	65	X
TAXIWAY FOXTROT	50	48 - 51	POOR	65	65	X
TAXIWAY TO T-HANGARS	31	31	VERY POOR	65	65	X

“Action Required” in **Table I** is triggered when a section within the identified Branch Facility falls below the FDOT Minimum Service Level. Year 1 Major Rehabilitation needs are triggered in **Table III** when a section in the identified Branch falls below the MicroPAVER Minimum PCI. Major Rehabilitation is also triggered in **Table III** when the section PCI is above critical and the section exhibits significant structural related distresses.

For project level planning and inspection development; the airfield pavement facilities have been divided at the branch level based on facility use and designation, and at the section level based on pavement construction history, composition (e.g. asphalt versus concrete), aircraft traffic operations, and pavement surface conditions. **Table II** provides the overall area weighted condition of the pavement based on facility branch use.

CAPITAL PROJECT DETAIL

PROJECT TITLE

Rehabilitate & Realign Taxiway D

PROJECT#

108080

CATEGORY

Airport Improvements

FUND

108-Airport

PROJECT LOCATION

Airport

MANAGEMENT

Airport Manager

PROJECT SCOPE

This project will produce the necessary design and permitting documents required to mill, overlay and realign the pavement of Taxiway D.

JUSTIFICATION

According to the most recent Statewide Airfield Pavement Management Program report for OMN, Taxiway D exhibits large quantities of medium severity block cracking along with longitudinal and transverse cracking. These medium severity distresses were accompanied with low severity longitudinal and transverse cracking, raveling, swelling and patching. High severity shoving was recorded in an isolated location where the asphalt pavement abutted Portland cement concrete pavement. The report indicates that Taxiway D has a pavement condition rating of 52, whereas the FDOT Minimum Service Level rating is 65. As a result, the report gives Taxiway D an average condition of "poor." Taxiway D also does not currently meet standard taxiway object free area (OFA) standards due to the proximity of the adjacent hangars. Rehabilitation and relocation of Taxiway D will restore the pavement to an acceptable service level and correct the current non-standard separation.

PROJECT COST METHODOLOGY

Project cost estimates provided by Hoyle, Tanner & Associates, Inc.

<u>EXPENDITURE</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>Total 2021-22 to 2025-26</u>	<u>Other Requests without identified funding source</u>
Construction	1,898,968	0	0	0	0	1,898,968	0
Total	1,898,968	0	0	0	0	1,898,968	0

CAPITAL PROJECT DETAIL

PROJECT TITLEPROJECT#

Rehabilitate & Realign Taxiway D108080

REVENUE	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
FAA	1,709,071	0	0	0	0	1,709,071	0
FDOT	151,917	0	0	0	0	151,917	0
General Fund Reserves	37,980	0	0	0	0	37,980	0
Total	1,898,968	0	0	0	0	1,898,968	0

**Table I: Condition Summary by Branch**

Branch Name	Area Weighted PCI	PCI Range	Average Condition Rating	FDOT Minimum Service Level	MicroPAVER Minimum PCI	Action Required
CENTER APRON	46	46 - 53	POOR	65	65	X
EAST APRON - HANGAR AREA	24	24	SERIOUS	65	65	X
RUN-UP APRON	100	100	GOOD	65	65	
AP T-HANG	71	71	SATISFACTORY	65	65	
WEST APRON	62	29 - 67	FAIR	65	65	X
RUNWAY 17-35	75	74 - 76	SATISFACTORY	75	65	X
RUNWAY 8-26	67	67	FAIR	75	65	X
TAXIWAY ALPHA	100	100	GOOD	65	65	
TAXIWAY BRAVO	55	37 - 100	POOR	65	65	X
TAXIWAY CHARLIE	100	100	GOOD	65	65	
TAXIWAY DELTA	52	43 - 100	POOR	65	65	X
TAXIWAY ECHO	61	41 - 100	FAIR	65	65	X
TAXIWAY FOXTROT	50	48 - 51	POOR	65	65	X
TAXIWAY TO T-HANGARS	31	31	VERY POOR	65	65	X

“Action Required” in **Table I** is triggered when a section within the identified Branch Facility falls below the FDOT Minimum Service Level. Year 1 Major Rehabilitation needs are triggered in **Table III** when a section in the identified Branch falls below the MicroPAVER Minimum PCI. Major Rehabilitation is also triggered in **Table III** when the section PCI is above critical and the section exhibits significant structural related distresses.

For project level planning and inspection development; the airfield pavement facilities have been divided at the branch level based on facility use and designation, and at the section level based on pavement construction history, composition (e.g. asphalt versus concrete), aircraft traffic operations, and pavement surface conditions. **Table II** provides the overall area weighted condition of the pavement based on facility branch use.

CAPITAL PROJECT DETAIL

PROJECT TITLE

Replace AWOS

PROJECT#

108068

CATEGORY

Airport Improvements

FUND

108-Airport

PROJECT LOCATION

Airport

MANAGEMENT

Airport Manager

PROJECT SCOPE

Install a new automated airport weather station at a point in the northwest quadrant of the airport, in closer proximity to the primary runway. New system to provide 24/7 automated aviation weather information.

JUSTIFICATION

The existing AWOS is currently located to the east of the intersection of Taxiways B and D, in an area of high helicopter activity. The AWOS is not connected to the National Airspace Data Interchange Network (NADIN) like more modern systems; rather the automated collection system provides the local weather and the air traffic control tower operators must upload it into the national system manually. According to FAA Order 6560.20B, at an airport with visual and/or non-precision instrument runways, the preferred siting of the AWOS cloud height, visibility, and wind sensors is adjacent to the primary runway 1,000 feet to 3,000 feet down the runway from the threshold. The primary runway is considered to be the runway with the lowest instrument approach minimums. Runway 9 is the runway with the lowest minimums. Therefore, relocating the AWOS to a location adjacent to Runway 9 and within 1,000 to 3,000 from the threshold is recommended.

PROJECT COST METHODOLOGY

Cost estimate provided by Hoyle, Tanner & Associates.

<u>EXPENDITURE</u>	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Replace AWOS	0	175,000	0	0	0	175,000	0
Total	0	175,000	0	0	0	175,000	0

CAPITAL PROJECT DETAIL

PROJECT TITLE

PROJECT#

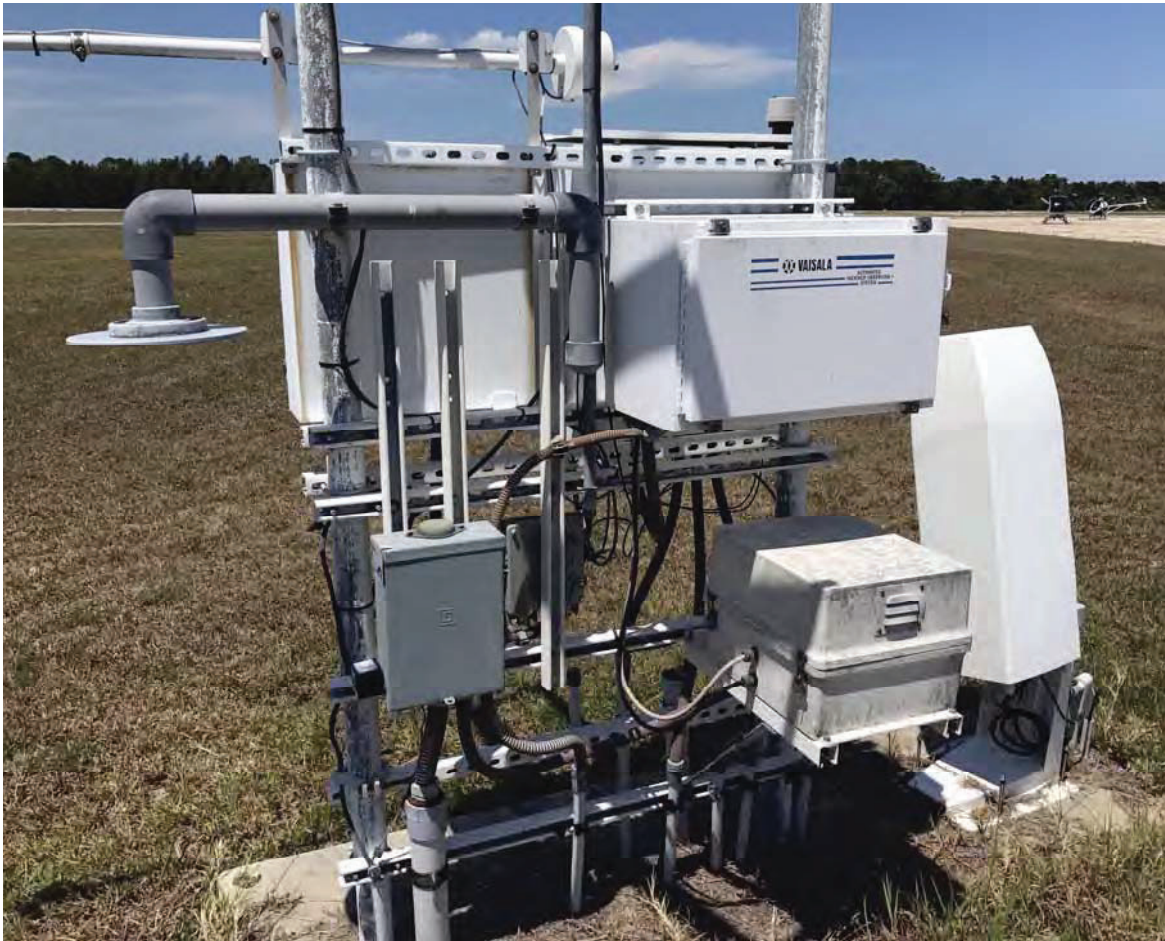
Replace AWOS

108068

REVENUE						Total 2021-22 to 2025-26	Other Requests without identified funding source
	2021-22	2022-23	2023-24	2024-25	2025-26		
FAA	0	157,500	0	0	0	157,500	0
FDOT	0	14,000	0	0	0	14,000	0
General Fund Reserves	0	3,500	0	0	0	3,500	0
Total	0	175,000	0	0	0	175,000	0

Existing AWOS Installation





CAPITAL PROJECT DETAIL

PROJECT TITLE

Airport Wildlife Mitigation & Security

PROJECT#

108078

CATEGORY

Airport Improvements

FUND

108-Airport

PROJECT LOCATION

Airport

MANAGEMENT

Airport Manager

PROJECT SCOPE

This project will address the recommendations contained in the Statewide General Aviation Airport Security Assessment report provided to the City by the Florida Department of Transportation (FDOT), and the recent Wildlife Hazard Assessment (WHA) required by the Federal Aviation Administration (FAA).

The project consists of three elements to be performed in consecutive annual phases; preparation of a vulnerability assessment and security program, construction of wildlife/security fencing, gates, and perimeter access systems, and construction of new surveillance and lighting systems.

JUSTIFICATION

A vulnerability assessment followed by the development of a security plan is necessary to evaluate the airport's regulatory compliance and the existing level of security so that the airport can identify and effectively respond to its potential vulnerabilities. The City recently completed a year-long Wildlife Hazard Assessment (WHA). The study evaluated wildlife hazard risks and wildlife attractants at the airport.

The WHA concluded the existing 6-foot perimeter fence, gates, and the associated access control systems are inadequate to secure the Aircraft Operating Area (AOA). The WHA recommends installation of a new 10' high perimeter fence with 18-inch outriggers and three strands of barbed wire to effectively secure the perimeter of the AOA in accordance with FAA standards. The existing gates and access control systems at the airport have exceeded their useful life. The airport's motorized gates are governed by antiquated technology that fails or works intermittently depending on factors such as humidity and weather. The installation of new slide gates, gate motors and access control systems will advance Airport Improvement Program (AIP) policy by providing safe and operable access to the AOA by airport users as well as emergency responders. A new, reliable gate and access control system will allow the airport's limited staff to more effectively monitor and maintain airport security. Installation of improved surveillance and lighting systems will permit the airport's limited staff to monitor the perimeter security of the airfield from any location, providing an increase in safety and security consistent with the spirit of the Airport Improvement Program's core principles.

The airport currently has a system of CCTV cameras which allow tower controllers to monitor critical areas of the AOA and gates. This system has exceeded its useful life and needs replacement. A new CCTV system will be installed with a monitoring system in the tower, and remote monitoring capabilities for airport staff, city personnel, and emergency responders. The existing cameras will be re-used or replaced when necessary, and new cameras will be added to allow the tower to monitor several areas of the airfield that are currently not monitored, including taxilanes around hangar buildings. For these camera systems to operate as intended, LED area lights will be added at strategic locations to illuminate gate signs, card readers, and the adjacent areas within each camera's monitoring range.

PROJECT COST METHODOLOGY

Project cost estimates provided by Gale Associates, Inc.

CAPITAL PROJECT DETAIL

PROJECT TITLE**PROJECT#**

Airport Wildlife Mitigation & Security

108078

EXPENDITURE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Construction	0	0	58,500	0	0	58,500	0
Security & Lighting	0	0	0	2,762,500	242,500	3,005,000	0
Total	0	0	58,500	2,762,500	242,500	3,063,500	0

REVENUE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
FDOT	0	0	46,800	221,000	194,000	461,800	0
General Fund Reserves	0	0	11,700	55,250	48,500	115,450	0
FAA	0	0	0	2,486,250	0	2,486,250	0
Total	0	0	58,500	2,762,500	242,500	3,063,500	0

CAPITAL PROJECT DETAIL

PROJECT TITLE

Rehabilitate, Mark and Light Taxiway "E"

PROJECT#

108069

CATEGORY

Airport Improvements

FUND

108-Airport

PROJECT LOCATION

Airport

MANAGEMENT

Airport Manager

PROJECT SCOPE

This project will involve milling and overlaying the surface of Taxiway "E" with new asphalt and will also afford new edge lighting and signage for the taxiway.

JUSTIFICATION

The FDOT Statewide Airfield Pavement Management Program Report has established a Pavement Condition Index (PCI) of 43 for Taxiway Echo. This PCI value equates to a condition rating of "poor" and indicates that action is required to improve the taxiway surface.

PROJECT COST METHODOLOGY

Project cost estimates have been provided by Hoyle, Tanner & Associates.

<u>EXPENDITURE</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>Total 2021-22 to 2025-26</u>	<u>Other Requests without identified funding source</u>
Design	0	0	150,000	0	0	150,000	0
Construction	0	0	0	814,280	0	814,280	0
Total	0	0	150,000	814,280	0	964,280	0

<u>REVENUE</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>Total 2021-22 to 2025-26</u>	<u>Other Requests without identified funding source</u>
FAA	0	0	135,000	732,852	0	867,852	0
FDOT	0	0	12,000	65,142	0	77,142	0
General Fund Reserves	0	0	3,000	16,286	0	19,286	0
Total	0	0	150,000	814,280	0	964,280	0



Table I: Condition Summary by Branch

Branch Name	Area Weighted PCI	PCI Range	Average Condition Rating	FDOT Minimum Service Level	MicroPAVER Minimum PCI	Action Required
CENTER APRON	46	46 - 53	POOR	65	65	X
EAST APRON - HANGAR AREA	24	24	SERIOUS	65	65	X
RUN-UP APRON	100	100	GOOD	65	65	
AP T-HANG	71	71	SATISFACTORY	65	65	
WEST APRON	62	29 - 67	FAIR	65	65	X
RUNWAY 17-35	75	74 - 76	SATISFACTORY	75	65	X
RUNWAY 8-26	67	67	FAIR	75	65	X
TAXIWAY ALPHA	100	100	GOOD	65	65	
TAXIWAY BRAVO	55	37 - 100	POOR	65	65	X
TAXIWAY CHARLIE	100	100	GOOD	65	65	
TAXIWAY DELTA	52	43 - 100	POOR	65	65	X
TAXIWAY ECHO	61	41 - 100	FAIR	65	65	X
TAXIWAY FOXTROT	50	48 - 51	POOR	65	65	X
TAXIWAY TO T-HANGARS	31	31	VERY POOR	65	65	X

“Action Required” in **Table I** is triggered when a section within the identified Branch Facility falls below the FDOT Minimum Service Level. Year 1 Major Rehabilitation needs are triggered in **Table III** when a section in the identified Branch falls below the MicroPAVER Minimum PCI. Major Rehabilitation is also triggered in **Table III** when the section PCI is above critical and the section exhibits significant structural related distresses.

For project level planning and inspection development; the airfield pavement facilities have been divided at the branch level based on facility use and designation, and at the section level based on pavement construction history, composition (e.g. asphalt versus concrete), aircraft traffic operations, and pavement surface conditions. **Table II** provides the overall area weighted condition of the pavement based on facility branch use.

CAPITAL PROJECT DETAIL

PROJECT TITLE

Rehabilitate Taxiway Bravo Apron & Ramp Area

PROJECT#

CATEGORY

Airport Improvements

FUND

108-Airport

PROJECT LOCATION

Airport

MANAGEMENT

Airport Manager

PROJECT SCOPE

This project will produce the necessary design and permitting documents required to reconstruct the pavement of the Taxiway Bravo apron and ramp area, south of the intersection of Taxiways Bravo and Delta, and the taxi lane behind hangars 1 through 22 that are served by the Bravo apron and ramp.

JUSTIFICATION

According to the most recent Statewide Airfield Pavement Management Program report for OMN, the Taxiway Bravo apron and ramp area exhibits significantly aged pavement with large amounts of medium severity block and alligator cracking, along with longitudinal and transverse cracking, depression, patching, and raveling. Based upon the quantities and severities of the observed distresses, the apron and ramp pavement is beyond its useful life and should be considered for major rehabilitation. The pavement management report indicates that the apron and ramp pavement condition varies from very poor to fair, with an average pavement condition rating of 37 based upon the number of sample units inspected. As a result, the report gives the Taxiway Bravo apron and ramp area an average condition of "very poor." The taxi lane behind hangars 1 through 22 has a pavement condition rating of 9, which indicates an average condition of "failed."

PROJECT COST METHODOLOGY

Project cost estimates have been provided by Hoyle, Tanner and Associates, Inc.

<u>EXPENDITURE</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>Total 2021-22 to 2025-26</u>	<u>Other Requests without identified funding source</u>
Construction	0	0		2,500,000	0		0
Design Engineering	0		160,000	0	0		0
Total	0	0	160,000	2,500,000	0	2,660,000	0

CAPITAL PROJECT DETAIL

PROJECT TITLE PROJECT#

Rehabilitate Taxiway Bravo Apron & Ramp Area

REVENUE	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
FAA	0	0	144,000	2,250,000	0	2,394,000	0
FDOT	0	0	12,800	200,000	0	212,800	0
General Fund Reserves	0	0	3,200	50,000	0	53,200	0
Total	0	0	160,000	2,500,000	0	2,660,000	0



CAPITAL PROJECT DETAIL

PROJECT TITLE

Airport Tower Handrail Replacement

PROJECT#**CATEGORY**

Airport Improvements

FUND

108-Airport

PROJECT LOCATION

Airport

MANAGEMENT

Engineering

PROJECT SCOPE

Remove and replace the safety handrail around the observation deck

JUSTIFICATION

The current safety handrail was installed when the tower was constructed and has begun to rust and deteriorate making it unsafe. This should be scheduled for a complete replacement.

PROJECT COST METHODOLOGY

Cost based on similar city projects

EXPENDITURE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Completely replace the safety	0	0	0	60,000	0	60,000	0
Total	0	0	0	60,000	0	60,000	0

REVENUE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
General Fund Reserves	0	0	0	60,000	0	60,000	0
Total	0	0	0	60,000	0	60,000	0

CAPITAL PROJECT DETAIL

PROJECT TITLE

Extend Runway 9/27 East

PROJECT#

CATEGORY

Airport Improvements

FUND

108-Airport

PROJECT LOCATION

Airport

MANAGEMENT

Airport Manager

PROJECT SCOPE

This project consists of first conducting the required environmental assessment (NEPA study) to support the planned extension of Runway 9/27 by 400 feet in accordance with the airport layout plan. The project will next produce the required pavement and electrical design documents to facilitate a project to extend Runway 27, Taxiway Alpha and Taxiway Echo by 400 feet to the east. Finally, the project will conduct pavement and electrical construction to complete the project as designed.

JUSTIFICATION

Public meetings held during the last airport master plan update (AMPU) process revealed the need to improve and extend the primary runway to better accommodate current and future users of the airport. According to the facility requirements data developed for the airport master plan, even moderately loaded heavier aircraft require runway lengths exceeding those currently available. This is based on the approved aircraft forecast found in the master plan. To meet the needs of 75% of the fleet at 60% of useful load, 4,673 feet is required for takeoff and 5,290 feet is required for landing when adjusted for runway grade and turbojet-powered airplanes with a maximum take-off weight (MTOW) of more than 12,500 lbs.

There is a clear need for a longer runway to meet the landing and takeoff needs of the fleet mix at the airport. A runway length of at least 5,000 feet would accommodate the turbine aircraft that use the airport and the types of aircraft that are anticipated to use the airport in the future. This length is commonly accepted as a minimum length for all-weather turbine aircraft operations among aircraft owners. Safety is also a primary consideration and will be enhanced by the increased accelerate/stop distances and balanced field length that will be available to all the operators including Netjets and others who have expressed a need for a longer runway at the airport.

PROJECT COST METHODOLOGY

Cost estimates have been provided by Hoyle, Tanner and Associates, Inc.

<u>EXPENDITURE</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>Total 2021-22 to 2025-26</u>	<u>Other Requests without identified funding source</u>
Construction	0	0	0	0	0	0	4,000,000
Design Engineering	0	0	0	0	0	0	495,000
Environmental Assessment	0	0	0	0	0	0	250,000
Total	0	0	0	0	0	0	4,745,000

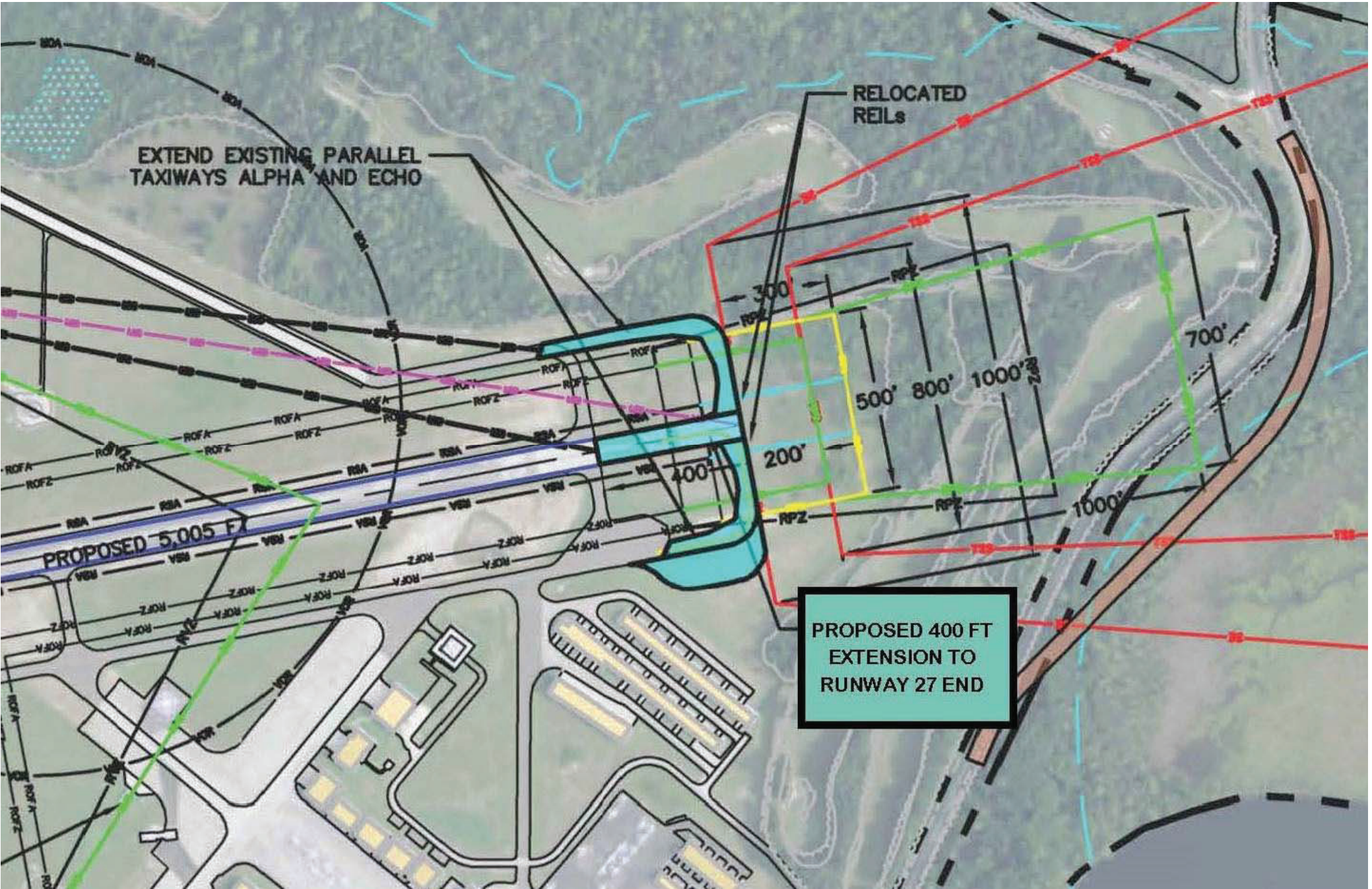
CAPITAL PROJECT DETAIL

PROJECT TITLE PROJECT#

Extend Runway 9/27 East

REVENUE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
To Be Determined	0	0	0	0	0	0	4,745,000
Total	0	0	0	0	0	0	4,745,000





110-ECONOMIC DEVELOPMENT

CAPITAL PROJECT DETAIL

PROJECT TITLE

Business Park Drive Phase II

PROJECT#

110012

CATEGORY

Facilities Renewal and Replacement

FUND

110-Economic Development

PROJECT LOCATION

Airport Business Park

MANAGEMENT

Engineering

PROJECT SCOPE

Construction of a secondary access road from Pineland Trail to the City's Airport Business Park. The road will be designed to a collector standard roadway.

JUSTIFICATION

The Ormond Beach Airport Business Park is home to 32 businesses that consist of approximately 870,000 square feet of industrial space and 1,400 employees. Plans are underway by some of the existing businesses and by the City to increase the amount of industrial space and industrial lots over the next few years. All of the traffic generated by the business uses impacts the one entranceway that intersects Airport Road. Completion of this project is contingent upon obtaining the necessary proceeds, primarily from FDOT and the Florida Department of Economic Opportunity (DEO), for projects related to job creation on city-owned industrial land.

PROJECT COST METHODOLOGY

Consultant provided Engineer's cost estimate updated to current cost and scope of work.

EXPENDITURE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Construction	0	1,002,000	0	0	0	1,002,000	0
Total	0	1,002,000	0	0	0	1,002,000	0

REVENUE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
ED Fund Reserves	0	411,000	0	0	0	411,000	0
FDOT	0	400,000	0	0	0	400,000	0
General Fund Reserves	0	191,000	0	0	0	191,000	0
Total	0	1,002,000	0	0	0	1,002,000	0



Business Park Drive / Runway Drive Collector Road
Proposed Alignment
Ormond Beach, Florida

NEEL-SCHAFER
SOLUTIONS YOU CAN BUILD UPON

1705 19th Place, Suite G-3 Vero Beach,
Florida 32960 PH: (772) 770-4707
FAX: (772) 770-4640 CA00008556



301-GENERAL CAPITAL IMPROVEMENT FUND

CAPITAL PROJECT DETAIL

PROJECT TITLE

CDBG Project

PROJECT#

CATEGORY

Beautification

FUND

301-General Improvement Fund

PROJECT LOCATION

Washington Street Sidewalks

MANAGEMENT

Engineering

PROJECT SCOPE

Installation of 4' wide sidewalks along the west side of Washington Street from Tomoka Avenue to Division Street.

JUSTIFICATION

This project is to replace the deteriorated sidewalks on the west side of Washington Street from Tomoka Avenue to Division Street. This project will install new 4' foot wide ADA sidewalks as specified. The engineers estimate is higher than the allotted monies, however it was agreed upon at the NAIB meeting that we would start at Division Street and head north as far as the funding allows.

PROJECT COST METHODOLOGY

EXPENDITURE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Sidewalks West Side	114,611	0	0	0	0	114,611	0
Total	114,611	0	0	0	0	114,611	0

REVENUE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
CDBG	114,611	0	0	0	0	114,611	0
Total	114,611	0	0	0	0	114,611	0



**FUTURE CDBG
SOUTH WASHINGTON STREET
SIDEWALKS**

Prepared By: The City of Ormond Beach
G.I.S. Department - April 13, 2021



CDBG 2021**Washington Street Sidewalk (West Side - Tomoka Ave. to Division Ave.)****COST ESTIMATE**

Item #	Item Description	Length	Qty	Unit	Unit Cost	Value
1	Sidewalk Removal (4' wide)	2245	8980	SF	\$ 2.50	\$ 22,450.00
2	Prop. 4' wide Concrete Sidewalk	2035	8140	SF	\$ 5.00	\$ 40,700.00
3	Concrete Aprons (6" depth)		1100	SF	\$ 6.50	\$ 7,150.00
4	Concrete Sidewalk Across Driveways (6")	210	840	SF	\$ 6.50	\$ 5,460.00
5	Detectable Mats		14	EA	\$ 2,500.00	\$ 35,000.00
6	Permits/Bonds		1	EA	\$ 5,000.00	\$ 5,000.00

SUB TOTAL= \$ 115,760.00

Contingency= 20%

COST ESTIMATE= \$ 138,910.00

CAPITAL PROJECT DETAIL

PROJECT TITLE

HVAC - Chiller Replacement

PROJECT#

301186

CATEGORY

Facility Construction and Renovation

FUND

301-General Improvement Fund

PROJECT LOCATION

City Hall

MANAGEMENT

Engineering

PROJECT SCOPE

Replace the existing chiller unit and associated AHU's and pumps over a 5 year period

JUSTIFICATION

Staff had an assessment study done on the City Hall Chiller system and the report has recommended that replacement of the chiller and associated components be scheduled over the next 5 years. To date, three phases to replace the components has been completed. The first phase replaced the main Chiller unit. The second Phase replaced the pumps and control panel. The third phase included replacement of the VAV Terminal strips throughout City Hall and the fourth and final phase will include replacement of the air handling units and front end controls. Although the consultant's updated letter report recommends that replacement of the AHU's be phase 3 and replacement of the VAV's be phase 4, staff felt the replacement of the VAV's was more critical so it was moved to phase 3.

PROJECT COST METHODOLOGY

Costs were obtained from the Ormond Beach City Hall HVAC Assessment Report Consultant in a letter report which updated costs to Phase 3 and 4 projects.

<u>EXPENDITURE</u>	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Replace AHU and Front End Controls	225,000	0	0	0	0	225,000	0
Total	225,000	0	0	0	0	225,000	0

<u>REVENUE</u>	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Property Taxes-General CIP	225,000	0	0	0	0	225,000	0
Total	225,000	0	0	0	0	225,000	0



December 11, 2015
Revised April 13, 2018

John Noble
 City Engineer
 City Hall 22 South Beach Street, Suite 104
 Ormond Beach, FL 32174

Re: Ormond Beach City Hall – Future Phasing of Renovations

John,

The Ormond Beach City Hall HVAC Assessment Report that was produced by TLC back in March, 2013 included (3) phases over (5) years. The 1st and 2nd phases are now complete with the 2nd phase just completed. The 3rd phase includes replacing the (3) air handling units with new. Per our conversation, a 4th phase to replace the VAV terminals in the building and add them to the front end controls was requested. The below breakdown offers updated costs for phase 3, AHU Replacement and the new proposed phase 4, VAV terminal replacement:

The (3) AHU's were originally estimated at \$95,000 (without engineering & architectural fees). The new expected price is estimated at **\$225,000**.

The proposed 4th phase to replace the VAV terminals (total of 38 VAV's) in the building and add front end controls is estimated to cost **\$259,500**. Engineering and architecture fees would be \$13,000 putting the total estimated cost at approximately **\$272,500**.

If there is any additional information needed, please let me know

Sincerely,

Jim Mullen, PE, CXA
 TLC Engineers for Architecture

CAPITAL PROJECT DETAIL

PROJECT TITLE

Police Department Roof

PROJECT#

301173

CATEGORY

Facility Construction and Renovation

FUND

301-General Improvement Fund

PROJECT LOCATION

Granada Boulevard

MANAGEMENT

Engineering

PROJECT SCOPE

Remove and replace roof and lightning protection system on the entire facility.

JUSTIFICATION

The current Police Department building was constructed in 2001. Over the years, the roof has developed several significant leaks. As part of the FY 11-12 Facility Renewal & Replacement budget, the entire roof had roof coat applied to help prevent the leaks. The roof was leaking again during Hurricane Matthew, and several holes were discovered and patched. Currently staff is preparing a study to look at the relocation of the Police Station and EOC. Should the City commission elect to pursue this relocation, this project will not be done.

PROJECT COST METHODOLOGY

The cost estimate was provided by Hall Construction after bidding the project to local roofing contractors.

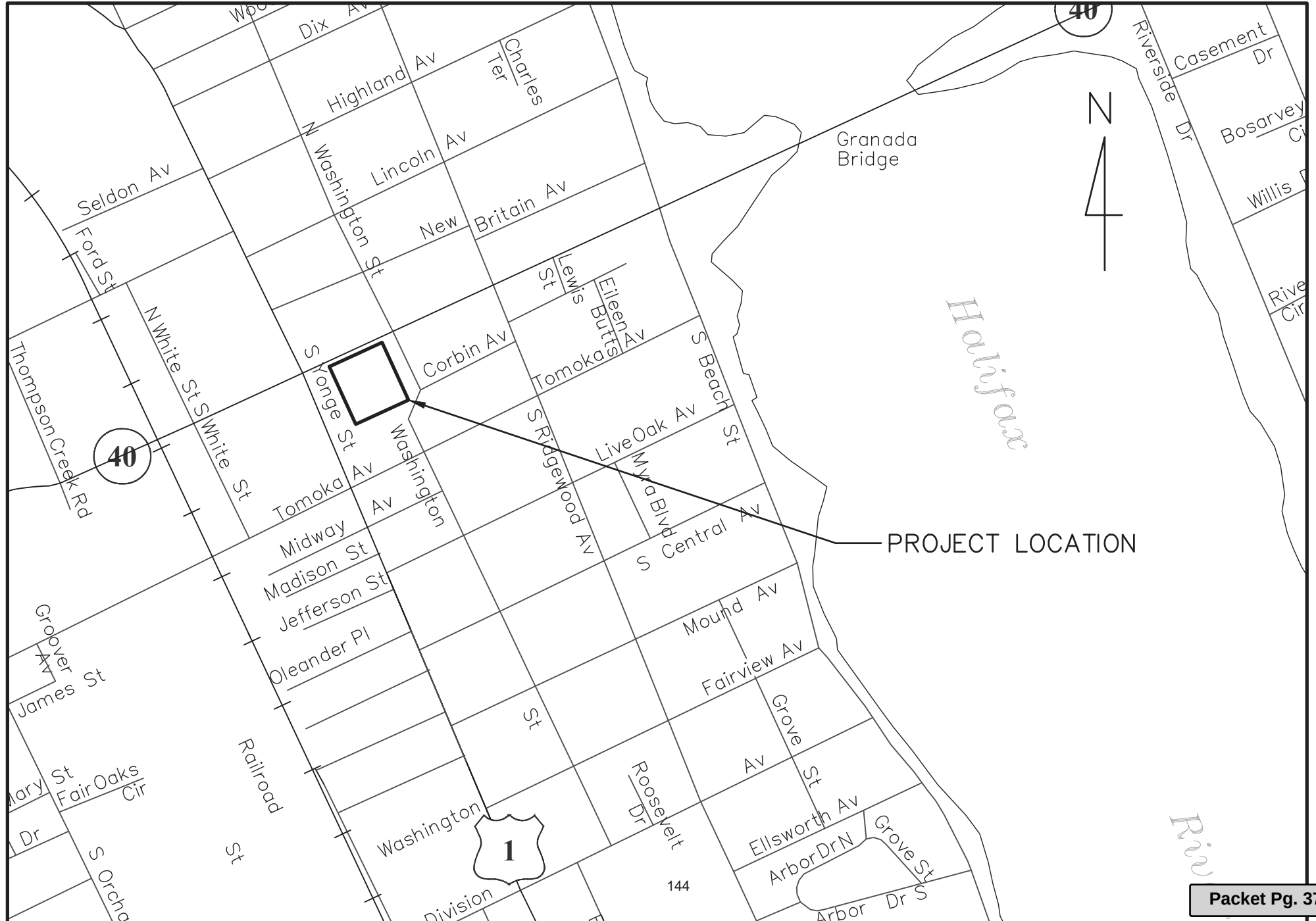
EXPENDITURE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Removal and Replace Roof	0	345,000	0	0	0	345,000	0
Total	0	345,000	0	0	0	345,000	0

REVENUE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Property Taxes-General CIP	0	345,000	0	0	0	345,000	0
Total	0	345,000	0	0	0	345,000	0

POLICE DEPARTMENT ROOF REPLACEMENT





902 South Nova Road Daytona Beach, Florida 32114

Tel (386) 252-2526 Fax (386) 252-2806 CGC 014128

March 5, 2018

Paul MacDonald, Landscape Architect
City of Ormond Beach
P.O. Box 277
Ormond Beach, FL 32175

Re: Ormond Beach Police Department Roof Replacement

Dear Paul,

We offer this proposal to provide all labor, materials & services to re-roof the Ormond Beach Police Department building. Description of work as follows:

- Staging area to setup in circle drive to the South of the front entrance.
- Access to rear parking area for removal of shooting range roof will be required.
- Remove existing edge metal & flashings as per specification attached.
- Remove shooting range roof to lightweight concrete
- Install one layer 1.5" I.S.O., 4' x 8' sheets on all roof areas, except shooting range.
- Enhance cricket areas to redirect water into drains better.
- Install TPO coated retrofit drains and reline scuppers with TPO stainless steel-clad metal.
- Install one-layer ½" Securock over entire roof area, except shooting range.
- Install 60 mil TPO Rhinobond system as per specification attached.
- Install 60 mil fleece back TPO over shooting range roof.
- Install JM Presto-tite edge metal .040 aluminum with a 6" face.
- Shop fabricate & install stainless steel counter flashing at wall areas.
- Remove & reinstall existing lightning protection and secure the UL letter of findings for the completed system.

Clarifications:

- We include no provisions for work beyond that listed in this proposal.
- We include no provisions for requirements from governmental agencies.
- We include no provision for a moisture survey in this proposal.
- We include no provision for lightweight repairs over shooting range in this proposal.

Based on quotes received & our review, we propose an order of magnitude budget of Three Hundred Thousand Dollars (\$300,000.00). If this is acceptable to you, we will secure additional quotes & submit a final proposal.

CAPITAL PROJECT DETAIL

PROJECT TITLE

Station Alerting

PROJECT#

CATEGORY

Facility Construction and Renovation

FUND

301-General Improvement Fund

PROJECT LOCATION

Fire Stations

MANAGEMENT

Fire

PROJECT SCOPE

Replacement of Fire Station Alerting Systems

JUSTIFICATION

This request is to replace systems which alert personnel of a call at each of the four fire stations. Every fire station in Volusia County will need to meet this requirement. The County update the dispatch system and this system will not work with our current alerting system. The County will be going out for RFP and then the type of system will be offered to the municipal providers. The consultant has estimated this could take approximately 17 months. Ormond Beach has four fire stations and this is the primary we receive our calls for service from main dispatch. The estimate cost for this project is about \$50,000 to 75,000 per station. We are estimating \$60,000 per station for a total of \$240,000

PROJECT COST METHODOLOGY

<u>EXPENDITURE</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>Total 2021-22 to 2025-26</u>	<u>Other Requests without identified funding source</u>
Alerting Systems	0	0	240,000	0	0	240,000	0
Total	0	0	240,000	0	0	240,000	0

<u>REVENUE</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>Total 2021-22 to 2025-26</u>	<u>Other Requests without identified funding source</u>
Property Taxes-General CIP	0	0	240,000	0	0	240,000	0
Total	0	0	240,000	0	0	240,000	0

CAPITAL PROJECT DETAIL

PROJECT TITLE

Performing Arts Center Renovations

PROJECT#

CATEGORY

Facility Construction and Renovation

FUND

301-General Improvement Fund

PROJECT LOCATION

Performing Arts Center

MANAGEMENT

Leisure Services/ Engineering

PROJECT SCOPE

Renovating the lobby, box office, and the gallery of the Performing Arts Center.

JUSTIFICATION

The Performing Arts Center, located at 399 N. US 1 opened in 1991. Since opening, there has been no updates or renovations to the common areas of the building. The theatre seats 600 patrons in a stadium-styled setting. The venue hosts national, regional, and local theatrical entertainment. With the caliber of the programs changing, and the increased usage of the facility by residents and visitors, the Friends of the Performing Arts Center decided to move forward with a plan to renovate. The Leisure Services Advisory Board voted unanimously to make the Performing Arts Center renovations the first priority in the Capital Improvement Plan. The intention is to match the venue with the talent that performs at the Performing Arts Center.

To date, the Friends of the Performing Arts have expended \$6,213.96 for consulting fees and renderings. The hope is to apply for an Echo grant of \$400,000 and a grant from Daytona Beach Racing and Recreational Facilities of \$50,000. Through aggressive fundraising and donations, the goal is to match the money received from the Echo grant.

The proposed renovations will include updating the lobby, gallery, raising the handrails on the staircase to become ADA compliant, adding a donor wall, and the restrooms. There will be new furniture, artwork, and new window treatments.

PROJECT COST METHODOLOGY

Costs based on previous master plan update costs adjusted for inflation.

<u>EXPENDITURE</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>Total 2021-22 to 2025-26</u>	<u>Other Requests without identified funding source</u>
Design and permitting	0	0	80,000	0	0	80,000	0
Construction	0	0	0	527,000	0	527,000	0
Total	0	0	80,000	527,000	0	607,000	0

CAPITAL PROJECT DETAIL

PROJECT TITLE PROJECT#

Performing Arts Center Renovations

REVENUE	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Donations	0	0	80,000	77,000	0	157,000	0
Echo Grant	0	0	0	400,000	0	400,000	0
Daytona Beach Racing and	0	0	0	50,000	0	50,000	0
Total	0	0	80,000	527,000	0	607,000	0

CAPITAL PROJECT DETAIL

PROJECT TITLE

OBSC Access and Drainage

PROJECT#

NA

CATEGORY

Recreation and Cultural Facility Improvements

FUND

301-General Improvement Fund

PROJECT LOCATION

Ormond Beach Sports Complex

MANAGEMENT

Engineering

PROJECT SCOPE

Construct a perimeter drainage swale south of the Kiwanis Ball Field and a paved access road to the complex main office.

JUSTIFICATION

Currently the access road to the maintenance building and the offices require vehicular traffic through the internal portions of the sports complex. This has created an ongoing safety concern for both players and spectators who use the park. By increasing the water retention area and providing access to Doug Thomas Way for access to the maintenance building and office building, we would be increasing the playability of the Kiwanis field by preventing ongoing cancellations due to flooding while enhancing the safety of the children and patrons who use the park by preventing internal traffic through the park.

PROJECT COST METHODOLOGY

Unit pricing

<u>EXPENDITURE</u>	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Enlarge and Interconnect ponds	0	0	0	211,700	0	211,700	0
Design	0	0	0	208,750	0	208,750	0
Relocate Utilities	0	0	0	64,500	0	64,500	0
Total	0	0	0	484,950	0	484,950	0

<u>REVENUE</u>	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Property Taxes-General CIP	0	0	0	484,950	0	484,950	0
Total	0	0	0	484,950	0	484,950	0

Ormond Beach Sports Complex Access and Drainage Improvements

Probable Cost

Project Description: Construct Approximately 450 LF of new access road to existing maintenace buildings, relocate existing 12" water main and 4" forcemain, excavate approximately 250 square feet of wet retention pond from kiwanis fields west to T-Ball fields and around Wendelstedt fields to existing Doug Thomas Way.

Construction

Item Num	Item Description	QTY	Unit	Unit Cost	Item Cost
1	Mobilization/Demobilization (5% Maximum of Total Base Bid)	1	LS	\$ 24,248	\$ 24,248
New Parking lot and maintenance access road					
2	Tree Removal, Clearing and Grubbing	1	Acre	\$ 10,000	\$ 7,500
3	Stabilize Subgrade	2,000	SY	\$ 8	\$ 16,000
4	Furnish & Install Crushed Concrete Road Base 8"	2,000	SY	\$ 10	\$ 20,000
6	Furnish & Install Recyeled Asphaltic Pavement (Millin	600	CY	\$ 35	\$ 21,000
Relocate Utilities					
7	Furinsh & Install 12" PVC Water Main	2,750	LF	\$ 65	\$ 178,750
8	Furnish & Install 4" Forcemain	1,000	LF	\$ 30	\$ 30,000
Enlarge and Interconnect Ponds					
9	Excavate Soil	35,000	CY	\$ 6	\$ 210,000
10	Rip Rap	100	Ton	\$ 17	\$ 1,700

Construction Total \$ 509,197.50
Environmental Survey Reporting and Permitting \$ 5,000

Subtotal \$ 514,198
Contingency (10%0 \$ 25,710
Total \$ 539,907

OBSC ACCESS & DRAINAGE IMPROVEMENTS



CAPITAL PROJECT DETAIL

PROJECT TITLE

EDC Trail System Connection

PROJECT#

NA

CATEGORY

Recreation and Cultural Facility Improvements

FUND

301-General Improvement Fund

PROJECT LOCATION

Central Park

MANAGEMENT

Engineering

PROJECT SCOPE

Construction (2) wooden land bridges, concrete sidewalk, perform selective pruning and invasive plant removal, and the installation of outdoor appropriate seating to create the first outdoor classroom site near the EDC main building. Purchase furnishing, equipment/ supplies for classroom. Install floating vegetation mats within EDC stormwater retention pond.

JUSTIFICATION

The EDC was completed in 2016. The existing island, west of the EDC building is the prime location for the first outdoor encounter area within Central Park. Connecting this island with two wooden land bridges will provide connectivity to the existing concrete trail system, allow better pedestrian access within the park and will eliminate the dead-end trail north of Division Avenue. The concrete trail/ elevated boardwalk will provide connectivity from the EDC to the existing elevated wooden walkway to the east where a amphitheater is planned.

PROJECT COST METHODOLOGY

Based on actual construction costs to construct wooden land bridges, docks and concrete sidewalk.

<u>EXPENDITURE</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>Total 2021-22 to 2025-26</u>	<u>Other Requests without identified funding source</u>
Concrete Trail and Elevated	0	0	0	0	0	0	125,000
Island Connection and Seating Area	0	0	0	0	0	0	130,000
Amphitheater	0	0	0	0	0	0	200,000
Total	0	0	0	0	0	0	455,000

<u>REVENUE</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>Total 2021-22 to 2025-26</u>	<u>Other Requests without identified funding source</u>
To Be Determined	0	0	0	0	0	0	227,500
Echo Grant	0	0	0	0	0	0	227,500
Total	0	0	0	0	0	0	455,000



CAPITAL PROJECT DETAIL

PROJECT TITLE

Fiber Optic Connectivity

PROJECT#

301249

CATEGORY

Technology

FUND

301-General Improvement Fund

PROJECT LOCATION

City Wide

MANAGEMENT

Engineering

PROJECT SCOPE

Phased expansion of City fiber Optic network facilities connecting properties and utilities assets to previously connected facilities

JUSTIFICATION

Central to City operation is the transfer of data between City facilities and for the operation of City assets at remote locations. The Communication Infrastructure of the City of Ormond Beach is built upon the points of data collection and facility controls, terminals that allow for the monitoring of this data and the communication of City business, as well as the means of connecting these points allowing for the transfer of information internally and to external locations. The creation of a fiber optic network between City facilities provides increased reliability, increased data rates up to 10,000 Mbps, and immunity from both weather and power related events. Previous phases have established connectivity, providing a Gigabit Ethernet (1 GigE) communication capability to additional City facilities. This strategic investment increases security, data transfer speed, and reliability to those connected facilities while reducing business recovery and disaster recovery risks.

PROJECT COST METHODOLOGY

EXPENDITURE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Fiber Optics	0	0	0	0	0	0	620,000
Total	0	0	0	0	0	0	620,000

REVENUE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
To Be Determined	0	0	0	0	0	0	620,000
Total	0	0	0	0	0	0	620,000

CAPITAL PROJECT DETAIL

PROJECT TITLE

Landscape Renovations

PROJECT#

301243

CATEGORY

Beautification

FUND

301-General Improvement Fund

PROJECT LOCATION

Various Locations

MANAGEMENT

Engineering

PROJECT SCOPE

Installation of trees, shrubs, groundcovers and sod

JUSTIFICATION

Due to natural attrition and past hurricanes, the landscaping at City Hall, Fire Stations 91-93, Ormond Shores Park and Public Work Facility/Fleet parking lot needs to be enhanced to bring the landscaping back up to code. Most of the damaged materials have since been removed and not replaced. The condition of the existing landscaping will be reviewed during the site assessment phase of plans preparation. Most of these locations have not had any significant restorations to the existing landscaping since 2003. The Granada Boulevard and North US1 medians are in need of tree replacements due to hit/run incidences where vehicles have run over these trees. Also on North US1, the off ramp triangles are needing replacement of the shrubs/ground cover due to decline.

PROJECT COST METHODOLOGY

Cost estimates were prepared by staff using current replacement costs after conducting site visits

<u>EXPENDITURE</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>Total 2021-22 to 2025-26</u>	<u>Other Requests without identified funding source</u>
PW Facility & Fleet Parking Lot	0	0	0	0	0	0	20,000
Ormond Shores Park	0	0	0	0	0	0	15,000
Firestations 91-93	0	0	0	0	0	0	30,000
City Hall	0	0	0	0	0	0	25,000
Granada Blvd. & US1 Medians	0	0	0	0	0	0	64,100
Total	0	0	0	0	0	0	154,100

CAPITAL PROJECT DETAIL

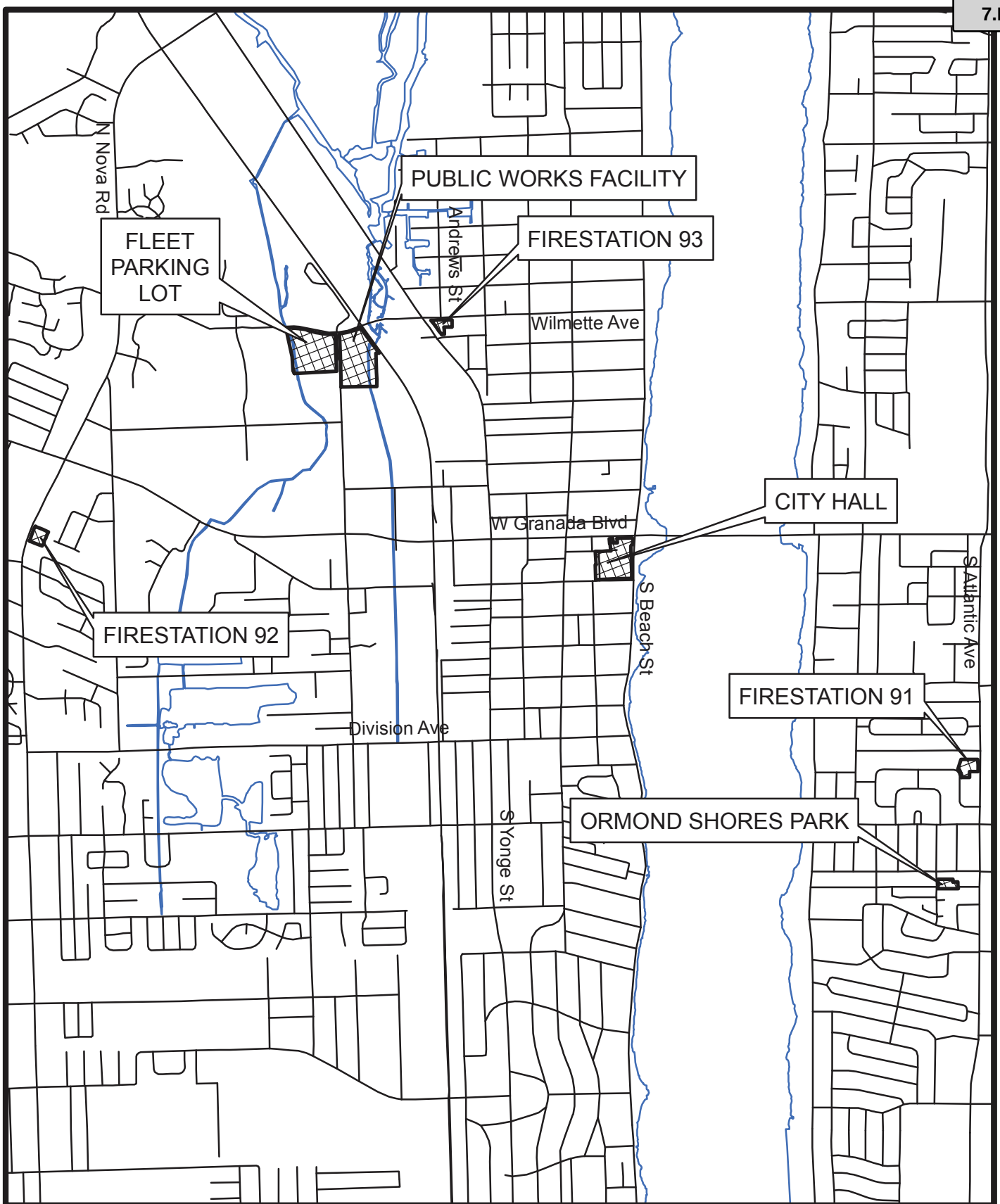
PROJECT TITLE

PROJECT#

Landscape Renovations

301243

REVENUE	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
To Be Determined	0	0	0	0	0	0	154,100
Total	0	0	0	0	0	0	154,100

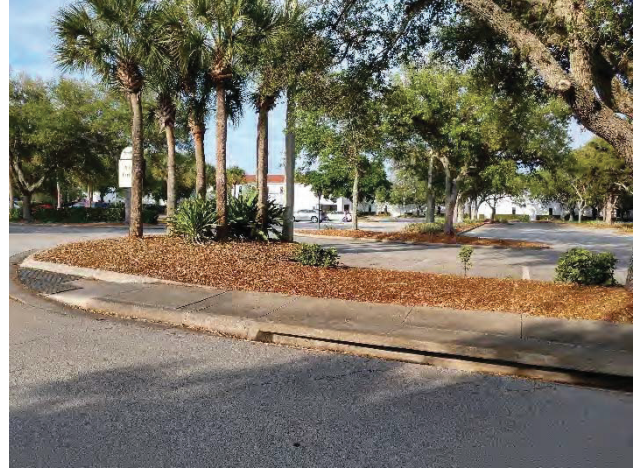


LANDSCAPE RENOVATIONS

Prepared By: The City of Ormond Beach
G.I.S. Department - April 15, 2019



CITY HALL



The City Hall parking lot has gaps in the hedge row which are in need of plants to be added back to screen the parking areas visible from the abutting streets. The declined Holly trees need to be removed. Building foundations plantings and various other areas need attention.

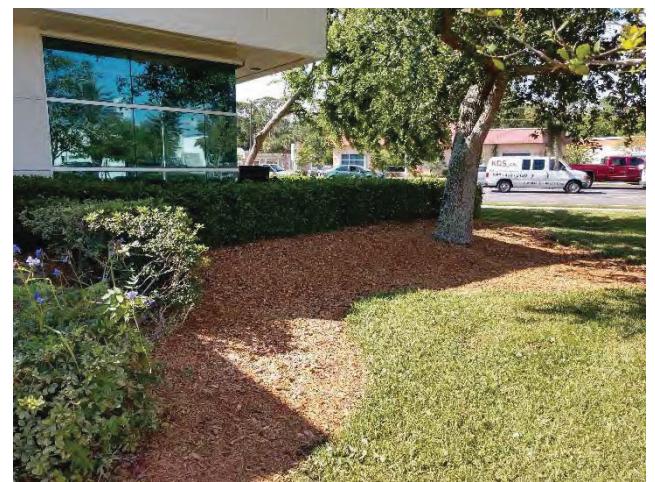
FIRESTATION #91



All three of these fire stations facilities have areas of empty planting beds and gaps in hedge rows which are used to screen parking lot areas. Other areas have declined plant materials that need to be replaced.

FIRESTATION #92



FIRESTATION #93

ORMOND SHORES PARK



The two entrances need to be re-landscaped due to being overgrown. Dead and declined plant materials need to be removed and replaced throughout the park. Areas behind the existing benches, the plant material needs to be replaced due to being overgrown.

Public Works Facility & Fleet Parking Lot

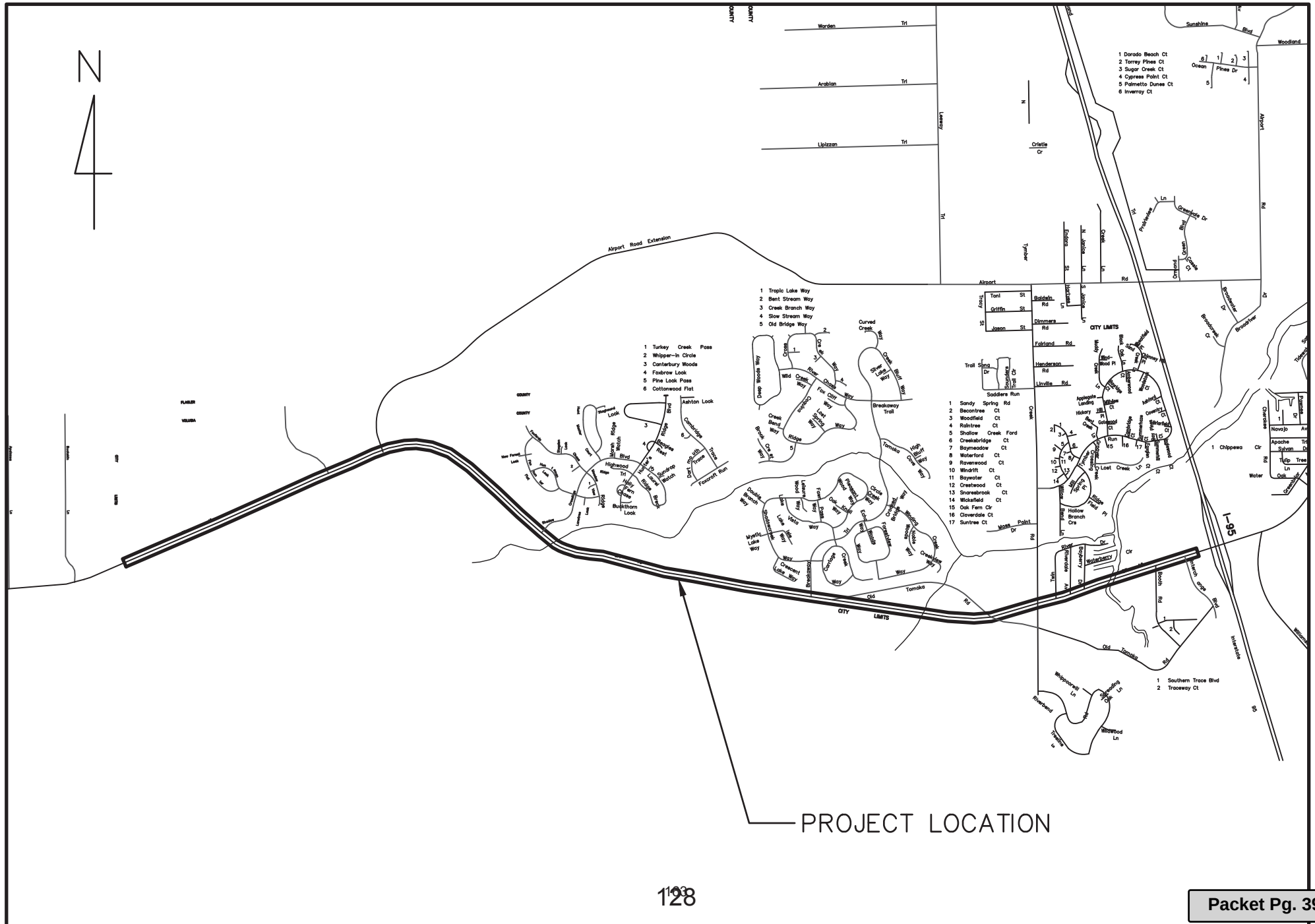


Building foundation planting are missing with open and bare planting beds. Also, declined plant materials need to be removed and replaced along Orchard Street. The Fleet parking lot has gaps in the hedge row which are in need of plants to be added back to screen the parking areas visible from the roadways.

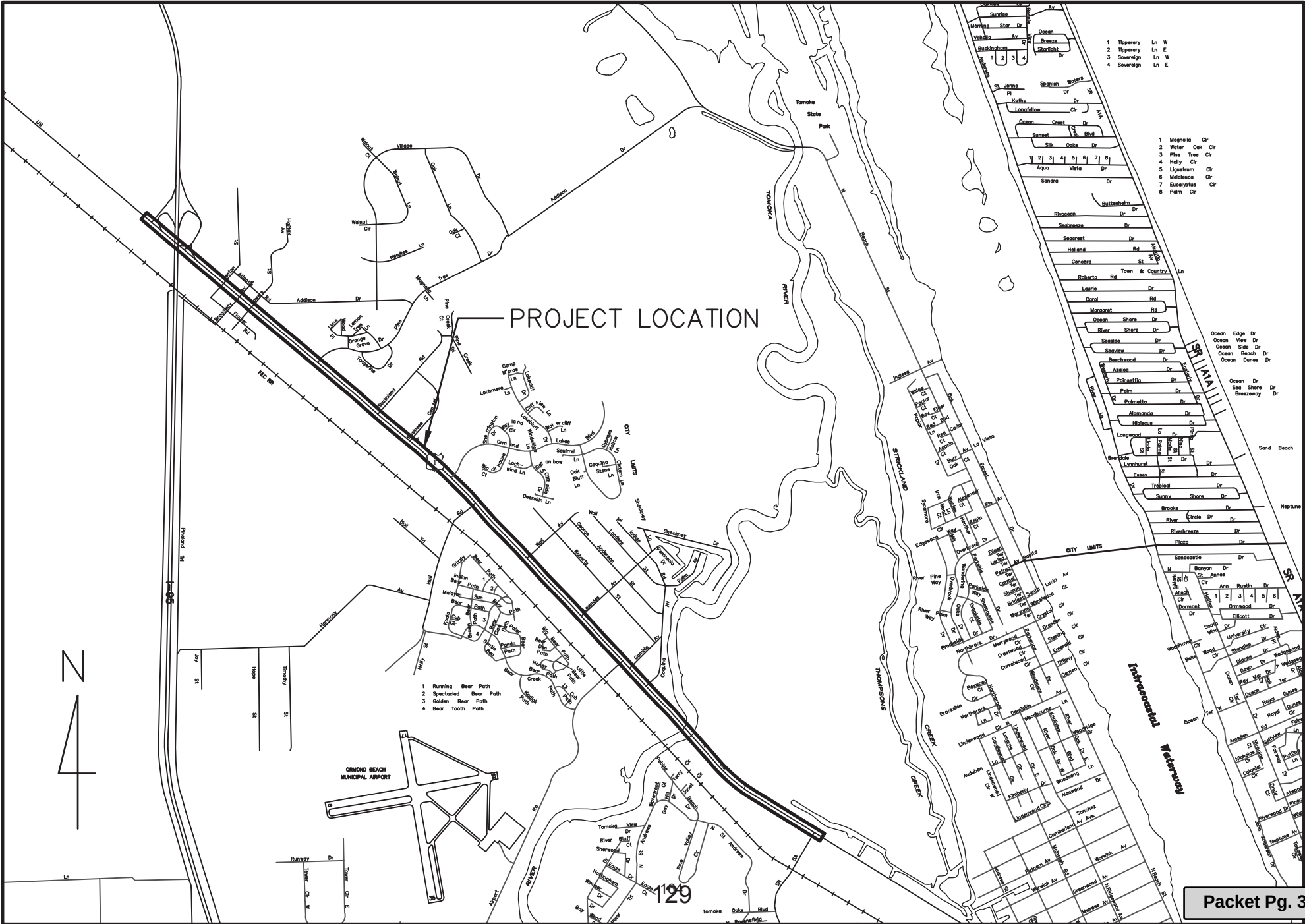
Fleet Parking Lot



W GRANADA BLVD MEDIANS LANDSCAPE RENOVATION



N US-1 MEDIANS LANDSCAPE RENOVATION



CAPITAL PROJECT DETAIL

PROJECT TITLE

Nova LED Baseball Lighting

PROJECT#**CATEGORY**

Recreation and Cultural Facility Improvements

FUND

301-General Improvement Fund

PROJECT LOCATION

Nova Community Park

MANAGEMENT

Engineering

PROJECT SCOPE

Install LED sports field lighting on baseball fields 1,2,3,4 and 5.

JUSTIFICATION

Installation of LED Lighting with automated remote control access to baseball fields 1,2,3,4 and 5. The new lighting system comes with a 25 year warrantee and is more efficient and LED is environmentally-friendly. The lighting project will be beneficial to the baseball programs and will be an added asset in obtaining future baseball rentals.

PROJECT COST METHODOLOGY

Musco Lighting Proposal for Baseball Fields 1,2,3,4 and 5.

EXPENDITURE

LED Lighting Conversion

2021-22**2022-23****2023-24****2024-25****2025-26****Total
2021-22
to
2025-26****Other
Requests
without
identified
funding
source**

0

0

0

0

0

0

1,800,000

Total

0

0

0

0

0

0

1,800,000

REVENUE

To Be Determined

2021-22**2022-23****2023-24****2024-25****2025-26****Total
2021-22
to
2025-26****Other
Requests
without
identified
funding
source**

0

0

0

0

0

0

1,400,000

Echo Grant

0

0

0

0

0

0

400,000

Total

0

0

0

0

0

0

1,800,000

CAPITAL PROJECT DETAIL

PROJECT TITLE

Nova Parking & Fitness Stations

PROJECT#

301213

CATEGORY

Recreation and Cultural Facility Improvements

FUND

301-General Improvement Fund

PROJECT LOCATION

Nova Community Park

MANAGEMENT

Engineering

PROJECT SCOPE

Phase I includes the construction of parking for (240) vehicles, and (12) fitness stations.

JUSTIFICATION

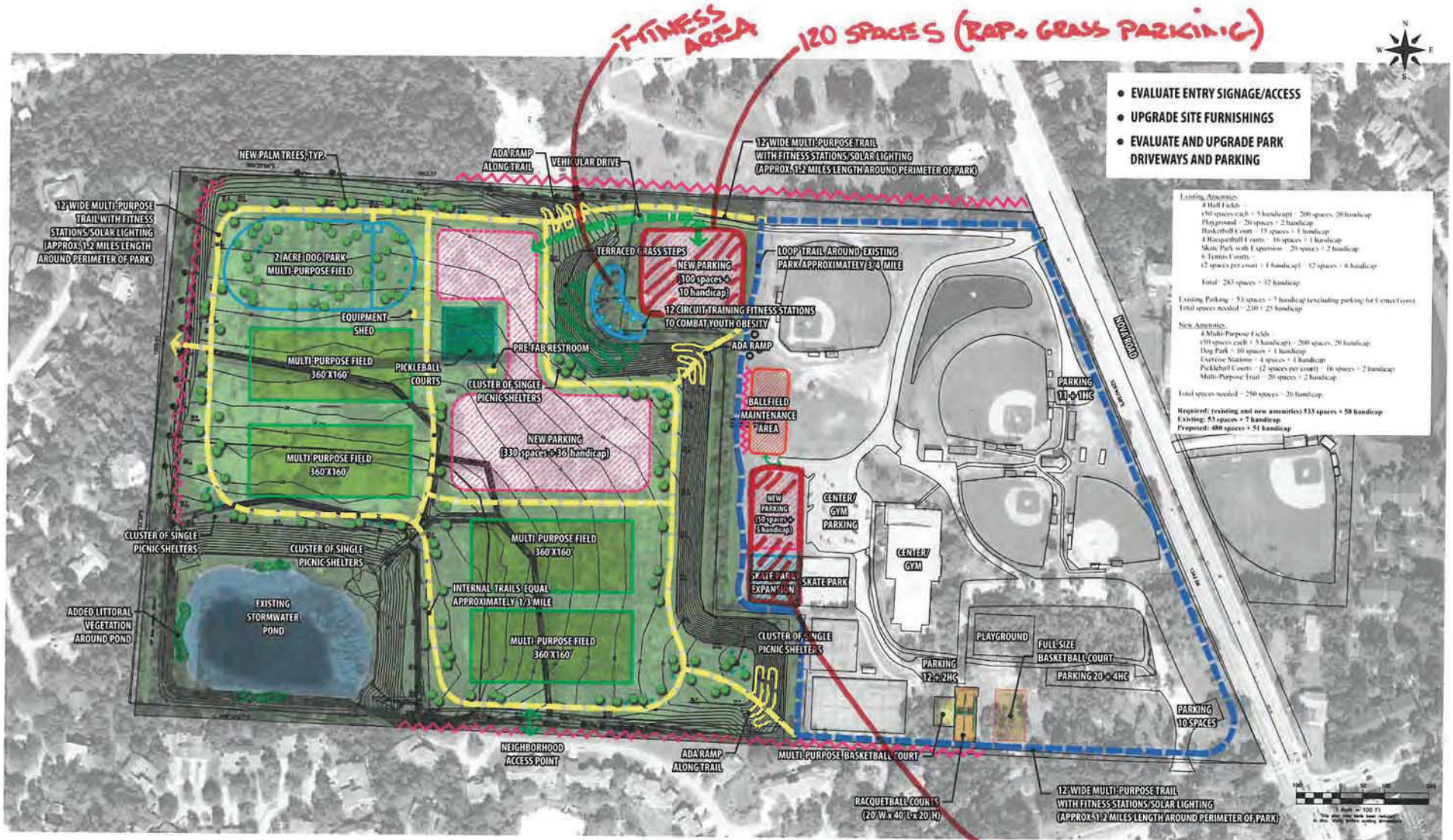
The Nova Community Park Master Plan was created by HHI Design and approved as a long range conceptual plan by the City Commission. Phase I will include 130 parking spaces, and a circuit training cluster of fitness stations. Parking is the #1 need at the Nova Community complex. As the location of the proposed parking is located in the Class 1 section of the Nova Landfill, costs to construct a standard asphalt parking lot would require construction of a lined retention pond. As the cost for such a pond (which requires removal and disposal of the buried trash) is extremely costly (\$1.6 million), staff is recommending a modified parking lot construction consisting of stabilized grass parking with main drive aisles of reclaimed asphalt to reduce impervious surface and eliminate the need for a retention pond.

PROJECT COST METHODOLOGY

Preliminary cost estimate prepared by HHI Design and modified by staff based on OBSC overflow parking upgrades near Multi-purpose Field #9

<u>EXPENDITURE</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>Total 2021-22 to 2025-26</u>	<u>Other Requests without identified funding source</u>
Parking Lot	0	0	0	0	0	0	374,150
Parking Lot Improvements	0	0	0	0	0	0	200,000
Parking Lot	0	0	0	0	0	0	200,000
Fitness Stations	0	0	0	0	0	0	127,150
Total	0	0	0	0	0	0	901,300

<u>REVENUE</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>Total 2021-22 to 2025-26</u>	<u>Other Requests without identified funding source</u>
To Be Determined	0	0	0	0	0	0	901,300
Total	0	0	0	0	0	0	901,300



Conceptual Long Range Master Plan

Nova Community Park

Ormond Beach, FL

ISSUE DATE: January 30, 2013



TranSystems

120 SPACES RAP + GRASS PARKING

bhi

Nova Community Park - Ormond Beach, FL
New Amenities at Abandoned Landfill site

CJ/GC

1.) All estimates based on HHI Design's Preliminary Conceptual Long Range Plan
2.) Estimate does not include site grading or stormwater.

CAPITAL PROJECT DETAIL

PROJECT TITLE

OBSC Parking

PROJECT#

NA

CATEGORY

Recreation and Cultural Facility Improvements

FUND

301-General Improvement Fund

PROJECT LOCATION

Ormond Beach Sports Complex

MANAGEMENT

Engineering

PROJECT SCOPE

Improvements will include paved parking at the softball Quad, Wendelstedt fields, and Kiwanis/soccer fields. Costs reflect recycled asphalt parking with landscaped islands. No lighting, landscaping or irrigation is included.

JUSTIFICATION

The Leisure Services Advisory Board selected these projects as high priority. Due to the high demand for parking at the complex during events it is recommended that the two new parking lots at the Quad south and Quad west be constructed initially. Kiwanis/Soccer field parking is because the project would benefit the most people if it were accomplished. Wendelstedt fields parking is considered important due to the level of finish they would provide the complex.

PROJECT COST METHODOLOGY

Cost estimates based on similar projects and recent bids for similar scope of work.

<u>EXPENDITURE</u>	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Construction - Parking West of	0	0	0	0	0	0	241,000
Construction - Parking South of	0	0	0	0	0	0	198,000
Design - Parking Area West of	0	0	0	0	0	0	31,000
Design - Parking Area South of	0	0	0	0	0	0	26,000
Wendelstedt RAP and Grass Parking	0	0	0	0	0	0	55,000
Kiwanis/ Soccer Rap and Grass	0	0	0	0	0	0	81,000
Total	0	0	0	0	0	0	632,000

<u>REVENUE</u>	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
To Be Determined	0	0	0	0	0	0	632,000
Total	0	0	0	0	0	0	632,000

CAPITAL PROJECT DETAIL

PROJECT TITLE

PAL House

PROJECT#

NA

CATEGORY

Facility Construction and Renovation

FUND

301-General Improvement Fund

PROJECT LOCATION

Bostrom Lane

MANAGEMENT

Engineering

PROJECT SCOPE

An 1,800 square foot facility adjacent to South Ormond Neighborhood Center.

JUSTIFICATION

The current PAL house is located at 194 Central Avenue. It was built in 1947 and is approximately 741 square feet. The layout of building consists of: three small rooms and 1 restroom. In 2008, the roof of the building was replaced due to termite damage. During installation of the roof the interior ceiling was damaged and a drop ceiling was placed in one room of the building to cover the damage. The house is tiled with 11"x11" ceramic tiles. The floor was originally installed without enough adhesive underneath the tiles resulting in many cracked tiles which are in need of replacement. The front door of the building does not completely seal which allows moisture and wind to enter under certain weather conditions. Due to older wiring, the phone lines in the O.B.P.A.L. house need frequent repair especially during humid and rainy weather.

While the exterior of the building is well maintained, there is no storage in the building. Plastic bins and file boxes are kept around the edge of the rooms reducing functional square footage of the building significantly.

The center conference room is not functional for meetings with groups larger than four. The YDC members have out grown the conference room space which is not functional for meetings larger than four. The current size of the PAL house does not allow for the expansion of programs. At this time programs are offered in partnership with area schools and organizations. While the community partnerships allow a PAL to serve the youth audience at the location of the partnership, requests for students who do not attend the partner school to join the READ, Reading, Exploration, Adventure and Discover program and Science on Patrol are not currently possible. An expanded facility which included a classrooms and a computer lab would allow a PAL to provided educational programs to a larger audience of youth. The computer lab would allow youth to have environment to practice SAT, complete online applications and other tests needed for reaching educational goals beyond high school.

PROJECT COST METHODOLOGY

Cost estimate provided by Engineering.

<u>EXPENDITURE</u>	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Construction	0	0	0	0	0	0	350,000
Total	0	0	0	0	0	0	350,000

CAPITAL PROJECT DETAIL

PROJECT TITLEPROJECT#

PAL HouseNA

REVENUE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
To Be Determined	0	0	0	0	0	0	350,000
Total	0	0	0	0	0	0	350,000

City of Ormond Beach, Florida

4/22/2021

PAL Building Construction

Probable Cost

Project Description: Development of site adjacent to SONC for use as a new office/classroom/storage building for PAL. Improvements include 3,500 sf building, associated, parking, utilities, and stormwater to support site.

Estimated Construction Cost

Item No.	Description	Estimated Quantity	Unit	Unit Price	Item Price
General					
1	Mobilization/ Demobilization	1	LS	\$5500.00	\$5,500
Site Development					
	Silt Fence	500	LF	\$2.75	\$1,375
2	Clear/Grub site	1,200	SY	\$3.30	\$3,960
3	Remove Existing Trees (non specimen)	10	EA	\$275.00	\$2,750
	Remove Existing Concrete	100	SY	\$22.00	\$2,200
Parking Lot Construction					
	Furnish & Install Crushed Concrete Roadbase 8-inch	700	SY	\$15.40	\$10,780
	Furnish & Install S.P. 9.5 Asphalt	80	Tons	\$132.00	\$10,560
	Furnish & Install Wheel Stops	16	EA	\$55.00	\$880
	Thermoplastic Striping	1	LS	\$1,650.00	\$1,650
	Furnish and Install Signage	1	LS	\$1,650.00	\$1,650
	Furnish and install 6 ft vinyl fence	250	LF	38.50	\$9,625
	Construct concrete sidewalk	200	SY	\$33.00	\$6,600
	Furnish & Install Sod	1,667	SY	\$2.75	\$4,585
Site Utilites					
	Furnish and Install Class III Reinforced Concrete Pipe - 18"	230	LF	\$60.50	\$13,915
	Drainage Control Structre	1	EA	\$6,600.00	\$6,600
	FDOT Type 'C' Drainge Inlet	1	EA	\$2,420.00	\$2,420
	Mitered End Section	1	EA	\$1,320.00	\$1,320
	Modifiy Existing Control Structure	1	EA	\$1,100.00	\$1,100
	Potable Water Service	1	EA	\$825.00	\$825
	Sanitary Sewer Service	1	EA	\$1,650.00	\$1,650
	Communication Utilities	1	LS	\$16,500.00	\$16,500
Additonal Site Plan Work					
	Landscaping	1	LS	\$5,500.00	\$5,500
	Site Lighting	1		\$5,500.00	\$5,500
	Geotechnical Services	1	LS	\$2,200.00	\$2,200
	Maintenance of Traffic	1	LS	\$2,750.00	\$2,750
	Survey Layout & As-Built	1	LS	\$3,850.00	\$3,850
Building					
	PAL Building Construction	3,500	sf	\$165.00	\$577,500

SUB-TOTAL= \$703,745

Contingency 10% \$70,375

Total= \$774,120

BUDGET VALUE= \$785,000

CAPITAL PROJECT DETAIL

PROJECT TITLE

Point to Point Wireless Upgrades

PROJECT#

301237

CATEGORY

Technology

FUND

301-General Improvement Fund

PROJECT LOCATION

Water Tower, FS 91, Airport

MANAGEMENT

Information Technology

PROJECT SCOPE

Replace existing wireless Point-to-Point radio equipment that has been in service since 2013.

JUSTIFICATION

The links to Fire station 91 and the Airport Tower were the first wireless point-to-point implementations, replacing cable modem based VPN connections, and provided a 100Mbps direct link to these remote sites. Subsequent wireless links have been installed for additional locations; Fire station 94, Nova Rec., Casements, which utilize a newer technology providing higher data rates of 500Mbps+ and greater immunity to weather interference.

The existing Point-to-Point wireless links to Fire Station 91 and the Airport have been in place for nearly 4 years. Replacing these two links with the current technology will provide better speed and reliability for the facility connections. Additionally, all links will now utilize the same manufacturer which will reduce spare parts inventory and enhance staff's ability to manage the links with a single console.

The purchase of spare parts will be included in the operating budget as a cost effect alternative to purchasing maintenance agreements.

PROJECT COST METHODOLOGY

Quote

<u>EXPENDITURE</u>	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Water Tower - Airport	0	0	0	0	0	0	13,500
Water Tower - FS 91	0	0	0	0	0	0	13,500
Total	0	0	0	0	0	0	27,000

CAPITAL PROJECT DETAIL

PROJECT TITLEPROJECT#

Point to Point Wireless Upgrades301237

REVENUE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
To Be Determined	0	0	0	0	0	0	27,000
Total	0	0	0	0	0	0	27,000

RADWIN 2000 PORTFOLIO



CARRIER-CLASS POINT-TO-POINT SOLUTIONS

The RADWIN 2000 portfolio offers sub-6 GHz licensed and unlicensed wireless broadband solutions that deliver high throughput of up to 750 Mbps and operate for extensive range. Supported bands include 2.3-2.4 GHz, 3.3-3.8 / 3.65 GHz, 4.4-6.0 GHz and 5.7-6.4 GHz. Compact and robust, RADWIN 2000 products provide Ethernet and native TDM (up to 16 E1s/T1s), thus facilitating seamless migration from TDM to all-IP networks.

RADWIN 2000 radios incorporate state-of-the-art technologies such as MIMO, OFDM and high modulation schemes including QAM 256. Unique air interface capabilities ensure optimal performance and high spectral efficiency in dense radio environments and multipath conditions. RADWIN 2000 radios also support QoS and advanced networking features such as VLAN and Q-in-Q.

RADWIN 2000 radios can be deployed in point-to-point and multiple point-to-point topologies and support intra-site and inter-site TDD synchronization to maximize network capacity. The radios incorporate built-in 1+1 redundancy and ring protection functionality to maximize service availability.

RADWIN 2000 products comply with worldwide regulations and standards and are deployed globally by leading carriers, service providers and public and private networks requiring high-capacity connectivity.

RADWIN 2000 D-Plus Series

Delivering up to **750 Mbps Ethernet throughput**, RADWIN 2000 D+ series is ideal for IP backhaul applications. RADWIN 2000 D+ series provides high spectrum efficiency by employing a QAM 256 modulation scheme.

RADWIN 2000 D+ Series radios deliver high performance even in a highly congested spectrum by utilizing RADWIN's enhanced interference mitigation techniques and D-CBS (Dynamic Channel Bandwidth Selection). D-CBS is a unique feature that selects the widest channel bandwidth (up to 80 MHz) yet with minimal interference to maximize link throughput.

RADWIN 2000 D+ radios deliver 350 Mbps in 40 MHz and support 20 and 10 MHz channel bandwidth. The solutions build on RADWIN's extensive experience in designing systems that commercially operate in nLOS/NLOS environments and overcome severe multipath conditions.

RADWIN 2000 D+ Series Highlights

- Up to 750 Mbps Ethernet throughput
- Long range - Up to 120 km / 75 miles
- D-CBS maximizing link capacity in congested spectrum
- Configurable asymmetric capacity
- Auto selection between MIMO and Diversity modes for optimal NLOS performance

CAPITAL PROJECT DETAIL

PROJECT TITLE

Police Impound Lot

PROJECT#**CATEGORY**

Facility Construction and Renovation

FUND

301-General Improvement Fund

PROJECT LOCATION

Fleet Maintenance

MANAGEMENT

Engineering

PROJECT SCOPE

Construct covered storage area for the police dept.

JUSTIFICATION

Currently the area P.D. uses for evidence is not covered, and to small to suit there needs. When evidence gets rained on it affects their ability to use it in court cases.

PROJECT COST METHODOLOGY

Written proposals from Ruby builder, and A.A.A. Fence company.

EXPENDITURE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Police Impound Lot	0	0	0	0	0	0	60,000
Total	0	0	0	0	0	0	60,000

REVENUE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
To Be Determined	0	0	0	0	0	0	60,000
Total	0	0	0	0	0	0	60,000

CAPITAL PROJECT DETAIL

PROJECT TITLE

SANS Replacement

PROJECT#

CATEGORY

Technology

FUND

301-General Improvement Fund

PROJECT LOCATION

HDC/Police Department

MANAGEMENT

Information Technology

PROJECT SCOPE

Replace the one (1) existing two (2) Storage Area Network (SAN) devices with a new device offering increased performance and capacity.

JUSTIFICATION

The City's SAN devices operate in pairs, one being the primary unit, purchased in 2019, and a 2nd operating as the replica backup. The current replica backup unit was purchased in 2014 as part of the original project to implement server virtualization. Its useful life will likely have been exhausted by 2022.

The Storage Area Network (SAN) devices are the primary storage system for all servers and data storage. The current replica backup SAN was purchased early 2014 with an anticipated useful life of 5 years thru maintenance and upgrades. The manufacturer gave notice that SAN would reach end of support in December 2019. This replica backup SAN device useful life has been extended 3 years, thru December 2022, with the use of a 3rd party support agreement.

In Fiscal Year 2022-23 a new primary SAN should be purchased to accommodate the then current capacity and performance requirements. Staff has estimated that cost of a new primary SAN will be approximately \$125,000 in year 2022. Staff will keep current on the replacement cost estimates and update annually.

PROJECT COST METHODOLOGY

<u>EXPENDITURE</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>Total 2021-22 to 2025-26</u>	<u>Other Requests without identified funding source</u>
Hardware/Software	0	0	0	0	0	0	125,000
Total	0	0	0	0	0	0	125,000

CAPITAL PROJECT DETAIL

PROJECT TITLE PROJECT#

SANS Replacement

REVENUE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
To Be Determined	0	0	0	0	0	0	125,000
Total	0	0	0	0	0	0	125,000

CAPITAL PROJECT DETAIL

PROJECT TITLE

Tree Replacement Program

PROJECT#**CATEGORY**

Beautification

FUND

301-General Improvement Fund

PROJECT LOCATION

Various

MANAGEMENT

Leisure Services

PROJECT SCOPE

Develop and implement a tree replacement program.

JUSTIFICATION**PROJECT COST METHODOLOGY**

\$50,000 allocation proposed

EXPENDITURE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Survey and replacement	0	0	0	0	0	0	50,000
Total	0	0	0	0	0	0	50,000

REVENUE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
To Be Determined	0	0	0	0	0	0	50,000
Total	0	0	0	0	0	0	50,000

CAPITAL PROJECT DETAIL

PROJECT TITLE

Sports Complex Challenge Course

PROJECT#**CATEGORY**

Facility Construction and Renovation

FUND

301-General Improvement Fund

PROJECT LOCATION

O.B.Sports Complex

MANAGEMENT

Engineering

PROJECT SCOPE

Install a new fitness/challenge course at the sports complex

JUSTIFICATION

As the sports complex grows and more people are using it, this would be a great addition to this facility. This course contains exercises for strength, cardiovascular and balance, as well as areas for sprinting. This would be a great addition to add to the sports complex in the interests of health and fitness.

PROJECT COST METHODOLOGY

Written Quote From GameTime

EXPENDITURE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Install pro5000 challenge course	0	0	0	0	0	0	315,000
Total	0	0	0	0	0	0	315,000

REVENUE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
To Be Determined	0	0	0	0	0	0	315,000
Total	0	0	0	0	0	0	315,000

CAPITAL PROJECT DETAIL

PROJECT TITLE

Electric Vehicle Charging Stations

PROJECT#

CATEGORY

Technology

FUND

301-General Improvement Fund

PROJECT LOCATION

Citywide

MANAGEMENT

IT/Engineering

PROJECT SCOPE

Install 6 Charging Stations throughout the City in various high use City parking lots.

JUSTIFICATION

This allows the City to continue to be at the forefront of the Green initiative. By installing electric vehicle charging stations at strategic points throughout their communities, cities can provide a valuable service to EV driving residents and visitors. They can even use charging stations to encourage revitalization throughout the city – what was once a neglected parking lot can soon become a popular node on the EV charging network.

PROJECT COST METHODOLOGY

Engineer's estimate of probable cost.

<u>EXPENDITURE</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>Total 2021-22 to 2025-26</u>	<u>Other Requests without identified funding source</u>
Casements Station	0	0	0	0	0	0	7,000
Nova Recreation Station	0	0	0	0	0	0	7,000
PAC Stations	0	0	0	0	0	0	14,000
City Hall Charging Stations	0	0	0	0	0	0	14,000
Total	0	0	0	0	0	0	42,000

<u>REVENUE</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>Total 2021-22 to 2025-26</u>	<u>Other Requests without identified funding source</u>
To Be Determined	0	0	0	0	0	0	42,000
Total	0	0	0	0	0	0	42,000

Electric Vehicle Charging Stations

Probable Cost

GENERAL INFORMATION: This allows the City to continue to be at the forefront of the Green initiatives. By installing electric vehicle charging stations at strategic points throughout their communities, cities can provide a valuable service to EV driving residents and visitors. They can even use charging stations to encourage revitalization throughout the city – what was once a neglected parking lot can soon become a popular node on the EV charging network.

Probable Cost Breakdown:

Construction Cost Breakdown

Item Num	Item Description	QTY	Unit	Unit Cost	Item Cost
City Hall Charging Stations					
1	EV Station	2	EA	\$ 6,000.00	\$ 12,000.00
2	Site Preperation	1	LS	\$ 2,000.00	\$ 2,000.00
Performing Arts Center Stations					
3	EV Station	2	EA	\$ 6,000.00	\$ 12,000.00
	Site Preperation	1	LS	\$ 2,000.00	\$ 2,000.00
Nova Recreation Station					
4	EV Station	1	EA	\$ 6,000.00	\$ 6,000.00
5	Site Preperation	1	LS	\$ 1,000.00	\$ 1,000.00
Casements Station					
6	EV Station	1	EA	\$ 6,000.00	\$ 6,000.00
7	Site Preperation	1	LS	\$ 1,000.00	\$ 1,000.00

1	Sub-Total (Construction)=	\$ 42,000.00
2	ENGINEERING & PERMITTING (10%)=	\$ 4,200.00
3	Subtotal (1 through 2)	\$ 46,200.00
4	Budget for design and construction=	\$ 47,000.00

CT4000 Level 2 Commercial Charging Station

Specifications and Ordering Information

Ordering Information

Specify model number followed by the applicable code(s).
The order code sequence is: **Model-Options. Software, Services**
and **Misc** are ordered as separate line items.

Hardware

Description	Order Code
Model	1830 mm (6 ft) Single Port Bollard Mount 1830 mm (6 ft) Dual Port Bollard Mount 1830 mm (6 ft) Single Port Wall Mount 1830 mm (6 ft) Dual Port Wall Mount 2440 mm (8 ft) Dual Port Bollard Mount 2440 mm (8 ft) Dual Port Wall Mount
Included	Integral Modem - North America
Misc	Power Management Kit Bollard Concrete Mounting Kit

Note: All CT4000 stations include Integral Modem -GW1.

Software & Services

Description	Order Code
ChargePoint Commercial Service Plan	CPCLD-COMMERCIAL- <i>n</i> *
ChargePoint Enterprise Plan	CPCLD-ENTERPRISE- <i>n</i> *
ChargePoint Assure	CT4000-ASSURE <i>n</i> *
Station Activation and Configuration	CPSUPPORT-ACTIVE
ChargePoint Station Installation and Validation	CT4000-INSTALLVALID

Note: All CT4000 stations require a network service plan per port.

*Substitute *n* for desired years (1, 2, 3, 4, or 5 years).

Order Code Examples

If ordering this	the order code is
1830 mm (6 ft) Dual Port Bollard Networked Station with Concrete Mounting Kit	CT4021-GW1 CT4001-CCM
ChargePoint Commercial Service Plan, 3 Year Subscription	CPCLD-COMMERCIAL-5
ChargePoint Station Installation and Validation	CT4000-INSTALLVALID
3 Years of Assure Coverage	CT4000-ASSURE5
1830 mm (6 ft) Single Port Wall Mount Networked Station	CT4013-GW1 CPCLD-COMMERCIAL-5
ChargePoint Commercial Service Plan, 5 Year Subscription	CT4000-ASSURE5
5 Years of Assure Coverage	CPSUPPORT-ACTIVE
Station Activation and Configuration	

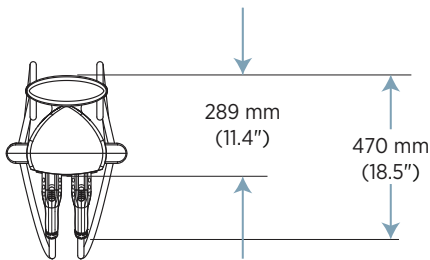


CT4021

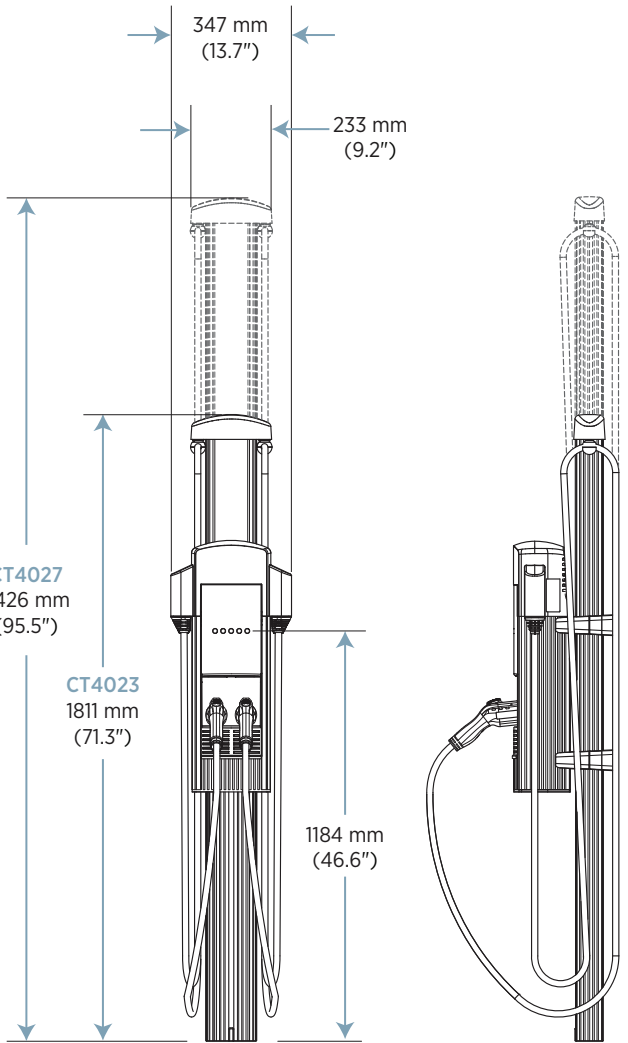
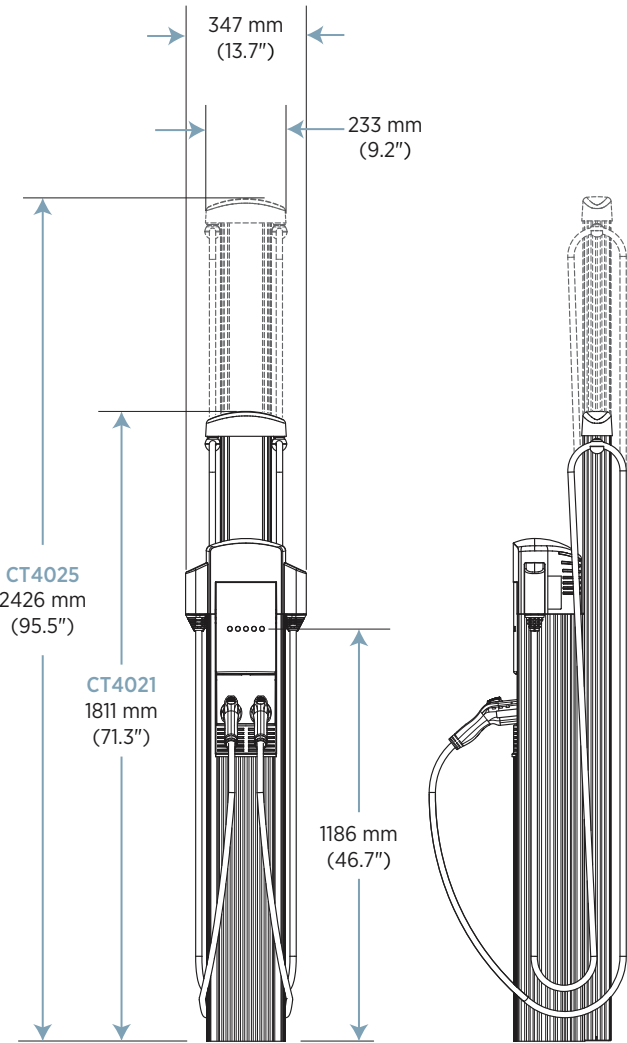
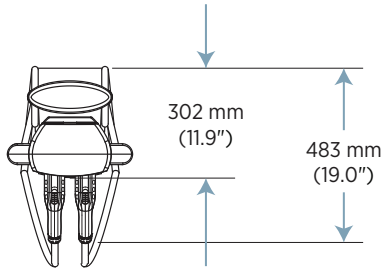


The First
ENERGY STAR®
Certified EV Charger

CT4021 1830 mm (6')
CT4025 2440 mm (8')
Bollard



CT4023 1830 mm (6')
CT4027 2440 mm (8')
Wall Mount



CT4000 Family Specifications

Electrical Input	Single Port (AC Voltage 208/240V AC)			Dual Port (AC Voltage 208/240V AC)		
	Input Current	Input Power Connection	Required Service Panel Breaker	input Current	Input Power Connection	Required Service Panel Breaker
Standard	30A	One 40A branch circuit	40A dual pole (non-GFCI type)	30A x 2	Two independent 40A branch circuits	40A dual pole (non-GFCI type) x 2
Standard Power Share	n/a	n/a	n/a	32A	One 40A branch circuit	40A dual pole (non-GFCI type)
Power Select 24A	24A	One 30A branch circuit	30A dual pole (non-GFCI type)	24A x 2	Two independent 30A branch circuits	30A dual pole (non-GFCI type) x 2
Power Select 24A Power Share	n/a	n/a	n/a	24A	One 30A branch circuit	30A dual pole (non-GFCI type)
Power Select 16A	16A	One 20A branch circuit	20A dual pole (non-GFCI type)	16A x 2	Two independent 20A branch circuits	20A dual pole (non-GFCI type) x 2
Power Select 16A Power Share	n/a	n/a	n/a	16A	One 20A branch circuit	20A dual pole (non-GFCI type)
Service Panel GFCI	Do not provide external GFCI as it may conflict with internal GFCI (CCID)					
Wiring - Standard	3-wire (L1, L2, Earth)			5-wire (L1, L1, L2, L2, Earth)		
Wiring - Power Share	n/a			3-wire (L1, L2, Earth)		
Station Power	8 W typical (standby), 15 W maximum (operation)					

Electrical Output

Standard	7.2 kW (240V AC @ 30A)	7.2 kW (240V AC @ 30A) x 2
Standard Power Share	n/a	7.2 kW (240V AC @ 30A) x 1 or 3.8 kW (240V AC @ 16A) x 2
Power Select 24A	5.8 kW (240V AC @ 24A)	5.8 kW (240V AC @ 24A) x 2
Power Select 24A Power Share	n/a	5.8 kW (240V AC @ 24A) x 1 or 2.9 kW (240V AC @ 12A) x 2
Power Select 16A	3.8 kW (240V AC @ 16A)	3.8 kW (240V AC @ 16A) x 2
Power Select 24A Power Share	n/a	3.8 kW (240V AC @ 16A) x 1 or 1.9 kW (240V AC @ 8A) x 2

Functional Interfaces

Connector(s) Type	SAE J1772™	SAE J1772™ x 2
Cable Length - 1830 mm (6 ft) Cable Management	5.5 m (18 ft)	5.5 m (18 ft) x 2
Cable Length - 2440 mm (8 ft) Cable Management	n/a	7 m (23 ft)
Overhead Cable Management System	Yes	
LCD Display	145 mm (5.7 in) full color, 640 x 480, 30 fps full motion video, active matrix, UV protected	
Card Reader	ISO 15693, ISO 14443, NFC	
Locking Holster	Yes	Yes x 2

Safety and Connectivity Features

Ground Fault Detection	20 mA CCID with auto retry
Open Safety Ground Detection	Continuously monitors presence of safety (green wire) ground connection
Plug-Out Detection	Power terminated per SAE J1772™ specifications
Power Measurement Accuracy	+/- 2% from 2% to full scale (30A)
Power Report/Store Interval	15 minute, aligned to hour
Local Area Network	2.4 GHz WiFi (802.11 b/g/n)
Wide Area Network	LTE Category 4

Safety and Operational Ratings

Enclosure Rating	Type 3R per UL 50E
Safety Compliance	UL listed and cUL certified; complies with UL 2594, UL 2231-1, UL 2231-2, and NEC Article 625
Surge Protection	6 kV @ 3,000A. In geographic areas subject to frequent thunder storms, supplemental surge protection at the service panel is recommended.
EMC Compliance	FCC Part 15 Class A
Operating Temperature	-40°C to 50°C (-40°F to 122°F)
Storage Temperature	-40°C to 60°C (-40°F to 140°F)
Non-Operating Temperature	-40°C to 60°C (-40°F to 140°F)
Operating Humidity	Up to 85% @ 50°C (122°F) non-condensing
Non-Operating Humidity	Up to 95% @ 50°C (122°F) non-condensing
Terminal Block Temperature Rating	105°C (221°F)
Network	All stations include integral LTE modem and will be automatically configured to operate as gateway or non-gateway as needed

ChargePoint, Inc. reserves the right to alter product offerings and specifications at any time without notice, and is not responsible for typographical or graphical errors that may appear in this document.

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Listed by Underwriters
Laboratories Inc.



Packet Pg. 416

302-GENERAL VEHICLE EQUIPMENT REPLACEMENT FUND

CAPITAL PROJECT DETAIL

PROJECT TITLE

Vehicle Replacement-General

PROJECT#

302VEH

CATEGORY

Vehicle and Equipment Replacement

FUND

302-General Vehicle Replacement Fund

PROJECT LOCATION

Various City Departments

MANAGEMENT

Fleet

PROJECT SCOPE

The project involves the continued implementation of a comprehensive vehicle replacement schedule for the City's fleet. Vehicles beyond the first year of this program will be evaluated at the appropriate time. These vehicles are being shown for scheduling purposes only and will not necessarily be replaced in the year shown.

JUSTIFICATION

The replacement schedule has been designed to replace vehicles which have been identified as incurring the greatest maintenance expense over the life of the vehicle, reaching or exceeding the expected life in terms of age, and having relative high mileage. The benefits of the replacement program are reflected in the reduction of the City's Fleet Maintenance operating and labor costs, as well as lower vehicle downtime.

PROJECT COST METHODOLOGY

State contract pricing.

<u>EXPENDITURE</u>	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Vehicles	374,000	200,000	200,000	200,000	200,000	1,174,000	0
Total	374,000	200,000	200,000	200,000	200,000	1,174,000	0

<u>REVENUE</u>	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Property Taxes-Vehicles	200,000	200,000	200,000	200,000	200,000	1,000,000	0
Vehicle Replacement Fund Reserves	174,000	0	0	0	0	174,000	0
Total	374,000	200,000	200,000	200,000	200,000	1,174,000	0

Vehicle Replacements				
Description	Year	Department	#	2021-22
Int'l Boom Trk (Urban Forestry)	2001	Street Maint.	284	225,000
Chev 3500	2012	Street Maint.	410	26,000
Total Street Maint.				251,000
Ford Escape	2012	Leisure Services	415	29,000
Laser Grader	NA	Leisure Services	500	33,000
Total Leisure Services				62,000
Ford F150	2013	Building Insp.	227	31,000
Ford F150	NEW	Building Insp.		30,000
Total Building Inspections				61,000
Total General Vehicle Replacement				374,000

FY 2020/2021 Budget Vehicle & Motorized Equipment Serviceability Report

Department/Division: 3003 Roadside right Priority _____ of _____

This request is included in: ☒ Budget Submission ☐ List of Adds

Vehicle/Equipment #: 284	Vehicle/Equipment Type (make, model, etc.): 2001 International bucket truck/aerial
Mileage/hour 96,115	Estimated Repair Cost: \$28,000.00

A bumper-to-bumper inspection has been performed on this vehicle/equipment:

Technician: Danny McIlrath

Date: 04/20/21

The following parts/repairs are required for this vehicle/equipment, but have been deferred:

	Estimated Cost (materials & Labor)
Interior needs major work over seats worn out	\$2,00.00
Paint work	\$15,000.00
Engine oil leaks. Engine replacement	\$7,500.00
Suspension. repair	\$3,500.00

Total: \$28,000.00

Two-year maintenance history:

Year	Cost (materials & labor):	Days Out-of-Service
2020	\$2,606.18	2
2019	\$12,316.47	10

Fleet Recommendation:

☒ Remove from Fleet ☐ High Maintenance ☐ Do Not Replace ☐ Defer to Volunteer Vehicle

Comments:

This truck is very out dated. Will need major rebuild some if not replaced.

Fleet Maintenance Supervisor: Danny McIlrath

Date: 04/20/21

Fleet Systems Specialist: Christine Jarrell

Date: 04/20/21

Deputy Public Works Director: Kevin M Gray

Date: 04/20/21

City Manager Concurrence:

☐ Approved ☐ Denied

City Manager: _____

Date: _____

Vehicle and Equipment Repair/Replacement Evaluation

Vehicle: # 284	Evaluated by: Danny McIlrath		Attachment #2
Dept.: Building inspect 0702	Supervisor: Kevin M Gray, Deputy PW Director		
	Points Assigned	Comments	
Year of vehicle. One point assigned per year. Example: A 2000 vehicle would be assigned 21 points because it is 21 years old.	20	2001 International LRV 55 aerial truck	
Mileage or hours of use. One point is assigned for each 10,000 miles or 1,500 hours of operation. Example: A vehicle with 87,000 miles would receive 9 points as it is rounded up.	10	101494 miles	
General overall condition. This category takes into consideration body condition, rust, interior condition, anticipated repairs, etc. A scale from 1-5 is used, with 5 being an extremely poor...possibly unsafe condition.	5	Surspenion worn, rust under body and frame. AC weak, seat worn, Dump body needs repair rust issue. The aerial has met it's expected life. This truck is out dated.	
Type of service. Points are assigned as either 1,3,or 5 depending on the type of use the vehicle had during most of its life. Example: A '5' would be assigned to vehicles that were utilized as patrol cars as that is considered severe service, while a staff car would be a '1'.	3	streets and tree service,	
Reliability of vehicle. Points are assigned as 1-5 depending on the frequency that the vehicle is in the shop for repairs. A '5' should be assigned to a vehicle that is in the shop 3 or more times a month on average. A '1' would be used for once every 3 months or less.	1	Every couple of months or so.	
Total operating cost. Points are assigned as 1,3,or 5 depending on the total cost per mile factor. This figure includes maintenance and operational costs in relation to other vehicles utilized for the same purpose.	5	Purchase Price \$105,503.00 \$144,183.61 LTD M&R of Purchase Price mile \$.1.50 136% Cost per	
Have warranties expired?	yes	☐ Check if general overall condition can defer vehicle replacement	
Total Points	44	(Shop Supervisor approval required)	
28 + points	x	Needs immediate replacement	
23-27 points		Condition is borderline	
18-22 points		Condition is fair/good	
Under 18 points		Condition is good/excellent	

Budget shows \$200,000.00
 Replacement cost is \$225,000.00

FY 2020/2021 Budget Vehicle & Motorized Equipment Serviceability Report

Department/Division: 3003 Roadside Right Priority _____ of _____

This request is included in: ☒ Budget Submission ☐ List of Adds

Vehicle/Equipment #: 410	Vehicle/Equipment Type (make, model, etc.): 2012 Chev 3500
Mileage/hour 93,338	Estimated Repair Cost: \$6,400.00

A bumper-to-bumper inspection has been performed on this vehicle/equipment:

Technician: Danny McIlrath

Date: 04/30/2021

The following parts/repairs are required for this vehicle/equipment, but have been deferred:

	Estimated Cost (materials & Labor)
Engine repair	\$1,200.00
Steering repair	\$2,200.00
Interior rework	\$1,000.00
Headlights replaced and body work.	\$2,000.00

Total: \$6,400.00

Two-year maintenance history:

Year	Cost (materials & labor):	Days Out-of-Service
2020	\$1,459.49	3
2019	\$1,118.62	4

Fleet Recommendation:

☒ Remove from Fleet ☐ High Maintenance ☐ Do Not Replace ☐ Defer to Volunteer Vehicle

Comments:

Dump body worn and cab and chassis has a lot of rust due to lime that it is hauling.

Fleet Maintenance Supervisor: Danny McIlrath

Date: 04/30/2021

Fleet Systems Specialist: Christine Jarrell

Date: 04/30/21

Deputy Public Works Director: Kevin M Gray

Date: 04/30/21

City Manager Concurrence:

☐ Approved ☐ Denied

City Manager: _____ Date: _____

Vehicle and Equipment Repair/Replacement Evaluation

Vehicle: # 410	Evaluated by: Danny McIlrath		Attachment #2
Dept.3003 Roadside	Supervisor: Kevin M Gray, Deputy PW Director		
	Points Assigned	Comments	
Year of vehicle. One point assigned per year. Example: A 2000 vehicle would be assigned 21 points because it is 21 years old.	9	2012 Chev 3500 Pick up	
Mileage or hours of use. One point is assigned for each 10,000 miles or 1,500 hours of operation. Example: A vehicle with 87,000 miles would receive 9 points as it is rounded up.	9	93,338 miles	
General overall condition. This category takes into consideration body condition, rust, interior condition, anticipated repairs, etc. A scale from 1-5 is used, with 5 being an extremely poor...possibly unsafe condition.	4	Scratches around truck. Headlight faded. Interior worn steering column worn. Has engine oil leak.	
Type of service. Points are assigned as either 1,3,or 5 depending on the type of use the vehicle had during most of its life. Example: A '5' would be assigned to vehicles that were utilized as patrol cars as that is considered severe service, while a staff car would be a '1'.	3	road work	
Reliability of vehicle. Points are assigned as 1-5 depending on the frequency that the vehicle is in the shop for repairs. A '5' should be assigned to a vehicle that is in the shop 3 or more times a month on average. A '1' would be used for once every 3 months or less.	1	we see it every other months or so.	
Total operating cost. Points are assigned as 1,3,or 5 depending on the total cost per mile factor. This figure includes maintenance and operational costs in relation to other vehicles utilized for the same purpose.	2	Purchase Price \$21,557.00 LTD M&R Price \$13,204.49 61% of Purchase Cost per mile \$.14	
Have warranties expired?	yes	☐ Check if general overall condition can defer vehicle replacement	
Total Points	28	(Shop Supervisor approval required)	
28 + points	x	Needs immediate replacement	
23-27 points		Condition is borderline	
18-22 points		Condition is fair/good	
Under 18 points		Condition is good/excellent	

Budget shows \$26,000.00
 Replacement cost is \$35,000.00

FY 2021/2022 Budget Vehicle & Motorized Equipment Serviceability Report

Department/Division: 8510Adm Leisure Priority _____ of _____

This request is included in: ☒ Budget Submission ☐ List of Adds

Vehicle/Equipment #: 415	Vehicle/Equipment Type (make, model, etc.): 2012 Ford Escape
Mileage/hour 70,565	Estimated Repair Cost: \$5,928.00

A bumper-to-bumper inspection has been performed on this vehicle/equipment:

Technician: Danny McIlrath

Date: 04/20/21

The following parts/repairs are required for this vehicle/equipment, but have been deferred:

	Estimated Cost (materials & Labor)
Body damage fender and side panel.	\$1,000.00
Interior repair	\$1,200.00
Engine oil leak and trans oil leak	\$1,500.00
	\$2,200.00

Total: \$5,928

Two-year maintenance history:

Year	Cost (materials & labor):	Days Out-of-Service
2018	\$997.62	
2019	\$948.00	

Fleet Recommendation:

☒ Remove from Fleet ☐ High Maintenance ☐ Do Not Replace ☐ Defer to Volunteer Vehicle

Comments:

Rust issues

Fleet Maintenance Supervisor: Danny McIlrath

Date: 04/20/21

Fleet Systems Specialist: Christine Jarrell

Date: 04/20/21

Deputy Public Works Director: Kevin M Gray

Date: 04/20/21

City Manager Concurrence:

☐ Approved ☐ Denied

City Manager: _____

Date: _____

Vehicle and Equipment Repair/Replacement Evaluation

Vehicle: # 415	Evaluated by: Danny McIlrath		Attachment #2
Dept.:8510 Amin Liesure	Supervisor: Kevin M Gray, Deputy PW Director		
	Points Assigned	Comments	
Year of vehicle. One point assigned per year. Example: A 2000 vehicle would be assigned 21 points because it is 21 years old.	9	2012 Ford Escape	
Mileage or hours of use. One point is assigned for each 10,000 miles or 1,500 hours of operation. Example: A vehicle with 87,000 miles would receive 9 points as it is rounded up.	7	70,565 miles	
General overall condition. This category takes into consideration body condition, rust, interior condition, anticipated repairs, etc. A scale from 1-5 is used, with 5 being an extremely poor...possibly unsafe condition.	5	Body damage around under and interior side panel. Interior worn, carpet driver side worn bad. Door panel driver side worn. Engine oil leak and trans oil leak. Suspension worn. Steering wheel worn.	
Type of service. Points are assigned as either 1,3,or 5 depending on the type of use the vehicle had during most of its life. Example: A '5' would be assigned to vehicles that were utilized as patrol cars as that is considered severe service, while a staff car would be a '1'.	2	Administration	
Reliability of vehicle. Points are assigned as 1-5 depending on the frequency that the vehicle is in the shop for repairs. A '5' should be assigned to a vehicle that is in the shop 3 or more times a month on average. A '1' would be used for once every 3 months or less.	2	See it about every other month	
Total operating cost. Points are assigned as 1,3,or 5 depending on the total cost per mile factor. This figure includes maintenance and operational costs in relation to other vehicles utilized for the same purpose.	3	Purchase Price \$17,813.39 LTD M&R Price \$8,929.71 50% of Purchase Cost per mile \$.13	
Have warranties expired?	yes	☐ Check if general overall condition can defer vehicle replacement	
Total Points	28	(Shop Supervisor approval required)	
28 + points	X	Needs immediate replacement	
23-27 points		Condition is borderline	
18-22 points		Condition is fair/good	
Under 18 points		Condition is good/excellent	

Budget shows \$27,000.00
 Replacement cost is \$29,000.00



305-PUBLIC SAFETY VEHICLE AND EQUIPMENT FUND

CAPITAL PROJECT DETAIL

PROJECT TITLE

Vehicle Replacement-Public Safety

PROJECT#

305VEH

CATEGORY

Vehicle Replacement

FUND

305-Public Safety Vehicle & Equipment Fund

PROJECT LOCATION

Police Department

MANAGEMENT

Police

PROJECT SCOPE

Annual Vehicle Replacement Program

JUSTIFICATION

Replacement of Police Vehicles on the following schedule: Patrol every seven years; Special Unit every ten years; Motorcycles every 4 years

PROJECT COST METHODOLOGY**EXPENDITURE**

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Police Vehicles	405,000	405,000	405,000	405,000	405,000	2,025,000	0
Total	405,000	405,000	405,000	405,000	405,000	2,025,000	0

REVENUE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Property Taxes-Public Safety	405,000	405,000	405,000	405,000	405,000	2,025,000	0
Total	405,000	405,000	405,000	405,000	405,000	2,025,000	0

Reserved for future use



Reserved for future use



Reserved for future use



Reserved for future use



Reserved for future use



Reserved for future use



Reserved for future use



Reserved for future use



308-TRANSPORTATION FUND

CAPITAL PROJECT DETAIL

PROJECT TITLE

Neighborhood Traffic Calming

PROJECT#

308234

CATEGORY

Transportation

FUND

308-Transportation

PROJECT LOCATION

Citywide

MANAGEMENT

Engineering

PROJECT SCOPE

Installation of traffic calming devices on neighborhood streets as part of neighborhood traffic calming program

JUSTIFICATION

The issue of installing traffic calming measures within the City has been the topic of discussion in recent years. The basis of a neighborhood traffic calming program was presented to the City Commission that utilized a combination of mainly physical measures to reduce the negative effect of motorized vehicle use and improve conditions for non-motorized street users. Traffic calming measures have inherent advantages including the reduction of speed, increased safety, reduction of cut-through traffic, and enhancement of the street environment. The traffic calming program will produce candidate streets on a yearly basis through priority data analysis.

The issue of installing traffic calming measures within the City has been the topic of discussion in recent years.

PROJECT COST METHODOLOGY

Based on recent construction projects

<u>EXPENDITURE</u>	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Traffic Calming Measures	50,000	50,000	50,000	50,000	50,000	250,000	0
Total	50,000	50,000	50,000	50,000	50,000	250,000	0

<u>REVENUE</u>	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Property Taxes - Transportation	50,000	50,000	50,000	50,000	50,000	250,000	0
Transportation Fund Balance	0	0	0	0	0	0	0
Total	50,000	50,000	50,000	50,000	50,000	250,000	0

City of Ormond Beach
4/22/2021

Traffic Calming Radar Feedback Signs

Project Notes: Estimate is for construction and installation of Radar Feedback signs on individual streets. The traffic calming program will produce candidates for these signs on a yearly basis.

Probable Cost - Per Street

Construction

Item No.	Description	Estimated Quantity	Unit	Unit Price	Item Price
1	Mobilization/ Demobilization (~5%)	1	LS	\$676.25	\$676
2	Radar Feedback signs	2	EA	\$4,450.00	\$8,900
3	Installation	1	LS	\$2,225.00	\$2,225
4	Additional Signage	1	LS	\$500.00	\$500
5	Electric	1	LS	\$600.00	\$600
6	Restoration	1	LS	\$500.00	\$500
7	Permitting and fees	1	LS	\$0.00	\$0
8	Maintenance of Traffic	1	LS	\$800.00	\$800

Construction \$14,201

Construction Budget \$15,000
Each Street

City of Ormond Beach
4/22/2021

Traffic Calming Speed Tables

Project Notes: Estimate is for construction and installation of speed tables on individual streets. The traffic calming program will produce candidates for these speed tables on a yearly basis.

Project Probable Cost - Per Street

Construction

Item No.	Description	Estimated Quantity	Unit	Unit Price	Item Price
1	Mobilization/ Demobilization (~5%)	1	LS	\$552.50	\$553
2	Speed Tables	4	EA	\$1,950.00	\$7,800
3	Installation	1	LS	\$1,950.00	\$1,950
4	Additional Signage	1	LS	\$500.00	\$500
5	Electric	1	LS	\$0.00	\$0
6	Restoration	1	LS	\$0.00	\$0
7	Permitting and fees	1	LS	\$0.00	\$0
8	Maintenance of Traffic	1	LS	\$800.00	\$800

Construction \$11,603

Construction Budget \$12,000
Each Street

QUOTATION

Contact:

Phone:

Email:

City of Ormond Beach

22 S. Beach Street

Ormond Beach, Florida 32174

Shipping Address:

Standard Features (Included)

- Prices Shown include - Required Adhesive, Bolts and Anchors (Specified as 4" or 7")
- Color and Markings as Indicated

Special Notes

Quote Line Items – All Prices shown are in \$USD

Product	Product Code	Quantity	Sales Price	Discount	Total Price
Rubber products 7" Bolts and Anchors (Included with Product Purchase ONLY)	Rubber 7" Bolts and Anchors (Included with Product Purchase ONLY)	1.00000	\$0.00	\$0.00	\$0.00
400mL 1:1 dispenser - Applicator Gun	PU-APGUN	1.00000	\$65.00	\$0.00	\$65.00
Speed Cushion 10.5 Feet x 9 Feet x 3" - 4 Arrows	SC-1050903-4A	1.00000	\$1,530.00	\$0.00	\$1,530.00

Totals

Subtotal	\$1,595.00
Freight	\$355.00
Grand Total	\$1,950.00

Terms: 1% - 10 Days - Net 30 We also accept: MC - VISA - AMEX

IF TAX EXEMPT: Please Provide Tax Exempt Certificate with Order

Delivery Requirements

Please Indicate the availability of the following as this determines the freight costs:

1. Do You have a Loading Dock? - Yes/No
2. Do you have a Fork Lift and Pallet Jack to unload? - Yes/No
3. Can access be gained by a 53 foot truck for delivery? - Yes/No
4. Is the delivery address a Construction site? - Yes/No
5. Is the delivery address a Military site? - Yes/No
6. If shipping to Military site, is a U.S. Driver required? - Yes/No

Quote Acceptance Information

Signature _____

Name _____

Title _____

Date _____

Thank you for choosing Traffic Logix. Please sign and return to:

jpainter@trafficlogix.com

John Painter

Senior Account Manager

866-915-6449

Please complete to set up new account: <https://trafficlogix.com/business-application-form/>

shawn.finley@ormondbeach.org

- [Edit Profile](#)
- [My Solutions](#)
- [Add New Solution](#)
- [Logout](#)

Update - *Speed Cushion*

Width can be adjusted in 1.5 ft increments

Length can be adjusted in 3.5 ft increments

Solution name *

Address

City

State

Zip

Country

Street width * (ft)

Number of lanes *

Solution type * ▼

Number of cushions

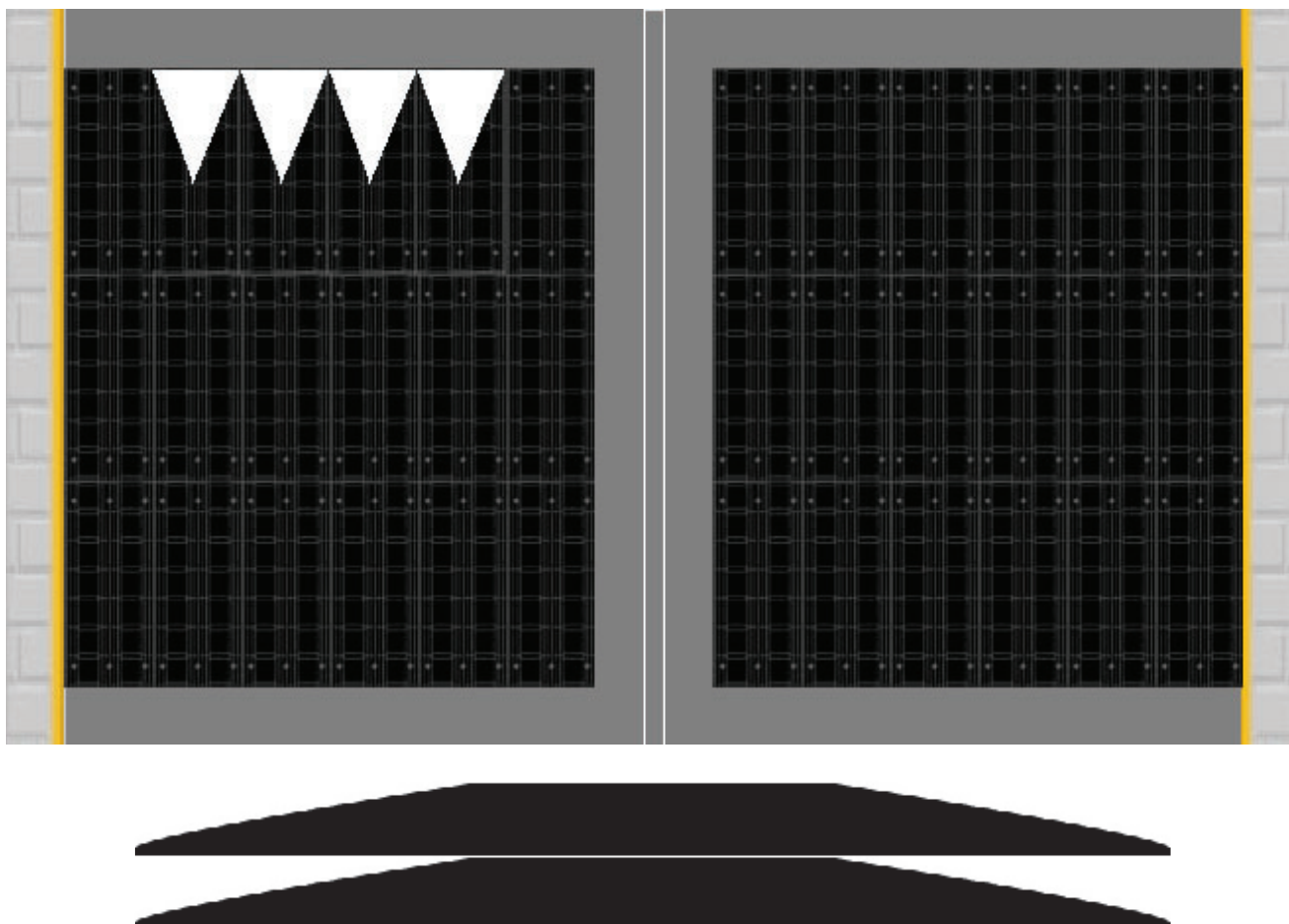
☒ Same width

Cushion width (ft)

Cushion length (ft)

Cushion 1 markings ▼

Cushion 2 markings ▼

[Back](#)[Save](#)[Email your configuration to us for a quote](#)**FINAL CONFIGURATION**

# Units	Product #	Length (in)	Width (in)	Height (in)	Weight (lb.)
12	MSH03-B	42	18	0 - 3	50
4	LSH03-B	42	18	0 - 3	48
4	RSH03-B	42	18	0 - 3	48
8	MSH33-B	42	18	3 - 3	75
2	LSH33-B	42	18	3 - 3	68
2	RSH33-B	42	18	3 - 3	68
4	MSH03-A	42	18	0 - 3	50



3001 Orange Avenue
Fort Pierce, FL 34947

Quote
EST-002602

Bill To
City of Ormond Beach
P.O. BOX 277
ORMOND BEACH, FL 32074

Estimate Date : 04.15.20

Primary Contact : Shawn Finley

Ship To
501 N. ORCHARD STREET
ORMOND BEACH, FL 32174

Delivery Preference : None

#	Item & Description	BIN #	Qty	Rate	Amount
1	Evolution 11" Digit - AC - Incl. Strobe, Bluetooth, Data - modem + 12 month network access to cloud SKU : NEV11EYL-AC Data Collection would be an additional \$500 per year. First year included in this price.	N/A	1.00 EA	4,450.00	4,450.00
2	Pole Package, 13' x 4.5" OD, includes: Pole, Base, 18" J-Bolts SKU : N101919-18		1.00 EA	0.00	0.00
3	Cap, 4.5" OD Pole, 4C Cap Signal SKU : N203-00010		1.00 EA	0.00	0.00
Sub Total					4,450.00
FL STATE TAX (6%)					0.00
FL COUNTY TAX (0.5%)					0.00
Total					\$4,450.00

Notes

** Estimated completion is +/- 6 weeks
** No bid foundation, installation, and additional items not listed above.
** Full freight included.

We are looking forward to your business. If you have any questions, please do not hesitate to contact us by phone at 1-800-432-0331 or by email at office@universalsignsfl.com
For issues with orders, please forward concerns to support@universalsignsfl.com. For further pricing requests and inquiries, please route your questions to sales@universalsignsfl.com

Terms & Conditions

** Remit payment to:
FEI: 59-1053866

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11` RADAR SIGNS



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SAFEPACE EVOLUTION 11

Compact Entry-Level Speed Sign

The compact SafePace® Evolution 11 sign offers lightweight entry-level speed display for private communities or local roads. The economical sign offers remarkable power efficiency and quick, easy installation.

Features:

- 1 Year cloud connectivity included
- Compact sign with smaller 11" digits
- Affordable pricing
- Static Your Speed message
- Lightweight, compact design
- Energy efficient power options
- Diamond-grade sheeting available
- Strobe activation/deactivation available

CAPITAL PROJECT DETAIL

PROJECT TITLE

Railroad Crossing

PROJECT#

308123

CATEGORY

Transportation

FUND

308-Transportation

PROJECT LOCATION

Various

MANAGEMENT

Engineering

PROJECT SCOPE

Reconstruction of the railroad crossings by the Florida East Coast Railroad

JUSTIFICATION

The City through an agreement with the Florida East Coast Railroad (FEC) for roadway crossings of the railway is required to fund the railroad crossing improvements as identified by the FEC. Average costs for repairs average around \$100,000. FEC does not have a planned improvement program that they are able to provide.

PROJECT COST METHODOLOGY

Estimated amount from previous years. Cost varies depending of number of lanes and work to be done

EXPENDITURE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Railroad Crossing	100,000	100,000	100,000	100,000	0	400,000	0
Total	100,000	100,000	100,000	100,000	0	400,000	0

REVENUE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Property Taxes - Transportation	100,000	100,000	100,000	100,000	0	400,000	0
Transportation Fund Balance	0	0	0	0	0	0	0
Total	100,000	100,000	100,000	100,000	0	400,000	0

CAPITAL PROJECT DETAIL

PROJECT TITLE

Road Rehabilitation

PROJECT#

308225

CATEGORY

Transportation

FUND

308-Transportation

PROJECT LOCATION

Various

MANAGEMENT

Engineering

PROJECT SCOPE

Resurfacing of City streets as part of an on-going maintenance policy in order to prevent street deterioration and excessive reconstruction costs.

JUSTIFICATION

The results of a 1995 survey of City residents regarding their satisfaction with City services indicated that street repair was the lowest rated City service.. In addition, based on the level of funding that existed prior to 1997, the backlog of resurfacing would continue to increase and the condition of local roads would deteriorate further to the point where reconstruction would be necessary at an average cost of \$1,367,000 per mile rather than \$170,000 per mile for resurfacing.

In FY 2017 the City began using Microsurfacing and other Pavement preservation techniques. Microsurfacing results in a final product indistinguishable from traditional mill and resurface with asphalt but comes at a cost on 60,000 per mile, a nearly 65% cost savings. If the microsurfacing project proves to be successful, the City will be able to rehabilitate more roadways for the same amount of money.

Consequently, a comprehensive road improvement plan with dedicated funding source was developed and approved by the City Commission. The road improvement program is intended to reduce the projected road improvement backlog to a manageable level and protect the City's 187-mile road network that is valued at \$51 million.

PROJECT COST METHODOLOGY

Estimates are base upon unit pricing from recent bids of similar roadway resurfacing project within the City.

<u>EXPENDITURE</u>	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
2022 Roadway resurfacing	600,000	0	0	0	0	600,000	0
2022 Roadway Microsurfacing	150,000	0	0	0	0	150,000	0
2023 Roadway resurfacing	0	600,000	0	0	0	600,000	0
2023 Roadway Microsurfacing	0	150,000	0	0	0	150,000	0
2024 Roadway resurfacing	0	0	600,000	0	0	600,000	0
2024 Roadway Microsurfacing	0	0	150,000	0	0	150,000	0
2025 Roadway Resurfacing	0	0	0	600,000	0	600,000	0
2025 Roadway Microsurfacing	0	0	0	150,000	0	150,000	0
2026 Roadway Resurfacing	0	0	0	0	600,000	600,000	0
2026 Roadway Microsurfacing	0	0	0	0	150,000	150,000	0

CAPITAL PROJECT DETAIL

PROJECT TITLE

PROJECT#

Road Rehabilitation

308225

2021 Roadway Microsurfacing	0	0	0	0	0	0	0
2021 Roadway resurfacing	0	0	0	0	0	0	0
Total	750,000	750,000	750,000	750,000	750,000	3,750,000	0

REVENUE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Property Taxes - Transportation	400,000	400,000	400,000	400,000	400,000	2,000,000	0
Local Option Gas Tax	350,000	350,000	350,000	350,000	350,000	1,750,000	0
Total	750,000	750,000	750,000	750,000	750,000	3,750,000	0

Roadway Resurfacing Schedule for FY 2021-2025

Year	Name	FrSegment	ToSegment	Length	REPAIR COST
2021-2022	FOXFORDS CHASE	SHADOW CROSSINGS BLVD	CUL-DE-SAC	1912	\$ 71,268.06
2021-2022	PARK PL	HAND AVE	PARK PLACE WEST	1247	\$ 41,826.46
2021-2022	PARK PLACE WEST	PARK PL	CUL-DE-SAC	680	\$ 29,016.74
2021-2022	PARK TER	PARK PLACE WEST	CUL-DE-SAC	230	\$ 13,691.39
2021-2022	AIRPORT RD	TYMBER CREEK RD	LEEWAY TRL	2159	\$ 68,968.06
2021-2022	ORMOND LAKES BLVD	JOLYNN DR	WILD CAT LN	1811	\$ 98,347.36
2021-2022	FOREST HILLS BLVD	VANDERBILT DR.	FERNWAY DR	1036	\$ 33,091.25
2021-2022	BUSINESS CENTER DR	N US 1	SOUTHLAND RD	2050	\$ 101,503.47
2021-2022	WILMETTE AVE	N. YONGE ST	N. RIDGEWOOD AVE	1364	\$ 43,572.22
2021-2022	ORMOND SHORES DR	S. ATLANTIC AVE	DEAD END	367	\$ 11,723.61
2021-2022	SEMINOLE DR	SR 40	CITY LIMIT	128	\$ 4,088.89
2021-2022	HUNTSMAN LOOK	FOXHUNTER FLAT	SHADOW CROSSINGS BLVD	1386	\$ 48,702.50
2021-2022	CLIFFSIDE DR	ORMOND LAKES BLVD	DEERSKIN LN	1155	\$ 38,740.63
Total				15525	\$604,540.63
2022-2023	ORMOND LAKES BLVD	WILD CAT LN	PINE TREE DR	2554	\$ 122,379.17
2022-2023	HOLLYRIDGE TRL	MAIN TRL	CUL-DE-SAC	238	\$ 13,946.94
2022-2023	SOUTHERN TRACE BLVD	BOOTH RD	CUL-DE-SAC	1097	\$ 42,140.39
2022-2023	CHARDON RD	BILTMORE DR	FERNWAY DR	600	\$ 19,166.67
2022-2023	FOXHUNTER FLAT	FOXFORDS CHASE	HUNTSMAN LOOK	1766	\$ 56,413.89
2022-2023	WATER OAK LN	SR 40	GREENBRIAR AVE	285	\$ 13,656.25
2022-2023	ORMOND PKWY	S. ATLANTIC AVE	RIVERSIDE DR	2860	\$ 91,361.11
2022-2023	SANCHEZ AVE	MCINTOSH RD	N. YONGE ST	1000	\$ 31,944.44
2022-2023	ORMOND GREEN BLVD	AIRPORT RD	GREENVALE DR	1710	\$ 57,356.25
2022-2023	OCEAN PINES DR	AIRPORT RD	PINE TRAIL CIR	1890	\$ 63,393.75
2022-2023	TIMBERLINE TRL	MAIN TRAIL	TIMBERLINE TRL	543	\$ 17,345.83
2022-2023	JOLYNN DR	ORMOND LAKES BLVD	CUL-DE-SAC	439	\$ 19,496.57
2022-2023	LAKEBLUFF DR	CLIFFVIEW LN	CAMP M'CRAE	1020	\$ 35,841.67
Total				16002	\$584,442.93
2023-2024	CHINA MOON DR	COQUINA POINT DR	COQUINA POINT DR	1625	\$ 54,505.21
2023-2024	OAK AVE	SR 40	DEAD END	1325	\$ 42,326.39
2023-2024	PLAZA GRANDE	S. BEACH ST	CORDOVA AVE	885	\$ 28,270.83
2023-2024	COLINA PL	FIESTA DR	PINION CIR	1000	\$ 31,944.44
2023-2024	SADDLE CREEK TRL	S. FORTY TRL	CLYDE MORRIS BLVD	1057	\$ 40,518.33
2023-2024	FOXCROFT RUN	ASHTON LOOK	CAMBRIDGE TRACE	2042	\$ 65,230.56
2023-2024	SAWTOOTH LN	OLD TOMOKA RD	SOUTHERN PINE TRL	1100	\$ 36,895.83
2023-2024	CROSSINGS TRL	CLYDE MORRIS BLVD	CUL-DE-SAC	835	\$ 38,713.47
2023-2024	E RIDGEWOOD AVE	LORILLARD AVE	ARROYO PKWY	710	\$ 22,680.56
2023-2024	DEER LAKE DR	SR 40	DEER LAKE CIR	322	\$ 15,429.17
2023-2024	ROGERS PARK DR	S. RIDGEWOOD AVE	SYLVANIA PL	673	\$ 21,498.61
2023-2024	S. RIDGEWOOD AVE	LORILLARD PL	ARROYO PKWY	971	\$ 31,018.06
2023-2024	MARSH RIDGE WATCH	SHADOW CROSSINGS BLVD	CUL-DE-SAC	171	\$ 13,132.36
2023-2024	PINION CIR	FIESTA DR.	CUADRO PLACE	2000	\$ 63,888.89
2023-2024	COQUINA POINT DR	CLYDE MORRIS BLVD	CUL-DE-SAC	2418	\$ 87,312.15
Total				17134	\$593,364.86
2024-2025	ROCKY BLUFF DR	ORMOND LAKES BLVD	LAKEBLUFF DR	1386	\$ 53,130.00
2024-2025	SHERRINGTON DR	ORMOND LAKES BLVD	ORMOND LAKES BLVD	1170	\$ 39,243.75
2024-2025	WANDERING OAKS DR	PARKSIDE DR	BROOKSIDE DR	2000	\$ 63,888.89
2024-2025	S. CENTER ST	TOMOKA AVE	SANDY OAKS BLVD	800	\$ 25,555.56
2024-2025	GOWERS ST	N US 1	FLAGLER RD	405	\$ 12,937.50
2024-2025	STRATFORD PL	HAND AVE	CUL-DE-SAC	1127	\$ 46,594.17

2024-2025	WINDSAIL CIR	HAMMOCK LN	CUL-DE-SAC	412	\$ 19,505.28
2024-2025	WINDING WOODS TRL	SR 40	CUL-DE-SAC	1600	\$ 51,111.11
2024-2025	LA COSTA CT	RIVER BLUFF DR	CUL-DE-SAC	180	\$ 10,575.21
2024-2025	CASTILLA ST	US1	PLAZA GRANDE	900	\$ 25,875.00
2024-2025	GREY DAPPLE WAY	PERUVIAN LN	GREY DAPPLE WAY	2324	\$ 74,238.89
2024-2025	COBBLESTONE TRL	RIO PINAR TRL	CUL-DE-SAC	412	\$ 17,818.61
2024-2025	WHIPPER-IN CIR	FOXFORDS CHASE	CUL-DE-SAC	256	\$ 15,723.06
2024-2025	ROCKY CREEK TRL	MAIN TRL	CUL-DE-SAC	531	\$ 23,306.67
2024-2025	DEERSKIN LN	CLIFFSIDE DR	E & W CUL-DE-SACS	790	\$ 31,843.10
2024-2025	NOCOROCO CT	INDIAN HEAD DR	CUL-DE-SAC	246	\$ 11,769.05
2024-2025	BLOCKHOUSE CT	ORMOND LAKES BLVD	CUL-DE-SAC	1220	\$ 44,719.75
2024-2025	KIM CT	WINDING WOODS TRL	CUL-DE-SAC	300	\$ 9,583.33
2024-2025	BUTTERNUT CIR	WOODLAND BLVD	CUL-DE-SAC	400	\$ 12,777.78
Total				16459	\$590,196.69

2025-2026	GREENVALE DR	PRAIRIEVIEW LN	DEAD END	800	\$ 25,555.56
2025-2026	CHARLESTON SQ	FLEMING AVE	FLEMING AVE	1680	\$ 53,666.67
2025-2026	RIVERVIEW DR	S. RIDGEWOOD AVE	S. BEACH ST	1234	\$ 37,448.47
2025-2026	SHERBOURNE WAY	WANDERING OAKS DR	OVERBROOK DR	246	\$ 7,858.33
2025-2026	SHELLEY WAY	WINDING WOODS TRL	MARJORIE TRL	400	\$ 12,777.78
2025-2026	TARA PL	CHARLESTON SQ	CHARLESTON SQ	670	\$ 21,402.78
2025-2026	ANDALUSIA AVE	DIVISION AVE	HAND AVE	1320	\$ 42,166.67
2025-2026	MARJORIE TRL	WINDING WOODS TRL	CUL-DE-SAC	1600	\$ 51,111.11
2025-2026	MAGNOLIA DR	VALENCIA DR	VALENCIA DR	1724	\$ 55,072.22
2025-2026	NORTHSIDE DR	OAKBROOK DR	EDGEWOOD WAY	2800	\$ 89,444.44
2025-2026	CHOCTAW TRL	IROQUOIS TRL (NE)	IROQUOIS TRL	1615	\$ 54,169.79
2025-2026	LAKEBLUFF DR	ORMOND LAKES BLVD	CLIFFVIEW LN	920	\$ 32,327.78
2025-2026	HIGHWOOD RIDGE TRL	HUNTERS RIDGE BLVD	CUL-DE-SAC	590	\$ 26,127.36
2025-2026	HUNTERS RIDGE BLVD	SHADOW CROSSINGS BLVD	END ROAD @ BUCKTHORN LC	1060	\$ 50,791.67
2025-2026	S. ARBOR DR	S. BEACH ST	S. RIDGEWOOD AVE	1290	\$ 39,147.92
Total				17949	\$599,068.54

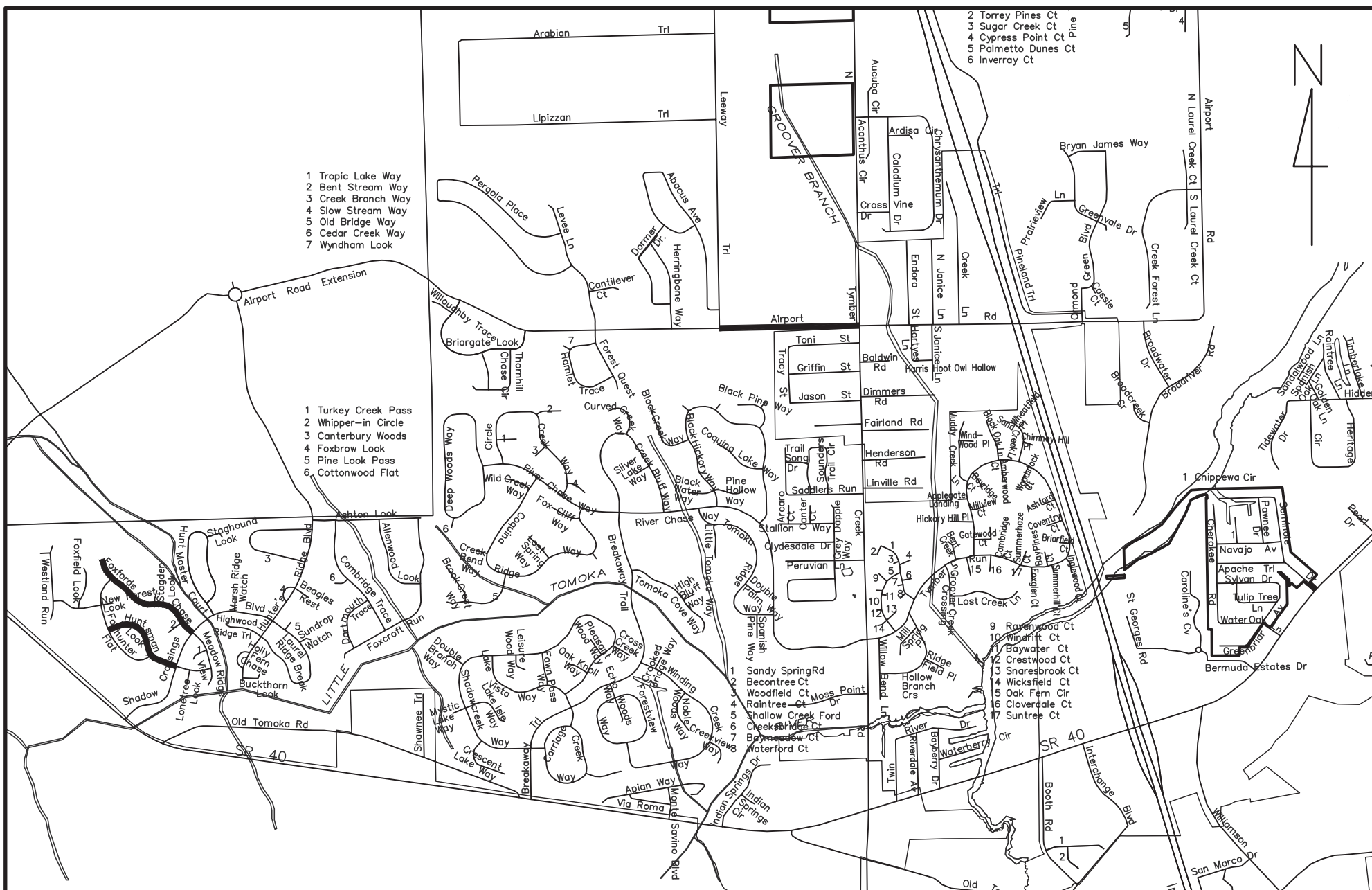
Roadway Microsurfacing Schedule for FY 2021-2025

2021-2022	THOMPSON CREEK RD	W. GRANADA BLVD	LINCOLN AVE	821	\$ 9,329.55
2021-2022	N SAINT ANDREWS DR	TOMOKA OAKS BLVD	EAGLE DR	6200	\$ 70,454.55
2021-2022	TOMOKA OAKS BLVD	N. NOVA RD	TOMOKA OAKS COUNTRY CL	800	\$ 9,090.91
2021-2022	CORBIN AVE	S. RIDGEWOOD AVE	CITY HALL	809	\$ 9,193.18
2021-2022	WILMETTE AVE	N. RIDGEWOOD AVE	N. BEACH ST	1131	\$ 12,852.27
2021-2022	LINCOLN AVE	N. ORCHARD ST	N. YONGE ST	2260	\$ 25,681.82
Total				12021	\$136,602.27

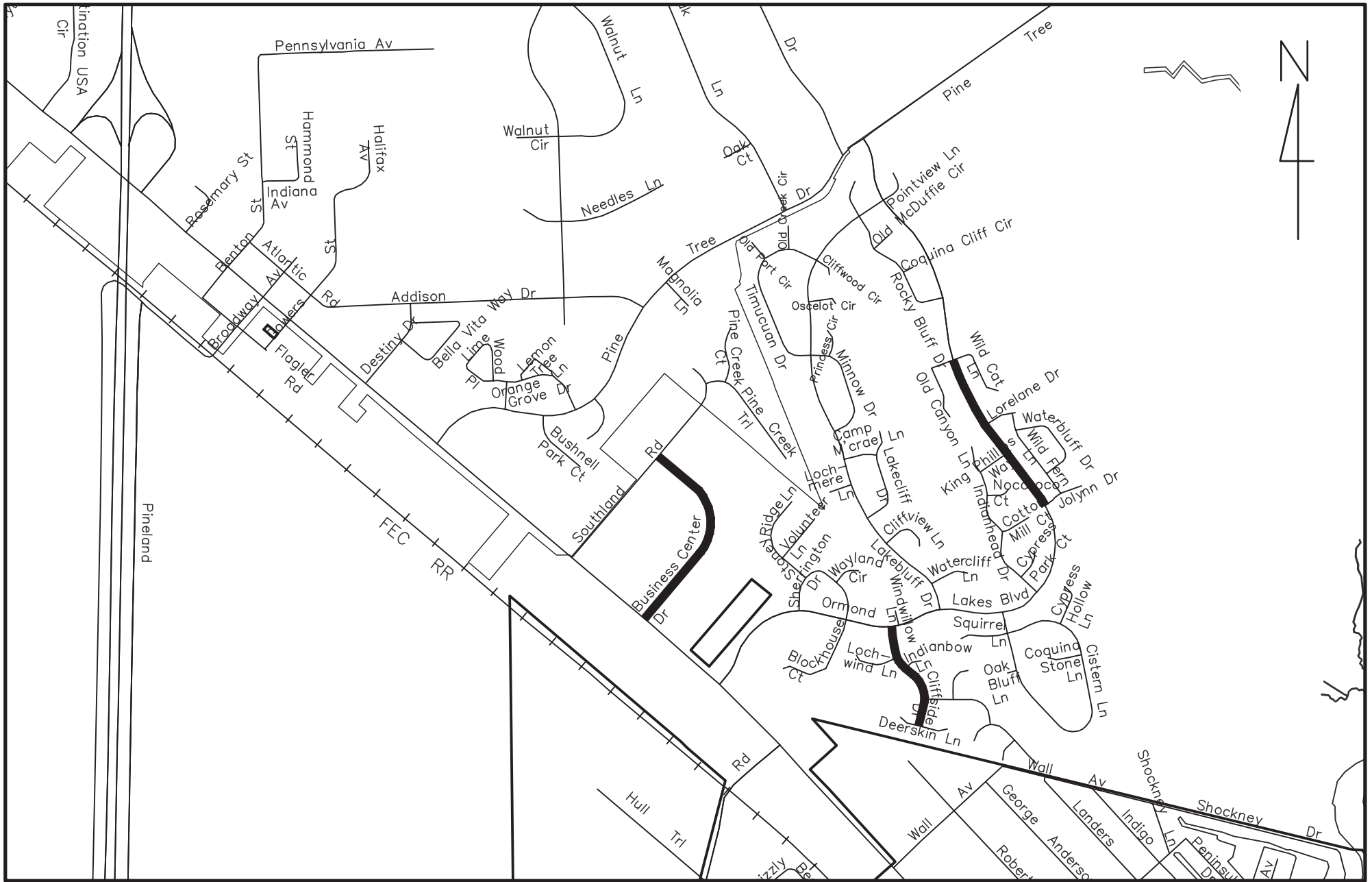
2022-2023	HULL RD	N. US 1	SPORTS COMPLEX	3600	\$ 40,909.09
2022-2023	DEER LAKE RD	DEER LAKE CIR	SCOTT DR	214	\$ 2,431.82
2022-2023	KING EDWARD DR	S. KINGS RD	QUEEN ANN CT	477	\$ 5,420.45
2022-2023	PARQUE DR	HAND AVE	FLEMING AVE	1400	\$ 15,909.09
2022-2023	SOUTHWIND DR	N. HALIFAX DR	ELLCOTT DR	565	\$ 6,420.45
2022-2023	OAK GROVE ST	ROYAL PALM AVE	WINDWARD LN.	400	\$ 4,545.45
2022-2023	WILLIS DR	S. HALIFAX DR	RIVERSIDE DR	600	\$ 6,818.18
2022-2023	ROBLE LN	SANDY OAKS BLVD	HAMMOCK LN	644	\$ 7,318.18
2022-2023	E VICTORIA CIR	LAUREL DR	LAUREL DR	960	\$ 10,909.09
2022-2023	ASTON CIR	FLEMING AVE	FLEMING AVE	1355	\$ 15,397.73
2022-2023	PARK RIDGE WAY	S. CENTER ST	PARKVIEW LN	1558	\$ 17,704.55
2022-2023	W VICTORIA CIR	LAUREL DR	LAUREL DR	730	\$ 8,295.45
2022-2023	CARDINAL DR	S. ATLANTIC AVE	FLAMINGO DR	493	\$ 5,602.27
Total				12996	\$147,681.82

2023-2024	MEADOW RIDGE VIEW	MEADOW RIDGE VIEW	SHADOW XINGS AT FOXFORD	645	\$	7,328.41
2023-2024	N ORCHARD ST	W. GRANADA BLVD	WILMETTE AVE	2500	\$	28,409.09
2023-2024	JOHN ANDERSON DR	SR 40	NEPTUNE AVE	3689	\$	41,920.45
2023-2024	BOOTH RD	SR 40	OLD TOMOKA RD	2116	\$	24,045.45
2023-2024	NEPTUNE AVE	N. HALIFAX DR	OCEAN SHORE BLVD	2000	\$	22,727.27
2023-2024	BRAMBLEWOOD LN	WHIPPOORWILL LN	HIDDEN HILLS DR	600	\$	6,818.18
2023-2024	BUCKEYE RD	CHARDON RD	MILITARY BLVD	800	\$	9,090.91
2023-2024	FLAGLER RD	BENTON ST	GOWERS ST	844	\$	9,590.91
Total				13194	\$	\$149,930.68
2024-2025	MEADOW RIDGE VIEW	SHADOW XINGS AT HUNTSMAN	MEADOW RIDGE VIEW	550	\$	6,251.14
2024-2025	WILMETTE AVE	N. CENTER ST	F.E.C. RR	1993	\$	22,647.73
2024-2025	SOUTH FORTY TRL	SR 40	CLYDE MORRIS BLVD	1157	\$	13,147.73
2024-2025	LAKEBLUFF DR	CAMP MCRAE LN	ORMOND LAKES BLVD	3086	\$	35,068.18
2024-2025	OAK FOREST DR	SANTA LUCIA AVE	N. BEACH ST	2400	\$	27,272.73
2024-2025	N PERROTT DR	W. GRANADA BLVD	LINCOLN AVE	1200	\$	13,636.36
2024-2025	N RIDGEWOOD AVE	DOMICILIO AVE	SANCHEZ AVE	2485	\$	28,238.64
Total				12871	\$	\$146,262.50
2025-2026	SPANISH OAK LN	RAINTREE LN	HIDDEN HILLS DR	795	\$	9,034.09
2025-2026	BONITA PL	PINION CIR	FIESTA DR	1000	\$	11,363.64
2025-2026	ROYAL PALM AVE	N. HALIFAX DR	WINDWARD CIR	655	\$	7,443.18
2025-2026	FIR ST	HAND AVE	DIVISION AVE	1311	\$	14,897.73
2025-2026	SANDPIPER LN	650' WEST OF KNOLLWOOD	BRAMBLE WOOD LN	350	\$	3,977.27
2025-2026	LINCOLN AVE	N. YONGE ST.	N. RIDGEWOOD AVE	1260	\$	14,318.18
2025-2026	HAND AVE	S. YONGE ST	S. RIDGEWOOD AVE	1200	\$	13,636.36
2025-2026	HARVARD DR	RIVERSIDE DR	S. ATLANTIC AVE	2204	\$	25,045.45
2025-2026	ORMOND LAKES BLVD	LAKEBLUFF DR	JOLYNN DR	2053	\$	23,329.55
2025-2026	PINE ST	DIVISION AVE	HAND AVE	1317	\$	14,965.91
Total				12145	\$	\$138,011.36

FY 2021 ROADWAY RESURFACING



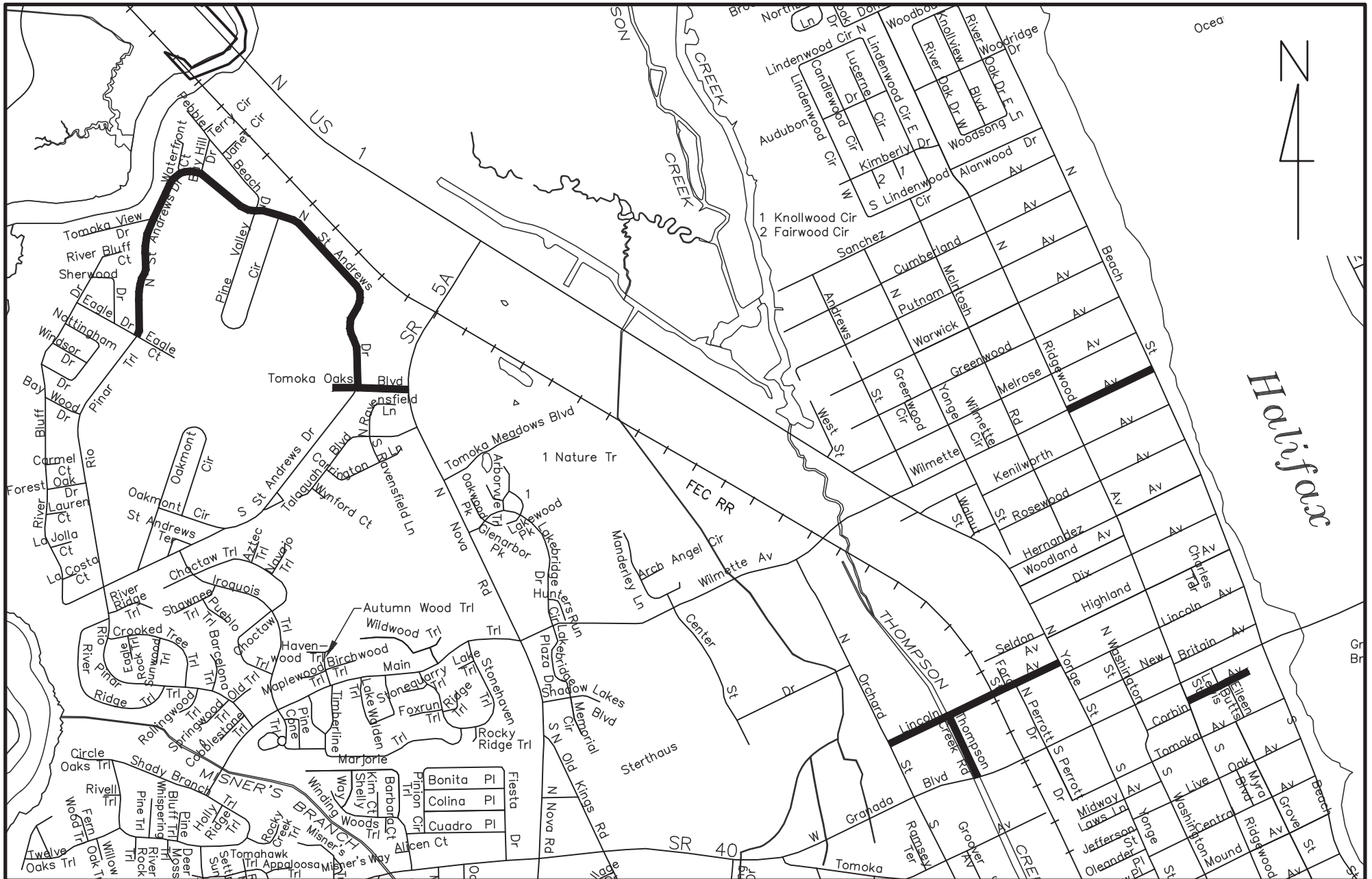
FY 2021 ROADWAY RESURFACING



FY 2021 ROADWAY RESURFACING



FY 2021 ROADWAY MICROSURFACING



CAPITAL PROJECT DETAIL

PROJECT TITLE

Street Light Maintenance

PROJECT#

308125

CATEGORY

Transportation

FUND

308-Transportation

PROJECT LOCATION

Nova Road

MANAGEMENT

Engineering

PROJECT SCOPE

Painting of the faded or damaged city-maintained street lights on Nova Road.

JUSTIFICATION

With the reconstruction of Nova Road, green painted street light posts were included as part the project at the City's request. Maintenance of these light posts will be required to prevent against corrosion and normal wear. 109 light posts were installed along the roadway corridor. This project paints the poles over a four year period beginning with those most recently painted in January 2013.

PROJECT COST METHODOLOGY

Quote of \$2,100.00 per pole

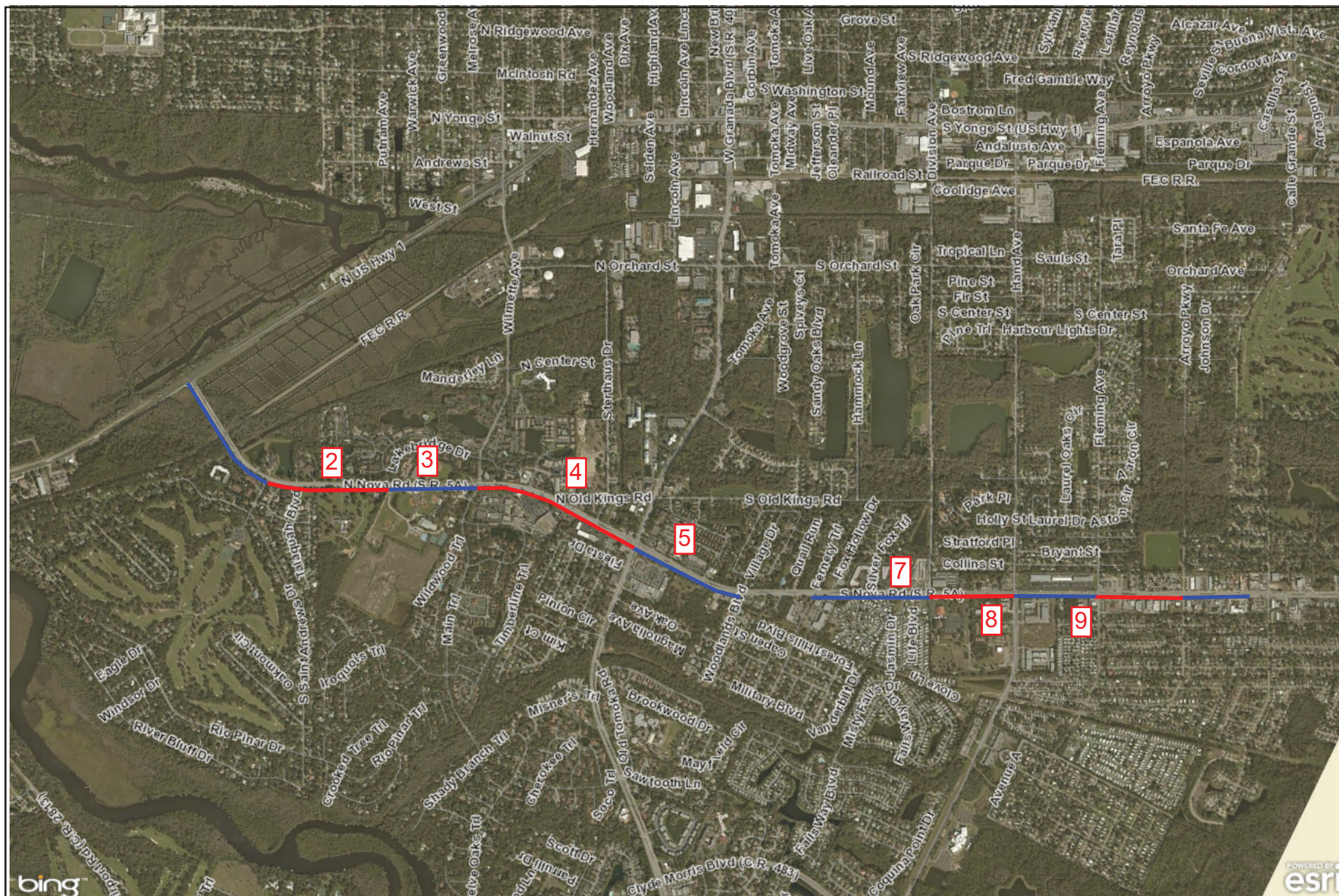
EXPENDITURE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Street Light Maintenance	24,000	23,000	22,000	16,940	0	85,940	0
Total	24,000	23,000	22,000	16,940	0	85,940	0

REVENUE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Property Taxes - Transportation	24,000	23,000	22,000	16,940	0	85,940	0
Total	24,000	23,000	22,000	16,940	0	85,940	0

Nova Road Street Light Maintenance



2,524 ft

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Street Light Maintenance

Nova Road

Segment From	Segment To	Number	Cost Per Pole	Cost Per Segment	YR
1 US 1	Tomoka Oaks	11	\$ 700.00	\$ 7,700.00	2021/2022
2 Tomoka Oaks	Nova Rec - N	11	\$ 700.00	\$ 7,700.00	2021/2022
3 Nova Rec - N	Main Trail	8	\$ 700.00	\$ 5,600.00	2021/2022
4 Main Trail	West Granada	17	\$ 700.00	\$ 11,900.00	2022/2023
5 West Granada	Woodlands	12	\$ 700.00	\$ 8,400.00	2022/2023
6 Woodlands	Moreland Blvd	7	\$ 700.00	\$ 4,900.00	2023/2024
7 Moreland Blvd	Division	12	\$ 700.00	\$ 8,400.00	2023/2024
8 Division	Hand	9	\$ 700.00	\$ 6,300.00	2023/2024
9 Hand	Flemming	9	\$ 700.00	\$ 6,300.00	2024 / 2025
10 Flemming	Arroyo Pkwy	8	\$ 700.00	\$ 5,600.00	2024 / 2025
11 Arroy Pkwy	So. City Limits	5	\$ 700.00	\$ 3,500.00	2024 / 2025

	2021/2022	2022/2023	2023/2024	2024 / 2025
Segments	1 - 3	4-5	6 - 8	9 - 11
Cost	\$ 21,000.00	\$ 20,300.00	\$ 19,600.00	\$ 15,400.00
Permit / Engineering	\$ 2,100.00	\$ 2,030.00	\$ 1,960.00	\$ 1,540.00
Budget	\$ 24,000.00	\$ 23,000.00	\$ 22,000.00	\$ 16,940.00

Finley, Shawn

From: Edward Altaffer <ed@cdeconstructioninc.com>
Sent: Thursday, May 25, 2017 9:17 AM
To: MacDonald, Paul
Cc: Finley, Shawn
Subject: Light Poles
Attachments: Acrolon Ultra.pdf; Corothane Mio Aluminum.pdf

Good Morning Gentleman;

I was wondering if you have painted those 30 remaining light poles. Because I've landed some other work and have been able to reduce material costs. Plus have my own MOT crew I can get my price down to \$ 700.00 per pole using the following attached specifications.

Prime coat of Mio Aluminum
Top Coat Acrolon Ultra

Let me know if you are still interested in doing this project

Thanks

Edward W Altaffer
Vice President
CDE Construction, Inc.
727-639-7070

EEO COMPLIANCE STATEMENT: CDE Consturction, Inc., does not discriminate on the grounds of race, color, religion, sex, national origin, age or disability in the selection of employees and retention of subcontractors, including procurement of materials and leases of equipment.

CAPITAL PROJECT DETAIL

PROJECT TITLE

Traffic Signal Maintenance

PROJECT#

308115

CATEGORY

Transportation

FUND

308-Transportation

PROJECT LOCATION

City Wide

MANAGEMENT

Engineering

PROJECT SCOPE

Maintenance and upgrades to existing traffic signals to include repainting of traffic signals and other traffic control devices as needed on a City-wide basis. The attached schedule and map provides those intersections and the years for which maintenance has been assigned.

JUSTIFICATION

Normal wear and tear under extreme weather conditions requires refurbishing of these highly visible traffic signals to be required every 5-7 years. If regular maintenance including the painting of the mast arms is not performed, the mast arms are subject to corrosion and potential structural failure. The proposed schedule factors in the time since last painting and completes the current re-painting cycle. Signal not included as being painted in the upcoming four years were painted last year. Inspection of these signals this spring indicates that they are wearing well and will likely be able to make it to the later part of the expected 5 -7 year life cycle (Year 6). We will continue to evaluate them on a yearly basis and if necessary make adjustments.

PROJECT COST METHODOLOGY

Historic Bid Information

<u>EXPENDITURE</u>	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Signal Rehabilitation	75,000	80,000	75,000	75,000	75,000	380,000	0
Total	75,000	80,000	75,000	75,000	75,000	380,000	0

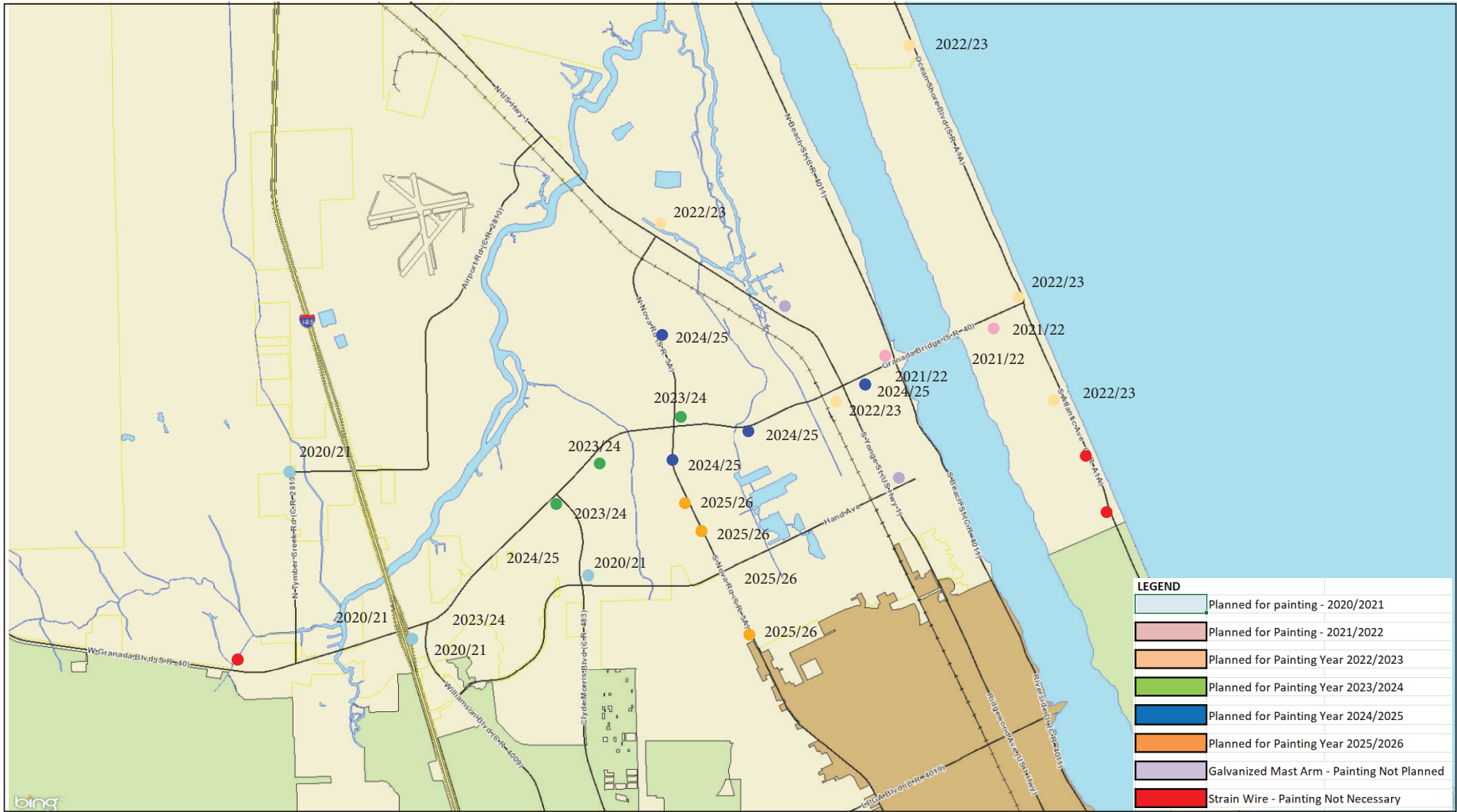
<u>REVENUE</u>	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Property Taxes - Transportation	75,000	80,000	75,000	75,000	75,000	380,000	0
Total	75,000	80,000	75,000	75,000	75,000	380,000	0

Mast Arm	Location		TOTAL COST	2020/2021	2021/2022	2022/2023	2023/2024	2024/2025	2025/2026	2026/2027	2027/2028
Structure #	Main Facility	Intersecting Facility		YR - 1	YR - 2	YR-3	YR-4	YR-5	YR-6	YR-7	YR-7
1	79M003	I-95 NB	SR-40(Granada Blvd)	\$ 20,081.60	\$ 20,081.60						
2	79M004	I-95 SB	SR-40(Granada Blvd)	\$ 20,081.60	\$ 20,081.60						
3	79M019	US-1/SR-5	Hand Ave.	\$ 15,145.90							
4	79M020	US-1/SR-5	Division Ave	\$ 22,130.90							
5	79M021	US-1/SR-5	Wilmette Ave.	\$ 12,705.00							
6	79M037	SR-5A/Nova Rd	Flemming Ave.	\$ 15,145.90					\$ 15,145.90		
7	79M038	SR-5A/Nova Rd	Hand Ave.	\$ 18,528.40					\$ 18,528.40		
8	79M039	SR-5A/Nova Rd	Division Ave	\$ 17,656.00					\$ 17,656.00		
9	79M040	SR-5A/Nova Rd	Woodlands Blvd.	\$ 20,119.00					\$ 20,119.00		
10	79M041	SR-5A/Nova Rd	Fire Station 92	\$ 13,769.00				\$ 13,769.00			
11	79M042	SR-5A/Nova Rd	SR-40(Granada Blvd)	\$ 20,119.00			\$ 20,119.00				
12	79M043	SR-5A/Nova Rd	Wilmette Ave.	\$ 18,256.00				\$ 18,256.00			
13	79M059	SR-600/SR-A1A	Fire Station 91	\$ 9,456.00		\$ 9,456.00					
14	79M060	SR-600/SR-A1A	SR-40(Granada Blvd)	\$ 11,550.00		\$ 11,550.00					
15	79M061	SR-600/SR-A1A	Neptune Ave.	\$ 13,394.00		\$ 13,394.00					
16	79M114	SR-40(Granada Blvd)	Seminole	\$ 16,844.00				\$ 16,844.00			
17	79M115	SR-40(Granada Blvd)	Orchard Street	\$ 11,550.00				\$ 11,550.00			
18	79M116	SR-40(Granada Blvd)	Ridgewood Ave.	\$ 10,244.00				\$ 10,244.00			
19	79M117	SR-40(Granada Blvd)	Beach Street	\$ 22,130.90	\$ 22,130.90						
20	79M118	SR-40(Granada Blvd)	John Anderson Dr.	\$ 22,130.90	\$ 22,130.90						
21	79M119	SR-40(Granada Blvd)	Halifax Dr.	\$ 22,130.90	\$ 22,130.90						
23		SR-40(Granada Blvd)	Main Trail/Old Tomoka	\$ 16,844.00			\$ 16,844.00				
24		SR-40(Granada Blvd)	Clyde Morris Blvd.	\$ 16,844.00			\$ 16,844.00				
25		SR-40(Granada Blvd)	Williamson Blvd.	\$ 20,119.00			\$ 20,119.00				
26		SR-5A/Nova Rd	US-1/SR-5	\$ 20,081.60		\$ 20,081.60					
27		Airport Road	Tymber Creek Rd.	\$ 20,081.60	\$ 20,081.60						
28		Clyde Morris Blvd.	Hand Avenue	\$ 18,528.40	\$ 18,528.40						
29		SR-40(Granada Blvd)	US-1/SR-5	\$ 22,130.90		\$ 22,130.90					
30		SR-40(Granada Blvd)	Breakaway Trails								
				\$ 487,798.50	\$ 78,773.20	\$ 66,392.70	\$ 76,612.50	\$ 73,926.00	\$ 70,663.00	\$ 71,449.30	\$ - \$ -

LEGEND

	Planned for painting - 2020/2021
	Planned for Painting - 2021/2022
	Planned for Painting Year 2022/2023
	Planned for Painting Year 2023/2024
	Planned for Painting Year 2024/2025
	Planned for Painting Year 2025/2026
	Galvanized Mast Arm - Painting Not Planned
	Strain Wire - Painting Not Necessary

Mast Arm Painting Schedule



4,405 ft



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CAPITAL PROJECT DETAIL

PROJECT TITLE

Sidewalk Repair and Replacement

PROJECT#**CATEGORY**

Transportation

FUND

308-Transportation

PROJECT LOCATION

Citywide

MANAGEMENT

Engineering

PROJECT SCOPE

Repair and Replace approximately 2,000 SY of City sidewalks both within Parks and along City streets

JUSTIFICATION

Damage to sidewalks both in parks and along public streets is a significant ongoing maintenance challenge. In 2020 public works recieved 97 work orders for over 2,000 square yards of sidewalk. Of that total approxiamtely 700 square yards was in City parks. This ongoing project seeks to repair sidewalk damage from tree roots, was well as normal wear and tear.

PROJECT COST METHODOLOGY

Cost based on construction costs received

EXPENDITURE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Streets Sidewalks	74,000	74,000	74,000	74,000	74,000	370,000	0
Parks Sidewalks	38,000	38,000	38,000	38,000	38,000	190,000	0
Total	112,000	112,000	112,000	112,000	112,000	560,000	0

REVENUE

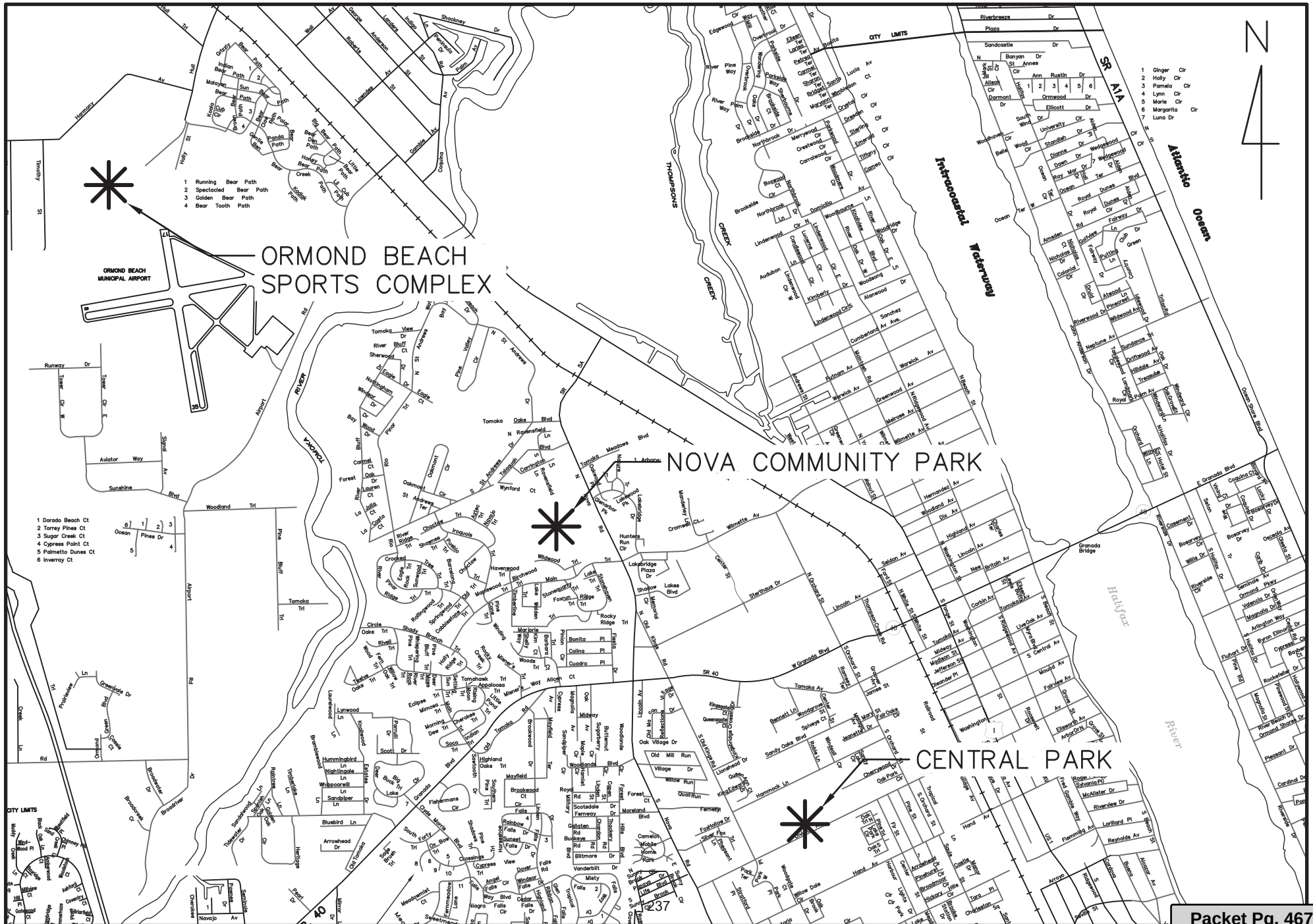
	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Property Taxes-Transportion	112,000	112,000	112,000	112,000	112,000	560,000	0
Total	112,000	112,000	112,000	112,000	112,000	560,000	0

GENERAL INFORMATION: Damage to sidewalks both in parks and along public streets is a significant ongoing maintenance challenge. In 2020 public works recieved 97 work orders for over 2,000 square yards of sidewalk. Of that total approxiamtely 700 square yards was in City parks. This ongoing project seeks to repair sidewalk damage from tree roots, was well as normal wear and tear.

Item Num	Item Description	QTY	Unit	Unit Cost	Item Cost
1	Sidewalk Parks	690	SY	\$ 50.00	\$ 34,500.00
2	Sidewalk Streets	1,344	SY	\$ 50.00	\$ 67,200.00
3					

5 **Budget for design and construction= \$ 112,000.00**

PARKS SIDEWALK REPAIRS



CAPITAL PROJECT DETAIL

PROJECT TITLE

Doug Thomas Way Extension

PROJECT#

308231

CATEGORY

Transportation

FUND

308-Transportation

PROJECT LOCATION

Ormond Beach Sports Complex

MANAGEMENT

Engineering

PROJECT SCOPE

Extend approximately 2,150 feet of two-way paved roadway from Harmony Ave to Hull Rd behind fields 9 through 12.

JUSTIFICATION

Improve park access convenience. It would also provide a continuous loop road within the facility that would allow bikers, walkers and joggers to exercise within the confines of the park. It will allow visitors to access all amenities within the park without leaving the park.

PROJECT COST METHODOLOGY

Similar projects recent bids

EXPENDITURE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Construction	792,000	0	0	0	0	792,000	0
Total	792,000	0	0	0	0	792,000	0

REVENUE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Transportation Fund Balance	792,000	0	0	0	0	792,000	0
Total	792,000	0	0	0	0	792,000	0

CAPITAL PROJECT DETAIL

PROJECT TITLE

Opticom Equipment

PROJECT#

308237

CATEGORY

Transportation

FUND

308-Transportation

PROJECT LOCATION

Various Intersections

MANAGEMENT

Engineering

PROJECT SCOPE

This request is to upgrade obsolete traffic pre-emption equipment and to equip intersections that are currently without equipment.

JUSTIFICATION

The requested project is to complete the Emergency Traffic Preemption device program that began approximately 20 years ago to allow for safer and more efficient traffic flow for emergency vehicles. This five-year plan begins with replacing our oldest equipment at our more dangerous intersection with updated GPS-based systems at a total cost of \$310,000. These intersections currently utilize infra-red technology that has become unreliable and obsolete. The project also includes installing new GPS systems at intersections that do not have any traffic control devices installed. The final phase (years 4 and 5) of the project will be to replace our older GPS systems that are currently out of warranty and according to Volusia County Traffic Control, are becoming obsolete.

Current Traffic Control Device Inventory:

19 Infra-red systems (All are to be replaced with GPS)

12 GPS systems (1 of them is new and 11 are to be replaced in years 4 and 5)

7 intersections do not have any preemption devices. (All 7 are to have GPS systems installed)

PROJECT COST METHODOLOGY

<u>EXPENDITURE</u>	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Equipment	60,000	65,000	45,000	0	0	170,000	0
Total	60,000	65,000	45,000	0	0	170,000	0

CAPITAL PROJECT DETAIL

PROJECT TITLE

PROJECT#

Opticom Equipment

308237

REVENUE						Total 2021-22 to 2025-26	Other Requests without identified funding source
	2021-22	2022-23	2023-24	2024-25	2025-26		
Property Taxes - Transportation	60,000	65,000	45,000	0	0	170,000	0
Total	60,000	65,000	45,000	0	0	170,000	0

Intersection Prioritization

LOCATION	DIRECTIONS CONTROLLED	GPS/IR	Estimated Opticom Equipment Needed for GPS Preemption			
FY 2021			764 Phase Selector	3101 Cabinet Mount GPS/Antenna	Intersection Install	
Granada Blvd. (SR40) & John Anderson Dr.	East, West	IR	\$ 2,805.00	\$ 2,705.00	\$ 2,500.00	
Granada Blvd. (SR40) & Halifax Dr.	North, South, East, West	IR	\$ 2,805.00	\$ 2,705.00	\$ 2,500.00	
Granada Blvd. (SR40) & Main Tr.	East, West	IR	\$ 2,805.00	\$ 2,705.00	\$ 2,500.00	
Granada Blvd. (SR40) & Clyde Morris Blvd.	East, West	IR	\$ 2,805.00	\$ 2,705.00	\$ 2,500.00	
Granada Blvd. (SR40) & Beach St.	North, South, East, West	IR	\$ 2,805.00	\$ 2,705.00	\$ 2,500.00	
Granada Blvd. (SR40) & Ridgewood Ave.	East, West	IR	\$ 2,805.00	\$ 2,705.00	\$ 2,500.00	
Granada Blvd. (SR40) & Williamson Blvd.	North, East, West	IR	\$ 2,805.00	\$ 2,705.00	\$ 2,500.00	
			\$ 19,635.00	\$ 18,935.00	\$ 17,500.00	\$ 56,070.00
FY 2022						
Granada Blvd. (SR40) & Tymber Creek Rd.	South, West	IR	\$ 2,805.00	\$ 2,705.00	\$ 2,500.00	
Yonge St. (US1) & Hand Ave.	North, South, East	IR	\$ 2,805.00	\$ 2,705.00	\$ 2,500.00	
Yonge St. (US1) & Division Ave.	North, South	IR	\$ 2,805.00	\$ 2,705.00	\$ 2,500.00	
Williamson Blvd. & Hand Ave.	No equipment present	NA	\$ 2,805.00	\$ 2,705.00	\$ 2,500.00	
Tymber Creek Rd. & Airport Rd.	North, South, East, West	IR	\$ 2,805.00	\$ 2,705.00	\$ 2,500.00	
Tymber Creek Rd. & River Chase Way	North, South	IR	\$ 2,805.00	\$ 2,705.00	\$ 2,500.00	
Ocean Shore Blvd. (A1A) & Neptune Ave.	North, South	IR	\$ 2,805.00	\$ 2,705.00	\$ 2,500.00	
			\$ 19,635.00	\$ 18,935.00	\$ 17,500.00	\$ 56,070.00
FY 2023						
Halifax Dr. & Fluhart Dr.	No equipment present	NA	\$ 2,805.00	\$ 2,705.00	\$ 2,500.00	
Nova Rd. (SR5A) & Fleming Ave.	No equipment present	NA	\$ 2,805.00	\$ 2,705.00	\$ 2,500.00	
Nova Rd. (SR5A) & Division Ave.	South, West	IR	\$ 2,805.00	\$ 2,705.00	\$ 2,500.00	
Granada Blvd. (SR40) & Breakaway Trails	East, West	IR	\$ 2,805.00	\$ 2,705.00	\$ 2,500.00	
Granada Blvd. (SR40) & Nova Rd. (SR5A)	North, South, East, West	GPS (IR)	\$ 2,805.00	\$ 2,705.00	\$ 2,500.00	
Nova Rd. (SR5A) & Wilmette Ave.	North, South, East, West	GPS	\$ 2,805.00	\$ 2,705.00	\$ 2,500.00	
Nova Rd. (SR5A) & Hand Ave.	North, South, East, West	GPS	\$ 2,805.00	\$ 2,705.00	\$ 2,500.00	
Yonge St. (US1) & Granada Blvd. (SR40)	North, South, East, West	GPS (IR)	\$ 2,805.00	\$ 2,705.00	\$ 2,500.00	
			\$ 22,440.00	\$ 21,640.00	\$ 20,000.00	\$ 64,080.00
FY 2024						
Nova Rd. (SR5A) & Village Dr.	North, South, East, West	GPS	\$ 2,805.00	\$ 2,705.00	\$ 2,500.00	
Clyde Morris Blvd & Hand Ave.	North, South, East, West	GPS (IR)	\$ 2,805.00	\$ 2,705.00	\$ 2,500.00	
US1 & Nova Rd. (SR5A)	North, South, East	GPS	\$ 2,805.00	\$ 2,705.00	\$ 2,500.00	
US1 & Airport Rd.	North, South, East	GPS	\$ 2,805.00	\$ 2,705.00	\$ 2,500.00	
Williamson Blvd. & Ormond Square Shopping Center	North, South, West	GPS	\$ 2,805.00	\$ 2,705.00	\$ 2,500.00	
			\$ 14,025.00	\$ 13,525.00	\$ 12,500.00	\$ 40,050.00
FY 2025						
Granada Blvd. (SR40) & Booth Rd.	North, East, West	GPS	\$ -	\$ -	\$ -	DOT project
Granada Blvd. (SR40) & Tomoka Ave.	North, South, East, West	GPS	\$ -	\$ -	\$ -	VC Project
S. Atlantic Ave. (A1A) & Granada Blvd. (SR40)	North, South, East	IR	\$ -	\$ -	\$ -	DOT project
Granada Blvd. (SR40) & Orchard St.	East, West	IR	\$ -	\$ -	\$ -	DOT project
Granada Blvd. (SR40) & Seminole Dr.	East, West	IR	\$ -	\$ -	\$ -	DOT project
S. Atlantic Ave. (A1A) & Harvard Dr.	No equipment present	NA	\$ -	\$ -	\$ -	VC Project
Yonge St. (US1) & Wilmette Ave.	North, South, East, West	IR	\$ -	\$ -	\$ -	VC Project?
S. Atlantic Ave. (A1A) & Cardinal Dr.	North, South, East	GPS	\$ -	\$ -	\$ -	VC Project
Granada Blvd. (SR40) & I-95 NB Ramp		NA				DOT project
Granada Blvd. (SR40) & I-95 SB Ramp		NA				DOT project
			\$ -	\$ -	\$ -	

CAPITAL PROJECT DETAIL

PROJECT TITLE

Tomoka Elementary Connector Sidewalk

PROJECT#

308122

CATEGORY

Transportation

FUND

308-Transportation

PROJECT LOCATION

Old Tomoka Road

MANAGEMENT

Engineering

PROJECT SCOPE

Construction of a sidewalk and pedestrian crosswalk facilities at Tomoka Elementary

JUSTIFICATION

Improvements along Old Tomoka Road were originally recommended in the Tomoka Elementary School Bicycle and Pedestrian School Safety Review Study prepared for the Volusia County MPO in November, 2008. These improvements consist of 2,200 lineal feet of five foot wide sidewalk on the north side of Old Tomoka Road as well as crosswalk improvements; completion of this project will increase pedestrian safety along Old Tomoka Road, define automobile corridors, and provide continuity from the Forest Hills Connector Trail. Costs are based upon historic pricing for recent sidewalk projects within the City. With Resolution 2016-48, the City Commission approved submittal of a Bicycle / Pedestrian Grant to the River to Sea TPO for the construction of this project, the City will provide a match of at least 10% of the total project costs through in house design services.

PROJECT COST METHODOLOGY

Historic Cost Data

<u>EXPENDITURE</u>	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Construction	0	210,000	0	0	0	210,000	0
Engineering, CA, Inspection	0	42,000	0	0	0	42,000	0
Total	0	252,000	0	0	0	252,000	0

<u>REVENUE</u>	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
TPO Grant (pending)	0	189,000	0	0	0	189,000	0
Property Taxes - Transportation	0	63,000	0	0	0	63,000	0
Total	0	252,000	0	0	0	252,000	0



EOR ESTIMATE OF PROBABLE CONSTRUCTION COST

PROJECT:

Old Tomoka Rd. - 90% COST ESTIMATE
CITY OF ORMOND BEACH

ESTIMATED BY: JML
DATE: 2/13/2020
CHECKED BY:

ITEM NUMBER	PAY ITEM NUMBER	ITEM DESCRIPTION	UNIT	QUANTITY	UNIT COST	TOTAL COST
ROADWAY						
1	101	1	MOBILIZATION	LS	1	\$17,452.71
2	102	1	MAINTENANCE OF TRAFFIC	LS	1	\$15,866.10
3	104	10	3 SEDIMENT BARRIER	LF	1664	\$1.89
4	104	18	INLET PROTECTION SYSTEM	EA	6	\$108.67
5	110	1	1 CLEARING & GRUBBING	AC	0.426	\$26,957.91
6	110	4	REMOVAL OF EXISTING CONCRETE	SY	25	\$18.44
7	120	1	REGULAR EXCAVATION	CY	87	\$20.00
8	120	6	EMBANKMENT	CY	34	\$20.00
9	285	713	OPTIONAL BASE GROUP 13	SY	12	\$157.74
10	327	70	1 MILLING EXIST. ASPH PAVT, 1" AVG DEPTH	SY	72	\$10.00
11	334	1	53 SUPERPAVE ASPH CONC, TRAFFIC C, PG76-22	TN	68	\$316.44
12	425	1	703 INLETS, GUTTER, TYPE S, J BOT<10'	EA	2	\$6,463.38
13	425	1	910 INLETS, CLOSED FLUME	EA	2	\$4,454.25
14	425	6	VALVE BOX, ADJUST	EA	4	\$464.95
15	430	175	118 PIPE CULVERT, RCP, ROUND, 18" S/CD	LF	191	\$93.50
16	515	1	2 PIPE HANDRAIL - GUIDERAIL, ALUMINUM	LF	240	\$39.41
17	520	1	10 TYPE F DROP CURB, CONCRETE	LF	240	\$35.53
18	522	1	CONCRETE, SIDEWALK, 4" THICK	SY	903	\$43.33
19	522	2	CONCRETE, CURB RAMPS AND DRIVEWAYS, 6" THICK	SY	19	\$62.39
20	527	2	DETECTABLE WARNINGS	SF	175	\$28.45
21	570	1	2 PERFORMANCE TURF, SOD	SY	1154	\$3.15
22	700	1	11 SINGLE POST SIGN, F&I GROUND MOUNT, UP TO 12 SF	AS	4	\$526.60
23	700	1	50 SINGLE POST SIGN, RELOCATE	AS	3	\$239.11
24	711	11	123 THERMOPLASTIC, STANDARD, SOLID, WHITE, 12"	LF	510	\$5.64
25	711	11	125 THERMOPLASTIC, STANDARD, SOLID, WHITE, 24"	LF	143	\$10.41
26	711	17	THERMOPLASTIC, REMOVE	SF	102	\$7.00
TOTAL						\$191,979.83
ALT. BID ITEM						
27*	522	2	CONCRETE, SIDEWALK, 6" THICK	SY	903	\$62.39
						\$17,211.18

* The cost for Item 24 represents the cost of increasing the depth from 4" to 6" of concrete for the proposed sidewalk, not the cost of a complete 6" sidewalk installation

ORMOND BEACH PEDESTRIAN SAFETY IMPROVEMENTS DESIGN PLANS

COMPONENTS OF CONTRACT PLAN SET

INDEX OF ROADWAY IMPROVEMENT PLANS

SHEET NO.	DESCRIPTION
1	KEY SHEET
2	SUMMARY OF PAY ITEMS
3	SUMMARY OF DRAINAGE STRUCTURES
4	TYPICAL SECTIONS
5	PROJECT LAYOUT
6	LINE & CURVE DATA TABLES
7	GENERAL NOTES
8 to 11	PLAN & PROFILES
12 to 13	SPECIAL PROFILES
14 to 20	CROSS SECTIONS
21 to 22	SWPPP NOTES
23 to 24	SWPPP PLANS
S-1 to S-2	SIGNING & PAVEMENT MARKING PLANS
TCP-1	TRAFFIC CONTROL GENERAL NOTES

LIST OF REVISED DRAWINGS

REV DATE COMP SET SHEETS

GOVERNING STANDARD PLANS:

FLORIDA DEPARTMENT OF TRANSPORTATION, FY2019-20 STANDARD PLANS FOR ROAD AND BRIDGE CONSTRUCTION AND APPLICABLE INTERIM REVISIONS.

STANDARD PLANS FOR ROAD CONSTRUCTION AND ASSOCIATED IRs ARE AVAILABLE AT THE FOLLOWING WEBSITE: <http://www.fdot.gov/design/standardplans>

APPLICABLE IRs: NONE

STANDARD PLANS FOR BRIDGE CONSTRUCTION AND ASSOCIATED IRs ARE AVAILABLE AT THE FOLLOWING WEBSITE: <http://www.fdot.gov/design/standardplans>

APPLICABLE IRs: NONE

GOVERNING STANDARD SPECIFICATIONS:

FLORIDA DEPARTMENT OF TRANSPORTATION, JANUARY 2020 STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION AT THE FOLLOWING WEBSITE: <http://www.fdot.gov/programmanagement/implemented/SpecBooks>

ATTENTION IS DIRECTED TO THE FACT THAT THESE PLANS MAY HAVE BEEN DEDUCED IN SIZE BY REPRODUCTION. THIS MUST BE CONSIDERED WHEN OBTAINING SCALED DATA.

ALL CONSTRUCTION ACTIVITIES SHALL COMPLY WITH THE LATEST AMERICANS WITH DISABILITIES ACT (A.D.A) STANDARDS FOR ACCESSIBLE DESIGN.

FOR TOMOKA ELEMENTARY CONNECTOR SIDEWALK

ORMOND BEACH, FL.

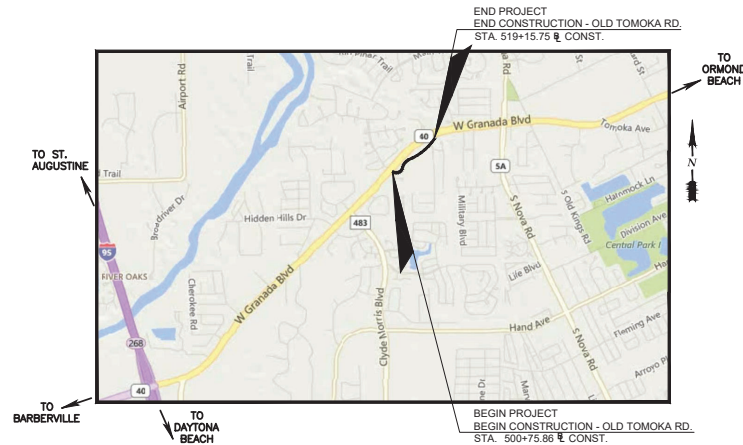
CPH PROJECT No. 02603

FINANCIAL PROJECT ID: 440852-1

FEDERAL AID NUMBER: D517 122B

Mayor: Bill Partington

Commissioner, Zone 1: Dwight Shelby
Commissioner, Zone 2: Troy Kent (Deputy Mayor)
Commissioner, Zone 3: Susan Persis
Commissioner, Zone 4: Rob Littleton
Project Manager: Shawn P. Finley, P.E.



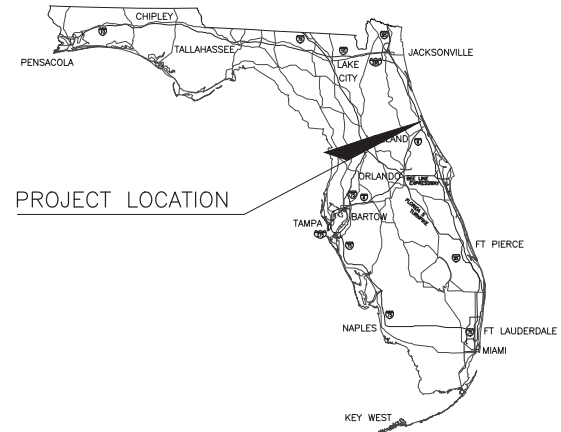
LOCATION MAP
N.T.S.

PLAN REVISIONS

REV DATE DESCRIPTION

LENGTH OF PROJECT		
	LINEAR FEET	MILES
ROADWAY LENGTH	1839.8800	0.3485
BRIDGES	N/A	N/A
NET LENGTH OF PROJECT	1839.8800	0.3485
EXCEPTIONS	N/A	N/A
GROSS LENGTH OF PROJECT	1839.8800	0.3485

90% SUBMITTAL SET
February 13, 2020



SHOP DRAWINGS (FOR THIS COMPONENT SET) TO BE SUBMITTED TO:

CPH, INC.
500 W. FULTON STREET
SANFORD, FLORIDA 32771
PHONE 407 322-6841
FAX 407 330-0639

PLANS PREPARED BY:

cph
Engineers (C.O.A. No. 3215)
Architects (Lic. No. AA2600926)
Surveyors (L.B. No. 7143)
Landscape Arch. (Lic. No. LC0000298)
Planners
Environmental Scientists
Construction Management
Traffic / Transportation

WWW.CPHCORP.COM

500 W. FULTON STREET, SANFORD, FLORIDA 32771
P. O. BOX 2808, SANFORD, FLORIDA 32772-2808
PHONE 407 322-6841 FAX 407 330-0639

PLANS PREPARED FOR:



CITY OF ORMOND BEACH
22 SOUTH BEACH STREET
ORMOND BEACH, FL 32174
PHONE: 386.677.0311

ROADWAY PLANS ENGINEER OF RECORD:

KURT R. LUMAN, P.E.
FL P.E. No. 65036



SHEET
NO.

1

SUMMARY OF PAY ITEMS							
OLD TOMOKA ROAD							
ITEM NO.	FDOT PAY ITEM NO.			PAY ITEM DESCRIPTION	UNIT	QUANTITY	
						PLAN	FINAL
1	101	1		MOBILIZATION	LS	1	
2	102	1		MAINTENANCE OF TRAFFIC	LS	1	
3	104	10	3	SEDIMENT BARRIER	LF	1664	
4	104	18		INLET PROTECTION SYSTEM	EA	6	
5	110	1	1	CLEARING & GRUBBING	AC	0.426	
6	110	4		REMOVAL OF EXISTING CONCRETE	SY	25	
7	120	1		REGULAR EXCAVATION	CY	87	
8	120	6		EMBANKMENT	CY	34	
9	285	713		OPTIONAL BASE GROUP 13	SY	12	
10	327	70	1	MILLING EXIST. ASPH PAVT., 1" AVG DEPTH	SY	72	
11	334	1	13	SUPERPAVE ASPHALT CONC, TRAFFIC C (1")	TN	68	
12	425	1	703	INLETS, GUTTER, TYPE S, J BOT<10'	EA	2	
13	425	1	910	INLETS, CLOSED FLUME	EA	2	
14	425	6		VALVE BOX, ADJUST	EA	4	
15	430	175	118	PIPE CULVERT, RCP, ROUND, 18" S/CD	LF	191	
16	515	1	2	PIPE HANDRAIL - GUIDERAIL, ALUMINUM	LF	240	
17	520	1	10	TYPE F DROP CURB, CONCRETE	LF	240	
18	522	1		CONCRETE, SIDEWALK, 4" THICK	SY	903	
19	522	2		CONCRETE, CURB RAMPS AND DRIVEWAYS, 6" THICK	SY	19	
20	527	2		DETECTABLE WARNINGS	SF	175	
21	570	1	2	PERFORMANCE TURF, SOD	SY	1154	
22	700	1	11	SINGLE POST SIGN, F&I GROUND MOUNT, UP TO 12 SF	AS	4	
23	700	1	50	SINGLE POST SIGN, RELOCATE	AS	3	
24	711	11	123	THERMOPLASTIC, STD, WHITE, SOLID, 12"	LF	510	
25	711	11	125	THERMOPLASTIC, STD, WHITE, SOLID, 24"	LF	143	
26	711	17		THERMOPLASTIC, REMOVE	SF	102	

PAY ITEM NOTES:

522-2: SHALL INCLUDE THE COST OF RECONSTRUCTING THE EXISTING CURB ABUTTING THE PROPOSED CURB RAMP, AS SHOWN IN THE PLANS.

ALTERNATE BID ITEM							
27	522	2		CONCRETE, SIDEWALK, 6" THICK	SY	903	

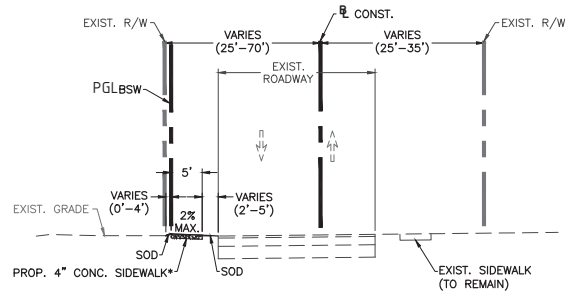
No.	Date	Revision	By	No.	Date	Revision	By	 A Full Service A & E Firm Architects M/E/P Engineers Planners Environmental Surveyors Landscape Architects Traffic/Transportation www.cphcorp.com	Offices In: • Florida • Puerto Rico • Connecticut • Maryland • Texas	Designed by: _____ Drawn by: PEA/AM Checked by: DML Approved by: KSL/76 Job No. 02603 © 2020	CJP Date: 2/2/2020 Scale: AS NOTED	Tomoka Elementary Connector Sidewalk Ormond Beach, Florida	Plans Prepared by: CPH, Inc. 500 West Fulton St., Sanford, FL 32771 Phone: 407-322-8841 License: Eng. C.O.A. No. 3215 Arch. Lic. No. AA2600926 Survey L.S. No. 7143 Landsc. Lic. No. LC0800288	Summary of Pay Items	Sheet No. 2
Δ			Δ			Δ									
Δ			Δ			Δ									
Δ			Δ			Δ									

SUMMARY OF DRAINAGE STRUCTURES

STRUCTURE NUMBER	STATION BASELINE CONST.	OFFSET	DESCRIPTION	EOP, GRATE, OR TOP	BARRELS	PIPE SIZE	DIRECTION	INVERTS	STORM DRAIN	INLETS	REMARKS
									ROUND (SRCP)		
									18"	GUTTE INLET	
									LF	EA	
P	S-101	502+92.96	321.96' RT	GUTTER INLET TYPE S	18.88 (T)	1	18"	N	14.60'	1	INDEX 425-010, INDEX 425-040
F											
P	S-102	505+71.01	15.26' LT' RT	GUTTER INLET TYPE S	19.11' (T)	3	18" (EXIST.)	N	14.31'	1	INDEX 425-010, INDEX 425-040 CAST IN PLACE OVER EXISTING PIPE
							18"	W	14.31'		
							18" (EXIST.)	S	14.31'		
F											
SHEET TOTAL									191	2	

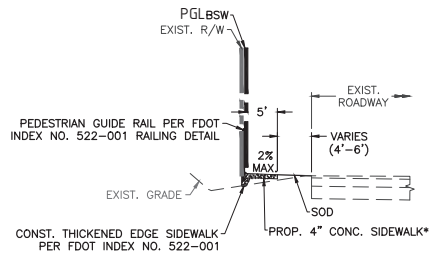
Drawing created by C:\Users\jgarcia\Documents\Drawings\SUMMARY.dwg File # 13, 2009 - 4/2/2010 jgarcia

No.	Date	Revision	By	No.	Date	Revision	By	 www.cphcorp.com	A Full Service A & E Firm Architects M / E / P Engineers Planners Environmental Surveyors Landscape Architects Traffic/Transportation	Offices In: • Florida • Puerto Rico • Connecticut • Maryland • Texas	Designed by: Drawn by: PE/AAM Checked by: JML Approved by: KRL Tab No. 02603	CIT Scale: AS NOTED 277 	Date: 2/12/2020	Tomoka Elementary Connector Sidewalk Ormond Beach, Florida	Plans Prepared By: CPH, Inc. 500 West Fulton St. Sanford, FL 32771 Phone: 407.332.8841 Licenses: Eng. C.O.A. No. 3215 Arch. Lic. No. AA2600026 Survey L.B. No. 7143 Landscp. Lic. No. LC0000298	Summary of Drainage Structures	Sheet No. 3								
																									
																									
																									



Typical Section - Old Tomoka Road
Sta. 500+75.86 to Sta. 503+07.80
Sta. 504+71.22 to Sta. 516+27.06
Sta. 517+14.88 to Sta. 519+15.75

**Sheet Note: For Alternate Bid (Item No. 23), all sidewalks are constructed as 6" thick concrete sidewalks.*



Exception - Thickened Edge Sidewalk
Sta. 503+07.80 to Sta. 504+71.22
Sta. 516+27.06 to Sta. 517+14.88

No.	Date	Revision	By	No.	Date	Revision	By	cph www.cphcorp.com	A Full Service A & E Firm Architects M/E/P Engineers Planners Environmental Surveyors Landscape Architects Traffic/Transportation	Offices In: • Florida • Puerto Rico • Connecticut • Maryland • Texas	Designed by: Checked by: Approved by: Job No.	CJT PEL/AM JML KSL/78	Date: 2/2/2020 Scale: AS NOTED	Tomoka Elementary Connector Sidewalk Ormond Beach, Florida	Plans Prepared By: CPH, Inc. 500 West Fulton St., Sanford, FL 32771 Phone: 407-322-8841 Licenses: Eng. C.O.A. No. 3215 Arch. Lic. No. AA2600926 Survey L.S. No. 7143 Landscp. Lic. No. LC0000288	KURT R. LUNAN, JR., P.E. FL P.E. No. 05030	Typical Sections	Sheet No. 4
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CAPITAL PROJECT DETAIL

PROJECT TITLE

Williamson/Hand Ave. Pedestrian Impr

PROJECT#

308121

CATEGORY

Transportation

FUND

308-Transportation

PROJECT LOCATION

Williamson Blvd.

MANAGEMENT

Engineering

PROJECT SCOPE

Construction of pedestrian crosswalk facilities at the intersection of Hand Avenue with Williamson Blvd. along with additional sidewalk along Williamson Blvd.

JUSTIFICATION

The Intersection of Williamson Blvd with Hand Avenue currently is operating without crosswalks and pedestrian crossing signals. The relocation of Florida Hospital to this area has brought an increase in development activities in recent years, which will likely continue with additional residential and commercial properties. Interested residents, including those with special needs, have been in contact with the City in an effort to address deficiencies in pedestrian facilities connecting residential communities to commercial and public properties. This project involves an upgrade to the traffic signal at Williamson Blvd. and Hand Avenue to accommodate pedestrians, as well as the connection of currently disconnected sidewalk segments.

PROJECT COST METHODOLOGY

Historic Bid Data

<u>EXPENDITURE</u>	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Construction	0	220,000	0	0	0	220,000	0
Engineering / CA / Inspection	0	45,000	0	0	0	45,000	0
Total	0	265,000	0	0	0	265,000	0

<u>REVENUE</u>	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
TPO Grant (pending)	0	198,000	0	0	0	198,000	0
Transportation Fund Balance	0	67,000	0	0	0	67,000	0
Total	0	265,000	0	0	0	265,000	0

CAPITAL PROJECT DETAIL

PROJECT TITLE

Pineland Trail Roadway Improvements

PROJECT#

CATEGORY

Transportation

FUND

308-Transportation

PROJECT LOCATION

Pineland Trail (Airport Road to Broadway)

MANAGEMENT

Engineering

PROJECT SCOPE

Reconstruction of Pineland Trail to City Roadway Standards, upgrade of roadway drainage facilities, construction of mixed use path along roadway.

JUSTIFICATION

Pineland Trail was originally constructed by Volusia County. Although recent paving projects have improved the drivability of This project will bring this roadway, designated as a Minor Arterial Roadway, up to City Standard roadway conditions. Development activity in this area, including the construction of Security First property at Ormond Crossings and the proposed extension of Business Park Drive would increase use of this roadway as an important north-south roadway within the City of Ormond Beach. Improving drainage facilities in this corridor provides an additional benefit for the properties along Pineland Trail, and the construction of a mixed use path further promotes the City's Trail network by providing access to the Ormond Beach Sports Complex facilities from Airport Road and future sidewalk along US 1.

PROJECT COST METHODOLOGY

Estimates are base upon unit pricing from recent bids of similar roadway projects within the City.

<u>EXPENDITURE</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>Total 2021-22 to 2025-26</u>	<u>Other Requests without identified funding source</u>
Construction Admin/Engineering	0	0	0	0	0	0	460,900
Construction	0	0	0	0	0	0	4,609,000
Design	0	0	0	0	0	0	691,350
Total	0	0	0	0	0	0	5,761,250

<u>REVENUE</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>Total 2021-22 to 2025-26</u>	<u>Other Requests without identified funding source</u>
Transportation Fund Balance	0	0	0	0	0	0	990,935
River to Sea TPO Grant Funding	0	0	0	0	0	0	4,770,315
Total	0	0	0	0	0	0	5,761,250



LOCATION MAP Pineland Trail Location Map



City of Ormond Beach
3/6/2019

Proposed Roadway Improvements - Pineland Trail

Project Notes: Total length of route, from Airport Rd to Broadway Ave is approximately 3.95 miles.
This project includes 10' Sidewalk, drainage improvements and roadway upgrades.

Airport Road to Broadway Avenue, route distance 3.95 miles

20,825.00 ft

Project Probable Cost

Construction

Item No.	Description	Estimated Quantity	Unit	Unit Price	Item Price
1	Mobilization/ Demobilization (~5%)	1	LS	\$199,000.00	\$199,000
2	Mill Existing Surface	46278	SY	\$ 2.00	\$92,556
3	Mill and Remove existing Asphalt and Base	0	SY	\$ 5.50	\$0
4	2" SP-9.5 ASPHALT	55,533	SY	\$ 13.50	\$749,700
5	12" Stabilized Subgrade	13883	SY	\$ 3.75	\$52,063
6	8" Crushed Concrete Base	9256	SY	\$ 9.37	\$86,725
7	CONCRETE SIDEWALK & DRIVEWAYS, 4"	23139	SY	\$ 40.00	\$925,556
8	Drainage Swale Modification	10,413	LF	\$100.00	\$1,041,250
9	CONCRETE CURB & GUTTER, TYPE F	41650	LF	\$ 17.00	\$708,050
10	Utility Relocation and adjustments	1	LS	\$ 25,000.00	\$25,000
11	Furnish & Install ADA Ramp and Detectable Pad	8	EA	\$400.00	\$3,200
12	Furnish & Install Bahia Sod	28,960	SY	\$3.00	\$86,880
13	Thermoplastic Striping	1	LS	\$25,000.00	\$25,000
14	Furnish and Install Signage	1	LS	\$10,000.00	\$10,000
15	Geotechnical Services	1	LS	\$25,000.00	\$25,000
16	Maintenance of Traffic	1	LS	\$120,000.00	\$120,000
17	As-Builts & Survey Site Layout	1	LS	\$40,000.00	\$40,000

Construction **\$4,189,978**
Contingency (10%) **\$418,998**

Construction Budget

TPO Funding City Match
\$ 4,148,100.00 \$ 460,900.00

Engineering (15%) **\$691,350** \$ 622,215.00 \$ 69,135.00
Construction Administration (10%) **\$460,900** \$ 414,810.00 \$ 46,090.00
\$ 4,562,910.00 \$ 506,990.00

TOTAL PROBABLE PROJECT COST \$5,761,250



NO.	DATE	REVISIONS	BY	BILL PARTINGTON, MAYOR JOYCE SHANAHAN, CITY MANAGER	PINELAND TRAIL COLLECTOR ROAD UPGRADE	PLAN STA 0+00 - 16+00	DATE: 2/28/19 SCALE: 1"=60' DRAWN BY: CO/MC	PROJECT NO.: N/A FILE NAME: SHEET: 3 of 17
				JOHN NOBLE, P.E. CITY ENGINEER				

DRAWING STATUS
DRAFT
PERMIT
BID
ADDENDA
CONSTRUCTION
RECORD











NO.	DATE	REVISIONS	BY	BILL PARTINGTON, MAYOR JOYCE SHANAHAN, CITY MANAGER JOHN NOBLE, P.E. CITY ENGINEER	PINELAND TRAIL COLLECTOR ROAD UPGRADE	PLAN STA 79+00 - 97+00	DATE: 2/28/19 SCALE: 1"=60' DRAWN BY: CO/MC	PROJECT NO.: N/A FILE NAME: SHEET: 8 of 17
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DRAWING STATUS	
☐	DRAFT
☐	PERMIT
☐	BID
☐	ADDENDA
☐	CONSTRUCTION
☐	RECORD





NO.		DATE	REVISIONS	BY	City of Ormond Beach Engineering Division		BILL PARTINGTON, MAYOR JOYCE SHANAHAN, CITY MANAGER		PINELAND TRAIL COLLECTOR ROAD UPGRADE		PLAN STA 115+00 – 133+00		DATE: 2/28/19	PROJECT NO.: N/A
							JOHN NOBLE, P.E. CITY ENGINEER						SCALE: 1"=60'	FILE NAME:
													DRAWN BY: CO/MC	SHEET: 10 of 17

DRAWING STATUS	
☐	DRAFT
☐	PERMIT
☐	BID
☐	ADDENDA
☐	CONSTRUCTION
☐	RECORD



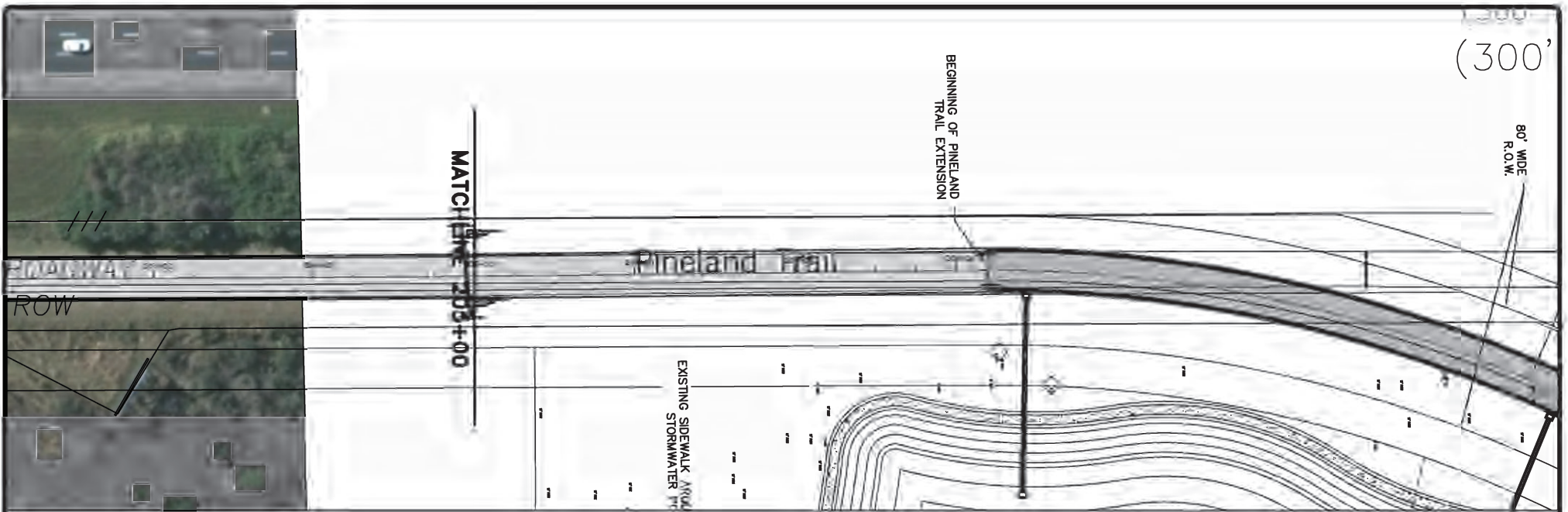






NO.	DATE	REVISIONS	BY	BILL PARTINGTON, MAYOR JOYCE SHANAHAN, CITY MANAGER	PINELAND TRAIL COLLECTOR ROAD UPGRADE	PLAN STA 187+00 - 205+00	DATE: 2/28/19 SCALE: 1"=60' DRAWN BY: CO/MC	PROJECT NO.: N/A FILE NAME: SHEET: 14 of 17
				JOHN NOBLE, P.E. CITY ENGINEER				

City of Ormond Beach
Engineering Division



NO.	DATE	REVISION
1	2/28/19	ISSUED FOR BIDDING
2		
3		

City of Ormond Beach
Engineering Division

JOYCE SHANAHAN, CITY MANAGER
JOHN NOBLE, P.E., CITY ENGINEER

**PINELAND TRAIL
COLLECTOR ROAD UPGRADE**

PLAN STA 205+00 – 208+25

DATE: 2/28/19	PROJECT NO.: N/A
SCALE: 1"=60'	FILE NAME:
DRAWN BY: C/M/C	SHEET: 15 of 17

DRAWING STATUS
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PERMIT
BID
ADDENDA
CONSTRUCTION
RECORD

CAPITAL PROJECT DETAIL

PROJECT TITLE

Fluhart Drive Roundabouts

PROJECT#

308222

CATEGORY

Transportation

FUND

308-Transportation

PROJECT LOCATION

Fluhart Drive and S. Halifax, Riverside Dr.

MANAGEMENT

Engineering

PROJECT SCOPE

Construction of mini roundabouts at the intersection of Fluhart Drive with South Halifax Drive and Riverside Drive

JUSTIFICATION

Fluhart Drive, specifically at its intersection with Riverside Drive, has long been a safety concern of the community. A historic review of traffic incidents along this roadway show disproportionate number of accidents compared to other roads in the City. This project stemming from a safety analysis of the intersection by the City's Transportation consultant would install two mini roundabouts, one where Fluhart Drive intersects with Riverside Drive and one at the intersection with South Halifax Drive, as a means of traffic calming and intersection control.

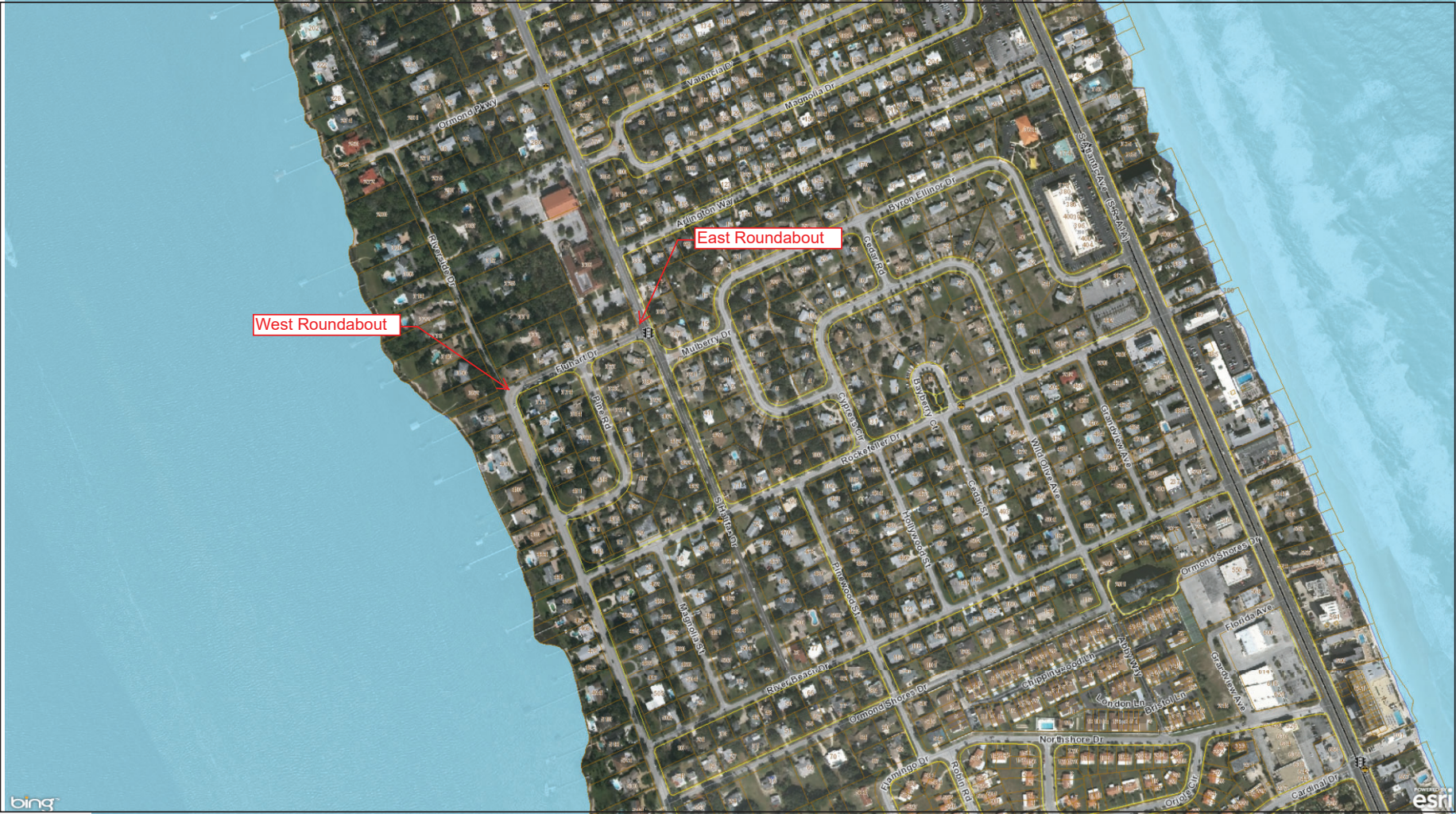
PROJECT COST METHODOLOGY**EXPENDITURE**

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Construction Administration	0	0	0	0	0	0	28,300
Construction	0	0	0	0	0	0	282,700
Design	0	0	0	0	0	0	56,600
Total	0	0	0	0	0	0	367,600

REVENUE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
TPO Grant (pending)	0	0	0	0	0	0	330,840
Transportation Fund Balance	0	0	0	0	0	0	36,760
Total	0	0	0	0	0	0	367,600

Fluhart Drive - Location Map

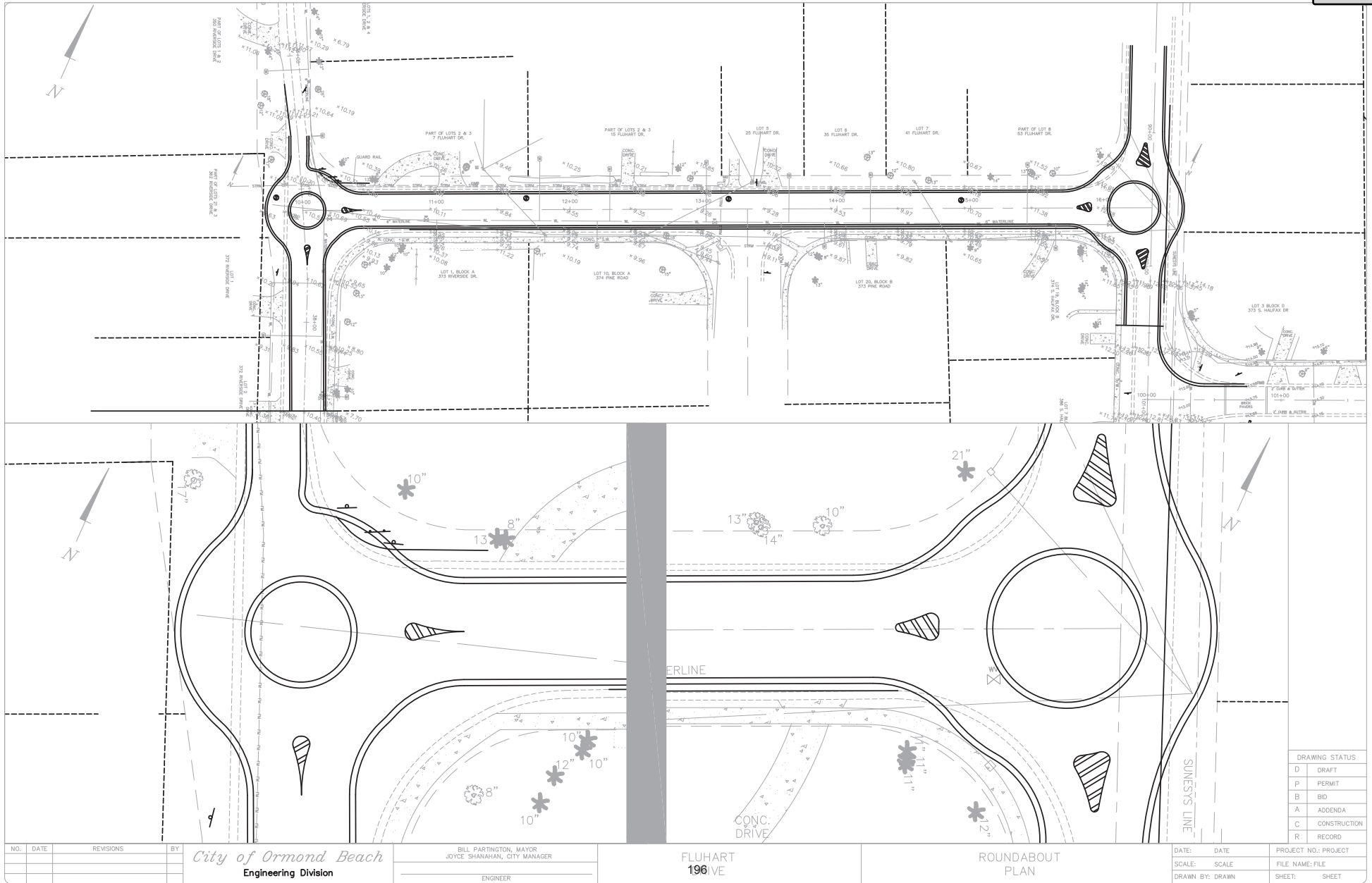


465 ft



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Fluhart Drive Roundabout
Estimate of Proposed Costs

Item		Qty	Units	Price	Total
1	Mobilization	1	LS	\$ 10,835.22	\$ 10,835.22
2	Asphalt Concrete Surface Course- S.P. 9.5	350	tons	\$ 107.30	\$ 37,555.00
3	Asphalt Concrete Leveling Course- S.P. 9.5	130	tons	\$ 109.70	\$ 14,261.00
4	Mill Existing Surface	5660	SY	\$ 1.64	\$ 9,282.40
5	Adjust Manhole to Grade	5	EA	\$ 249.60	\$ 1,248.00
6	Adjust Valves to Grade	10	EA	\$ 76.80	\$ 768.00
7	Thermoplastic Striping	1	LS	\$ 10,000.00	\$ 10,000.00
8	Furnish & Install Curb & Gutter	2375	LF	\$ 21.80	\$ 51,775.00
9	Miscellaneous Driveway	450	SY	\$ 57.40	\$ 25,830.00
10	Mill & Remove Existing Asphalt & Base	1140	SY	\$ 5.34	\$ 6,087.60
11	Stabilize Subgrade (2ft)	140	SY	\$ 5.72	\$ 800.80
12	Compacted Road base (8")	175	SY	\$ 16.38	\$ 2,866.50
13	Furnish & Install Compacted Subgrade Import Fill	100	CY	\$ 13.30	\$ 1,330.00
14	Survey Layout and As-built	1	LS	\$ 7,500.00	\$ 7,500.00
15	Maintenance of Traffic	30	day	\$ 500.00	\$ 15,000.00
16	Drainage Modifications	1	LS	\$ 25,000.00	\$ 25,000.00
17	Bahia Sod	2800	SY	\$ 1.75	\$ 4,900.00
18	Silt Fence	2000	LF	\$ 1.25	\$ 2,500.00
					\$ 227,539.52
Design					\$ 45,507.90
CEI					\$ 22,753.95
					\$ 295,801.37

		90%	10%
\$ 227,600.00	\$ 204,840.00	\$ 22,760.00	
\$ 45,600.00	\$ 41,040.00	\$ 4,560.00	
\$ 22,800.00	\$ 20,520.00	\$ 2,280.00	
\$ 296,000.00	\$ 266,400.00	\$ 29,600.00	

CAPITAL PROJECT DETAIL

PROJECT TITLE

US 1 North Sidewalk

PROJECT#

308236

CATEGORY

Transportation

FUND

308-Transportation

PROJECT LOCATION

North US 1 Between Wilmette Ave. and Broadway Av

MANAGEMENT

Engineering

PROJECT SCOPE

Construction of an eight foot wide sidewalk along US 1 in two phase connecting Wilmette Avenue, Nova Road, Airport Road, and Airport Road to Broadway Ave.

JUSTIFICATION

The Florida Department of Transportation working with the River to Sea TPO completed a report for the US 1 Corridor Improvement Program in April, 2014. A component in this report is the construction of a connecting sidewalk along US 1, north from Wilmette Avenue connecting northern areas to the central City core. This project proposes extending sidewalk to the northern City Limits in a phase project. In Phase 1, a connection is proposed that connects Wilmette Avenue to Nova Road, across the Tomoka River, and to Airport Road for use by pedestrians and bicyclists. Phase 2 continues this project extending northerly from Airport Road, connecting Hull Road, and Broadway Avenue. Design and construction of Phase 1, and design of Phase 2 will occur within this five year period, construction of Phase 2 would be planned in year 6.

PROJECT COST METHODOLOGY

<u>EXPENDITURE</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>Total 2021-22 to 2025-26</u>	<u>Other Requests without identified funding source</u>
Design	0	0	0	0	0	0	592,500
Construction Admin/ Engineering	0	0	0	0	0	0	66,800
Construction	0	0	0	0	0	0	1,336,000
Total	0	0	0	0	0	0	1,995,300

<u>REVENUE</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>Total 2021-22 to 2025-26</u>	<u>Other Requests without identified funding source</u>
Transportation Fund Balance	0	0	0	0	0	0	259,650
TPO Grant (pending)	0	0	0	0	0	0	1,735,650
Total	0	0	0	0	0	0	1,995,300

City of Ormond Beach
5/30/2018

Proposed N. US1 Sidewalk, Wilmette Ave. to Airport Rd.

Project Notes: Total length of route, from Airport Rd to Wilmette Ave is approximately 2.2 miles. A proposed sidewalk of 12 ft was referenced per FDOT and Volusia TPO US1 corridor improvement program study, April 30, 2014; however, review of existing site condition appear that obstacles will limit width to a maximum of 8-ft, which this estimate is based upon.

Wilmette Ave. to Nova Road, route distance 1.07 miles Proposed Sidewalk 5740 ft
Nova Rd to Airport Rd, route distance 1.11 miles Proposed Sidewalk 4860 ft

Project Probable Cost

Construction

Item No.	Description	Estimated Quantity	Unit	Unit Price	Item Price
1	Mobilization/ Demobilization (~5%)	1	LS	\$57,000.00	\$57,000
2	Construct concrete sidewalk	9,500	SY	\$35.00	\$332,500
3	Furnish & Install Hand Railing along Sidewalk	490	LF	\$60.00	\$29,400
4	Drainage Swale Modification For Sidewalk	1,500	LF	\$250.00	\$375,000
5	Furnish and Install Ped-Signalization	3	EA	\$70,000.00	\$210,000
6	Utility Relocation and adjustments	1	LS	\$50,000.00	\$50,000
7	Furnish & Install ADA Ramp and Detectable Pad	30	EA	\$400.00	\$12,000
8	Furnish & Install Bahia Sod	7,800	SY	\$3.00	\$23,400
9	Thermoplastic Striping	1	LS	\$10,000.00	\$10,000
10	Furnish & Install Barrier Wall	120	SF	\$350.00	\$42,000
11	Furnish and Install Signage	1	LS	\$2,000.00	\$2,000
12	Geotechnical Services	1	LS	\$6,000.00	\$6,000
13	Maintenance of Traffic	1	LS	\$25,000.00	\$25,000
14	As-Builts & Survey Site Layout	1	LS	\$40,000.00	\$40,000

TPO Funding City Match

Construction \$1,214,300

Contingency (10%) \$121,430

Construction Budget \$1,336,000

\$ 1,202,400.00 \$ 133,600.00

Engineering (15%) \$200,400

\$ 180,360.00 \$ 20,040.00

Construction Administration (5%) \$66,800

\$ 60,120.00 \$ 6,680.00

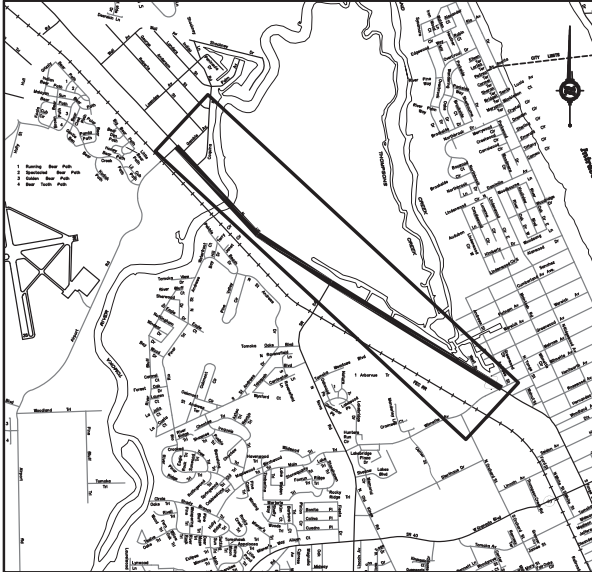
\$ 1,262,520.00 \$ 140,280.00

TOTAL PROBABLE PROJECT COST \$1,603,200

CITY OF ORMOND BEACH

N US 1 SIDEWALK IMPROVMENTS

 - SITE LOCATION



SITE LOCATION MAP



SHEET	DESCRIPTION
1	COVER SHEET & PROJECT LOCATION MAP
2	PLAN
3	PLAN
4	PLAN
5	PLAN
6	PLAN

MAYOR

ED KELLEY

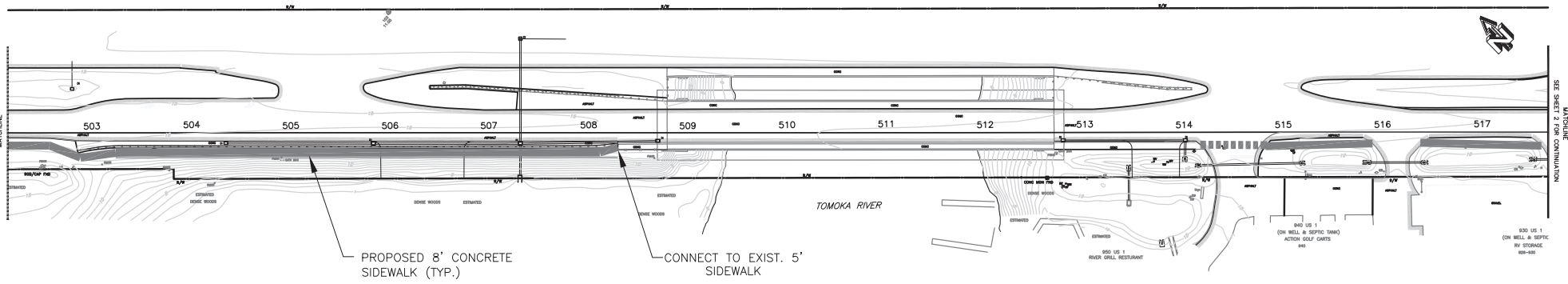
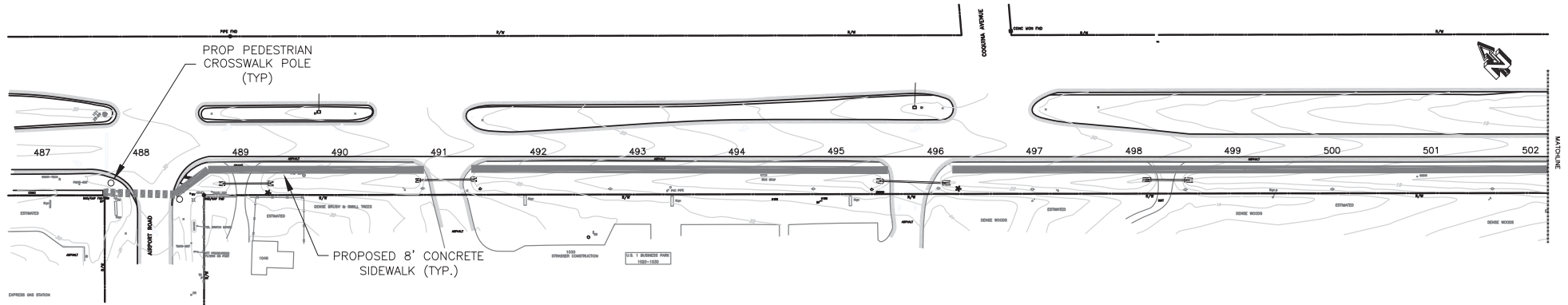
COMMISSIONERS

JAMES STOWERS, ZONE 1
TROY KENT, ZONE 2

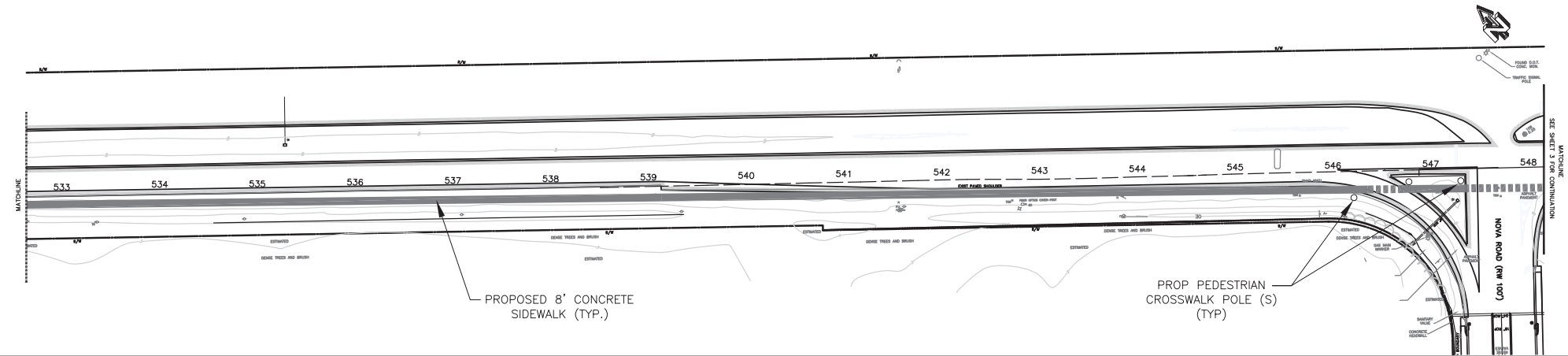
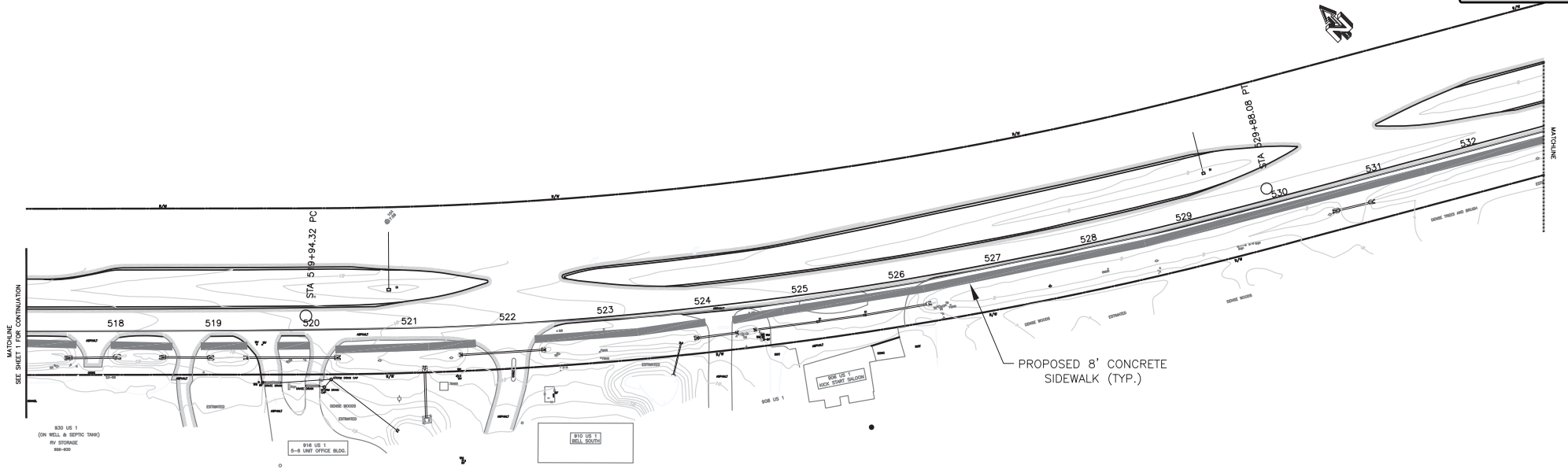
RICK BOEHM, ZONE 3
BILL PARTINGTON, ZONE 4

CITY MANAGER

JOYCE SHANAHAN



NO.	DATE	REVISIONS	BY	City of Ormond Beach Engineering Division		ED KELLEY, MAYOR JOYCE A SHANAHAN, CITY MANAGER JOHN NOBLE, P.E., CITY ENGINEER		N US HIGHWAY 1 PROPOSED SIDEWALK		DATE:	04/02/15	PROJECT NO.:	2015-XX
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										DRAWN BY:	CO	SHEET:	1 OF 5



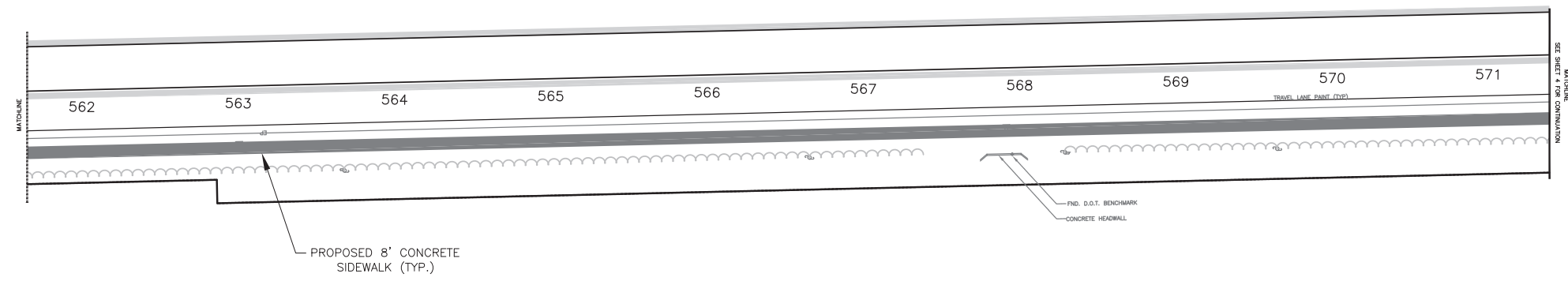
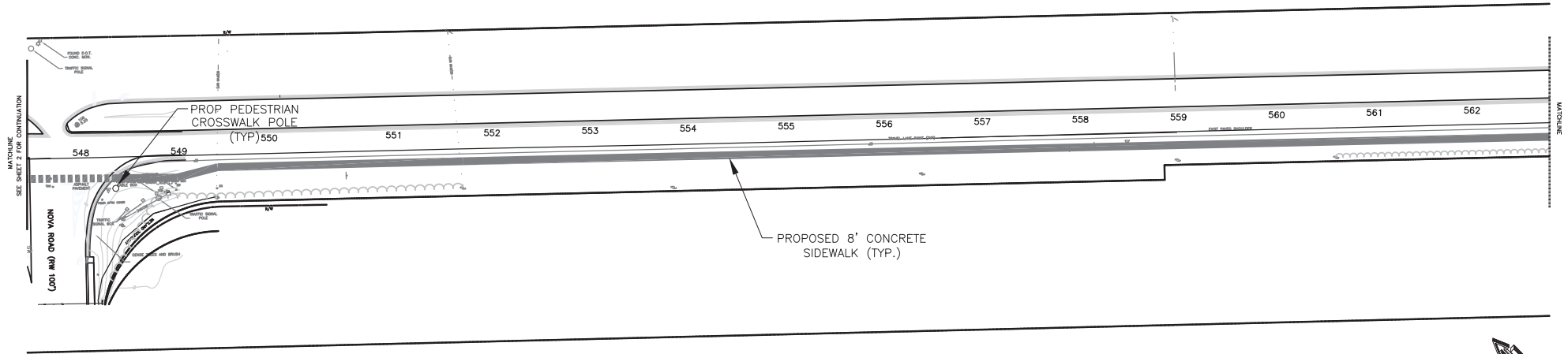
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City of Ormond Beach
Engineering Division

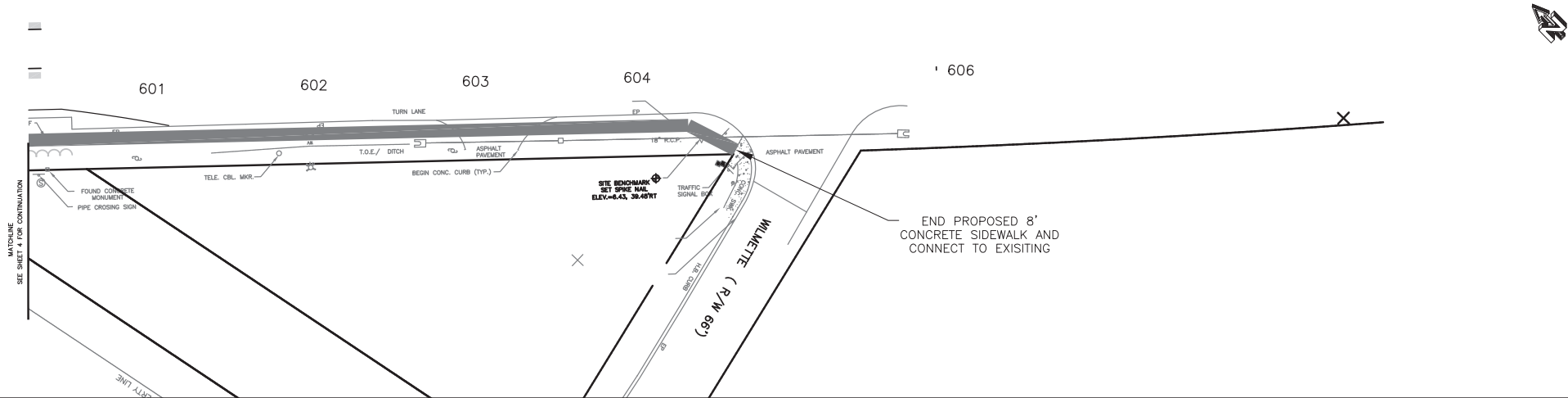
ED KELLEY, MAYOR
JOYCE A SHANAHAN, CITY MANAGER
JOHN NOBLE, P.E., CITY ENGINEER

N US HIGHWAY 1

PROPOSED SIDEWALK



NO.	DATE	REVISIONS	BY	<i>City of Ormond Beach</i> Engineering Division	ED KELLEY, MAYOR JOYCE A SHANAHAN, CITY MANAGER	N US HIGHWAY 1	PROPOSED SIDEWALK	DATE:	04/02/15	PROJECT NO.:	2015-XX	
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									DRAWN BY:	CO	SHEET:	3 OF 5
								JOHN NOBLE, P.E., CITY ENGINEER				



NO.	DATE	REVISIONS	BY	City of Ormond Beach Engineering Division	ED KELLEY, MAYOR JOYCE A SHANAHAN, CITY MANAGER	N US HIGHWAY 1	PROPOSED SIDEWALK	DATE:	04/02/15	PROJECT NO.:	2015-XX
								SCALE:	1"=100'	FILE NAME:	NUS1SDWK.DWG
								DRAWN BY:	CO	SHEET:	5 OF 5

North US 1 Sidewalk
Phase 2
Airport Road to Broadway Avenue



City of Ormond Beach
Engineering Division

22 South Beach Street
Ormond Beach, FL 32174
386.676.3300



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City of Ormond Beach
3/6/2019

Proposed N. US1 Sidewalk, Airport Rd. to Boradway Avenue

Project Notes: Total length of route, from Airport Rd to Broadway Ave is approximately 2.2 miles. A proposed sidewalk of 12 ft was referenced per FDOT and Volusia TPO US1 corridor improvement program study, April 30, 2014; however, review of existing site condition appear that obstacles will limit width to a maximum of 10-ft, which this estimate is based upon.

Airport Road to Broadway Avenue, route distance 2.26 miles 11,940.00 ft

Project Probable Cost

Construction

Item No.	Description	Estimated Quantity	Unit	Unit Price	Item Price
1	Mobilization/ Demobilization (~5%)	1	LS	\$113,000.00	\$113,000
2	Construct concrete sidewalk	13,267	SY	\$45.00	\$597,000
3	Furnish & Install Hand Railing along Sidewalk	1,500	LF	\$60.00	\$90,000
4	Drainage Swale Modification For Sidewalk	5,000	LF	\$250.00	\$1,250,000
5	Furnish and Install Ped-Signalization	1	EA	\$70,000.00	\$70,000
6	Utility Relocation and adjustments	1	LS	\$50,000.00	\$50,000
7	Furnish & Install ADA Ramp and Detectable Pad	20	EA	\$400.00	\$8,000
8	Furnish & Install Bahia Sod	5,298	SY	\$3.00	\$15,893
9	Thermoplastic Striping	1	LS	\$10,000.00	\$10,000
10	Furnish & Install Barrier Wall	0	SF	\$350.00	\$0
11	Furnish and Install Signage	1	LS	\$2,000.00	\$2,000
12	Geotechnical Services	1	LS	\$10,000.00	\$10,000
13	Maintenance of Traffic	1	LS	\$120,000.00	\$120,000
14	As-Builts & Survey Site Layout	1	LS	\$40,000.00	\$40,000

TPO Funding City Match

Construction \$2,375,893

Contingency (10%) \$237,589

Construction Budget \$2,614,000 \$ 2,352,600.00 \$ 261,400.00

Engineering (15%) \$392,100 \$ 352,890.00 \$ 39,210.00

Construction Administration (10%) \$261,400 \$ 235,260.00 \$ 26,140.00

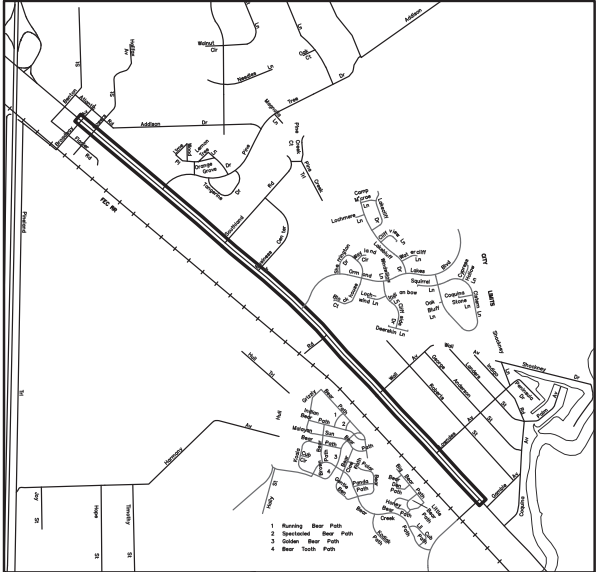
\$ 2,587,860.00 \$ 287,540.00

TOTAL PROBABLE PROJECT COST \$3,267,500

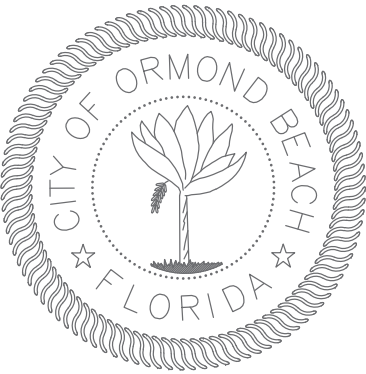
CITY OF ORMOND BEACH

NORTH US-1 SIDEWALK IMPROVEMENTS FROM BROADWAY AVE TO AIRPORT RD

 - SITE LOCATION



SITE LOCATION MAP



SHEET	DESCRIPTION
1	COVER SHEET & PROJECT LOCATION MAP
2	SIDEWALK PLAN 0+00 - 10+00
3	SIDEWALK PLAN 10+00 - 22+00
4	SIDEWALK PLAN 22+00 - 34+00
5	SIDEWALK PLAN 34+00 - 46+00
6	SIDEWALK PLAN 46+00 - 54+00
7	SIDEWALK PLAN 54+00 - 66+00
8	SIDEWALK PLAN 66+00 - 78+00
9	SIDEWALK PLAN 78+00 - 90+00
10	SIDEWALK PLAN 90+00 - 102+00

MAYOR

BILL PARTINGTON

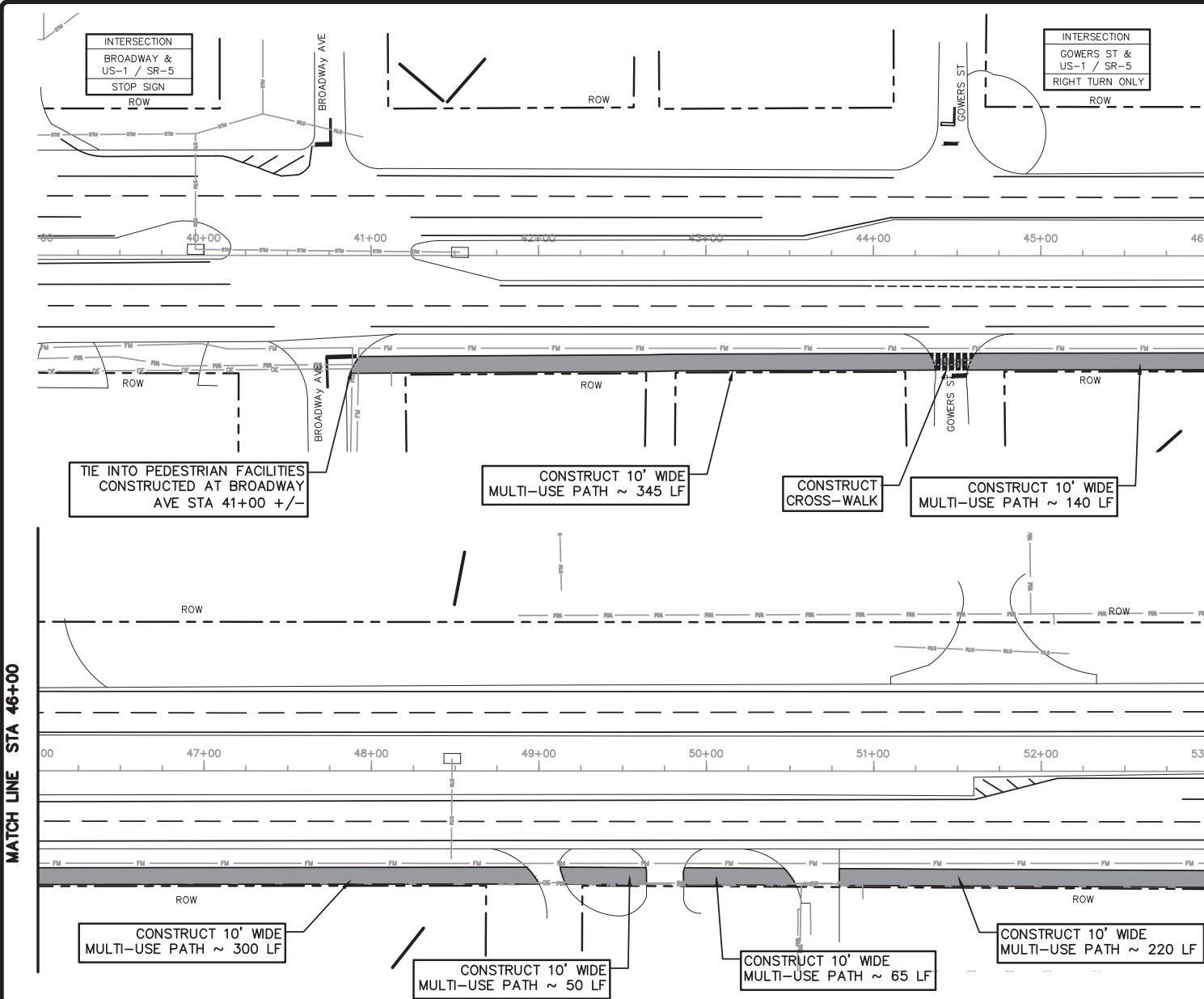
COMMISSIONERS

DWIGHT SELBY, ZONE 1
TROY KENT, ZONE 2

SUSAN PERSES, ZONE 3
ROB LITTLETON, ZONE 4

CITY MANAGER

JOYCE SHANAHAN



MATCH LINE STA 46+00

MATCH LINE STA 53+00

US-1 / SR-5
POSTED SPEED LIMIT: 45 MPH
DESIGN SPEED LIMIT: 45 MPH (DESIGN SPEED TAKEN FROM CONTRACT PLANS - STATE PROJECT #419588-1-52-01 DATED 2007)
"NO LANE CLOSURES"
I-95 TO AIRPORT RD SOUTHBOUND BETWEEN 7 AM AND 9 AM NORTHBOUND BETWEEN 3 PM AND 6 PM.
I-95 TO CITY LIMITS SOUTHBOUND BETWEEN 7 AM AND 8 AM NORTHBOUND BETWEEN 5 PM AND 6 PM.

NO WORK ALLOWED ON WEEKENDS, CITY OF ORMOND BEACH
HOLIDAYS, OR FDOT SPECIAL EVENT DATES, INCLUDING
DAYTONA SPEED WEEKS, BIKE WEEK, SPRING BREAK, BLACK
COLLEGE REUNION, AND BIKETOBERFEST.

MATCH LINE STA 46+00

NO.	DATE	REVISIONS	BY

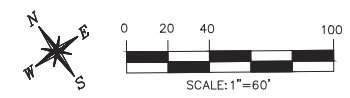
City of Ormond Beach
Engineering Division

ED KELLEY, MAYOR
JOYCE SHANAHAN, CITY MANAGER
JOHN NOBLE, P.E., ACTING CITY ENGINEER

237
NORTH US-1 MEDIAN IMPROVEMENTS

PLANTING PLAN 39+00 - 53+00

DATE: 3/18/19	PROJECT NO.: 2015-XX
SCALE: 1"=60'	FILE NAME: US_1_MEDIAN.pln.dwg
DRAWN BY: MC	SHEET: 2 OF 10



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	CONSTRUCTION
	RECORD

MATCH LINE STA 53+00

MATCH LINE STA 60+00

MATCH LINE STA 60+00

MATCH LINE STA 67+00

INTERSECTION
DESTINY DR &
US-1 / SR-5
STOP SIGN

CONSTRUCT 10' WIDE
MULTI-USE PATH ~ 125 LF

CONSTRUCT 10' WIDE
MULTI-USE PATH ~ 345 LF

CONSTRUCT 10' WIDE
MULTI-USE PATH ~ 300 LF

CONSTRUCT 10' WIDE
MULTI-USE PATH ~ 345 LF

CONSTRUCT 10' WIDE
MULTI-USE PATH ~ 345 LF

CONSTRUCT
CROSS-WALK

CONSTRUCT
CROSS-WALK

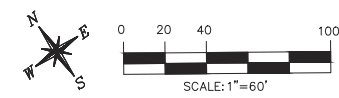
INTERSECTION
DESTINY DR &
US-1 / SR-5
STOP SIGN

CONSTRUCT 10' WIDE
MULTI-USE PATH ~ 700 LF

US-1 / SR-5
POSTED SPEED LIMIT: 45 MPH
DESIGN SPEED LIMIT: 45 MPH
(DESIGN SPEED TAKEN FROM CONTRACT PLANS -
STATE PROJECT #419588-1-52-01 DATED 2007)

"NO LANE CLOSURES"
I-95 TO AIRPORT RD
SOUTHBOUND BETWEEN 7 AM AND 9 AM
NORTHBOUND BETWEEN 3 PM AND 6 PM.
I-95 TO CITY LIMITS
SOUTHBOUND BETWEEN 7 AM AND 8 AM
NORTHBOUND BETWEEN 5 PM AND 6 PM.

NO WORK ALLOWED ON WEEKENDS, CITY OF ORMOND BEACH
HOLIDAYS, OR FDOT SPECIAL EVENT DATES, INCLUDING
DAYTONA SPEED WEEKS, BIKE WEEK, SPRING BREAK, BLACK
COLLEGE REUNION, AND BIKETOBERFEST.



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P	PERMIT
	BID
	ADDENDA
	CONSTRUCTION
	RECORD

NO.	DATE	REVISIONS	BY

City of Ormond Beach
Engineering Division

ED KELLEY, MAYOR
JOYCE SHANAHAN, CITY MANAGER
JOHN NOBLE, P.E. ACTING CITY ENGINEER

238
NORTH US-1 MEDIAN IMPROVEMENTS

PLANTING PLAN 53+00 - 67+00

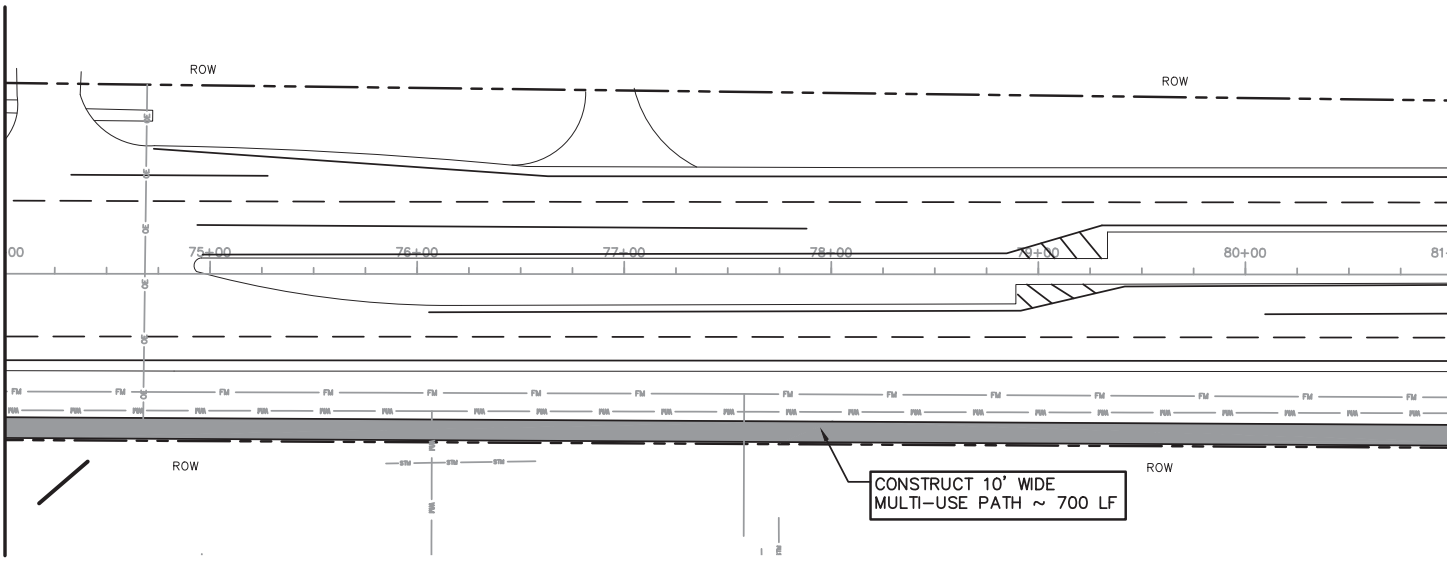
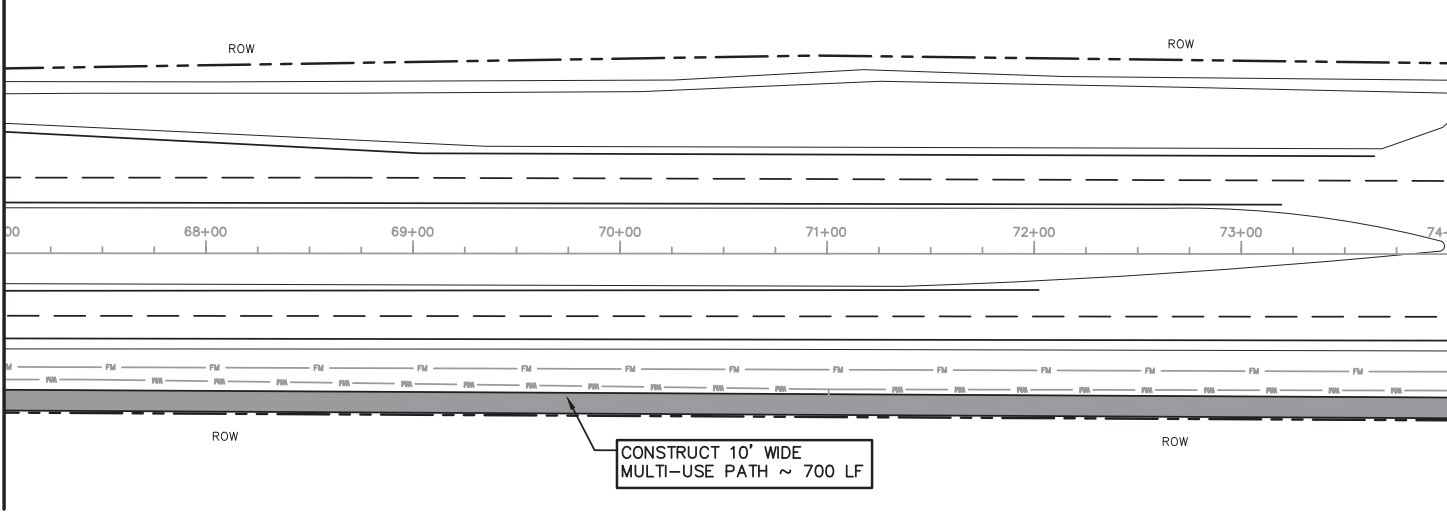
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MATCH LINE STA 67+00

MATCH LINE STA 74+00

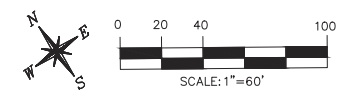
MATCH LINE STA 74+00

MATCH LINE STA 81+00



US-1 / SR-5
POSTED SPEED LIMIT: 45 MPH
DESIGN SPEED LIMIT: 45 MPH (DESIGN SPEED TAKEN FROM CONTRACT PLANS - STATE PROJECT #419588-1-52-01 DATED 2007)
"NO LANE CLOSURES"
I-95 TO AIRPORT RD SOUTHBOUND BETWEEN 7 AM AND 9 AM NORTHBOUND BETWEEN 3 PM AND 6 PM.
I-95 TO CITY LIMITS SOUTHBOUND BETWEEN 7 AM AND 8 AM NORTHBOUND BETWEEN 5 PM AND 6 PM.

NO WORK ALLOWED ON WEEKENDS, CITY OF ORMOND BEACH HOLIDAYS, OR FDOT SPECIAL EVENT DATES, INCLUDING DAYTONA SPEED WEEKS, BIKE WEEK, SPRING BREAK, BLACK COLLEGE REUNION, AND BIKETOBERFEST.



DRAWING STATUS	
	DRAFT
P	PERMIT
	BID
	ADDENDA
	CONSTRUCTION
	RECORD

NO.	DATE	REVISIONS	BY	City of Ormond Beach Engineering Division	ED KELLEY, MAYOR JOYCE SHANAHAN, CITY MANAGER	239 NORTH US-1 MEDIAN IMPROVEMENTS	PLANTING PLAN 67+00 - 81+00	DATE: 3/18/19 SCALE: 1"=60' DRAWN BY: MC	PROJECT NO.: 2015-XX FILE NAME: NUS_1_MEDIAN.pln.dwg SHEET: 5 OF 10
					JOHN NOBLE, P.E., ACTING CITY ENGINEER				

MATCH LINE STA 81+00

MATCH LINE STA 88+00

MATCH LINE STA 88+00

MATCH LINE STA 96+00

INTERSECTION
SOUTHLAND RD &
US-1 / SR-5
RIGHT TURN ONLY

INTERSECTION
BUSINESS CENTER DR
& US-1 / SR-5
RIGHT TURN ONLY

US-1 / SR-5
POSTED SPEED LIMIT: 45 MPH
DESIGN SPEED LIMIT: 45 MPH
(DESIGN SPEED TAKEN FROM CONTRACT PLANS -
STATE PROJECT #419588-1-52-01 DATED 2007)

"NO LANE CLOSURES"
I-95 TO AIRPORT RD
SOUTHBOUND BETWEEN 7 AM AND 9 AM
NORTHBOUND BETWEEN 3 PM AND 6 PM.
I-95 TO CITY LIMITS
SOUTHBOUND BETWEEN 7 AM AND 8 AM
NORTHBOUND BETWEEN 5 PM AND 6 PM.

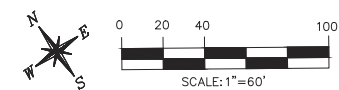
NO WORK ALLOWED ON WEEKENDS, CITY OF ORMOND BEACH
HOLIDAYS, OR FDOT SPECIAL EVENT DATES, INCLUDING
DAYTONA SPEED WEEKS, BIKE WEEK, SPRING BREAK, BLACK
COLLEGE REUNION, AND BIKETOBERFEST.

CONSTRUCT 10' WIDE
MULTI-USE PATH ~ 700 LF

CONSTRUCT 10' WIDE
MULTI-USE PATH ~ 560 LF

CONSTRUCT
CROSS-WALK

CONSTRUCT 10' WIDE
MULTI-USE PATH ~ 70 LF



DRAWING STATUS	
	DRAFT
P	PERMIT
	BID
	ADDENDA
	CONSTRUCTION
	RECORD

NO.	DATE	REVISIONS	BY

City of Ormond Beach
Engineering Division

ED KELLEY, MAYOR
JOYCE SHANAHAN, CITY MANAGER
JOHN NOBLE, P.E., ACTING CITY ENGINEER

240
NORTH US-1 MEDIAN IMPROVEMENTS

PLANTING PLAN 81+00 - 96+00

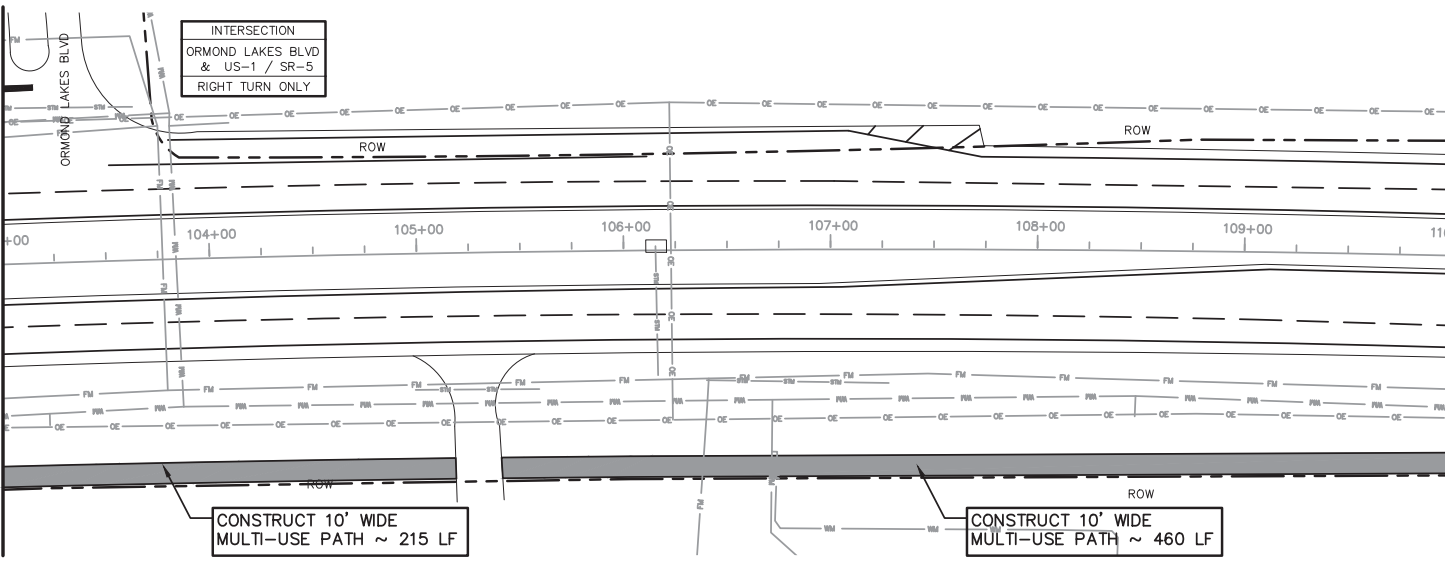
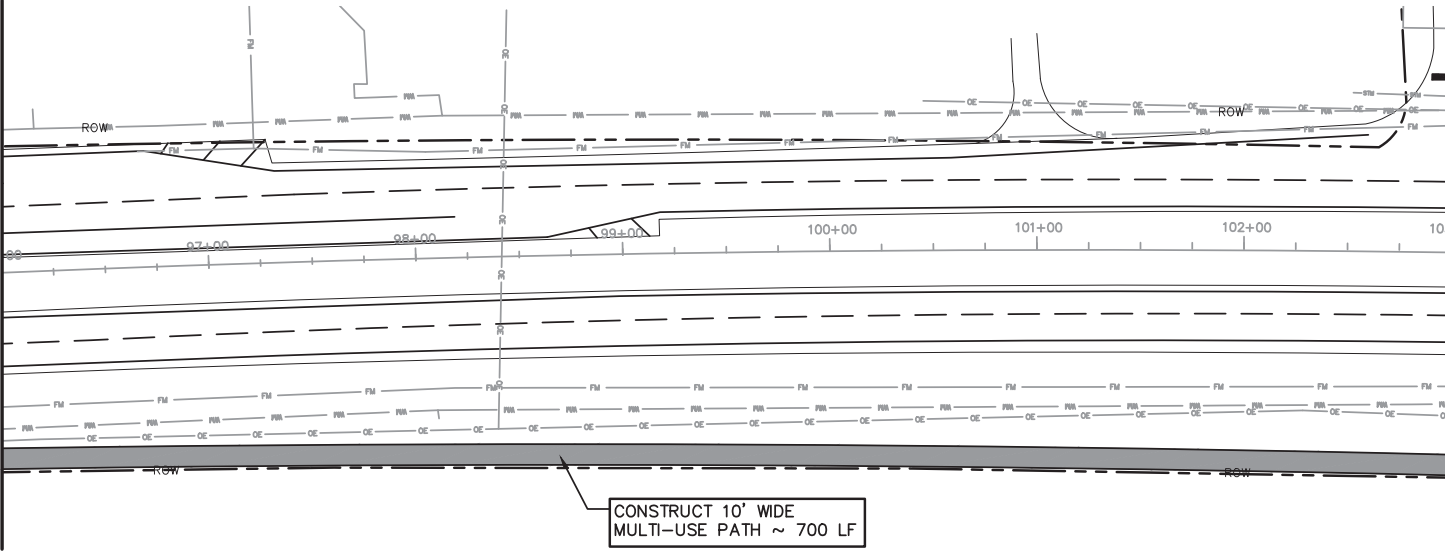
DATE: 3/18/19	PROJECT NO.: 2015-XX
SCALE: 1"=60'	FILE NAME: NUS_1_MEDIAN.pln.dwg
DRAWN BY: MC	SHEET: 5 OF 10

MATCH LINE STA 96+00

MATCH LINE STA 103+00

MATCH LINE STA 103+00

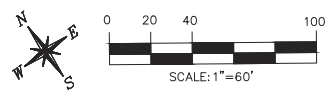
MATCH LINE STA 110+00



US-1 / SR-5
POSTED SPEED LIMIT: 45 MPH
DESIGN SPEED LIMIT: 45 MPH
(DESIGN SPEED TAKEN FROM CONTRACT PLANS -
STATE PROJECT #419588-1-52-01 DATED 2007)

"NO LANE CLOSURES"
I-95 TO AIRPORT RD
SOUTHBOUND BETWEEN 7 AM AND 9 AM
NORTHBOUND BETWEEN 3 PM AND 6 PM.
I-95 TO CITY LIMITS
SOUTHBOUND BETWEEN 7 AM AND 8 AM
NORTHBOUND BETWEEN 5 PM AND 6 PM.

NO WORK ALLOWED ON WEEKENDS, CITY OF ORMOND BEACH
HOLIDAYS, OR FDOT SPECIAL EVENT DATES, INCLUDING
DAYTONA SPEED WEEKS, BIKE WEEK, SPRING BREAK, BLACK
COLLEGE REUNION, AND BIKETOBERFEST.



DRAWING STATUS	
	DRAFT
P	PERMIT
	BID
	ADDENDA
	CONSTRUCTION
	RECORD

NO.	DATE	REVISIONS	BY	City of Ormond Beach Engineering Division	ED KELLEY, MAYOR JOYCE SHANNAN, CITY MANAGER JOHN NOBLE, P.E. ACTING CITY ENGINEER	241 NORTH US-1 MEDIAN IMPROVEMENTS	PLANTING PLAN 96+00 - 110+00	DATE: 3/18/19 SCALE: 1"=60' DRAWN BY: MC	PROJECT NO.: 2015-XX FILE NAME: NUS_1_MEDIAN.pln.dwg SHEET: 6 OF 10
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317-FACILITIES RENEWAL AND REPLACEMENT FUND

CAPITAL PROJECT DETAIL

PROJECT TITLE

Central Park 2 Gazebo Replacement

PROJECT#

CATEGORY

Facilities Renewal and Replacement

FUND

317-Facilities Renewal and Replacement

PROJECT LOCATION

Central Park Phase 2

MANAGEMENT

Engineering

PROJECT SCOPE

Remove and Replace the Steel Gazebo

JUSTIFICATION

This is the only remaining original steel gazebo in the park. It is used daily as a place to enjoy a meal, and get out of the sun. As part of FY 2020 one was replaced, leaving only this western most one. The elements have taken their toll on this gazebo and is beginning to rust beyond repair This gazebo should be completely replaced.

PROJECT COST METHODOLOGY

Cost based on similar city projects. Bid from MGM Contracting

EXPENDITURE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Replace The steel Gazebo	60,000	0	0	0	0	60,000	0
Total	60,000	0	0	0	0	60,000	0

REVENUE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Property Taxes-Facilities R&R	60,000	0	0	0	0	60,000	0
Total	60,000	0	0	0	0	60,000	0

BID (Cont'd.)
GAZEBO REPLACEMENTS CENTRAL PARK II
ORMOND BEACH, FLORIDA

(b) BIDDER has examined the site and locality where the Work is to be performed, the legal requirements (federal, state and local laws, ordinances, rules and regulations) and the conditions affecting cost, progress or performance of the Work and has made such independent investigations as BIDDER deems necessary.

(c) This Bid is genuine and not made in the interest of or on behalf of any undisclosed person, firm or corporation and is not submitted in conformity with any agreement or rules of any group, association, organization or corporation; BIDDER has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid; BIDDER has not solicited or induced any person, firm or a corporation to refrain from bidding; and BIDDER has not sought by collusion to obtain for himself any advantage over any other Bidder or over OWNER; and

5. BIDDER will complete the Work for the following price(s):

BID SCHEDULE

Item No.	Description	Estimated Quantity	Unit	Unit Price	Total Estimated Price
1.	Mobilization/Demobilization	<u>1</u>	LS	\$ <u>4360⁰⁰</u>	\$ <u>4360⁰⁰</u>
2.	General Conditions	<u>1</u>	LS	\$ <u>6,893⁰⁰</u>	\$ <u>6,893⁰⁰</u>
3.	Indemnification + Performance & PAY BOND	<u>1</u>	LS	\$ <u>2,244⁰⁰</u>	\$ <u>2,244⁰⁰</u>
4.	Furnish and Install Concrete Piers	<u>6</u>	LS	\$ <u>1578⁰⁰</u>	\$ <u>9,468⁰⁰</u>
5.	Furnish and Install Pre-fabricated Gazebo #1	<u>1</u>	LS	\$ <u>30,355⁰⁰</u>	\$ <u>30,355⁰⁰</u>
6.	Permit Fee and Miscellaneous Allowances	<u>1</u>	LS	\$5,000.00	\$ <u>5,000⁰⁰</u>
TOTAL BASE BID				\$ <u>58,320⁰⁰</u>	(Figures)

(Words)

Alternate Bid #1, Furnish and Install Six (6) Concrete Piers and Furnish and Install One (1) Pre-fabricated Gazebo #2	<u>1</u>	LS	\$ <u>54,590⁰⁰</u>	\$ <u>54,590⁰⁰</u>
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CAPITAL PROJECT DETAIL

PROJECT TITLE

Police Department Access Control

PROJECT#

CATEGORY

Facility Construction and Renovation

FUND

317-Facilities Renewal and Replacement

PROJECT LOCATION

Police Station

MANAGEMENT

IT / Engineering

PROJECT SCOPE

Remove and replace electronic door locks and CCTV system to bring security and monitoring systems up to current FDLE requirements

JUSTIFICATION

The existing access control system (2001) currently consists of three separate systems. The perimeter access system is original to the police station. Access controls with biometric features were added to the jail facility along a separate system for the Sally Port in 2009, when dispatch services was contracted with the County.

These systems have reached the end of their service life and are beginning to actively fail. Vendor service and support is no longer available due to the variety and age of the systems. Software updates are no longer provided on the current platform, Windows XP. Currently staff is preparing a study to look at the relocation of the Police Station and EOC. Should the City commission elect to pursue this relocation, this project will not be done.

The existing Closed Circuit Television (CCTV) is original to the police station. The video quality is poor and grainy by today's standards. The system has no room for expansion. An additional CCTV system is being used to monitor internal areas. Finding compatible replacement cameras is becoming increasingly difficult..

This project proposes to replace the existing systems with a unified access control and CCTV system. The new control system will maintain compliance with upcoming FDLE and Homeland Security requirements.

PROJECT COST METHODOLOGY

Engineering Cost Estimate

<u>EXPENDITURE</u>	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Construction	268,000	0	0	0	0	268,000	0
Total	268,000	0	0	0	0	268,000	0

CAPITAL PROJECT DETAIL

PROJECT TITLE PROJECT#

Police Department Access Control

REVENUE							Total 2021-22 to 2025-26	Other Requests without identified funding source
	2021-22	2022-23	2023-24	2024-25	2025-26			
Property Taxes-Facilities R&R	268,000	0	0	0	0		268,000	0
Total	268,000	0	0	0	0		268,000	0

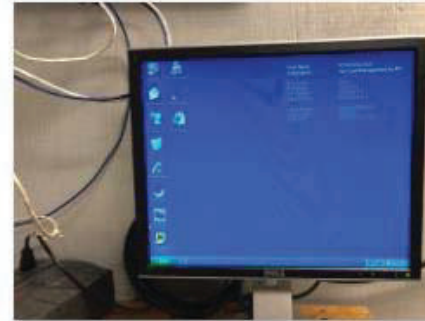
Existing Access Control System



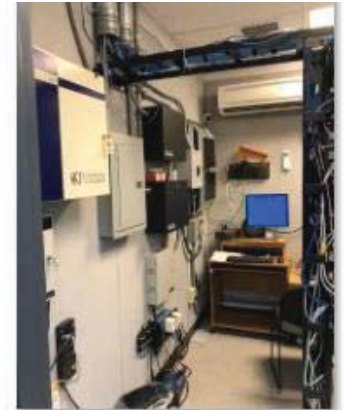
AccessSystem2and3.JPG



AccessSystemComputers.JPG



AccessSystemConsole.JPG



AccessSystems1.JPG



AccessSystems2.JPG



VideoConsole.JPG



VideoConsole2.JPG

Financial Summary

Customer Details: City of Ormond Beach
Site: Police Department

Access Control					\$117,309.94
QTY	Manufacturer	Part #	Description	Unit Price	Ext. Price
200.00	ADI - GARVIN INDUSTRIES	I7-JHK32BC	2 J HOOK WITH BEAM CLAMP	5.78	\$1,156.00
1.00	ADI - INTERLOGIX-SENTROL US	SR-1078C1M	1078C W/1929 MAGNET BROWN	4.44	\$4.44
1.00	ADI - SDC - SECURITY DOOR CONTROLS	SZ-55ABCULBM	55-ABC ELEC. STRK 12/24V 630	368.52	\$368.52
1.00	ADI - SDC - SECURITY DOOR CONTROLS	SZ-1091AIV	ELECTRIC BOLT LOCK 12/24VDC	242.80	\$242.80
1.00	Cell Doors	Misc	Cell Doors Misc	246.51	\$246.51
3.00	Computer	Workstation	Workstation, server, photo id	2,465.07	\$7,395.21
2.00	Electrical	Electrical Misc	Power, Conduit, ETC	2,465.07	\$4,930.14
4.00	EST	2317A-L	Panel & Sectional, Overhead Door, Industrial Extra Wide Gap, SPDT, Fits Door Channel 1.5 -2.4 Inches	37.37	\$149.48
1.00	Open Options	E2-SSP-D2-RSC2	Teal 16 x 20 x 4.5 Enclosure with Tamper Switch, SPS-10 Power Supply and PDD8 Power Distribution Board, SSP-D2 (on-board Ethernet connection and two reader support, 4 output and 8 input relays, single down stream 485 port with 6MB) and RSC-2.	2,962.81	\$2,962.81
3.00	Open Options	E2-2RSC-2	Teal 16 x 20 x 4.5 Enclosure with Tamper Switch, SMP-10 Power Supply and PDD8 Power Distribution Board and (2) RSC-2's.	1,935.03	\$5,805.09
6.00	Open Options	RSC-2C	Teal 12 x 14 x 4.5 Enclosure with a 24 point terminal strip. Sub-Controller Enclosure houses a single RSC-2 and comes equipped with a tamper switch.	728.30	\$4,369.80
6.00	Open Options	HEK-FOR BOARDS	Hinged Expansion Kit for Mercury Boards	18.49	\$110.94
2.00	Open Options	OO-MT	Man Trap Controller System: Includes a 16 x 20 x 4.5 Teal Enclosure providing the ability to interlock two controlled doors allowing only one door to be opened at a time. The Man Trap will not unlock a door if the other door is open (price per two doors). Lead time 2-3 weeks.	1,479.04	\$2,958.08
1.00	Open Options	OO-SPC	Sally Port Controller: Includes a 16 x 20 x 4.5 Teal Enclosure with power supply. The SPC is used to supervise multiple mantrap controllers (OO-MT & OO-MTR) to provide a cohesive system capable of controlling several doors. Floor plans and an operational description is required prior to ordering. Custom programming charges are not included in price.	3,081.33	\$3,081.33
1.00	Open Options	OO-MTR	Man Trap Rollup Door Controller System: Includes a 16 x 20 x 4.5 Teal Enclosure providing the ability to interlock two controlled rollup doors allowing only one door to be opened at a time. The Man Trap will not unlock a door if the other door is open (price per two doors). Lead time 2-3 weeks.	1,787.17	\$1,787.17
1.00	Open Options	DNA-220	DNAFusion - 2 Client Connection 20 Subcontrollers	2,386.18	\$2,386.18

Ormond Beach Police Station Access Control System Upgrade

7.K.a

Access Control					\$117,309.94
QTY	Manufacturer	Part #	Description	Unit Price	Ext. Price
1.00	Open Options	FUSION-WEBSVC	Provides a web based portal to manage personnel, monitor system activity, view and control system devices. License provides 2 Fusion system users ability to logon to the web browser. License based on system user logon. Available in version 5.3 or above.	616.27	\$616.27
1.00	Open Options	Fusion Mobile 5	License to connect to 5 Mobile devices to DNAFusion. DNAFusion version 6 or above is required. Compatible devices with IOS 6 or above and Android Phones.	616.27	\$616.27
1.00	Open Options	OO-Milestone-ACM	Software integration license allowing Milestone to import access control data from DNA Fusion. This functionality allows the VMS platform to surface access control information to include but not limited to card holder data and door information through the VMS platform/ GUI.	4,313.87	\$4,313.87
1.00	Open Options	OPENDX	Open DX: Data Exchange Software Utility that imports personnel data from multiple sources including Active Directory, Databases, Text and XML files.	6,156.50	\$6,156.50
2.00	Open Options	SWM-CWS	Fusion Software Maintenance per Client Workstation.	135.58	\$271.16
2.00	Open Options	SWM-SUB	Software Maintenance per Subcontroller. Software Maintenance is calculated in groups of 10 sub-controllers license.	24.65	\$49.30
1.00	Open Options	DNA-IPID-CAM	This part # includes the following: Photo ID Software License, Camera, Camera Stand, Pan/tilt Head, 120 VAC Compact Power Adapter, 4 USB cable. **DNAFusion Photo ID Module can run on a server, however, it is recommended to run on a separate computer for badging purposes.	3,568.18	\$3,568.18
1.00	Open Options	FAR-55400	DTC4500 Base Model, USB and Ethernet Printer with Two Year Warranty.	4,218.73	\$4,218.73
22.00	Open Options	920-pivCLASS-NOPROX	pivCLASS SE R40-H Contactless Smart Card Reader, BLK Wall Switch 13.56 MHz **** Readers are ordered with the following configuration, any other configuration requires a completed HID How to Order Form with the desired configuration.****(920NHRNEK0001T)	188.49	\$4,146.78
200.00	Open Options	3004	32k bit (application areas 16k/16 + 16k/1)	6.88	\$1,376.00
3.00	Open Options	BC-BEWIOC	Bio Reader/IP65/iCLASS SE. OO-SUPREMA-INT and Suprema Software required to integrate with DNA Fusion.	956.27	\$2,868.81
1.00	Open Options	OO-SUPREMA-INT	Integration license allowing for the integration of the Suprema biometric readers and the BioConnect Software with DNA Fusion; enroll and manage biometric template, eliminating the need for repetitive data entry of personnel information.	4,313.87	\$4,313.87
1.00	Open Options	BC-BIOMINI	USB enrollment scanner. OO-SUPREMA-INT and Suprema Software required to integrate with DNA Fusion.	272.51	\$272.51
6.00	Windy City	4461030	4 Elem Comp Cable CMP Yellow Jkt	738.29	\$4,429.74

Labor Schedule for: Access Control

Description	Ext. Price
Install	\$22,848.00
Programming	\$784.00
Project Manager	\$1,344.00
Demo	\$3,840.00
Final Inspection	\$1,344.00
Misc Labor 1	\$2,688.00
Engineering	\$3,200.00
Training	\$672.00

Equipment SubTotal:	\$75,172.49
Labor SubTotal:	\$36,720.00
Misc. Parts & Supplies SubTotal:	\$5,417.45
Access Control SubTotal:	\$117,309.94

Ormond Beach Police Station Access Control System Upgrade

7.K.a

Alternate 1					\$42,285.61
QTY	Manufacturer	Part #	Description	Unit Price	Ext. Price
30.00	ADI - GARVIN INDUSTRIES	I7-JHK32BC	2 J HOOK WITH BEAM CLAMP	5.78	\$173.40
7.00	ADI - INTERLOGIX-SENTROL US	SR-1078C1M	1078C W/1929 MAGNET BROWN	4.44	\$31.08
9.00	ADI - SDC - SECURITY DOOR CONTROLS	SZ-55ABCULBM	55-ABC ELEC. STRK 12/24V 630	368.52	\$3,316.68
9.00	Electrical	Electrical Misc	Power, Conduit, ETC	184.88	\$1,663.92
2.00	EST	2317A-L	Panel & Sectional, Overhead Door, Industrial Extra Wide Gap, SPDT, Fits Door Channel 1.5 -2.4 Inches	37.37	\$74.74
1.00	Open Options	E2-2RSC-2	Teal 16 x 20 x 4.5 Enclosure with Tamper Switch, SMP-10 Power Supply and PDD8 Power Distribution Board and (2) RSC-2's.	1,935.03	\$1,935.03
4.00	Open Options	RSC-2C	Teal 12 x 14 x 4.5 Enclosure with a 24 point terminal strip. Sub-Controller Enclosure houses a single RSC-2 and comes equipped with a tamper switch.	728.30	\$2,913.20
4.00	Open Options	HEK-FOR BOARDS	Hinged Expansion Kit for Mercury Boards	18.49	\$73.96
1.00	Open Options	DNA-220	DNAFusion - 2 Client Connection 20 Subcontrollers	2,386.18	\$2,386.18
1.00	Open Options	SWM-SUB	Software Maintenance per Subcontroller. Software Maintenance is calculated in groups of 10 sub-controllers license.	24.65	\$24.65
9.00	Open Options	920-pivCLASS-NOPROX	pivCLASS SE R40-H Contactless Smart Card Reader, BLK Wall Switch 13.56 MHz **** Readers are ordered with the following configuration, any other configuration requires a completed HID How to Order Form with the desired configuration.****(920NHRNEK0001T)	188.49	\$1,696.41
2.00	Windy City	4461030	4 Elem Comp Cable CMP Yellow Jkt	738.29	\$1,476.58

Labor Schedule for: Alternate 1

Description	Ext. Price
Install	\$23,520.00
Programming	\$392.00
Project Manager	\$672.00
Demo	\$1,280.00
Misc Labor 1	\$336.00

Equipment SubTotal:	\$15,765.83
Labor SubTotal:	\$26,200.00
Misc. Parts & Supplies SubTotal:	\$319.78
Alternate 1 SubTotal:	\$42,285.61

Financial Summary

Total Equipment:	\$90,938.32
Total Labor:	\$62,920.00
Total Misc. Parts & Supplies:	\$5,737.23
Total System Investment:	\$164,391.34
This proposal does not include sales tax.	

Financial Summary

Customer Details: City of Ormond Beach
Site: Police Department

IP CCTV					\$99,364.12
QTY	Manufacturer	Part #	Description	Unit Price	Ext. Price
1.00	ADI - APC/AMERICAN POWER CONVERSION	2G-SMX1500RM	UPS X 1500VA RACK TWR LCD 120V	1,093.65	\$1,093.65
180.00	ADI - GARVIN INDUSTRIES	I7-JHK32BC	2 J HOOK WITH BEAM CLAMP	6.40	\$1,152.00
1.00	ADI - PLATINUM TOOLS	TS-100010C	EZ-RJ45 CAT6 CONNECTOR 50PC	41.59	\$41.59
7.00	Anixter	CMP-00424IBDN-7RB-06	CAT 6 PLENUM 1000' Boxes	328.99	\$2,302.93
8.00	Axis	0587-001	AXIS P3365-VE	994.48	\$7,955.84
15.00	Axis	0586-001	AXIS P3365V	795.39	\$11,930.85
1.00	Electrical	Electrical Misc.	Power, conduit, etc.	2,727.34	\$2,727.34
1.00	Milestone	XPETBL	XProtect Expert Base License-35	1,771.88	\$1,771.88
1.00	Milestone	Y3OIXPETBL	Three years opt-in Care Plus for XProtect Expert Base License-35	957.30	\$957.30
23.00	Milestone	XPETDL	XProtect Expert Device License-35	238.44	\$5,484.12
23.00	Milestone	Y3OIXPETDL	Three years opt-in Care Plus for XProtect Expert Device License-35	129.41	\$2,976.43
1.00	Server	Video sever	NVR, Recording Devices, Video Surveillance	34,091.73	\$34,091.73

Labor Schedule for: IP CCTV

Description	Ext. Price
Install	\$12,096.00
Programming	\$1,568.00
Project Manager	\$672.00
Demo	\$3,200.00
Final Inspection	\$672.00
Engineering	\$3,200.00
Training	\$672.00

Equipment SubTotal:	\$72,485.66
Labor SubTotal:	\$22,080.00
Misc. Parts & Supplies SubTotal:	\$4,798.46
IP CCTV SubTotal:	\$99,364.12

Financial Summary

Total Equipment:	\$72,485.66
Total Labor:	\$22,080.00
Total Misc. Parts & Supplies:	\$4,798.46
Total System Investment:	\$102,819.15
This proposal does not include sales tax.	

CAPITAL PROJECT DETAIL

PROJECT TITLE

Shell Parking lot

PROJECT#

CATEGORY

Facility Construction and Renovation

FUND

317-Facilities Renewal and Replacement

PROJECT LOCATION

Citywide

MANAGEMENT

Engineering

PROJECT SCOPE

Add shell to all unpaved city parking lots

JUSTIFICATION

Each of the unpaved parking lots are in need of annual replenishment of materials. This project removes the burden of this cost from the parks and streets operating accounts.

PROJECT COST METHODOLOGY

Based on similar projects

EXPENDITURE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Shell Parking	51,000	51,000	51,000	51,000	51,000	255,000	0
Ames House Parking	5,000	0	0	0	0	5,000	0
Total	56,000	51,000	51,000	51,000	51,000	260,000	0

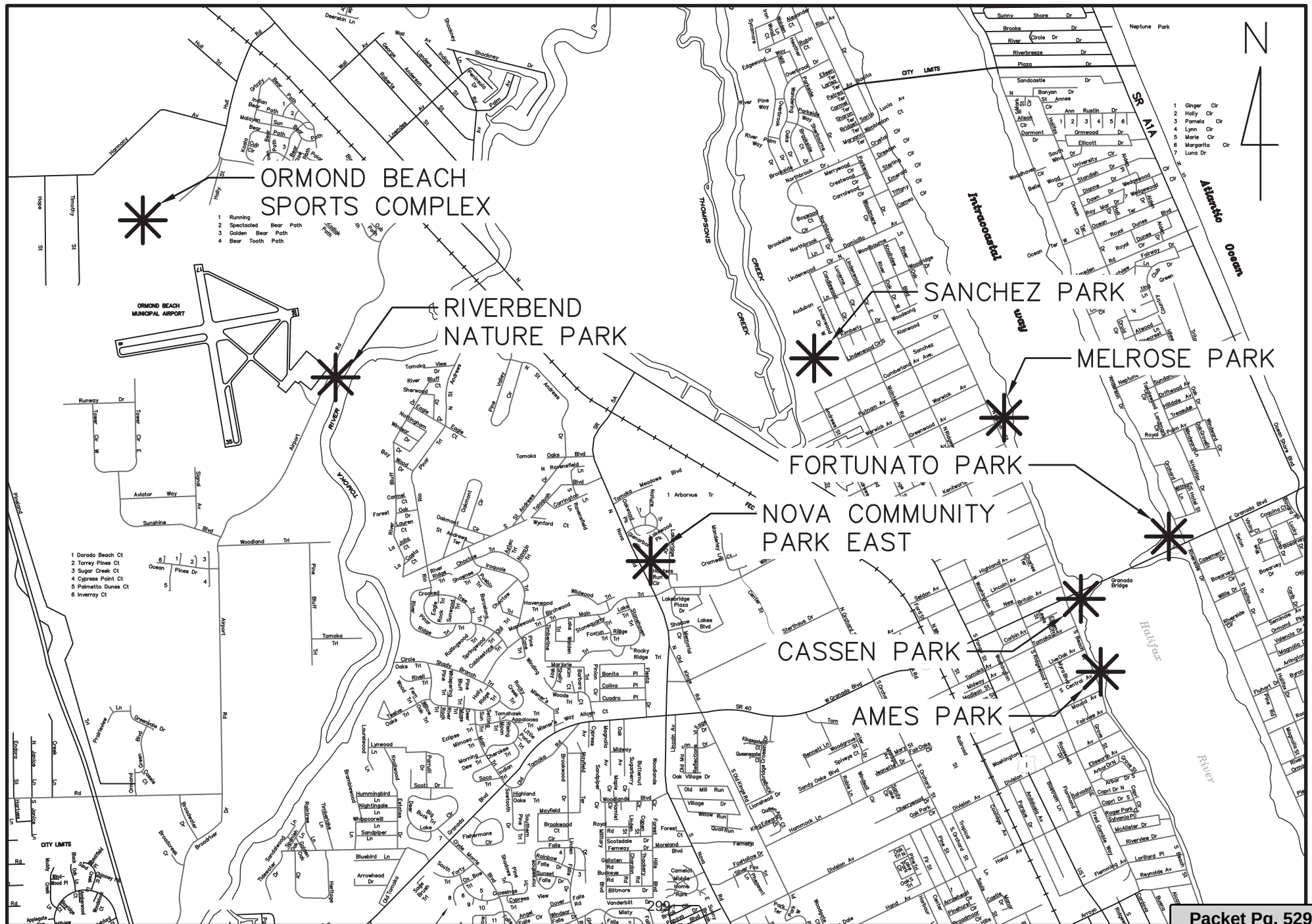
REVENUE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Property Taxes-Facilities R&R	56,000	51,000	51,000	51,000	51,000	260,000	0
Total	56,000	51,000	51,000	51,000	51,000	260,000	0

Parks Shell Parking Restoration					
Park	Shell Area (SQFT)	Thickness (IN)	Volume (CUFT)	COST	
Ames Park	6500	6	3250	\$	3,009.26
Cassen Park	18000	6	9000	\$	8,333.33
Fortunato Park	1800	6	900	\$	833.33
Melrose Park	3800	6	1900	\$	1,759.26
Nova Community Park	6500	6	3250	\$	3,009.26
Riverbend Nature Park	8100	12	8100	\$	7,500.00
Sanchez Park	37800	6	18900	\$	17,500.00
Total			45300	\$	41,944.44
Total w/ 20% Contingency			54360	\$	50,333.33

Park	Shell Area (SQFT)	Thickness (IN)	Volume (CUFT)	COST	
Ormond Beach Sports Complex	248000	6	124000	\$	114,814.81

PARKS SHELL PARKING RESTORATION



City of Ormond Beach, Florida
22-Apr-21

Ames House Parking Lot Paving

Probable Cost

Project Description: Finish paving the Ames House lot with approximately 264 SF of pavement.

Probable Cost Breakdown:

Construction Cost Breakdown

Item Num	Item Description	QTY	Unit	Unit Cost	Item Cost
1	Mobilization	1	LS	\$ 1,500.00	\$ 1,500.00
2	Site Prep	1	LS	\$ 1,000.00	\$ 1,000.00
3	Concrete Pavement - 6"	15	SY	\$ 73.00	\$ 1,095.00

1 **Sub-Total (Construction)= \$ 3,595.00**

2 Engineering & Permitting (10%)= \$ 359.50

4 Subtotal (1 and 2) \$ 3,954.50

5 **Budget for design and construction= \$ 4,000.00**



CAPITAL PROJECT DETAIL

PROJECT TITLE

Bailey Riverbridge Roof Replacement

PROJECT#**CATEGORY**

Facilities Renewal and Replacement

FUND

317-Facilities Renewal and Replacement

PROJECT LOCATION

Bailey Riverbridge Gardens

MANAGEMENT

Engineering

PROJECT SCOPE

Remove and replace the cedar shake roofing shingles.

JUSTIFICATION

This roof is over twenty years old and is in need of a complete replacement. Multiple repairs have been made in the last few years and this roof should be replaced before damage is done to this historic building.

PROJECT COST METHODOLOGY

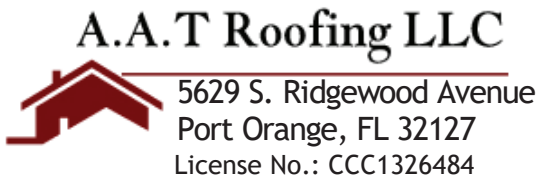
Written estimate from AAT Roofing

EXPENDITURE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Replace Cedar Shake Roof	0	32,000	0	0	0	32,000	0
Total	0	32,000	0	0	0	32,000	0

REVENUE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Property Taxes-Facilities R&R	0	32,000	0	0	0	32,000	0
Total	0	32,000	0	0	0	32,000	0



Contract / Estimate # 1922

Name / Address
City of Ormond Beach 22 S Beach St Ormond Beach, FL 32174 Customer Phone: 386-676-3286

Job Site
Bailey Riverbridge Gardens 1 N. Beach St. Ormond Beach, FL 32176
Warranty
5 Year A.A.T. Workmanship Warranty

Project	Date	Facsimile	Office	Website
Wood Shake Replacement	4/20/2020	386-761-4311	386-767-1886	www.aatroofing.com

Labor and Material Description

Remove existing roof to clean workable surface.

All roof related debris to be contained and/or removed on a daily basis.

Repair and/or replace all damaged/deteriorated wood at a cost of labor and material.

Re-nail existing wood deck as per current code using 8D ring shank nails.

Install (1) layer of #30 felt secured with metal simplex.

Install new aluminum drip edge.

Install new aluminum valley metal.

Install new lead boots at all plumbing vents.

Install new #2 - starters shakes as needed with a 1 1/2" overhang.

Install new 24" roughsawn shakes with a 10" reveal.

Install matching hip & ridge shingles.

This proposal may be withdrawn by us if not accepted within 7 days.

ACCEPTANCE OF PROPOSAL - The above prices, specifications and conditions are satisfactory and are hereby accepted. I hereby authorize A.A.T. Roofing, LLC to do the work as specified.

Signature _____

303

All credit card charges are subject to 3.53% processing fee by the payment processor, A.A.T. Roofing does not receive the fee.

Total \$31,723.00



Packet Pg. 533

CAPITAL PROJECT DETAIL

PROJECT TITLE

Outdoor Fitness Station

PROJECT#

CATEGORY

Facilities Renewal and Replacement

FUND

317-Facilities Renewal and Replacement

PROJECT LOCATION

Nova Community Center

MANAGEMENT

Engineering

PROJECT SCOPE

Replace the scattered work out equipment with one central system

JUSTIFICATION

The current exercise stations are over 20 years old, and are antiquated and beyond repair. The new proposed system incorporates new exercise technology and is in a single location, making it much more user friendly. This is a high usage park and this is a very good place to install a system of this kind.

PROJECT COST METHODOLOGY

Written quote from GameTime

EXPENDITURE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Install new centrally located fitness	0	97,000	0	0	0	97,000	0
Total	0	97,000	0	0	0	97,000	0

REVENUE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Property Taxes-Facilities R&R	0	97,000	0	0	0	97,000	0
Total	0	97,000	0	0	0	97,000	0



GameTime
 c/o Dominica Recreation Products, Inc.
 P.O. Box 520700
 Longwood, FL 32752-0700
 800-432-0162 * 407-331-0101
 Fax: 407-331-4720
www.playdrp.com

04/17/2020 **7.K.a**
 Quote #102432-01-01

Sports Complex ~ Training Center (Budgetary Proposal)

Ormond Beach Parks & Recreation
 Attn: Stefan Sibley
 399 U.S. #1
 Ormond Beach, FL 32174
 Phone: 386-676-3246
stefan.sibley@ormondbeach.org

Ship to Zip 32771

Quantity	Part #	Description	Unit Price	Amount
1	RDU	GameTime - FT19004 Training Center	\$45,812.00	\$45,812.00
1	INSTALL	5-Star Plus - Five Star Plus Playground Installation Services- <i>Performed by a Certified Installer, includes meeting and unloading delivery truck, signed completion forms, site walkthrough, 90 day site revisit by installation foreman, and 3-Year Labor Warranty!</i>	\$13,830.00	\$13,830.00
1	Sealed	5-Star Plus - Signed/Sealed FBC 2020 7th Ed Building Code Drawings	\$995.00	\$995.00
1	Permits	5-Star Plus - Building Permits- <i>Estimated Costs of Permits plus Time. If actual permit fees are significantly higher or lower, final invoice will be adjusted accordingly. Includes two visits to the permit office, if additional time spent acquiring permits, final invoice to be adjusted. Site Plans are to be provided by the owner for the permit application.</i>	\$1,250.00	\$1,250.00
1215	Digout	GT-Impax - Digout/Sitework of area (per sq. ft.)- <i>Does not include removal of spoils</i>	\$1.32	\$1,603.80
1215	Spoils	GT-Impax - Removal/Disposal from Site the Spoils from Digout (per sq. ft.)	\$1.10	\$1,336.50
150	Curb	GT-Impax - Concrete Curb (ln. ft.)- <i>4" Wide - Not Reinforced</i>	\$31.50	\$4,725.00
1215	Crush	GT-Impax - Crushed & Compacted Stone Sub-Base (sq. ft.)- <i>Warranty to match Surfacing Warranty (5-years). Installed per specification of Unitary Surfacing requirements.</i>	\$3.75	\$4,556.25
1215	Turf-6	GT-Impax - Synthetic Turf Surfacing - 6' fall height- <i>Standard Turf Surfacing with infill - 8' fall height</i>	\$19.78	\$24,032.70
			Sub Total	\$98,141.25
			Discount	(\$7,329.92)
			Material Surcharge	\$3,607.70
			Freight	\$2,253.33
			Total	\$96,672.36

Comments

Site visit required prior to order to confirm scope of job.

This quote was prepared by Gina Wilson, Vice President / Senior Project Manager.
 For questions or to order please call - 800-432-0162 ext. 101 ginaw@gametime.com

All pricing in accordance with Omnia Partners / U.S. Communities Contract #2017001134.

All terms in the Omnia Partners / U.S. Communities Contract take precedence over terms shown below.

For more information on the Omnia Partners / U.S. Communities contract please visit [Omnia Partners Public Sector GameTime](https://www.omniapartners.com/public-sector/game-time)



GameTime
c/o Dominica Recreation Products, Inc.
P.O. Box 520700
Longwood, FL 32752-0700
800-432-0162 * 407-331-0101
Fax: 407-331-4720
www.playdrp.com

04/17/2020
Quote #102432-01-01

7.K.a

Sports Complex ~ Training Center (Budgetary Proposal)

Permits are not included in cost, unless specifically listed in pricing. If permits are required Signed/Sealed drawings are usually needed and are also not included unless specifically listed in pricing. Any costs for municipal permits, paid by installer, will be charged back to the owner. Adding permits to any job will increase the length of completion, expect total time to be about **120 days**, after receipt of Site Plan from owner/customer (this is not due to manufacturing but rather the permit process at the municipality level). It is expected that the **owner will provide approved site plans** of the area for the permit office, and will help and assist in the securing of all required approvals before assembly of equipment can begin. Installer cannot provide site plans. The permit process can not begin until the site plans are available. If additional permitting requirements are needed during the process, those will be added and billed accordingly, i.e. soil density test, formed footers, etc.

Payment Terms: Governmental Purchase Order.

Purchases in excess of \$1,000.00 to be supported by your written purchase order made out to GameTime.

Net 30 days subject to approval by GameTime Credit Manager. A completed Credit Application and Bank Reference Authorization, must be received with the order. The decision on credit is the sole discretion of GameTime/PlayCore. A 1.5% per month finance charge will be imposed on all past due accounts.

Multiple Invoices: Invoices will be generated upon services rendered. When equipment ships it will be invoiced separately from installation and/or other services. Terms are Net 30 for each individual invoice.

This Quotation is subject to policies in the current GameTime Park and Playground Catalog and the following terms and conditions. Our quotation is based on shipment of all items at one time to a single destination, unless noted, and changes are subject to price adjustment.

Pricing: Firm for 60 days from date of quotation.

Shipment: F.O.B. factory, order shall ship within 45 days after GameTime's receipt and acceptance of your purchase order, color selections, approved submittals, and receipt of payment.

Taxes: State and local taxes will be added at time of invoicing, if not already included, unless a tax exempt certificate is provided at the time of order entry.

Exclusions: Unless specifically discussed, this quotation excludes all sitework and landscaping; removal of existing equipment; acceptance of equipment and off-loading; storage of goods prior to installation; security of equipment (on site and at night); equipment assembly and installation; safety surfacing; borders; drainage; signed/sealed drawings; or permits.

Installation Terms: Shall be by a Certified Installer. The installer is an independent installer and not part of PlayCore, GameTime, nor Dominica Recreation Products. If playground equipment, installer will be NPSI and Factory Trained and Certified. Unless otherwise noted, installation is based on a standard installation consistent with GameTime installation sheets and in suitable soil with a sub-base that will allow proper playground installation. Drainage is not part of our scope of work unless otherwise noted. Customer shall be responsible for scheduling and coordination with the installer. Site should be level and allow for unrestricted access of trucks and machinery. Customer shall also provide a staging and construction area. Installer not responsible for sod replacement or damage to access path and staging area. Customer shall be responsible for unknown conditions such as buried utilities, tree stumps, rock, or any concealed materials or conditions that may result in additional labor or material costs. Customer will be billed hourly or per job directly by the installer for any additional costs that were not previously included.

Unitary Surfacing Notes : The installer of the Unitary Surfacing (Poured, Bonded, Turf, Tiles) is not the same installer of the playground equipment. However, your certified equipment installer will coordinate the timing of the unitary surfacing installation, but more than likely they will not be on-site at the time. They will continue to be your contact should you have any questions. Security is needed to protect surfacing at night or after installation as the product set. Normally it is not needed or a concern, however in some areas additional security is needed to prevent vandalism. **Security is not included.** Vandalism will be the responsible of the owner.

ORDER INFORMATION

Bill To: _____	Ship To: _____
Contact: _____	Contact: _____
Address: _____	Address: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____
Tel: _____ Fax: _____	Tel: _____ Fax: _____

SALES TAX EXEMPTION CERTIFICATE #: _____ (PLEASE PROVIDE A COPY OF CERTIFICATE)



GameTime
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P.O. Box 520700
Longwood, FL 32752-0700
800-432-0162 * 407-331-0101
Fax: 407-331-4720
www.playdrp.com

04/1
Quote #102432-01-01

7.K.a

Sports Complex ~ Training Center (Budgetary Proposal)

Acceptance of quotation:

Accepted By (printed): _____

P.O. No: _____

Signature: _____

Date: _____

Title: _____

Phone: _____

E-Mail: _____

Purchase Amount: **\$96,672.36**



Playpalette Emerald

Intellectual property of GameTime, a PlayCore Company. The site shown in rendering is an interpretation and may not reflect exact site conditions.

4/19/21

Ormond Beach P&R Sports complex

Ormond Beach, FL



A PLAYCORE Company

www.gametime.com



www.playdrp.com

CAPITAL PROJECT DETAIL

PROJECT TITLE

Rental Pavilion Replacement

PROJECT#**CATEGORY**

Facilities Renewal and Replacement

FUND

317-Facilities Renewal and Replacement

PROJECT LOCATION

S.O.N.C.

MANAGEMENT

Engineering

PROJECT SCOPE

Remove and replace the rental pavilion

JUSTIFICATION

This pavilion is used year round for rentals and public gatherings. Due to the elements, it has deteriorated beyond repair and should be completely replaced. This pavillion has been in place for over 18 years.

PROJECT COST METHODOLOGY

Written Quote From Top Line Recreation

EXPENDITURE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Replace the Rental Pavilion	0	65,000	0	0	0	65,000	0
Total	0	65,000	0	0	0	65,000	0

REVENUE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Property Taxes-Facilities R&R	0	65,000	0	0	0	65,000	0
Total	0	65,000	0	0	0	65,000	0

CAPITAL PROJECT DETAIL

PROJECT TITLE

Central Park 3 Overlook Replacement

PROJECT#

CATEGORY

Facilities Renewal and Replacement

FUND

317-Facilities Renewal and Replacement

PROJECT LOCATION

Central Park Phase 3

MANAGEMENT

Engineering

PROJECT SCOPE

Rebuild the Wooden Overlook

JUSTIFICATION

This overlook was constructed when the park was built in the early 90's. decking has been replace multiple times, but now the stringers underneath are deteriorating to the point that fasteners will not catch in the pressure treated lumber. The overlooks needs to be rebuilt completely.

PROJECT COST METHODOLOGY

Cost based on similar city projects

EXPENDITURE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Rebuild the wooden overlook	0	0	35,000	0	0	35,000	0
Total	0	0	35,000	0	0	35,000	0

REVENUE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Property Taxes-Facilities R&R	0	0	35,000	0	0	35,000	0
Total	0	0	35,000	0	0	35,000	0

CAPITAL PROJECT DETAIL

PROJECT TITLE

OBSC Baseball Netting Replacement

PROJECT#**CATEGORY**

Facility Construction and Renovation

FUND

317-Facilities Renewal and Replacement

PROJECT LOCATION

O.B.Sports Complex

MANAGEMENT

Engineering

PROJECT SCOPE

Remove and replace the safety netting and support posts at the baseball fields

JUSTIFICATION

The support posts are showing substantial deterioration and will need to be replaced. Epoxy coatings have been applied, and repairs to the netting have been made, but replacement will be necessary soon.

PROJECT COST METHODOLOGY

Cost based on similar city projects

EXPENDITURE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Baseball netting and support post	0	0	45,000	0	0	45,000	0
Total	0	0	45,000	0	0	45,000	0

REVENUE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Property Taxes-Facilities R&R	0	0	45,000	0	0	45,000	0
Total	0	0	45,000	0	0	45,000	0

CAPITAL PROJECT DETAIL

PROJECT TITLE

Playground Equipment Replacement

PROJECT#**CATEGORY**

Facility Construction and Renovation

FUND

317-Facilities Renewal and Replacement

PROJECT LOCATION

Central Park Phase I

MANAGEMENT

Leisure Services

PROJECT SCOPE

Remove and replace the playground equipment

JUSTIFICATION

The current playground equipment has been in place for approx.15 years and is showing signs of deterioration. Some replacement parts are already unavailable.

PROJECT COST METHODOLOGY

Cost based on similar city projects

EXPENDITURE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Playground Equipment replacement	0	0	40,000	0	0	40,000	0
Total	0	0	40,000	0	0	40,000	0

REVENUE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Property Taxes-Facilities R&R	0	0	40,000	0	0	40,000	0
Total	0	0	40,000	0	0	40,000	0

CAPITAL PROJECT DETAIL

PROJECT TITLE

PAC Box Office Roof Replacement

PROJECT#**CATEGORY**

Facilities Renewal and Replacement

FUND

317-Facilities Renewal and Replacement

PROJECT LOCATION

Performing Arts Center

MANAGEMENT

Engineering

PROJECT SCOPE

Replace the flat roof above the box office

JUSTIFICATION

This flat roof is over 20 years old and is starting to "alligator". The granules from the roofing material have been worn down from the weather and has become very thin and should be scheduled for replacement.

PROJECT COST METHODOLOGY

Cost based on similar city projects

EXPENDITURE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Replace the box office roof	0	0	0	0	35,000	35,000	0
Total	0	0	0	0	35,000	35,000	0

REVENUE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Property Taxes-Facilities R&R	0	0	0	0	35,000	35,000	0
Total	0	0	0	0	35,000	35,000	0

CAPITAL PROJECT DETAIL

PROJECT TITLE

Engineering Dept. Roof Replacement

PROJECT#**CATEGORY**

Facilities Renewal and Replacement

FUND

317-Facilities Renewal and Replacement

PROJECT LOCATION

City Hall

MANAGEMENT

Engineering

PROJECT SCOPE

Replace the Flat Roof Above the Engineering/Planning Dept.

JUSTIFICATION

This flat roof has been repaired multiple times over the years, and a temporary recoat was applied two years ago. The membrane has worn thin as it is in direct sunlight most of the day and should be replaced entirely.

PROJECT COST METHODOLOGY

Written Quote From AAT Roofing

EXPENDITURE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Replace the flat roof above	0	0	0	0	48,000	48,000	0
Total	0	0	0	0	48,000	48,000	0

REVENUE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Property Taxes-Facilities R&R	0	0	0	0	48,000	48,000	0
Total	0	0	0	0	48,000	48,000	0



Contract / Estimate # 1758

Name / Address
City of Ormond Beach Attn: Bill Rose 22 S Beach St Ormond Beach, FL 32174 Customer Phone: 386-676-3286

Warranty
20 Year Manufacturer 150 MPH Wind A.A.T. Workmanship

Project	Date	Facsimile	Office	Website
Wind Vented PVC Roof System	9/11/2018	386-761-4311	386-767-1886	www.aatroofing.com

Labor and Material Description

WIND VENTED PVC ROOF SYSTEM -
 MAIN CONTROL CENTER - WASTE WATER TREATMENT PLANT - WILMETTE AVE., ORMOND BEACH

BUDGET PRICING ONLY

Over Existing Roof:

- Trench perimeter of building approximately 10" from edge.
- Sheet entire roof area using 1/2" Securock.
- All debris to be removed and/or contained on a daily basis.
- Install 60 mil PVC over entire roof area and into trench.
- In trench, install air seal tape under sheet with termination bar over sheet, fasten every 6" with 1.5" drive pins
- Backfill trench with EPS board to existing roof height, cover board with Securock.
- Install PVC coated stainless steel scuppers at all drain locations.
- Install 60 Mil sheet over trench and up wall approximately 8". Install air seal tape under sheet and termination bar over sheet, fastened every 6" with drive pins.
- Install .032 aluminum slip metal under coping.

PAYMENT TERMS: TO BE DETERMINED ON A SEPERATE INSTRUMENT

This proposal may be withdrawn by us if not accepted within 7 days.

Total

ACCEPTANCE OF PROPOSAL - The above prices, specifications and conditions are satisfactory and are hereby accepted. I hereby authorize A.A.T. Roofing, LLC to do the work as specified.



Contract / Estimate # 1758

Name / Address
City of Ormond Beach Attn: Bill Rose 22 S Beach St Ormond Beach, FL 32174 Customer Phone: 386-676-3286

Warranty
20 Year Manufacturer 150 MPH Wind A.A.T. Workmanship

Project	Date	Facsimile	Office	Website
Wind Vented PVC Roof System	9/11/2018	386-761-4311	386-767-1886	www.aatroofing.com

Labor and Material Description

WIND VENTED PVC ROOF SYSTEM - CONTINUED

- Install PVC pre-manufactured in/out corners and T-patches as needed.
- All seams to be hot air welded a minimum 1 1/2".
- Install valves per manufacturer requirements.

NOTE:

We are leaving lightening protection and coping in place.

PAYMENT TERMS: TO BE DETERMINED ON A SEPERATE INSTRUMENT

This proposal may be withdrawn by us if not accepted within 7 days.

Total	\$48,000.00
--------------	-------------

ACCEPTANCE OF PROPOSAL - The above prices, specifications and conditions are satisfactory and are hereby accepted. I hereby authorize A.A.T. Roofing, LLC to do the work as specified.

Signature _____

408-WATER WASTEWATER VEHICLE AND EQUIPMENT FUND

CAPITAL PROJECT DETAIL

PROJECT TITLE

Vehicle Replacement-Water & WWW

PROJECT#

408VEH

CATEGORY

Vehicle and Equipment Replacement

FUND

408-Water and Wastewater Vehicle Repl.

PROJECT LOCATION

Various City Departments

MANAGEMENT

Fleet

PROJECT SCOPE

The project involves the continued implementation of a comprehensive vehicle replacement schedule for the City's fleet. Vehicles beyond the first year of the program will be evaluated at the appropriate time. These vehicles are being shown for scheduling purposes only and will not necessarily be replaced in the year shown.

JUSTIFICATION

The replacement schedule has been designed to replace vehicles which have been identified by the Fleet Manager as: 1) incurring the greatest maintenance expense over the life of the vehicle, 2) reaching or exceeding their expected life in terms of age, and 3) having relatively high mileage. The benefits of the replacement program are reflected in the reduction of the City's Fleet Maintenance operating and labor costs, as well as lower vehicle downtime which in turn increases service availability to the community.

PROJECT COST METHODOLOGY

State contract pricing.

EXPENDITURE

Vehicle Replacement

2021-22**2022-23****2023-24****2024-25****2025-26****Total
2021-22
to
2025-26****Other
Requests
without
identified
funding
source**

200,000

200,000

0

0

0

400,000

0

Total

200,000

200,000

0

0

0

400,000

0

REVENUE

Water & Sewer Charges

2021-22**2022-23****2023-24****2024-25****2025-26****Total
2021-22
to
2025-26****Other
Requests
without
identified
funding
source**

200,000

200,000

0

0

0

400,000

0

Total

200,000

200,000

0

0

0

400,000

0

Vehicle Replacements				
Description	Year	Department	#	2021-22
sterling 14/16 yard dump	2006	Wastewater	369	200,000
Total Water-Wastewater				200,000

FY 2021/2022 Budget Vehicle & Motorized Equipment Serviceability Report

Department/Division: 3021 Water Prod. Priority of

This request is included in: ☒ Budget Submission ☐ List of Adds

Vehicle/Equipment #: 369	Vehicle/Equipment Type (make, model, etc.): 2006 Sterling 14-16 dump truck
Mileage/hour 66,829	Estimated Repair Cost: \$37,600.00

A bumper-to-bumper inspection has been performed on this vehicle/equipment:

Technician: Danny McIlrath

Date: 04/20/21

The following parts/repairs are required for this vehicle/equipment, but have been deferred:

	Estimated Cost (materials & Labor)
Dump body replacement	\$27,000.00
Cab repair and paint	\$6,000.00
Light lenses replacement	\$1,800.00
Engine and trans oil leak repair	\$2,800.00

Total: \$37,600.00

Two-year maintenance history:

Year	Cost (materials & labor):	Days Out-of-Service
2020	\$6,470.23	5
2019	\$5106.87	4

Fleet Recommendation:

☒ Remove from Fleet ☐ High Maintenance ☐ Do Not Replace ☐ Defer to Volunteer Vehicle

Comments:

Dump body worn and cab and chassis has a lot of rust due to lime that it is hauling.

Fleet Maintenance Supervisor: Danny McIlrath

Date: 04/20/21

Fleet Systems Specialist: Christine Jarrell

Date: 04/20/21

Deputy Public Works Director: Kevin M Gray

Date: 04/20/21

City Manager Concurrence:

☐ Approved ☐ Denied

City Manager: _____

Date: _____

Vehicle and Equipment Repair/Replacement Evaluation

Vehicle: # 369	Evaluated by: Danny McIlrath		Attachment #2
Dept.:3021 Water Production	Supervisor: Kevin M Gray, Deputy PW Director		
	Points Assigned	Comments	
Year of vehicle. One point assigned per year. Example: A 2000 vehicle would be assigned 21 points because it is 21 years old.	15	2006 Sterling tamdom axle 14-16 yaed dump body	
Mileage or hours of use. One point is assigned for each 10,000 miles or 1,500 hours of operation. Example: A vehicle with 87,000 miles would receive 9 points as it is rounded up.	7	66,829 miles	
General overall condition. This category takes into consideration body condition, rust, interior condition, anticipated repairs, etc. A scale from 1-5 is used, with 5 being an extremely poor...possibly unsafe condition.	5	This truck is used to haul lime from the water plant. The body has deteriorated to the point it has become hard to kept the rear door sealed up. The cab has deteriorated also. All lenses on the truck have faded. The interior is worn bad. The dash is coming apart. The parts are becoming hard to find. Engine and transmisson have oil leaks.	
Type of service. Points are assigned as either 1,3,or 5 depending on the type of use the vehicle had during most of its life. Example: A '5' would be assigned to vehicles that were utilized as patrol cars as that is considered severe service, while a staff car would be a '1'.	4	hauling lime	
Reliability of vehicle. Points are assigned as 1-5 depending on the frequency that the vehicle is in the shop for repairs. A '5' should be assigned to a vehicle that is in the shop 3 or more times a month on average. A '1' would be used for once every 3 months or less.	2	comes in every week or so.	
Total operating cost. Points are assigned as 1,3,or 5 depending on the total cost per mile factor. This figure includes maintenance and operational costs in relation to other vehicles utilized for the same purpose.	4	Purchase Price \$102,245.00 LTD M&R Price \$51,196.25 50% of Purchase Cost per mile \$.76	
Have warranties expired?	yes	☐ Check if general overall condition can defer vehicle replacement	
Total Points	37	(Shop Supervisor approval required)	
28 + points	x	Needs immediate replacement	
23-27 points		Condition is borderline	
18-22 points		Condition is fair/good	
Under 18 points		Condition is good/excellent	

Budget shows \$150,000.00
 Replacement cost is \$200,000.00

FY 2021/2022 Budget Vehicle & Motorized Equipment Serviceability Report

Department/Division: 3021 Water Product Priority _____ of _____

This request is included in: ☒ Budget Submission ☐ List of Adds

Vehicle/Equipment #: 368	Vehicle/Equipment Type (make, model, etc.): 2006 Sterling 14/16 Yard Dump Truck
Mileage/hour 64,933	Estimated Repair Cost: \$37,600.00

A bumper-to-bumper inspection has been performed on this vehicle/equipment:

Technician: Danny McIlrath

Date: 04/20/21

The following parts/repairs are required for this vehicle/equipment, but have been deferred:

	Estimated Cost (materials & Labor)
Dump body replacement	\$27,000.00
Cab repair and paint	\$6,000.00
Lights lenses replaced.	\$1,800.00
Engine and transmission oil leaks repair.	\$2,800.00

Total: \$37,600.00

Two-year maintenance history:

Year	Cost (materials & labor):	Days Out-of-Service
2020	\$7,756.327	5
2019	\$8,901.23	6

Fleet Recommendation:

☒ Remove from Fleet ☐ High Maintenance ☐ Do Not Replace ☐ Defer to Volunteer Vehicle

Comments:

The dump body will need replacement/Truck has a lot of rust due to lime hauling.

Fleet Maintenance Supervisor: Danny McIlrath

Date: 04/20/21

Fleet Systems Specialist: Christine Jarrell

Date: 04/20/21

Deputy Public Works Director: Kevin M Gray

Date: 04/20/21

City Manager Concurrence:

☐ Approved ☐ Denied

City Manager: _____

Date: _____

Equipment Inventory - FASTER Win 6.9

Equipment Information:: Company **001** **Ormond Beach Active Fleet**

Equipment Number **368** Year **2006** Make **STERLING** Model **14-16 YARD** Shop **01** TSet **EQ** License **233956** Print

Meter **M** Reading **64933**

Parent Equipment Component **None**

Class **DUMP** **DUMP TRUCK** Department **3021** **WATER PRODUCTIO**

Serial Number **2FZHAZDE86AN72296** Location **He** MG **>19,501 GWW**

Color **WHT** Priority **17** Site **PUBLIC WORKS - 501 N. ORCH**

Employee **UNDEFINED**

EAC **08** **Monday-Friday 7-3:30**

Depreciation **10224.50** Last Work Order **0000094917**

Status **A** Motor Pool ☐

Last PM

Type	Date Done
B	02/25/2021
A	02/25/2021

Master Billing Notes Acq/Disp Vehicle Replacement Search Query History Componer

Reset FY Begin Month **Oct** Year **2011** Meter Type **M** ☐ Month ☒ Year ☐ Include Warranties? **Compute** **Export**

Year	Total M+R	Maintenance	Repair	Accident	Capital	Warranty
2017	826.27	155.00	671.27	0.00	0.00	0.00
2018	813.55	0.00	813.55	0.00	0.00	0.00
2019	8901.23	1336.81	7564.42	0.00	0.00	0.00
2020	7756.27	87.54	7668.73	0.00	0.00	0.00
2021	0.00	0.00	0.00	0.00	0.00	0.00

Life...	Total M+R	Maintenance	Repair	Accident	Capital	Warranty
Fisca...	7756.27	87.54	7668.73	0.00	0.00	0.00
Life ...	51014.75	9533.46	41481.29	653.66	0.00	0.00

Loading Equipment LTD Completed : ACKNOWLEDGED

PIC Upd



409-WATER WASTEWATER CAPITAL IMPROVEMENT FUND

CAPITAL PROJECT DETAIL

PROJECT TITLE

City-wide Meter Replacement

PROJECT#

409169

CATEGORY

Water and Wastewater Improvements

FUND

409-Water and Wastewater R and R

PROJECT LOCATION

MANAGEMENT

Utility Billing

PROJECT SCOPE

Strategic replacement of all visual and touch read meters.

JUSTIFICATION

Over time, meters become inaccurate or stop completely resulting in inaccurate readings and billings. Meter replacement is recommended after ten years of life. Most of the City's visual and touch read meters are well in excess of their life cycle. This program provides for a comprehensive meter replacement. The first year of the program will focus on replacement of primarily visual read meters in areas which provide the greatest safety concern for meter readers who must walk to each location in order to obtain the readings. Future year programs will focus on areas with visual and touch read meters based on age.

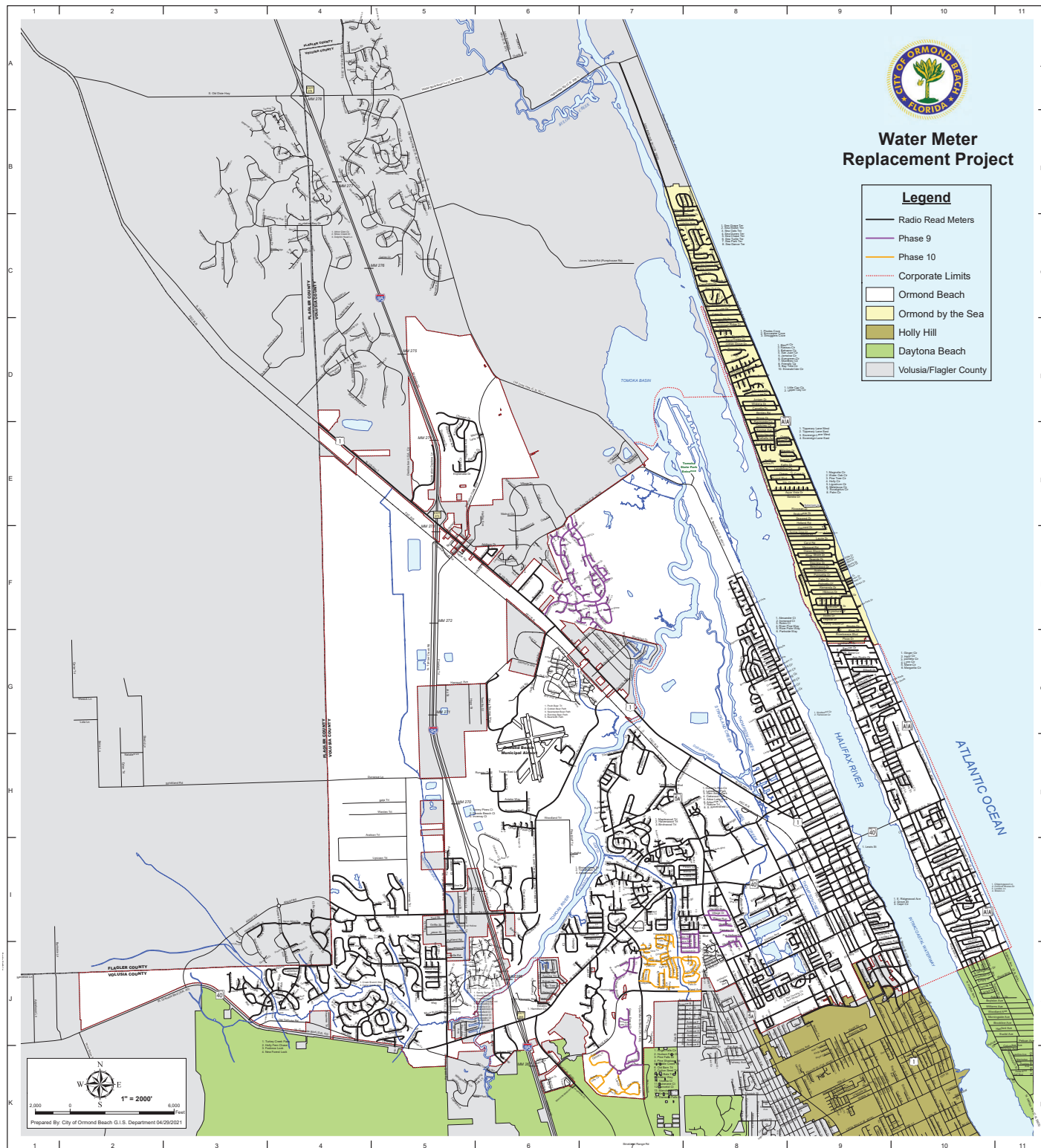
PROJECT COST METHODOLOGY

Estimates provided by current meter supplier.

<u>EXPENDITURE</u>	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Meter Replacement	301,000	306,000	0	0	0	607,000	0
Total	301,000	306,000	0	0	0	607,000	0

<u>REVENUE</u>	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Water & Sewer Charges	301,000	306,000	0	0	0	607,000	0
Total	301,000	306,000	0	0	0	607,000	0

		FY 2021-22	
Meter Size	# of Meters	Cost Per Meter	Total
5/8"	1168	\$202.05	\$235,994.40
1"	4	\$252	\$1,008.16
			Subtotal
			\$237,002.56
Meter Size	# of Meters	Cost Per Change out	Total
5/8"	1168	\$36	\$42,048.00
1"	4	\$38	\$152.00
			Subtotal
			\$42,200.00
			Grand Total
			\$279,202.56
Parts			
3/4 Yoke Bar (Ford # Y-502)	57	\$8.95	\$510.15
3/4 Yoke Adapter (Ford # C98-23 -NL-)	57	\$7.28	\$414.96
3/4 Yoke Valve (Ford # B91-223W -NL-)	57	\$28.63	\$1,631.91
Nipple 3/4" x 4" Brass	57	\$3.35	\$190.95
3/4 Dresser Style 90 Coupling	57	\$12.48	\$711.36
3/4 Expander (Ford # EC-23 -NL-)	75	\$15.92	\$1,194.00
3/4 Yoke End Gaskets (# GT-118)	2400	\$0.22	\$528.00
1 Inch Yoke End Gaskets (#GT-123)	20	\$0.24	\$4.80
3/4 Bev Expander Gaskets (# GT-33)	1200	\$0.54	\$648.00
3/4 Excon Barrel Gaskets (# GT-196)	1200	\$0.52	\$624.00
1 Inch Bev Expander Gaskets (# GT-34	20	\$0.72	\$14.40
1 Inch Excon Gaskets (# GT-211)	20	\$0.60	\$12.00
Total			\$6,484.53
Extra Work			
Replace Yoke	57	\$40.00	\$ 2,280.00
Raise Box		\$10.00	\$ -
Lower Service		\$38.00	\$ -
Reset Box	10	\$6.00	\$ 60.00
Replace Box	19	\$15.00	\$ 285.00
Concrete/asphalt			
Replace curb Stop	57	\$75.00	\$4,275
Total			\$ 6,900.00
Grande Total			\$292,587.09



7.K.a

CAPITAL PROJECT DETAIL

PROJECT TITLE

Filter Structure Repurpose Project

PROJECT#

409211

CATEGORY

Water and Wastewater Improvements

FUND

409-Water and Wastewater R and R

PROJECT LOCATION**MANAGEMENT**

Engineering

PROJECT SCOPE

Conduct a facilities study to determine the potential uses for the existing structure and needed improvements.

JUSTIFICATION

The old filter structures, pipe gallery and clearwell from the original water treatment plant were abandoned in 2008. The structure is continuously deteriorating and could become a safety hazard if ignored indefinitely. The City needs to conduct a preliminary design report to evaluate potential uses for the structure and identify all needed improvements. In the event that this structure cannot be repurposed, then it should be scheduled to be demolished.

PROJECT COST METHODOLOGY**EXPENDITURE**

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Design	50,000	0	0	0	0	50,000	0
Construction	0	500,000	0	0	0	500,000	0
Total	50,000	500,000	0	0	0	550,000	0

REVENUE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Water & Sewer Charges	50,000	0	0	0	0	50,000	0
Bond Proceeds	0	500,000	0	0	0	500,000	0
Total	50,000	500,000	0	0	0	550,000	0

CAPITAL PROJECT DETAIL

PROJECT TITLE

General Facility and System Upgrades

PROJECT#

409221/409222

CATEGORY

Water and Wastewater Improvements

FUND

409-Water and Wastewater R and R

PROJECT LOCATION

MANAGEMENT

Utilities Division

PROJECT SCOPE

An annual allocation to fund water and wastewater plants and lift stations critical equipment emergency repairs and scheduled replacement.

JUSTIFICATION

In order for the City to remain reliable and efficient in the operation and maintenance of its water and wastewater system, a planned schedule of critical equipment replacement at the WTP and WRF is necessary. Emergency repairs of failed equipment is included. Equipment replacement examples are for pumps, motors, gear boxes, valves, mixers, instrumentation, SCADA equipment, recycle and transfer pump stations, clarifiers, sludge return pump building, filters and chlorine contact tank, chemical storage tanks, generator and control buildings, the centrifuge structure and safety components such as hand railings, non-skid grating and stairs.

PROJECT COST METHODOLOGY

Historical expenditures.

<u>EXPENDITURE</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>Total 2021-22 to 2025-26</u>	<u>Other Requests without identified funding source</u>
Upgrades-Water 409221	495,000	350,000	350,000	350,000	400,000	1,945,000	0
Upgrades-Wastewater 409222	485,000	350,000	350,000	350,000	400,000	1,935,000	0
Total	980,000	700,000	700,000	700,000	800,000	3,880,000	0

<u>REVENUE</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>Total 2021-22 to 2025-26</u>	<u>Other Requests without identified funding source</u>
Water & Sewer Charges	980,000	700,000	700,000	700,000	800,000	3,880,000	0
Total	980,000	700,000	700,000	700,000	800,000	3,880,000	0

Water Treatment Plant

Water Treatment Plant Budget Request Items	FY	Priority	Cost	Justification
Replacement of motors, gear boxes, valves, and pumps and emergency replacement spare pumps, and motors	Annually	High	\$ 175,000	Pumps, motors, gear boxes, and valves and spares for the critical inlet pumps, aeration transfer pumps, clear well transfer pumps, and pump stations
Remediate and paint wells, plant pipes, parts	Annually	High	\$ 25,000	Paint reduces rust and corrosion
Clean LSP Aerator trays	Annually	High	\$ 10,000	Maintain air flow through aerator
SCADA instrumentation and data programming	Annually	High	\$ 35,000	Program alarms, process control strategies, and equipment controls
Valve actuator replacement	Annually	High	\$ 25,000	Replace motor actuator on valves
Pull and rebuild 2 of the (4) LPRO feed pumps	2021-22	High	\$ 50,000	Exceeds Life Expectancy
Pull and rebuild 2 of the (3) LSP filter CW pumps	2021-22	High	\$ 50,000	Exceeds Life Expectancy
Pull and rebuild sludge Pit Pumps	2021-22	High	\$ 10,000	Exceeds Life Expectancy
Repipe sludge pit pipes and valves	2021-22	High	\$ 5,000	Exceeds Life Expectancy
Replace pipes and fittings in LPRO building	2021-22	High	\$ 100,000	Cracked plastic flange connections and critical pipes need replaced
Security Camera System	2021-22	Med	\$ 9,500	3 Cameras, Plant security system

**Total Budget for Water Treatment Plant
Improvements**

\$ 494,500

Water Reclamation Facility

Water Treatment Plant Budget Request Items	FY	Priority	Cost	Justification
Replacement of motors, gear boxes, valves, and pumps and emergency replacement spare pumps, and motors	Annually	High	\$ 200,000	Pumps, motors, gear boxes, and valves and spares for the critical inlet pumps, aeration transfer pumps, clear well transfer pumps, and pump stations
Paint equipment & pipes	Annually	High	\$ 25,000	Paint reduces rust and early part failure
Valve actuator replacement	Annually	High	\$ 20,000	replace motor actuated valves
SCADA instrumentation and data programming	Annually	High	\$ 40,000	Program alarms, process control strategies, and equipment controls
Security Camera System	2021-22	High	\$ 13,500	Plant security system
Install lighting at several locations in the plant	2021-22	High	\$ 20,000	24-hour plant operations and night time inspections require additional lighting
Methane removal Aerator/mixer	2021-22	High	\$ 10,000	Reduce disinfection by-products by air mixing
Influent screens rehabilitation	2021-22	Med	\$ 40,000	Examine and replace initial wastewater screening parts
Turbidimeters (2)	2021-22	Med	\$ 8,000	Old turbidimeters no longer supported
Nitrogen meter at post anoxic tank #1 prior to reaeration	2021-22	Med	\$ 30,000	Gauge Control of nitrate removal in post anoxic tank, SCADA readout
Main Motor Control Center inspection and repair	2021-22	Med	\$ 80,000	Factory inspection and refurbishment of MCC

Total Budget for Water Treatment Plant

Improvements

\$ 486,500

CAPITAL PROJECT DETAIL

PROJECT TITLE

Lift Station Rehabilitation

PROJECT#

409231

CATEGORY

Water and Wastewater Improvements

FUND

409-Water and Wastewater R and R

PROJECT LOCATION**MANAGEMENT**

Utilities Division

PROJECT SCOPE

Rehabilitation of wastewater lift station wetwell and valve vault structures and replacement of lift station electrical and mechanical equipment to include pumping, base and riser piping and valve systems. Electrical panel and component replacement is also to be performed.

JUSTIFICATION

In order for the City to encourage reliable and efficient operation and maintenance of its wastewater collection system, a planned schedule of improvement and a commitment to investing in regular system improvements is necessary. Many of the components in the wastewater lift station system have been in service for several years. The 2015 Water/ Wastewater Master Plan Update identified specific needs and established a priority for implementation of the City lift station system rehabilitative needs. Additionally, operations staff assesses current year facility operations and makes determination as to the level of rehabilitation necessary to effect efficient operations. The stations listed are staff's recommended lift station rehabilitative priorities based upon the recent level of preventative and emergency maintenance support reported by operational staff. The 2007 Wastewater Master plan update indicates mechanical/ structural/ electrical condition status for all lift station facilities. Periodic power service and pump upgrades are recommended based upon increased pressure conditions encountered in adjacent force main systems serving the area.

PROJECT COST METHODOLOGY

Recent Projects Bids - Similar Work Authorizations - Utility Master Plan Update 2015

<u>EXPENDITURE</u>	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Construction Facility Rehab (5M)	300,000	0	0	0	0	300,000	0
Engineering Design	0	60,000	0	60,000	0	120,000	0
Construction Facility Rehab (8M)	0	0	400,000	0	0	400,000	0
Total	300,000	60,000	400,000	60,000	0	820,000	0

CAPITAL PROJECT DETAIL

PROJECT TITLE

Lift Station Rehabilitation

PROJECT#

409231

REVENUE						Total 2021-22 to 2025-26	Other Requests without identified funding source
	2021-22	2022-23	2023-24	2024-25	2025-26		
Water & Sewer Charges	300,000	60,000	400,000	60,000	0	820,000	0
Total	300,000	60,000	400,000	60,000	0	820,000	0

CAPITAL PROJECT DETAIL

PROJECT TITLE

Meter Installation

PROJECT#

409178

CATEGORY

Water and Wastewater Improvements

FUND

409-Water and Wastewater R and R

PROJECT LOCATION

MANAGEMENT

Utilities Division

PROJECT SCOPE

Estimated new meter purchases for both residential and commercial applications. Purchase of repair and replacement equipment for meter register components. Meter testing results indicate the existing aged meters sampled were within acceptable tolerance ranges for accuracy. Future year testing will be performed from time to time to determine frequency of necessary meter replacement activities. Estimated Commercial Meter Needs: 3/4" (100 ea.), 1" (25 ea.), 1-1/2" - 2" (25 ea.), 3" (5 ea.), 4" & above (5 ea.). Estimated Residential Meter Needs to include irrigation meter requests: 3/4 - 1" (100 ea.).

JUSTIFICATION

New meters are required to be purchased, for installation by distribution system crew staff, for all new residential and commercial development project requests during the annual period. New commercial and residential meter requests fluctuate from year to year and staff has estimated the anticipated meter purchase needs for the upcoming year. Future year needs will be adjusted based upon rate of development indicators. Additionally, meter replacement needs are also currently funded from this budget allocation.

PROJECT COST METHODOLOGY

Recent purchase prices contained in current purchase agreement with Sunstate (Neptune) Meters.

<u>EXPENDITURE</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>Total 2021-22 to 2025-26</u>	<u>Other Requests without identified funding source</u>
Commercial Meters - Various Sized	60,000	60,000	60,000	60,000	60,000	300,000	0
Residential Meters - 3/4" & 1"	20,000	20,000	20,000	20,000	20,000	100,000	0
Electronic Register R/R	10,000	10,000	10,000	10,000	10,000	50,000	0
Total	90,000	90,000	90,000	90,000	90,000	450,000	0

<u>REVENUE</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>Total 2021-22 to 2025-26</u>	<u>Other Requests without identified funding source</u>
Water & Sewer Charges	90,000	90,000	90,000	90,000	90,000	450,000	0
Total	90,000	90,000	90,000	90,000	90,000	450,000	0

CAPITAL PROJECT DETAIL

PROJECT TITLE

Pretreatment Effluent Pump Replacement

PROJECT#

409177

CATEGORY

Water and Wastewater Improvements

FUND

409-Water and Wastewater R and R

PROJECT LOCATION**MANAGEMENT**

Utilities Division

PROJECT SCOPE

Intended rehabilitation efforts include replacement of approximately 50 low-pressure effluent pump systems per year with more durable cast iron pumps in the West Ormond low pressure sewer system. Additionally, the project includes rehabilitation of approximately 25 systems to include necessary tank and riser repairs and pump replacement. The project also includes an estimated 10 new PEPSystem installation per year for developing lots.

JUSTIFICATION

The wastewater system in a portion of West Ormond (HR/ BAT areas) utilizes a low pressure pump to pump wastewater after primary treatment from each home's pretreatment effluent tank system consisting of approximately 1,600 PEP tanks. The original and historic replacement pumps have exhibited a relatively short life cycle ranging from 3 to 5 years. The tank itself has a life expectancy of 15 years and many tanks are at that age now.

Several original low-pressure pumps, Type E-3 and Type ME-40 were made of less durable materials and were replaced over the years with a more durable pump system. The expected life of the replacement pumps, Tsurumi 4-PSHA are found to add 3 plus years of useful life than previous models used. The PEP tank rehabilitation costs include removal of accumulated solids and replacement of components found deteriorated to include: electrical junction and control box, pump and chamber, float, riser and redundant check valve.

PROJECT COST METHODOLOGY

Updated PEP System Tank, Components and Pump Quotations from existing and interested vendors

<u>EXPENDITURE</u>	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
PEP System Rehabilitation	100,000	100,000	100,000	100,000	100,000	500,000	0
PEP System Tank Systems	50,000	50,000	50,000	50,000	50,000	250,000	0
Total	150,000	150,000	150,000	150,000	150,000	750,000	0

CAPITAL PROJECT DETAIL

PROJECT TITLE

Pretreatment Effluent Pump Replacement

PROJECT#

409177

REVENUE						Total 2021-22 to 2025-26	Other Requests without identified funding source
	2021-22	2022-23	2023-24	2024-25	2025-26		
Water & Sewer Charges	150,000	150,000	150,000	150,000	150,000	750,000	0
Total	150,000	150,000	150,000	150,000	150,000	750,000	0

CAPITAL PROJECT DETAIL

PROJECT TITLE

Relocation of SCADA Radios

PROJECT#**CATEGORY**

Water and Wastewater Improvements

FUND

409-Water and Wastewater R and R

PROJECT LOCATION**MANAGEMENT**

Utilities

PROJECT SCOPE

Relocate SCADA radio cabinet from south east leg of the Water Plant elevated Tank to the Water Plant Operations building MCC.

JUSTIFICATION

By moving the radios into the MCC an environmentally controlled room it will eliminate the costly maintenance on the custom cabinet and air conditioning unit as well as the possible physical damage associated with being outdoors.

PROJECT COST METHODOLOGY

Utilities maintenance estimate.

EXPENDITURE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Construction	30,000	0	0	0	0	30,000	0
Total	30,000	0	0	0	0	30,000	0

REVENUE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Water & Sewer Charges	30,000	0	0	0	0	30,000	0
Total	30,000	0	0	0	0	30,000	0

CAPITAL PROJECT DETAIL

PROJECT TITLE

Sanitary Sewer Inflow Infiltration

PROJECT#

409179

CATEGORY

Water and Wastewater Improvements

FUND

409-Water and Wastewater R and R

PROJECT LOCATION

MANAGEMENT

Engineering

PROJECT SCOPE

The updated Utility Master Plan recommends that a City-wide Sanitary Sewer investigation and repair project be undertaken to address Infiltration and inflow that is occurring.

JUSTIFICATION

Inflow and infiltration can result in surcharging of sewer lines, hydraulic overload of the pump stations and inadequate treatment at the plant because of the increased hydraulic loading. In economic terms, the effects of inflow and infiltration result in the City incurring additional costs to collect, pump, treat and dispose of surface water and groundwater that are flowing into the system. Furthermore, I/I reductions can extend the capacity life of the facility by reducing unnecessary groundwater and surface water flows to the collection system. Many of the older system sanitary manholes are constructed of brick and have a higher likelihood of leakage compared to newer precast concrete manholes meeting current standards. Re-lining the old brick manholes with corrosion-resistant material has been found effective to reduce inflow and infiltration and prolong manhole life. There are in excess of 2800 public manholes in the Sanitary collection system. Current observations show a failure rate of approximately 20%, that is, an estimated 550 manholes.

A significant portion of gravity sewer pipeline consists of old clay pipe with joints every five (5) feet. Consequently, these pipelines need to be assessed periodically to determine whether infiltration is occurring as a result of needed repairs. Many of the older system sanitary manholes are constructed of brick and have a higher likelihood of leakage compared to newer precast concrete manholes meeting current standards. Re-lining the old brick manholes with corrosive resistant material has been found effective to reduce inflow and infiltration and prolong manhole life. Force mains provide the corridors for pumped sewerage received by the City's collection system.

PROJECT COST METHODOLOGY

Updated Master Plan. Actual pipeline repair costs will be determined once gravity sewer pipeline investigation work is completed.

<u>EXPENDITURE</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>Total 2021-22 to 2025-26</u>	<u>Other Requests without identified funding source</u>
Reline and Restoration	300,000	300,000	300,000	300,000	300,000	1,500,000	0
Total	300,000	300,000	300,000	300,000	300,000	1,500,000	0

CAPITAL PROJECT DETAIL

PROJECT TITLE

Sanitary Sewer Inflow Infiltration

PROJECT#

409179

<u>REVENUE</u>						Total 2021-22 to 2025-26	Other Requests without identified funding source
	2021-22	2022-23	2023-24	2024-25	2025-26		
Water & Sewer Charges	300,000	300,000	300,000	300,000	300,000	1,500,000	0
Total	300,000	300,000	300,000	300,000	300,000	1,500,000	0

CAPITAL PROJECT DETAIL

PROJECT TITLE

Water Reclamation Facility

PROJECT#

409243

CATEGORY

Water and Wastewater Improvements

FUND

409-Water and Wastewater R and R

PROJECT LOCATION**MANAGEMENT**

Engineering

PROJECT SCOPE

This project will include rehabilitation of the Master Lift Station pump and controls, rehabilitation of the sludge decant pump and decant building, repurposing of the sludge polymer tank and improvements to the post anoxic mixer.

JUSTIFICATION

During the spring of 2020, Mead Hunt performed a facilities needs assessment for the Water Reclamation Facility (WRF). The items included in this project are maintenance items in high wear locations. Operation of these process components are critical to the overall process of wastewater treatment. As such, maintenance of these items is necessary for long term operations. Includes master lift station pump replacement of 3 pumps over 3 years.

PROJECT COST METHODOLOGY

Water Reclamation Facility Condition Assessment

<u>EXPENDITURE</u>	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Construction	1,680,000	300,000	300,000	0	0	2,280,000	0
Total	1,680,000	300,000	300,000	0	0	2,280,000	0

<u>REVENUE</u>	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Bond Proceeds	1,680,000	0	0	0	0	1,680,000	0
Water & Sewer Charges	0	300,000	300,000	0	0	600,000	0
Total	1,680,000	300,000	300,000	0	0	2,280,000	0



FINAL
APRIL 2020

Water Reclamation Facility Condition Assessment Report

City of Ormond Beach



4401 Eastport Parkway
Port Orange, FL 32127
386-761-6810
meadhunt.com

4. Recommended Improvement Projects

4.1. WRF-1 MLS Pump Replacement, Sludge Decant, Polymer and Post Anoxic Mixer (Short-Term <2 years)

The existing Master Lift Station (MLS) has a peak pumping capacity of 20 MGD (7,000 GPM) with the largest pump out of service. The three pumps are Fairbanks solids handling centrifugal pumps in a dry pit configuration. Each 125 hp pumping unit has a design capacity of 3,500 GPM at 60' TDH. They are all equipped with variable frequency drives (VFD's) and are automatically controlled by a local Programmable Logic Controller (PLC). They were installed in 2008.



The MLS pumps have a history of clogging issues and vibration. During project design, the pumps should be evaluated to determine if a chopper style or better solids handling pump would be appropriate. The lift station pump replacement project should include rehab of the MLS control panel at the same time. Electrical for these pumps are in good condition and can remain in service.

We recommend that the pump replacement be combined with a few other small projects around the project site, including: sludge decant pump replacement, polymer storage upgrades and post anoxic mixer addition.

The sludge decant pump building needs upgrades. The existing pump is at the end of its useful service life and requires replacement. There is only one pump installed and when the pump is out of service the sludge thickening process is bypassed, causing lower solids sludge to feed the centrifuge which increases costs of polymer and sludge hauling/disposal. It is recommended to install two progressive cavity decant pumps to improve reliability of this process. Also, the building has limited access to the below grade pumps. The structure, piping, pump and electrical should be evaluated to determine the best rehab of this area to meet the current use by the City.



In the sludge thickening area, the City would like to repurpose the existing bulk alum storage tanks for bulk polymer storage. This upgrade would require a containment wall to be constructed around the polymer tanks and piping improvements. The bulk polymer tank can use the existing alum skid to feed polymer into the carboy storage container that feeds the centrifuge polymer system. The smaller storage container would serve as a 'day tank' for the polymer system.

The post anoxic tank has three mixers on the north train and only two on the south train. The south train experiences significant settling in the center of the tank and requires a third mixer to be installed.

Currently operations have to reposition the two mixers in the south train once per week to minimize settling. With a new mixer in that tank the mixers could remain in one location and cover the entire tank, removing this work item for operations. **Table 4-1** includes the preliminary cost estimate for project WRF-1.

Table 4-1: WRF-1 MLS Pump Replacement, Sludge Decant Pump, Polymer, and Post Anoxic Mixer Preliminary Cost Estimate

Item	Description	Qty	Unit	Unit Cost	Total Cost
1	MLS #1 Pump Replacement	1	LS	\$350,000	\$350,000
2	Sludge Decant Building Rehab	1	LS	\$250,000	\$250,000
3	Sludge Bulk Polymer Tank Imp.	1	LS	\$75,000	\$75,000
4	Post Anoxic Mixer	1	LS	\$60,000	\$60,000
5	Electrical and Instrumentation	1	LS	\$200,000	\$200,000
Total Estimated Construction					\$935,000
Contingency @ 40%					\$374,000
Eng., C.A., & Inspection @ 18%					\$168,000
TOTAL ESTIMATED PROJECT COST					\$1,477,000

CAPITAL PROJECT DETAIL

PROJECT TITLE

Water Storage Tank Repairs

PROJECT#

409180

CATEGORY

Water and Wastewater Improvements

FUND

409-Water and Wastewater R and R

PROJECT LOCATION

MANAGEMENT

Utilities Division

PROJECT SCOPE

Tank Inspection, Cleaning and Repairs.

JUSTIFICATION

Future Year Repairs and Maintenance needs to be determined during inspection period. Concrete Ground Storage Tanks (GST) include: 2.5 Million Gallon (MG) Water Treatment Plant (WTP), 1 MG Standish, 3 & 4 MG Reuse Orchard and 750K GST Hunter's Ridge; Steel tanks include 250K Elevated Storage Tank (EST) WTP, 400K EST Breakaway Trails (BAT), 300K & 900K GST BAT. 1 MG elevated tank at Leeway was previously scheduled for rehabilitation in FY20-21 for \$750k, but postponed in anticipation of new Future Western Service Area GST and Pump Station as per Western Service Area Master Plan Update (2020).

PROJECT COST METHODOLOGY

Previous Contract Pricing

<u>EXPENDITURE</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>Total 2021-22 to 2025-26</u>	<u>Other Requests without identified funding source</u>
Tanks Repairs (Misc)	100,000	100,000		0	0		0
Tank Repairs (All GST's Clean &	100,000		0	0	0		0
Total	200,000	100,000	0	0	0	300,000	0

<u>REVENUE</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>Total 2021-22 to 2025-26</u>	<u>Other Requests without identified funding source</u>
Bond Proceeds	200,000	100,000	0	0	0	300,000	0
Total	200,000	100,000	0	0	0	300,000	0

CAPITAL PROJECT DETAIL

PROJECT TITLE

Williamson Blvd. Pipe Relocation

PROJECT#

CATEGORY

Water and Wastewater Improvements

FUND

409-Water and Wastewater R and R

PROJECT LOCATION

MANAGEMENT

Engineering

PROJECT SCOPE

Relocation of 300 feet of 8-inch Sewer Force Main and 400 feet of 16-inch Water Main

JUSTIFICATION

Road widening and new stormwater pipeline additions in Williamson Blvd. by Volusia County require the relocation of a portion of the City's 8-inch sewer force main (300 feet), 16-inch water main (400 feet), and vertical deflection of a 12-inch sewer force main (50 feet).

PROJECT COST METHODOLOGY

Based on Similar Utility Construction Costs from FY21

EXPENDITURE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Construction	127,000	0	0	0	0	127,000	0
Total	127,000	0	0	0	0	127,000	0

REVENUE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Bond Proceeds	127,000	0	0	0	0	127,000	0
Total	127,000	0	0	0	0	127,000	0

City of Ormond Beach, Florida

21-Apr-21

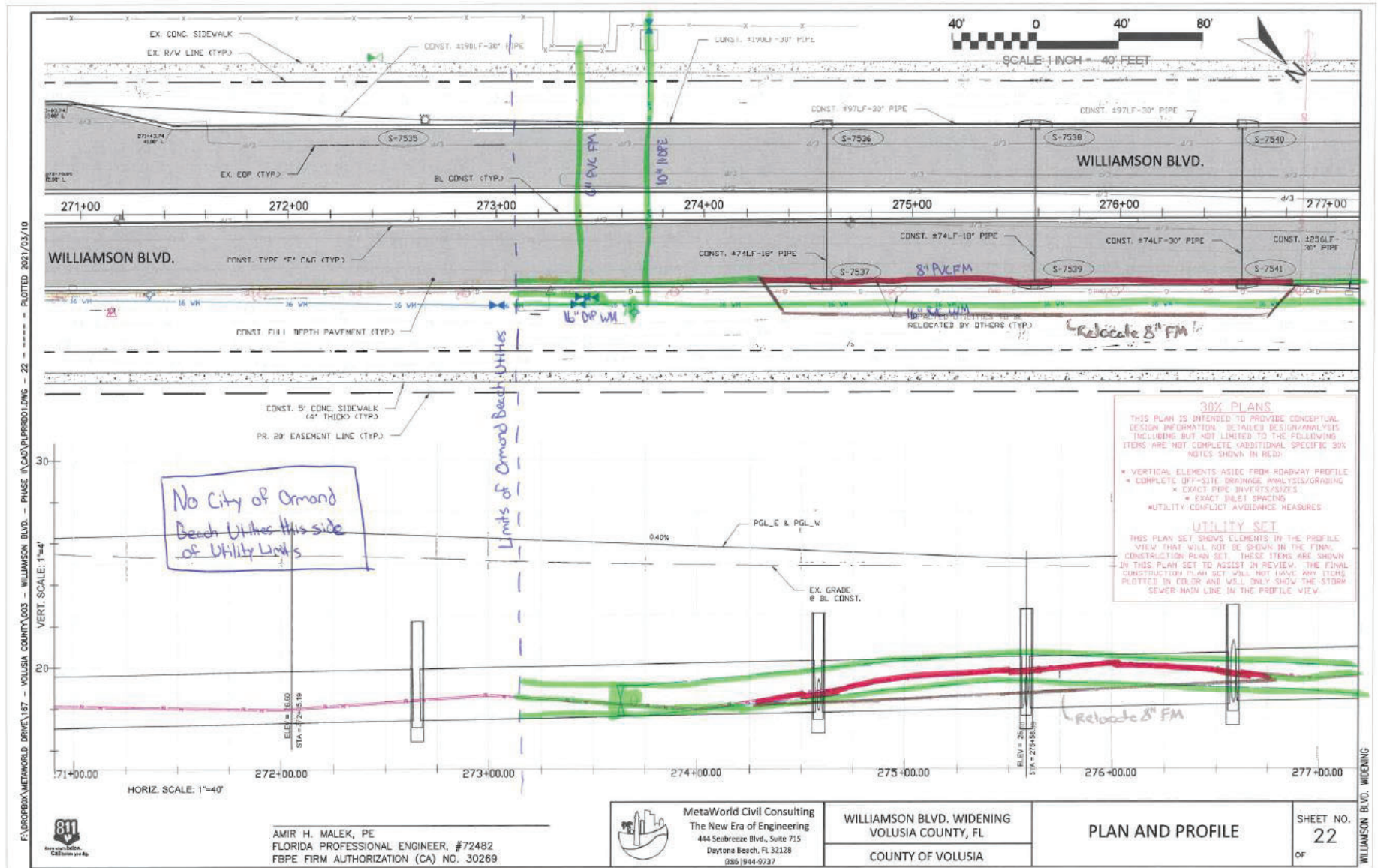
Williamson Blvd. Pipe Relocation**Probable Cost**

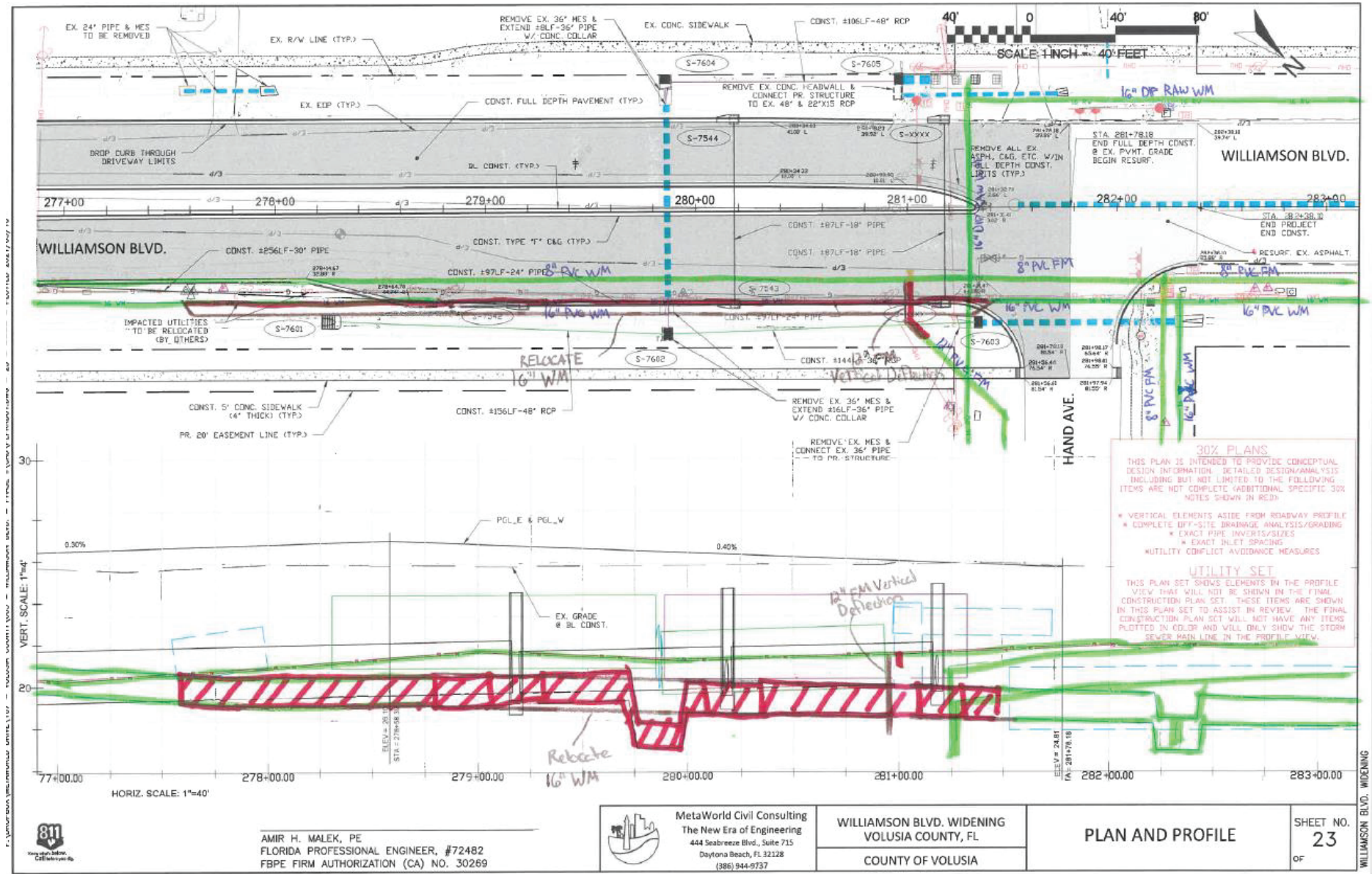
GENERAL INFORMATION: Road widening and new stormwater pipeline additions in Williamson Blvd. by Volusia County require the relocation of a portion of the City's 8-inch sewer force main (300 feet), 16-inch water main (400 feet), and 12-inch force main vertical deflection (50 feet).

Probable Cost Breakdown:

Construction Cost Breakdown

Item Num	Item Description	QTY	Unit	Unit Cost	Item Cost
1	8-inch Sewer Force Main	300	LF	\$ 75.00	\$ 22,500.00
2	16-inch Ductile Iron Water Main	400	LF	\$ 125.00	\$ 50,000.00
3	12-inch FM Vertical Deflection	50	LF	\$ 100.00	\$ 5,000.00
4	Abandon Existing Pipe	700	LF	\$ 25.00	\$ 17,500.00
5	Fittings and Valves	1	LS	\$ 15,000.00	\$ 15,000.00
1	Sub-Total (Construction)=				\$ 110,000.00
2	Engineering & Permitting (15%)=				\$ 16,500.00
4	Subtotal (1 and 2)				\$ 126,500.00
5	Budget for design and construction=				\$ 127,000.00





CAPITAL PROJECT DETAIL

PROJECT TITLE

WTP Aeration Repl. & Clearwell Rehab

PROJECT#

409236

CATEGORY

Water and Wastewater Improvements

FUND

409-Water and Wastewater R and R

PROJECT LOCATION

MANAGEMENT

Utilities or Engineering

PROJECT SCOPE

Replace WTP aerators, blowers, pumps, odor control and electrical. Also, rehabilitate the existing clearwell.

JUSTIFICATION

The aeration components upstream of the lime softening process are approximately 30 years old and in need of replacement. Two (2) new aerators are proposed to replace the existing forced draft aerators and blowers. We also recommend rehabilitating the clearwell, replacing the transfer pumps, and the odor control system while working on the aerators as these components are in the same area.

PROJECT COST METHODOLOGY

Engineer's estimate of probable cost.

EXPENDITURE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Construction	2,220,000	0	0	0	0	2,220,000	0
Design	0	0	0	0	0	0	0
Total	2,220,000	0	0	0	0	2,220,000	0

REVENUE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Bond Proceeds	2,220,000	0	0	0	0	2,220,000	0
Total	2,220,000	0	0	0	0	2,220,000	0

**ENGINEER'S OPINION OF PROBABLE COST
2021 WATER TREATMENT PLANT IMPROVEMENTS
CITY OF ORMOND BEACH
60% SUBMITTAL
MAY 12, 2021**

BASE BID					
ITEM NO.	DESCRIPTION		UNIT	UNIT COST	AMOUNT
1	Mobilization and Demobilization (Max 5% of Bid)	1	LS	\$79,900.00	\$79,900.00
2	Survey & Layout	1	LS	\$2,500.00	\$2,500.00
3	Bacteriological Clearance	1	LS	\$10,000.00	\$10,000.00
4	Erosion and Sediment Control	1	LS	\$3,000.00	\$3,000.00
5	Submit Certified "As-Built" Drawings	1	LS	\$5,000.00	\$5,000.00
6	Permit Fees & Allowances	1	LS	\$50,000.00	\$50,000.00
7	Coordination with City for Bypass of Aerator Structure	1	LS	\$2,000.00	\$2,000.00
8	Work within Recarbonation Tank	1	LS	\$20,000.00	\$20,000.00
9	Construct Temporary Bypass Around Splitter Box	1	LS	\$354,600.00	\$354,600.00
Aerator Structure					
10	Construct New Handrail	60	LF	\$50.00	\$3,000.00
11	Rehabilitate Interior of Aerator Box	1	LS	\$25,000.00	\$25,000.00
12	Remove & Replace Aerator Blower Fans, Motors, Support Stands, Electrical Panels, Wiring and Conduit	1	LS	\$58,000.00	\$58,000.00
13	Remove & Replace Aerator Transfer Pumps, Motors, Valves and Piping	1	LS	\$260,750.00	\$260,750.00
14	Furnish & Install Bridge Crane in Aerator Transfer Pump Room	1	LS	\$64,500.00	\$64,500.00
15	Paint Aerator Transfer Pump Room	1	LS	\$25,000.00	\$25,000.00
16	Remove & Replace VFD's, MCC's and all Electrical Equipment in Room for MCC #7.	1	LS	\$350,000.00	\$350,000.00

**ENGINEER'S OPINION OF PROBABLE COST
2021 WATER TREATMENT PLANT IMPROVEMENTS
CITY OF ORMOND BEACH
60% SUBMITTAL
MAY 12, 2021**

ITEM NO.	DESCRIPTION	QTY	UNIT	UNIT COST	AMOUNT
BASE BID (cont'd)					
Splitter/Distribution Box					
17	Remove Splitter Box and Rehabilitate Distribution Box	1	LS	\$450,000.00	\$450,000.00
ADDITIVE ALTERNATES					
18	Remove & Replace Aerator Blower Enclosures (2)	1	LS	\$60,000.00	\$60,000.00
19	Remove Two (2) Venturi Meters in 24-inch Pipe to Claricones and Replace with Two (2) 10-inch Mag Meters	1	LS	\$55,600.00	\$55,600.00
20	Remove Two (2) Venturi Meters in 16-inch Raw Water Main and Replace with Two (2) 10-inch Mag Meters	1	LS	\$48,500.00	\$48,500.00
21	Furnish & Install Sanded Epoxy Floor in Aerator Transfer Pump Room	1	LS	\$10,675.00	\$10,675.00
22	Remove & Replace Buried 24-inch DIP between Recarbonation Tank and Distribution Box with 24-inch PVC Pipe	1	LS	\$77,110.00	\$77,110.00
TOTAL BASE BID (Item Nos. 1-17)					\$1,763,250.00
TOTAL ADDITIVE ALTERNATE BID (Item Nos. 18-22)					\$251,885.00
TOTAL BID (BASE BID & ADDITIVE ALTERNATE)					\$2,015,135.00
CONTINGENCY (10%)					\$201,513.50
TOTAL BID					\$2,216,648.50



CAPITAL PROJECT DETAIL

PROJECT TITLE

WTP Filter Media Replacement

PROJECT#

CATEGORY

Water and Wastewater Improvements

FUND

409-Water and Wastewater R and R

PROJECT LOCATION

MANAGEMENT

Engineering

PROJECT SCOPE

Replace filter media in Filters 1-4

JUSTIFICATION

Filtration of lime softening water removes suspended material and provides a second barrier against the transmission of waterborne disease. The four media filters were installed in 2007. The media in the filters has exceeded its life span and needs to be replaced. Industry standards suggest that filter media be replaced no later than every 10 years based on usage. These filters are used 24/7/365 and are backwashed every 75 hours at a rate of 45,000 gallons in order to keep them operable.

PROJECT COST METHODOLOGY

Vendor's estimate of probable cost.

<u>EXPENDITURE</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>Total 2021-22 to 2025-26</u>	<u>Other Requests without identified funding source</u>
Filter Media	55,000	0	0	0	0	55,000	0
Installation	50,000	0	0	0	0	50,000	0
Contingency	21,000	0	0	0	0	21,000	0
Total	126,000	0	0	0	0	126,000	0

<u>REVENUE</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>Total 2021-22 to 2025-26</u>	<u>Other Requests without identified funding source</u>
Bond Proceeds	126,000	0	0	0	0	126,000	0
Total	126,000	0	0	0	0	126,000	0

Project Title: Filter Media Replacement

Project Description:

Filtration of lime softening water removes suspended material and provides a second barrier against the transmission of waterborne disease. The four media filters were installed in 2007. The media in the filters has exceeded its life span and needs to be replaced. Industry standards suggest that filter media be replaced no later than every 10 years based on usage. These filters are used 24/7/365 and are backwashed every 75 hours at a rate of 45,000 gallons in order to keep them operable.

<i>Item</i>	<i>Description</i>	<i>Qty</i>	<i>Unit</i>	<i>Unit Cost</i>	<i>Total Cost</i>
1	Filter Media	1	LS	\$55,000	\$55,000
2		1	LS	\$50,000	\$50,000
3					
4					
5					
6					
7					
8					
	<i>Total Estimated Construction</i>				<i>\$105,000</i>
	Contingency @ 20%				\$21,000
	Eng., C.A., & Inspection @ 15%				\$15,750
	TOTAL ESTIMATED PROJECT COST				\$141,750

CAPITAL PROJECT DETAIL

PROJECT TITLE

WTP Replace Lime Softening Filters 5 & 6

PROJECT#

CATEGORY

Water and Wastewater Improvements

FUND

409-Water and Wastewater R and R

PROJECT LOCATION

MANAGEMENT

Utilities or Engineering

PROJECT SCOPE

Demolish the old filters and construct two (2) new Leopold sand filters.

JUSTIFICATION

The old filter structures, pipe gallery and clearwell were abandoned in 2008. It is constantly deteriorating and could become a safety hazard if ignored indefinitely. Demolition and site restoration was originally included with the design-build scope for the original filters, but was value engineered out of the final scope due to budget constraints. The structure should be demolished and the site area should be repurposed for covered storage and parking. Two new sand filters need to be added to enhance reliability to treat current flows. As plant flows increase, this added filter capacity will be necessary to meet compliance standards.

PROJECT COST METHODOLOGY

Water Treatment Plant Condition Assessment Report (2020)

<u>EXPENDITURE</u>	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Design	200,000	0		0	0		0
Construction	0	2,650,000	0		0		0
CEI Services	0	150,000	0		0		0
Total	200,000	2,800,000	0	0	0	3,000,000	0

<u>REVENUE</u>	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Bond Proceeds	200,000	0		0	0		0
Bond Proceeds	0	2,800,000	0		0		0
Total	200,000	2,800,000	0	0	0	3,000,000	0

CAPITAL PROJECT DETAIL

PROJECT TITLE

WTP Thickener Wetwell Discharge Relocation

PROJECT#**CATEGORY**

Water and Wastewater Improvements

FUND

409-Water and Wastewater R and R

PROJECT LOCATION**MANAGEMENT**

Utilities or Engineering

PROJECT SCOPE

Relocation of the discharge point from the Sludge Thickener Wetwell to the North Pit.

JUSTIFICATION

Currently the pumping of lime sludge into the sludge thickener causes high turbid water to be sent into the LSP aerator by way of the thickener wet well. This high turbid water makes its way into the claricones, causing high turbidity. This turbidity increases our use of polymer. This can be avoided by redirecting the thickener wet well piping into the north pit. This waste would then go to the City WWTP for processing.

PROJECT COST METHODOLOGY

Engineer's estimate of probable cost.

EXPENDITURE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Construction	30,000	0	0	0	0	30,000	0
Engineering	4,500	0	0	0	0	4,500	0
Total	34,500	0	0	0	0	34,500	0

REVENUE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Water & Sewer Charges	34,500	0	0	0	0	34,500	0
Total	34,500	0	0	0	0	34,500	0

CAPITAL PROJECT DETAIL

PROJECT TITLE

WWTP Screw Pump Roof Modification

PROJECT#**CATEGORY**

Water and Wastewater Improvements

FUND

409-Water and Wastewater R and R

PROJECT LOCATION**MANAGEMENT**

Utilities

PROJECT SCOPE

Modify or replace roof over the screw pumps to create immediate access to make emergency and other repairs.

JUSTIFICATION

There are 3 screw pumps that lift treated wastewater to the chlorine contact chambers. Currently the roof of the structure blocks crane access and there are not any fixed lifting devices. In the event of an equipment failure, access would be time consuming and costly without this modification. This project will provide access to the electric motors and gear boxes by removing fixed roof and lighting and replacing with removable panels.

PROJECT COST METHODOLOGY

Engineer's estimate of probable cost.

EXPENDITURE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Construction	150,000	0		0	0		0
Design	50,000	0		0	0		0
Total	200,000	0		0	0		0

REVENUE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Water & Sewer Charges	200,000	0		0	0		0
Total	200,000	0		0	0		0

CAPITAL PROJECT DETAIL

PROJECT TITLE

Shadow Crossings Reuse Pump Facility

PROJECT#

409151

CATEGORY

Water and Wastewater Improvements

FUND

409-Water and Wastewater R and R

PROJECT LOCATION**MANAGEMENT**

Ponitz

PROJECT SCOPE

Irrigation and Fire Protection System Pump, Piping and Electrical Controls Upgrades

JUSTIFICATION

Existing Shadow Crossings (Hunter's Ridge) Pumping Facility is nearly 30 years old. Pump & motor assemblies, piping modifications and electrical upgrades are recommended for replacement of aged and undersized equipment for meeting current irrigation demand and to improve reliability of fire protection system also provided by the facility. (This project was originally allocated and budgeted for FY19-20, but funds were reallocated to more urgent, critical priorities.)

PROJECT COST METHODOLOGY

Engineering Estimate - Preliminary

EXPENDITURE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Construct Mech, Elec and Controls	0	240,000	0	0	0	240,000	0
Total	0	240,000	0	0	0	240,000	0

REVENUE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Bond Proceeds	0	240,000	0	0	0	240,000	0
Total	0	240,000	0	0	0	240,000	0

City of Ormond Beach, Florida
4/19/2018

Shadow Crossings Pump Facility Upgrades Probable Cost

Estimated Construction Cost

Item Num	Item Description	QTY	Unit	Unit Cost	Item Cost
1	Mobilization / Demobilization	1	LS	\$ 5,000	\$ 5,000
2	Demo	1	LS	\$ 10,000	\$ 10,000
3	50HP Split Case Horiz Pump Motor Assy	2	EA	\$ 25,000	\$ 50,000
4	60HP Fire Pump	1	EA	\$ 30,000	\$ 30,000
5	60HP Reduced Voltage Fire Pump Controller	1	EA	\$ 10,000	\$ 10,000
6	Electrical Wire and Materials	1	LS	\$ 15,000	\$ 15,000
7	Electrical Labor	1	LS	\$ 50,000	\$ 50,000
8	Mechanical Materials	1	LS	\$ 35,000	\$ 35,000
9	Mechanical Labor	1	LS	\$ 20,000	\$ 20,000
10	SCADA Upgrades	1	LS	\$ 10,000	\$ 10,000
	TOTAL ESTIMATED COST				\$ 235,000

Construction Budget= \$ 235,000.00

Engineering Services \$ 35,250.00

\$ 270,250.00

PROJECT Budget Value= \$ 271,000.00

Shadow Crossing Reuse Pump Room



Shadow Crossing Reuse Pump Room



CAPITAL PROJECT DETAIL

PROJECT TITLE

Water Main Replacement

PROJECT#

409245

CATEGORY

Water and Wastewater Improvements

FUND

409-Water and Wastewater R and R

PROJECT LOCATION

MANAGEMENT

Engineering

PROJECT SCOPE

As part of the Utility Master Plan Update, the City's water system was modeled to determine improvements needed to reinforce and increase water pressures throughout the City. The report identified these areas and made recommendations on system improvements. Replacement of substandard 2-inch diameter water mains throughout the City was identified as a priority recommendation. The majority of the 2-inch mains throughout the City are in excess of 30 years old and have outlived their service life. When feasible the mains are replaced concurrently with stormwater and road improvement projects. In addition, replacement of asbestos cement pipe will also be included within streets undergoing improvements when the asbestos cement pipe will be in conflict with proposed improvements or is identified as a maintenance problem main. The total estimated cost to replace all substandard water mains was estimated to be \$11,250,000 in the 2007 Master Plan Update. At the commission's request staff has accelerated the replacement schedule to address the most significant problem areas known to staff and address the replacement recommendations within the City's Utility Master Plan.

JUSTIFICATION

Hydraulic modeling of the distribution system demonstrated that under fire flow conditions residual pressures below the minimum allowed (20 psi) were observed in certain areas throughout the City. Most of the low pressures were due to commercial fire demands of 2,000 gallons per minute. Reinforcement of the City's distribution system with construction of larger mains and improved looping will increase pressures to provide adequate fire service and system pressures during peak demand periods. The utility system contains extensive areas of 2-inch diameter water main. In certain areas of the distribution system this small diameter pipe is resulting in lower than desired distribution system pressures during peak demand. In addition, metallic 2-inch diameter pipe presents corrosion, taste, odor, and "black/red water" concerns. The current standard in the City's Land Development Code is a minimum size of an 8-inch main for new subdivisions, which is the minimum size recommended for fire suppression.

The replacement program allows for the systematic replacement of small diameter pipe with larger diameter pipe that will achieve lower pressure losses, reduce high service pumping costs, improve fire suppression capability and enhance distribution system water quality. Furthermore, the 30 to 40 year old asbestos-cement pipe is prone to failure if disturbed by local construction activities, and is difficult to repair because it is no longer manufactured.

PROJECT COST METHODOLOGY

Costs based on average bid prices received with the 2013, 2015 and 2017 bids for the first 3 phases of 2-inch water main replacement project

<u>EXPENDITURE</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>Total 2021-22 to 2025-26</u>	<u>Other Requests without identified funding source</u>
Construction	0	1,600,000	1,600,000	0	0	3,200,000	0

CAPITAL PROJECT DETAIL

PROJECT TITLE PROJECT#

Water Main Replacement 409245

Total	0	1,600,000	1,600,000	0	0	3,200,000	0
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REVENUE	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Bond Proceeds	0	1,600,000	1,600,000	0	0	3,200,000	0
Total	0	1,600,000	1,600,000	0	0	3,200,000	0

Phase 4- 2" WM Replacement- Top Priority

Street Name	From (Street Name)	To (Street Name)	Length (Feet)	# of Services	Looped or Unlooped	
S. Beach St	Arroyo Pkwy	Plaza Grande Ave	1900	28	Looped	Replace ex CI 6 " wm w/ 8" wm & new services
Carol Rd	#26	#7		73	Looped	Connect WM, connect all water services to 6" WM
Margaret Rd	#68	#30	950	59	Looped	Connect 6" WM, Add FH's, Tie WS to 6"
Azalea Dr	#39	Easterly Dr	1300	65	Looped	
Cotton Seed Trail	Saddle Creek Trail	cul-de-sac	300	12	Looped	
Hay Bail Trail	Saddle Creek Trail	cul-de-sac	330	10	Looped	
McIntosh Rd	Wilmette Ave	Hernandez Ave	1400	30	Looped	
Tropical Ln	Hand Ave	Division Ave	1300	28	Looped	
Ox Bow Trail	Saddle Creek Trail	cul-de-sac	300	14	Looped	
Palm Dr	Easterly Dr	#30 Palm Dr	950	57	Looped	Connect existing 6" WM together, tie services of 6" WM
Palmetto Dr	#53	#21	1040	56	Looped	
Turkey Creek Pass	Meadow Ridge View	Cul-de-sac	220	4	Unlooped	
W River Oak Dr	Woodsong Ln	Woodbourne Ln	1530	33	Looped	

Wilmette Ave	N Ridgewood Ave	Andrews St	2120	33	Looped	
S. Ridge	Castilla St	1732 S. Ridge	1200	15	Unlooped	Includes 400 ft 2 " WM on Arragon St.
Tam-O-Shanter Lane	Hand Ave	Arrowhead Cir	390	6	Looped	Complete W/ Arrowhead Cir
			15,450			

City of Ormond Beach

PHASE 4, 2-INCH WATERMAIN REPLACEMENT LIST

Street	From	To	Length (ft)	Services	Notes	Notes
S. Beach St	Arroyo Pkwy	Plaza Grande Ave	1900	20	Looped	Replace ex CI 6" wm w/ 8" wm & new services
Carol Rd	#26	#7	220	73	Looped	Connect WM, connect all water services to 6" WM
Margaret Rd	#68	#30	950	59	Looped	Connect 6" WM, Add FH's, Tie WS to 6"
Azalea Dr	#39	Easterly Dr	1300	65	Looped	
Cotton Seed Trail	Saddle Creek Trail	Cul-de-sac	300	12	Looped	
Hay Bail Trail	Saddle Creek Trail	Cul-de-sac	330	10	Looped	
McIntosh Rd	Wilmette Ave	Hernandez Ave	1400	30	Looped	
Tropical Ln	Hand Ave	Division Ave	1300	28	Looped	
Ox Bow Trail	Saddle Creek Trail	Cul-de-sac	300	14	Looped	
Palm Dr	Easterly Dr	#30 Palm Dr	950	57	Looped	Connect existing 6" WM together, tie services of 6" WM
Palmetto Dr	#53	#21	1040	56	Looped	
Turkey Creek Pass	Meadow Ridge View	Cul-de-sac	220	4	Looped	
W River Oak Dr	Woodsong Ln	Woodbourne Ln	1530	33	Looped	
Wilmette Ave	N Ridgewood Ave	Andrews St	2120	33	Looped	
S Ridge	Castilla St	1732 S Ridge	1200	15	Unlooped	Includes 400 ft 2" WM on Arragon St.
Tam-O-Shanter Lane	Hand Ave	Arrowhead Cir	390	6	Looped	Complete W/ Arrowhead Cir

KEY: WATERMAIN REPLACEMENT

PHASE 4

PHASE 4
2" WATERMAIN
REPLACEMENT MAPThe City of Ormond Beach Engineering Div.
Prepared by Engineering Division 4/4/2018

Phase 5 - 2" WM Replacement - Top Priority

Street Name	From (Street Name)	To (Street Name)	Length (Feet)	# of Services	Looped or Unlooped	
Marlin Dr	Barrier Isle Dr	#129	875	22	Looped	
Mound Ave	S. Ridgewood Ave	S. Washington St	600	8	Looped	
Jefferson St	S. Yonge St	water plant gate	550	14	Unlooped	
Vining Ct	E. Granada Blvd	#45	0	7	Looped	Tie Into main coming from N Halifax Dr
Royal Palm Dr	John Anderson Dr	Landmark Cir	450	3	Unlooped	
Acacia Ct	Poplar Dr	Cul-de-sac	250	3	Unlooped	Add Fire Hydrants
Nottingham Dr	River Bluff Dr	River Bluff Dr	1440	23	Looped	
Atwood Ln	N. Halifax Dr	Idlewood Ave	675	14	Looped	
Bosarvey Cir	S Halifax Dr	Cul-de-sac	131	4	Unlooped	Connect to end of existing WM at FH
Bostrom Ln	Division Ave	Hand Ave	820	20	Unlooped	
Brookside Ct	#3	Cul-de-sac	450	11	Unlooped	add FH's
Bryant St	#584	Burns St	100	2	Looped	
Burns St	Cameo Dr	Collins St	411	4	Looped	
Cameo Dr	#574	Burns St	275	5	Looped	
Carrolwood Cir	Parkwood Dr	Cul-de-sac	315	10	Unlooped	
Castle manor dr	#3	Cul-de-Sac	420	6	Unlooped	
Collins St	#589	Burns St	140	4	Looped	

Street Name	From (Street Name)	To (Street Name)	Length (Feet)	# of Services	Looped or Unlooped	
Crestwood Cir	Parkwood Dr	Cul-de-sac	315	10	Unlooped	
Hickory Hills Cir	#101	Cul-de-Sac	100	4	Unlooped	
Hilldale Ave	N. Halifax Dr	Oak Dr	690	12	Looped	
Idlewood Dr	Wildwood Ave	Atwood Ave	575	7	Looped	
Lakeview Cir	#4	Cul-de-Sac	600	12	Unlooped	
Merrywood Cir	Parkwood Dr	Cul-de-sac	315	10	Unlooped	
Myra Blvd	Live Oak Ave	Central Ave	475	8	Looped	
Nottingham Dr	River Bluff Dr		1450	21	Looped	
Oak Grove St	Windward Ln	Royal Palm Dr	565	10	Looped	
Oak Park Cir	#416	Cul-de-Sac	200	6	Unlooped	
Pierside Dr	Riverwalk Ct	Cul-de-sac	500	8	Looped	Eliminate 2", services off existing 6"
Pinecrest Ave	N. Halifax Dr	Idlewood Ave	0	12	Looped	
Pirates Cove	Seafarers Dr	Cul-de-sac	300	5	Unlooped	Connect 6" WM, Add FH's, Tie WS to 6"
Ray Mar Dr	N Halifax Dr	Luna Dr	860	18	Looped	Connect to 6" WM
Riverwood Ave	John Anderson Dr	N. Halifax Dr	800	12	Looped	

City of Ormond Beach

PHASE 5, 2-INCH WATERMAIN REPLACEMENT LIST

Street	From	To	Length (ft)	Services	Notes	Notes
Marlin Dr	Barrier Isle Dr	#129	875	22	Looped	
Mound Ave	S Ridgewood Ave	S Washington St	600	8	Looped	
Jefferson St	S Yonge St	Water Plant Gate	550	14	Unlooped	
Vining Ct	E Granada Blvd	#45	0	7	Looped	Tie into main coming from N Halifax Dr
Royal Palm Dr	John Anderson Dr	Landmark Cir	450	3	Unlooped	
Acacia Ct	Poplar Dr	Cul-de-sac	250	3	Unlooped	Add Fire Hydrants
Nottingham Dr	River Bluff Dr	River Bluff Dr	1440	23	Looped	
Atwood Ln	N Halifax Dr	Idlewood Ave	675	14	Looped	
Bosarvey Cir	S Halifax Dr	Cul-de-sac	131	4	Unlooped	Connect to end of existing WM at FH
Bostrom Ln	Division Ave	Hand Ave	820	20	Unlooped	
Brookside Ct	#3	Cul-de-sac	450	11	Unlooped	add FH's
Bryant St	#584	Burns St	275	5	Looped	
Burns St	Cameo Dr	Collins St	411	4	Looped	
Cameo Dr	#574	Burns St	275	5	Looped	
Carrollwood Cir	Parkwood Dr	Cul-de-sac	315	10	Unlooped	
Castle Manor Dr	#3	Cul-de-sac	420	6	Unlooped	
Collins St	#589	Burns St	140	4	Looped	
Crestwood Cir	Parkwood Dr	Cul-de-sac	315	10	Unlooped	
Hickory Hills Cir	#101	Cul-de-sac	100	4	Unlooped	
Hilldale Ave	N Halifax Dr	Oak Dr	690	12	Looped	
Idlewood Dr	Wildwood Ave	Atwood Ave	575	7	Looped	
Lakeview Cir	#4	Cul-de-sac	690	12	Unlooped	
Merrywood Cir	Parkwood Dr	Cul-de-sac	315	10	Unlooped	
Myra Blvd	Live Oak Ave	Central Ave	475	8	Looped	
Nottingham Dr	River Bluff Dr		1450	21	Looped	
Oak Grove St	Windward Ln	Royal Palm Dr	565	10	Looped	
Oak Park Cir	#416	Cul-de-sac	200	6	Unlooped	
Pierside Dr	Riverwalk Ct	Cul-de-sac	500	8	Looped	Eliminate 2", services off existing 6"
Pinecrest Ave	N Halifax Dr	Idlewood Ave	0	12	Looped	
Pirates Cove	Seafarers Dr	Cul-de-sac	300	5	Unlooped	Connect 6" WM, Add FH's, Tie WS to 6"
Ray Mar Dr	N Halifax Dr	Luna Dr	860	18	Looped	Connect to 6" WM
Riverwood Ave	John Anderson Dr	N Halifax Dr	800	12	Looped	

TOTAL= 15,912.00 226



CAPITAL PROJECT DETAIL

PROJECT TITLE

WRF Clarifier Rehab

PROJECT#**CATEGORY**

Water and Wastewater Improvements

FUND

409-Water and Wastewater R and R

PROJECT LOCATION**MANAGEMENT**

Utilities

PROJECT SCOPE

Rehab Clarifiers 1-4

JUSTIFICATION

The clarifier mechanisms are in need of sandblasting, repair, and repainting. Three of the clarifiers were installed in 1990 and rehabbed in 2013. It is recommended to rehab clarifier mechanisms every 10-15 years.

PROJECT COST METHODOLOGY

Engineer's estimate of probable cost.

EXPENDITURE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Dewatering, Materials and Labor	0	1,000,000	0	0	0	1,000,000	0
Total	0	1,000,000	0	0	0	1,000,000	0

REVENUE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Bond Proceeds	0	1,000,000	0	0	0	1,000,000	0
Total	0	1,000,000	0	0	0	1,000,000	0

CAPITAL PROJECT DETAIL

PROJECT TITLE

Halifax River Force Main Crossing

PROJECT#

435043

CATEGORY

Water and Wastewater Improvements

FUND

409-Water and Wastewater R and R

PROJECT LOCATION**MANAGEMENT**

Engineering

PROJECT SCOPE

Construct a 24 inch force main across the Halifax River.

JUSTIFICATION

The existing collection system includes two river force main crossings. Assuming the anticipated expansion of wastewater service within the north Peninsula will occur. This will result in an increase in wastewater flows and will require addition force main capacity across the river.

PROJECT COST METHODOLOGY

Updated Utility Master Plan

EXPENDITURE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Design	0	0	352,000	0	0	352,000	117,000
Construction	0	0	0	2,933,500			940,000
Total	0	0	352,000	2,933,500	0	3,285,500	1,057,000

REVENUE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Water & Sewer Charges	0	0	352,000	0	0	352,000	0
Bond Proceeds	0	0	0	2,933,500	0	2,933,500	1,057,000
Total	0	0	352,000	2,933,500	0	3,285,500	1,057,000

CAPITAL PROJECT DETAIL

PROJECT TITLE

Halifax River Reclaimed Main Crossing

PROJECT#

CATEGORY

Wastewater System Expansion

FUND

409-Water and Wastewater R and R

PROJECT LOCATION

MANAGEMENT

Engineering

PROJECT SCOPE

Install 24-inch HDPE reclaimed main across the river to improve system performance and add redundancy

JUSTIFICATION

The reclaimed distribution system includes only a single river crossings, a 16" at Melrose Street constructed in 1990. This crossing is DIP and showing its age with recent leaks. The redundancy of two (2) crossings is good; however, construction of river crossings are costly and even more so if required in an emergency situation.

PROJECT COST METHODOLOGY

Cost based on similar projects

EXPENDITURE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Design	0	0	156,400	0	0	156,400	0
Construction	0	0	0	1,251,000	0	1,251,000	0
Total	0	0	156,400	1,251,000	0	1,407,400	0

REVENUE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Water & Sewer Charges	0	0	156,400	0	0	156,400	0
Bond Proceeds	0	0	0	1,251,000	0	1,251,000	0
Total	0	0	156,400	1,251,000	0	1,407,400	0

The collection system includes two (2) force main river crossings, a 20" at Melrose Street constructed in 1987 and a 16" at Granada constructed in 1981. Both of these crossings are DIP and are aging. The redundancy of two (2) crossings is good; however, construction of river crossings are costly and even more so if required in an emergency situation.

The total projected flow for the Peninsula area, within the City limits, for 2035 is 694,000 with an estimated peak flow of 1,447 GPM. Section 3 of this Master Plan includes projections for the North Peninsula Service Area averaging 820,000 GPD in 2035 (peak flow = 1,700 GPM). Total 2035 flow projections for the peninsula are approximately 3,200 GPM for peak force main flow. Location to be determined.

Utilizing HDPE pipe the 24" has an internal diameter of 20" which is sufficient for the flow projections. The force main river crossing is shown on Figure MB-6 and consists of approximately 3,000 LF of 24" HDPE. Estimated costs are detailed in **Table 8.6-4**.

Table 8.6-4
Project WW-6
Halifax River Force Main Crossing

<i>Item</i>	<i>Description</i>	<i>Qty</i>	<i>Unit</i>	<i>Unit Cost</i>	<i>Total Cost</i>
1	24" HDPE Force Main	3,000	LF	\$275	\$825,000
2	Valves and Fittings	1	LS	\$137,500	\$137,500
3	Tie-Ins	2	EA	\$40,000	\$80,000
	<i>Total Estimated Construction</i>				<i>\$1,042,500</i>
	Contingency @ 20%				\$208,500
	Eng., C.A., & Inspection @ 15%				\$156,400
	TOTAL ESTIMATED PROJECT COST				\$1,407,500

The reclaimed distribution system includes only a single river crossings, a 16" at Melrose Street constructed in 1990. This crossing is DIP and showing its age with recent leaks. The redundancy of two (2) crossings is good; however, construction of river crossings are costly and even more so if required in an emergency situation.

Utilizing HDPE pipe the 24" has an internal diameter of 20" which is sufficient for the flow projections. The reclaimed main river crossing is shown on Figure MB-6 and consists of approximately 3,000 LF of 24" HDPE. Estimated costs are detailed in **Table 8.6-5**.

Table 8.6-5
Halifax River Reclaimed Main Crossing

<i>Item</i>	<i>Description</i>	<i>Qty</i>	<i>Unit</i>	<i>Unit Cost</i>	<i>Total Cost</i>
1	24" HDPE Force Main	3,000	LF	\$275	\$825,000
2	Valves and Fittings	1	LS	\$137,500	\$137,500
3	Tie-Ins	2	EA	\$40,000	\$80,000
	<i>Total Estimated Construction</i>				<i>\$1,042,500</i>
	Contingency @ 20%				\$208,500
	Eng., C.A., & Inspection @ 15%				\$156,400
	TOTAL ESTIMATED PROJECT COST				\$1,407,500

CAPITAL PROJECT DETAIL

PROJECT TITLE

WRF Filter Modifications

PROJECT#

CATEGORY

Wastewater System Improvements

FUND

409-Water and Wastewater R and R

PROJECT LOCATION

MANAGEMENT

Engineering

PROJECT SCOPE

Replacement of current sand filters with three dimensional cloth media increasing wetted surface area and allowing increased filtration capacity.

JUSTIFICATION

The Water Reclamation Facility Condition Assessment Report prepared by Mead Hunt in April, 2020 identified this project as a critical improvement to the facility. The current sand filters require extensive maintenance due to their age and technology. Cloth media filters have been developed in recent years that reduce the levels of maintenance necessary for operation while increasing efficiency. Filtration of the effluent is a critical process step for the removal of fecal coliform from the stream.

PROJECT COST METHODOLOGY

Mead Hunt Water Reclamation Facility Assessment Cost Estimate

<u>EXPENDITURE</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>Total 2021-22 to 2025-26</u>	<u>Other Requests without identified funding source</u>
Design	0	0	320,000	0	0	320,000	0
Construction	0	0	0	4,100,000	0	4,100,000	0
Construction Admin	0	0	0	210,000	0	210,000	0
Total	0	0	320,000	4,310,000	0	4,630,000	0

<u>REVENUE</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>Total 2021-22 to 2025-26</u>	<u>Other Requests without identified funding source</u>
Water & Sewer Charges	0	0	320,000	0	0	320,000	0
Bond Proceeds	0	0	0	4,310,000	0	4,310,000	0
Total	0	0	320,000	4,310,000	0	4,630,000	0

CAPITAL PROJECT DETAIL

PROJECT TITLE

WTP Scrubbers and De-gasifiers Rehab

PROJECT#**CATEGORY**

Water and Wastewater Improvements

FUND

409-Water and Wastewater R and R

PROJECT LOCATION**MANAGEMENT**

Utilities or Engineering

PROJECT SCOPE

Rehab WTP Scrubbers and De-gasifiers

JUSTIFICATION

Currently the existing scrubbers for the LPRO process train of the WTP are not performing any significant function. Ideally the scrubbers should be removing hydrogen sulfide (H₂S) from the LPRO treated water supply and potentially adding in chemicals, such as caustic for pH adjustment and hypochlorite for disinfection. Getting this process rehabbed and back online would reduce the chemical attack experienced by the adjacent components at the WTP, thereby making other components last longer and more reliably. This project also includes improvements to the sodium hypochlorite feed system, because this system is in the same area.

PROJECT COST METHODOLOGY

Engineer's estimate of probable cost.

<u>EXPENDITURE</u>	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Design	0	0	164,000	0	0	164,000	0
Construction	0	0	0	1,461,500	0	1,461,500	0
Total	0	0	164,000	1,461,500	0	1,625,500	0

<u>REVENUE</u>	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Water & Sewer Charges	0	0	164,000	0	0	164,000	0
Bond Proceeds	0	0	0	1,461,500	0	1,461,500	0
Total	0	0	164,000	1,461,500	0	1,625,500	0

CAPITAL PROJECT DETAIL

PROJECT TITLE

New Reuse Ground Storage Tank

PROJECT#

CATEGORY

Water and Wastewater Improvements

FUND

409-Water and Wastewater R and R

PROJECT LOCATION

MANAGEMENT

Utilities

PROJECT SCOPE

Design and Construct new 2MG Reuse Ground Storage Tank at the WWTP

JUSTIFICATION

During time of minimal rainfall and high demand the Reuse Distribution system has difficulty in maintaining enough water to meet customer demand. The recent additions of Deer Creek and the South Peninsula have strained the current system to its limits. While the addition of nearly 1MG additional storage at Breakaway Trails will help in the maintenance of fire protection in the West Ormond area, additional storage is needed to maintain a consistent flow of reuse water to the other areas of the City. As the City continues to provide additional residents with this service, the lack of reuse storage will become a hindrance to meeting the City's obligations to provide reuse to all of its customers without promulgating changes through City Commission to implement mandatory water restrictions.

PROJECT COST METHODOLOGY

Engineer's estimate of probable cost.

<u>EXPENDITURE</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>Total 2021-22 to 2025-26</u>	<u>Other Requests without identified funding source</u>
Design	0	0	0	385,000	0	385,000	0
Total	0	0	0	385,000	0	385,000	0

<u>REVENUE</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>Total 2021-22 to 2025-26</u>	<u>Other Requests without identified funding source</u>
Water & Sewer Charges	0	0	0	385,000	0	385,000	0
Total	0	0	0	385,000	0	385,000	0

CAPITAL PROJECT DETAIL

PROJECT TITLE

WTP Chemical Feed System Upgrades

PROJECT#

409234

CATEGORY

Water and Wastewater Improvements

FUND

409-Water and Wastewater R and R

PROJECT LOCATION**MANAGEMENT**

Utilities or Engineering

PROJECT SCOPE

Improve and repair the chemical feed system at the WTP.

JUSTIFICATION

The chemical feed system at the WTP is functional, but in need of repair and organization. Currently the polymer feed building has no floor drain and houses skid systems that are beyond their originally intended service life. As such, the chemical feed building should be rehabbed to fit operator needs and the skid systems should be replaced. Additionally, the antiscalant chemical feed system is currently outside with no enclosure or environmental protection.

PROJECT COST METHODOLOGY

Engineer's estimate of probable cost.

<u>EXPENDITURE</u>	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Construction	0	0	0	569,500	0	569,500	0
Design	0	0	0	65,000	0	65,000	0
Total	0	0	0	634,500	0	634,500	0

<u>REVENUE</u>	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Water & Sewer Charges	0	0	0	634,500	0	634,500	0
Total	0	0	0	634,500	0	634,500	0

CAPITAL PROJECT DETAIL

PROJECT TITLE

WWTP Odor Control

PROJECT#**CATEGORY**

Water System Improvements

FUND

409-Water and Wastewater R and R

PROJECT LOCATION**MANAGEMENT**

Utilities

PROJECT SCOPE

Replacement of the Wastewater Treatment Plant Odor Control System

JUSTIFICATION

The Influent Odor Control System at the WWTP is over 20 years old and in need of replacement. Over the years the harsh environment has taken its toll on the electrical, mechanical and structural components of this device.

PROJECT COST METHODOLOGY

Engineer's estimate of probable cost.

EXPENDITURE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Construction	0	0	0	200,000	0	200,000	0
Design	0	0	0	20,000	0	20,000	0
Total	0	0	0	220,000	0	220,000	0

REVENUE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Water & Sewer Charges	0	0	0	220,000	0	220,000	0
Total	0	0	0	220,000	0	220,000	0

CAPITAL PROJECT DETAIL

PROJECT TITLE

WWTP Admin Building Roof Replacement

PROJECT#

CATEGORY

Water and Wastewater Improvements

FUND

409-Water and Wastewater R and R

PROJECT LOCATION

MANAGEMENT

Engineering

PROJECT SCOPE

Replace the roof over the admin section.

JUSTIFICATION

The existing roof is over 20 years old and has met it's life expectancy. Numerous repairs have been made in the last three to four years, and it is time for a new roof on this facility.

PROJECT COST METHODOLOGY

Cost based on similar city projects

EXPENDITURE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Roof replacement	0	0	0	32,000	0	32,000	0
Total	0	0	0	32,000	0	32,000	0

REVENUE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Water & Sewer Charges	0	0	0	32,000	0	32,000	0
Total	0	0	0	32,000	0	32,000	0

CAPITAL PROJECT DETAIL

PROJECT TITLE

Airport Road - SR 40 Watermain/ Forcemain Loop

PROJECT#

CATEGORY

Water System Expansion

FUND

409-Water and Wastewater R and R

PROJECT LOCATION

MANAGEMENT

Engineering

PROJECT SCOPE

Installation of 10,000 linear feet of water main to connect the SR 40 watermain that currently ends at Hunters Ridge to the Airport Road watermain

JUSTIFICATION

Completion of this watermain "loop" is a key component to the distribution to existing and future customers in the City's West Ormond Service area. This loop will allow the City to supply water to the future development of Hunters Ridge as well as maintain water pressures necessary for those existing developments in along Airport Road and SR 40. This project includes the construction of a watermain as well as the design and construction of a forcemain serving the western area.

PROJECT COST METHODOLOGY

Zev Cohen and Associates Engineer's Opinion of Probable Cost

<u>EXPENDITURE</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>Total 2021-22 to 2025-26</u>	<u>Other Requests without identified funding source</u>
Construction	0	1,600,000	0	1,600,000	0	3,200,000	0
Construction Engineering and	0	50,000	0	50,000	0	100,000	0
Design	0	0	120,000	0	0	120,000	0
Total	0	1,650,000	120,000	1,650,000	0	3,420,000	0

<u>REVENUE</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>Total 2021-22 to 2025-26</u>	<u>Other Requests without identified funding source</u>
To Be Determined	0	1,650,000	120,000	1,650,000	0	3,420,000	0
Total	0	1,650,000	120,000	1,650,000	0	3,420,000	0

CAPITAL PROJECT DETAIL

PROJECT TITLE

Western Utility Plant Site Evaluation & Selection

PROJECT#

CATEGORY

Wastewater System Expansion

FUND

409-Water and Wastewater R and R

PROJECT LOCATION

MANAGEMENT

Utilities

PROJECT SCOPE

Evaluation of the 15 acre treatment plant site and selection of technology for design of future WRF and WTP

JUSTIFICATION

Recommended in the Western Service Area master Plan update by Mead Hunt, this project provides for the surveying of the City's property on West Granada Blvd. at Airport Road, wetlands delineation of the site, as well as site planning and selection of technology for future water treatment plant and water reclamation facility on site.

PROJECT COST METHODOLOGY

Mead Hunt Western Service Area Master Plan Update

EXPENDITURE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Technology Selection	0	125,000	0	0	0	125,000	0
Site Survey	0	100,000	0	0	0	100,000	0
Wetland Delineation	0	75,000	0	0	0	75,000	0
Total	0	300,000	0	0	0	300,000	0

REVENUE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
To Be Determined	0	300,000	0	0	0	300,000	0
Total	0	300,000	0	0	0	300,000	0

**433 434 435-REUSE, WATER AND WASTEWATER IMPACT FEE
FUNDS**

CAPITAL PROJECT DETAIL

PROJECT TITLE

Airport Road Reclaim Water Main PH 2

PROJECT#

409210

CATEGORY

Water and Wastewater Improvements

FUND

433-Reuse Impact Fees

PROJECT LOCATION**MANAGEMENT**

Engineering

PROJECT SCOPE

Construction of a 16" Reclaimed water main along Airport Road from Ormond Green to Breakaway Trails

JUSTIFICATION

As part of the Phase 1 of the Airport Road Forcemain Extension project completed in 2013, the existing 10" diameter force main from Breakaway Trails to River Bend golf course was left in place and converted from a force main to reuse service thus enabling service to Breakaway Trails and Hunter's Ridge. The force main is undersized to meet future demands. It is recommended to upgrade the 10" force main to a 16" diameter main as well as adding an additional connection to River Bend Golf Club.

PROJECT COST METHODOLOGY

Updated Utility Master Plan

EXPENDITURE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Design	0	150,000	0	0	0	150,000	130,500
Construction	0	0	1,100,000	0	0	1,100,000	1,100,000
Total	0	150,000	1,100,000	0	0	1,250,000	1,230,500

REVENUE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Reuse Impact Fees	0	150,000	1,100,000	0	0	1,250,000	1,230,500
Total	0	150,000	1,100,000	0	0	1,250,000	1,230,500

CAPITAL PROJECT DETAIL

PROJECT TITLE

Hudson Wellfield Expansion

PROJECT#

435041

CATEGORY

Water and Wastewater Improvements

FUND

434-Water Impact Fees

PROJECT LOCATION

MANAGEMENT

Engineering

PROJECT SCOPE

Construction of three (3) additional wells within the Hudson Wellfield. Including one new power generator for all three wells.

JUSTIFICATION

The City's existing consumptive use permit included the construction of three new wells within the Hudson Wellfield. The three wells are estimated to pump 300 GPM resulting in an additional capacity of 1.29 MGD.

PROJECT COST METHODOLOGY

Updated Utility Master Plan

EXPENDITURE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Design	300,000	0	0	0	0	300,000	255,000
Construction	0	2,300,000	0	0	0	2,300,000	2,100,000
Total	300,000	2,300,000	0	0	0	2,600,000	2,355,000

REVENUE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Water Impact Fees	300,000	2,300,000	0	0	0	2,600,000	2,355,000
Total	300,000	2,300,000	0	0	0	2,600,000	2,355,000



JANUARY 2020

Western Service Area Master Plan Update

City of Ormond Beach



4401 Eastport Parkway
Port Orange, FL 32127
386-761-6810
meadhunt.com

Michael Stephenson, P.E.
Florida Registration #87390

2) **WS-2 Hudson Wellfield Expansion**

The City currently has three (3) additional wells permitted for construction within the Hudson Wellfield. Given the anticipated need for additional raw water production, we recommend the City proceed with installing these permitted wells as soon as possible. These wells will require one (1) new emergency power generator to support the three (3) new wells. It is recommended that the City begin planning and design of these wells immediately. Assuming about a year for planning and design and a year for construction, the City will need two years to complete this process.

Proposed new wells #57, #58 and #59 are 12" diameter with a cased depth of 120' and total depth of 300'. Estimated withdrawal capacity from each well is approximately 500 GPM (0.71 MGD). A preliminary cost estimate is included in **Table 4-5**. This project will benefit Hunter's Ridge, Ormond Crossings, and western service area developments south of SR-40.

Table 4-5: WS-2 Hudson Wellfield Expansion - Preliminary Cost Estimate

Item Description	Qty	Unit	Unit Cost	Total Cost
New UFA Wells, Pumps and Mechanical Equipment	3	EA	\$300,000	\$900,000
Well Access and Sitework	1	LS	\$500,000	\$500,000
Raw Water Main Piping	1	LS	\$200,000	\$200,000
Electrical and Instrumentation	1	LS	\$100,000	\$100,000
Emergency Power Generator	1	EA	\$200,000	\$200,000
Construction Sub-Total				\$1,900,000
Contingency @ 20%				\$380,000
Engineering & CEI @ 15%				\$285,000
Total Estimated Project Cost				\$2,565,000

3) **WS-3 CUP Renewal**

The projected average daily raw water demands shown in **Table 4-2** indicate that the City's projected raw water demands will exceed their current permitted capacity in the near future. As such, we recommend the City renegotiate their withdrawal limits by 2022, assuming the projected western development schedule is maintained. This should include (3) new wells in the Rima Ridge wellfield. CUP revisions can take a significant amount of time and substantial effort. As such, the City should plan to begin the renegotiation of their permit in early 2021. This schedule will allow time for the City to demonstrate the need for additional withdrawals and discuss all items with the SJRWMD. A preliminary cost estimate for the regional groundwater modeling and CUP renewal process effort is approximately **\$350,000**. The renewal process for CUPs is time consuming and it is recommended that the City begin this process as soon as possible. The Ormond Crossings subdivision is the primary benefactor of this project.

CAPITAL PROJECT DETAIL

PROJECT TITLE

Utility Master Plan Update

PROJECT#**CATEGORY**

Water and Wastewater Improvements

FUND

434-Water Impact Fees

PROJECT LOCATION**MANAGEMENT**

Engineering/Utilities

PROJECT SCOPE

Update to the Utility Master Plan including flow demands and projections, population projections, current system capacity and evaluation of improvements to the water, wastewater, and reuse systems, update of system models to identify deficiencies and recommend improvements, develop a schedule for future planning of CIP projects and required funding.

JUSTIFICATION

The Utility Master Plan provides a long term planning document which will identify the short, mid, and long range needs pertaining to the City's water and wastewater infrastructure. The most current comprehensive Utility Master Plan was completed in 2015. The plan was supplemented by a Western Service Area Master Plan Update initiated in 2019 and completed in 2020. Additionally, separate WTP & WRF Infrastructure Assessment Reports were completed in 2020 supplementing the latest Master Plan. Typically, comprehensive updates to the utility master plan are scheduled on a 5-10 year basis depending on development, population growths, and other needs that arise within the City's service area that impact the water and sewer infrastructure.

PROJECT COST METHODOLOGY

Costs based on previous master plan update costs adjusted for inflation.

EXPENDITURE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Utility Master Plan & Rate Study	220,000	0	0	0	0	220,000	0
Total	220,000	0	0	0	0	220,000	0

REVENUE

	2021-22	2022-23	2023-24	2024-25	2025-26	Total 2021-22 to 2025-26	Other Requests without identified funding source
Wastewater Impact Fees	110,000	0	0	0	0	110,000	0
Water Impact Fees	110,000	0	0	0	0	110,000	0
Total	220,000	0	0	0	0	220,000	0



CITY OF ORMOND BEACH

City Manager • 22 S. Beach Street • Ormond Beach • Florida • 32174 • (386) 676-3200 • Fax (386) 676-3384

CITY MANAGER MEMORANDUM

To: The Honorable Mayor Partington and City Commissioners

Through: Joyce A. Shanahan, City Manager

From: Joyce A. Shanahan, City Manager

Date: August 4, 2021

Subject: Volusia League of Cities 2021 Distinguished Service Awards

Commission Goal: N/A

Introduction

Staff plans to submit seven (7) nominees for the 2021 Volusia League of Cities (VLOC) Distinguished Service Awards.

Background

Each year, VLOC requests nominations from the municipalities for “Employee of the Year” and “Citizen of the Year.” There are six (6) categories for “Employee of the Year” and one category for “Citizen of the Year,” in addition to categories for Executive Officer, Elected Official, and the Mayor Blaine O’Neal Award of Excellence. Below are the recommended nominees; nominations denoted with an asterisk (*) *denotes a holdover nomination from 2020 because the awards were cancelled due to COVID-19.*

Employee of the Year Nominees:

- Community Planning & Development* - Tom Griffith, Chief Building Official (2020)
- Parks and Recreation* - Liviston “Stretch” Edwards, South Ormond Neighborhood Center (SONC) Coordinator (2020)
- Public Safety (Police and Fire)* - Danielle Henderson, Police Officer (2020)
- Public Works - Shawn Finley, Public Works Director (2021)
- Administration - Jenn Elston, Public Information Officer (2021)

Citizen of the Year Nominee*: Joan Tague, Volunteer, Environmental Discovery Center (2020)

A narrative for each nominee **was submitted by the July 28, 2021 deadline.** The awards will be presented on **September 23, 2021**, at the Annual Awards Banquet to be held in New Smyrna Beach.

Budget Impact

There is no budgetary impact.

Recommendation

Staff will submit official approval of the above nominations to the VLOC; unless otherwise directed by the City Commission.

Attachments:

- 2021 Nominations (PDF)

REVIEWED BY:


Kelly McGuire, Finance Director 7/29/2021

APPROVED BY:


Joyce A. Shanahan, City Manager 7/28/2021



2021 DISTINGUISHED SERVICE AWARDS NOMINATION FORM & NARRATIVE

INSTRUCTIONS

Send this Nomination Form and the **not-to-exceed 500-word narrative** in MS Word format to Marion.Bakamitsou@ucf.edu no later than **July 28, 2021**. Only the Nomination Form and the 500-word narrative will be accepted. Each jurisdiction can submit no more than one nomination for each award. The Distinguished Service Awards Selection Committee will make recommendations to the VLOC Board of Directors who will vote on the final recipients.

NOMINATION CATEGORY

EMPLOYEE OF THE YEAR CATEGORIES *(X the appropriate box)*

- ☐ Administration
☒ Community Planning & Development
☐ Economic Enrichment
☐ Parks and Recreation
☐ Public Safety (Police and Fire)
☐ Public Works and Utilities

CITIZEN OF THE YEAR *(ONE PER JURISDICTION)*

OTHER AWARD CATEGORIES *(X the appropriate box)*

- ☐ Executive Officer (city manager, deputy or assistant manager, city attorney, city clerk)
☐ Elected Official
☐ Mayor Blaine O'Neal Award of Excellence

NOMINEE INFORMATION

Name of Nominee:	Tom Griffith
Nominee's Jurisdiction:	City of Ormond Beach
Title & Department of Nominee:	Chief Building Official, Building Division
Mailing Address for Nominee: <i>(If applicable)</i>	P.O. Box 277 Ormond Beach, Florida 32175-0277
Nominee's Email Address:	Tom.Griffith@ormondbeach.org

NOMINATOR INFORMATION

Nominated by and title:	Steven Spraker, Planning Director
Contact Number of Nominator:	386-676-3241
Email of Nominator:	Steven.Spraker@ormondbeach.org
Jurisdiction Submitting Nomination:	City of Ormond Beach

Start Narrative on the next page



2021 DISTINGUISHED SERVICE AWARDS NOMINATION NARRATIVE FOR TOM GRIFFITH – EMPLOYEE OF THE YEAR – COMMUNITY PLANNING & DEVELOPMENT

Tom Griffith has been employed with the City of Ormond Beach since 2003 and has been serving as the Chief Building Official since 2015. Tom has over twenty years of building related experience in the private sector and understands the construction and permitting challenges that contractors can experience. Under Tom's direction, the Building Department processes over 6,000 permits and 20,000 inspections per year.

Tom consistently provides sound judgement and innovative ideas, and demonstrates the utmost integrity in his work. He provides contractors, design professionals, and residents opportunities to discuss their projects to identify challenges and works through issues toward a resolution that meets all required life safety criteria. Tom strives to be a partner in the construction process as opposed to an impediment, all while implementing the Florida Building Code and Florida Fire Protection Code.

Tom is a positive influence to those around him and he is adept at quickly building positive relationships with people and relates to them well. His ability to easily work with people is a tremendous asset to the Building Division and the City. Through his demeanor, professionalism, and dedication to his work, Tom has been able to build strong relationships which have assisted both individual residents, local businesses, and the City. He has received multiple customer compliments for his work with the City.

Tom's leadership has resulted in many high quality projects, ranging from re-roofs, single-family homes to industrial and office buildings, to be completed. Tom provided key oversight of the construction of the Security First Insurance Class A, 36,000 SQ FT office development overcoming many issues and being a proactive problem solver. Additionally, as a Certified Fire Safety Inspector, Tom oversees fire safety inspections and Fire Plan review which saves taxpayers the cost of those positions and helps ensure our businesses and residents are protected. A complement to Tom's building experience is that he is an ISA Certified Arborist and is able to assist with tree related questions and issues on construction projects which is another significant benefit to the City. Outside of his City duties, Tom currently serves as President of the Volusia/Flagler Chapter of the Building Officials Association of Florida and has served on its Board of Directors since 2008.

Tom provides the highest level of customer service, excels beyond the scope of his position, is an innovative building official with a history of providing solutions in the building review, administration and inspection profession. He utilizes a gentle, but firm, approach and always finds a way to ensure the building meets code and the property owners are satisfied. He hasn't found a problem he can't solve! Tom is a great asset to the City and his problem solving skills are an essential part of the City of Ormond Beach Building Department.

For his steadfast commitment to the Ormond Beach community, we proudly nominate Tom Griffith as a Volusia League of Cities Employee of the Year.



2021 DISTINGUISHED SERVICE AWARDS NOMINATION FORM & NARRATIVE

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NOMINATION CATEGORY

EMPLOYEE OF THE YEAR CATEGORIES *(X the appropriate box)*

- ☐ Administration
- ☐ Community Planning & Development
- ☐ Economic Enrichment
- ☒ Parks and Recreation
- ☐ Public Safety (Police and Fire)
- ☐ Public Works and Utilities

CITIZEN OF THE YEAR *(ONE PER JURISDICTION)*

OTHER AWARD CATEGORIES *(X the appropriate box)*

- ☐ Executive Officer (city manager, deputy or assistant manager, city attorney, city clerk)
- ☐ Elected Official
- ☐ Mayor Blaine O'Neal Award of Excellence

NOMINEE INFORMATION

Name of Nominee:	Liviston Edwards
Nominee's Jurisdiction:	City of Ormond Beach
Title & Department of Nominee:	South Ormond Neighborhood Center Coordinator, Department of Leisure Services
Mailing Address for Nominee: <i>(If applicable)</i>	176 Division Avenue Ormond Beach, Florida 32174
Nominee's Email Address:	Liviston.Edwards@ormondbeach.org

NOMINATOR INFORMATION

Nominated by and title:	Robert Carolin, Leisure Services Director
Contact Number of Nominator:	386-676-3279
Email of Nominator:	Robert.Carolin@ormondbeach.org
Jurisdiction Submitting Nomination:	City of Ormond Beach

Start Narrative on the next page



2021 DISTINGUISHED SERVICE AWARDS NOMINATION NARRATIVE FOR LIVISTON EDWARDS – EMPLOYEE OF THE YEAR – PARKS AND RECREATION

Liviston Edwards has been the Recreation Center Coordinator at the South Ormond Neighborhood Center for 30+ years. His performance far exceeds the normal job requirements and expectations, and although he is the administrator of the facility, no job is beneath him; he ensures everyone comes to the safest and cleanest facility possible. He continually strives to improve his job performance and motivates everyone around him. He has the ability to foresee issues before they may arise, is proactive, rather than reactive, and handles issues with a positive outcome for all. He takes his mistakes, and the mistakes of others, as a learning opportunity and a chance to grow, not as a negative.

However, the thing that really sets Liviston, or “Coach Stretch,” apart from others is his dedication and commitment to the community. He grew up coming to the South Ormond Neighborhood Center. He works in an environment he considers his second home and those at the Center are considered part of his extended family. He treats them as such; with the upmost respect and courtesy. We will most certainly not know all the things Liviston has accomplished and done for others because he is such a humble man; however, the impact he makes in the lives of others is beyond measure. He cooks trays of food for employees who have to work on holidays, for funeral services for neighborhood residents, or others in need. He has encouraged and mentored countless youth to stay in school and go on to higher education, delivered numerous holiday baskets to those less fortunate, given shoes to children that didn’t have a pair, sheltered families that didn’t have a home, and that is only the tip of the iceberg.

Setting up youth basketball teams, teaching the children the importance of working together and building a network they can depend on has made an immeasurable difference for the children and families in the neighborhood. Liviston insists that the children must meet certain academic standards to remain on the team; volunteer coaches are there to mentor them; and, the children learn the meaning of teamwork while building their confidence and self-esteem. Liviston raises thousands of dollars so they can have uniforms and compete in tournaments.

Not only does Liviston work with the children in the neighborhood, he accomplishes amazing things with the “young-at-heart.” Several years ago, he formed a volunteer group of elderly neighborhood citizens who do volunteer projects for people in the South Ormond Neighborhood area – neighbors giving back to neighbors, making the community stronger.

Liviston’s respect for generations of families who reside here, and his belief that every child deserves a chance to thrive, drives him to make the South Ormond Neighborhood Center a place where people, no matter who they are or where they come from, believe that they truly matter and can make a difference. He is not only an exemplary employee; he is an exemplary human being and citizen of this community. Because of him, our community shines that much brighter.



2021 DISTINGUISHED SERVICE AWARDS NOMINATION FORM & NARRATIVE

INSTRUCTIONS

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NOMINATION CATEGORY

EMPLOYEE OF THE YEAR CATEGORIES *(X the appropriate box)*

- ☐ Administration
- ☐ Community Planning & Development
- ☐ Economic Enrichment
- ☐ Parks and Recreation
- ☒ Public Safety (Police and Fire)
- ☐ Public Works and Utilities

CITIZEN OF THE YEAR *(ONE PER JURISDICTION)*

OTHER AWARD CATEGORIES *(X the appropriate box)*

- ☐ Executive Officer (city manager, deputy or assistant manager, city attorney, city clerk)
- ☐ Elected Official
- ☐ Mayor Blaine O'Neal Award of Excellence

NOMINEE INFORMATION

Name of Nominee:	Danielle Henderson, Police Officer
Nominee's Jurisdiction:	City of Ormond Beach
Title & Department of Nominee:	Police Officer, Ormond Beach Police Department
Mailing Address for Nominee: <i>(If applicable)</i>	170 West Granada Blvd. Ormond Beach, Florida 32174
Nominee's Email Address:	Danielle.Henderson@ormondbeach.org

NOMINATOR INFORMATION

Nominated by and title:	Thomas Elkins, Lieutenant
Contact Number of Nominator:	386-676-3542
Email of Nominator:	Thomas.Elkins@ormondbeach.org
Jurisdiction Submitting Nomination:	City of Ormond Beach

Start Narrative on the next page



2021 DISTINGUISHED SERVICE AWARDS NOMINATION NARRATIVE FOR OFFICER DANIELLE HENDERSON – EMPLOYEE OF THE YEAR – PUBLIC SAFETY

Officer Danielle Henderson has been employed with the Ormond Beach Police Department for the past 12 years. For the last five years, Officer Henderson has served as a detective in the Criminal Investigations Unit working some of the most sensitive cases involving sex crimes and juvenile victims. During her time in the Criminal Investigations Unit, she was definitely considered a “go to” person.

At the conclusion of her time in the Criminal Investigations Unit, Officer Henderson returned to patrol duties and shared the information she had learned with other officers. Officer Henderson is a true asset to her patrol squad and routinely goes above and beyond the call of duty. She has always been one of the first people to step up for any additional duties when needed and very frequently makes herself available to take part in community events. This was evident by a thank you letter she received from Temple Beth El regarding her participation in Community Helper Day. It is her nature to help out whenever there is a need both in her job and in the Ormond Beach community.

Officer Henderson is one of the Police Department’s Field Training Officers and can be routinely found training new officers as they begin their careers. When she is not actively training, she can still be found mentoring the newer officers on calls. She makes herself available to the new officers and offers her assistance, experience, and her knowledge whenever asked.

Officer Henderson has received numerous commendations, thank you letters, compliments and praise from supervisors for whom she has worked during her career. In the past year, Officer Henderson has received six different thank you letters for her work, two of which really stand out. One letter was from a judge regarding how Officer Henderson handled an abuse case; and, the other was from an attorney relative to her handling of a DUI investigation. The other four letters confirmed what we already knew, that Officer Henderson does incredible work and has a superior work ethic.

It is our privilege and honor to nominate Officer Danielle Henderson for the 2021 Distinguished Service Awards as Employee of the Year. She is an outstanding police officer and member of the Ormond Beach community.



2021 DISTINGUISHED SERVICE AWARDS NOMINATION FORM & NARRATIVE

INSTRUCTIONS

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NOMINATION CATEGORY

EMPLOYEE OF THE YEAR CATEGORIES *(X the appropriate box)*

- ☐ Administration
- ☐ Community Planning & Development
- ☐ Economic Enrichment
- ☐ Parks and Recreation
- ☐ Public Safety (Police and Fire)
- ☒ Public Works and Utilities

CITIZEN OF THE YEAR *(ONE PER JURISDICTION)*

OTHER AWARD CATEGORIES *(X the appropriate box)*

- ☐ Executive Officer (city manager, deputy or assistant manager, city attorney, city clerk)
- ☐ Elected Official
- ☐ Mayor Blaine O'Neal Award of Excellence

NOMINEE INFORMATION

Name of Nominee:	Shawn Finley
Nominee's Jurisdiction:	City of Ormond Beach
Title & Department of Nominee:	Public Works Director, Public Works Department
Mailing Address for Nominee: <i>(If applicable)</i>	22 S. Beach St. Ormond Beach, FL32174
Nominee's Email Address:	Shawn.finley@ormondbeach.org

NOMINATOR INFORMATION

Nominated by and title:	Joyce Shanahan
Contact Number of Nominator:	386-676-3200
Email of Nominator:	Joyce.shanahan@ormondbeach.org
Jurisdiction Submitting Nomination:	City of Ormond Beach

Start Narrative on the next page



2021 DISTINGUISHED SERVICE AWARDS NOMINATION NARRATIVE FOR SHAWN FINLEY – EMPLOYEE OF THE YEAR – PUBLIC WORKS & UTILITIES

Shawn Finley came to Ormond Beach in 2009 as a Civil Engineer, bringing decades of experience in Engineering to coordinate Development review for the City. In 2019 Shawn became the City Engineer and by the end of the year the Public Works director. Shawn has been active locally in the Florida Engineering Society, even serving as president.

Many local government officials are called on to serve in multiple roles, Shawn is exceptional in that those high-level roles are Utility Manager, City Engineer, and Public Works Director. He is always on call and always responds to citizen concerns in an expeditious, thorough, and compassionate manner. Shawn's guiding principle is to treat all citizens how he would want his mother treated. His work ethic, breadth of knowledge, and exceptional management skills make him the perfect for the public works director position. Every day, Shawn provides sound judgment and exemplifies integrity and dependability in everything he does for the City of Ormond Beach. Because of his expertise Shawn has been called on as a resource for creative solutions to challenging problems.

Shawn is responsible for all of Public Works, Utilities, and Engineering. Shawn has been integral in expanding the City's Fiber optic system and promoting monitoring of stormwater in the same manner as traditional utilities. The innovations that he has brought to Ormond Beach have helped to alleviate flooding throughout the Central Park neighborhood.

As pedestrian safety has become a focus in Volusia County as it pertains to roadways, Shawn has volunteered to be the City's front man pioneering for pedestrian safety improvements throughout the City. Shawn is a member of the East Florida Regional Transportation and Safety Committee, and the Rails to Sea Transportation Planning Organization. Through involvement in these organizations, Shawn has managed to get several sidewalk safety improvement projects funded through the Local Agency Participation program which provides for 90% funding thus saving the City significant money on these important pedestrian safety projects.

Shawn has focused his pedestrian safety priorities on the City's main roadways including Granada Boulevard (SR 40), Atlantic Avenue (SR A1A), and Nova Road (SR 5A). Through Shawn's continued efforts in working with FDOT, he has been instrumental in getting FDOT to approve and construct one of the first Rapid Rectangular Flashing Beacon (RRFB) pedestrian crossing signals in Volusia County. At this time, two of these safety pedestrian crossings have been constructed with three more planned for construction in the City, all to be funded by FDOT. Additionally, he has implemented a neighborhood traffic calming program for Ormond Beach. This program was developed to address resident traffic concerns on their own street and that with the consensus of their neighborhood, a plan is developed and implemented. The City is extremely grateful to Shawn for everything he has done and continues to do as he relentlessly continues pursuing public safety improvements throughout our beautiful community. The City of Ormond Beach is proud to nominate Shawn Finley as a Volusia League of Cities Employee of the Year.



2021 DISTINGUISHED SERVICE AWARDS NOMINATION FORM & NARRATIVE

INSTRUCTIONS

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NOMINATION CATEGORY

EMPLOYEE OF THE YEAR CATEGORIES *(X the appropriate box)*

- ☒ Administration
☐ Community Planning & Development
☐ Economic Enrichment
☐ Parks and Recreation
☐ Public Safety (Police and Fire)
☐ Public Works and Utilities

CITIZEN OF THE YEAR *(ONE PER JURISDICTION)*

OTHER AWARD CATEGORIES *(X the appropriate box)*

- ☐ Executive Officer (city manager, deputy or assistant manager, city attorney, city clerk)
☐ Elected Official
☐ Mayor Blaine O'Neal Award of Excellence

NOMINEE INFORMATION

Name of Nominee:	Jenn Elston
Nominee's Jurisdiction:	City of Ormond Beach
Title & Department of Nominee:	Public Information Officer (City Manager Department)
Mailing Address for Nominee: <i>(If applicable)</i>	22 S Beach St. Ormond Beach, FL 32174
Nominee's Email Address:	Tom.Griffith@ormondbeach.org

NOMINATOR INFORMATION

Nominated by and title:	Joyce Shanahan, City Manager
Contact Number of Nominator:	386-676-3200
Email of Nominator:	Joyce.shanahan@ormondbeach.org
Jurisdiction Submitting Nomination:	City of Ormond Beach

Start Narrative on the next page



2021 DISTINGUISHED SERVICE AWARDS NOMINATION NARRATIVE FOR JENN ELSTON – EMPLOYEE OF THE YEAR – ADMINISTRATION

Jenn Elston serves as the Public Information Officer for the City of Ormond Beach, managing all critical communication needs as well as maintaining the branding/social media presence of the City online. Within two months of starting with the City, she achieved the state-wide training elite certificate of Advanced Public Information Officer from FEMA and is currently working towards her Masters Certificate. She was named the Florida Fire Chief Association's Digital Media Chair and maintains membership in the Volusia County Public Information network, regularly contributing to projects that have an impact throughout Volusia County and the state of Florida.

She has quickly built strong relationships and partnerships both inside and outside the City and is a critical part of our leadership team. She makes strong decisions but making sure that all voices are heard and helps build consensus among the leadership team, offering a sound perspective and data-based results that continue to help accomplish the goals of the City and its residents.

Jenn has launched and created unique programs for the City that make Ormond Beach shine. Everything from our special holiday elf named Obie who caused mischief the entire month of December while strategically highlighting each department throughout the city as well increased the engagement across all social media platforms, allowing better reach for critical health messaging during the Covid-19 pandemic. Created the "Thank You First Responders" campaign event to show appreciation to our local first responder with 1,000 yard signs disseminated throughout Ormond Beach to residents and businesses alike and a special ceremony and gift for each group for First Responder Appreciation Day. She created and presented "By the Numbers: Making Sense of Digital Media Results" at the state Florida Fire Chiefs conference helping PIO's across the state have better data analysis of their social media results. She helped facilitate the creation of the 2020 High School Graduation banners program celebrating local Ormond Beach graduates who did not have a graduation ceremony. She created a launched "Hearts for Heroes," a local program where residents could come together a display hearts on their windows for the local heroes do see during such a difficult time. The program was featured locally and on national news networks as well as supported by other cities throughout Volusia County. She also participated as the city representative in the 2020 US Census Government Sub-Committee, ensuring that Ormond Beach surpassed its response rate from 2010.

Jenn is always thinking ahead and frequently anticipates needs before being asked. She produces high quality work and takes pride in serving the local residents and continuing the excellent reputation of Ormond Beach. She offers helpful insights and is extremely reliable and trustworthy. She is frequently pulled in many different directions but continues to remain accessible and responsive, even after hours and on weekends when an issue arises, and is always willing to go the extra mile when someone is in need. I am very proud to nominate Jenn Elston for the 2021 Employee of the Year.



2021 DISTINGUISHED SERVICE AWARDS NOMINATION FORM & NARRATIVE

INSTRUCTIONS

Send this Nomination Form and the **not-to-exceed 500-word narrative** in MS Word format to Marion.Bakamitsou@ucf.edu no later than **July 28, 2021**. Only the Nomination Form and the 500-word narrative will be accepted. Each jurisdiction can submit no more than one nomination for each award. The Distinguished Service Awards Selection Committee will make recommendations to the VLOC Board of Directors who will vote on the final recipients.

NOMINATION CATEGORY

EMPLOYEE OF THE YEAR CATEGORIES *(X the appropriate box)*

- ☐ Administration
☐ Community Planning & Development
☐ Economic Enrichment
☐ Parks and Recreation
☐ Public Safety (Police and Fire)
☐ Public Works and Utilities

CITIZEN OF THE YEAR *(ONE PER JURISDICTION)*

- ☒ City of Ormond Beach

OTHER AWARD CATEGORIES *(X the appropriate box)*

- ☐ Executive Officer (city manager, deputy or assistant manager, city attorney, city clerk)
☐ Elected Official
☐ Mayor Blaine O'Neal Award of Excellence

NOMINEE INFORMATION

Name of Nominee:	Joan Tague
Nominee's Jurisdiction:	City of Ormond Beach
Title & Department of Nominee:	EDC Volunteer, City of Ormond Beach, Department of Leisure Services
Mailing Address for Nominee: <i>(If applicable)</i>	22 Creek Bluff Way Ormond Beach, Florida 32174
Nominee's Email Address:	babyowl@mac.com

NOMINATOR INFORMATION

Nominated by and title:	Robert Carolin, Leisure Services Director
Contact Number of Nominator:	386-676-3279
Email of Nominator:	Robert.Carolin@ormondbeach.org
Jurisdiction Submitting Nomination:	City of Ormond Beach

Start Narrative on the next page



2021 DISTINGUISHED SERVICE AWARDS NOMINATION NARRATIVE FOR JOAN TAGUE AS CITIZEN OF THE YEAR

Joan Tague has dedicated countless hours to the City of Ormond Beach and Volusia County. Although she is known as “the bird lady,” she strives to educate our community not only about avian creatures but nature in general. As a board member of the Halifax River Audubon Society and a Florida Master Naturalist, she works tirelessly to foster environmental education on a local scale.

Within Ormond Beach, Joan served on the Citizen Interest Group when the City started to build an environmental education facility within the Central Park system. Joan and her husband Chuck started out volunteering since Ormond Beach’s Environmental Discovery Center’s opening in May 2016. Unfortunately, Joan’s husband passed; however, Joan has continued to provide support, ideas, and innumerable volunteer hours to ensure Ormond Beach continued to provide a successful and thriving nature center. Joan has dedicated hundreds of volunteer hours to the facility.

As an EDC volunteer, Joan provides education opportunities for all ages and backgrounds. She offers regular guided walks through Central Park which are open to the general public. Many members of the community attend her regularly scheduled educational bird walks to learn more about nature in their area. Joan helps facilitate elementary school-aged field trips and assists during the Enviro Camp summer camp program.

Joan spearheaded the Great Backyard Bird Count event first held at the Environmental Discovery Center and Central Park in 2018; in 2019, she helped expand the event’s scope and breadth so that attendance doubled. The 2020 event was a solid success as well. As both an EDC Volunteer and Audubon Society member, Joan was in the unique position to enlist members from both groups. In the months leading up to the event, she encouraged Audubon members as well as EDC Volunteers to participate in the bird-centered event. Because of Joan’s involvement, the Halifax River Audubon donates funds and volunteer hours toward the Great Backyard Bird Count event. In 2019, and again in 2020 and 2021, even more volunteers assisted with the event than before thanks to Joan’s persuasion.

Within the past few years alone, Joan has worked with hundreds of children and adults in the area and informed countless persons about our local ecosystems. Additionally, again this year Joan will lead a nature walk workshop for EDC volunteers to teach others how to lead guided tours through Central Park. This workshop will encourage volunteers to increase their involvement in community service as well as expand their nature knowledge.

All programs Joan leads are given on a voluntary basis and do not require monetary input from the City of Ormond Beach. As a result, the time and skills she donates save the City of Ormond Beach thousands of dollars each year.

Undoubtedly, Joan Tague enriches both the Ormond Beach and Volusia County community. Many community members who never knew about the Environmental Discovery Center or Central Park are motivated to visit due to the programs and events she facilitates. Further, she encourages people to not only volunteer but to continue learning.



CITY OF ORMOND BEACH

City Manager • 22 S. Beach Street • Ormond Beach • Florida • 32174 • (386) 676-3200 • Fax (386) 676-3384

CITY MANAGER MEMORANDUM

To: The Honorable Mayor Partington and City Commissioners

Through: Joyce A. Shanahan, City Manager

From: Joyce A. Shanahan, City Manager

Date: August 4, 2021

Subject: City Manager Status Report - August 2021

Commission Goal: Governance - Other

Introduction

This item provides the City Commission monthly information regarding City activities.

Background

In order to keep the City Commission informed on a variety of issues in a comprehensive and timely manner, staff provides this report regarding the status of city-wide activities. The purpose of the report is to highlight general information in the various areas of business such as financial, economic development, capital projects, planning and building activities.

Discussion

Reports

Please see the following reports attached to this memo:

1. Building Permit Activity July 2021
2. Capital Improvements Program (CIP) Status Report August 2021
3. Planning Memorandum July 27, 2021
4. Development Activity Report August 2021
5. Financial Status Report June 2021
6. Economic Development Report July 2021
7. First Step Shelter Monthly Update June 2021

Updates

1. Parks & Recreation Master Plan

- The Master Plan Committee is preparing for the **August 17 workshop with the Commission** and joint LSAB/QLAB board meeting. The results of the statistically valid survey have been compiled into a report

and are currently being reviewed by the Master Plan Committee. Any results that require further detail will be developed into a short follow-up survey and available electronically to residents. The Committee is also selecting stakeholders to attend the visioning workshop, based on the information received in the report. The next public meeting will be held in October where further visioning activities will occur with participation from residents.

2. I/T

- The multi-year project to extend the City's private fiber infrastructure to the beachside, including SCADA lift stations and the Standish tank has been completed. Three lift stations and the Standish tank are now connected, providing reliable ultra-high-speed connectivity and allowing additional SCADA system monitoring capabilities. This was a collaborative effort of the Engineering, Public Works, Finance, CIP Project Management, and Information Technology staff members.

3. CIP Projects

MacDonald House

- Architectural plans are being finalized for the front porch; these plans will be presented to the Historic Landmark Preservation Board and submitted for building permit approval. Upon approval, the contractor will commence work on the North elevation to complete the work on the exterior of the building.

U.S. 1 Water Main and Force Main Improvements

- Health Department Clearance is being obtained, this will allow for final tie-in of the new pipes to existing areas, the contractor continues to work on restoration of the right-of-way and disturbed areas.

Nova Community Park Tennis Court Lighting Improvements

- A Notice to Proceed was issued to the contractor on July 26; work has begun to remove the existing poles. New poles are scheduled for delivery in early August with installation to follow.

CDBG Fleming Playground

- The City's selection committee has ranked submittals and are preparing the recommendation to award for contract approval at the August 17 City Commission meeting.

2" Water Main Replacement (Mainland and Peninsula

- The City's consultants have completed survey work and working to prepare 60% design plans for staff review.

AnnouncementsFDOT Workshop

City staff will be meeting with FDOT staff in mid-to-late August. Please save September 22 at 5:30 p.m. for a City Commission Workshop.

Parks and Recreation Masterplan Workshop

- August 17, 2021 at 5:30 p.m.
- January 18, 2022 at 5:30 p.m.

Recommendation

This report is for informational purposes and acceptance is recommended. Any additional information or clarification will be provided upon request, and staff will plan to proceed as directed.

Attachments:

- Building Permit Information (PDF)
- CIP Status Report Aug 2021 (PDF)
- 07.27.21 Planning Memorandum (PDF)
- Development Activity Report (PDF)
- June 2021 Financial Status Report (PDF)
- Economic Development Report (PDF)
- First Step Shelter June 2021 Update (PDF)

REVIEWED BY:


Kelly McGuire, Finance Director 7/29/2021

APPROVED BY:


Joyce A. Shanahan, City Manager 7/28/2021

Monthly Building Permit Summary

July 1 to July 27, 2021 versus July 1 to July 27, 2020 and year to date:

Total Building Permits Issued, including	July 1 to July 27, 2021	July 1 to July 27, 2020	<u>FY2020-21</u> year to date	<u>FY2019-20</u> year to date
Business Fire Inspection	4	2	58	148
Business Tax Receipt	9	10	89	45
Commercial Alterations	3	1	52	42
Commercial Buildings	1	1	8	7
Commercial Re-roof	4	1	34	26
Demolition	2	1	18	10
Dock	2	1	21	16
Doors	12	34	257	227
Driveways	8	7	106	95
Electrical (residential & commercial)	15	20	228	224
Fire Protection Systems	4	2	39	35
Fences	36	31	375	286
Garage or Carport	2	1	31	15
Gas	6	12	60	62
Generator	6	9	58	63
Mechanical (residential & commercial)	78	117	869	810
Mobile home set-up	0	2	36	16
Multi-Family Homes	0	0	0	22
Other categories (all other permits not listed)	29	26	327	286
Plumbing (residential & commercial)	7	10	108	98
Residential Remodel/Additions	4	5	99	88
Residential re-roof	51	61	941	748
Screen room/hard roof	3	1	41	27
Screen enclosure only	4	5	41	31
Shed	2	1	34	34
Signs	7	5	103	63
Single Family Homes	12	11	120	99
Solar	5	3	73	66
Special Events	5	0	39	92
Swimming pool	4	13	90	76
Utility connection only	4	1	64	45
Windows	30	30	424	400
Total permits	359	424	4,843	4,302
Total Valuation	\$9,140,134	\$7,406,799	\$13,300,038	\$11,800,414

CAPITAL IMPROVEMENT STATUS - August 2021

	Status	Project Manager	Engineer/ Architect	Contractor	CIP Budget	Const Contract \$	Design Start	Bid Award	Const NTP	% Complete
Construction										
56 North Beach Street Demolition & Parking Lot Construction	Structure demolition began July 27	Alex Schumann	Const Mgr	AM Weigel	\$ 155,000	\$ 150,506		5/21	7/23	
Downtown Banner Pole	Long lead time materials are on order	Alex Schumann	LTG	Chinchor Electric	\$ 97,000	\$ 94,248		3/21		
Granada Mid-Block Crossing - Project funded 100% by FDOT	Shop drawings are approved, long lead time materials are on order	Alex Schumann	FDOT/SDR	Carter Electric	\$ 68,000	\$ 62,491		1/21		
MacDonald House Restoration - Ph I	The original scope of work for the East and West walls is complete. The restoration work went better than expected and the Contractor was also able to complete work on the South wall within the current authorized expense. Staff is working with the Contractor to finalize a construction plan and acquire estimated costs to address the North side of the building - which will finalize work on the building exterior.	George Lavatelli	Const Mgr	AM Weigel	\$ 538,573	\$ 448,650		12/20	1/20	71%
North US1 WM/FM Improvements	The Contractor has begun the Health Department clearance process for both the water main and force main. When cleared, the mains will be placed into service and customer connections can be made.	Alex Schumann	Mead Hunt	Hazen Construction	\$ 3,155,000	\$ 2,673,200		8/20	9/20	83%
Nova Comm Park Tennis Court Lighting	Notice to Proceed issued, materials are scheduled for delivery early August	Alex Schumann	Const Mgr	AM Weigel	\$ 335,000	\$ 330,385		5/21	7/26	3%
Riviera Park Pedestrian Signals	Permit modification required additional signage and stop bars	Cara Culliver	In-House	Economy Electric	\$ 26,000	\$ 17,850			2/21	50%
Wilmette Stormwater Pump Station	Shop drawings are under review	George Lavatelli	McKim/Creed	JD Weber Construction	\$ 550,000	\$ 512,153		2/21		5%
WRF Chlorine Contact Chamber Impvmts	Shop drawings are under review	Alex Schumann	Mead Hunt	SGS Contracting Svcs	\$ 760,000	\$ 707,700		5/21		
WTP Sludge Residuals Facility Impvmts	Building improvements are complete. New centrifuge installed, existing centrifuge is being connected to new control pane. Painting scheduled when interior work complete.	Lynn Carter	McKim/Creed	SGS Contracting Svcs	\$ 1,200,000	\$ 1,048,700		8/19	7/20	85%
Bidding										
2021 Road Resurfacing	Bid Award Scheduled for August 4 CC Mtg	Cole Buck	In-House		\$ 399,844					

	Status	Project Manager	Engineer/ Architect	Contractor	CIP Budget	Const Contract \$	Design Start	Bid Award	Const NTP	% Complete	7.M.b
CDBG Fleming Playground	Ranking Committee's selected Vendor scheduled for contract approval at August 17 CC Mtg	Cara Culliver	In-House		\$ 128,850						
SONC Gym	Bid Award Scheduled for August 4 CC Mtg	Cole Buck	Zev Cohen		\$ 1,100,000						
Design											
Airport Access Roads	Design in process	Steven Lichliter	HTA		\$ 83,000		6/20			92%	
Airport Business Park Drive Ph II	Design in process	Alex Schumann	Zev Cohen		\$ 105,000		7/20			82%	
Airport Reconstruct Taxiway B	Design in process	Steven Lichliter	HTA		\$ 69,000		2/21			98%	
Airport Rehabilitate Taxiway D	Design in process	Steven Lichliter	HTA		\$ 143,000		10/20			98%	
Cassen Park Impvmts	Design in process	Alex Schumann	Mynchenberg & Hall/Ogle		\$ 65,000		10/20			57%	
Doug Thomas Way Extension	Survey in process	Alex Schumann	Upham		\$ 90,000		6/21			10%	
Facility Hardening	Design in process	Cole Buck	DJDesign		\$ 20,000		5/21			30%	
South Beach Street WM Replacement	Design in process	Lynn Carter	In-House				2/21			90%	
WM Replacement Ph 4-Mainland	Design in process	Cole Buck	Zev Cohen		\$ 250,000		4/21			20%	
WM Replacement Ph 4-Peninsula	Design in process	Lynn Carter	McKim/Creed		\$ 250,000		4/21			10%	
WRF Upgrades	Design in process	Lynn Carter	Mead Hunt		\$ 170,000		7/21				

**CITY OF ORMOND BEACH
FLORIDA
PLANNING MEMORANDUM**

TO: City Commission
Joyce A. Shanahan, City Manager
Terri Hamsher, Executive Secretary
Randy Hayes, City Attorney
Claire Whitley, Assistant City Manager

Steve Johnson, GIS
Wendy Hontz, Assistant City Clerk
Cassidi Ritz, Office Assistant
Cindy Pinizzotto, Senior Paralegal

FROM: Steven Spraker, AICP, Planning Director

DATE: July 27, 2021

SUBJECT: Agendas for Upcoming Meetings

Listed below are the preliminary agenda items for upcoming meetings. This list is to help prepare you in advance to meet advertising, notice and report writing deadlines. Please let me know at your earliest convenience if there are any problems with these items.

MTG. DATE	MTG.	TO LEGAL BY:	ITEM				
WED 8/4	CC		DATE CHANGE – WEDNESDAY				
			Consent Agenda				
			Item	Letter	To NJ	NJ Ad run	Post
			Ormond Crossings Annual Update – Disposition item	NA	NA	NA	NA
			29 Apian Way, partial easement release	NA	NA	NA	NA
			Resolution				
			Item	Letter	To NJ	NJ Ad run	Post
			Corrective legal description for Ormond Memorial Art Museum & Garden, Resolution 2020-137	NA	NA	NA	NA
			1 st reading				
			Item	Letter	To NJ	NJ Ad run	Post
			Planning fee update	NA	NA	NA	NA
			Building fee update	NA	NA	NA	NA
			LDC Amendment – Utility line extensions	NA	NA	NA	NA
			LDC Amendment – Downtown Overlay District	NA	NA	NA	NA
			LDC Amendment – Floodplain	NA	NA	NA	NA
			LDC Amendment – Sidewalks	NA	NA	NA	NA
			2nd reading				
			Item	Letter	To NJ	NJ Ad run	Post
			LDC Amendment – Food trucks	NA	7/19	7/24	NA
			LDC Amendment – Gas canopies	NA	7/19	7/24	NA
			Ormond Gateway plat	NA	7/19	7/24	NA

7.M.c

MTG. DATE	MTG.	TO LEGAL BY:	ITEM				
8/4	BOAA		Canceled				
8/5			Interchange Depot Neighborhood meeting at 5pm – 509 South Nova Road				
8/9	MainStreet Design		5:30pm				
8/12	PB		Planning Board				
			Item	Letter	To NJ	NJ Ad run	Post
			LDC Amendment, Food trucks in residential community centers (SSS)	NA	7/26	7/31	NA
			LDC Amendment, Indoor virtual golf center within the B-8 zoning district (RG)	NA	7/26	7/31	NA
			LDC Amendment, Off Road Recreational Vehicle Course – accessory uses (SSS)	NA	7/26	7/31	NA
			Special Exception, 148 North Yonge Street – Outdoor display (NE)	7/29	7/26	7/31	7/29
8/16	HLPB		38 East Granada Boulevard, MacDonald House – Front porch – Certificate of Appropriateness (BW)				
8/16	MainStreet Board		5:30p.m.				
8/17	LSAB & QLB		Park & Recreation Master Plan Update – Joint Meeting (Needs Assessment)				
8/17	CC Workshop		Park & Recreation Master Plan Update – (Needs Assessment)				
8/17	CC		1 st reading				
			Item	Letter	To NJ	NJ Ad run	Post
			LDC Amendment – Car/motorcycle washes	NA	NA	NA	NA
			2 nd reading				
			Item	Letter	To NJ	NJ Ad run	Post
			Planning fee update	NA	8/2	8/7	NA
			Building fee update	NA	8/2	8/7	NA
			LDC Amendment – Utility line extensions	NA	8/2	8/7	NA
			LDC Amendment – Downtown Overlay District	NA	8/2	8/7	NA
			LDC Amendment – Floodplain	NA	8/2	8/7	NA
			LDC Amendment – Sidewalks	NA	8/2	8/7	NA
			9/1	BOAA		110 Sawtooth (pool screen enclosure)	
9/8	CC		Consent Agenda				
			Item	Letter	To NJ	NJ Ad run	Post
			[T] MainStreet annual contract	NA	NA	NA	NA
			1 st Reading				
			Item	Letter	To NJ	NJ Ad run	Post
[T] Public Art ordinance	NA	NA	NA	NA			

7.M.c

MTG. DATE	MTG.	TO LEGAL BY:	ITEM																																																							
9/9	PB		Property Rights Element – Comprehensive Plan amendment (BW) [T] Interchange Depot Zoning Map Amendment to PBD (SSS)																																																							
9/20	HLPB																																																									
9/22	CC		<table><tr><th colspan="5">Resolution</th></tr><tr><th>Item</th><th>Letter</th><th>To NJ</th><th>NJ Ad run</th><th>Post</th></tr><tr><td>Special Exception, 148 North Yonge Street – Outdoor display (NE)</td><td>9/8</td><td>9/6</td><td>9/11</td><td>NA</td></tr></table> <table><tr><th colspan="5">1st reading</th></tr><tr><th>Item</th><th>Letter</th><th>To NJ</th><th>NJ Ad run</th><th>Post</th></tr><tr><td>LDC Amendment, Food trucks in residential community centers (SSS)</td><td>NA</td><td>NA</td><td>NA</td><td>NA</td></tr><tr><td>LDC Amendment, Indoor virtual golf center within the B-8 zoning district (RG)</td><td>NA</td><td>9/6</td><td>9/11</td><td>NA</td></tr><tr><td>LDC Amendment, Off Road Recreational Vehicle Course – accessory uses (SSS)</td><td>NA</td><td>NA</td><td>NA</td><td>NA</td></tr></table> <table><tr><th colspan="5">2nd Reading</th></tr><tr><th>Item</th><th>Letter</th><th>To NJ</th><th>NJ Ad run</th><th>Post</th></tr><tr><td>[T] Public Art ordinance</td><td>NA</td><td>9/6</td><td>9/11</td><td>NA</td></tr></table>	Resolution					Item	Letter	To NJ	NJ Ad run	Post	Special Exception, 148 North Yonge Street – Outdoor display (NE)	9/8	9/6	9/11	NA	1 st reading					Item	Letter	To NJ	NJ Ad run	Post	LDC Amendment, Food trucks in residential community centers (SSS)	NA	NA	NA	NA	LDC Amendment, Indoor virtual golf center within the B-8 zoning district (RG)	NA	9/6	9/11	NA	LDC Amendment, Off Road Recreational Vehicle Course – accessory uses (SSS)	NA	NA	NA	NA	2 nd Reading					Item	Letter	To NJ	NJ Ad run	Post	[T] Public Art ordinance	NA	9/6	9/11	NA
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10/12	BFAB		6:00pm Administrative items and Brownfield 101 presentation																																																							
10/14	PB		[T] Tattersall at Tymber Creek Development Order amendment																																																							
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MTG. DATE	MTG.	TO LEGAL BY:	ITEM
12/1	BOAA		
12/7	CC		
12/9	PB		
12/20	HLPB		

Planning projects

#	Project	Status	Staff Contact
Studies			
1.	FDEP Resiliency Grant	Grant awarded. Present to CC for acceptance. Date undetermined.	BW
2.	Park and Rec Master Plan	Received statistically valid survey. Preparing for 8/17 meetings.	CC/BW/SSS/LS
3.	Impact Fee Update	Received data request – various departments to provide information to consultants.	SSS/BW
4.	Stormwater (Engineering lead)	Provided comments to Engineering staff on draft.	DEA/BW/SSS
5.	Former Riverbend Golf Course (Economic Development lead)	Provided comments on scope of services to Economic Development.	SSS
Downtown			
6.	Sidewalk banding	1. Option selected by Design Committee. 2. Alternatives to reduce bids to \$2 million. 3. Included in the budget process. 4. CC item to select style of banding – scheduled for 10/5. 5. CC item for work authorization.	CC/SSS
7.	Cabinet Wraps	City Attorney's office stated a public art ordinance is required. Planning staff provided draft on 6/3/2021. Awaiting comments to proceed with Code of Ordinance amendment.	SSS/BW
8.	Public Art RFP	City Attorney's office stated a public art ordinance is required. Planning staff provided draft on 6/3/2021. Met with City Attorney and draft is tentatively set for the September City Commission meetings.	BW/SSS
9.	Florence Street (Engineering lead - construction)	Project complete.	Engineering
10.	Banner Poles (Engineering lead - construction)	Work authorization issued. Waiting on materials and contractor installation.	Engineering
11.	Cassen Park (Engineering lead -design)	Working on site redesign.	Engineering
Development projects			
12.	Tymber Creek Apartments	Awaiting project resubmittal. No public hearing dates established.	SSS/SPRC
13.	Interchange Depot, 295 Interchange Blvd.	1 st SPRC review completed. Neighborhood meeting on August 5, 2021.	SSS/SPRC

14	Tattersall at Tymber Creek (former Marshside)	1 st SPRC review completed. Traffic study underway – expect counts to be done in August when school is back in session. No neighborhood meeting scheduled to date. No public hearing dates established.	SSS/SPRC
15.	Plantation Oaks, minor amendment	1 st SPRC review completed for re-allocation of lots in phase 1. Re-submittal needed. Provided City Attorney's office draft of order – awaiting comments/approval.	SSS/SPRC
16.	Plantation Oaks, major amendment	Pre-application meeting held. Awaiting submittal. No timeline identified.	SSS/SPRC
17.	Former Tomoka Golf course	Second pre-application neighborhood meeting held on July 15, 2021. No application to date. No pre-application meeting to date.	SSS/SPRC
18.	Courtyards at Ormond Beach	1 st SPRC review in progress. No neighborhood meeting scheduled to date. No public hearing dates established.	SSS/SPRC
Permitting software			
19.	ProjectDox upgrade	Training and test environment completed. Upgrade completed on July 16, 2021. Training in process.	CB/LM/RG/SSS
20.	Tyler/Energov Upgrade	Not scheduled to start to Dec 2021/Jan 2020.	CB/LM/RG/SSS
Land Development Code amendments			
21.	Virtual golf simulation with beer/wine sales	Received application – scheduled for August 12, 2021 Planning Board.	RG
22.	Creation of I-2 zoning District along Hull Road for potential annexation of properties	On hold. No applications for annexation along Hull Road.	NE
Other jurisdictions			
23.	Daytona Beach western development.	1. Avalon Park preliminary plat approved. 2. No submittal for Avalon Park final plat. 3. Comprehensive plan submittal for Hand Avenue parcel near Williamson – reducing infrastructure impact.	SSS
24.	Volusia County – Affordable Housing Series	1. Attended 7/2 webinar – Prosperity 2. Scheduled for: 7/9: Produce 7/16: Preserve 7/23: Policy 7/30: Progress 8/27: Affordable Housing Summit	BW/SSS
24.	Volusia County Comprehensive Plan amendments	1. Potable water element – in review. 2. Recreation – in review.	BW/SSS/ PW/LS
Miscellaneous			
25.	CRS 5-year Cycle Visit (2022)	Floodplain requirement.	BW
26.	State law changes	Implement changes based upon recent legislation.	RG/SSS
27.	MacDonald House renaming recommendation of HLPB	Discussion item prepared. No City Commission date determined.	BW
28.	Refresh of Building and Planning Website	1. Reviewing exiting language and updating. 2. Updated and added to FAQ.	MM/TG/CB/ NE/RG
29.	Huntington Green force main extension	Need improvement to move forward. Bond in place.	DEA/SSS
Plats			
30.	Ormond Grande	Plat recorded on July 16, 2021.	SSS
31.	Ormond Gateway	Final Plat scheduled for CC – 7/20 and 8/4.	SSS

32.	Plantation Oaks, Unit 1A	Preliminary plat approved. Project under SPRC review.	SSS	7.M.c
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VACATION/CONFERENCE SCHEDULE	
EMPLOYEE	TIME OUT
Noel Eaton	08/31/21-09/03/21 (APA Conference)
Steven Spraker	8/20 and 8/23

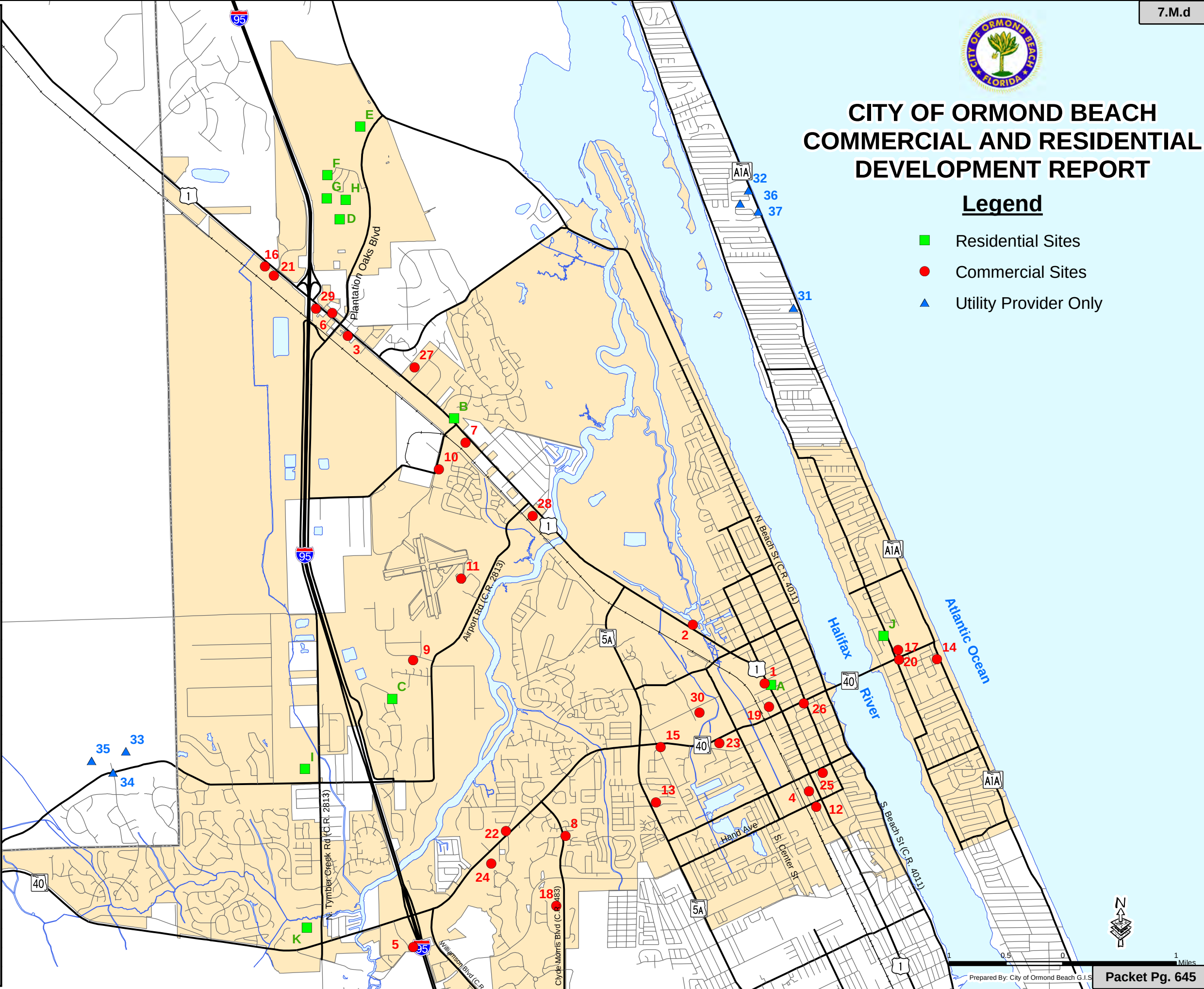


CITY OF ORMOND BEACH COMMERCIAL AND RESIDENTIAL DEVELOPMENT REPORT

Legend

- Residential Sites
- Commercial Sites
- ▲ Utility Provider Only

RESIDENTIAL PROJECTS	
A	Courtyards at Ormond
B	Ormond Grande
C	Pineland Subdivision - Phase 4 & 5
D	Plantation Oaks - Minor Amendment
E	Plantation Oaks - 1A
F	Plantation Oaks - 2B
G	Plantation Oaks - 2C
H	Plantation Oaks - 2D
I	Tattersall at Tymber Creek
J	The Cupola at Oceanside
K	Tymber Creek Apartments
COMMERCIAL PROJECTS	
1	148 North Yonge St
2	783 North US Hwy 1 - Campana
3	ACE Hardware
4	Air One
5	All Aboard Storage - Interchange Depot
6	Dunkin Donuts
7	Edgewell Loading Dock
8	Falls Guard House Modification
9	Germfree Driveway Addition
10	Hull Road RV and Boat Storage
11	KOMN Condominium Association INC
12	McNamara Warehouse
13	Nova Road Climate Controlled Storage
14	Ocean Club Ormond Beach
15	Ormond Central
16	Ormond Gateway
17	Ormond Memorial Art Musuem
18	Paradise Point ALF
19	Perrott Depot
20	Publix Remodel
21	RaceTrac
22	Revella at Ormond Beach ALF
23	Shoppes at Granada Pointe
24	Shoppes on Granada Phase 2 - Starbucks
25	SONC Gymnasium
26	The Pumphouse
27	Total Comfort
28	US 1 Business Park Amendment
29	Waffle House
30	YMCA - Phase 3 Improvements/Amendment
ORMOND BEACH - UTILITY PROVIDER ONLY	
31	101 Town and Country Lane
32	2284 Ocean Shore Boulevard
33	Celedine Subdivision
34	Force Main Extension (Flagler)
35	Iris Subdivision (Flagler)
36	Ocean Village Townhomes
37	Verona Oceanside



City of Ormond Beach Commercial Development Report, as of August 1, 2021

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		Change in project status								Project nearing completion								Projects reviewed this month		
#	Project	Description	Application Date	1st Review	2nd Review	3rd Review	4th Review	Neigh-borhood meeting	Advisory Board	City Commis-sion	Final Approval	DO Expiration	LDC Extension Expiration	Building Permit Info	Building Permit Value	Eng. Permit	Eng. Permit Constr. Value	Under Construc-tion	CO Issued	E or Arc = Project Engineer or Architect O = Owner A = Applicant
1	148 NORTH YONGE STREET 148 North Yonge Street PZ#2021-089	Allowance of outdoor display of mowers. No site or building expansion proposed	07.23.21	In review				Not applicable	08.12.21	09.22.21										A = Southern Mower Sales O = Dua Beach Bums, LLC
2	783 N US HWY 1, CAMPANA 783 N US HWY 1 PZ# 2016-010	Construction of a 1,216 SF building for kayak rental & repair and associated site improvements on a 1.03 acre site.	11.06.15	11.20.15	02.03.16	03.11.16	05.20.16	Not applicable	Not applicable	Not applicable	05.24.16	Under Constr.		Issued 09.25.17	\$80,000	Issued 05.27.16	\$35,000	55%		E = Alann Engineering Group ARC/E: W.A. Cross O = Steven Campana
3	ACE HARDWARE 1480 N. U.S. Highway 1 PZ# 2021-011	Construction of a two (2) story building of approximately 16,853 SF that proposes retail activity including a garden center (defined as outdoor activity) of 2,566 SF	11.12.20	12.07.20	02.24.21	04.01.21		Not applicable	03.11.21 Approved	04.20.21 & 05.04.21 (Approved)	05.05.21	Under Constr.		In review	\$1,248,910	Issued 05.18.21	\$487,479	15%		E = Newkirk Engineering, Inc. ARC = DJ Design, Inc. O = Gross Family Properties NG, LLC
4	AIR ONE 390 Andalusia Avenue PZ# 2021-048	Construction of a 2,500 square foot storage/warehouse building on a 1.1 acre property.	04.07.21	04.28.21	06.15.21	07.07.21		Not applicable	Not applicable	Not applicable										E = Newkirk Engineering, Inc. O = Francis Family LLC
5	ALL ABOARD STORAGE, INTERCHANGE DEPOT 295 Interchange Boulevard PZ#2021-072	Three storage facility of 111,825 square feet on a 2.94 acre parcel and associated site improvements	06.11.21	06.25.21				08.05.21	Required	Required										E = Newkirk Engineering, Inc. O = Southwest I-95, LLC APP = 295 Interchange LLC
6	DUNKIN DONUTS 1535 North U.S. Highway 1 PZ# 2019-002	Demolition of existing gas station (1,254 SF) and construction of a Dunkin Donuts coffee shop (2,013 SF) building with drive thru and associated site improvements.	11.26.18	12.11.18	04.05.19	05.09.19		Not applicable	Not applicable	Not applicable	05.22.19	Under Constr.		Issued 02.02.20	\$300,000	Issued 07.17.19	\$71,500	25%		E = Anderson-Dixon, LLC O = Afshari 1535 LLC
7	EDGEWELL LOADING DOCK 1190 North U.S. Highway 1 PZ# 2019-119	Construct a loading dock expansion area of 1,240 SF to serve the north side of the Edgewell manufacturing plant.	09.23.19	10.07.19				Not applicable	Not applicable	Not applicable	11.20.19 Revised 05.21.20	Under Constr.		Issued 06.11.20	\$271,000	Issued 04.30.20	\$57,850	95%		E = Alann Engineering Group, Inc. O = Playtex Manufacturing, Inc.
8	FALLS GUARD HOUSE MODIFICATION 1 Falls Way PZ# 2021-064	Modification of the site's access to include a resident bypass lane and gated access.	04.30.21	06.02.21	7.24.21			Not applicable	Not applicable	Not applicable										E = Zev Cohen & Associates O = Mhm communities
9	GERMFREE DRIVEWAY ADDITION 4 Sunshine Boulevard PZ# 2021-013	Add new inbound driveway to existing facility. No new building square footage.	11.12.20	11.29.20				Not applicable	Not applicable	Not applicable	12.11.20	Under Constr.		Not applicable	Not applicable	Issued 12.6.20	\$62,694	85%		E = Mark Dowst & Associates, Inc. O = OBKEL LLC
10	HULL ROAD RV & BOAT STORAGE 835 Hull Road PZ# 2021-006	Proposed RV & Boat storage of 20 spaces and associated site improvements on a 0.78 acre parcel.	11.18.20	12.01.20				Not applicable	Not applicable	Not applicable	04.16.21	04.16.23		Not applicable	Not applicable	Not applied	Not applied			E = Newkirk Engineering, Inc. O = BMill Inc.
11	KOMN CONDOMINIUM ASSOCIATION INC 85 Hangar Way PZ# 2021-014	Construction of two hangers. Lots 1 & 2 are 1.63 acres and propose a building of 15,720 SF. Lot 3 is 2.24 acres and propose a building of 23,520.	11.25.20	12.15.20				Not applicable	Not applicable	Not applicable	12.23.20	12.23.22		In review	\$1,213,000	Issued 04.01.21	\$217,441.65	20%		E = Newkirk Engineering, Inc. APP = KOMN Condominium Association, Inc. O = City of Ormond Beach
12	McNAMARA WAREHOUSE 460 Andalusia Avenue PZ# 2021-030	Construction of an 840 square foot warehouse and associated site improvements on a 0.10 acre property.	01.12.21	01.28.21	03.16.21			Not applicable	Not applicable	Not applicable	04.27.21	04.27.23		In review	\$54,400	Issued	\$2,000	0%		E = Parker Mynchenberg & Associates, Inc. O =McNamara Construction
13	NOVA ROAD CLIMATE CONTROLLED STORAGE 263 South Nova Road PZ# 2019-109	Development of an indoor climate controlled storage facility on 3.11 acres. Building proposed at 780 storage units in a 94,921 SF building.	07.31.19	08.14.19	10.24.19	12.03.19	12.23.19	08.27.19 11.20.19	01.09.20	01.21.20 02.04.20	03.02.20	Under Constr.		Issued 11.17.20	\$5,977,267	Issued 07.15.2020	\$446,083	80%		O = MV Commercial Development, LLC E = Zev Cohen & Associates, Inc. ARC = BPF Design Incorporated
14	OCEAN CLUB ORMOND BEACH 88 South Atlantic Avenue PZ# 2019-026	Demolition of existing building (10,866 SF) and construction of a new retail shop (8,596 SF)and related site improvements.	01.15.19	01.31.19	06.06.19	06.03.21	Under review	06.19.19	07.11.19	08.20.19 & 11.05.19 - Approved				Not applied	Not applied	Not applied	Not applied			E = The Performance Group O = 88 South Atlantic, LLC

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		Change in project status								Project nearing completion								Projects reviewed this month		
#	Project	Description	Application Date	1st Review	2nd Review	3rd Review	4th Review	Neigh-borhood meeting	Advisory Board	City Commis-sion	Final Approval	DO Expiration	LDC Extension Expiration	Building Permit Info	Building Permit Value	Eng. Permit	Eng. Permit Constr. Value	Under Construc-tion	CO Issued	E or Arc = Project Engineer or Architect O = Owner A = Applicant
15	ORMOND CENTRAL 1 South Old Kings Road PZ# 2015-072	Proposed 4 unit, 8.72 acre commercial development. Project proposes site improvements to develop 4 pad ready sites.	04.09.16	04.26.16	11.16.16	02.01.17	08.02.17	08.30.17	10.12.17 Recom-mended Approval	11.21.17 & 12.05.17 Approved	12.08.17	Vested with demolition		Not applied	Not applied	Not applied	Not applied			O = Ormond Central Investors, LLC E = Newkirk Engineering, Inc.
16	ORMOND GATEWAY 1670 North U.S. Highway 1 PZ# 2020-091	Development of a three lot commercial subdivision and associated site improvements.	09.11.20	10.06.20	12.16.20	02.01.20		Not applicable	01.14.21 Approved	2.16.21 Approved	03.01.21	03.01.23		Not applied	Not applied	Not applied	Not applied			E = Zev Cohen and Associates O = Destination Interchange, LLC
16	ORMOND GATEWAY FINAL PLAT 1670 North U.S. Highway 1 PZ# 2020-047	Development of a three lot commercial subdivision and associated site improvements.	04.22.21	05.12.21	06.17.21			Not applicable	Not applicable	07.20.21 (Approved) & 08.04.21	SPRC 06.22.21	NA		Not applicable	Not applicable	Not applicable	Not applicable			E = Zev Cohen and Associates O = Destination Interchange, LLC
17	ORMOND MEMORIAL ART MUSEUM 78 East Granada Boulevard PZ# 2020-008	Expansion of the existing footprint and related site improvements.	08.10.20	08.27.20	11.03.20			09.30.20	08.13.20 - Special Exception for signage	09.23.20 - Special Exception for signage	12.11.20	Under Constr.		Issued 12.29.20	\$3,074,000	Issued 12.29.20	\$76,296	45%		E = Parker Mynchenberg & Associates, Inc. O - City of Ormond Beach ARC - BPF Design
18	PARADISE POINT ALF 350 Clyde Morris Boulevard PZ# 2021-015	87 unit Assisted Living Facility (ALF) for 100 residents. Total SF of 73,952 on a 12.05 acre parcel.	11.20.20	12.15.20	04.27.21			02.11.21	Not applicable	Not applicable	05.24.21	05.24.23		In review	\$12,463,061	Issued 06.10.21	\$1,313,449	10%		E = Mark Dowst & Associates, Inc. APP = Paradise Pointe of Ormond Beach, LLC ARC = BPF Design, Inc.
19	PERROTT DEPOT 29 North Perrott Drive PZ #2021-029	Redevelopment of 1.86-acre site that has an existing 4,834 distribution/warehouse use to include 12,540 square feet of self-storage buildings.	01.12.21	02.02.21	03.19.21	05.24.21		02.17.21	Not applicable	Not applicable	06.08.21	06.08.23		Not applied	Not applied	Not applied	Not applied			E = Newkirk Engineering, Inc. O = Hand & Yonge, LLC ARC = BPF Design, Inc.
20	PUBLIX REMODEL 101 East Granada Boulevard PZ# 2021-001	Parking lot renovations and addition of a generator.	10.01.20	10.20.20				Not applicable	Not applicable	Not applicable	12.18.20	Under Constr.		Issued 11.03.20	\$3,000,000	Issued 01.15.21	\$295,000	80%		E = Germanna Engineering & Associates, LLC O = Publix Super Markets, Inc. ARC = Little Diversified Architectural Consulting
21	RACETRAC 1662 North U.S. Highway 1 PZ# 2021-033	Construction of an 8,100 travel center with 20 fueling positions for passenger cars and 8 fueling positions for trucks on a 5.47 acre parcel and associated site improvements.	01.17.21	02.04.21				Not applicable	Not applicable	Not applicable				Not applied	Not applied	Not applied	Not applied			E = Traffic Engineering Data Solutions, Inc. O = RaceTrac Petroleum, Inc. ARC = brr Design Professionals
22	REVELLA AT ORMOND BEACH ALF 1211 West Granada Boulevard PZ# 2021-073	150 resident Assisted Living Facility on 5.54 acres and associated site improvements	05.29.21	06.27.21				06.28.21	Not applicable	Not applicable				Not applied	Not applied	Not applied	Not applied			E = Mark Dowst & Associates, Inc. O = 1245 Blvd. Investors, LLC APP = Ormond Beach Investments, LLC
23	SHOPPES AT GRANADA POINTE 550 West Granada Boulevard PZ# 2019-120	Construction of a 21,114 square foot building on 2.52 acres within the Granada Pointe development and associated site work.	10.17.19	11.04.19	12.02.19			Not applicable	Not applicable	Not applicable	12.14.19	12.14.21	12.14.22	Not applied	Not applied	Not applied	Not applied			E = Newkirk Engineering, Inc. O = Granada Pointe Investors, LLC ARC = BPF Design, Inc.
24	SHOPPES ON GRANADA, PH2 STARBUCKS 1246 West Granada Boulevard PZ# 2018-124	a drive-thru restaurant of 2400 SF and associated site improvements.	10.24.18	11.12.18	04.28.19	06.03.19		See Shoppes 06.05.17	Special Exception 06.13.19	Approved 07.30.19	06.24.20	Under Constr.		Issued 01.14.21	623,000	Issued 12.09.20	\$214,500	95%		E = Upham, Inc. O = 2017 Granada II Ormond LLC ARC = FWH Architects, Inc.
25	SONC GYMNASIUM 176 Division Avenue PZ# 2021-008	Construction of a gymnasium of 7,429 SF over existing outdoor basketball court.	11.11.20	11.24.20	01.26.21			Not applicable	Not applicable	Not applicable	02.21.21	02.21.23		Not applied	Not applied	Not applied	Not applied			E = Zev Cohen & Associates O = City of Ormond Beach ARC = DJ Design, Inc.
26	THE PUMPHOUSE 100 West Granada Boulevard PZ# 2018-088	Project purchased the abutting building at 100 West Granada Boulevard and proposes the restaurant at this location with 30 seats. The existing building at 100 West Granada Blvd. would remain.	07.09.18	07.24.18	04.25.19	06.17.19	Revision 09.17.20	Not applicable	08.09.18 Approved	09.19.18 Approved	08.05.19 revised 12.23.2019	Under Constr.		Issued 10.29.19	\$147,000	Issued 11.01.19	\$215,000	60%		E = Finley Engineering Solutions, Inc O = Highlander Corporation
27	TOTAL COMFORT 1345 North U.S. Highway 1 PZ# 2018-080	A phased development. Phase 1 is an RV and Boat facility of 150 spaces. Phase 2 is two 15,370 SF building with associated site improvements. Total site is 11.47 acres.	09.19.19	10.08.19				Not applicable	Outdoor storage 04.11.19	Outdoor Storage Approved 05.21.19	Revision 09.21.20	Under Constr.		Issued 02.01.21 & 02.03.21	RV building = \$206,609 Office = \$1,608,639	Issued 07.31.19	\$1,529,684.52	55%		E = Parker Mynchenberg & Associates, Inc. App = Cameo Solutions, LLC ARC = BPF Design, Inc.
28	US 1 BUSINESS PARK AMENDMENT 1044 North U.S. Highway 1 PZ# 2020-075	US 1 business park addition of warehouse and miniwarehouse. Building 1 is 7,810 SF and building 2 is 6,600 SF.	07.31.20	08.17.20	09.28.20			Not applicable	10.08.20	Approved 11.04.20 & 12.01.20	01.03.21	01.03.23		Issued 06.28.21	\$430,000	Issued 04.07.21	\$250,879	30%		E = Alann Engineering Group, Inc. O = Triple Three Development, Inc.

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		Change in project status								Project nearing completion								Projects reviewed this month		
#	Project	Description	Application Date	1st Review	2nd Review	3rd Review	4th Review	Neigh-borhood meeting	Advisory Board	City Commis-sion	Final Approval	DO Expiration	LDC Extension Expiration	Building Permit Info	Building Permit Value	Eng. Permit	Eng. Permit Constr. Value	Under Construc-tion	CO Issued	E or Arc = Project Engineer or Architect O = Owner A = Applicant
29	WAFFLE HOUSE 1570 North U.S. Highway 1 PZ# 2021-031	. Remodel of the existing store to include parking lot repaving and additional landscape areas.	01.15.21	01.29.21	03.16.21			Not applicable	Not applicable	Not applicable	04.21.21	Under Constr.		Issued 03.08.21	\$450,000	Issued 05.03.21	\$72,968	20%		E = Contineo Group O = Waffle House
30	YMCA, PHASE 3 IMPROVEMENTS 500 Sterthaus Drive PZ# 2020-028	Addition of a 3,800 SF after school program building and playground and associated site improvements.	02.04.20	02.19.20				Not applicable	Not applicable	Not applicable	04.08.20	04.08.22		Not applied	Not applied	Not applied	Not applied			E = Zev Cohen and Associates, Inc. ARC = BPF Design Incorporated O = Volusia Flagler Family YMCA
30	YMCA, PHASE 3 IMPROVEMENTS AMENDMENT 500 Sterthaus Drive PZ# 2021-076	Removal of after school building and updating of the playground area.	06.21.21	07.25.21				Not applicable	Not applicable	Not applicable				Not applied	Not applied	Not applied	Not applied			E = Zev Cohen and Associates, Inc. ARC = BPF Design Incorporated O = Volusia Flagler Family YMCA

Ormond Beach is Utility Provider Only

31	101 TOWN & COUNTRY LANE 101 Town & Country Lane PZ #2019-078	Utility connection for existing multi-family development.	05.07.19	06.10.19	07.07.19			Outside City	Outside City	Outside City	07.18.19	Under constr.	NA	Not applicable	Not applicable	Utilities only Issued 09.11.2019	\$126,650	40%		E = Ultra Design Consultant, Inc.
32	2284 OCEAN SHORE BOULEVARD 2284 Ocean Shore Boulevard PZ-2021-045	Septic to sewer connection	03.21.21	04.05.21				Outside City	Outside City	Outside City	06.15.21			Not applicable	Not applicable	Not applied	Not applied			E = Alann Engineering Group O = Steven Sahai
33	CELEDINE SUBDIVISION (FLAGLER) PZ# 2021-069 Flagler County	Utility connection for 99 single-family homes	05.12.21	06.07.21				Outside City	Outside City	Outside City				Not applicable	Not applicable	Not applied	Not applied			E = Alann Engineering Group O = U.S. Capital Alliance, LLC
34	FORCE MAIN EXTENSION (FLAGLER) PZ# 2021-070 Airport Road right-of-way	Force main extension in Flagler County (Hunter's Ridge DRI)	05.12.21	06.07.21				Outside City	Outside City	Outside City				Not applicable	Not applicable	Not applied	Not applied			E = Alann Engineering Group O = U.S. Capital Alliance, LLC
35	IRIS SUBDIVISION (FLAGLER) PZ# 2021-071 Flagler County	Utility connection for 76 single-family homes	05.12.21	06.07.21				Outside City	Outside City	Outside City				Not applicable	Not applicable	Not applied	Not applied			E = Alann Engineering Group O = U.S. Capital Alliance, LLC
36	OCEAN VILLAGE TOWNHOMES Starlight Drive (3227-00-02-0090) PZ# 2020-056	19 unit townhome development on 3.75 in Volusia County.	05.21.20	06.03.20				Outside City	Outside City	Outside City	07.17.20	07.17.22	NA	Not applicable	Not applicable	Not applied	Not applied			E = Alann Engineering Group, Inc. O = Cornelius Prior APP = John Wine
37	VERONA OCEANSIDE PZ #2020-011 2162 Ocean Shore Boulevard	Volusia County project. Replat of 3.50 acres into 5 single-family lots and 18 multi-family townhome lots.	12.08.19	12.27.19	06.08.20			Outside City	Outside City	Outside City	06.18.20	06.18.22	NA	Not applicable	Not applicable	Utilities only Issued 05.19.21	\$117,270	10%		O = MHK Of Volusia County E = Parker Mynchenberg & Associates

* Highlighted projects indicate change in status (such as SPRC approval, CC approval, building permits issued, or CO issued).

City of Ormond Beach Residential Development Report, as of August 1, 2021

#	Project	Description	Application Date	1st Review	2nd Review	3rd Review	4th Review	Neighborhood meeting	Advisory Board	City Commission	Final Approval	DO Expiration	LDC Extension Expiration	Eng. Permit	Eng. Permit Constr. Value	Under Construction	E or Arc = Project Engineer or Architect O = Owner A = Applicant
A	COURTYARDS AT ORMOND 135 North Yonge Street PZ# 2021-079	Construct a 3 unit, 10,889 square foot retail building and a 48 unit multi family apartment complex.	06.17.21	07.09.21				Required	Required	Required							E = Parker Mynchenberg & Associates O = CST Holdings, LLC ARC = BPF Design
B	ORMOND GRANDE North US 1 - 1200 block PZ# 2019-096	Construct 3,600 SF industrial building and 60 lot residential townhome development.	07.09.19	07.30.19	09.01.20	10.20.20	12.15.20	09.03.20	10.08.20 Approved	12.01.20 & 12.15.20 Approved	01.11.21			Issued 01.12.21	\$783,109.00	85%	E = Parker Mynchenberg & Associates O = Ormond Grande, LLC
C	PINELAND, PHASES 4 & 5 252 Sunset Point Drive PZ# 2015-084	Construction of 78 single family lots. Plan submitted seek to revise the original subdivision construction plans.	10.07.20	10.27.20				Completed	Approved	Approved	Approved 12.04.17 Updated 12.23.20			Issued 10.19.2020	\$3,590,910	75%	E = Zahn Engineering O = ForeStar
D	PLANTATION OAKS, MINOR AMENDMENT Plantation Oaks PZ#2021-075	Relocation of 76 lots based upon the Volusia County purchase of 36 acres.	06.11.21	06.30.21				Not Required	Not Required	Not Required							E = Parker Mynchenberg & Associates O = Plantation Oaks of Ormond Beach, LLC
E	PLANTATION OAKS, 1A I-95 and North US1 PZ# 2020-029	Development of 121 lots on 100.91 acres.	02.06.20	03.01.20	04.09.21			Not Required	PB 05.13.21 Approved	CC 06.01.21							E = Parker Mynchenberg & Associates O = Plantation Oaks of Ormond Beach, LLC
F	PLANTATION OAKS, 2B 2389 Destrenan Drive PZ# 2020-024	Utilities connection for subdivision development - 125 lots on 89.16 acres.	12.14.17	01.24.18	07.17.18			Volusia County approval	Volusia County approval	Volusia County approval	09.20.18	Under construction	09.20.21	Issued 03.29.2021	\$2,390,520	2%	E = Parker Mynchenberg & Associates O = Plantation Oaks of Ormond Beach, LLC
G	PLANTATION OAKS, 2C I-95 and North US1 PZ# 2020-025	Utilities connection for subdivision development - 121 lots on 63.12 acres.	12.14.17	2.07.18	07.17.18			Volusia County approval	Volusia County approval	Volusia County approval	09.20.18	See extension	09.20.21	Not applied	Not applied		E = Parker Mynchenberg & Associates O = Plantation Oaks of Ormond Beach, LLC
H	PLANTATION OAKS, 2D I-95 and North US1 PZ# 2020-026	Utilities connection for subdivision development - 84 units on 27.32 acres.	12.14.17	02.12.18	08.24.18			Volusia County approval	Volusia County approval	Volusia County approval	09.20.18	See extension	09.20.21	Not applied	Not applied		E = Parker Mynchenberg & Associates O = Plantation Oaks of Ormond Beach, LLC
I	TATTERSALL AT TYMBER CREEK Airport Road & Tymber Creek PZ# 2021-067	Construction of a 146 lot single family subdivision and associated site improvements.	05.13.21	06.15.21				Required	Required	Required							E = Zev Cohen and Associates O = Tymber Sky and Enclave of Tymber Creek LLC APP = Paytas Homes
J	THE CUPOLA AT OCEANSIDE 100 North Halifax Drive PZ# 2021-068	12 two story townhomes - previously Halifax 100- and associated site improvements	05.17.21	06.22.21				Completed	Approved	Approved							E - Newkirk Engineering O = Halifax 100 LLC APP = Halifax Enterprises LLC
K	TYMBER CREEK APARTMENTS 2011 West Granada Boulevard PZ# 2020-063	300 unit multi-family development on 19.69 acres.	06.25.20	07.13.20	11.24.20	12.22.20		12.03.20	Required	Required							E = Newkirk Engineering O = J 10 Land Partners, LLLP & FOY Land Corp. APP = Tymber Creek Apartments, LLC

Planning public hearing items

File Number	Item	Description	Planning Board	City Commission	City Commission
City Commission items					
2021-052	Mobile Food Dispensing Vehicles (Food Trucks), Land Development Code Amendment	This is an administrative request to amend Section 1-22, Definition of terms and words, of Chapter 1, General Administration, Article III, Definitions and Acronyms and Section 2-50, Accessory Uses, of Chapter 2, District and General Regulations, Article III, General Regulations, of the City of Ormond Beach Land Development Code to add definitions and accessory use standards to allow mobile food dispensing vehicles (food trucks) under certain conditions and within certain zoning districts.	5/13/2021 Recommended approval	07.20.2021	08.04.2021 (Wednesday)
2021-054	Special Structure Provisions (Motor vehicle service station canopies), Land Development Code Amendment	This is an administrative amendment to the Land Development Code (LDC), Chapter 3, Article VI.-Architectural Design Standards, Section 3-70, Special structure provisions, to modify the requirements for motor vehicle service station canopies.	5/13/2021 Recommended approval	07.20.2021	08.04.2021 (Wednesday)
2021-047	Ormond Gateway, Final plat	This is a request from Luke Kilic, P.E. of Zev Cohen and Associates on behalf of the property owner, Destination Interchange, LLC for a final plat for an 18.17 acre property located at 1670 North U.S. Highway 1 (Volusia County parcel number: 3126-00-00-0170), 1662 North U.S. Highway 1 (Volusia County parcel number: 3136-01-65-0010), and no address (Volusia County parcel number: 3136-01-66-0070) for a three (3) lot commercial subdivision with associated site improvements.	Not required	07.20.2021	08.04.2021 (Wednesday)
2021-051	Utility Line Extension, Land Development Code Amendment	This is an administrative request to amend Chapter 3 – Performance Standards, Article V.-Utility and Infrastructure Design Standards, Section 3-61. - Utility line extensions to require water and sewer lines be extended across the site frontage for new development where utility extensions are required.	5/13/2021 Recommended approval	08.04.2021 (Wednesday)	08.17.2021
2021-053	Downtown Overlay District, Land Development Code Amendment	This is an administrative amendment to the Land Development Code (LDC), Chapter 2, Article VI.-Overlay Districts, Section 2-70, Downtown Overlay District, to update the section consistent with the 2019 Downtown Master Plan update.	5/13/2021 Recommended approval	08.04.2021 (Wednesday)	08.17.2021
2021-050	Floodplain Management, Land Development Code Amendment	This is an administrative amendment to the Land Development Code (LDC), Chapter 1, Article III, Section 1-22, Definitions of Terms and Words; and Chapter 3, Article II, Section 3-20 Floodplain Management and Protection; to update the current regulations for floodplain management consistent with the state model ordinance and include the new requirements of the 2021 Addendum to the CRS program effective January 1, 2021.	5/13/2021 Recommended approval	08.04.2021 (Wednesday)	08.17.2021
2021-056	Sidewalks, Land Development Code Amendment	This is an administrative amendment to the Land Development Code (LDC), Chapter 3 – Performance Standards, Article V.-Utility and Infrastructure Design Standards, Section 3-55, Bicycle and pedestrian ways, to (1) allow payment in lieu of constructing a sidewalk under certain conditions and (2) requiring sidewalks on both sides of the street in new subdivisions.	5/13/2021 Recommended approval	08.04.2021 (Wednesday)	08.17.2021
2021-082	Code of Ordinance amendment - Building fee schedule	This is a request to amend Section 8-3 of the Code of Ordinances to update the building schedule of permit fees. This amendment would be the first major amendment to the building fee schedule since 2008.	Not required	08.04.2021 (Wednesday)	08.17.2021
2021-081	Code of Ordinance amendment - Planning fee schedule	This is a request to amend Section 8-10 of the Code of Ordinances to update the schedule of Planning application processing fees.	Not required	08.04.2021 (Wednesday)	08.17.2021
2021-080	Ormond Crossings, 2021 Annual Report acceptance	This is a request to receive and accept the 2021 Ormond Crossings Annual Report filed by Ormond Crossings, as required by the development agreement between Tomoka Holdings, LLC and the City of Ormond Beach.	Not required	08.04.2021 (Wednesday)	Not applicable
2021-061	Corrective legal description for Ormond Memorial Art Museum & Garden, Resolution 2020-137	This is a request to correct the legal description associated with the Ormond Memorial Art Museum & Gardens Special Exception, Resolution 2020-137 at 78 East Granada Boulevard. This request is solely to amend the legal description of the Special Exception Development Order and no changes are sought to the Resolution.	Not required	08.04.2021 (Wednesday)	Not applicable
2021-085	29 Apian Way Partial Easement Release	This is a request submitted by the property owners, Kevin and Marcia Kroll of property located at 29 Apian Way for a partial 5-foot utility easement release of 286 square feet on the east side of the property to construct a pool and pool deck in the rear yard.	Not required	08.04.2021 (Wednesday)	Not applicable
2021-055	Car/Motorcycle Washes, Land Development Code Amendment	This is an administrative request to amend Chapter 2 – District and General Regulations, Article III.- General Regulations, Section 2-50, Accessory Uses, subsection (v). – Outdoor activities, to amend the conditions for non-profit related car and motorcycle washes.	5/13/2021 Recommended approval with amendments	07.20.2021 (Amendment) 08.17.2021	09.08.2021 (Wednesday)
Note: City Commission items are based upon the best information available as of August 1, 2021 and are subject to change . City Commission agendas are available at: https://ormondbeach.igm2.com/citizens/default.aspx? . For additional information, please contact the Planning Department via e-mail at comdev@ormondbeach.org or by telephone at (386) 676-3238.					

File Number	Item	Description
		Board of Adjustment and Appeals - August 4, 2021
NA	NA	Meeting canceled
The Board of Adjustment and Appeals agenda is available at: https://www.ormondbeach.org/218/Board-of-Adjustment-Appeals . For additional information, please contact the Planning Department via e-mail at comdev@ormondbeach.org or by telephone at (386) 676-3238.		

File Number	Item	Description	Planning Board	City Commission	City Commission
		Planning Board - August 12, 2021			
LDC 2021-084	Land Development Code (LDC) Amendment – Virtual Golf Centers	This is a request by Michael A. Peterson, Jr., business owner, to amend Chapter 1, General Administration, Article III, Definitions and Acronyms, Section 1-22, Definitions of terms and words; Chapter 2, District and General Regulations, Article II, District and General Regulations, Section 2-29, B-8 Commercial Zoning District, paragraph D; and Chapter 2, District and General Regulations, Article IV, Conditional and Special Exception Regulations, Section 2-57, Criteria for review of specific conditional and special exception, to provide definitions and specific conditional criteria that would allow Virtual Golf Centers as a conditional use in the B-8, Commercial Zoning District.	08.12.2021	09.22.2021 (Wednesday)	10.05.2021
SE 2021-089	148 North Yonge Street, Special Exception for Outdoor Activity	This is a request submitted by Charles Jones of Southern Mower Sales Inc. for a Special Exception to authorize an outdoor activity use. Outdoor activity is permitted only by the issuance of a Special Exception under the B-5 (Service Commercial) zoning district. The request seeks to allow daily outdoor display and sales of merchandise under certain conditions at the Southern Mower Sales shop located at 148 North Yonge Street. The subject property currently operates as a mower retail shop. The Special Exception application is solely for outdoor activity to allow daily outdoor display and sales of merchandise under certain conditions and does not propose any building construction.	08.12.2021	09.22.2021 (Wednesday)	NA
LDC 2021-083	Land Development Code amendment: Section 2-50, Mobile food dispensing vehicles in residential community centers	This is an administrative request to amend Section 2-50, Accessory Uses, of Chapter 2, District and General Regulations, Article III, General Regulations, of the City of Ormond Beach Land Development Code to allow single-family and multi-family developments with a residential club house or community center to conduct events that allow mobile food dispensing vehicles (food trucks) a maximum of twelve days per calendar year with a special event permit.	08.12.2021	09.22.2021 (Wednesday)	10.05.2021
LDC 2021-090	Land Development Code amendment: Section 2-50, Off Road Recreational Vehicle Course, accessory use	This is an administrative request to amend Chapter 1, General Administration, Article III, Definitions and Acronyms, Section 1-22, Definitions of Terms and Words and Chapter 2, District and General Regulations, Article III, General Regulations and Section 2-50, Accessory Uses to establish definitions and conditions for an Off Road Recreational Vehicle Course in the REA, Rural Estate/Agriculture, zoning district as an accessory use.	08.12.2021	09.22.2021 (Wednesday)	10.05.2021
For additional information, please contact the Planning Department via e-mail at comdev@ormondbeach.org or by telephone at (386) 676-3238.					



Monthly Financial Status Report

June 2021

This report provides the City Commission with an update of the financial status of the City's operating funds. The purpose of the report is to identify any significant variances from the adopted budget and to identify any adverse trends and their implications for the current and future years' budgets. Revenues at or above 67% benchmark is favorable, while expenses at or below the 75% benchmark is also favorable. The first table below provides a summary of the revenues and expenditures to date by fund. Additional detail by fund type is provided in subsequent tables.

Fund	Original Budget	YTD Actual Revenues	YTD %	YTD Actual Expenses	YTD %
001 - General Fund	35,128,715	26,773,450	76%	25,674,534	73%
104 - Community Redevelopment	1,319,515	1,220,704	93%	396,626	30%
106 - Ormond Crossing	232,533	218,983	94%	-	0%
107 - Stormwater	2,531,000	1,916,089	76%	1,872,461	74%
108 - Airport	864,137	258,071	30%	365,450	42%
109 - Local Law Enforcement Trust Fund	-	15,290	0%	2	0%
110 - Economic Development	2,055,000	40	0%	37,190	2%
115 - Recreation Facility Fee	41,600	18,367	44%	3,501	8%
116 - Grant	25,000	152,468	610%	32,827	131%
205 - Financing Debt Service	706,111	529,596	75%	519,002	74%
210 - Debt Service GOB 2003	116,208	117,140	101%	113,658	98%
211 - Debt Service 2005 CIP Note	156,000	117,000	75%	156,568	100%
220 - Debt Service GOB 2010	348,623	351,303	101%	364,145	104%
301 - General Capital Improvement	1,405,907	750,766	53%	732,716	52%
302 - General Equipment & Vehicle	452,363	464,698	103%	474,072	105%
308 - Transportation	2,287,088	1,472,581	64%	974,017	43%
310 - Recreation Impact Fee	125,000	152,221	122%	-	0%
316 - Local Roads Impact Fee	60,000	64,617	108%	-	0%
317 - Facilities Renewal & Replacement	502,317	508,240	101%	684,630	136%
318 - Stormwater Impact Fee	25,000	26,098	104%	-	0%
401 - Water/Wastewater Operating Fund	22,931,895	15,326,185	67%	16,941,886	74%
408 - Water/Wastewater E&V Fund	164,000	120,151	73%	275,049	168%
409 - Water/Wastewater Capital	4,807,000	6,125,347	127%	1,971,703	41%
414 - Water/Wastewater Consolidated Debt	5,220,000	3,915,000	75%	996,677	19%
434 - Water Impact Fee	2,384,175	521,601	22%	905,785	38%
435 - Wastewater Impact Fee	400,000	468,810	117%	979,888	245%
460 - Solid Waste	9,070,267	6,792,264	75%	6,174,231	68%
502 - Workers Compensation	1,159,612	955,730	82%	682,370	59%
504 - General Liability	1,183,853	935,605	79%	1,036,953	88%
Total	\$ 95,702,919	\$ 70,288,416	73%	\$ 62,365,942	65%

**Financial Status Report:
June 2021**

General Fund Revenues

Ad valorem Taxes- Annual revenue is estimated at \$12.8 million and is based on the taxable value (\$3.9 billion) and the General Fund operating millage (3.4168). Actuals to date are \$12.9 million or 101% of the budgeted amount.

Utility Taxes- The City levies a utility tax of 10% on electric and gas sales. To date, the City has collected \$2.75 million.

Communication Taxes – Communication service taxes through June 2021 are \$910,357. Payments are received in arrears with the first payment typically occurring in January 2021.

Business Tax –Business tax collections amounted to \$56,823 through June 2021. The majority of business taxes are collected in the last quarter of the fiscal year.

Licenses, Permits and Franchise Fees – This revenue source includes building permits, plan review and franchise fees. The City has franchise fee agreements which require electric and natural gas providers to remit 6% of gross sales to the City. Payments made to the City for franchise fees often occur several months after they are collected by FPL and other providers. Collections through June 2021 are \$2.11 million.

Intergovernmental – This revenue source includes municipal revenue sharing and sales tax both of which were expected to be negatively impact by the COVID pandemic. Through June 2021, the City received a total of \$2.77 million in this category.

Charges for Services – This category includes the County library lease and Leisure Services user charges. Additional revenue from contracts for right of way mowing, traffic signal maintenance, and street lighting are included in this category. The City received a total of \$786,703 in this category year to date.

Leisure Services fees collected to date are \$142,265. Programming continues to be negatively impacted by the COVID pandemic but are expected to improve slightly during remainder of the fiscal year.

Fines and Forfeitures – Traffic, code enforcement, and court fines make up this revenue category. Revenues were \$123,401.

Miscellaneous Revenue – Interest and internal service charges for Fleet and Engineering are included in this revenue category. Revenues collected were \$1.0 million.

Transfers In –Transfers have been recorded in the amount of \$3.35 million.

Financial Status Report: June 2021

General Fund Revenues - June 2021

	Final Budget	YTD FY 2020-21	\$ Variance	% of Budget	YTD FY 2019-20	\$ Variance	% Variance
Property Tax	\$ 12,820,332	\$ 12,905,285	\$ (84,953)	100.7%	\$ 12,600,515	\$ 304,770	2.42%
Utility Taxes	4,038,000	2,748,601	1,289,399	68.1%	2,631,760	116,841	4.44%
Communication Tax Receipts	1,650,000	910,357	739,643	55.2%	936,071	(25,714)	-2.75%
Business Tax	287,700	56,823	230,877	19.8%	68,131	(11,308)	-16.60%
Licenses, Permits & Fees	4,058,250	2,114,273	1,943,977	52.1%	2,100,116	14,157	0.67%
Intergovernmental	2,834,500	2,773,215	61,285	97.8%	2,512,797	260,418	10.36%
Charges for Services	752,400	786,703	(34,303)	104.6%	698,044	88,659	12.70%
Fines & Forfeitures	80,000	123,401	(43,401)	154.3%	49,077	74,325	151.44%
Miscellaneous Revenues	2,819,810	1,004,001	1,815,809	35.6%	1,132,537	(128,537)	-11.35%
Transfers In	4,467,723	3,350,790	1,116,933	75.0%	3,292,866	57,924	1.76%
Use of Fund Balance	1,320,000	-	1,320,000	0.0%	-	-	0.00%
	\$ 35,128,715	\$ 26,773,450	\$ 8,355,265	76.2%	\$ 26,021,914	\$ 751,536	2.89%

General Fund Expenditures

Personnel Services - This category includes wages and benefits paid by the City. Personnel services account for \$24.1 million of the General Fund gross budget. Expenditures through June 2021 were \$17.88 million or 74.2% of the budget amount.

Operating Expenditures - This category includes \$9.5 million for maintenance contracts, utilities, tools, fuel, insurance, supplies and contracts for service with community agencies. Through June 2021, \$6.62 million has been spent.

Grants and Aids - This category includes contributions made to not for profit organizations which were budgeted at \$245,685 which includes \$155,000 of economic development incentives. Of note the \$155,000 includes entities such as; Security First and Future Foods. \$65,616.07 has been expended through June 2021.

Transfers Out – The budget for transfers from the General Fund to other funds is \$1.3 million with of \$1.1 million made through June 2021.

Financial Status Report: June 2021

General Fund Expenditures - June 2021

	Final Budget	YTD FY 2020-21	\$ Variance	% of Budget	YTD FY 2019-20	\$ Variance	% Variance
City Commission	\$ 402,974	\$ 241,161	\$ 161,813	59.8%	\$ 245,856	\$ (4,695)	-1.91%
City Administration	635,867	490,512	145,355	77.1%	466,468	24,043	5.15%
Support Services	374,524	306,384	68,140	81.8%	254,587	51,797	20.35%
City Attorney	769,676	605,184	164,492	78.6%	579,049	26,135	4.51%
Legislation & Policy	2,183,041	1,643,241	539,800	75.3%	1,545,961	97,280	6.29%
Finance	936,611	722,321	214,290	77.1%	605,830	116,492	19.23%
Information Technology	995,710	638,506	357,204	64.1%	548,840	89,666	16.34%
Human Resources	398,439	293,487	104,952	73.7%	267,272	26,215	9.81%
Planning	652,419	465,680	186,739	71.4%	405,605	60,075	14.81%
Building Inspections	1,077,529	822,369	255,160	76.3%	746,350	76,020	10.19%
Police Administration	803,089	645,456	157,633	80.4%	536,478	108,978	20.31%
Police Operations	6,055,862	4,347,658	1,708,204	71.8%	4,488,969	(141,310)	-3.15%
Community Outreach	526,160	340,337	185,823	64.7%	377,869	(37,532)	-9.93%
Criminal Investigations	1,254,432	971,861	282,571	77.5%	887,441	84,420	9.51%
Community Services	386,435	247,904	138,531	64.2%	262,436	(14,532)	-5.54%
Records	166,447	90,113	76,334	54.1%	109,327	(19,214)	-17.57%
Neighborhood Impr.	436,575	270,762	165,813	62.0%	286,204	(15,442)	-5.40%
Police	9,629,000	6,914,091	2,714,909	71.8%	6,948,723	(34,632)	-0.50%
Fire	6,351,305	4,987,142	1,364,163	78.5%	4,777,500	209,642	4.39%
Streets	2,037,494	1,538,639	498,855	75.5%	1,410,436	128,203	9.09%
Engineering	1,192,244	747,851	444,393	62.7%	700,668	47,183	6.73%
Fleet	1,233,777	983,032	250,745	79.7%	947,865	35,168	3.71%
Public Works	4,463,515	3,269,523	1,193,992	73.2%	3,058,969	210,554	6.88%
Economic Development	390,128	197,304	192,824	50.6%	280,172	(82,868)	-29.58%
Building Maintenance	778,446	575,838	202,608	74.0%	575,734	104	0.02%
Administration	694,742	483,976	210,766	69.7%	478,868	5,108	1.07%
Nova Recreation	326,843	210,390	116,453	64.4%	195,119	15,271	7.83%
S. Ormond Neigh. Center	272,173	182,834	89,339	67.2%	166,594	16,240	9.75%
Gymnastics	-	5,092	(5,092)	0.0%	96,178	(91,086)	-94.71%
Athletic Fields Mnt.	1,407,479	950,285	457,194	67.5%	954,660	(4,375)	-0.46%
Parks	2,177,602	1,548,134	629,468	71.1%	1,458,438	89,696	6.15%
Environmental Learning	160,814	97,539	63,275	60.7%	76,189	21,349	28.02%
The Casement	268,779	205,360	63,419	76.4%	193,660	11,700	6.04%
Performing Arts Center	268,580	165,721	102,859	61.7%	351,579	(185,857)	-52.86%
Senior Center	94,157	44,472	49,685	47.2%	59,404	(14,931)	-25.14%
Community Events	202,910	92,771	110,139	45.7%	97,446	(4,675)	-4.80%
Leisure Services	6,652,525	4,562,412	2,090,113	68.6%	4,703,869	(141,457)	-3.01%
Grants & Aid*	91,528	48,224	43,305	52.7%	50,832	(2,608)	-5.13%
Transfers	1,306,965	1,110,235	196,730	84.9%	1,178,235	(68,000)	-5.77%
Vacancy Savings/Contingency		-	-	0.0%	-	-	0.00%
	\$ 35,128,715	\$ 25,674,534	\$ 9,454,181	73.1%	\$ 25,118,156	\$ 556,377	2.22%

*Does not include Economic Development Incentives

Financial Status Report: June 2021

Downtown Redevelopment Trust

Revenues –Revenues are comprised of City, County, Hospital, and special district property taxes levied on property within the Downtown Redevelopment boundaries and amount to \$718,686. The City’s budgeted contribution is \$456,518.

Expenditures – A total of \$396,626 has been expended for capital projects and service contracts (Ormond Main Street and property improvement grants).

Downtown Redevelopment Fund Revenues - June 2021

	Final Budget	YTD FY 2020-21	\$ Variance	% of Budget	YTD FY 2019-20	\$ Variance	% Variance
Grant	\$ -	\$ -	\$ -	0.0%	\$ -	\$ -	0.0%
Local Units	718,686	878,096	(159,410)	122.2%	732,603	145,493	19.9%
Miscellaneous	1,500	221	1,279	14.7%	7,259	(7,038)	-97.0%
Transfers In	456,518	342,387	114,131	75.0%	332,685	9,702	2.9%
Use of Fund Balance	142,811	-	142,811	0.0%	-	-	0.0%
	\$ 1,319,515	\$ 1,220,704	\$ 98,811	92.5%	\$ 1,072,547	\$ 148,157	13.81%

Downtown Redevelopment Fund Expenditures

	Final Budget	YTD FY 2020-21	\$ Variance	% of Budget	YTD FY 2019-20	\$ Variance	% Variance
Planning	\$ 85,000	\$ 45,965	\$ 39,035	54.1%	\$ 45,350	\$ 615	1.4%
Public Works	751,415	80,121	671,294	10.7%	22,552	57,569	255.3%
Grants	200,000	50,000	150,000	25.0%	-	50,000	0.0%
Leisure Services	183,100	220,540	(37,440)	120.4%	1,236,106	(1,015,566)	-82.2%
Contingency	100,000	-	100,000	0.0%	-	-	0.0%
	\$ 1,319,515	\$ 396,626	\$ 922,889	30.1%	\$ 1,304,008	\$ (907,381)	-69.58%

Financial Status Report: June 2021

Stormwater Fund

Revenues – The primary revenue source is stormwater user fees. User fees were budgeted at \$2.525 million with \$1.916 million received through June 2021.

Expenditures – The budget for stormwater maintenance is \$1.9 million with \$1.7 million spent to date. Transfers of \$159,066 have also been made year to date.

Stormwater Fund Revenues - June 2021

	Final Budget	YTD FY 2020-21	\$ Variance	% of Budget	YTD FY 2019-20	\$ Variance	% Variance
Grants	\$ -	\$ -	\$ -	0.0%	\$ -	\$ -	0.00%
Stormwater Fees	2,525,000	1,915,509	609,491	75.9%	1,896,595	18,913	1.00%
Miscellaneous	6,000	580	5,420	9.7%	33,283	(32,703)	-98.26%
Intergovernmental	-	-	-	0.0%	-	-	0.00%
Use of Fund Balance	-	-	-	0.0%	-	-	0.00%
	<u>\$ 2,531,000</u>	<u>\$ 1,916,089</u>	<u>\$ 614,911</u>	<u>75.7%</u>	<u>\$ 1,929,879</u>	<u>\$ (13,790)</u>	<u>-0.71%</u>

Stormwater Fund Expenditures

	Final Budget	YTD FY 2020-21	\$ Variance	% of Budget	YTD FY 2019-20	\$ Variance	% Variance
Maintenance	1,879,954	1,713,395	166,559	91.1%	1,720,995	(7,600)	-0.44%
Engineering Support	\$ 126,851	\$ -	\$ 126,851	0.0%	\$ -	\$ -	0.00%
Transfers Out	212,088	159,066	53,022	75.0%	168,615	(9,549)	-5.66%
Contingency	312,107	-	312,107	0.0%	-	-	0.00%
	<u>\$ 2,531,000</u>	<u>\$ 1,872,461</u>	<u>\$ 658,539</u>	<u>74.0%</u>	<u>\$ 1,889,610</u>	<u>\$ (17,149)</u>	<u>-0.91%</u>

Financial Status Report: June 2021

Water and Wastewater Fund

Revenues – The primary revenue sources are water and sewer user fees. User fees were budgeted at \$20.1 million with \$15.0 million collected year to date. The budget also includes \$429,919 in transfers.

Expenditures – Operating expenses for utility billing and water/wastewater public works services is budgeted in the amount of \$10.29 million with \$7.47 million expended to date. The budget also includes \$12.63 million in transfers of which \$9.48 million have been made as of June 2021.

Water/Wastewater Fund Revenues - June 2021

	Final Budget	YTD FY 2020-21	\$ Variance	% of Budget	YTD FY 2019-20	\$ Variance	% Variance
Water/Sewer Charges	\$ 20,093,000	\$ 14,990,031	\$ 5,102,969	74.6%	\$ 15,627,590	\$ (637,558)	-4.08%
Miscellaneous	55,000	13,711	41,289	24.9%	67,743	(54,033)	-79.76%
Transfers In	429,919	322,443	107,476	75.0%	384,786	(62,343)	-16.20%
Intergovernmental	-	-	-	0.0%	-	-	0.00%
Use of Fund Balance	2,353,976	-	2,353,976	0.0%	-	-	0.00%
	<u>\$ 22,931,895</u>	<u>\$ 15,326,185</u>	<u>\$ 7,605,710</u>	<u>66.8%</u>	<u>\$ 16,080,119</u>	<u>\$ (753,934)</u>	<u>-4.69%</u>

Water/Wastewater Fund Expenditures

	Final Budget	YTD FY 2020-21	\$ Variance	% of Budget	YTD FY 2019-20	\$ Variance	% Variance
Utility Billing	\$ 1,663,677	\$ 1,070,409	\$ 593,268	64.3%	\$ 1,165,988	\$ (95,578)	-8.20%
Water Production	2,981,866	2,259,475	722,391	75.8%	2,037,346	222,130	10.90%
Water Distribution	1,283,776	909,206	374,571	70.8%	1,296,853	(387,647)	-29.89%
Wastewater Treatment	2,890,767	2,224,964	665,803	77.0%	1,966,221	258,743	13.16%
Wastewater Collection	1,474,484	999,832	474,652	67.8%	1,267,811	(267,979)	-21.14%
Transfers Out	12,637,325	9,477,999	3,159,326	75.0%	7,929,648	1,548,351	19.53%
	<u>\$ 22,931,895</u>	<u>\$ 16,941,886</u>	<u>\$ 5,990,009</u>	<u>73.9%</u>	<u>\$ 15,663,866</u>	<u>\$ 1,278,020</u>	<u>8.16%</u>

Financial Status Report: June 2021

Solid Waste Fund

Revenues – The primary revenue source is solid waste franchise and user fees. To date \$1.04 million in franchise fees and \$5.66 million in user fees have been collected.

Expenditures – Personnel, operating, capital expenses and transfers expended to date are \$6.17 million.

Solid Waste Fund Revenues - June 2021

	Final Budget	YTD FY 2020-21	\$ Variance	% of Budget	YTD FY 2019-20	\$ Variance	% Variance
Franchise Fees	\$ 1,500,000	\$ 1,039,273	\$ 460,727	69.3%	\$ 1,157,898	\$ (118,625)	-10.24%
User Fees	7,410,000	5,657,759	\$ 1,752,241	76.4%	5,620,558	37,201	0.66%
Miscellaneous	1,000	53,810	\$ (52,810)	5381.0%	9,621	44,189	459.30%
Intergovernmental	-	41,422		0.0%	-		0.00%
Use of Fund Balance	159,267	-	\$ 159,267	0.0%	-	-	0.00%
	\$ 9,070,267	\$ 6,792,264	\$ 2,319,425	74.9%	\$ 6,788,077	\$ (37,235)	-0.55%

Solid Waste Fund Expenditures

	Final Budget	YTD FY 2020-21	\$ Variance	% of Budget	YTD FY 2019-20	\$ Variance	% Variance
Collection & Disposal	\$ 6,701,528	\$ 4,570,217	\$ 2,131,311	68.2%	\$ 4,963,927	\$ (393,709)	-7.93%
Recycling	1,113,572	662,641	450,931	59.5%	825,117	(162,476)	-19.69%
Engineering	-	-	-	0.0%	-	-	0.00%
Transfers Out	1,255,167	941,373	313,794	75.0%	985,194	(43,821)	-4.45%
Contingency	-	-	-	0.0%	-	-	0.00%
	\$ 9,070,267	\$ 6,174,231	\$ 2,896,036	68.1%	\$ 6,774,237	\$ (600,006)	-8.86%



Economic Development Monthly Report

7.M

July 2021

Ormond Beach
June Employment

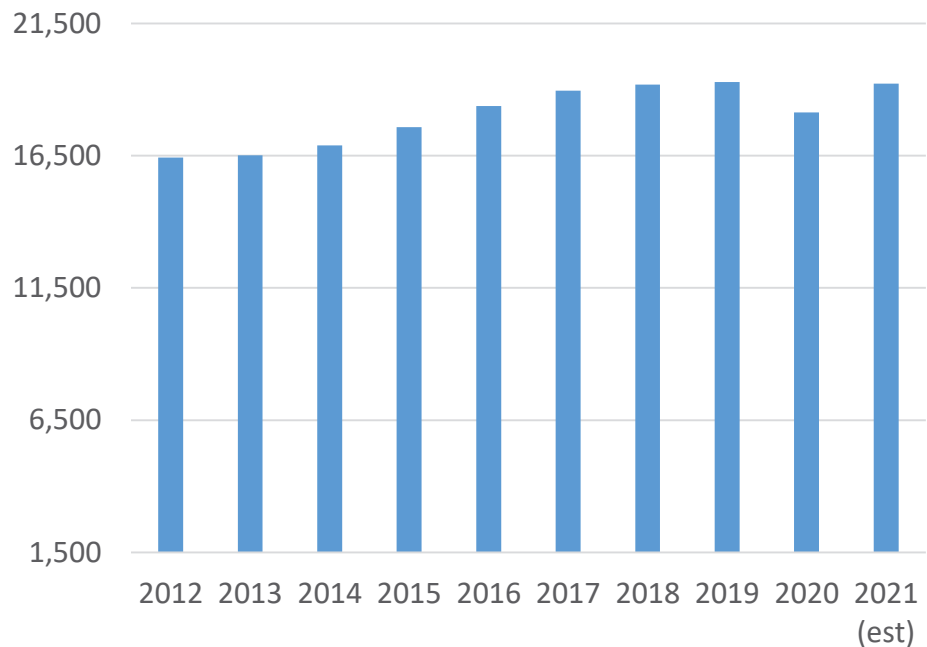
19,219

This is up 11% from last year

Ormond Beach
Unemployment Rate

4.9%

Ormond Beach Employment Trend



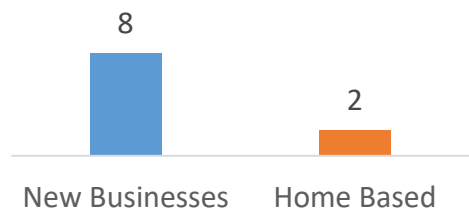
Total Permits Issued
in June

633

Permit Valuation for
June

\$15m

New Business Tax
Receipts



Commercial Real Estate Key Indicators

Current Quarter	RBA	Vacancy Rate	Market Rent	Availability Rate
Office	1,564,933	6.2%	\$19.50	6.2%
Industrial	2,866,320	2.1%	\$8.61	2.6%
Retail	4,246,141	3.0%	\$15.26	3.9%

*RBA = Rentable Building Area The number shown is the total RBA for all buildings in that asset class in Ormond Beach.



July, 2021

Notes and Updates:

- **Employment** for June was 19,219 up 11% from the same time last year. Employment is up 612 from January. The unemployment rate is 4.9% which is down from 10.1% this time last year. Employment continues to trend positive this year.
- **The UCF Institute for Economic Forecasting** released their 2021-2024 Florida & Metro Forecast. A few notables regarding their outlook for the Deltona-Daytona-Ormond Beach Metro area:
 - The labor market will experience an average level of annual employment growth at 1.4%, leading to an unemployment rate of 3.9%
 - The Professional & Business Services sector will experience the fastest growth rate in the metro area with annual growth rate of 5.4%. The Other Services sector will follow at 3.9%. Leisure & Hospitality Services will be the third-fastest grower at a rate of 3.7%.
 - According to data from the Internal Revenue Service, small business formation was at an all-time high in 2020, as 4.3 million employer identification number applications were sent to the IRS. This so-called "startup boom" is translating to Volusia and Flagler Counties as well.
 - A copy of the forecast can be found here: [Florida & Metro Forecast March 2021](#)
- **The Economic Development Department** is participating in the BR|E Benchmarking Summer challenge sponsored by the Center for Regional Economic Competitiveness (CREC) and Synchronist Suite. This project will allow us to hear from primary industry about their current needs as they exit COVID-19 for business and workforce development. Responses are being compiled across the nation allowing for a national benchmark comparison for areas of opportunity, growth, and competitive advantage.
- **The City and Ormond Beach Chamber of Commerce** will host the next installment of Startup Grind Ormond Beach on September 16 featuring Kyle White, founder of Yaupon Brothers American Tea. Information about this event will be posted on the Startup Grind website: <https://www.startupgrind.com/ormond-beach/>

Thank you,
Brian Rademacher
Economic Development Director

Data Sources: Employment Data from FL DEO LAUS; Permit and BTR data from Dept. of Building 05/01-05/31; Real Estate data from CoStar provided by Adams Cameron Real Estate.

From: Victoria Fahlberg <VictoriaFahlberg@firststepshelter.org>

Sent: Friday, July 2, 2021 3:45 PM

Subject: FSS Monthly Update

[External Email-Use Caution] - OB/IT Helpdesk

Good Afternoon,

We continue to stay at capacity, with 50 residents in our shelter. We also averaged 7 residents per day in the safe zone this month. We had a good month housing people, with 10 of our residents going into housing. This brings us to a total of 96 residents in housing since we opened and 31 since the beginning of the year – more than one person per week!

Have a great 4th of July holiday! As always, if you have any questions, please let me know.

Thank you,

Victoria Fahlberg
Executive Director
First Step Shelter

Shelter Intakes	2020	2021				Total to date
		1st quarter	April	May	June	
DBPD	54	26	8	0	3	91
OBPD	2	0	0	0	0	2
POPD	0	2	0	0	0	2
DBSPD	0	0	0	0	0	0
SDPD	1	0	1	0	0	2
PIPD	0	0	0	0	0	0
HHPD	2	0	0	0	0	2
Volusia County	3	2	0	1	0	6
Total Law Enforcement	62	29	9	1	3	104
Total Hospitals	38	5	0	1	1	45
Total SS and Worship	55	30	7	15	12	119
	155	64	16	17	16	268

Services Received	2020	2021				Total
		1st quarter	April	May	June	
SSI/SSDI	52	22	9	7	6	96
Employment	57	9	3	5	4	78
Total with Income	109	30	12	12	10	173
Food Stamps	80	37	9	9	8	143
Birth Certificates	61	10	2	0	0	73
Medicare	23	16	3	5	3	50

Medicaid	44	14	5	7	5	75
Other insurance	8	2	1	1	2	14
Total Insurance	75	30	9	13	10	137
Housing	65	9	8	4	10	96
Rapid Rehousing	1	2	0	2	6	11

		2021				
		1st				
Health Concerns	2020	quarter	April	May	June	Total
Drug Problem	28	25	8	5	8	74
Alcohol Problem	22	18	7	7	8	62
Hypertension	24	12	3	6	3	48
COPD	9	5	3	6	2	25
Asthma	2	6	2	2	4	16
Diabetes	5	3	2	2	0	12
Other Medical Problem	1	31	0	10	8	50
Total Medical Problem	41	89	0	38	17	185
Psychotropic Medication	44	43	10	9	9	115
Psychotropic & Medical	41	56	8	8	3	116

Average length of stay 69.5 59.63 58.75 63.58

	23-Nov	2021				
		1st				Total to
Safe Zone Referrals	31-Dec	quarter	April	May	June	date
DBPD	23	402	221	291	212	1149
OBPD	0	4	0	2	0	6
POPD	0	2	2	0	2	6
DBSPD	0	14	0	1	1	16
SDPD	0	4	2	1	1	8
Deland*	0	1	0	0	0	1
Orange City*	0	0	0	1	0	1
HHPD	7	6	2	1	1	17
Volusia County	1	3	3	4	2	13
Total Law Enforcement	31	436	230	301	219	1217
Daily Average	8	5	8	10	7	7

Victoria Fahlberg, P.h.D. MPH
Executive Director
978-761-9952





CITY OF ORMOND BEACH

City Manager • 22 S. Beach Street • Ormond Beach • Florida • 32174 • (386) 676-3200 • Fax (386) 676-3384

CITY MANAGER MEMORANDUM

To: The Honorable Mayor Partington and City Commissioners

Through: Joyce A. Shanahan, City Manager

From: Steven Spraker, Planning Director

Date: August 4, 2021

Subject: LDC Amendment - Mobile Food Dispensing Vehicles (Food Trucks)

Commission Goal: Community Development - Other

Introduction

This is an administrative request to amend Section 1-22, Definition of terms and words, of Chapter 1, General Administration, Article III, Definitions and Acronyms and Section 2-50, Accessory Uses, of Chapter 2, District and General Regulations, Article III, General Regulations, of the City of Ormond Beach Land Development Code to add definitions and accessory use standards to allow mobile food dispensing vehicles (food trucks) under certain conditions and within certain zoning districts.

Background

House Bill 1193, effective July 1, 2020, established certain preemptions that apply to all Florida cities. The House Bill pre-empted local governments from all regulations involving licenses, registrations, permits, fees and inspections, and states that a local government cannot prohibit mobile food dispensing vehicles. The House Bill does allow local governments to retain authority to regulate operations of mobile food dispensing vehicles.

There are limited existing Land Development Code regulations on mobile food dispensing vehicles. Mobile food dispensing vehicles have been allowed in Ormond Beach by policy as follows:

1. Large scale civic events organized by the City or a non-profit such as Ormond MainStreet. Examples would include Riverfest or the 4th of July celebration;
2. Large scale non-profit events, such as the Prince of Peace Oktoberfest or the Calvary Christian Center 4th of July celebration;
3. Within the Interlocal Service Boundary Agreement (ISBA) area where properties are identified as a host for itinerant vending along the North U.S. Highway 1 corridor. These properties were allowed to maintain existing uses as the ISBA was transferred from Volusia County to Ormond Beach; and
4. Malted Beverage Producers located in the I-1 zoning district based upon a Land

Development Code amendment. Currently the Ormond Brewery is the only Malted Beverage Producer with the ability to host mobile vending. **This is the only use that allows mobile food dispensing vehicles on private property.**

Mobile food dispensing vehicles are a type of itinerant vending. The City has historically limited itinerant vending and allowed this use through a Special Exception process on private property. As the demand for food trucks has increased over time, food trucks have been allowed at large scale special events and in the North U.S. Highway 1 area which was annexed (based on existing allowances from Volusia County).

The Malted Beverage Producers Land Development Code amendment to allow food trucks, approved October 2, 2018 through Ordinance 2018-23, triggered a review of how the city allows food trucks and provides regulations in the Land Development Code. It is necessary to amend the Land Development Code to formalize and codify the existing policies for mobile food dispensing vehicles, and based on the changes to state law. The Land Development Code amendment would amend Section 2-50 of the Land Development Code, under Accessory Uses. This section of the Code allows uses that are not permanent uses and are accessory to other permitted, conditional, or Special Exception uses. This section also contains how the city regulates outdoor activities that are an accessory use to a principal use.

The proposed amendment establishes two methods of permitting mobile food dispensing vehicles: (1) special events and (2) host permits of property owners. The first method of permitting mobile food dispensing vehicles is through special event permits and is consistent with existing policy. The second method of permitting mobile food dispensing vehicles is through a host permit of the property owner. The host permit process is utilized within the North U.S. Highway 1 corridor for existing special events and places the responsibility of compliance on the property owner.

Section 509.102 of the Florida Statutes **preempts** any type of local permitting or inspections of mobile food dispensing vehicles. The proposed amendment does not contain any type of permitting or inspection requirements which is assigned to state agencies.

The amendment establishes locations where mobile food dispensing vehicles are allowed as follows:

Existing policy where mobile food dispensing vehicles have been permitted:

1. Large scale civic events organized by the City or a non-profit such as Ormond MainStreet;
2. Large scale non-profit events, such as the Prince of Peace Oktoberfest or the Calvary Christian Center 4th of July celebration;
3. Within the Interlocal Service Boundary Agreement (ISBA) area where properties are identified as a host for itinerant vending along the North U.S. Highway 1 corridor; and
4. Malted Beverage Producers located in the I-1 zoning district.

Proposed zoning districts:

1. B-8 (Commercial); and
2. I-1 (Light Industrial).

Section 509.102 of the Florida Statutes states, “A municipality, county, or other local governmental entity may not prohibit mobile food dispensing vehicles from operating within the entirety of the entity’s jurisdiction.” There are multiple options for the allowance for mobile food dispensing vehicles. The amendment seeks to allow mobile food dispensing vehicles in the primary city commercial zoning district of B-8 (Commercial) and the industrial zoning district, I-1 (Light Industrial). **The Planning Board and City Commission can (1) approve the recommended districts, (2) reduce to a single zoning district, or (3) expand the zoning districts where mobile food dispensing vehicles are allowed.** Mobile food dispensing vehicles would not be allowed on vacant property or properties that do not have an existing operating business.

Discussion

The Planning Board reviewed the proposed Land Development Code amendment and recommended approval with a 7-0 vote. Board discussion included the following items:

1. Allowing mobile food dispensing vehicles at residential community centers for events of the specific residential community. The Board requested that an amendment for residential community centers be brought back as soon as possible.
2. Discussion of multiple scenarios including home deliveries and birthday parties.
3. Discussion of mobile food dispensing vehicles at sporting events. The City Attorney stated that existing agreements prevented the operations of mobile food dispensing vehicles that would impact concession sales.

There was one individual who desired to ensure that the amendment was clear that food trucks are not allowed downtown on any private property. There were no other individuals who spoke for or against the Land Development Code amendment. The minutes of the Planning Board meeting are attached in the City Commission packet.

Budget Impact

There is no budget impact associated with the Land Development Code amendment. The amendment clarifies and codifies existing policies and brings the city’s Land Development Code into consistency with Florida Statutes.

Citizen Impact

Mobile food dispensing vehicles have increased in popularity and state law has required that they be allowed within jurisdictions. As stated above, the allowance can be limited to a single zoning district or allowed in multiple districts. The Land Development Code amendment provides locational and operational standards. Mobile food dispensing vehicles will become more available and visible. Depending on individual perspectives

and operational compliance, this may have a positive or negative citizen impact.

Recommendation

It is Planning staff's and the Planning Board recommendation (7-0) that the City Commission **APPROVE** amendments to Land Development Code, amend Section 1-22, Definition of terms and words, of Chapter 1, General Administration, Article III, Definitions and Acronyms and Section 2-50, Accessory Uses, of Chapter 2, District and General Regulations, Article III, General Regulations, of the City of Ormond Beach Land Development Code to add definitions and accessory use standards to allow mobile food dispensing vehicles (food trucks) under certain conditions and within certain zoning districts, as shown in the attached Ordinance.

Attachments:

- 21-20 Mobile Food Trucks (P21-0074G) (PDF)
- LDC amendment Sections 1-22&2-50 MFDV, PB Staff Report (PDF)
- DRAFT - Planning Board minutes - Mobile Food Dispensing Vehicles (Food Trucks) (PDF)

REVIEWED BY:


Kelly McGuire, Finance Director 6/9/2021


Claire Whitley, Assistant City Manager 7/12/2021

APPROVED BY:


Joyce A. Shanahan, City Manager 7/14/2021

ORDINANCE NO. 2021-20

AN ORDINANCE AMENDING CHAPTER 1, GENERAL ADMINISTRATION, ARTICLE III, DEFINITIONS AND ACRONYMS, SECTION 1-22, DEFINITIONS OF TERMS AND WORDS AND CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE III, GENERAL REGULATIONS, SECTION 2-50, ACCESSORY USES, OF THE *LAND DEVELOPMENT CODE* TO ADD DEFINITIONS AND ACCESSORY USE STANDARDS TO ALLOW MOBILE FOOD DISPENSING VEHICLES (FOOD TRUCKS) UNDER CERTAIN CONDITIONS AND WITHIN CERTAIN ZONING DISTRICTS; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, the City's planning staff has proposed that the City of Ormond Beach *Land Development Code* ("the *LDC*") be amended to add definitions and accessory use standards to allow mobile food dispensing vehicles (food trucks) under certain conditions and within certain zoning districts within Section 1-22, Definition of terms and words, and Section 2-50, Accessory Uses of the *LDC*, and

WHEREAS, the local planning agency, being the Planning Board of the City of Ormond Beach, has reviewed the recommended amendment and has made recommendations thereon to the City Commission, and

WHEREAS, all applicable notice requirements of Section 166.041(3)(c)(2), *Florida Statutes*, have been complied with, and

WHEREAS, the City Commission finds the recommended amendment to be consistent with the provisions of the *Comprehensive Plan* of the City of Ormond Beach, and in the overall best interest of the public health, safety and welfare, now therefore,

**BE IT ENACTED BY THE PEOPLE OF THE CITY OF ORMOND BEACH,
FLORIDA, THAT:**

SECTION ONE. Section 1-22, Definition of terms and words, of Chapter 1, General Administration, Article III, Definitions and Acronyms, of the *LDC* is hereby amended by adding the following definitions:

Sec. 1-22. - Definition of terms and words.

Mobile Food Dispensing Vehicle shall mean any vehicle that is self-propelled or otherwise movable from place to place and includes self-contained utilities, including, but not limited to, gas, water, electricity, or liquid waste disposal and licensed as a public food service establishment by the state of Florida in accordance with Chapter 509, Florida Statutes. This term shall include, but is not limited to food cart, food truck, and lunch trucks.

Mobile Food Dispensing Vehicle Host Permit shall mean a permit that is issued to a property owner authorizing one (1) or more individual mobile food dispensing vehicles to conduct mobile food vending activities on the property owner's land as specified in the permit.

Mobile Food Dispensing vendor means the owner, operator, licensee, proprietor or appointed agent of a public food establishment licensed under Chapter 509, Florida Statutes.

Vacant or unimproved land shall mean land on which permanent improvements consisting of one (1) or more buildings do not exist or are not being utilized for the express purpose of engaging in a primary business use; and shall include land for which a business tax receipt has been issued authorizing a business use where discernible business activities that are customarily associated with such business are not being conducted.

SECTION TWO. Section 2-50, Accessory Uses, of Chapter 2, District and General Regulations, Article III, General Regulations, of the City of Ormond Beach Land Development Code, of the *LDC* is hereby amended to read as follows:

Sec. 2-50. – Accessory uses.

(v) ~~Outdoor activities.~~ Mobile food dispensing vehicles.

(1) Permit required:

- a. Mobile food dispensing vehicles are permitted within the city limits as part of a special event or mobile food dispensing vehicle host permit under the conditions of this section.

(2) Permit submittal requirements:

- a. The following information shall be required:
 - 1. Sketch and picture of the area designated for the mobile food dispensing vehicles. The sketch shall include the separation distance of vehicles if more than one (1) mobile food dispensing vehicle is proposed.
 - 2. Location of public restrooms.
 - 3. On private property, provide the area and percentage of parking lot dedicated to the mobile food dispensing vehicles.
 - 4. On private property, if the applicant is not the property owner, a written and notarized authorization from the property owner shall be provided to allow mobile food dispensing vehicles.
 - 5. On private property, the property owner shall provide a statement that the property owner is responsible for ensuring the state licensing of the mobile food dispensing vehicles operating on the host property and operational standards in subsection (5) of this Section.

(3) Permit timeframes:

- a. The special event permit timeframe shall be specified in the approved permit.
- b. The mobile food dispensing vehicle host permit shall be valid from October 1st to September 30th. A permit fee is required per Section 8-10 of the Code of Ordinances.

(4) Locations allowed:

- a. Mobile food dispensing vehicles are allowed as follows:
 - 1. On city property as approved in association with a city sponsored event, or as approved by the Leisure Services Department with a special event permit. Permits are contingent on providing proof of liability insurance required for permittees and other conditions of a special event permit.
 - 2. Houses of Worship special events that are designed for over 500 people with a special event permit.

3. Within the Interlocal Service Boundary Agreement area (ISBA) with recognized itinerant vending during recognized special events per Chapter 2, Article VII of this Code.
4. Within the B-8 (Commercial) and I-1 (Light Industrial) zoning district with a mobile food dispensing vehicle host permit.
5. No mobile food dispensing vehicles shall be permitted on vacant land or properties with no principal use. A principal use shall be demonstrated with an active Business Tax Receipt.

(5) Operational standards for mobile food dispensing vehicles:

- a. Hours of operation: Shall be limited to 8:00 am to 10:00 pm.
- b. Define sales area: Shall be shown on the special event or mobile food dispensing vehicle host permit and cannot be over 30% of the parking lot area. Temporary dining areas may be provided in association with mobile food dispensing vehicles as shown on the special event or mobile food dispensing vehicle host permit application.
- c. Storage and parking: Mobile food dispensing vehicles shall not be allowed overnight.
- d. Trash disposal: The special event or mobile food dispensing vehicle host permit holder is required to provide trash receptacles and ensure that mobile food dispensing vehicles are kept clean.
- e. The special event or mobile food dispensing vehicle host permit holder shall be responsible for the provision of rest room facilities for public use.
- f. Mobile food dispensing vehicles shall not block vehicular or pedestrian circulation for ingress or egress to the site.
- g. Mobile food dispensing vehicles shall not park or otherwise impact existing landscaped areas.
- h. It is prohibited for mobile food dispensing vehicles to create a nuisance condition to include, but not limited to, displaying flags, creating loud noises, shouting, or outdoor music.
- i. Signage: An A-frame sign in accordance with the maximum size limit and number of signs under the A-frame sign regulations provided under Section 3-46 of the Land Development Code is permitted within 15' of the mobile food dispensing vehicles. No other flags, pennants, balloons or other signage is permitted.
- j. No alcoholic beverages are allowed.

k. Setback: The minimum required setback for mobile food dispensing vehicles from the public right-of-way shall be at least twenty (20') feet. Within the Greenbelt and Gateway Preservation Districts of Section 2-73 of this *Land Development Code*, the setback shall be at least thirty-six (36') feet.

~~(w.)~~ Outdoor activities. ***No change to existing text***

~~(w.)~~ ~~(x.)~~ Outdoor Storage. ***No change to existing text***

~~(x.)~~ ~~(y.)~~ Patios/decks. ***No change to existing text***

~~(y.)~~ ~~(z.)~~ Pools. ***No change to existing text***

~~(z.)~~ ~~(aa.)~~ Ranger's residence. ***No change to existing text***

~~(aa.)~~ ~~(bb.)~~ Recreational vehicle/boat storage. ***No change to existing text***

~~(bb.)~~ ~~(cc.)~~ Screen porches/enclosures. ***No change to existing text***

~~(cc.)~~ ~~(dd.)~~ Sheds, utility structures, playhouses and gazebos. ***No change to existing text***

~~(dd.)~~ ~~(ee.)~~ Solar energy systems. ***No change to existing text***

~~(ee.)~~ ~~(ff.)~~ Tailwater recovery system. ***No change to existing text***

~~(ff.)~~ ~~(gg.)~~ Tennis courts. ***No change to existing text***

~~(gg.)~~ ~~(hh.)~~ Temporary sales office. ***No change to existing text***

~~(hh.)~~ ~~(ii.)~~ Temporary structure. ***No change to existing text***

SECTION THREE. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION FOUR. In the event any word, phrase, clause, sentence, paragraph, term, or provision of this Ordinance shall be held to be invalid by a court of competent jurisdiction, such judicial determination shall not affect any other word, clause, phrase, sentence, paragraph, term or provision, of this Ordinance, and the remainder of this Ordinance shall remain in full force and effect.

SECTION FIVE. This Ordinance shall take effect immediately upon its adoption.

PASSED UPON at the first reading of the City Commission, this 20th day of July, 2021.

PASSED UPON at the second and final reading of the City Commission, this 4th day of August, 2021.

BILL PARTINGTON
Mayor

ATTEST:

WENDY J. HONTZ
Acting City Clerk

STAFF REPORT

City of Ormond Beach Department of Planning

DATE: May 3, 2021

SUBJECT: Land Development Code amendment: Sections 1-22 and 2-50,
Mobile food dispensing vehicles (food trucks)

APPLICANT: Administrative

NUMBER: LDC 2021-052

PROJECT PLANNER: Steven Spraker, AICP, Planning Director

INTRODUCTION:

This is an administrative request to amend Section 1-22, Definition of terms and words, of Chapter 1, General Administration, Article III, Definitions and Acronyms and Section 2-50, Accessory Uses, of Chapter 2, District and General Regulations, Article III, General Regulations, of the City of Ormond Beach Land Development Code to add definitions and accessory use standards to allow mobile food dispensing vehicles (food trucks) under certain conditions and within certain zoning districts.

BACKGROUND:

House Bill 1193, effective July 1, 2020, established certain preemptions that apply to all Florida cities. The House Bill pre-empted local governments from all regulations involving licenses, registrations, permits, fees and inspections and states that a local government cannot prohibit mobile food dispensing vehicles. The House Bill does allow local governments to retain authority to regulate operations of mobile food dispensing vehicles. House Bill 1193 was incorporated into Section 509.102 of the Florida Statutes:

509.102 Mobile food dispensing vehicles; preemption. —

- (1) As used in this section, the term “mobile food dispensing vehicle” means any vehicle that is a public food service establishment and that is self-propelled or otherwise movable from place to place and includes self-contained utilities, including, but not limited to, gas, water, electricity, or liquid waste disposal.
- (2) Regulation of mobile food dispensing vehicles involving licenses, registrations, permits, and fees is preempted to the state. A municipality, county, or other local governmental entity may not require a separate license, registration, or permit other than the license required under s. 509.241, or require the payment of any license, registration, or permit fee other than the fee required under s. 509.251, as a condition for the operation of a mobile food dispensing vehicle within the entity’s jurisdiction. A municipality, county, or other local governmental entity may not prohibit mobile food dispensing vehicles from operating within the entirety of the entity’s jurisdiction.

- (3) This section may not be construed to affect a municipality, county, or other local governmental entity's authority to regulate the operation of mobile food dispensing vehicles other than the regulations described in subsection (2).
- (4) This section does not apply to any port authority, aviation authority, airport, or seaport.

Mobile food dispensing vehicles were discussed previously at:

- May 9, 2019 Planning Board;
- April 11, 2019 Planning Board; and
- February 5, 2019 City Commission workshop.

The packets and minutes for these meetings are included in Attachment 2.

ANALYSIS:

The proposed Land Development Code amendment is shown below. The underlined text are additions to the original text and ~~strike through~~ are the deleted text of the amendment.

Section 1-22, Definition of terms and words, of Chapter 1, General Administration, Article III, Definitions and Acronyms

Mixed uses ****No change to existing text****

Mobile Food Dispensing Vehicle shall mean any vehicle that is that is self-propelled or otherwise movable from place to place and includes self-contained utilities, including, but not limited to, gas, water, electricity, or liquid waste disposal and licensed as a public food service establishment by the state of Florida in accordance with Chapter 509, Florida Statutes. This term shall include, but is not limited to food cart, food truck, and lunch trucks.

Mobile Food Dispensing Vehicle Host Permit shall mean a permit that is issued to a property owner authorizing one (1) or more individual mobile food dispensing vehicles to conduct mobile food vending activities on the property owner's land as specified in the permit.

Mobile Food Dispensing vendor means the owner, operator, licensee, proprietor or appointed agent of a public food establishment licensed under Chapter 509, Florida Statutes.

Mobile home ****No change to existing text****

Utility structure ****No change to existing text****

Vacant or unimproved land shall mean land on which permanent improvements consisting of one (1) or more buildings do not exist or are not being utilized for the express purpose of engaging in a primary business use; and shall include land for which a business tax receipt has been issued authorizing a business use where discernible business activities that are customarily associated with such business are not being conducted.

Variance ****No change to existing text****

Section 2-50, Accessory Uses, of Chapter 2, District and General Regulations, Article III, General Regulations, of the City of Ormond Beach *Land Development Code*

- (u) Manager's residence in commercial and industrial districts. ****No change to existing text****
- (v) ~~Outdoor activities:~~ Mobile food dispensing vehicles
 - (1) Permit required:
 - a. Mobile food dispensing vehicles are permitted within the city limits as part of a special event or mobile food dispensing vehicle host permit under the conditions of this section.
 - (2) Permit submittal requirements:
 - a. The following information shall be required:
 - 1. Sketch and picture of the area designated for the mobile food dispensing vehicles. The sketch shall include the separation distance of vehicles if more than one (1) mobile food dispensing vehicle is proposed.
 - 2. Location of public restrooms.
 - 3. On private property, provide the area and percentage of parking lot dedicated to the mobile food dispensing vehicles.
 - 4. On private property, if the applicant is not the property owner, a written and notarized authorization from the property owner shall be provided to allow mobile food dispensing vehicles.
 - 5. On private property, the property owner shall provide a statement that the property owner is responsible for ensuring the state licensing of the mobile food dispensing vehicles operating on the host property and operational standards in subsection (5) of this Section.
 - (3) Permit timeframes:
 - a. The special event permit timeframe shall be specified in the approved permit.
 - b. The mobile food dispensing vehicle host permit shall be valid from October 1st to September 30th. A permit fee is required per Section 8-10 of the Code of Ordinances.
 - (4) Locations allowed:
 - a. Mobile food dispensing vehicles are allowed as follows:
 - 1. On city property as approved in association with a city sponsored event, or as approved by the Leisure Services Department with a special event permit. Permits are contingent on providing proof of liability insurance required for permittees and other conditions of a special event permit.
 - 2. Houses of Worship special events that are designed for over 500 people with a special event permit.

3. Within the Interlocal Service Boundary Agreement area (ISBA) with recognized itinerant vending during recognized special events per Chapter 2, Article VII of this Code.
4. Within the B-8 (Commercial) and I-1 (Light Industrial) zoning district with a mobile food dispensing vehicle host permit.
5. No mobile food dispensing vehicles shall be permitted on vacant land or properties with vehicles to no principal use. A principal use shall be demonstrated with an active Business Tax Receipt.

(5) Operational standards for mobile food dispensing vehicles:

1. Hours of operation: Shall be limited to 8:00 am to 10:00 pm.
2. Define sales area: Shall be shown on the special event or mobile food dispensing vehicle host permit and cannot be over 30% of the parking lot area. Temporary dining areas may be provided in association with mobile food dispensing vehicles as shown on the special event or mobile food dispensing vehicle host permit application.
3. Storage and parking: Mobile food dispensing vehicles shall not be allowed overnight.
4. Trash disposal: The special event or mobile food dispensing vehicle host permit holder is required to provide trash receptacles and ensure that mobile food dispensing vehicles are kept clean.
5. The special event or mobile food dispensing vehicle host permit holder shall be responsible for the provision of rest room facilities for public use.
6. Mobile food dispensing vehicles shall not block vehicular or pedestrian circulation for ingress or egress to the site.
7. Mobile food dispensing vehicles shall not park or otherwise impact existing landscaped areas.
8. It is prohibited for mobile food dispensing vehicles to create a nuisance condition to include, but not limited to, displaying flags, creating loud noises, shouting, or outdoor music.
9. Signage: An A-frame sign in accordance with the maximum size limit and number of signs under the A-frame sign regulations provided under Section 3-46 of the Land Development Code is permitted within 15' of the mobile food dispensing vehicles. No other flags, pennants, balloons or other signage is permitted.
10. No alcoholic beverages are allowed.
11. Setback: The minimum required setback for mobile food dispensing vehicles from the public right-of-way shall be at least twenty (20') feet. Within the Greenbelt and Gateway Preservation Districts of Section 2-73 of this Land Development Code, the setback shall be at least thirty-six (36') feet.

(w.) Outdoor activities. ***No change to existing text***

~~(w.)~~ (x.) Outdoor Storage. ***No change to existing text***

- ~~(x.)~~ (y.) Patios/decks. ***No change to existing text***
- ~~(y.)~~ (z.) Pools. ***No change to existing text***
- ~~(z.)~~ (aa.) Ranger's residence. ***No change to existing text***
- ~~(aa.)~~ (bb.) Recreational vehicle/boat storage. ***No change to existing text***
- ~~(bb.)~~ (cc.) Screen porches/enclosures. ***No change to existing text***
- ~~(ee.)~~ (dd.) Sheds, utility structures, playhouses and gazebos. ***No change to existing text***
- ~~(dd.)~~ (ee.) Solar energy systems. ***No change to existing text***
- ~~(ee.)~~ (ff.) Tailwater recovery system. ***No change to existing text***
- ~~(ff.)~~ (gg.) Tennis courts. ***No change to existing text***
- ~~(gg.)~~ (hh.) Temporary sales office. ***No change to existing text***
- ~~(hh.)~~ (ii.) Temporary structure. ***No change to existing text***

There are limited existing Land Development Code regulations on mobile food dispensing vehicles. Mobile food dispensing vehicles have been allowed in Ormond Beach by policy as follows:

1. Large scale civic events organized by the City or a non-profit such as Ormond MainStreet. Examples would include Riverfest or the 4th of July celebration;
2. Large scale non-profit events, such as the Prince of Peace Octoberfest or the Calvary Christian Center 4th of July celebration;
3. Within the Interlocal Service Boundary Agreement (ISBA) area where properties are identified as a host for itinerant vending along the North U.S. Highway 1 corridor. These properties were allowed to maintain existing uses as the ISBA was transferred from Volusia County to Ormond Beach; and
4. Malted Beverage Producers located in the I-1 zoning district based upon a Land Development Code amendment. Currently the Ormond Brewery is the only Malted Beverage Producer with the ability to host mobile vending. This is the only use that allows mobile food dispensing vehicles on private property.

Mobile food dispensing vehicles are a type of itinerant vending. The City has historically limited itinerant vending and allowed this use through a Special Exception process on private property. As the demand for food trucks has increased over time, food trucks have been allowed at large scale special events and in the North U.S. Highway 1 area which was annexed (based on existing allowances from Volusia County). The Malted Beverage Producers Land Development Code amendment to allow food trucks triggered a review of how the city allows food trucks and provides regulations in the Land Development Code. It is necessary to amend the Land Development Code to formalize and codify the existing policies for mobile food dispensing vehicles and based on the changes to state law. The Land Development Code amendment would amend Section 2-50 of the Land Development Code, under Accessory Uses. This Section of the Code allows uses that are not permanent uses and are accessory to other permitted,

conditional, or Special Exception uses. This section also contains how the city regulates outdoor activities that are an accessory use to a principal use.

The proposed amendment establishes two methods of permitting mobile food dispensing vehicles: (1) special events and (2) host permits of property owners. The first method of permitting mobile food dispensing vehicles is through special event permits and is consistent with existing policy. The second method of permitting mobile food dispensing vehicles is through a host permit of the property owner. The host permit process is utilized within the North U.S. Highway 1 corridor for existing special events and places the responsibility of compliance on the property owner.

Section 509.102 of the Florida Statutes preempts any type of local permitting or inspections of mobile food dispensing vehicles. The proposed amendment does not contain any type of permitting or inspection requirements which is assigned to state agencies.

The amendment establishes locations where mobile food dispensing vehicles are allowed as follows:

Existing policy where mobile food dispensing vehicles have been permitted:

1. Large scale civic events organized by the City or a non-profit such as Ormond MainStreet;
2. Large scale non-profit events, such as the Prince of Peace Octoberfest or the Calvary Christian Center 4th of July celebration;
3. Within the Interlocal Service Boundary Agreement (ISBA) area where properties are identified as a host for itinerant vending along the North U.S. Highway 1 corridor; and
4. Malted Beverage Producers located in the I-1 zoning district.

Proposed zoning districts:

1. B-8 (Commercial); and
2. I-1 (Light Industrial).

Section 509.102 of the Florida Statutes states, "A municipality, county, or other local governmental entity may not prohibit mobile food dispensing vehicles from operating within the entirety of the entity's jurisdiction." There are multiple options for the allowance for mobile food dispensing vehicles. The amendment seeks to allow mobile food dispensing vehicles in the primary city commercial zoning district of B-8 (Commercial) and the industrial zoning district, I-1 (Light Industrial). The Planning Board and City Commission can (1) approved the recommended districts, (2) reduce to a single zoning district, or (3) expand the zoning districts where mobile food dispensing vehicles are allowed. Mobile food dispensing vehicles would not be allowed on vacant property or properties that do not have an existing operating business. Below is a summary of the city's zoning districts with the maps of the zoning districts provided in Attachment 3:

EXHIBIT 1: Summary of city zoning districts

Zoning district	Notes
B-1, Professional Office/Hospital	Properties within this zoning district include medical and office uses along Nova Road, the former hospital site along South Atlantic Avenue, and non-conforming houses along West Granada Boulevard and New Britain Avenue. The zoning district is primarily office related. Mobile food dispensing vehicles would not be appropriate in this zoning district.
B-2, (Neighborhood Commercial)	This zoning district allows daily retail sales and has limited locations within the city. Locations include the frontage of Breakaway Trails and Ormond Lakes subdivisions. Mobile food dispensing vehicles would not be appropriate in this zoning district.
B-4, (Central Business)	This zoning district is comprised of lands within the Downtown Community Redevelopment Area along Granada Boulevard from SR A1A to Orchard Street and South Yonge Street. At the April 11, 2019 Planning Board there were multiple individuals requesting not to allow mobile food dispensing vehicles within the Downtown area on private properties (see Attachment 2).
B-5, (Service Commercial)	This zoning district is designed for automobile uses and warehousing. The parcels are generally along roadways such as Andalusia Avenue, Parque Avenue, U.S. Highway 1, and Wilmette Avenue.
B-6, (Oceanfront Tourist Commercial)	This zoning district is located on the east side of South Atlantic Avenue and does not allow retail sales. The uses in this zoning district are transient lodging, condominiums, and single-family houses. Mobile food dispensing vehicles would not be appropriate in this zoning district.
B-7 (Highway Tourist Commercial)	This zoning district also includes retail/commercial areas around South Atlantic Avenue (west side), U.S. Highway 1 and I-95 and West Granada Boulevard and I-95. Depending on how many areas are sought to allow mobile food dispensing vehicles this zoning district may be an additional zoning district to allow mobile food dispensing vehicles.
B-8 (Commercial)	This is the principal retail zoning district of the city. Areas of the city include Nova Road, U.S. Highway 1, and portions of West Granada Boulevard west of Clyde Morris Boulevard. This is a recommended zoning district for mobile food dispensing.
B-9 (Boulevard)	This zoning district is along West Granada Boulevard from Orchard Street to Nova Road and has a mixture of medical offices, retail, and personal service uses.

Zoning district	Notes
B-10 (Suburban Boulevard)	This zoning district is along West Granada Boulevard from Nova Road to Williamson Boulevard and Clyde Morris Boulevard and Hand Avenue and has a mixture of medical offices, retail, and personal service uses.
I-1 (industrial)	This zoning district includes warehousing, storage, manufacturing and office uses. Locations include North U.S. Highway 1, the airport business park, and around the railroad from Wilmette Avenue to Fleming Avenue. This is a recommended zoning district for mobile food dispensing.

CONCLUSION:

Section 1-15(d)(3) of the Land Development Code requires certain criteria that must be evaluated before adoption of a Land Development Code amendment when making their recommendation, as follows:

- 1. The proposed development conforms to the standards and requirements of this Code and will not create undue crowding beyond the conditions normally permitted in the zoning district, or adversely affect the public health, safety, welfare or quality of life.**

The proposed amendment does not propose any site-specific development. This amendment seeks to align the Land Development Code with recent state statutes and codify existing policies on mobile food dispensing vehicles. The amendment would provide the framework for the allowance of mobile food dispensing vehicles on private property. It is not expected that the proposed Land Development Code amendment would create undue crowding beyond the conditions normally permitted in the zoning district, or adversely affect the public health, safety, welfare or quality of life.

- 2. The proposed development is consistent with the Comprehensive Plan.**

The proposed Land Development Code amendment is consistent with the Comprehensive Plan. Objective 2.1 of the Future Land Use Element of the Comprehensive Plan discusses the need to update Land Development Code regulations.

- 3. The proposed development will not adversely impact environmentally sensitive lands or natural resources, including but not limited to waterbodies, wetlands, xeric communities, wildlife habitats, endangered or threatened plants and animal species or species of special concern, wellfields, and individual wells.**

The proposed Land Development Code amendment does not approve any site-specific development and will not have an adverse impact on environmentally sensitive lands.

- 4. The proposed use will not substantially or permanently depreciate the value of surrounding property; create a nuisance; or deprive adjoining properties of adequate light and air; create excessive noise, odor, glare, or visual impacts on the neighborhood and adjoining properties.**

The proposed Land Development Code amendment does not approve any site-specific development and will not have any impacts on surrounding properties. Operational standards are part of the amendment to address any off-site impacts.

- 5. There are adequate public facilities to serve the development, including but not limited to roads, sidewalks, bike paths, potable water, wastewater treatment, drainage, fire and police safety, parks and recreation facilities, schools, and playgrounds.**

The proposed Land Development Code amendment is not applicable to public facilities.

- 6. Ingress and egress to the property and traffic patterns are designed to protect and promote motorized vehicle and pedestrian/bicycle safety and convenience, allow for desirable traffic flow and control, and provide adequate access in case of fire or catastrophe. This finding shall be based on a traffic report where available, prepared by a qualified traffic consultant, engineer or planner which details the anticipated or projected effect of the project on adjacent roads and the impact on public safety.**

There is no development proposed as part of the proposed amendment. The application pertains to a Land Development Code amendment.

- 7. The proposed development is functional in the use of space and aesthetically acceptable.**

There is no development proposed as part of the proposed amendment. The application pertains to a Land Development Code amendment.

- 8. The proposed development provides for the safety of occupants and visitors.**

There is no development proposed as part of the proposed amendment. The application pertains to a Land Development Code amendment.

- 9. The proposed use of materials and architectural features will not adversely impact the neighborhood and aesthetics of the area.**

There is no development proposed as part of the proposed amendment. The application pertains to a Land Development Code amendment.

- 10. The testimony provided at public hearings.**

There has not been a public hearing at this time. The comments from the Planning Board meeting will be incorporated into the City Commission packet.

RECOMMENDATION:

It is recommended that the Planning Board **APPROVE** the amendments to Land Development Code, amend Section 1-22, Definition of terms and words, of Chapter 1, General Administration, Article III, Definitions and Acronyms and Section 2-50, Accessory Uses, of Chapter 2, District and General Regulations, Article III, General Regulations, of the City of Ormond Beach Land Development Code to add definitions and accessory use standards to allow mobile food dispensing vehicles (food trucks) under certain conditions and within certain zoning districts, as shown in Attachment 1.

Attachments:

Attachment 1: Proposed Land Development Code amendment

Attachment 2: Previous public hearing items on mobile food dispensing vehicles

Attachment 3: Zoning district maps

Attachment 1:

Proposed Land Development Code amendment

Section 1-22, Definition of terms and words, of Chapter 1, General Administration, Article III, Definitions and Acronyms

Mixed uses ****No change to existing text****

Mobile Food Dispensing Vehicle shall mean any vehicle that is that is self-propelled or otherwise movable from place to place and includes self-contained utilities, including, but not limited to, gas, water, electricity, or liquid waste disposal and licensed as a public food service establishment by the state of Florida in accordance with Chapter 509, Florida Statutes. This term shall include, but is not limited to food cart, food truck, and lunch trucks.

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Mobile Food Dispensing vendor means the owner, operator, licensee, proprietor or appointed agent of a public food establishment licensed under Chapter 509, Florida Statutes.

Mobile home ****No change to existing text****

Utility structure ****No change to existing text****

Vacant or unimproved land shall mean land on which permanent improvements consisting of one (1) or more buildings do not exist or are not being utilized for the express purpose of engaging in a primary business use; and shall include land for which a business tax receipt has been issued authorizing a business use where discernible business activities that are customarily associated with such business are not being conducted.

Variance ****No change to existing text****

Section 2-50, Accessory Uses, of Chapter 2, District and General Regulations, Article III, General Regulations, of the City of Ormond Beach *Land Development Code*

(u) Manager's residence in commercial and industrial districts. ****No change to existing text****

(v) ~~Outdoor activities.~~ Mobile food dispensing vehicles

(1) Permit required:

a. Mobile food dispensing vehicles are permitted within the city limits as part of a special event or mobile food dispensing vehicle host permit under the conditions of this section.

(2) Permit submittal requirements:

a. The following information shall be required:

1. Sketch and picture of the area designated for the mobile food dispensing vehicles. The sketch shall include the separation distance of vehicles if more than one (1) mobile food dispensing vehicle is proposed.
2. Location of public restrooms.
3. On private property, provide the area and percentage of parking lot dedicated to the mobile food dispensing vehicles.
4. On private property, if the applicant is not the property owner, a written and notarized authorization from the property owner shall be provided to allow mobile food dispensing vehicles.
5. On private property, the property owner shall provide a statement that the property owner is responsible for ensuring the state licensing of the mobile food dispensing vehicles operating on the host property and operational standards in subsection (5) of this Section.

(3) Permit timeframes:

- a. The special event permit timeframe shall be specified in the approved permit.
- b. The mobile food dispensing vehicle host permit shall be valid from October 1st to September 30th. A permit fee is required per Section 8-10 of the Code of Ordinances.

(4) Locations allowed:

- a. Mobile food dispensing vehicles are allowed as follows:
 1. On city property as approved in association with a city sponsored event, or as approved by the Leisure Services Department with a special event permit. Permits are contingent on providing proof of liability insurance required for permittees and other conditions of a special event permit.
 2. Houses of Worship special events that are designed for over 500 people with a special event permit.
 3. Within the Interlocal Service Boundary Agreement area (ISBA) with recognized itinerant vending during recognized special events per Chapter 2, Article VII of this Code.
 4. Within the B-8 (Commercial) and I-1 (Light Industrial) zoning district with a mobile food dispensing vehicle host permit.
 5. No mobile food dispensing vehicles shall be permitted on vacant land or properties with vehicles to no principal use. A principal use shall be demonstrated with an active Business Tax Receipt.

(5) Operational standards for mobile food dispensing vehicles:

1. Hours of operation: Shall be limited to 8:00 am to 10:00 pm.
2. Define sales area: Shall be shown on the special event or mobile food dispensing vehicle host permit and cannot be over 30% of the parking lot area. Temporary dining areas may be provided in association with mobile food

dispensing vehicles as shown on the special event or mobile food dispensing vehicle host permit application.

3. Storage and parking: Mobile food dispensing vehicles shall not be allowed overnight.
4. Trash disposal: The special event or mobile food dispensing vehicle host permit holder is required to provide trash receptacles and ensure that mobile food dispensing vehicles are kept clean.
5. The special event or mobile food dispensing vehicle host permit holder shall be responsible for the provision of rest room facilities for public use.
6. Mobile food dispensing vehicles shall not block vehicular or pedestrian circulation for ingress or egress to the site.
7. Mobile food dispensing vehicles shall not park or otherwise impact existing landscaped areas.
8. It is prohibited for mobile food dispensing vehicles to create a nuisance condition to include, but not limited to, displaying flags, creating loud noises, shouting, or outdoor music.
9. Signage: An A-frame sign in accordance with the maximum size limit and number of signs under the A-frame sign regulations provided under Section 3-46 of the Land Development Code is permitted within 15' of the mobile food dispensing vehicles. No other flags, pennants, balloons or other signage is permitted.
10. No alcoholic beverages are allowed.
11. Setback: The minimum required setback for mobile food dispensing vehicles from the public right-of-way shall be at least twenty (20') feet. Within the Greenbelt and Gateway Preservation Districts of Section 2-73 of this Land Development Code, the setback shall be at least thirty-six (36') feet.

(w.) Outdoor activities. ***No change to existing text***

~~(w.)~~ (x.) Outdoor Storage. ***No change to existing text***

~~(x.)~~ (y.) Patios/decks. ***No change to existing text***

~~(y.)~~ (z.) Pools. ***No change to existing text***

~~(z.)~~ (aa.) Ranger's residence. ***No change to existing text***

~~(aa.)~~ (bb.) Recreational vehicle/boat storage. ***No change to existing text***

~~(bb.)~~ (cc.) Screen porches/enclosures. ***No change to existing text***

~~(cc.)~~ (dd.) Sheds, utility structures, playhouses and gazebos. ***No change to existing text***

~~(dd.)~~ (ee.) Solar energy systems. ***No change to existing text***

~~(ee.)~~ (ff.) Tailwater recovery system. ***No change to existing text***

~~(ff.)~~ (gg.) Tennis courts. ***No change to existing text***

~~(gg.)~~ (hh.) Temporary sales office. ****No change to existing text****

~~(hh.)~~ (ii.) Temporary structure. ****No change to existing text****

Attachment 2:

Past public hearing review of mobile food dispensing vehicles

- April 11, 2019 Planning Board
 - February 5, 2019 City Commission workshop
- May 9, 2019 Planning Board

STAFF REPORT

City of Ormond Beach Department of Planning

DATE: April 4, 2019

SUBJECT: Mobile Food Dispensing Vehicles (food trucks)

APPLICANT: Administrative

NUMBER: LDC 2019-059

PROJECT PLANNER: S. Laureen Kornel, AICP, Senior Planner
Steven Spraker, AICP, Planning Director

INTRODUCTION:

This is a discussion item for a Land Development Code amendment regarding the subject of Mobile Food Dispensing Vehicles (food trucks) to obtain policy direction from the Planning Board.

BACKGROUND:

There are limited Land Development Code regulations on Mobile Food Dispensing Vehicles. Mobile Food Dispensing Vehicles have been allowed in Ormond Beach as follows:

1. Large scale civic events organized by the City or a non-profit such as Ormond MainStreet. Examples would include Riverfest or the 4th of July celebration;
2. Large scale non-profit events, such as the Prince of Peace Octoberfest or the Calvary Christian Center 4th of July celebration;
3. Within the Interlocal Service Boundary Agreement (ISBA) area where properties are identified as a host for itinerant vending along the North U.S. Highway 1 corridor. These properties were allowed to maintain existing uses as the ISBA was transferred from Volusia County to Ormond Beach; and
4. Malted Beverage Producers located in the I-1 zoning district. Currently the Ormond Brewery is the only Malted Beverage Producer with the ability to host mobile vending. This is the only use that allows Mobile Food Dispensing Vehicles on private property.

History:

The Land Development Code amendment for the Malted Beverage Producers located in the I-1 zoning district was the catalyst for the current amendment review for Mobile Food Dispensing Vehicles. A history of actions leading up to the review includes the following points:

- August 9, 2018, Planning Board review of the Land Development Code amendment for the Malted Beverage Producers use to allow food trucks. A key issue was that the existing Malted Beverage Producer did not have the ability to cook food and was located in the I-1 zoning district. The general consensus of the Planning Board was that the City has been too restrictive in its approach to allowing food trucks in the City and that there would not be impacts to restaurants if food trucks were permitted. Board members were interested in expanding the areas of the City where Mobile Food Dispensing Vehicles would be allowed. A copy of the meeting minutes is attached to this report in ATTACHMENT 4.
- February 5, 2019, there was a joint workshop of the City Commission and Planning Board that detailed options for regulating Mobile Food Dispensing Vehicles. Summary points included:
 1. There was a census that the Land Development Code is in need of codifying existing food truck policies and the Orlando food truck regulations were well received as a model toward developing food truck regulations in Ormond Beach.
 2. It was recommended that input from the restaurants be gathered.
 3. It was discussed that there may need to be a distance requirement between food trucks and brick and mortar restaurants and that food trucks should not be allowed under the B-4 zoning district.
 4. It was suggested that any food truck wishing to operate in the City of Ormond Beach be evaluated on a case by case basis and that it makes sense to allow food trucks where there is a lack of brick and motor restaurants.

The food truck discussion concluded with staff advising that they would seek input from restaurants on the subject in anticipation of moving forward with developing food truck regulations. The joint workshop packet information is included in ATTACHMENT 1 and a copy of the meeting minutes are attached to this report.

- March 5, 2019, the City Commission, directed staff to move forward with a Land Development Code amendment to develop food truck regulations.
- March 12-14, 2019, a survey was provided to approximately 120 Ormond Beach restaurants via hand delivery and U.S. Mail with a stamped, self-addressed envelope to send back responses. Staff has received 25 surveys back. Some survey responses were anonymous and some respondents completed only certain questions. The surveys contained areas for open responses from the restaurant operators. The surveys and survey general comments are summarized in ATTACHMENT 2 of this report. A meeting date of March 28, 2019 was established for restaurants to discuss food truck regulations with City staff.
- March 14, 2019, City staff contacted food truck operators via e-mail seeking input on existing permitting regulations and the potential Land Development Code amendment. A meeting date of March 29, 2019 was established for food truck operators to discuss food truck regulations with City staff.

- March 18, 2019, City staff met with Ormond MainStreet executive committee and the full Board. Staff provided an update at the executive committee on the February 5, 2019, joint workshop and surveys that were sent to restaurants. One Downtown property owner advised the MainStreet board that they were opposed to food trucks within the Downtown area.
- March 28, 2019, City staff met with three (3) Downtown restaurants and one (1) Downtown property owner. The restaurants and property owner were adamantly opposed to allowing food trucks on private property in the Downtown Community Redevelopment Area. The restaurants and property owner stated that they understood the need to allow food trucks at large special events and within the Interlocal Service Boundary Area (ISBA). The restaurants and property owner stated allowing food trucks on private property would undercut the investment that they have made in the Downtown area. The restaurant owners stressed that there are months where restaurants are not profitable and that the event months are needed to produce income that allows the restaurant to survive year-round.
- March 29, 2019, City staff met with two local food truck operators. Food truck owners believe that their niche is in serving the community on public or private property such as office buildings where they are invited, areas where restaurants are sparse, and breweries during late hours, and special events. The food truck operators in attendance stated that they are not interested in setting up directly next to existing brick and mortar restaurants and they are more interested in serving targeted areas where there is a need, such as special events, catering, and at office buildings. A food truck operator provided information on food trucks that is included in ATTACHMENT 3.

ANALYSIS:

Mobile Food Dispensing Vehicles are a type of itinerant vending. The City has historically limited itinerant vending and allowed this use through a Special Exception process on private property. As the demand for food trucks has increased over time, food trucks have been allowed at large scale special events and in the North U.S. Highway 1 area which was annexed (based on existing allowances from Volusia County). The Malted Beverage Producers Land Development Code amendment to allow food trucks has stimulated interesting reviewing of how the City allows food trucks and provides regulations in the Land Development Code. It is necessary to amend the Land Development Code to formalize and codify the existing policies for Mobile Food Dispensing Vehicles. The Land Development Code amendment would be proposed to be with Section 2-50 of the Land Development Code, under Accessory Uses. This Section of the Code allows uses that are not permanent uses and are accessory to other permitted, conditional, or Special Exception uses. This Section also contains how the City regulates outdoor activities that are an accessory use to a principal use.

This report includes the February 5, 2019 joint workshop information as ATTACHMENT 1 on how other jurisdictions regulate Mobile Food Dispensing Vehicles. It is suggested that a Land Development Code amendment for Mobile Food Dispensing Vehicles contain five (5) components:

- a. Definitions: This subsection would define the Mobile Food Dispensing Vehicles use.
- b. Permit required: This subsection would state that permits are required of the property owner (host) and the Mobile Food Dispensing Vehicle operator. Specific inspection standards for Mobile Food Dispensing Vehicles would be established.
- c. Locations: This subsection would establish where Mobile Food Dispensing Vehicles would and would not be allowed.
- d. Operational standards: This subsection would establish the operating standards for Mobile Food Dispensing Vehicles.
- e. Enforcement: This subsection would establish the actions/penalties for non-compliance.

The individual components of the amendment are discussed below:

- a. Definitions:
 - 1. Food Truck. A vehicle (including trailers) operated by a Mobile Food Dispensing vendor to prepare, cook, assemble and sell food at multiple locations.
 - 2. Food Cart. A Mobile Food Dispensing vendor that sells pre-packaged food, such as hot dogs or boiled peanuts from a movable, non-motorized cart.
 - 3. Lunch Truck. A vehicle operated by a Mobile Food Dispensing vendor to sell pre-packaged food, such as sandwiches, drinks and chips, at multiple locations.
 - 4. Mobile Food Dispensing vendor. A person who prepares, dispenses or otherwise sells food and beverages from a Mobile Food Dispensing Vehicle.

Discussion:

This Section defines the types of Mobile Food Dispensing Vehicles. The definitions would be included in Section 1-22 of the Land Development Code. These definitions are similar to other jurisdictions definitions of Mobile Food Dispensing Vehicles.

- b. Permit required:
 - 1. A host or special event permit is required. For Mobile Food Dispensing Vehicles on private property, the property owner is required to obtain a host permit that displays a sketch and picture of the area designated for the Mobile Food Dispensing Vehicles. Community events, both on public and private property, are required to obtain a special event permit and the Mobile Food Dispensing Vehicles are required to be shown on the special event permit application.
 - 2. Mobile Food Dispensing Vehicles are required to obtain a permit and provide or obtain:
 - a. An Ormond Beach business tax receipt for the Mobile Food Dispensing Vehicle which is required to be renewed annually.
 - b. A State of Florida Division of Business and Professional Regulation license.
 - c. A Certificate of Insurance – General Liability coverage listing the City of Ormond Beach as certificate holder (\$1,000,000 policy).
 - d. A picture of the Mobile Food Dispensing Vehicle.
 - e. Fire Inspection review: Prior to operating within Ormond Beach, each Mobile Food Dispensing Vehicle is required to be inspected by a City Fire Inspector to determine

the operation is in compliance with the applicable codes and standards of the Florida Fire Prevention Code applicable to such uses. This inspection is required prior to the issuance of a city permit and shall be required every six months. If the Mobile Food Dispensing vendor provides documentation of a state fire inspection, the City Fire inspection fee shall be waived.

- f. Prior to operating within Ormond Beach, each Mobile Food Dispensing Vehicle with Liquid Propane (LP) gas systems used for appliances are required to be tested and certified by a licensed person or company permitted to work on LP systems. This inspection is required prior to the issuance of a permit and shall be required every six months and provided to the Building division.

Discussion:

The foundation of the Mobile Food Dispensing Vehicles regulation is that the property owner, either public or private property, is responsible for the actions occurring on their property. Item one (1) in this subsection requires either a special event permit for public land or a host permit for private property. This is the existing practice for Mobile Food Dispensing Vehicles for special events, within the ISBA, and the Malted Beverage Producer. The special event or host permit requires the location of any Mobile Food Dispensing Vehicles to be shown on the permit.

Item two (2) is the requirements for each Mobile Food Dispensing Vehicle. The state of Florida licenses Mobile Food Dispensing Vehicles and the proposed regulation requires proof of the Florida license. Items (e) and (f) are unique to Ormond Beach and require a fire review and an LP test of the Mobile Food Dispensing Vehicle every six months. These are operational requirements of the Fire Chief as the Authority Having Jurisdiction (AHJ) for public safety protection. During the discussion with the food truck vendors, it was stated that the Mobile Food Dispensing Vehicle have state annual inspections of certain food trucks. Staff proposes if the Mobile Food Dispensing Vehicle provides a current state inspection, the City would waive the fire inspection fee. Building staff would still perform the City inspection, and only the fee would be waived.

c. Locations:

1. The City may authorize Mobile Food Dispensing Vehicles on public property in association with special events.
2. Large scale community events hosted by Houses of Worship designed to attract over 500 people.
3. Within the Interlocal Service Boundary Area (ISBA) with recognized itinerant vending during recognized special events per Section 2-87 of this Land Development Code.
4. Malted Beverage Producers within the I-1 (Light Industrial) zoning district per Section 2-57 of this Land Development Code.
5. Lunch trucks are allowed within the I-1 (Light Industrial) zoning district.
6. Mobile Food Dispensing Vehicles are allowed on private property (specify one a week or a certain number of times per year) within the following areas (specify areas):
7. Prohibited locations.
 - a. On any right-of-way without an authorized special event permit.

- b. Any developed residential use, including single-family, duplex, or multi-family.
- c. On any vacant lot.
- d. Within XXXX feet of a restaurant as measured from the food truck to the front door of the restaurant.

Discussion:

The yellow highlighted areas is where policy direction is specifically being sought. Any item for any subsection can be altered by the Planning Board, but the highlighted areas require policy direction. Item one (1) allows special events on public land as the existing policy allows. Food truck operators also expressed a desire to have the ability to serve sporting events and to conduct food truck events (separate than sponsored civic events) on public property. Staff is seeking direction if food trucks on public property should be expanded to include sporting events and food truck events. If there is a desire to expand food truck activities on public property a separate operational plan (outside the Land Development Code) would be needed.

Items two (2) through four (4) are where Mobile Food Dispensing Vehicles have been allowed. These areas are not proposed to be amended. The Malted Beverage Producer was the first Land Development Code amendment that allowed Mobile Food Dispensing Vehicles on private property. The Malted Beverage Producer is an industrial use that had no kitchen or cooking facilities and desired to provide food as part of the tasting room.

Item five (5) seeks to acknowledge the existence of lunch trucks and allow this temporary use in the I-1 zoning district. Lunch trucks are proposed to be limited to the I-1 zoning district only.

Direction is sought with item six (6) to determine if Mobile Food Dispensing Vehicles should be allowed on private property and if so, how often would the use be allowed. A question arose if a food truck could cater events such as an office lunch, birthday party or other special event. Staff's response is that as long as the food truck is serving a specific group and not open to the public, that it would be catering activities and not Mobile Food Dispensing Vehicles operation. The input from the restaurant survey results and discussions indicate:

1. Concern that the allowance of food trucks would negatively impact existing restaurants;
2. Multiple restaurant owners in the Downtown Community Redevelopment Area stated that food trucks should not be allowed on private property in the Downtown area;
3. There was acknowledgement that food trucks were appropriate for large scale events; and
4. There was support of a distance requirement from existing restaurants. There was a wide range for recommended distances from restaurants but generally most believe there should be a distance requirement between food trucks and brick and mortar restaurants.

Input from the food truck operators indicate:

1. They are not seeking to operate in close proximity to restaurants or in shopping centers.

2. They are seeking to operate in association with special events, food truck rallies, and large office buildings.

Location options:

1. Define the areas of private property where Mobile Food Dispensing Vehicles would be appropriate.
2. Exclude certain areas of the City where Mobile Food Dispensing Vehicles would not be allowed on private property, such as the Downtown Community Redevelopment Area. Staff has received strong objections from Rose Villa, 31 Supper Club, Hull's Seafood, Wild Rabbit Bistro and the Highlander Corporation.
3. Allow Mobile Food Dispensing Vehicles in association with a sponsoring restaurant on that restaurant's property. The survey response for Tomoka Brewery indicated a desire to allow Mobile Food Dispensing Vehicles in association with their business. La's Bistro works with a Mobile Food Dispensing Vehicles operator.
4. Allow Mobile Food Dispensing Vehicles in office buildings over a certain size, for example 10,000 square feet. This option could exclude certain areas, such as the Downtown Community Redevelopment Area.

Under the prohibited location in item seven (7), staff is seeking direction if a distance requirement from existing restaurants is desired.

d. Operational standards:

1. Hours of operation: Shall be limited to 8:00 am to 10:00 pm.
2. Lunch trucks may not operate more than 60 minutes at any one location in any 6-hour period.
3. Define sales area: Shall be shown on the host or special event permit and cannot be over 30% of the parking lot area. Temporary dining areas may be provided in association with Mobile Food Dispensing Vehicles.
4. Storage and parking: Mobile Food Dispensing Vehicles shall not be allowed overnight.
5. Trash disposal: The property owner or special event permit holder is required to provide trash receptacles and ensure that Mobile Food Dispensing Vehicle are kept clean.
6. The property owner or special event permit holder shall be responsible for the provision of rest room facilities.
7. Host property owners on private property shall have no active code violations to allow Mobile Food Dispensing Vehicles.
8. Mobile Food Dispensing Vehicles shall not block vehicular or pedestrian circulation for ingress or egress to the site.
9. Mobile Food Dispensing Vehicles shall not park or otherwise impact existing landscaped areas.
10. It is prohibited for Mobile Food Dispensing Vehicles to create a nuisance condition to include, but not limited to, displaying flags, creating loud noises, shouting, or outdoor music.
11. Signage: An A-frame sign in accordance with the maximum size limit and number of signs under the A-frame sign regulations provided under Section 3-46 of the Land Development

Code is permitted within 15' of the Mobile Food Dispensing Vehicles. No other flags, pennants, balloons or other signage is permitted.

12. No alcoholic beverages are allowed.

13. Setback: The minimum required setback for Mobile Food Dispensing Vehicles from the public right-of-way shall be at least 15 feet.

Discussion: These standards seek to ensure that Mobile Food Dispensing Vehicles do not cause negative impacts on or off site. The operational standards are a combination of other jurisdictional standards and standards suggested by City staff.

e. Enforcement:

1. Host or special event property owners are responsible to ensure Mobile Food Dispensing Vehicles have their City and state licensing and inspections.
2. If within any one (1) year period, there are two (2) demonstrated code violations of the Mobile Food Dispensing Vehicle regulations, as proven through the Special Master code enforcement process, the right by the property owner to have any Mobile Food Dispensing Vehicles shall be suspended for 90 days. Upon the issuance of a second notice of code enforcement violation by either a Neighborhood Improvement Officer or Police Officer, the ability of the property owner to have the Mobile Food Dispensing Vehicles shall be suspended until the finding of the Special Master hearings are complete. If the Special Master determines that a second violation has occurred, the ability to have Mobile Food Dispensing Vehicles shall thereafter be suspended. If the Special Master determines that no violation occurred, the property owner shall be permitted to resume the operations of the Mobile Food Dispensing Vehicles.

Discussion: There are existing code enforcement provisions within the Land Development Code and Code of Ordinances. The suggested amendment language seeks to place the management of Mobile Food Dispensing Vehicles with the host permit property owner. Item two (2) states if there are two (2) proven violations within a year period then the property owner loses the ability to have food trucks for 90 days.

CONCLUSION:

This item is presented to obtain policy direction on a Land Development Code amendment regarding Mobile Food Dispensing Vehicles. Based on the policy directive provided, Planning staff would develop and present the Planning Board a Land Development Code amendment at the next Planning Board meeting on May 9, 2019. Staff expects that there will be individuals from the public including restaurant owners/operators, food truck operators, and property owners that wish to address the Planning Board. Staff would recommend that public comment be allowed as part of this discussion item with the standard three (3) minute time limit for speakers.

Attachments:

Attachment 1: February 5, 2019 joint workshop packet

Attachment 2: Restaurants survey results regarding food trucks

Attachment 3: Information from food truck operator, seven myths and realities about food trucks

Attachment 4: Planning Board and City Commission minutes

ATTACHMENT 1

February 5, 2019 joint
workshop packet



CITY OF ORMOND BEACH

City Manager • 22 S. Beach Street • Ormond Beach • Florida • 32174 • (386) 676-3200 • Fax (386) 676-3384

CITY MANAGER MEMORANDUM

To: The Honorable Mayor Partington and City Commissioners

Through: Joyce A. Shanahan, City Manager

From: Steven Spraker, Planning Director

Date: February 5, 2019

Subject: Mobile Food Dispensing Vehicles (Food Trucks)

Commission Goal: N/A

Introduction:

This is a workshop item to discuss the subject of Mobile Food Dispensing Vehicles (food trucks) to obtain policy direction on how the Land Development Code should be amended. This discussion item is formatted as follows:

1. Review of City's current food truck permitting, inspection and enforcement of the operation of food trucks;
2. Summary of how other local jurisdictions are currently regulating food trucks; and
3. Review of potential Land Development Code amendments.

Mobile Food Dispensing Vehicles are commonly found at special events and the popularity of the use has led to challenges of how cities regulate the use. In recent years, the Mobile Food Dispensing Vehicles have become an attraction in their own right, based upon their variety, high-quality food, and low prices. As the popularity of the trucks elsewhere has increased, so has the frequency of requests and inquiries to establish them here in the City of Ormond Beach. Staff is also aware of "lunch trucks" that provide pre-packaged food, snacks and beverages at larger manufacturing and construction sites within the City. The issue of Mobile Food Dispensing Vehicles was highlighted with the Land Development Code application of the Ormond Brewery to allow Mobile Food Dispensing Vehicles as part of a Malted Beverage Producer.

As might be expected with any large scale activity that draws a crowd, food trucks have generated complaints and concerns (unrelated to the food being served), such as congestion, garbage, noise, parking, lack of restrooms, "unfair" competition to fixed-location restaurants, etc. Cities across the country have begun establishing operational parameters to address these concerns. Some cities, such as the City of Orlando, have established food truck regulations conditioned on a two-year pilot program to allow mobile food vending in certain locations in and around downtown.

From a zoning standpoint, Mobile Food Dispensing Vehicles have characteristics that distinguish them from fixed-establishment restaurants, but they also share similar

aspects and impacts. Their mobility means that they are capable of locating at multiple locations for varying lengths of time. Most jurisdictions limit mobile food vending to nonresidential districts, and some communities have specific requirements for different types of carts or vehicles. Some communities also have operation standards such as distance requirements from other vendors or brick and mortar restaurants, limitations on hours of operation, or limitations on the vendor's tenure in any one location.

Review of existing permitting in Ormond Beach:

There are limited Land Development Code regulations on Mobile Food Dispensing Vehicles. The Mobile Food Dispensing Vehicles have been allowed in Ormond Beach as follows:

1. Large scale civic events organized by the City or a non-profit such as Ormond MainStreet. Examples would include Riverfest or the 4th of July celebration.
2. Large scale non-profit events, such as the Prince of Peace Oktoberfest or the Calvary Christian Center 4th of July celebration.
3. Within the Interlocal Service Boundary Agreement (ISBA) area where properties are identified as a host for itinerant vending along the North U.S. Highway 1 corridor. These properties were allowed to maintain existing uses as the ISBA was transferred from Volusia County to Ormond Beach.
4. Malted Beverage Producers located in the I-1 zoning district. Currently the Ormond Brewery is the only Malted Beverage Producer. This is the only use that allows Mobile Food Dispensing Vehicles on private property.

The permitting of Mobile Food Dispensing Vehicles has largely been performed through City policy. The current policy includes the following:

1. A host or special event permit is required. For private property, the property owner is required to obtain a host permit that displays a sketch and picture of the area designated for the Mobile Food Dispensing Vehicles. Community events (public and private) are required to obtain a special event permit and the Mobile Food Dispensing Vehicles are required to be shown on the permit application.
2. Mobile Food Dispensing Vehicles requirements:
 - a. An Ormond Beach business tax receipt for the mobile food dispensing vehicle which is required to be renewed annually.
 - b. The State of Florida Division of Business and Professional Regulation license.
 - c. A Certificate of Insurance - General Liability coverage listing the City of Ormond Beach as certificate holder (\$1,000,000 policy).
 - d. A picture of the Mobile Food Dispensing Vehicles.
 - e. Fire Inspection review: Prior to operating within Ormond Beach, each Mobile Food Dispensing Vehicle is required to be inspected by a City Fire Inspector to determine the operation is in compliance with the applicable codes and standards of the Florida Fire Prevention Code applicable to such uses. The Mobile Food Dispensing Vehicles shall have all required emergency fuel gas

shut off valves and signage as required by the Florida Fire Prevention Code. This inspection is required prior to the issuance of a city permit and shall be required every six months. Inspections are available on Tuesdays and Thursdays from 8am to noon and by appointment. Upon completion of the fire safety inspection, and compliance with applicable codes and standards, the vehicle shall be issued a certificate of inspection. Such certificate shall be valid for 6-months and shall be prominently displayed at the Mobile Food Dispensing Vehicle.

- f. Prior to operating within Ormond Beach, each Mobile Food Dispensing Vehicle with Liquid Propane (LP) gas systems used for appliances are required to be tested and certified by a licensed person or company permitted to work on LP systems. This inspection is required prior to the issuance of a permit and shall be required every six months. The inspection results and a picture of the Mobile Food Dispensing Vehicle inspected shall be provided to the Community Development Department.

A key aspect of Mobile Food Dispensing Vehicles is that they have typically been associated with outdoor activities and special events. Section 2-50(u) of the Land Development Code establishes the standards for outdoor activities. This Section separates the allowed activities for commercial businesses and non-profit organizations. Commercial businesses, excluding convenience stores, office uses, industrial uses, and restaurants, are allowed to have outdoor activities four (4) times a year for 14 calendar days. Non-profits are allowed outdoor activities such as carwashes, bake sales, charitable solicitation, outdoor church events, and other sales and fundraising events.

Summary of other jurisdictions Mobile Food Dispensing Vehicle Regulations:

A review of Mobile Food Dispensing Vehicles requirements from different locations reveals varying degrees of food truck regulation as illustrated in the table below:

Jurisdiction	Not Allowed	Approved as part of a special event	Approved at special locations only
Volusia County	X		
New Smyrna Beach		X	
Daytona Beach		X	
Port Orange	X		
Daytona Beach Shores		X	
DeLand			X (Allowed with "host site" 12 times per year)
Orange City		X	
South Daytona		X	
DeBary		X	
Deltona			X (Occupied commercial establishments)
Holly Hill			X (Non-residential locations and prohibited

			from vacant lots and public ROWs).
Orlando			X (Typically allowed within areas zoned for intensive retail outside of the Downtown Core)
St. Petersburg		X	X (May occur within a public ROW or on private property and prohibited within Downtown Center zoning districts)
Sanford			X (Allowed on private property in commercial or industrial zoning classifications and prohibited on City sidewalks or public ROWs)

Key aspects of other jurisdiction regulations on Mobile Food Dispensing Vehicles include:

1. Policy if Mobile Food Dispensing Vehicles are allowed on vacant lots.
2. Policy if Mobile Food Dispensing Vehicles are allowed on rights-of-way.
3. Most regulations prohibit Mobile Food Dispensing Vehicles on private property developed with residential uses (single-family, duplexes, or multifamily dwelling).
4. Some regulations only allow Mobile Food Dispensing Vehicles if part of special events. Other regulations allow Mobile Food Dispensing Vehicles for a certain period per week. Holly Hill allows Mobile Food Dispensing Vehicles one day per week per private property and St. Petersburg allows two days per week. The City of Deland allows Mobile Food Dispensing Vehicles on private property a maximum of 12 days per calendar year.
5. Operational standards, such as:
 - a. Separation requirements from brick and mortar restaurants.
 - b. Hours of operation.
 - c. Storage and parking.
 - d. Number of Mobile Food Dispensing Vehicles allowed on a parcel.
 - e. Sales area allowed.
 - f. Trash disposal.
 - g. Other merchandise for sale.
 - h. No existing code enforcement issues on the host property.
 - i. Vehicular and pedestrian safety.
 - j. Prohibition on additional signage and music.
 - k. No parking in landscape areas.
 - l. Lunch trucks may not operate at same location for more than 30 minutes on any property within any six (6) hour period.

- m. Prohibition on alcoholic beverages.
- 6. Licensing standards for Mobile Food Dispensing Vehicles.
- 7. Some regulations (see St. Petersburg) defined Mobile Food Dispensing Vehicles in three (3) categories:
 - a. Mobile kitchens (class 1): In addition to the vending of products allowed for class II and III mobile food trucks, these vehicles may cook, prepare and assemble food items on or in the unit and serve a full menu.
 - b. Canteen trucks (class 2): These vehicles vend fruits, vegetables, hot dogs, pre-cooked foods, pre-packaged foods and pre-packed drinks to employees at specified locations and do not advertise for customers. No preparation or assembly of foods or beverages may take place on or in the vehicle. The heating of pre-cooked food is allowed. A cooking apparatus or grill top for the heating of pre-cooked foods is permitted so long as it complies with state regulations.
 - c. Ice cream trucks (class 3): These vehicles vend only pre-packaged frozen dairy and frozen water based food products, soft-serve or hand dipped frozen dairy products or frozen water based food products and pre-packaged beverages. If vending in the street (right-of-way) only, this permit does not apply - please contact the City's Police Department to obtain a Peddler's Permit.

Land Development Code options for Mobile Food Dispensing Vehicles in Ormond Beach:

The framework for Mobile Food Dispensing Vehicles exists today with the current process requiring a host permit and the individual Mobile Food Dispensing Vehicle being inspected by the Building Division. Policy options are listed below and can be combined or modified to create other options. The options include:

1. Allow the existing uses only;
2. Separate out lunch trucks from Mobile Food Dispensing Vehicles and allow within the I-1 zoning district, construction sites and larger employment centers under certain conditions.
3. Expand to allow as part of special event permits;
4. Expand to allow on private property as an accessory use under certain conditions.

Option 1: Allow the existing permitted uses only.

This option would incorporate the existing allowance of Mobile Food Dispensing Vehicles into the Land Development Code to memorialize the current policy practices. The existing uses are allowed as follows:

1. Large scale civic events organized by the City or a non-profit such as Ormond MainStreet.
2. Large scale non-profit events, such as the Prince of Peace Oktoberfest or the Calvary Christian Center 4th of July celebration.

3. Within the Interlocal Service Boundary Agreement (ISBA) area where properties are identified as host for itinerant vending along the North U.S. Highway 1 corridor.
4. Malted Beverage Producers located in the I-1 zoning district.

Option 2: Allow lunch trucks in designated areas.

Separate out lunch trucks from Mobile Food Dispensing Vehicles and allow within the I-1 zoning district, construction sites and larger employment centers under certain conditions.

Staff is aware of existing lunch trucks that operate at industrial sites, large employment areas, and construction sites. The lunch trucks have limited impacts to private property site characteristics and are temporary in nature. It is suggested that standards be created to allow lunch trucks in certain areas.

Option 3: Expand to allow as part of special event permits.

This option would allow private property owners to have Mobile Food Dispensing Vehicle as a special event permit. Currently, certain commercial businesses, excluding convenience stores, office uses, industrial uses, and restaurants, are allowed to have outdoor activities four (4) times a year for 14 calendar days. Non-profits are allowed outdoor activities such as carwashes, bake sales, charitable solicitation, outdoor church events, and other sales and fundraising events. This option would allow retailers to add food trucks to their retail event. For example, a furniture store could add food trucks to their outdoor tent sale.

A second aspect of the special event permitting is non-profit organizations. The existing regulations provide substantial flexibility for non-profit organizations. Non-profit organizations can partner with private property owners/businesses and conduct special events that a business would not be permitted. An example is a car wash on a restaurant parcel. The non-profit organizations also have activities on their own properties, such as houses of worship.

Option 4: Expand to allow on private property as an accessory use under certain conditions.

This option would allow qualifying private parcels to host Mobile Food Dispensing Vehicles under certain conditions. The use would not be associated with special events and would be an accessory use to the principal business. The City of Holly Hill currently allows commercial parcels to host Mobile Food Dispensing Vehicles once per week. The City of Deland allows Mobile Food Dispensing Vehicles 12 times per year.

Options 3 and 4 would allow Mobile Food Dispensing Vehicles on private parcels under certain conditions. The use of Mobile Food Dispensing Vehicles on City lands is separate from options 3 and 4. The discussion below blends the options above and seeks policy direction for amendments to the Land Development Code:

Location:

Recommendations:

1. Existing policy: Special events on public property are allowed in association with

a special event permit.

2. Existing policy: Large scale non-profit events.
3. Existing policy: Allowed in association with recognized host vendors in the ISBA.
4. Existing policy: Allowed in association with a Malted Beverage Producer use.
5. Prohibit on any public right-of-way.
6. Prohibit on any developed residential use, including single family, duplex or multi-family.
7. Prohibit on any vacant lot.

Questions/Options:

1. Should “lunch trucks” be allowed within the I-1 zoning district, construction sites and larger employment centers?
2. Should Mobile Food Dispensing Vehicles be expanded? If yes, which option or combination of options:
 - A. Option 3 (special events) or
 - B. Option 4 (accessory use) be allowed
3. Depending on option selected, how often should Mobile Food Dispensing Vehicles be allowed?
4. Separate of large scale special events, should public parks be allowed to hold Mobile Food Dispensing Vehicle rallies and/or allow with sporting events?

Operational standards:

Recommendations:

1. Hours of operation: 8:00 am to 10:00 pm.
2. Define sales area: typically the area of a parking space is 180 to 200 square feet.
3. Storage and parking: Mobile Food Dispensing Vehicles not allowed overnight.
4. Trash disposal: required to be provided.
5. Host property must have no active code violations to allow Mobile Food Dispensing Vehicles.
6. Shall not block vehicular or pedestrian circulation for ingress or egress to the site.
7. Shall not park or otherwise impact existing landscaped areas.
8. No music shall be permitted with a Mobile Food Dispensing Vehicle on private property.
9. Signage: Allow an A-frame sign. No other flags, pennants, balloons or other signage is permitted, except on the Mobile Food Dispensing Vehicle.
10. No alcoholic beverages are allowed.
11. Setback: Establish a setback from the public right-of-way of at least 15 feet.

Questions/Options:

1. Should a separation requirement to existing “brick and mortar” restaurants be required?
2. Depending on the option selected, should there be a limit on the number of food trucks on private property?

Enforcement provisions:Recommendations:

1. Host or special event property owners are responsible to ensure Mobile Food Dispensing Vehicles have their City and state licensing and inspections.
2. Any violations would be cited to the host or special event property owner.

Questions/Options:

1. Should violations of the Mobile Food Dispensing Vehicles result in prohibiting Mobile Food Dispensing Vehicles for a period of time? As part of any code enforcement action, host or special event property owners are provided an opportunity to correct a violation. Host or special event property owners would be prohibited from having food trucks for a period of time if there are repeated violations after an opportunity to come into compliance has been provided.

Recommendation:

This item is provided for discussion to determine what items should be included in a Land Development Code amendment regarding Mobile Food Dispensing Vehicles. The existing policy framework has evolved over time and should be codified as part of the Land Development Code. The use of host or special event permits to allow Mobile Food Dispensing Vehicles has worked well to date. Staff is seeking direction if only the areas identified as existing uses should be permitted to have Mobile Food Dispensing Vehicles under certain conditions or if the allowance of Mobile Food Dispensing Vehicles should be expanded.

Attachments

1. August 9, 2018 Planning Board Meeting Minutes
2. Existing City of Ormond Beach Food Truck Application
3. Information of Mobile Food Dispensing Vehicles
4. Other jurisdiction regulations (Deland, Holly Hill, Orlando, Sanford and St. Petersburg)

Attachments:

- 02.05.2019 Mobile Food Dispensing Vehicles attachments (PDF)
- 01.18.2019 (draft) Mobile Food Dispensing Vehicles PowerPoint (Food Trucks) (PPTX)

REVIEWED BY:


Kelly McGuire, Finance Director 1/27/2019
Claire Whitley, Assistant City Manager 1/29/2019

APPROVED BY:


Joyce A. Shanahan, City Manager 1/30/2019

ATTACHMENT 1

August 9, 2018 Planning
Board Meeting Minutes
regarding Mobile Food
Dispensing Vehicles

Mr. Merrell continued that Mr. Robinson has been involved with many charities since he started the business. The Children's Academy of Halifax, Halifax Humane Society, Alzheimer's Association, Sophie's Circle Dog Rescue, ARNI, Boys and Girls Club. So he's given back to and he is a part of this community. So he's the kind of person we want around here.

Ms. Shull asked why do they want to start the music at 10:00 AM on Friday, Saturday and Sunday. Mr. Justin Robinson stated that they do one big event every year where they actually open up at 11:00 AM. It's a fundraiser for the Emory L Bennett Nursing Home, and that's one that they do every year where it starts really early. So that's why they would start it at 10:00 AM. It's not going to be a regular thing. They could put it in the wording that it is just once a year but they want to leave the flexibility there. Again, they are in I-17 zoning and early times are on Saturday and Sunday when there isn't anybody around.

Mr. Galloway stated that there was an anonymous complaint. We need to try to work with businesses. If the person who complained is not here then the board cannot ask them what they're really complaining about. In all small communities, all across the country, these breweries are bringing businesses back into the areas that need new life. This brings people back into the community. Mr. Galloway is 100% behind this, but we are setting a precedent where we are jumping all over the place on these times that we're allowing people to play music. We need some continuity here. It's a quaint setting, quiet, and he is 100% behind this.

Mr. Greg Schlaf, 15 Queen Anne Court stated that he lives about 6 blocks away, been in the neighborhood for 20 years. Ormond Brewing has been a great addition to the neighborhood. Many of his neighbors frequent the brewery. Once somebody discovers it, they are going back. It's an easy walk or a bike ride from Central Park. It's a small, local business that's earned the support of the locals and it is the type of business the city should be encouraging. The location is perfect for outdoor music and for food trucks. It's a good location for food trucks because it's not going to impede any traffic. In his opinion, it's a gem of a place and a unique venue for Ormond Beach. He usually takes his out-of-town guests there just so he can show off what Ormond Beach is like and what we've got to offer in the way of a small, unique venue. So he would strongly urge the board to grant them their special-use exemption so that the business can reach its full potential.

Mr. Briley stated that he agrees with Mr. Schlaf. This is what makes Ormond Beach great, because there are so many different unique things, and he thinks this is very unique. He has been there and they have had the food trucks and they have had music and it's great. So he wishes them luck.

Mr. Heaster stated that this is the type of location he was talking about with music. Perfect location, behind a building, it's not up front. He just thinks it is a great fit.

Mr. Galloway made a motion to approve SE 2018-095, 301 Division Avenue, Unit #15, Special Exception for Outdoor Activity. Mr. Heaster seconded the motion. Vote was called, and the motion was approved (7-0).

D. LDC 2018-096, LDC Amendment - Malted Beverage Producer, Mobile Food Dispensing Vehicles

Mr. Steven Spraker, stated that this is a request for a Land Development Code amendment. Within our Land Development Code, the malted-beverage producer was created by the applicant, and basically, it's a use within the I-1 zoning district. So what they're proposing to do is to take and amend that use, only for the malted-beverage producer, to allow the food trucks. They have added some conditions. For example, it has to be in the I-1 zoning, it can't be on an arterial collector roadway, it has to be internal to the site, and basically, they can't use public parking. So the food trucks would only be for the malted-beverage producer. Right now, this use is the only malted-beverage producer within the city. Mr. Spraker can't say that there will never be another one, but it would have to be in the I-1 zoning district and it would have to meet all those other criteria. Staff is recommending approval. If there are any questions, Staff is available for answers, and the applicant is here.

Mr. Heaster asked if someone has an event and they have food trucks, is that allowed. Mr. Spraker stated if it is a city or civic sponsored event, they're allowed. Otherwise, they're not allowed within the city. Mr. Heaster then stated that if an existing business wants to have a food truck for a special event they are having, that it is not allowed. Mr. Spraker stated that was correct. Mr. Heaster asked if there is a limit to the number of food trucks allowed. Mr. Spraker stated not in the proposed ordinance.

Mr. Briley asked if there were any restrictions on times. Can they be there all the time? Mr. Spraker stated that was correct.

Mr. Galloway stated that if he wants a food truck to come to his place of business to feed his employees, he is violating the food truck code. Mr. Spraker stated that there is no language in the Land Development Code that allows food trucks. This would be the first.

Chairman Thomas stated that he has had food trucks come into his place of business for years and hawk their food. Mr. Spraker stated that if no one is calling code enforcement, they're not coming out and they're not looking for violations. So he hears what Chairman Thomas is saying, but there is no food truck regulation within our Land Development Code.

Ms. Shull asked if there were any restrictions on the number of trucks or time. Mr. Spraker stated not under the proposal. Ms. Shull asked if they could stay there 24 hours a day. Mr. Spraker stated that unless the Planning Board and City Commission wanted to make those amendments, there's none in the proposed amendment.

Mr. Heaster stated that if there's never been an issue, why did it come up that Mr. Robinson is requesting it. Mr. Spraker stated because he's not allowed to have it. The Land Development Code doesn't allow it. They desire to have food trucks as part of their business, part of their malted-beverage producer. So that is why they are amending the Land Development Code to allow it. And it's specifically for the malted-beverage producer.

Mr. Galloway stated that for 30 years, when that sandwich truck pulled up at the construction site, now it's illegal to do that? And for 30 years, it's been illegal? Why are we addressing this now? Mr. Spraker stated that this business is not allowed to have food trucks. And they desire to have food trucks. If there's a desire by the Planning Board to have a larger discussion on food trucks, we can certainly do that.

But the application before the board tonight is solely under the malted-beverage producer. And if you want to add conditions, such as the number of food trucks or the hours of operation, you can.

Mr. Rob Merrell stated that this is a positive thing. It's happening all over the country. And we are at the trailing edge of this thing. It's happening all over the state. There's a lot of it in Volusia County, just not in Ormond yet. It's very controlled. He has put safeguards in there. This is a very narrowly tailored piece of legislation that you're looking at. If you want to blow it wide open and have a big workshop or something, that's fine. But in this case, kind of like the music, it's tucked in a corner, it's in a perfect place. It's perfect for people who are coming there to have the taproom and drink the beer. We want them to have a little something to eat.

Mr. Galloway stated that he thinks it is ridiculous that we have to go to code like this. We are making it so hard for the small businessman to be an entrepreneur that he thinks it is ridiculous that we have to set an example for a place where a food truck can come in and park on somebody's private property. And so we're setting precedent here that now everybody's going to want to have a food truck exemption and it should be allowed, just by code, it should be allowed.

Ms. Tolland stated that she thinks we should be more welcoming and appreciative that they're trying to do something fun and positive. Austin, Texas - Richmond, Virginia - every town that's a small town that is trying to reinvent and keep the small town feel and bring the Millennials back in, are doing food trucks. Do we need to have a discussion in the future if we have a million food trucks going down Granada? Then, yes. But at this point, she thinks it is an awesome idea.

Chairman Thomas stated that he has a home in Pennsylvania and as he travels back and forth, he travels through a lot of small towns. And each one of them has their own special appeal. Quite often we talk about other communities and how they have stuff that we don't think is appropriate. But every town is different, every group is different, and it's nice to go and see some of this Americana. Chairman Thomas has a lot of friends and relatives that have been at the Ormond Brewery and he thinks it is great. How bad can a food truck be? Now, if you've got them on every corner, I guess you have a problem, but this is in an industrial place. So he doesn't see any problem with this at all.

Mr. Galloway stated that it is like some communities opposing Uber because the taxicab companies don't want Uber to come in and to him, it is just because times have changed, and food trucks should be allowed, period. His concern is, are we setting precedent now, if anybody wants to have a food truck that they are going to have to come to the board now and ask for this special exception.

Mr. Jorczak stated that he thinks it is a larger issue with respect to what staff wants to look at in terms of our Land Development Code, but he commends this businessman because he's doing something that is enhancing his basic business he started, he's now putting the other pieces in place to help grow his business, and he's to be commended for the effort that he's taken in developing his business in the community. And so he supports what Mr. Robinson is doing and Mr. Jorczak hopes he is very successful at it. He doesn't see any downside.

Ms. Tolland made a motion to approve LDC 2018-096, LDC Amendment - Malted Beverage Producer, Mobile Food Dispensing Vehicles. Ms. Shull seconded the motion. Vote was called, and the motion was approved (7-0).

VIII. OTHER BUSINESS

Chairman Thomas asked if anybody wants to look at the food truck ordinance, or lack of an ordinance. Mr. Spraker stated that Staff anticipated this reaction from the board, and they have already had discussion about it. Staff's preference is to get the new commission in place, get some policy direction, and then bring it back and work it through the Planning Board. So it would probably be early January or February. Staff will group it with a couple other issues that they are aware of in our code.

Mr. Galloway stated that he knows of three cities where food trucks have brought inner-city development. They have vacant lots, and every Thursday the food trucks come and set up and, if anything, it's brought more people back to the area.

Chairman Thomas stated that he doesn't think a food truck is going to hurt anything, the restaurants downtown, or anything like that. We're talking about a food truck that's going to go to a place of business where they are manufacturing something, where your workers just don't hop out and go have a two-hour lunch. These are the guys that are going to grab something, eat it, and get back to work.

IX. MEMBER COMMENTS

Ms. Tolland stated that it is really an exciting time to be on the Planning Board this year. And she just wants to thank Mr. Spraker for all his hard work and his staff. And as soon as Mr. Spraker came on board, all heck broke loose. So keep persevering. You're doing a great job.

Mr. Briley stated that it was awesome news about Lucky's coming to the old Food Lion. And he understands too, that Publix in The Trails is going to be torn down as well as the old CVS and they will rebuild a state-of-the-art Publix there.

Chairman Thomas asked about PDQ not coming to Ormond Beach now, and wondered if it was because Zaxby's started construction. Mr. Spraker stated that he thinks that is part of it. With three chicken places within a half mile, he thinks that the demographics may not have worked.

Mr. Heaster stated that he doesn't understand why the developer didn't just go ahead and get the Type C for the land. Mr. Spraker stated that they are going to tie it to a site plan and they are going to tie it to a use. So they are not just generally going to give a special exception for a restaurant-type setting and then change the user or change the design. So a special exception is tied to a parcel. If they change the site plan, they would require a new special exception.

X. ADJOURNMENT

The meeting was adjourned at 9:30 p.m.

ATTACHMENT 2

Existing City of Ormond Beach Food Truck Application



City of Ormond Beach Food Truck Application

22 S. Beach Street Room 104
Ormond Beach, FL 32174
386-676-3233 phone
bponline@ormondbeach.org

Check application type, complete the required information sections, and see below for additional required submittals:

- () Private property owner annual permit to allow trucks on site (Sections 1, 2)
- () Individual food truck on private property (Sections 1, 3, 4)
- () Individual food truck on public (City) property (Sections 1, 3, 5)

1. Private/event property street address: _____
Private/event property business name: _____
2. Private property owner name: _____
Private property owner phone number: _____
Private property owner email: _____
3. Food truck owner name: _____
Food truck business name: _____
Food truck owner phone number: _____
Food truck owner email: _____
4. Current private property annual permit number: _____
5. Current special event/host permit number: _____

Additional information required for private property owner annual permit submittal:

*A sketch and recent picture of the area where the food truck(s) are proposed to operate.

Additional information required for individual food truck on private or public property submittal:

*Current business tax receipt or registration issued from the City of Ormond Beach (or completed application for such)

*Copy of current State license from DBPR or Department of Agriculture

*Certificate of insurance, with general liability in the amount of \$1,000,000 and listing the City of Ormond Beach as a certificate holder

*Recent picture of the food truck

*Proof of liquid propane inspection from a licensed company permitted to work on LP systems (dated within the last six months)

*City of Ormond Beach fire inspection approval (dated within the last six months)

Please note the following applies:

Host Site Permit Requirements:

- ❖ **Privately owned property:** Prior to allowing food trucks to operate on private property, a property owner must submit an application for approval to the Building Department. The application shall be reviewed and approved by the Community Development Department to determine if the location is permitted by the Land Development Code and reviewed by the Building and Fire Official (or designee) to ensure safety requirements are met. The permit is required to be renewed annually. The application shall contain a sketch and recent picture of the area where the food truck(s) are proposed to operate.
- ❖ **Community events:** Where a large community event requires a special event permit, the food truck permit may be issued as part of the special event application and permit process. The application shall be reviewed and approved by the Community Development Department to determine if the location is permitted by the Land Development Code and reviewed by the Building and Fire Official (or designee) to ensure safety requirements are met. The application must detail the number and location of food trucks. If the civic event is not located on a publicly owned property, the owner of any lot proposed to accommodate one or more food trucks shall provide a notarized letter of authorization with the special event application. The application shall contain a sketch and recent picture of the area where the food truck(s) are proposed to operate.

Mobile Food Truck Permit Requirements

- ❖ Every food truck is required to obtain a permit prior to conducting business in the city. In order to obtain the permit, the owner of the food truck must provide proof of the following:

1. An Ormond Beach business tax receipt for the mobile food dispensing vehicle which is required to be renewed annually. 2. The State of Florida Division of Business and Professional Regulation license. 3. A Certificate of Insurance – General Liability coverage listing the City of Ormond Beach as certificate holder (\$1,000,000 policy). 4. A picture of the food truck. 5. Proof of completion of a City Fire Inspection Review once every six (6) months (see below). 6. Proof of completion of a liquid propane inspection from an authorized third party inspector once every six (6) months (see below).

Inspections

- ❖ **City Fire Inspection Review:** Prior to operating within Ormond Beach, each food truck shall be inspected by a City Fire Inspector to determine the operation is in compliance with the applicable codes and standards of the Florida Fire Prevention Code applicable to such uses. The food truck shall have all required emergency fuel gas shut off valves and signage as required by the Florida Fire Prevention Code. This inspection is required prior to the issuance of a city permit and shall be required every six months. Inspections shall be available on Tuesday and Thursdays from 8am to noon and by appointment. Upon completion of said fire safety inspection, and compliance with applicable codes and standards, the vehicle shall be issued a certificate of inspection. Such certificate shall be valid for 6-months and shall be prominently displayed at the food truck.
- ❖ **Liquid Propane (LP) inspections:** Prior to operating within Ormond Beach, each food truck with LP gas systems used for appliances are required to be tested and certified by a licensed person or company permitted to work on LP systems. This inspection is required prior to the issuance of a permit and shall be required every six months. The inspection results and a picture of the food truck(s) inspected shall be provided to the Community Development Department when completed at the following e-mail: foodtrucks@ormondbeach.org.

Enforcement

- ❖ **Revocation:** If at any time, the State of Florida or Volusia County revokes or suspends the issued mobile food vending permit, or the food truck vendor is in violation of the Ormond Beach permit requirements, the permit issued by the city shall be immediately revoked or suspended.

Certification

I certify under oath with a penalty of perjury, that all of the information contained herein is true and correct. If any portion is found to be false or misrepresented, such fact may be just cause for immediate revocation of any permit issued to me and may be just cause for prosecution. I acknowledge that the issuance of this permit is contingent upon complying with the applicable code requirements of the City. Inspections will be performed, and should deficiencies be found that are in conflict with the City (or other applicable) code, I understand that the City will not issue the permit until I make the required corrections. I understand that should corrections be necessary, I am not permitted to operate this business/use until those corrections have been made. It is further understood that I must comply with the code of the City of Ormond Beach and failure to correct conditions which are in violation is punished under the code or sufficient cause for revocation of my permit.

() Property or () Food Truck Owner signature: _____ Date: _____

State of _____, County of _____
On this _____ day of _____, _____ before me personally appeared
_____ to me known (), or has produced identification (), as the person who
acknowledged the foregoing document.

Notary signature: _____ Notary Seal: _____

ATTACHMENT 3

Information of Mobile Food Dispensing Vehicles

MOBILE FOOD PERMIT REQUIREMENTS

Mobile Food Establishments (MFEs) are to comply with requirements that are contained in Chapter 500, Florida Statutes (F.S.), Chapter 5K-4, Florida Administrative Code (F.A.C.), and with documents referenced in this guideline including the 2017 FDA Food Code.

DEFINITIONS:

Certified Food Protection Manager (CPFM)- A person responsible for all aspects of food operations at Food Establishments regulated by FDACS under Chapter 500, F.S.

Commissary- A support service location for a Mobile Food Establishment, that meets all applicable requirements of Chapter 500, F.S., and Chapter 5K-4, F.A.C. These approved Food Establishments must be permitted or licensed by Florida Department of Agriculture and Consumer Services (FDACS), Department of Business and Professional Regulation (DBPR), or the Florida Department of Health (DOH). Locations such as catering operations, restaurants, or grocery stores can be considered for approval as an MFE Commissary. When not required at the MFE, Commissaries may provide a three compartment sink for washing, rinsing, and sanitization of equipment/utensils in addition to hand wash and rest room facilities. Services required of the Commissary will be based on the food sold and the MFE type and capabilities. A private residence may not be used as a Commissary.

Mobile Food Establishment (MFE) - Food Establishments that are self-propelled or otherwise moveable from place to place such as a truck, trailer, or similar self-propelled conveyance or non-permanent kiosk or table where pre-packaged food products are sold.

Time/Temperature Control for Safety Food (TCS)- Food that requires time/temperature control for safety (TCS) to limit pathogenic microorganism growth or toxin formation.

Potable water- Water that meets the quality standards of Chapter 62-550, F.A.C., and is satisfactory for drinking, culinary, and domestic purposes.

Processing/preparing- The action which includes combining food ingredients, heating/cooking food, cutting/slicing of food, washing of fruit for juice processing, and repackaging of bulk foods or similar operations involving exposed foods.

Requirements:

1. MFEs are not allowed to process/prepare exposed TCS foods within their mobile food establishment without a food permit issued by FDACS.



2. Full Service Mobile Food Dispensing Vehicles (MFVDs) that process/prepare TCS foods within the mobile unit, like hot dogs and hamburgers should contact Department of Business and Professional Regulation (DBPR) at (850) 487-1395. Mobile food units that operate on institutional property that is licensed and regulated as a food service establishment by Department of Health (DOH) like schools, universities, nursing homes, etc. should contact DOH at (850) 245-4250.
3. MFEs must have a current agreement with a Commissary and be capable of visiting Commissary each day of operation unless exempt by chapter 5K-4, F.A.C.
4. Employees or agents of the MFE handling foods shall not have bare hand contact with ready to eat foods.
5. Food products sold must be from approved sources such as an inspected and permitted Food Establishment. Cottage food items are not approved to be sold from MFEs. For more information regarding Cottage Foods, refer to the Cottage Food Guidance Brochure at www.FreshFromFlorida.com.
6. Raw milk may contain harmful disease-causing bacteria and shall not be sold or provided for human consumption. Florida is a Grade A pasteurized milk only state (Chapter 502, F.S.).
7. Any MFE that is in an open-air environment must protect the food from weather and environmental contamination such as rain, dust, insects, birds, and rodents.
8. Must provide only single-service articles for use by the consumers.
9. MFEs cannot operate at multiple locations at the same time under a single mobile food establishment permit.
10. Food products and supplies must be stored only at permitted commissaries and warehouses and not in private residences.
11. MFEs may provide prepackaged food items that are labeled as required by Section 3-601.12 of the Food Code incorporated by reference in Rule 5K-4.002(4), F.A.C.: (1) The common name of the food; (2) If made from two or more ingredients, a list of ingredients in descending order of predominance by weight, including artificial color or flavor, chemical preservatives, and allergens; (3) Net weight or volume of the contents; and (4) The name and place of business of the manufacturer, packer, or distributor.

12. Packaging materials must be manufactured from food grade materials. Single use articles must not be reused.
13. MFEs may be permitted to have or process exposed food items such as ice confections (snowballs, shaved ice, slushies, smoothies, and similar products,) non-TCS beverages with or without ice, non-TCS beverages with or without garnishments, non-TCS bulk beverages, pastry products, popcorn/kettle corn, candies including shelled nuts that are candy or sugar coated, confections like cotton candy, candy apples, peanut brittle, fudge, caramel corn, and similar products; and coffee beverages with or without dairy or synthetic dairy products like café con leche, latte, cappuccino, etc., if they have equipment, utensils, and facilities that adequately protect the food.
14. All water used must be Potable Water (drinking water).
15. If water is not available from traditional state approved plumbing, portable tanks may be used for hand washing purposes as allowed by Chapter 5-3 of the Food Code incorporated in subsection 5K-4.002(4), F.A.C.
16. Potable water tanks must be constructed of food grade materials and enclosed from the filling inlet to the discharge outlet and sloped to a drain outlet. Hoses used to fill water tanks must be constructed of food grade material, must have a smooth interior surface, and if not permanently attached, must be clearly and durably identified as to its use, and may be used only for that purpose. A cap and keeper chain or other protective equipment approved by the FDACS must be provided for a potable water inlet, outlet, and hose. Water tanks, pumps, and hoses must be flushed and sanitized before being placed in service and after repair, modification, and periods of nonuse. A person must operate a water tank, pump, and hose such that backflow or other contamination of the water supply is prevented. For all requirements, refer to Chapter 5-3 of the Food Code incorporated in subsection 5K-4.002(4), F.A.C.
17. Liquid waste holding tanks must have a holding capacity 15% larger than the potable water supply tank, be sloped to a drain that is at least 25.4 mm (1 inch) in diameter, and be equipped with a shut-off valve. Liquid waste tanks must be emptied into an approved waste servicing facility or by a sewage transport vehicle without creating a public health hazard or nuisance. For all requirements, refer to Chapter 5-4 of the Food Code incorporated in subsection 5K-4.002(4), F.A.C.
18. Specific requirements are based on type of food sold and processed. See below for a table and following detailed discussion. Numbers listed on the far left of the table correspond to the numbered description below that lists specific details regarding type of food sold and the requirements.

Mobile Food Establishment Requirements Based on Food Type and Processing			
TYPE OF FOOD PRODUCTS SOLD		EXAMPLES	CODE REQUIREMENTS FOR UNIT
1	Prepackaged non-TCS food	Cookies, crackers, potato chips, pretzels, honey buns, honey, etc.	Food protection, Solid waste container, Maintain cleanable non-food contact surfaces.
2	Prepackaged TCS food	Sandwiches (such as ham, tuna, chicken, etc.,) hot dogs, milk, etc.	Certified Food Protection Manager, Food protection, Refrigeration/heating or hot holding, Product thermometer, Solid waste container, Maintain cleanable non-food contact surfaces.
3	Prepackaged individually portioned frozen novelties	Ice cream sandwiches, frozen yogurt bars, ice cream sandwiches, etc.	Food protection, Freezer, Product thermometer, Solid waste container, Maintain cleanable non-food contact surfaces.
4	Fresh squeezed juice processors	Fresh squeezed fruit/vegetable juice	Since fresh squeezed juice is a high risk specialty food, see explanation below.
5	Preparation or bulk dispensing of non-TCS food	Popcorn, snow cones, shaved ice, lemonade, prepared beverages, cotton candy, candy apples, fudge, peanut brittle, caramel corn, churros, pretzels, donuts, etc. or bulk nuts, teas, spices, pickles, etc.	Certified Food Protection Manager, Potable water supply, Hand washing sink in unit, Three compartment sink in unit or at commissary provided additional equipment available, Solid waste container, Maintain cleanable food and non-food contact surfaces.
6	Fish products, raw seafood sales (no processing)	Whole or eviscerated fish, head on or headless shrimp	Certified Food Protection Manager, Product Thermometer, Hand washing in unit, Solid waste container, Maintain cleanable food and non-food contact surfaces, Scale.

1. Prepacked non-TCS food: MFEs which limit food sales to prepackaged non-TCS food must have adequate storage space for the food products so that the food is protected, containers for solid waste and maintain cleanable non-food contact surfaces.
2. Prepackaged TCS food: MFEs which have food sales of prepackaged TCS food must have a Certified Food Protection Manager as required Rule 5K-4.012, F.A.C., storage space for the food products, containers for solid waste, maintain cleanable non-food contact surfaces, refrigeration, heating or hot holding equipment to keep the food at proper temperature, a food product thermometer, and the capability to sanitize a thermometer.
3. Prepackaged individually portioned frozen novelties: MFEs that sell prepackaged frozen desserts must have sufficient freezer space for storage of frozen food products, food protection, maintain cleanable non-food contact surfaces, a freezer thermometer, and containers for solid waste. **
4. Fresh-squeezed juice processors: MFEs that extract and sell juice by the glass are permitted to squeeze fresh fruit/vegetable juice at a mobile site without any of the following: a HACCP plan

or *E. coli* testing of product or a display of a warning placard provided the following conditions are met:

- a. A Certified Food Manager is present;
- b. Juice is extracted and provided by the glass (open single-serving container) only;
- c. Juice is extracted in an enclosed juicing machine. Hand squeezing of juice for human consumption is prohibited;
- d. MFE has on its premises a working hand wash sink with hot and cold potable water under pressure;
- e. MFEs may have extra equipment and utensils on site that have already been washed, rinsed, sanitized, and protected from environmental contamination for use as described in the FDA Food Code 4-602.11 as incorporated in subsection 5K-4.002(4), F.A.C. If extra equipment is not available on site or cannot be replaced/used in a sanitary manner, the mobile vendor must have a three compartment sink on site or an agreement with a commissary that allows for the use of a three compartment sink on site and is available during all operational hours of the MFE;
- f. Juicing machine must be washed, rinsed and sanitized in a three compartment sink with hot and cold potable water before and after use or during any interruption in operation. The juicing machine may not be in use for more than four (4) hours unless it is disassembled, washed, rinsed, and sanitized in a three compartment sink with hot and cold potable water;
- g. All fruits/vegetables must be washed, rinsed, sanitized, and protected from contamination during the entire process, i.e. stored in sealed containers; and
- h. Single-use gloves must be worn while handling sanitary fruit/vegetables and while juice is being dispensed into single-serving containers.

When all the above conditions cannot be met, the juice processor must cease operation.

MFEs can sell pre-packaged juices without a HACCP plan and *E. coli* testing of product, if the following criteria are met:

- a. MFEs can sell pre-packaged fresh squeezed juice if the entity that extracts and packages the juice is a permanent Food Establishment and complies with section 3-404.11 of the FDA Food Code for retail (if under the same owner as MFE) or 21 CFR 120 incorporated by reference in subsection 5K-4.002(1), F.A.C., for wholesale and is regulated by a government entity.
- b. If the pre-packaged juice is sold by a mobile food establishment, the pre-packaged juice must be held at or below 41°F and be properly labeled with a warning or meet a 5-log reduction.
- c. A warning label can only be used if the mobile food establishment is the same business entity as the permanent Food Establishment extracting and packaging the juice, i.e. the original firm is considered a retailer.
- d. Warning label shall read “WARNING: This product has not been pasteurized and, therefore, may contain harmful bacteria that can cause serious illness in children, the elderly, and persons with weakened immune systems.” as stated in the Food Code Section 3-404.11(B)2 as incorporated in subsection 5K-4.002(4), F.A.C.
- e. If the pre-packaged juice is from a different business entity than the MFE, the juice must have a 5- log reduction per 21 CFR 120.

MFEs that extract and package juice must comply with all of the regulations in F.A.C. Chapter 20-49, which includes (but is not limited to), an adequate HACCP Plan, affixing a warning label to the packaged juice (if 5-log reduction has not been met), *E. coli* testing of product and sanitation procedures.

5. Bulk dispensing of non-TCS food: MFEs that have food sales which include preparation of non-TCS foods or dispense bulk, non-TCS food products such as nuts, teas, candies, spices, and pickles must comply with the following:
 - a. Have present a certified food protection manager during operation;
 - b. Have adequate storage space for food products so that the food is protected;
 - c. Have containers for solid waste;
 - d. Have potable water supply;
 - e. Maintain cleanable food and non-food contact surfaces;
 - f. Possess an operable hand washing sink in the unit with hot and cold running water under pressure; and
 - g. Possess waste water tank 15% larger than the potable water tank.

No bare hand contact of ready to eat foods is permitted. A three-compartment sink must be accessible either within the unit or at a Commissary. If the three compartment sink is provided by a Commissary, then the MFE must have extra equipment and utensils on site that have already been washed, rinsed, sanitized, and protected from environmental contamination for use as described in the FDA Food Code Section 4-602.11 incorporated by reference in subsection 5K-4.002(4), F.A.C.

6. Raw seafood: MFEs may sell raw fish products like whole or eviscerated fish and head on or headless shrimp. All processing of seafood must be conducted at a permanent food establishment meeting the requirements to process seafood. The MFE must have a certified food protection manager, storage for food products so that the food is protected from contamination, and possess the following:
 - a. A calibrated scale with calibration records;
 - b. Refrigeration media (ice or refrigerated unit);
 - c. Thermometer;
 - d. Containers for solid waste;
 - e. Potable water supply;
 - f. A waste water container large enough to hold all waste water generated within the unit; and
 - g. A hand washing capability using gravity fed potable water.

Containers/coolers with wet ice used to maintain fish products at the proper temperature must be self-draining with the waste water flowing into a liquid waste holding tank.

NOTE: If an MFE operation sells a combination of food products, the food products sold with the most stringent requirements for food protection must be followed.

**Food types 1 and 3 listed above may not require a commissary. Determination will be based on food sold and the MFE type and capabilities.

Commissary Agreements

- MFEs required to have a written agreement with a commissary must complete the Commissary Letter of Agreement, FDACS 14223 (Rev. 11/18). The Commissary Letter of Agreement is to be submitted with the permit application at the initial inspection. Permit approval is contingent upon verification of an approved commissary facility.
- After the MFE permit is issued, the Commissary Letter of Agreement is to be completed and signed by the MFE owner and the owner of the commissary on an annual basis. MFEs are to have Commissary Letter of Agreement available for FDACS food inspectors during inspections.
- Commissaries must be visited by the MFE at least once within each day of operation by the MFE. An MFE must have more than one approved commissary for each time it operates in a location where it cannot visit its primary commissary once a day during operation.
- For mobile vehicles, a service area may be provided at the commissary for cleaning and servicing of the mobile vehicle. The service area must be equipped to furnish potable water and provide facilities for the drainage and disposal of liquid waste in accordance to Chapter 64E-6 or 62-601, F.A.C. The exterior of the mobile food unit is permitted to be washed at any location, provided the wastewater does not cause a sanitary nuisance.

1-800 HELP FLA (1-800-
435-7352)
www.FreshFromFlorida.com

QUICKNOTES

Planning for Food Trucks

While street vending is not a new urban phenomenon, interest in specialty or gourmet food trucks is on the rise across the country. In response, a number of municipalities have updated their business licensing and development regulations to clarify rules for food trucks, trailers, and carts. Meanwhile, many other communities are still evaluating how best to address the opportunities and challenges presented by mobile food vendors.

Opportunities

For vendors, food trucks offer a cost-friendly alternative to opening a brick-and-mortar restaurant. Being mobile allows a food truck to expand its customer base beyond the catchment area of a fixed location, and many operators use social media outlets such as Twitter and Facebook to enhance this advantage. As the food truck industry expands, it produces jobs for operators, along with increased public revenues from sales and payroll taxes. Popular food trucks also attract foot traffic and encourage social interaction. In communities with lively food truck scenes, local gatherings featuring multiple vendors often serve as exciting attractions for local residents and visitors alike.

Challenges

Despite these economic and social opportunities, food trucks still pose challenges for communities as they try to balance competing interests. Restaurateurs often claim that food trucks have an unfair advantage in the marketplace due to perceptions that mobile vendors pay less in taxes and are subject to less scrutiny from local regulators. This conflict is intensified by the fact that food trucks often operate in multiple locations—including areas that are not zoned for commercial uses—and can occupy valuable parking in areas of short supply. Local officials frequently struggle with questions of which agency should be principally in charge of regulating food trucks, how to handle permitting, and what restrictions should be placed on the vending units themselves.

Policy Consideration 1: Location

One of the most important local food truck policy considerations is deciding where mobile vendors will be permitted to operate. At the most basic level, this means clarifying rules for vending on public versus private property, but some communities also use locational restrictions to minimize potential land-use or parking conflicts.

Many communities establish permissible locations for food trucks on private property through local zoning. When localities sanction mobile vending in their zoning codes, they often permit food trucks by right in certain mixed use, commercial, and industrial districts. Some communities also subject mobile vendors to use-specific zoning standards that may further limit permissible locations. For example, a number of localities require property-owner consent before a food truck can operate in a specific location. Another common, though controversial, type of use-specific standard is a minimum distance requirement that prohibits vending within a certain radius of an existing restaurant. A few communities attempt to strike a balance by either easing these distance requirements in priority areas or allowing vendors to pursue agreements with businesses within the required radius.

While some communities prohibit all mobile food vending on public property, others use business licensing standards or standards governing activities in public rights-of-way to establish permissible locations for food trucks to operate. In some localities, mobile vendors can use on-street parking spaces, provided they comply with parking regulations, including time limits and fees. Alternately, communities may elect to extend time limits for mobile vendors, provided they pay for the additional time. As a third

Planning fundamentals for public officials and engaged citizens

This PAS QuickNotes was prepared by Patrick Terranova, economic development specialist at the Baltimore Development Corporation, with assistance from David Morley, AICP, senior research associate at the American Planning Association



The Gypsy Queen Café (left) is the two-time reigning champion in the annual "Taste of Two Cities" competition featuring trucks from Baltimore and Washington, D.C.



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option, localities may designate special zones for food trucks to congregate at certain times. These areas may be on-street parking spaces or other public sites like plazas or civic center campuses.

Policy Consideration 2: Operations

Another important local food truck policy consideration is operations. Many localities have adopted operational standards for food trucks to reduce the likelihood of mobile vending becoming a public nuisance. These standards often address hours of operation, access to restrooms, waste or recycling, and the placement of tables and chairs.

In areas with an active nightlife, communities may permit food trucks to operate late at night, but in quieter districts, vendors may need to stop serving in the early evening in order to avoid disturbing residents. Where mobile vendors will be operating for multiple hours at a time, it is important to provide trash and recycling receptacles for customers and restrooms for employees. Finally, in areas with narrow sidewalks or heavy pedestrian traffic, outdoor seating areas must allow for adequate pedestrian traffic flow.

Policy Consideration 3: Health and Safety

A third important local food truck policy consideration is health and safety. One of the key features of the contemporary food truck movement is an emphasis on freshly prepared food. While local health agencies routinely require inspections for all food service operations, some communities have updated requirements for mobile vendors to ensure they meet the same safety standards as brick-and-mortar restaurants, and have even implemented systems whereby vendors post their health inspection grades on their trucks.

Beyond inspections, basic rules, such as requiring vendors to latch propane tanks within the vehicle and maintain log books of commissary activity, are reasonable. Furthermore, allowing food truck operators to use shared commissary space or pay fees to restaurants for the disposal of waste and preparation of food can reduce financial burdens on operators and can help build relationships amongst vendors and restaurants.

Policy Consideration 4: Administration and Enforcement

The final major local food truck policy consideration is administration and enforcement. Some communities have streamlined permitting processes through a consolidated right-of-way review that specifies a single point agency. Generally, this agency should be either the health department or an agency that deals with right-of-way permitting issues (such as public works, transportation, or general services). Recognizing that food trucks are a different breed than other vendors, many localities separate permit programs into tiered structures with different vendor classifications and associated fees.

Given the mobile nature of the industry, some creative solutions may be needed for code enforcement. For example, some localities require each food truck to be equipped with a Global Positioning System device so that local officials can monitor its location or perform spot inspections. Others maintain vendors' schedules developed through various location assignment systems, or follow social media posts to track compliance with locational standards.

Conclusion

With the number of aspiring mobile food entrepreneurs and demand for their products on the rise, food trucks offer a viable path for small business incubation. In addition to their convenience, they also provide a refreshing break from the generic, adding charm and character to city streets. Cities that successfully address logistical challenges can find ways to responsibly grow the food truck industry so that vendors, residents, and governments alike can all benefit.

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ZONING PRACTICE

SEPTEMBER 2013

AMERICAN PLANNING ASSOCIATION



➔ ISSUE NUMBER 9

PRACTICE FOOD TRUCKS



Food Truck Feeding Frenzy: Making Sense of Mobile Food Vending

By Rodney Arroyo, AICP, and Jill Bahm, AICP

Recent economic and cultural trends show an explosion in the popularity of food trucks, or mobile vendors, over the past several years.



➞ One of the hallmarks of the current food truck boom is an increased focus on “in-truck” preparation over preparation at a central commissary.

According to research done by Emergent for the National Restaurant Association, the growth of mobile food trucks will soar in the next five years, generating up to \$2.7 billion in revenue nationally by 2017—up from \$650 million in 2012 (Emergent Research 2012). All across the country, cities, small towns, and suburbs are seeing food trucks popping up, some in unexpected places like office and industrial parks, where zoning ordinances typically preclude res-

taurants. Amplifying the push for food trucks are the twin trends of “buying local” and “food as entertainment” that are enhanced by programs such as the *Great Food Truck Race* on the Food Network. While ice cream trucks and job-site lunch wagons haven’t disappeared, they are increasingly being joined by gourmet trucks and trucks specializing in ethnic offerings.

All across the United States, people are exploring how mobile food vending might

make a difference in their lives and their communities. More resources are starting to become available for potential business owners. Networks for mobile food vendors are growing; the Southern California Mobile Food Vendors Association was formed in 2010 as one of the first associations dedicated to helping vendors break down barriers to business (www.socalmfva.com). And this fall, Roam—a first-ever industry conference for mobile food

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suppliers and owners—will take place in Portland, Oregon.

On the worldwide stage, the World Street Food Congress is the first of its kind to connect and open up fresh ideas and thought leadership in the massive and growing street-food culture and industry throughout the world. This 10-day street-food festival was hosted in Singapore in January 2013 and featured well-known leaders in the food industry (www.wsfcongress.com).

Faced with inquiries from food vendors, many communities turn to their zoning codes, only to discover that mobile food vending isn’t really defined and may not be permitted in the way vendors might like. With the approach to regulating mobile vending varying widely in communities, it can be hard to know where to begin when considering if and how to accommodate food trucks.

WHAT IS MOBILE FOOD VENDING?

Regulatory codes for many communities recognize transient merchants—those goods and services provided by a traveling vendor. The typical ice cream truck would be a good example of a transient merchant who is mobile most of the time, stopping only when requested for a few short minutes. Many operators of today’s food trucks or carts, however, are seeking more than a few minutes on the street, sidewalk, or parking lot, staying in place for a few hours to serve breakfast, lunch, or dinner. In fact, when they are located on private property, some food trucks may be in one location for days, weeks, or even months. It is important to make a dis-

inction between the food vendors that are more transient in nature, like an ice cream truck, and those that seek to move about less frequently. Both types of uses can offer benefits to the community, and they will each have different potential issues to regulate.

Many mobile food vendors utilize self-driven vehicles that permit easy relocation throughout the community. However, mobile food vending also includes trailers, food kiosks, and food carts. Food kiosks are temporary stands or booths that are typically intended to sell prepared foods, including ice cream, pretzels, and the like. Food kiosks may be found inside a large office building or shopping mall, but may also be secured for outside use. Some communities, like Maui County, Hawaii, allow a variety of products to be sold at a kiosk, provided certain standards are met (\$30.08.030). While temporary in structure, food kiosks are often stationary with a defined location. Food carts allow the vendor to sell from outside the moveable unit and are often used to sell fresh fruits and vegetables. Typically, the food in kiosks and carts is prepared elsewhere and kept cold or hot in the unit. The city of New York encourages “green carts” that offer fresh produce in certain areas of the city and has special regulations for these uses (www.nyc.gov/greencarts).

In communities across the U.S., mobile food vendors are seeking permits to start these innovative businesses. They often run into roadblocks at city hall, because while many zoning ordinances include provisions for temporary

uses, most do not contain current definitions for mobile food vending nor do they include any standards that specifically relate to vending and the issues that may arise. The net result in many communities, intentional or unintentional, is a prohibition on mobile food vending.

THE PROS AND CONS OF MOBILE FOOD VENDING

Over the past few years, most of the economy has been struggling and the workforce has been challenged to adapt. With laid-off workers trying to reinvent themselves and new immigrants looking for opportunities, the number of people starting new businesses is rising. Mobile food vending seems, for some, like a low-cost way to wade into the pool of business ownership. There are a number of reasons why communities may elect to sanction mobile food vending:

- **It provides an opportunity to increase jobs and businesses.** The cost of starting a food truck business can start at \$25,000, where a traditional bricks-and-mortar establishment may start at \$300,000, according to the National Restaurant Association (Emergent Research 2012).
- **It offers opportunities to provide food choices where zoning precludes restaurants.** Traditional zoning codes tend to restrict the uses permitted in office and industrial districts, only allowing uses that narrowly meet the intent of those districts. Office and industrial parks, in particular, are often isolated from the rest of the community, requiring employees to drive to retail and restaurant areas. In addition, some communities may not have access to variety of

healthy, fresh foods, and therefore decide to encourage such food vendors in certain neighborhoods by relaxing requirements. New York's green carts initiative allows additional permits to be issued over the city's defined limit to mobile food vendors that offer fresh produce in underserved neighborhoods, and Kansas City, Missouri, offers reduced permit fees for mobile food vendors in city parks that meet certain nutritional standards (Parks and Recreation Vending Policy 4.7.08).

- **It can increase activity in struggling business districts** by creating a dynamic environment where people gather around the availability of new and fresh food. The economy has taken a toll on businesses over the past several years. Those that are hanging on in some areas find that their neighboring buildings or businesses are vacant. Food trucks can be a way to enliven an area, generating traffic for existing businesses and possibly spinning off new business activity. The restaurant industry is evolving to meet the demands of patrons who are looking for locally grown, sustainable, healthy, and fast options for dining. When food trucks use social media to communicate about their location schedules, it can build up a certain level of excitement and anticipation that can make a positive social impact. In addition, the rising trend of "cart pods" and "food truck rallies" brings multiple mobile food vendors to one location, creating a festive atmosphere in an area for a short time.

- **They signal to other potential businesses that the community is adapting to the evolving economy and supporting entrepreneurship.** Mobile food trucks are a new way of doing business; in these early years, communities that anticipate the demand from businesses and consumers may also find that this flexibility signals receptivity to new business models.

- **They are a way for restaurateurs to test the local market for future bricks-and-mortar facilities.** Mobile food trucks offer opportunities to interact with a potential market, to test recipes and pricing, and see if the restaurant fits with the community. All across the United States there are examples of food truck businesses evolving into permanent establishments, including El Camion ("the truck") in northwest Seattle that has recently opened a restaurant and bar in the Ballard neighborhood after several years of experience with its two mobile food units. Torchy's Tacos in Austin, Texas, started with a food truck and now has eight bricks-and-mortar restaurants in Austin, Dallas, Fort Worth, and Hous-

ton—and two more opening this year. The Lunch Room in Ann Arbor, Michigan, plans to open its bricks-and-mortar location soon, using social media to solicit fans of its existing "Mark's Carts" to become investors in the restaurant.

Along with these potential benefits can come community impacts and possible conflicts. Some of the challenges associated with

went through an extensive research and public input process, surveying their local chamber of commerce and meeting with prospective mobile food vendors, residents groups, and restaurant owners. Their resulting ordinance language responds to the needs and concerns of the community (Longmont 2011).

ADDRESSING AREAS OF CONCERN THROUGH ZONING

Many communities are updating their codes to accommodate or regulate mobile vending. In June 2012 Grand Rapids, Michigan, included the following statement of intent in a new set of mobile food vending provisions:

Employment and small business growth in the city can occur while providing a broad range of food choices to the public through careful allowances for temporary concession sales. The provisions of this section are intended to prevent predatory practices on bricks-and-mortar restaurants while allowing for new food vending opportunities that can add vitality to vacant parking lots and underutilized sites . . . (§5.9.32.K).

Other cities, including Phoenix, Arizona (§624.D.87); Chapel Hill, North Carolina (§§10-66–74); and Fort Worth, Texas (§5.406)—just to name a few—adopted regulations in 2012 to allow mobile vending or food trucks. Chapel Hill's

provisions note that allowing food trucks will "promote diversification of the town's economy and employment opportunities and support the incubation and growth of entrepreneurial/start-up businesses" but also that food trucks pose "unique regulation challenges."

While specific approaches vary from place to place, communities interested in adding or updating regulations for mobile food vending should start by defining the uses and then consider each of the following questions:

- Where in the community should such uses be permitted?
- How long should a food truck be permitted to stay in one location?



Russ Herschler

- ➔ Food truck gatherings are increasingly common in communities with extensive food truck offerings.

mobile food trucks might include problems with maintenance, trash, parking, noise, and vehicular and pedestrian circulation. In addition, some restaurateurs may be threatened by this new competition and try to prevent mobile food vending. Food trucks also have their own operational challenges, including dealing with unpredictable weather and maintaining an appropriate inventory despite limited storage.

The best way to understand and manage the pros and cons of food trucks in individual communities is to solicit public input and dialogue about the needs and wants of the community. For example, Longmont, Colorado,

- Are these mobile units just for food sales, or can other goods be sold as well?
- Does the community want to increase activity?
- How can the zoning ordinance address upkeep and maintenance?
- When can food trucks operate?
- How are visitor parking and circulation accommodated?
- How are these uses reviewed and permitted?
- What do vendors and their customers want or need?
- How is signage for the mobile unit regulated?
- How is the site lit to ensure safety?

Location

It is common to allow mobile food vending in commercial districts, but some communities add industrial districts or specify mixed use districts. Start with the community's comprehensive plan—is there a need or desire to increase activities in specific parts of the community? Are there concerns about the impact of single-purpose districts (especially office and industrial) on connectivity, traffic congestion, and business

In consideration for existing facilities, some communities decide that there should be a minimum distance between mobile units and bricks-and-mortar restaurants. Some communities try to limit the impact on adjacent residential uses through a distance requirement or by restrictions on hours of operation. Planners should test these locational restrictions to ensure that realistic business opportunities exist. El Paso, Texas, repealed its locational requirement of 1,000 feet from bricks-and-mortar establishments following a 2011 lawsuit to provide sufficient opportunities for mobile food vendors (Berk and Leib 2012). Attorneys Robert Frommer and Bert Gall argue that separation from other establishments is not necessary and that food truck regulations should be narrowly tailored to legitimate health, safety, and welfare concerns, not regulate competition (2012).

The American Heart Association has also looked at location issues related to mobile food vending. They report that several communities across the country prohibit mobile food vending within a certain distance of schools (or

nity and often is related to where mobile food vending is permitted. Some communities allow food trucks on public property but prohibit overnight parking. Where on-street parking is at a premium, communities may consider allowing food trucks to utilize public parking spaces for the same duration as other parked vehicles. Chicago requires food trucks to follow posted meter time restrictions, with no more than two hours in one location. In addition, the city also limits mobile food vending to two hours on private property (§4-8).

In contrast, some communities allow food trucks on private property for up to 30 days or more at one location. For example, Grand Rapids allows concession sales for up to 200 consecutive days over 12 calendar months (§5.9.32.K.6).

Regulations like this may impact vendors in terms of the types of food that can be sold and the manner in which they are prepared, especially when preparation is done on-site. Communities may wish to consider whether the allowed duration is reasonable for food vendors as well as adjacent property owners.



➡ This food truck rally in Royal Oak, Michigan, illustrates how a gathering of food trucks can activate an otherwise underutilized space.

retention and recruitment? Are there any areas in the community where the population is underserved by food choices? Planners can take these concerns to the community and invite residents and business owners to share their thoughts on where mobile food vending might be appropriate and desirable.

Some communities make a distinction between vending on public property, which often requires a license but is not regulated by zoning, and private property, which often requires a temporary use permit and is regulated by the zoning ordinance. When permitted on private property, zoning standards should require evidence of property owner approval.

at school release times) to limit the sometimes nutritionally challenged food choices available (2012). Woodland, California, prohibits mobile food vending within 300 feet of a public or private school, but will allow them on school property when approved by the school (§14-15). It a different twist, the Minneapolis Public School System introduced a food truck program this year to offer free nutritious meals to students during the summer months at four different sites in Minneapolis (Martinson 2013).

Duration

The length of time food trucks are permitted to stay in one place varies widely by commu-

Goods Available for Sale

Some communities, like College Station, Texas, are very specific that the goods sold from mobile vending to be food related (§4-20). This is often borne of a desire to start with mobile vending on a limited basis to gauge its impact. As mobile food trucks become more prevalent, surely people will explore the ideas of starting other types of businesses in this format. Communities may wish to consider the questions raised earlier about location and assess whether or not it makes sense to allow other goods in addition to food to be sold in designated areas. For example, Ferndale, Michigan, allows a variety of wares to be sold by a mobile

vendor, including apparel, jewelry, household goods, and furnishings (§§7-73–82). That might be just the place for book publisher Penguin Group (USA) to take its recently introduced first mobile bookstore, which aims to make books accessible where big box retailers aren't located (Edsall 2013).

Number of Units in One Location

Some communities that are getting on board with mobile food vending have started allowing them to congregate for certain events and activities. For example, Royal Oak, Michigan, started a food truck “rally” at their indoor farmers market during colder months. It is a good way to utilize the facility as well as provide entertaining food options for city residents. It has now become a great family event every month year-round, with musical entertainment, bouncy houses, and face painting. The city limits the rally to no more than 10 different trucks with a variety of cuisine for the whole family.

units to function on private property as a single business. To address potential negative impacts, each mobile food court must have its own on-site manager, who is responsible for the maintenance of the area (§5.406).

Trash

The type of standards for trash removal and upkeep will vary depending on the location and duration of the vending. Most communities require waste receptacles for every mobile food vending unit and some further require waste to be removed from a site daily. Keep in mind that where communities allow seating along with the mobile food unit, people will generate more trash on-site than in situations where there is no seating provided and people take their food (and trash) to go.

Hours of Operation

Some communities limit hours of operation to around lunchtime (e.g., 10:30 a.m. until 3:30

trucks on private property, communities typically require the vendor to ensure that there is sufficient parking available for its use and any other uses on the site, including the space taken up by the unit itself. Some cities allow public parking areas to be utilized for food trucks, and may even allow metered parking spaces to be used provided the related meter fees are paid. For example, Minneapolis allows a mobile vendor to park at no more than two metered spaces, as long as they are not short-term spaces and are not located within 100 feet of an existing restaurant or sidewalk cafe—unless the restaurant owner gives consent (§188.485.c.7).

Licenses and Permits

Most communities require permits or licenses regardless of whether the trucks operate on public or private property. It is also common for the community to reference compliance with other codes, particularly state or local health codes. These other codes can impact how trucks operate. For example, California's

Health and Safety Code requires trucks to have hand-washing stations if food is prepared in the truck, but does not require them on trucks selling only prepackaged foods like frozen desserts (§114311).

Some communities cap the number of licenses available for food trucks to limit their impact, but many others do not. Grand Rapids

requires a temporary use permit, subject to planning commission approval, and gives standards for consideration (§5.9.32.K.18), including an assessment asking “[w]ill the proposed stand, trailer, wagon or vehicle contribute to the general aesthetic of the business district and include high quality materials and finishes?”

Site Amenities

Some communities specify that no tables or chairs are permitted, or if they are, then sanitary facilities are also required. There may be flexibility in the permitted arrangements for such facilities (for example, having permission to use such facilities within a reasonable distance of the mobile unit). Frisco, Texas, prohibits connections to po-

Site amenities like tables and chairs are often easier to accommodate on private property than in a public right-of-way.



Jill Bahm/Clearzoning

According to Market Master Shelly Mazur, “It’s nice to be able to offer a family-friendly event in a climate-controlled building with renovated bathrooms and seating.”

On the other hand, in its 2010 ordinance, the city of Zillah, Washington, banned mobile food vending altogether, declaring it a “nuisance,” and finding that “when mobile vendors congregate in the same area, the heightened intensity of use negatively impacts the surrounding area, particularly by increased trash” (§8.32). Fort Worth tackled this issue head-on, defining a group of food trucks as a “mobile food court” when two or more mobile vending units congregate. They allow these

p.m.), and others allow sales from early in the morning to late in the evening (e.g., 7 a.m. until 10 p.m.). Some communities place no time limits on these operations in the zoning regulations. Again, consider where these units will be permitted and the potential conflicts with adjacent uses.

Parking and Circulation

Given the mobility of these vendors, they by necessity are typically located in parking areas. Whether in public spaces or a private parking lot, it is important to ensure sufficient parking for existing uses to prevent an undue burden on bricks-and-mortar establishments. For food

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table water, requiring mobile food vendors to store their water in an internal tank. The city also requires vendors to be located within 50 feet of an entrance of a primary building, and drive-through service is expressly prohibited (§3.02.01.A(20)). King County, Washington, requires that all mobile food vending in the county be located within 200 feet of a usable restroom (§5.34).

Signage

Some communities use their existing sign regulations, but others tailor standards for mobile units. In Michigan, both Grand Blanc Township (§7.4.9.F) and Kalamazoo (§§25-63–68) allow one sign on the mobile vending unit itself, but do not allow any other signage. This is fairly common. In many cases, the truck itself essentially functions as one big sign with colorful graphics. Additionally, many mobile food vendors now use social media to get out the word regarding the time and place they will set up shop, potentially reducing the need for additional signage beyond that on the unit itself.

Lighting

Lighting is not as commonly addressed as other issues, especially if a mobile food vending unit is located in an existing developed area, but it is likely presumed that other applicable lighting requirements appropriate to the location are to be followed. Consider adjacent uses and the impact of light trespass and glare. For example, Grand Blanc Township requires mobile food vending units to be lit with available site lighting. No additional exterior lighting is allowed unless permitted by the zoning board of appeals upon finding that proposed exterior lighting mounted to the mobile vending unit will not spill over on to adjacent residential uses as measured at the property line (§7.4.9.F.10).

TESTING, FOLLOW-UP, AND ENFORCEMENT

One of the nice things about mobile food vending is that it is really easy for a community to put a toe in the water and test the impact of regulations on mobile food vendors, other community businesses, and the public, and to adjust the regulations

as appropriate. The Metropolitan Government of Nashville-Davidson County, Tennessee, initiated a test phase beginning April 2012 that will provide evaluative data for a successful mobile food vendor program. The program will initially be operated under a temporary permit issued by the Metro Public Works Permit Office for two specified zones, the downtown core and outside of it. Oakland, California, has a pilot program for "Food Vending Group Sites," defined as "the stationary operation of three (3) or more 'mobile food vendors' clustered together on a single private property site, public property site, or within a specific section of public right-of-way" (§5.51).

Before embarking on extensive zoning rewrites, review the suggested considerations with the community to anticipate and plan for appropriate ways to incorporate this use in a reasonable way. Mobile food vending is on the rise all over the country, from urban sites to the suburbs. When regulated appropriately, mobile food vending can bring real benefits to a community, including jobs, new businesses, fresh food, and vitality.

Cover image by Rodney Arroyo; design concept by Lisa Barton

VOL. 30, NO. 9

Zoning Practice is a monthly publication of the American Planning Association. Subscriptions are available for \$95 (U.S.) and \$120 (foreign). W. Paul Farmer, FAICP, Chief Executive Officer; David Rouse, AICP, Managing Director of Research and Advisory Services.

Zoning Practice (ISSN 1548–0135) is produced at APA. Jim Schwab, AICP, and David Morley, AICP, Editors; Julie Von Bergen, Assistant Editor; Lisa Barton, Design and Production.

Missing and damaged print issues: Contact Customer Service, American Planning Association, 205 N. Michigan Ave., Suite 1200, Chicago, IL 60601 (312-431-9100 or customerservice@planning.org) within 90 days of the publication date. Include the name of the publication, year, volume and issue number or month, and your name, mailing address, and membership number if applicable.

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Printed on recycled paper, including 50-70% recycled fiber and 10% postconsumer waste.

ZONING PRACTICE

AMERICAN PLANNING ASSOCIATION

205 N. Michigan Ave.
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Chicago, IL 60601-5927

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Suite 750 West

Washington, DC 20005-1503



HOW DOES YOUR COMMUNITY REGULATE FOOD TRUCKS AND OTHER MOBILE VENDORS?

9

ATTACHMENT 4

Other jurisdiction
regulations (Deland, Holly
Hill, Orlando, Sanford and
St. Petersburg)

Sec. 22-13. - Food trucks.

- (a) *Defined.* The term "food truck" shall mean any vehicle, trailer, or other conveyance or mobile apparatus from which food is prepared and/or sold to the public. Food trucks may not be operated without first obtaining a safety inspection certificate pursuant to this section, or a special event permit issued pursuant to the city's special event permitting procedures.
- (b) *Permitted locations.* Food trucks shall only be permitted to sell food to the public on a parcel of property for which a food truck site permit has been issued pursuant to section 22-14 of the DeLand Code of Ordinances.
- (c) *Fire safety inspection/fire safety inspection certificate.* Food truck operators desiring to operate within the corporate limits of the City of DeLand must complete an application on a form provided by the community development department and undergo an annual fire safety inspection administered by the city's fire department. In the event that the city determines that a food truck cannot safely be operated within the city from a fire safety perspective, then the city shall provide the food truck operator with a written explanation setting forth specifically what requirements the food truck operator must comply with in order to be granted permission to operate the food truck in the City of DeLand. Upon satisfactory completion of each annual fire safety inspection, the city shall issue the food truck operator a fire safety inspection certificate.
- (d) *Display of fire safety inspection certificate.* The fire safety inspection certificate issued pursuant to this section shall be prominently displayed on or in the food truck such that city officials can readily verify that the food truck is being properly operated within the City of DeLand.

(Ord. No. 2014-13, § 3, 4-21-14)

Sec. 22-14. - Food truck site permits.

- (a) *Defined.* The term "food truck site permit" shall mean a permit issued to an owner or lessor of a parcel of real property located within the corporate limits of the City of DeLand which specifically authorizes the operation of a food truck, which is properly authorized to conduct business within the City of DeLand pursuant to section 22-13 of the Code of Ordinances, on said parcel for a maximum of 12 days during a calendar year.
- (b) *Food truck site permit requirements.* The following requirements must be met in order

to obtain a food truck site permit pursuant to this section:

- (1) The applicant, if not the property owner, shall provide the chief building official with written authorization from the property owner, which authorization shall be duly sworn and notarized.
- (2) The applicant shall submit a detailed site plan which shows, at a minimum, each of the following elements:
 - a. The existing site, including but not limited to buildings, parking areas, driveways and other vehicle movement areas, and landscape areas.
 - b. The proposed location of the food truck on the site, parking areas for patrons, places where patrons will eat, trash receptacles and rest room facilities.
 - c. Any other information deemed necessary by the planning director in order to ensure that the operation of the food truck will not interfere with the operation of the principal use on the site, or otherwise cause a violation of the land development regulations applicable to the site.
 - d. Any other information required by the planning director, chief building official or fire marshal.
- (c) *Site permit review.* The planning director, chief building official and fire marshal, or any one or more of their designees, shall review the application and determine whether a food truck can be safely operated as requested. The city may place any conditions on the food truck site permit that are reasonably necessary to ensure the safe operation of a food truck and to ensure that operation of the food truck does not create a nuisance to adjoining properties. Within 20 days of submittal of a complete application, the planning director shall either issue the food truck site permit, including any appropriate conditions, or deny the application for the food truck site permit. If the food truck site permit is denied, the planning director shall notify the applicant in writing of the reasons for denial.
- (d) *Operation of food truck pursuant to food truck site permit.* At least two business days prior to the operation of a food truck on a particular parcel of property pursuant to a food truck site permit, either the food truck operator or holder of the food truck site permit shall notify the planning director or his designee of the identity and hours of operation for the upcoming food truck operation. The fire marshal or other city official may inspect the food truck and the site prior to commencement or during operation of the food truck. In the event that the fire marshal or other city official determines that

operation of the food truck poses a risk to the public, the fire marshal or other city official may prohibit, or order the immediate cessation of, operation of the food truck. The authority granted herein is supplemental to any other authority vested in the fire marshal and any other city official pursuant to any other provision of law.

(Ord. No. 2014-13, § 4, 4-21-14)

Sec. 114-904. - Food truck services.

Non-residential locations may apply for temporary permits to allow food truck operations subject to compliance with the following conditions. Vacant lots may not host food trucks and food trucks may not serve from public streets and rights-of-way.

- (1) All food truck units shall comply with state requirements for food service and display certification of compliance.
- (2) No discharge of grease or other cooking waste is permitted.
- (3) The property owner is responsible for the provision of trash receptacles and the cleanliness of the service and dining area.
- (4) The property owner is responsible for the provision of restroom facilities.
- (5) No site may host food trucks for more than one day per week. Food truck operations approved as part of a city-sponsored special event or under a special use permit issued per section 114-902 shall not count against the day limitations of this section. (A multiple tenant location is considered one property for purposes of this code provision.)
- (6) Food trucks may not occupy more than 20 percent of the vehicular use area or disrupt parking area operation. Food trucks may not be parked in landscaped areas.
- (7) Temporary dining areas may be provided in association with the food truck operations. The temporary dining area may be located in landscaped areas exclusive of planting beds and landscaped buffers.
- (8) Any music provided shall comply with the city's standard noise ordinance.
- (9) Food trucks may place one supplemental A-frame or similar temporary sign not to exceed six square feet of area.
- (10) Each food truck location shall obtain a permit from the city at least seven days prior to opening for business. A single permit may include multiple business dates. The permit application shall be on a form issued by the city and contain at a minimum the following information:
 - a. Location address.
 - b. Property owner approval.
 - c. Dimensioned sketch of the proposed location showing compliance with the requirements set forth above.

- d. Proposed date(s) and hours of operation.
- e. Owner contact information.
- f. Vendor contact information.
- g. Photo of the vendor and food truck.
- h. Fees as established by the city commission.

(Ord. No. 2981, § 1, 10-25-16)



MEMORANDUM

DATE: May 20, 2013 City Council Meeting

TO: Mayor Dyer and City Commissioners

FROM: Dean Grandin, Planning Official

SUBJECT: Temporary Use Permit - LDC2012-00308
Mobile Food Vending: Food Trucks, Food Carts and Lunch Trucks

A. Recommendation

1. Approve a city-wide Temporary Use Permit allowing Mobile Food Vending (Food Trucks, Food Carts and Lunch Trucks) on private property under a two-year pilot program.
2. Authorize the Planning Official to review and approve individual Mobile Food Vendors through a Planning Official Determination.
3. Temporarily waive application fees for Planning Official Determinations concerning Mobile Food Vendors for a period of 90 days from approval of this Temporary Use Permit; thereafter a \$50 per truck/cart fee would apply.

B. Need

1. Mobile Food Vending has become a local and national phenomenon, bringing activity and vitality to commercial districts and special events alike.
2. Approximately 25 Food Trucks (one type of Mobile Food Vendor) currently operate throughout the city.
3. Food Trucks operate either alone or in groups, typically on an underutilized portion of an existing parking lot in commercial zoning districts; they also operate occasionally at special events in residential districts at churches and schools.
4. Some Food Truck operators would prefer to operate within the street right-of-way, from on-street parking spaces.
5. Orlando regulations prohibit the sale of food and merchandise on city streets and sidewalks, except where specifically approved by City Council (Sec 54.27-1).
6. Orlando regulations prohibit the sale of food and drink within public parks, recreation areas and facilities, except under a current concession agreement approved by the city (Sec. 43.44).
7. Orlando regulations prohibit parking on any public or private street, public parking lot or any other public property for the purpose of advertising or selling merchandise (Sec. 39.22).
8. "Mobile Food Vendor" is not listed as a separate use in the City of Orlando Land Development Code. Therefore, Mobile Food Vending has been interpreted up until now as an "Intensive Retail" use, allowed by right in limited zoning districts (Mixed Use, Industrial, AC-3 or as a Conditional Uses in other Activity Centers).

C. Process

Staff is recommending, after considerable review of the issue, that Mobile Food Vendors be allowed throughout the City under the following approval process:

1. City Council approves citywide Temporary Use Permit for Mobile Food Vending.
2. Vendors obtain a license from the Florida Department of Business and Professional Regulation's Division of Hotels and Restaurants.
3. If operating on private property, Vendor obtains notarized letter from private property owner granting permission to operate on that owner's property.
4. Vendor acknowledges: "You are prohibited from conducting business on any public streets, sidewalks, rights-of-way or in any public parks." This restriction includes any sites that are partially located on the right-of-way, or require their customers to be upon the right-of-way to be served.
5. If wishing to operate within the public right-of-way or property, vendors must be ancillary to an 18A special event, obtain a concession agreement on all other public property (e.g. parks), or is a vendor participating under a right-of-way utilization agreement for a closed street (e.g. Church Street District).
6. Vendor applies for a Planning Official Determination. Application must include:
 - a. A copy of the Vendor's county Business Tax Receipt.
 - b. A copy of the Vendor's state license.
 - c. A general site plan of the typical operation, including the Vendors' home address, the name or location of the Vendor's commissary, planned locations for the Vendor's operations, the location where the vehicle will be stored, and photos of the vehicle and any associated signage.
7. Vendor obtains a Business Tax Receipt (BTR) to operate in the City of Orlando, per Chapter 36 of the City Code.

D. Standards and Conditions

1. Definitions

- a. Food Truck. A vehicle (including trailers) operated by a mobile food vendor to prepare and sell food at multiple locations, typically operating at one location for more than 30 minutes.
- b. Food Cart. A mobile food vendor that sells pre-packaged food, such as hot dogs or boiled peanuts from a movable, non-motorized cart.
- c. Lunch Truck. A vehicle operated by a mobile food vendor to sell pre-packaged food, such as ice cream and sandwiches, at multiple locations, typically operating at one location for less than 30 minutes.

2. *Locations*

- a. Lunch Trucks are allowed throughout the City of Orlando in any non-residential or non-public zoning district, except in the Downtown Core area shown on Exhibit "A." Lunch Trucks may not operate at the same location more than 30 minutes in any 6 hour period.
- b. A particular private property may host Food Trucks and/or Food Carts one day per week within the following districts, as shown on Exhibit "A". If a Main Street sponsors and advertises a special event with Mobile Food Vendors, it shall not count toward the one day per week allocation for a particular property:
 - i. Orlando Main Street Districts (Downtown South, Ivanhoe Village, College Park, Mills/50, Audubon Park, and Thornton Park),
 - ii. The Washington Shores Special Plan area,
 - iii. The Milk District,
 - iv. Regional retail shopping centers (Colonial Plaza, Fashion Square, Millenia, Premium Outlets, and Festival Bay Malls), and
 - v. The Downtown Community Redevelopment Area except for the Downtown Core (refer to inset map on the attachment).

The location in the above areas must be within a zoning district that allows Eating & Drinking Establishments.

3. *Additional Locations and Restrictions*

- a. Food Carts may be allowed on properties in non-downtown activity centers under covered structures, such as an arcade, at home improvement and similar stores daily, where the use is clearly incidental to the primary use.
- b. When not in operation, all mobile food vendors must leave the site and return to their commissary and storage facility. They shall not be left unattended.
- c. All mobile food vendors must locate on a property that has a legal principal use, and an improved surface (e.g. parking lot).

4. *Permanent Food Trucks, Food Trailers, etc.* If a food truck, trailer, or other such installation wishes to permanently remain on a property, it shall do so as an "Intensive Retail" (i.e. outdoor) use, only permitted in those zoning districts where such uses are allowed. All requirements of the Land Development Code apply (parking, landscaping, required building code matters, change of use to a higher intensity class, etc.).

5. *Special Events.*

- a. The City may authorize food trucks and food carts in the public right-of-way as part of a special event under the issuance of a Chapter 18A public assembly permit. Food trucks and carts must be ancillary to the special event. In the Downtown Core, the Church Street District is allowed vendors, including Food Trucks, as part of its approved right-of-way utilization agreement or any other City permitted special event. The future Performing Arts Center Plaza is also allowed vendors under a concession agreement.

- b. Rights-of-way under jurisdiction of the Florida Department of Transportation (FDOT) require additional permits from the FDOT District 5 offices. Typically, the right-of-way is required to be closed to vehicular traffic.
 - c. The City may also authorize mobile food vendors at special events for schools, religious institutions and benevolent organizations. Within residential zoning districts, such special events are limited to twice a year.
6. *Downtown Core Area Restrictions.* Mobile Food Vending is prohibited on private or public properties and on street rights-of-way within the Downtown Core area shown on Exhibit "A," except as follows:
- a. A single Food Cart is allowed within improved pedestrian plazas of at least 0.10 acres. Available locations include the Chase Plaza, Suntrust Plaza, 55 and 54 West, Wells Fargo/Morgan & Morgan, Seaside/Signature Plaza with the permission of the property owner.
 - b. Food Carts may be allowed in public properties and in parks/plazas within the Downtown Core area under a concession agreement, if approved by the City Council. Locations include the City Commons Park, Heritage Park, Amway Center Plaza, and future Performing Arts Center Plaza.
 - c. Food Trucks and Carts may be utilized as vendors in the public right-of-way of Church Street as part of a Church Street District's right-of-way utilization agreement, a valid concession agreement or other special event. Also, such vendors are allowed in the West Washington Street expansion of Lake Eola Park and on the periphery of the Performing Arts Center Plaza through the appropriate concession agreement.
- Food Carts in the above areas may be located there daily, and are thus not restricted to once a week (but may be limited by a concession agreement). However, they are limited to operating at any single location up to eight hours in a 24 hour period of time, and must be removed when not in operation. All mobile food vendors in the Downtown Core must be set back a minimum of 5 feet from any rights-of-way (unless the particular right-of-way is closed to vehicular traffic) and are subject to appearance review by the Architectural Review Board of the Downtown Development Board. If within a Historic District, a minor review is required by the Historic Preservation Officer.

E. Operating Conditions for all Mobile Food Vendors

- 1. All Mobile Food Vendors must be located on a paved parking area; within the Downtown Core on private property, they must be located within a paved pedestrian plaza – and not unimproved property.
- 2. May not damage required landscaping (bufferyards, parking lot landscaping).
- 3. Must be setback from adjacent residential districts a minimum of 40-feet without a bufferwall, and minimum 15-feet with a concrete bufferwall.
- 4. May not be located within 5 feet of any right-of-way or public sidewalk.
- 5. May not disrupt vehicular or pedestrian circulation for ingress and egress to the property.

6. May not locate or block access to required parking for a simultaneously operating business on the property according to the City's parking requirements. Sites that do not have excess parking during the operation of the primary uses are not eligible for mobile food vending.
7. Must comply with all regulations in the Land Development Code, such as signage and setbacks.
8. Food Trucks, Lunch Trucks and Food Carts shall not sell alcohol unless specifically approved as part of an 18A special event permit or other permit approved by the Police Department, and must comply with Land Development Code restrictions for the sale of alcohol near schools and churches.

F. Maintenance

Mobile Food Vendors shall comply with the following operating standards:

1. All operations must be contained within the approved vending vehicle, as permitted by the State of Florida Department of Business and Professional Regulation's Division of Hotels and Restaurants; however, a maximum of two coolers are allowed for beverages external to the vending vehicle or cart.
2. Vendor is responsible for the proper disposal of trash and waste associated with the operation. Vendor shall provide adequate trash receptacles for use by its customers. Vendors shall remove all waste and trash from their location at the end of each day/visit or as needed. The vendor must keep clean all areas of the subject property, and public rights-of-way within twenty-five (25) feet of the subject property, including grease, trash, paper, cups, coolers, or cans associated with the vending operation beyond twenty-five feet. This includes emptying city trash receptacles on the public rights-of-way that contain debris from the operation within twenty-five feet of the property.
3. Non-styrofoam packaging and cups must be used for serving containers. Styrofoam is not allowed for mobile food vending within the City of Orlando. Recycling receptacles must be provided for any packaging that is recyclable, if present.
4. Liquid waste or grease may not be disposed of in tree wells, storm drains, or onto the sidewalks, streets, or other public space. The vendor is responsible for removal of grease and liquid waste from the sidewalk and street surfaces resulting from its operation, or the unloading and loading of food carts. The vendor shall comply with all state laws for servicing the vehicle or cart for waste water and grease disposal, including commissary requirements.
5. If at any time the State revokes, suspends or expires the issued food vending permit, the Planning Official Determination for the Vendor under this pilot program is revoked or suspended simultaneously.

6. The Mobile Food Vendor is liable for all damages and repairs to the streetscape, trees and vegetation, sidewalks, streets, or other public amenities that relate to its operation.
7. Vehicles shall not “hop” curbs or perform any other illegal traffic maneuvers.

G. Duration

1. This pilot program shall be effective for two years from the date approved by City Council. The Planning Official may approve a one-year extension.
2. The Planning Official may revoke approval granted under a Planning Official Determination for an individual operator for non-compliance with any conditions of the pilot program.
3. The Planning Official shall report semi-annually to the Chief Administrative Officer on the effectiveness of the program.

Use Table: Where Mobile Vending is allowed in Non-Residential Zoning Districts

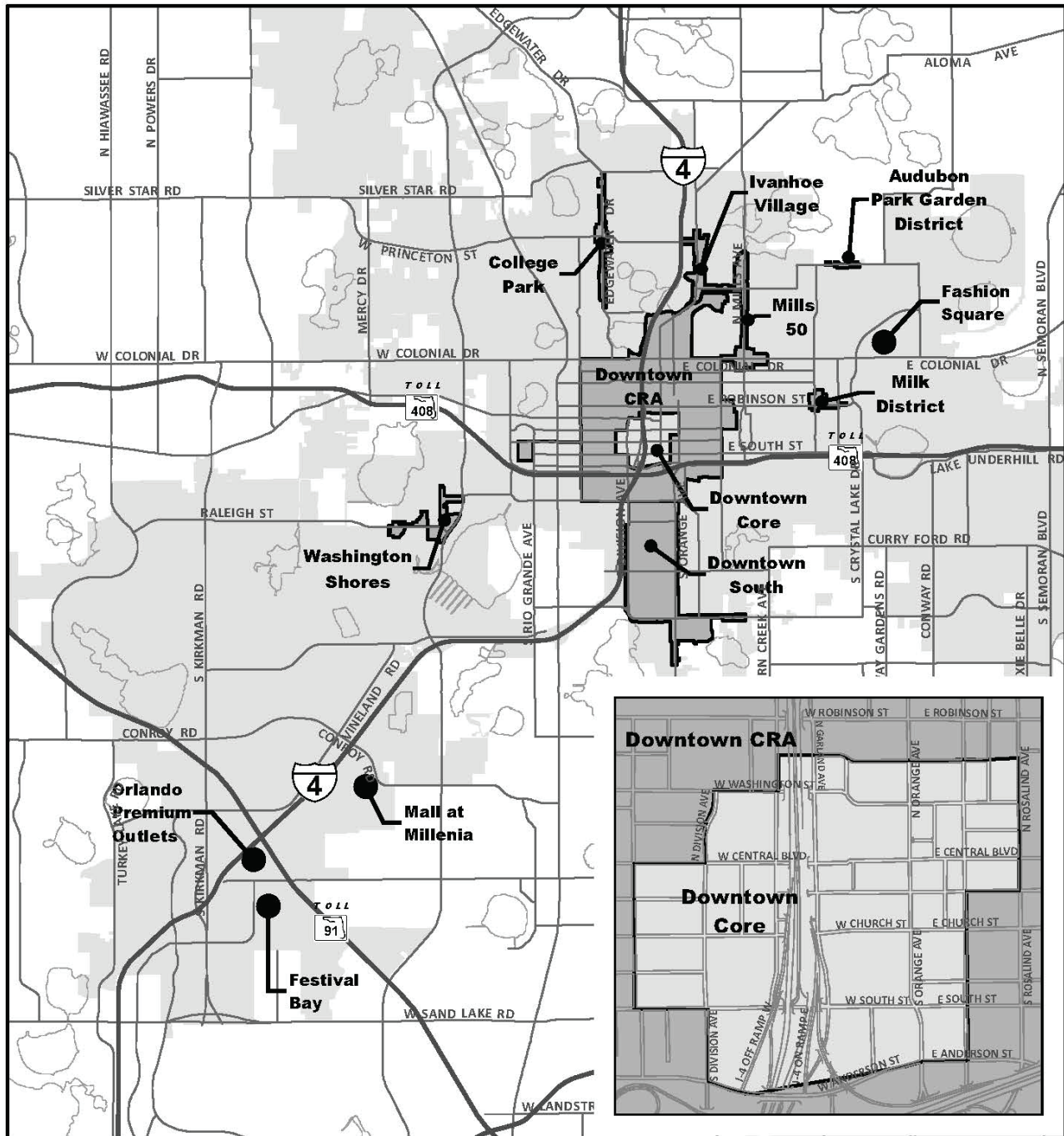
	Main Street	CRA Outside Core	Regional Mall	Schools/ Churches*	Downtown Core	ROW/ Sidewalks	Special Event: ROW or Park	Park: Occasional or Permanent
Food Trucks	Allowed	Allowed	Allowed	Allowed	Not** allowed	Not allowed	18A Permit	Concession Agreement
Lunch Trucks	Allowed	Allowed	Allowed	Allowed	Not allowed	Not allowed	18A Permit	Concession Agreement
Food Carts	Allowed	Allowed	Allowed	Allowed	Allowed in plaza	Not allowed	18A Permit	Concession Agreement

* Allowed at Schools/Churches, except up to twice a year in residential zoning districts.

**May be allowed on Church Street as part of the right-of-way utilization agreement for vendors with the Church Street District or any other Special Event approved by the City, and Performing Arts Center plaza as part of a concession agreement.

Exhibit A

Food Trucks



LEGEND

0 0.5 1 2 Miles

City of Orlando, Economic Development Department
Transportation Division, August 2012

- Food Truck Area
- Food Truck Mall
- City of Orlando Jurisdiction





Mobile Food Vendor Application

Department of Planning & Development Services

300 North Park Avenue, Sanford, Florida 32771

Phone: 407.688.5140 Fax: 407.688.5141

8.A.b

1. Business Name: _____
2. Business Mailing Address: _____
3. Business Phone: _____ Fax: _____ Email: _____
4. Describe food to be sold: _____

5. If the Mobile Food Cart travels on public roads, provide license tag number: _____
6. If the Mobile Food Cart is not licensed, how is the unit moved to location?: _____

7. Size of Mobile Food Cart: Length: _____ Width: _____ Height: _____

The following items must be submitted with this completed application:

- Application Fee
- Site Plan - The site plan at a minimum must accurately show:
 - Proposed location of the mobile food cart
 - All parking spaces, including handicapped spaces
 - Entrances and exits to and from access street
 - Distance from any buildings or structures
 - Distance from sidewalks, rights-of-way, fire hydrants, fire lanes and landscaped areas
- Property Owner Authorization Form verifying approval of use of site for a mobile vendor
Or
- Copy of the letter of approval of a ROW Use Permit if the use is proposed on a City right-of-way

The following items must be provided prior to receiving a Business Tax Receipt:

- Signed and notarized hold-harmless agreement (form provided by the City)
- A \$1,000,000.00 liability insurance policy meeting the requirements of the resolution
- Copy of the appropriate license from the Florida Division of Hotel and Restaurants

This application is submitted by:

Applicant/Agent:

Signature: _____ Print Name: _____
Address: _____
Phone: _____ Fax: _____ Email: _____ Date: _____

Official Use Only

Application No: _____ Fee: _____ Date: _____

☐ Approved

☐ Approved with conditions

☐ Denied

Approved by: _____ Date: _____

Attachment: 02.05.2019 Mobile Food Dispensing Vehicles attachments [Revision 2] (3852 : Mobile Food Dispensing Vehicles (Food Trucks))

- (a). Mobile food vendors shall be allowed to operate on private property with the written permission of the owner set forth on a form provided by the City or on public ways when approved by the City.
- (b). If operating on private property, all activities of a mobile food vendor must be on real property assigned a commercial or industrial zoning classification which real property is a developed site and does not abut real property which is single-family, two-family or multi-family use or zoning classification.
- (c). Issuance of a mobile food vendor license shall not entitle the mobile food vendor licensee to conduct business exclusively at any specific location on any street or sidewalk.
- (d). Mobile food units shall be registered as required by State law and it is prohibited and unlawful for a mobile food vendor to operate, move, park, stop or stand any mobile food unit on a public way unless the vehicle is equipped as required by State law.
- (e). It is prohibited and unlawful for a mobile food vendor, operating on City sidewalks or other public ways, to impede normal pedestrian traffic.
- (f). It is prohibited and unlawful for a mobile food vendor to create or contribute to a potential safety or hazardous situation or condition on public or private property.
- (g). It is prohibited and unlawful for a mobile food vendor to fail to comply with all State and City traffic and parking, stopping and standing laws, codes, ordinances, rules and regulations.
- (h). Mobile food units shall be equipped with a suitable trash container readily accessible to the public, in which the mobile food vendor's customers may deposit any litter, trash or waste related to the vendor's sales. Prior to moving a mobile food unit from a sales location, a mobile food vendor shall pick up and remove all litter, trash and waste related to the mobile vendor's sales and within an area encompassing a radius of one hundred feet (100') from the sales area.
- (i). The mobile food vendor sales area shall not exceed an area of a standard parking space (two hundred (200) square feet).
- (j). It is prohibited and unlawful for a mobile food vendor to create a nuisance condition to include, but not be limited to, displaying flags, signage not located within the operational area of a mobile food unit, loud noises, shouting or amplified music or sound.
- (k). It is prohibited and unlawful for a mobile food vendor to set up its sales area or conduct sales from dusk to dawn or such other hours as may be permitted on a license unless otherwise authorized in accordance with other provisions of the *City Code*.
- (l). It is prohibited and unlawful for a mobile food vendor to fail to remove a mobile food unit or related items at the close of each business day.
- (m). It is prohibited and unlawful for a mobile food vendor to set up its sales area or conduct sales at any of the following locations:
 - (1). On or within two hundred and fifty feet (250') of First Street and Second Street between French Avenue and Sanford Avenue.
 - (2). On or within two hundred and fifty feet (250') of Sanford Avenue between Commercial Street and Thirteenth Street.
 - (3). Within two hundred and fifty feet (250') of any other mobile food vendor unless specifically permitted to do so.
 - (4). Within five hundred feet (500') of any licensed restaurant located in a permanent structure during the hours said restaurant is open for business.



MOBILE VENDOR GUIDELINES

To avoid unnecessary delays and / or expense it is recommended that you contact each of the offices listed below to understand all of the requirements prior to expending any funds.

Food vendors require a license from the State of Florida. Contact the State of Florida Division of Hotels and Restaurants about their licensing requirements.

Phone: **850.487.1395**

Website: www.myflorida.com/dbpr/hr/licensing/GT_MDFV.html

All businesses operating within the city limits require a City of Sanford business tax receipt. Contact the City of Sanford Building Department for information.

Phone: **407.688.5150**

Website: www.sanfordfl.gov

Businesses located in the City of Sanford require a Seminole County business tax receipt. Contact the Seminole County Tax Collector office for information.

Phone: **407.665.1000**

Website: www.seminoletax.org

The City of Sanford Mobile Vendor License requires:

- Completed Mobile Food Vendor Application.
- Application Fee.
- Site Plan (including the following):
 - Proposed location of the mobile food cart,
 - All parking spaces, including handicapped spaces,
 - Entrances and exits to and from the access street,
 - Distance from any buildings or structures, and
 - Distance from sidewalks, rights-of-way, fire hydrants, fire lanes and landscaped areas.
- Property Owner Authorization Form (provided by the City) verifying approval of the property owner for operation of a mobile food vending operation, or Copy of approval of a ROW use permit if the use is proposed on City Right of Way.
- Copy of the Business Tax Receipt for the business (both City and County).
- Signed and notarized hold-harmless agreement (form provided by the City).
- A \$1,000,000 liability insurance policy meeting the terms and requirements of the regulations.
- Copy of the appropriate license from the Florida Division of Hotel and Restaurants.

For more information contact the Department of Planning and Development Services.

Phone: **407.688.5140**

Email: engineeringandplanning@sanfordfl.gov

For operation within the Right-of-Way of a City Street, please contact the Planning Department about the procedures for requesting a Right-of-Way Use permit.

Phone: **407.688.5140**

Email: engineeringandplanning@sanfordfl.gov

Additional information is also available on the City of Sanford website www.sanfordfl.gov

MOBILE VENDOR HOLD HARMLESS AND INDEMNIFICATION AGREEMENT

The UNDERSIGNED _____, either as a the representative of a business or individually, whose current address of _____, intending to be legally bound for himself/herself and his/her heirs, executors and administrators, waives and releases any and all claims, or rights for any injuries, death or damages that the UNDERSIGNED had, has or will have since the beginning of the earth until the end of the earth against the CITY OF SANFORD, Florida, 300 N. Park Ave., Sanford, FL 2771, the elected and appointed officials of the CITY of SANFORD, it's City Manager, department heads, division heads, supervisors and employees of the CITY OF SANFORD, and their heirs, representatives, successors, executors, administrators and assigns, for any and all injuries, death, damages suffered in connection with the OPERATION OF A MOBILE FOOD VENDING OPERATION AND ASSOCIATED ACTIVITIES , either directly or indirectly. The UNDERSIGNED, either as a the representative of a business or individually, also agrees through the signing of this document, intending to be legally bound for themselves and their heirs, executors and administrators, covenants and agrees to Indemnify and Hold Harmless and defend the CITY OF SANFORD, the elected and appointed officials of the CITY OF SANFORD, it's City Manager, department heads, division heads, supervisors and employees of the CITY OF SANFORD, and their heirs, representatives, successors, executors, administrators and assigns from and against any and all suits and actions including attorneys fees and all costs of litigation and judgments, claims for damages or injuries, including death, to persons or property of whatever kind or character, whether real, personal or mixed, asserted or occurring from every name and description arising out of or incidental to the aforementioned activity(ies) with/for CITY OF SANFORD, Florida, whether or not due to or caused by the negligence of the CITY OF SANFORD, excluding only the sole negligence of the CITY OF SANFORD. This provision shall also pertain to any claims, suits actions against the CITY OF SANFORD by any employee, associate, anyone directly or indirectly employed, hired or contracted by the UNDERSIGNED, the heirs, representatives, successors, executors, administrators and assigns of the UNDERSIGNED.

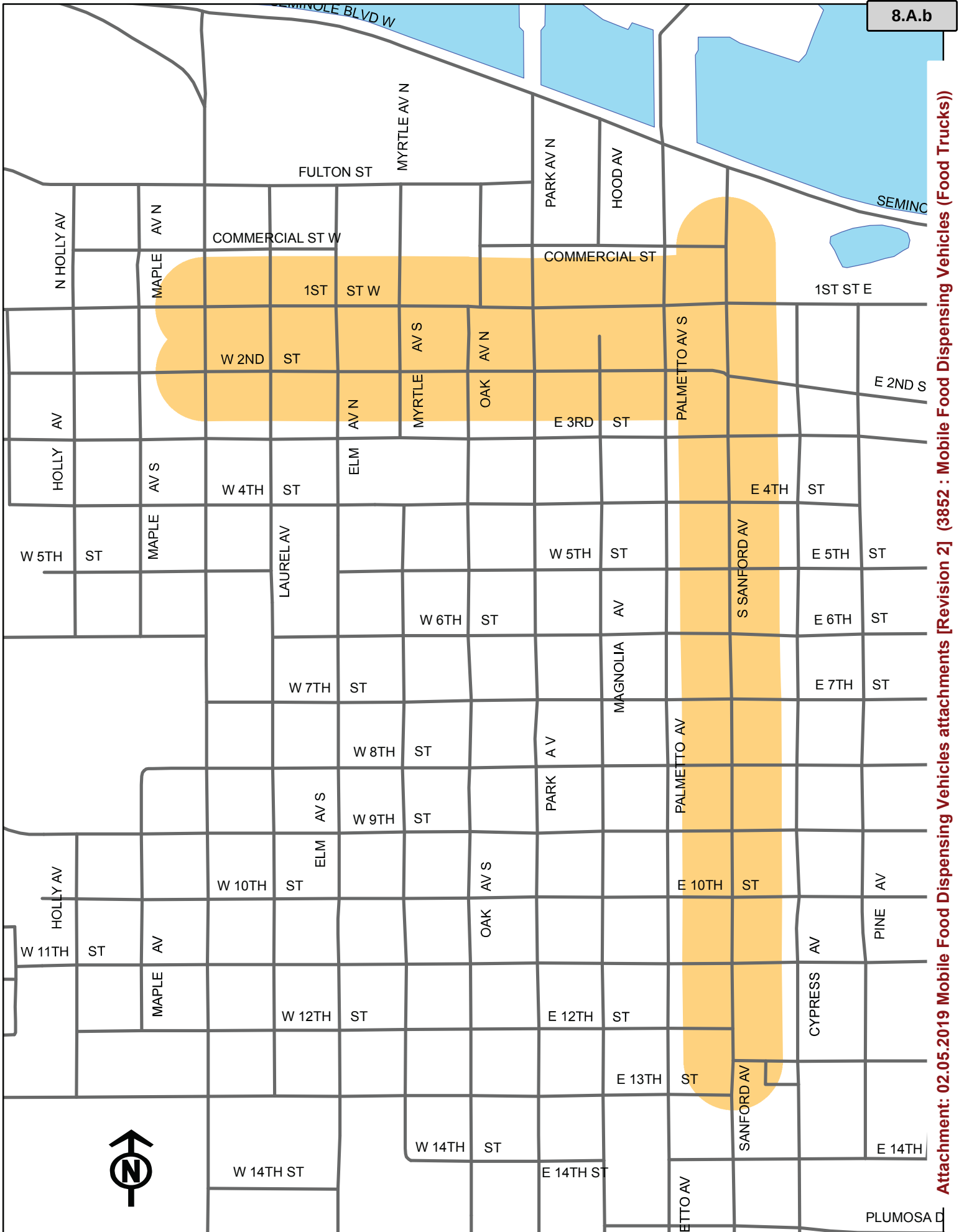
_____ Authorized Signature	_____ Print Name	_____ Title (President, Vice President, etc)	_____ date
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Signed in the presence of two witnesses **or** a Notary Public:

_____ Print Name	_____ Signature	_____ Date
_____ Print Name	_____ Signature	_____ Date

Sworn to and subscribed before me on this ____ day of December, 20__

_____ Notary Public	_____ My Commission Expires
------------------------	--------------------------------





Included in this packet:

1. List of Required Submittals
2. Application Form
3. Information Sheet
4. Downtown Map

**Planning and Economic
Development Department**

**Development Review
Services Division**

<http://www.stpete.org/LDR>

City of St. Petersburg
P.O. Box 2842
St. Petersburg, FL 33713
727 - 893-7471

Last Updated: 9-14-2016

MOBILE FOOD TRUCKS

Application No. _____



List of Required Submittals

Only complete applications will be accepted:

- ☐ Completed application form
- ☐ Application fee (\$170 first year, \$85 annual renewal fee)
- ☐ Department of Business and Professional Regulation
Division of Hotels and Restaurants, or Florida Department of
Agriculture, "License" for mobile vending
- ☐ Proof of Insurance
- ☐ Photographs of the mobile food truck depicting all sides of the
vehicle (for new applications)
- ☐ Vehicle Identification Number (VIN)

Supplemental Information

- Visit <http://www.myfloridalicense.com/dbpr/hr/index.html> for the most current regulations from Florida Division of Hotels and Restaurants.
- Visit <http://www.freshfromflorida.com/Divisions-Offices/Food-Safety> for the most current regulations from Florida Division of Food Safety (Agriculture).

Note: Obtaining an annual mobile food truck permit does not exempt the holder from complying with all requirements of City Code Section 16.50.440.

These regulations exclude a contractual or other private arrangement between a mobile food truck and an individual or group that wishes to have food catered to a specific location and which is not open to the public.

Completeness review by city staff:

Packet Pg. 753

Cashier Validation



MOBILE FOOD TRUCKS

Application No. _____

All applications are to be filled out completely and correctly. The application shall be submitted to the City of St. Petersburg's Planning and Economic Development Department, located on the 1st floor of the Municipal Services Building, One Fourth Street North, St. Petersburg, Florida.

GENERAL INFORMATION

Name of Applicant:

Street Address:

City, State, Zip:

Telephone No:

Email Address:

Website:

VEHICLE INFORMATION

Business Name:

Vehicle Identification Number (VIN):

State License, No. for Mobile Food Dispensing Unit:

State License, Date Issued:

State License, Expiration Date:

REQUEST

To operate on private property: ☐ Yes ☐ NoTo operate on public rights-of-way: ☐ Yes ☐ No

AUTHORIZATION

By signing this application, the applicant affirms that all information contained within this application packet has been read and that the information on this application is accurate. The applicant certifies that he/she has read City Code Section 16.50.440 regulating the operation of mobile food trucks and understand that issuance of an annual mobile food truck permit does not exempt the holder from complying with all requirements of the City Code. Filing an application does not guarantee approval.

NOTES: 1) It is incumbent upon the applicant to submit correct information. Any misleading, deceptive, incomplete or incorrect information may invalidate your approval.

Signature of Applicant: _____ Date: _____

OFFICIAL USE ONLY

PRE-APPROVED	TYPE OF TRUCK	FINAL APPROVAL
Requires Pre-Approval Authorization	Class I Mobile Kitchen	Requires Final Approval STAMP
	Class II Canteen Truck	
	Class III Ice Cream Truck	

The Application:

- **State License:** A copy of the state permit for a mobile food dispensing vehicle is required and must be approved prior to approval to vend in the City of St. Petersburg.
- **Insurance:** Include a certificate of insurance demonstrating the following (contact the Risk Management Division with specific questions at 727-893-7582:
 - If operating in the street (right-of-way):
 - Commercial General Liability Insurance
 - \$1,000,000 per Occurrence
 - \$2,000,000 General Aggregate
 - *Must name the City as “additionally insured”.
 - Automobile Liability
 - \$300,000 Combined Single Limit
 - Proof of Workers Compensation as required by Florida law (if more than 3 employees).
- **Business Tax:** A separate City of St. Petersburg Business Tax License is required for each mobile food truck and must be obtained as part of the permit process.

The Permit/Fees:

- The permit fee is \$170 for the first year and \$85 for annual renewals of existing permits.
- The annual Business Tax License fee is \$65.
- Permits expire at the end of the fiscal year for which they are issued (September 30th).

The Truck (or Trailer):

- A mobile food truck is a vehicle which is used to vend food and beverage products and is classified as one of the following:
 - o **Class I—Mobile kitchens.** In addition to the vending of products allowed for class II and class III mobile food trucks, these vehicles may cook, prepare and assemble food items on or in the unit and serve a full menu.
 - o **Class II—Canteen trucks.** These vehicles vend fruits, vegetables, hot dogs, pre-cooked foods, pre-packaged foods and pre-packaged drinks. No preparation or assembly of foods or beverages may take place on or in the vehicle, however, the heating of pre-cooked foods is allowed. A cooking apparatus or grill top for the heating of pre-cooked foods is permitted so long as it complies with state regulations. These vehicles are limited to providing catering services to employees at a specific location and do not advertise

for customers, except as may be allowed by a City issued permit.

- o **Class III—Ice cream trucks.** These vehicles vend only pre-packaged frozen dairy or frozen water-based food products, soft serve or hand-dipped frozen dairy products or frozen water-based food products and pre-packaged beverages. If vending in the street (right-of-way) only this permit does not apply – please contact the City’s Police Department to obtain a Peddler’s Permit.

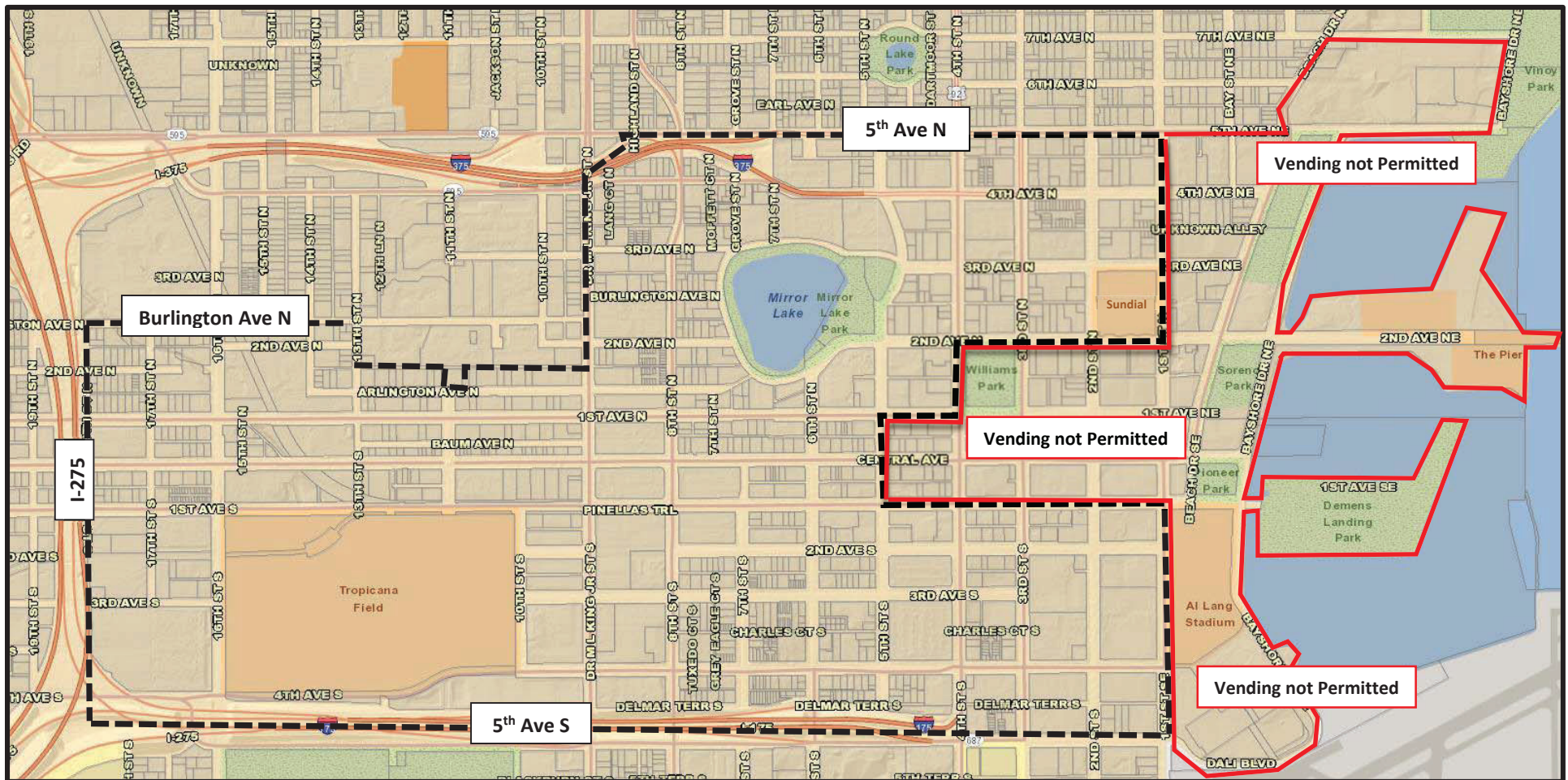
The Locations:

- Vending on private property may occur with the property owner’s consent on properties located within zoning districts allowing retail uses or restaurants and bars (CRT-2, CCT-1, CCT-2, CCS-1, CCS-2, CCS-3, RC-1, RC-2, RC-3, IC(I)).
- To check the zoning designation of a property, visit www.stpete.org/LDR.
- On private property mobile food trucks can operate a maximum of two days per calendar week. A food truck may operate 7 days a week at different locations, but one location may only host a food truck up to two days per week.
- In Downtown Center zoning districts mobile food truck vending in the street (right-of-way) is prohibited (see attached map for downtown location restrictions).
- Mobile vending is not allowed on city park land (except as part of an approved special event).
- Operation of a food truck is prohibited on vacant and undeveloped property, except when located in a CCT-2 zoning district.
- No more than two mobile food trucks shall operate on any property at any one time, except as may be allowed by a City issued permit (such as a Food Truck Rally permit).

Operation:

- When vending in the street (right-of-way) a Class I mobile food truck may stop, stand or park in any area of the right-of-way not provided for vehicular travel (e.g. parking spaces). Food trucks may not block travel lanes.
- Open flame cooking is prohibited.
- No tables, chairs or other furniture or equipment (other than the mobile food truck) shall be placed in the street (right of way).

Mobile Food Truck Vending in Downtown St. Petersburg



 Mobile Vending permitted on private property only (no vending in the streets)

 Mobile Vending not permitted in this area (on private property or in streets)

* This map applies to individual operators of Class I Mobile Kitchens. An approved Mobile Food Truck Permit is required prior to vending.

**Restrictions do not apply to an event approved by the City.

Policy considerations for Mobile Food Dispensing Vehicles (Food Trucks)



Existing Policies

1. Large scale civic events organized by the City or a non-profit such as Ormond MainStreet.
2. Large scale non-profit events.
3. Within the Interlocal Service Boundary Agreement (ISBA) area where properties are identified as host for itinerant vending along the North U.S. Highway 1 corridor.
4. Malted Beverage Producers located in the I-1 zoning district.

Permitting Requirements

- Host or special event permit required.
- Mobile Food Dispensing Vehicles requirements:
 - * Business tax receipt or registration.
 - * State license.
 - * City Fire inspection.
 - * Liquid Propane test (every 6 months).

Approved Mobile Food Dispensing Vehicles

- Miller Restaurants
- Sweets-n-Eats
- Southern State of Mind
- Philly Down South
- Stoked Poke
- Audreys Surfside Grill
- Sweet and Social



Mobile Food Dispensing Vehicles Policy Options

1. Allow the existing permitted uses only.
2. Separate out lunch trucks from Mobile Food Dispensing Vehicles and allow within the I-1 zoning district, construction sites and larger employment centers under certain conditions.
3. Expand to allow as part of special event permits.
4. Expand to allow on private property as an accessory use under certain conditions.

Location standards Recommendations

1. Existing policy: Special events on public property are allowed in association with a special event permit.
2. Existing policy: Large scale non-profit events.
3. Existing policy: Allowed in association with recognized host vendors in the ISBA.
4. Existing policy: Allowed in association with a Malted Beverage Producer use.
5. Prohibit on any public right-of-way.
6. Prohibit on any developed residential use, including single family, duplex or multi-family.
7. Prohibit on any vacant lot.

Location standards

Questions/Options

1. Should “lunch trucks” be allowed within the I-1 zoning district, construction sites and larger employment centers?
2. Should Mobile Food Dispensing Vehicles be expanded?
If yes, which option or combination of options:
 - A. Option 3 (special events); or
 - B. Option 4 (accessory use) be allowed?
3. Depending on the option selected, how often should Mobile Food Dispensing Vehicles be allowed?
4. Separate of large scale special events, should public parks be allowed to hold Mobile Food Dispensing Vehicles rallies and/or allow with sporting events?

Operational Standards Recommendations

1. Hours of operation: 8:00 am to 10:00 pm.
2. Define sales area: typically the area of a parking space is 180 to 200 square feet.
3. Storage and parking: Mobile Food Dispensing Vehicles not allowed overnight.
4. Trash disposal: required to be provided.
5. Host property must have no active code violations to allow Mobile Food Dispensing Vehicles.
6. Shall not block vehicular or pedestrian circulation for ingress or egress to the site.
7. Shall not park or otherwise impact existing landscaped areas.
8. No music shall be permitted with a Mobile Food Dispensing Vehicles on private property.
9. Signage: Allow an A-frame sign. No other flags, pennants, balloons or other signage is permitted, except on the Mobile Food Dispensing Vehicle.
10. No alcoholic beverages are allowed.
11. Setback: Establish a setback from the public right-of-way of at least 15 feet.

Operational Standards Questions/Options

1. Should a separation requirement to existing “brick and mortar” restaurants be required?
2. Depending on the option selected, should there be a limit on the number of food trucks on private property?

Enforcement provisions

Recommendations:

1. Host or special event property owners are responsible to ensure Mobile Food Dispensing Vehicles have their City and state licensing and inspections.
2. Any violations would be cited to the host or special event property owner.

Enforcement provisions

Question/Options:

1. Should violations of the Mobile Food Dispensing Vehicles result in prohibiting Mobile Food Dispensing Vehicles for a period of time? As part of any code enforcement action, host or special event property owners are provided an opportunity to correct a violation. Host or special event property owners would be prohibited from having food trucks for a period of time if there are repeated violations after an opportunity to come into compliance has been provided.

Mobile Food Dispensing Vehicles (Food Trucks)

Questions?

ATTACHMENT 2

Restaurant survey results
regarding food trucks

Food Truck Survey Results

Responses collected March 13, 2019 – April 02, 2019

Q1. Where do you think food trucks should be allowed to locate in the City of Ormond Beach? (Check all that apply)

Suggested Answers	# of Responses	Additional comments
On public property associated with special events (such as Riverfest, 4 th of July, or Celtic festival)	18	1. But not in Downtown Overlay District
On private property with permission of the property owner	7	
Industrial Complexes, construction sites and larger employment centers	12	
Should not allow food trucks at all	6	
Within the Inter-local Service Boundary Agreement area where properties are identified as a host for itinerant vending along the North U.S. Highway 1 corridor	7	
Downtown Overlay District (SR A1A to Orchard Avenue along Granada Boulevard)	0	
Public Parks	4	
Parking lots	1	
Vacant lots	1	
On public streets	1	
Residential neighborhoods	0	
Other	0	

Q2. Where do you think food trucks should NOT be allowed to locate in the City of Ormond Beach? (check all that apply)

Suggested Answers	# of Responses	Additional comments
On public property associated with special events (such as Riverfest, 4 th of July, or Celtic festival)	2	
On private property with permission of the property owner	11	
Industrial Complexes, construction sites and larger employment centers	7	
Should not allow food trucks at all	9	
Within the Inter-local Service Boundary Agreement area where properties are identified as a host for itinerant vending along the North U.S. Highway 1 corridor	6	
Downtown Overlay District (SR A1A to Orchard Avenue along Granada Boulevard)	14	
Public Parks	13	
Parking lots	18	
Vacant lots	18	
On public streets	19	
Residential neighborhoods	18	
Other	4	

Q3. Should there be a distance separation between permanent restaurants (brick and mortar) and where food trucks can operate?

Suggested Answers	# of Responses	Additional comments
Yes	20	5,000 feet from Ormond
No	2	

Q4. If answering yes to question number 3, what should the distance from the permanent restaurant be?

Suggested Answers	# of Responses	Additional comments
100'	0	
250'	3	
500'	2	
1,000'	7	1. Unless public event at City Library lot or Casements 2. Concern being food truck customers using restaurant parking lots to park while visiting food trucks
Other distance	7	1. In another city 2. 0' if applicable 3. No trucks 4. 5 miles 5. None allowed 6. They should not be in downtown area with other restaurants 7. 5 miles

Q5. How often should food trucks be allowed to operate on private property (not on public land associated with special events)?

Suggested Answers	# of Responses	Additional comments
Allow food trucks to operate as needed with no restrictions	2	
Allow food truck operations once per week per private property	3	
Allow food truck operations a certain number of times per year (for example 12 times per year)	9	1. With special event fee only on beach or North US HWY 1 corridor
Other	8	1. No food trucks allowed at all 2. No food trucks 3. None other than special events at Riverfest and Celtic 4. None 5. None allowed 6. Never 7. Not sure it should be allowed, how would you control 8. Only during special events within the ISBA

Q6. Does your restaurant operate or participate in the operation of a food truck?

Suggested Answers	# of Responses	Additional comments
Yes	0	
No	24	

Q7. For food trucks allowed in the City of Ormond Beach, other than public special events, what days and times do you think food trucks should be allowed to operate in the City of Ormond Beach? (Check all that apply)

Suggested Answers	# of Responses	Additional comments
During the weekdays	2	
During weekends	4	
Anytime during the day or night	3	
During the daytime only (8 a.m. to 5 p.m.)	7	
During the evening only (after 4 p.m.)	1	
Other	8	1. Not at all 2. 7 days a week after 4:00 p.m. 3. No food trucks 4. 10:00 p.m. – 1:00 a.m. 5. None 6. None allowed 7. Should not be able to operate 8. Depends on where they are parked 9. I don't think they should be allowed in downtown Ormond Beach

**Q8. Is there anything else you would like to share regarding your opinion of food trucks in the City of Ormond Beach?
(may use attached blank paper)**

As a restaurant owner in Ormond Beach we are having an extremely hard time on the beachside, especially since the hurricanes and the fact that too many restaurants are opening with less visitors coming. Lots of resorts have been closed and are still closed due to damage that also hasn't helped. This past few months, 2 restaurants have opened and so the pie gets cut once again. Even the beach parking (city owned) have concessions selling snacks and sandwiches. I feel Ormond Beach is still too small to even consider this idea.
Since we serve primarily pizza, it would be nice to offer other fare. Personally, I believe that food trucks should be able to partner with a restaurant as long as the food truck isn't offering a similar menu to a restaurant within 100'. I have had food trucks approach us before and would have liked to have them on our property. Grayson Lamb, G.M. Tomoka Brewery.
The breweries in town do not have food. I have no problem with food trucks setting up there.
Food truck should only be allowed on special events. We restaurants that pay rent and mortgages have a large investment. We don't need to compete with a truck that can pull up to your parking lot. No trucks.
Inviting problems in licensing and health regulations by allow "Gypsy" food operations into the City.
If allowed to operate on private or public event land should be charged additional fee per special event due to area impact. Consider not allow on "Mainstreet"/Granada without special event permit to maintain donation environment and parking for existing business.
I feel Ormond has adequate food operations and over saturation will hurt brick and motor locations. People that have invested in placing a restaurant here should benefit. Not temporary trucks.
Really? Why? Take money out of my mouth with less work and regs for them? Stop the madness. Find something better to do with your time. Wow!
To Whom It May Concern: I operate Rose Villa 362 days per year – We employ 30 people full and part-time. Due to the seasonal nature of the area, several of the months we operate are not profitable. We rely on the special events and the high tourist season to generate the profit needed to pay our employees, taxes, etc. thru the slower months. Allowing itinerant food vendors to cherry pick events and locations to the detriment of the local brick and mortar operators seems unfair to me. C.K. Roberts.
Not a bad idea (trendy) but needs to be handled in an organized fashion so its not the "wild west". Maybe should have a trail period (1 yr.) due to unintended consequences. Just consider the law of unintended consequences & how is oversight to be handled. Existing [brick and motor] businesses have spent a lot of money for land, building, beautification and other to be a model citizen and part of the community. Should be considerate of this and craft permitting to be fair!! Thank you for putting this form out to interested & invested concerns.
Food trucks and brick and motor restaurants do not mix.

To Whom It May Concern:

As a local mainstreet Ormond restaurant owner, my biggest concern with food trucks is the impact on business. My restaurant, Wild Rabbit Bistro, already shares street parking and a public lot with the Casements. Many of our customers currently walk 1 block or more to dine with us. Our locals “hunker down” during Bike Week and many other large local events (such as those at the Casements) impact our business. Ormond Art Walk already offers shuttle service for their new monthly event due to the known limited parking Ormond downtown mainstreet has. The thought of MORE parking congestion due to out-of-town food trucks is not something I welcome as the limited number of available downtown parking spaces is ALREADY a problem for local businesses.

Additionally, restaurant margins are already knowingly slim. I rely on the support of our locals and our snow-birds. Like other local Ormond businesses we pray it's a light hurricane season! Ormond Beach is NOT a “big city”; census reports Ormond Beach has a population of 42, 816 whereas Washington DC is 702, 455 or Miami 2,751,796 or even our “neighbor” of Orlando is 280,257 and Jacksonville is 892,062. These places with more than 5x (or more!) our population perhaps can sustain additional dining options taking downtown parking spaces and local business dollars. Ormond's population is a mere fraction of those of bigger places with “food truck parks” and the like. Our population eat only so many meals a day and a meal is a meal. I take offense to food trucks whose business purpose is to enter a community, take in a few thousand dollars in cash and disappear within a few hours. This is festival or special event kinda behavior – not how a COMMUNITY is built or sustains.

As a local restaurant owner, I'm invested. My lease is a set number of years. My landlord paid impact fees when my site was transformed from retail space to a restaurant. As owner of Wild Rabbit Bistro we write paychecks to 20+ LOCAL people every week, we pay our business taxes to Ormond Beach, we paid our permit fees each time to improve the building. In fact, I paid fees just a few months ago to add a walk-in-cooler to expand and put money in a local contractors pocket and electrician too to make it happen. We pay for garbage and trash to be picked up, I pay my water and sewer bills, I pay to get my propane filled by a local business, I even get salad greens from a local person! Food trucks don't contribute any of this revenue to the COMMUNITY, in fact they don't even bring their own dumpsters and don't offer restrooms...it is the public and local businesses that pick up the tab. Allowing food trucks in the mainstreet/downtown Ormond area is like asking me to subsidize someone else's business. I have a problem with that concept.

I am not against food trucks. I am fine with them on the beach in a regulated, organized fashion. I've lived in Volusia County more than 30 years. It's kinda nostalgic to get an ice cream from a truck on the beach. I am fine with food trucks as special event situations out on US1 or A1A when permitted by the city as part of the special event permit process. However, I am against them downtown/mainstreet Ormond as I see them being the antithesis of the mainstreet Ormond concept AND coupled with the fact Ormond doesn't have the large population or parking infrastructure in place to handle/support them.

Laura – Wild Rabbit Bistro

Mayor Partington, Council Members and City Staff,

I have been in business and a property owner, stake holder in Downtown Ormond Beach since 1981. I am fully invested in the health, wellbeing and future of Downtown Ormond Beach. This year I invested over 800 thousand dollars in additions and improvements to my property. My Business employs 80 to 90 people year round. Most of these employees live in Ormond Beach, pay taxes and spend money on goods and services in Ormond Beach.

My Business pays property taxes which help fund the city, also I pay the city for utilities such as water, sewer and garbage. We also pay endless Taxes and fees to the State and Federal agencies. Supporting the Citizens of the City, state and country.

Having a Downtown with successful BRICK and MORTAR Properties and Business is what I am all about.

I have worked for many years with the City officials as well as Ormond Mainstreet and We have been successful in the number and variety of Restaurants that are operating and the reinvestment in Properties in Downtown Ormond Beach.

I am very opposed to the city allowing mobile food trucks into the Downtown area. They will only harm the existing Restaurants and properties and provide no lasting benefit or investment to the City. They will negate the lifelong commitment and efforts of long-term property owners. Every Customer is invaluable to My BRICK and MORTAT Business success.

As a Restaurant owner, operator, property owner and investor, I would think twice about investing any further in a Downtown that allows Mobile Food trucks to roll in and set up anywhere near my Business.

James G. Hull Jr.

Hulls Seafood Restaurant and Market

111 West Granada Blvd.

ATTACHMENT 3

Information from food truck operator, seven myths and realities about food trucks

SEVEN MYTHS AND REALITIES ABOUT FOOD TRUCKS:

WHY THE FACTS SUPPORT FOOD-TRUCK FREEDOM

By Bert Gall and Lancée Kurcab¹

Food trucks continue to grow in popularity throughout the country. But as the Institute for Justice detailed in a recent report, some cities have responded by enacting and enforcing laws that do not advance public health and safety, and serve no other purpose than to “protect” restaurants from competition from food trucks.² Arguing in favor of these laws—such as those that bar food trucks from operating in popular commercial areas or that prohibit food trucks from parking within several hundred feet of any restaurant—their proponents rely upon several myths.

Below, we list the seven most prevalent of these myths and, using facts and real-world examples, debunk them.

MYTH #1: The presence of food trucks is harmful to a city’s restaurant industry.

REALITY: The presence of food trucks does not hurt a city’s restaurant industry, but instead helps it.

Claims that food trucks spell doom for local restaurants are not only unsupported,³ but are also contradicted by the experiences of Los Angeles and Austin, which have enthusiastically welcomed mobile-food entrepreneurs. For example, the continued growth of the food-truck industry in Los Angeles—the birthplace of the modern food truck—in no way diminished L.A.’s vibrant restaurant scene. In fact, customers in a recent *Zagat* survey reported that they think the restaurant scene has continued to improve.⁴ In Austin, local restaurateurs and economists generally agree that the city’s robust mobile-food scene has boosted the restaurant industry as a whole.⁵ Citing Los Angeles and Austin as positive examples, a group of restaurateurs in Pittsburgh have joined together to ask their city to get rid of restrictive regulations that have stifled the growth of the food-truck industry there because they have recognized that the “cities with the most vibrant food-truck scenes also have booming restaurant industries.”⁶

Indeed, food trucks all over the country are helping to bolster the local restaurant industry in (at least) three specific ways:

1. *Food trucks’ presence increases the number of customers available to restaurants.*

Austin’s food trucks and food trailers are a rising tide lifting all boats in the local restaurant industry; one way they have done so is by attracting more people—both new residents and tourists—into the city.⁷ In Houston, restaurants have experienced increased business generated by food trucks parking nearby and drawing more people to the restaurants’ neighborhoods. It is for this reason that restaurant owners have asked the Houston City Council to ease existing laws that make it difficult for food trucks to operate.⁸ And in Las Vegas, George Harris, the owner of Mundo, an award-winning upscale restaurant in Las

Vegas, has observed that food trucks help his business by bringing new customers to the neighborhood.⁹

Furthermore, historical evidence suggests that banning food trucks from an area in which they currently operate will harm nearby restaurants by decreasing the number of potential customers. For example, when street vendors were banned from New York's Lower East Side and Chicago's Maxwell Street Market, brick-and-mortar businesses complained that they suffered lower revenues as a result.¹⁰

Simply put, food trucks draw people out of their offices and homes and into the community, opening their eyes to *all* of the meal options their neighborhood has to offer.

2. ***Food trucks provide restaurants with a great way to market and expand their business.*** All over the country, restaurant owners are launching their own food trucks. For example, the owners of Curried, an Indian restaurant in Chicago, started a food truck with the same name in order to better market the restaurant. Mission accomplished: "We've definitely seen an increase in business at the restaurant," says Scott Gregerson, Curried's managing partner.¹¹ Jose Hernandez, general manager at POPS Cheesestakes in Las Vegas, says that the business at the restaurant's physical location has been boosted by the restaurant's food truck: "The truck has been great advertising."¹² Brian Pekarcik and Rick Stern, co-owners of Spoon and BRGR restaurants in Pittsburgh, just launched a BRGR truck for the same reason. "As brand recognition, it's a great advertising piece," they explained. "And we expect that it will drive customers to our restaurants."¹³ Similarly, Paul Lee, owner of The Winchester restaurant in Grand Rapids, Mich., explained that he opened the What the Truck food truck to serve "as an extension of [T]he Winchester. It allows for us to reach a greater audience and provide something unique to the city."¹⁴
3. ***Food trucks often serve as incubators for new restaurants.*** Several restaurants got their start as food trucks: Many chefs with a great concept, but without enough capital to start their own restaurant, launched food trucks to bring their cuisine to customers. Finding success in the food-truck arena, these chefs then accumulated enough capital to launch their own restaurants. For example, the New York Food Truck Association has 42 members, and 40 percent of them—including Mexico, Souvlaki GR and Schnitzel & Things—now also have brick-and-mortar establishments.¹⁵

These entrepreneurs are not an anomaly. Hundreds of other food-truck owners, including those profiled on the next page, have also opened new restaurants. Without the availability of the food-truck business model, these chefs might not have been able to open their restaurants.

In sum, food trucks provide a boost to a city's restaurant industry.

Examples of Food-Truck Entrepreneurs Opening Brick-and-Mortar Establishments

Austin: In 2006, Michael Rypka opened a small food trailer on South First Street in Austin called Torchy's Tacos. The trailer became so successful that he was able to expand: Torchy's Tacos now has eleven brick-and-mortar restaurants, not just in Austin, but also Dallas and Houston. Michael now employs about 450 people.¹⁶

Boston: Ayr Muir graduated from MIT, earned his MBA from Harvard and began his career working at McKinsey & Company. But in 2008, he left the corporate world to follow his dream of becoming an entrepreneur and launched Clover Lab Food Truck. His locally sourced vegetarian fare has been such a huge hit with customers that Ayr has now been able to launch a total of six trucks and two restaurants in the Boston area.¹⁷ He now employs over 140 people.¹⁸

Chicago: In 1963, Dick Portillo opened a six-by-12-foot hot dog trailer on North Avenue in Villa Park. Years later, Portillo's is a national brand—indeed, a brand that is nearly synonymous with the iconic Chicago hot dog—with 47 locations in Illinois, Indiana and California. Portillo Restaurant Group is now the largest privately owned restaurant company in the Midwest, with over 4,000 employees.¹⁹

Cleveland: Chris Hodgson was inspired to bring affordable gourmet food to Cleveland when he visited taco trucks in New York City. His first food truck, Dim and Den Sum, was so successful that he launched a second truck—Hodge Podge—which received nationwide fame when it finished second in the Food Network's hit show, *The Great Food Truck Race*. Chris partnered with a restaurateur to open Hodges restaurant in downtown Cleveland, and it now employs about 50 people.²⁰

Seattle: In 2007, Chef Josh Henderson started serving classic American food, but with a gourmet twist, out of an Airstream trailer called Skillet. Skillet quickly became popular, in large part because of the delicious bacon jam in its gourmet burgers. In 2011, Josh opened up the Skillet Diner in the Capitol Hill neighborhood, and his business now includes catering and selling its bacon jam through retailers all over the country. He now employs almost 100 people.²¹

Washington, D.C.: Mike Lenard brought Korean fusion-style tacos to the nation's capital in August 2010 when he opened Takorean using a remodeled 1985 Ford step-van. Mike has now opened a permanent location at D.C.'s Union Market, serving up the same menu that made his truck so successful. Takorean was honored to be named one of Washingtonian Magazine's best food trucks in summer 2012, and the magazine recently billed the new Union Market location as one of 11 new restaurants its readers should visit.²² Mike currently employs nine people, and has imminent plans to hire five more employees if his sales continue their upward trend.²³

MYTH #2: Trucks have an “unfair” advantage over restaurants because of their mobility.

REALITY: It is true that food trucks’ mobility allows them to serve customers in different parts of a city, but any advantage that this provides is offset by the many disadvantages of being a mobile operation.

These disadvantages include:

- Food trucks do not have a fixed location, which is a source of business goodwill and stability for restaurants.²⁴ After all, it is easier to build a customer base when the customer can always be sure where the business is located. But food trucks have no guarantee that they will be able to find a parking location that is both available and convenient for their customers.²⁵
- Food trucks—unlike restaurants, which can offer climate-controlled dining rooms to their customers—are completely at the mercy of the weather. If it is raining, snowing or extremely hot, people will be far less inclined to stand in line at a food truck. Instead, they will go to a place where they can eat inside.²⁶ Many trucks even take a hiatus during the winter because of the weather.²⁷ Ice and snow present dangerous conditions, and spending hours each day in freezing temperatures can significantly affect their most valuable asset—their truck.²⁸
- Food trucks cannot offer seating and table service for their customers.
- Food trucks have extremely small kitchens that can hold far less inventory than restaurant kitchens; this means that food trucks can sell less food and must have a smaller menu. Additionally, preparing food in a small, cramped food-truck kitchen is more difficult than preparing food in a larger restaurant kitchen.²⁹
- Food trucks cannot serve as many customers during the day as can an average restaurant. For example, once a food truck finds a parking space, it can take 30 minutes for set-up, and a similar amount of time to clean and pack up after the meal service is over.³⁰ This means that a truck that parks in a space with a two-hour parking limit only has around an hour to serve customers. That’s less than half the time that a restaurant can generally allot to lunch service, and less than a quarter of the time that a restaurant can generally allot to dinner service.³¹
- Food trucks, unlike restaurants, can, and often do, break down. Until repairs are made, the truck cannot serve customers, employees miss out on their shifts and the food in the commissary refrigerator may spoil.³²
- A liquor license is a big moneymaker for restaurants,³³ but food trucks are usually unable to obtain that license under local and state laws because they do not meet the requirement of having a fixed location.³⁴

In a free-market system, there really are no “unfair” advantages between business models because all are free to be used by anyone. Even if a food truck’s mobility could create an “unfair” advantage over restaurants, the many disadvantages described above swamp that one small advantage.

MYTH #3: Trucks have an “unfair” advantage over restaurants because they are not subject to the same set of costs.

REALITY: Restaurants generally do have higher costs than food trucks (e.g., buying or leasing restaurant space), but their return for paying all of those costs is getting the benefit of a fixed location and thus avoiding the many disadvantages that food trucks have.

Furthermore, food trucks are in fact subject to many of the same costs that restaurants face. For example, food-truck owners must purchase liability insurance and pay license and permit fees.³⁵ Like other small business owners, truck owners must pay sales taxes, income taxes and payroll taxes.³⁶ They must spend money to pay and train new employees, to purchase inventory and to market their business.³⁷ Restaurants must either pay property taxes or rent, and the same is true for food trucks: Most cities require that food trucks associate with a commissary in which they can park and clean their truck, store their inventory and partially prepare their food.³⁸ This means that food-truck owners must (in addition to paying taxes on their vehicle) either pay property taxes or rent on the commissary space.

There are other costs that food trucks have to pay that restaurants do not. For example, food-truck owners must spend money to purchase their trucks. A brand-new truck can cost anywhere from \$75,000 to \$300,000; a used truck can cost between \$15,000 and \$99,000.³⁹ Owners must spend additional funds to outfit their trucks and maintain them. Truck owners must also pay for the costs of fuel (between \$250 and \$500 a month),⁴⁰ propane, parking, rental fees or building costs for a commissary or commercial kitchen,⁴¹ as well as fees required to park in food-truck lots and to participate in festivals and other community events.⁴² Finally, trucks that operate within more than one jurisdiction must pay for permits and fees within each of those jurisdictions.⁴³

In short, food trucks forgo the higher costs of operating a restaurant by forgoing all of the advantages that owning a restaurant provides. Food trucks are nonetheless subject to a whole host of costs, some of which restaurants do not have to pay.

MYTH #4: Food trucks have an “unfair” advantage over restaurants because operating a food truck is easy.

REALITY: Just like running a restaurant, running a food truck is extremely hard work.

Ignoring all of the disadvantages and costs of the food-truck business model, many people still believe that, in the real world, running a food truck—unlike running a restaurant—is an easy way to make a lot of money. Try telling that to Miley Holmes, who runs the Easy Slider food truck in Dallas.

She explains that “[t]he biggest misconception about this business is that it’s a way to get rich quick. Margins are tight, space is limited, and the market is unpredictable. So the reality is that you are never going to make a fortune from running a food truck.” Holmes describes workdays that begin at 9 a.m. and stretch to 3 a.m.: “People forget that we’ve been prepping for hours before our doors open,” Holmes said, “and we spend hours cleaning after we’re closed. And we do it all two or three times a day, sometimes 14 or 15 days in a row!” Furthermore, “[t]here is no such thing as time off, just time off the truck. We’re constantly emailing, making phone calls or sourcing product.”⁴⁴

Holmes’ 18-hour workdays are not atypical. Even for operators who do a single meal service per day, the typical workday can range between 17 to 20 hours.⁴⁵ And make no mistake, the work is hard. Indeed, many people who experience running both restaurants and food trucks believe that running the latter is at least as difficult—or more difficult—than running the former:

- Celebrity Chef Ludo Lefevre has been a successful chef at some of Los Angeles’ best restaurants and in 2010 he opened his critically acclaimed LudoTruck, which serves “impossibly juicy... fried chicken [that] is pretty close to the godhead,” according to one famous critic.⁴⁶ Ludo is undoubtedly well-positioned to compare the difficulty of running a restaurant with that of running a food truck. As he points out, much of the work is the same: “People don’t realize [that a food truck] is like a restaurant. You need to rent a commissary kitchen, hire a staff, and prep the staff. It’s the same headache of a restaurant. It’s not easy.” And he notes at least one way in which running a food truck is more difficult: “At the restaurant, you have a big walk-in; you can always go and get some more vegetables.” But with a food truck, “Sometimes our commissary kitchen is far away, and sometimes we’re going to run out of food. There’s nothing we can do.”⁴⁷
- Luke Holden started his Luke’s Lobsters restaurant in New York City in 2009, and he opened three more brick-and-mortar locations before launching his food truck, Mobile Nauti, which topped Zagat’s ratings of New York’s food trucks for two consecutive years. For Holden, it’s clear that his food truck is “more difficult to manage” than his restaurants. He says that his truck “has been more of an outreach tool than a cash-flow tool. There are a lot of inherent struggles that come with operating a truck. You can’t determine what the weather will do or parking issues. It’s a difficult business to build stability in, and if you can’t build stability in, it’s harder to staff.”⁴⁸
- David Schillace owns New York’s Mexicue restaurant, with two brick-and-mortar locations and a food truck. Based on his experience, “Hands down, bricks-and-mortar is easier.” He explains, “Running three or four trucks, then working sixteen hours a day, is a nightmare. And it’s still not going to make you rich.” He notes that finances are a lot less predictable and stable with food trucks because people tend to order more food at a restaurant than at a food truck.⁴⁹

In sum, running a food truck is hardly an easy job. Indeed, given all of the difficulties encountered by food-truck owners, it isn’t surprising that many of them want to transition from the food-truck business model to the more stable restaurant business model, where issues such as the weather and inventory limitations are no longer constant obstacles.⁵⁰

MYTH #5: Food trucks are unsanitary “roach coaches.”

REALITY: According to the available evidence, food trucks are generally just as clean and sanitary as restaurants.

Just like restaurants, food trucks are subjected to health inspections on a regular basis. It is often the case that food-truck operators are inspected more frequently than their brick-and-mortar counterparts.⁵¹ Indeed, for a forthcoming report, the Institute for Justice reviewed health department sanitation grades in Los Angeles from May 2009 through May 2012 and found that, on average, the food trucks in that city are just as clean and sanitary as restaurants.

MYTH #6: Food trucks cause harmful sidewalk congestion.

REALITY: No evidence supports the assertion that food trucks cause harmful sidewalk congestion.

Although critics of food trucks complain that they cause harmful sidewalk congestion, there is no evidence to support that claim. To test it, the Institute for Justice collected original data in Washington, D.C. Researchers measured foot traffic and congestion in locations where food trucks were present on several different days, in different locations, and during the busy hours surrounding lunch. They found that the presence of a food truck did not drastically increase foot traffic on the sidewalk. In fact, the average time it took a pedestrian to travel the block varied by only one second when a food truck was added.⁵²

Furthermore, the researchers documented a phenomenon that is common to anyone who has seen a food truck in action: Customers spontaneously form a single-file line alongside the edge of a sidewalk so that other pedestrians have plenty of room to pass by. Because it is in the interest of the food trucks to maintain positive relationships with neighboring businesses and the community, food-truck owners and operators encourage their customers to keep their lines orderly. The Food Truck Association of Metropolitan Washington has formalized this practice by adopting a code of conduct in which they have pledged to “mak[e] regular announcements reminding customers in line to keep the sidewalk and any building entrances clear so as not to impede public access.”⁵³ And, of course, cities can pass a law, like Los Angeles has done, that instructs food trucks not to operate in a manner “which will interfere with or obstruct the free passage of pedestrians or vehicles along any such street, sidewalk or parkway.”⁵⁴

MYTH #7: Food trucks create a special trash problem because their customers are especially prone to littering.

REALITY: Food-truck customers are not especially prone to littering, and food-truck operators act responsibly to ensure that trash is properly disposed.

Food trucks' customers—just like the customers of fast-food restaurants and people who eat their packed lunch outdoors—have the potential to generate litter after consuming their food, but there is no evidence that food-truck customers are more likely to litter.⁵⁵ Food trucks are generally required by municipal laws to carry a trash receptacle for their customers' use or to pick up any litter near the truck.⁵⁶ Moreover, food-truck operators often go beyond the requirements of the law to ensure that they leave the areas in which they operate cleaner than how they found them.⁵⁷

Conclusion

Food trucks do not have an “unfair” advantage over restaurants. The restaurant business model is more favorable than the food-truck business model in several ways, and food trucks actually help the local restaurant industry. There is no basis for the argument that restaurants need government intervention to “protect” them from food trucks. (And, as several federal courts have recognized, regulation for the sake of mere economic protectionism is constitutionally impermissible.⁵⁸) Nor is there any basis for the notions that food trucks pose some special threat to public health and safety.

Instead of creating public policy based on these myths, elected officials should allow food trucks to operate freely within their cities, subject only to reasonable health and safety regulations. Doing so is good for the local entrepreneurs, the local economy and the local community.

For guidance in creating a good legal framework for food trucks, see the Institute for Justice's most recent legislative report, *Food Truck Freedom: How to Build Better Food Truck Laws in Your City*.

For more on the benefits provided by food trucks and other street vendors, check out the Institute's 2011 report, *Streets of Dreams: How Cities Can Create Economic Opportunity by Knocking Down Protectionist Barriers to Street Vending*.

Both of these reports are available at www.ij.org/vending.

Endnotes

¹ Bert Gall is a senior attorney at the Institute for Justice. He directs IJ's National Street Vending Initiative, a nationwide effort to vindicate the right of street vendors to earn an honest living by fighting unconstitutional vending restrictions in courts of law and court of public opinion. Lancée Kurcab serves as the Institute for Justice's outreach coordinator. Through her outreach efforts and grassroots organizing, she helps entrepreneurs fight for their right to earn an honest living free from protectionist regulation.

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³³ O'Toole, M. (2010, September 20). Path to Liquor License Often Bumpy. *New York Times*, Retrieved October 26, 2012 from <http://eastvillage.thelocal.nytimes.com/2010/09/30/path-to-liquor-license-often-bumpy/>.

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³⁵ Gall and Frommer, 2012.

³⁶ A helpful collection of links to state government websites detailing the tax obligations of small businesses can be found on the website of the U.S. Small business administration at <http://www.sba.gov/content/learn-about-your-state-and-local-tax-obligations>. Information on the federal tax obligations of employers can be found in the IRS Employer's Tax Guide at <http://www.irs.gov/uac/Publication-15-%28Circular-E%29,-Employer%27s-Tax-Guide>.

³⁷ Myrick, 2012.

³⁸ Gall and Frommer, 2012, p. 26.

³⁹ Myrick, 2012, p. 32–33.

⁴⁰ Myrick, 2012, p. 217.

⁴¹ Weber, 2012, p. 100.

⁴² According to Matthew Geller, CEO of the Southern California Mobile Food Vendor's Association, "Most events charge 10% which drastically eats into [food trucks'] margins. Lots can cost \$25 to \$200 just for the privilege of serving hungry customers." Interview with Matthew Geller, November 8, 2012.

⁴³ According to Matthew Geller, CEO of the Southern California Mobile Food Vendor's Association, "Many food trucks have multiple business licenses and health permits. In cities like Los Angeles, many of the trucks must obtain multiple city permits in order to serve the demand around Los Angeles County. Most trucks in the area have eight business licenses with an average cost of \$250. Many trucks also serve multiple counties. Each county

ATTACHMENT 4

Planning Board and City
Commission minutes

August 9, 2018 Planning Board minutes

D. LDC 2018-096, LDC Amendment - Malted Beverage Producer, Mobile Food Dispensing Vehicles

Mr. Steven Spraker, stated that this is a request for a Land Development Code amendment. Within our Land Development Code, the malted-beverage producer was created by the applicant, and basically, it's a use within the I-1 zoning district. So what they're proposing to do is to take and amend that use, only for the malted-beverage producer, to allow the food trucks. They have added some conditions. For example, it has to be in the I-1 zoning, it can't be on an arterial collector roadway, it has to be internal to the site, and basically, they can't use public parking. So the food trucks would only be for the malted-beverage producer. Right now, this use is the only malted-beverage producer within the city. Mr. Spraker can't say that there will never be another one, but it would have to be in the I-1 zoning district and it would have to meet all those other criteria. Staff is recommending approval. If there are any questions, Staff is available for answers, and the applicant is here.

Mr. Heaster asked if someone has an event and they have food trucks, is that allowed. Mr. Spraker stated if it is a city or civic sponsored event, they're allowed. Otherwise, they're not allowed within the city. Mr. Heaster then stated that if an existing business wants to have a food truck for a special event they are having, that it is not allowed. Mr. Spraker stated that was correct. Mr. Heaster asked if there is a limit to the number of food trucks allowed. Mr. Spraker stated not in the proposed ordinance.

Mr. Briley asked if there were any restrictions on times. Can they be there all the time? Mr. Spraker stated that was correct.

Mr. Galloway stated that if he wants a food truck to come to his place of business to feed his employees, he is violating the food truck code. Mr. Spraker stated that there is no language in the Land Development Code that allows food trucks. This would be the first.

Chairman Thomas stated that he has had food trucks come into his place of business for years and hawk their food. Mr. Spraker stated that if no one is calling code enforcement, they're not coming out and they're not looking for violations. So he hears what Chairman Thomas is saying, but there is no food truck regulation within our Land Development Code.

Ms. Shull asked if there were any restrictions on the number of trucks or time. Mr. Spraker stated not under the proposal. Ms. Shull asked if they could stay there 24 hours a day. Mr. Spraker stated that unless the Planning Board and City Commission wanted to make those amendments, there's none in the proposed amendment.

Mr. Heaster stated that if there's never been an issue, why did it come up that Mr. Robinson is requesting it. Mr. Spraker stated because he's not allowed to have it. The Land Development Code doesn't allow it. They desire to have food trucks as part of their business, part of their malted-beverage producer. So that is why they are amending the Land Development Code to allow it. And it's specifically for the malted-beverage producer.

Mr. Galloway stated that for 30 years, when that sandwich truck pulled up at the construction site, now it's illegal to do that? And for 30 years, it's been illegal? Why are we addressing this now? Mr. Spraker stated that this business is not allowed to

have food trucks. And they desire to have food trucks. If there's a desire by the Planning Board to have a larger discussion on food trucks, we can certainly do that. But the application before the board tonight is solely under the malted-beverage producer. And if you want to add conditions, such as the number of food trucks or the hours of operation, you can.

Mr. Rob Merrell stated that this is a positive thing. It's happening all over the country. And we are at the trailing edge of this thing. It's happening all over the state. There's a lot of it in Volusia County, just not in Ormond yet. It's very controlled. He has put safeguards in there. This is a very narrowly tailored piece of legislation that you're looking at. If you want to blow it wide open and have a big workshop or something, that's fine. But in this case, kind of like the music, it's tucked in a corner, it's in a perfect place. It's perfect for people who are coming there to have the taproom and drink the beer. We want them to have a little something to eat.

Mr. Galloway stated that he thinks it is ridiculous that we have to go to code like this. We are making it so hard for the small businessman to be an entrepreneur that he thinks it is ridiculous that we have to set an example for a place where a food truck can come in and park on somebody's private property. And so we're setting precedent here that now everybody's going to want to have a food truck exemption and it should be allowed, just by code, it should be allowed.

Ms. Tolland stated that she thinks we should be more welcoming and appreciative that they're trying to do something fun and positive. Austin, Texas - Richmond, Virginia - every town that's a small town that is trying to reinvent and keep the small town feel and bring the Millennials back in, are doing food trucks. Do we need to have a discussion in the future if we have a million food trucks going down Granada? Then, yes. But at this point, she thinks it is an awesome idea.

Chairman Thomas stated that he has a home in Pennsylvania and as he travels back and forth, he travels through a lot of small towns. And each one of them has their own special appeal. Quite often we talk about other communities and how they have stuff that we don't think is appropriate. But every town is different, every group is different, and it's nice to go and see some of this Americana. Chairman Thomas has a lot of friends and relatives that have been at the Ormond Brewery and he thinks it is great. How bad can a food truck be? Now, if you've got them on every corner, I guess you have a problem, but this is in an industrial place. So he doesn't see any problem with this at all.

Mr Galloway stated that it is like some communities opposing Uber because the taxicab companies don't want Uber to come in and to him, it is just because times have changed, and food trucks should be allowed, period. His concern is, are we setting precedent now, if anybody wants to have a food truck that they are going to have to come to the board now and ask for this special exception.

Mr. Jorczak stated that he thinks it is a larger issue with respect to what staff wants to look at in terms of our Land Development Code, but he commends this businessman because he's doing something that is enhancing his basic business he started, he's now putting the other pieces in place to help grow his business, and he's to be commended for the effort that he's taken in developing his business in the

community. And so he supports what Mr. Robinson is doing and Mr. Jorczak hopes he is very successful at it. He doesn't see any downside.

Ms. Tolland made a motion to approve LDC 2018-096, LDC Amendment - Malted Beverage Producer, Mobile Food Dispensing Vehicles. Ms. Shull seconded the motion. Vote was called, and the motion was approved (7-0).

VIII. OTHER BUSINESS

Chairman Thomas asked if anybody wants to look at the food truck ordinance, or lack of an ordinance. Mr. Spraker stated that Staff anticipated this reaction from the board, and they have already had discussion about it. Staff's preference is to get the new commission in place, get some policy direction, and then bring it back and work it through the Planning Board. So it would probably be early January or February. Staff will group it with a couple other issues that they are aware of in our code.

Mr. Galloway stated that he knows of three cities where food trucks have brought inner-city development. They have vacant lots, and every Thursday the food trucks come and set up and, if anything, it's brought more people back to the area.

Chairman Thomas stated that he doesn't think a food truck is going to hurt anything, the restaurants downtown, or anything like that. We're talking about a food truck that's going to go to a place of business where they are manufacturing something, where your workers just don't hop out and go have a two-hour lunch. These are the guys that are going to grab something, eat it, and get back to work.

IX. MEMBER COMMENTS

Ms. Tolland stated that it is really an exciting time to be on the Planning Board this year. And she just wants to thank Mr. Spraker for all his hard work and his staff. And as soon as Mr. Spraker came on board, all heck broke loose. So keep persevering. You're doing a great job.

Mr. Briley stated that it was awesome news about Lucky's coming to the old Food Lion. And he understands too, that Publix in The Trails is going to be torn down as well as the old CVS and they will rebuild a state-of-the-art Publix there.

Chairman Thomas asked about PDQ not coming to Ormond Beach now, and wondered if it was because Zaxby's started construction. Mr. Spraker stated that he thinks that is part of it. With three chicken places within a half mile, he thinks that the demographics may not have worked.

Mr. Heaster stated that he doesn't understand why the developer didn't just go ahead and get the Type C for the land. Mr. Spraker stated that they are going to tie it to a site plan and they are going to tie it to a use. So they are not just generally going to give a special exception for a restaurant-type setting and then change the user or change the design. So a special exception is tied to a parcel. If they change the site plan, they would require a new special exception.

Mr. G.G. Galloway, Planning Board, thought the city should consider taxing medical and recreational marijuana; whereby, Commissioner Kent disagreed and felt they should only tax recreational once it was legal. Mr. Galloway stated he could agree with that.

IV. MOBILE FOOD DISPENSING VEHICLES (FOOD TRUCKS)

Mr. Spraker reviewed the existing policies and permitting requirements for food trucks in the City of Ormond Beach. He listed a few of the food trucks that were already approved, and indicated there were no Land Development Code (LDC) regulations. He listed a few options: continue to allow food trucks under the current rules, but incorporate them into the LDC; allow "lunch trucks" in the I-1 zoning district, construction sites, and larger employment centers; and allow food trucks on private property, either as part of a special event permit or as an accessory use.

Mayor Partington noted they were short on time, but would not rush the discussion and would continue it to a later date, if needed.

Commissioner Selby thought they should address food carts, with that he was in favor of updating the policies involved and reference the City of Orlando's policy included in the packet. He wanted food trucks, and to solicit feedback from brick and mortar restaurants about food trucks and if those food trucks affected business.

Commissioner Littleton was very concerned about perimeters around brick and mortar restaurants. He was in favor of keeping the food trucks out of the B-4 zoning district but everywhere he is supportive of food trucks. He was comfortable including special exceptions in the rules, if a brick and mortar restaurant wanted to include a food truck as part of their business.

Commissioner Persis stated she was in favor of expanding the food truck regulations and also referenced the Orlando o. Various Planning Board members offered support of food trucks with expansion. Most individuals thought food trucks were popular in areas across the country, and the city needed to join them by allowing more flexibility. A few individuals noted approval of the Orlando ordinance included in the agenda packet.

Commissioner Kent was concerned about the rules that brick and mortar restaurants had to follow in order to become established, and stated he would prefer to evaluate each food truck situation on a case-by-case basis. He noted he approved food trucks at the Ormond Brewing Company, due to the lack of brick and mortar restaurants in that area.

Ms. Joyce Shanahan, City Manager, noted staff would take the feedback, develop policies, and bring the updates to a workshop in two or three months.

V. ADJOURNMENT

The meeting was adjourned at 6:53 p.m.

Transcribed by: Wendy Nichols

03.05.2019 City Commission meeting

Call Vote:	Commissioner Persis	Yes
	Commissioner Littleton	Yes
	Commissioner Selby	Yes No
	Commissioner Kent	Yes
Carried.	Mayor Partington	Yes

Item #8 – Reports, Suggestions Requests

Upcoming Meetings

Ms. Joyce Shanahan, City Manager, stated the next regular meeting would be on Thursday, March 21, 2019, at 7:00 p.m. She wanted to schedule a workshop to discuss the MacDonald House and suggested Tuesday, April 16, 2019, at 6:00 p.m.; whereby, Mayor Partington and all Commissioners confirmed they could attend that day.

Ms. Shanahan noted a prior discussion on food trucks, and wanted to continue the discussion at a Food Truck Workshop on Tuesday, May 21, 2019, at 5:30 p.m. She confirmed with Planning Director Steven Spraker the workshop would be joint with the Planning Board. She stated the Commission asked staff to come back with additional information and did not think a conclusion had been reached; whereby, Mayor Partington thought the conclusion was clear at the prior meeting, and asked Ms. Shanahan to move forward with expansion plans.

Ms. Shanahan stated the Capital Improvement Plan Workshop would be on Tuesday, June 4, 2019, at 5:30 p.m.

Commissioner Littleton asked if there was a workshop on Thursday, March 21, 2019; whereby, Ms. Shanahan stated there was not.

Project Update

Ms. Shanahan gave updates on the Forest Hills Connector Trail, and the Cassen Park fishing pier repairs.

Events

Commissioner Persis discussed the Taste of Ormond event which was held the prior Sunday; whereby, Commissioner Littleton agreed with her comments.

Commissioner Kent complimented Ormond MainStreet on the Taste of Ormond event. He noted that baseball season started at Nova Community Center and invited residents to attend.

Mayor Partington complimented the weather, the music, and the 21 restaurants involved with the Taste of Ormond. He recommended participation in future events. He stated that Winn Dixie would hold a Grand Opening the next morning after recent renovations.

Panhandling

Commissioner Selby discussed increased vagrancy and panhandling in Ormond Beach. He wondered if the increase was due to implementation of the anti-panhandling ordinance recently passed by Daytona Beach, and if anything could be done.

Mr. Hayes stated it was a challenging subject for everyone, since it was not a crime to be homeless, or to solicit money and/or assistance. He discussed case law and noted it had not been favorable to local government enforcement. He stated the city had an ordinance that was restrictive, but did not think it was enforceable and cautioned law enforcement officers on their enforcement measures.

Mr. Hayes mentioned a state law that dealt with obstructing roads and traffic, and prohibited solicitation, but noted only the obstruction portion was enforceable. He stated an officer would have to be present to observe the situation on public property. He stated that solicitations on private property could be trespassed from that property, if the owners coordinated with law enforcement agencies to do so. He did not recommend duplicating Daytona Beach's anti-panhandling ordinance, and had heard of potential challenges to the ordinance. He suggested that Ormond Beach take a cautionary approach to the situation.

Mayor Partington noted that residents were being approached by individuals at gas stations and fast food restaurants, and wondered if the business owners were able to trespass the offending individuals legally; whereby, Mr. Jesse Godfrey, Police Chief, stated that was correct. Chief Godfrey stated that his department had been taking a

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and there will be chain-link fencing, so basically they are going to hide the outdoor storage.

Mr. Galloway made a motion to approve SE 2019-055: 1345 North US Highway 1, Total Comfort, Outdoor Storage Special Exception. Mr. Briley seconded the motion. Vote was called, and the motion was approved (7-0).

C. LDC 2019-059: Mobile Food Dispensing Vehicles (Food Trucks)

Mr. Steven Spraker, Planning Director, stated this item is not an action item. What they are trying to do is have a discussion item to get input from the Planning Board, so then staff could bring back a Land Development Code amendment that hopefully will satisfy the direction provided. Food trucks have been regulated with existing policies. Basically, food trucks are considered itinerant vending and they are allowed today under four conditions. One is at a large-scale civic event, such as the 4th of July, Riverfest, or Celtic Festival. Another would be at large-scale nonprofit events, such as Oktoberfest at Prince of Peace, or the Calvary Fourth of July celebration. Food trucks are allowed within the Interlocal Service Boundary Agreement along the north US-1 corridor. Those properties were recognized as special event hosts when we annexed them in from Volusia County, and they were allowed to keep the food truck allowance. And the last condition was an amendment within the last year for multi-beverage producers in the I-1 zoning districts. They are producing alcohol, and basically they're allowed to have tasting rooms. They didn't have the ability to have a kitchen, so they requested food trucks as part of their use. During that discussion, there was direction from the Planning Board that the food trucks should be broader in scope, so that happened on August 9, 2018. On February 5, 2019, there was a joint workshop with the City Commission, and they got some direction. On March 5, 2019 staff was directed to proceed with an amendment which brought us here tonight. As part of that joint workshop, there was direction to reach out to restaurant owners and food truck owners. So on March 12-14, staff sent out surveys to restaurants, they hand-delivered the bulk of them, and then if they couldn't get to the restaurant, they did it by US mail. They also sent emails to food truck operators who they had permitted. They had a meeting with the restaurant owners on March 28, 2019 and a meeting with the food truck operators on the March 29, 2018.

Mr. Spraker stated that the results from the surveys that they got back from the restaurants were included in the board packet, and there were a couple more that came in, so they updated the survey this morning, and sent that by email. They had the meeting with three restaurants and a property owner on the 28th. The concerns they took away were concerns from restaurants that the food trucks on private property would undercut the investment they've made. There was an understanding that special events, which draw large crowds, need those food trucks to provide the food for those special events. So he would conclude that generally, they were not in favor of food trucks on private property, only as part of special events. Two other surveys came back, he thinks they were from the Tomoka Brewery and La's Bistro, who said they use food trucks to help promote their restaurant business. So those were two restaurants that work with food trucks. Staff met with the food truck operators on March 29th, and they provided staff with some information which they included in Attachment 3, and he believes there was some more information sent out this morning from more information they received. Their belief was that they serve a niche on public or private property, and they gave examples of office buildings where restaurants are sparse, and of course the special events where they provide the

additional food. One of the things that was stated at the meeting that kind of struck Mr. Spraker was, they are not interested in competing with brick-and-mortar restaurants, but they have certain target areas which they are seeking to serve.

Mr. Spraker explained the components of the staff report as they are trying to come up with a Land Development Code amendment, and they broke it into five parts. He will quickly go over these five parts. The first was definitions. Basically they classified what a food truck is, a food cart, a lunch truck, and what a mobile food dispensing vendor is. So the first part provides the definitions.

Mr. Spraker stated that the second part requires a permit. The way our food truck ordinance is established is that there has to be a host organization on private property, and it would be the property owner. They are the host. For public events, it would be the city or MainStreet, and they would be required to get a special event permit. So we always have someone who's pulling a permit that allows the food truck. The second part is the requirements of the food trucks themselves. They are required to get a business tax receipt. They are required to have a state license. They require a city fire inspection. And they are required to test the liquid propane on the truck every six months. As part of the meetings we had, there were concerns that they are already doing some state fire inspections, so basically what we proposed is, if they provide us a copy of the state fire inspection, we would waive the fee. We still want to do the inspection, but we don't want to tax them twice if it is the same thing.

Mr. Spraker continued that the third part is probably where the most policy direction will be. The first four are what Mr. Spraker said were the existing policies, so staff is certainly recommending that those stay the same. Again, those are events on city property as part of a special event, large-scale community events, and the recognized host vendors within the north U.S. 1 corridor primarily during bike week and Biketoberfest. And then the multi-beverage producer, which amended the code to allow the food trucks as part of their use. So, items five through seven kind of start to introduce where food trucks could possibly be allowed. Lunch trucks were discussed previously, for going within the I-1 zoning district, so that would allow people to go and serve industrial areas, more on a temporary basis. One question is whether or not the food trucks should be allowed on private property, and if so, how long should they be allowed. Should they be allowed a certain number of days, for example, he thinks Deland allows 12 times per year. So staff is seeking direction on that. We listed prohibited locations, which basically is within the ROW without a special event permit on any developed residential use or any vacant lot. One of the things that came up on the joint workshop was a distance requirement from restaurants. So, staff is seeking direction whether or not a distance requirement should be enacted.

Mr. Spraker stated that the core of the discussion, at least from staff perspective, are these four questions. Should food trucks be allowed on public property, separate of the large-scale special events? Should they be allowed in sporting events, say like at the sports complex? Should they be allowed to have food truck events, separate of the recognized Fourth of July, Celtic Festival, or other large events? Should lunch trucks be allowed, and is the I-1 zoning district appropriate? And then, should food trucks be allowed on private property, and if so, what frequency should be allowed? And then, should there be a distance separation? Staff included some operational standards, again pulling them from other jurisdictions and some of the components that they would look for. They would be more than happy to talk about any of the

operational standards. They are really just trying to make sure that the food trucks and the property owners are maintaining the areas for the food trucks.

Mr. Spraker stated that the last one was enforcement. One thing staff has done for outdoor music is, if there are violations, for example, if there are two violations in a year, they lose the ability to do the outdoor music. Staff took that same concept and applied it to food trucks. So, if there are two violations of say property owners and they have too many food trucks or they don't get their host permit, they would lose their ability to do it for a period of time. We selected 90 days, but that really becomes the enforcement process. There are other enforcement provisions in our codes, such as if you don't have a business tax receipt, there are actions that can be taken. So this would be a separate enforcement procedure.

Mr. Spraker stated that depending on the direction staff gets tonight, their goal would be to bring back this item to the Planning Board on May 9 and then go to City Commission on August 7 and August 20. If there are any questions, the staff would be more than happy to answer them. There is not an applicant, so this is all staff, and a city-driven amendment. Again, there have been policies that have allowed food trucks, and those policies really need to be codified in the Land Development Code. So, no matter what you do on basically what was five through seven, we believe that number one through four should be in the code, and instead of having it as an itinerant vendor policy, that it should be codified in the Land Development Code.

Chairman Thomas thanked Mr. Spraker and stated that he would like to ask the board's permission, first to allow the Chair some latitude. There are a lot of people here, and there is a three-minute time limit for speakers. He would ask the board if it would be all right if the Chair could have the leeway to extend some extra time to various speakers if need be. By that, he means because of more conversation and things that may come up during that situation. The board had no problem with it.

Mr. Mitch Novas, 75 Country Club Drive, stated that he has been living in Ormond Beach for 25 years. He doesn't own a food truck, but he does appreciate them being here. The times that he, his wife and child have gone to the food trucks have been basically at Tomoka. There it brings a lot of fun and excitement on the beach. He has read the report about the competition. He wanted to talk about that. Sometimes you don't feel like getting dressed to go into a fancy restaurant. It is very casual; that is the good thing about it. And they are not competition for these restaurants. Paper plates and plastic forks are not competition for restaurants. Porta potties are not competition. Basically, you can go to the food trucks to have fun, your kids running around, you bring your dog on a leash, things you would do normally. And that brings a lot of fun and excitement to Ormond Beach. The staff report shows 120 surveys sent out, and only 25 answered. That tells me that they are not too concerned with the food trucks. They don't mind them being there. He has heard that some of them want them to be there. The restaurants that don't want the food trucks may end up regretting their decision, because they may ultimately want to have their own food truck in there, or have their own booth at a special event. Mr. Novas thinks it should be allowed, but he thinks there should be restrictions, of course. They shouldn't be right in front of another business - and they wouldn't be. He can't imagine any businessman wanting to do that to another businessman. Again, he is all in favor of them - it brings a lot of business to the community - it brings people coming into our area who may end up seeing other businesses. For example, he cannot tell you the name of one restaurant in Flagler, Edgewater, Port Orange, because he never goes there. His

business is basically around here. Bringing people here, they may look at other businesses and say, oh wow, let's go eat there. That looks like a nice restaurant. People want the food trucks for a particular reason. He thinks it brings something nice to this community, which he thinks should stay here.

Nada Manley, 10 Tropical Lane, Daytona Beach, stated that she is a former restaurant owner of a restaurant on Beach Street in Daytona Beach. There are a lot of outdoor events on Beach Street, like the Halifax Art Festival, and the city would bring food vendors to Beach Street all the time. The restaurant owners always collaborated with them and just found it to be an additional draw to the area, and it really seemed to enhance the business for them as restaurant owners in that area. Also, as a mom, she really appreciates attending an outdoor movie at the Casements, and being able to leave the house, not make dinner for her family before she leaves the house, hangs out with friends, sit outside, watch a movie, and be able to order dinner from a food truck. In that situation, she would never go to a restaurant because they are planning on hanging out as a family. So, for her, being able to go to parks and outdoor events and get good quality food, it's just an additional benefit to being in this area. And they enjoy the beautiful weather and the beautiful parks that we have. If she is going to go to a restaurant, she is going to go out to eat with her husband, get dressed up and go to a restaurant. If she is going to eat at a food truck, it's a completely different experience, and it's a different evening that they have planned, so she just feels like when food trucks came to this area, she felt like Ormond Beach is a hip area because food trucks are everywhere now. So, she feels like they are a benefit and an additional draw for this community and she is happy to have them. Thank you.

Mr. Lee Buckner, 1110 Parkside Drive, stated that he is the owner of Southern State of Mind food truck. He is an Ormond Beach resident, and has been in business for almost four years. They enjoy doing lunches as they did one today in the city of Daytona Beach for Brown and Brown, who has about 400 employees who have a 30-minute lunch. Some employees get an hour, but the bulk of them get 30 minutes. So they take their lunch periods, which start at 11:30 and goes to 1:30. One of the things that he saw that would concern him, is if they do a lunch, being on site for one-hour isn't enough time. In Ormond Beach, a business like DuvaSawko, where they have done lunch before, has the same kind of schedule. They are on site from 11:00 a.m. to 2:00 p.m. because they have so many employees that get 30 or 45-minute lunches. If they could only be there for an hour, the majority of their staff is not going to get lunch. 30-minute lunches don't always afford the time to drive even 10 minutes away, sit down, order lunch, get lunch, eat and get back to your office and back to your desk, and not get in trouble for being late coming back. The other thing is, Mr. Buckner as the food truck owner, has no desire whatsoever to park outside of a restaurant, or to park next to a restaurant. But as an Ormond Beach resident who goes to the city parks, where people launch their boats and retrieve their boats, he doesn't know of too many restaurants in this area that those people can literally pull their boat out of the water after being out all day, they are hungry, and they can go park behind a local restaurant that can accommodate a pickup truck with a 20-foot boat. But they would come off the water, and grab food while they are there. That boat ramp is used by not only people from Ormond, but people from Daytona, people from Flagler, people from Holly Hill. Why? Because it's a safer boat park than what they are going to get in other cities around here. They like the location of it already being close to where there is no wake zone and they can get up and open up closer going to Tomoka basin.

Mr. Buckner continued that if you put a food truck there, you put a food truck here, you are going to draw people who have not been to Ormond, who are going to come and they are going to say, "Cool, we're going to the food truck rally - wow, I never noticed this restaurant before." He did an event two weeks ago in Deland, and he was asked to come into Artisan Alley. He has been to Deland twice in the 16 years he has lived in Ormond. He was blown away by what a great little town that was. More so by the fact that, before he could even get his truck parked and open his door, he had four representatives from four different restaurants, all within 100 feet of him, thanking him for being there because when they put food trucks downtown, it increases their business for that day. It draws business in. Deland has had that implemented now for about two years, and they said that it has increased business as a whole in the downtown area, not just for restaurants but also for the smaller shops that are there. He thinks that staying in the dark ages, so to speak, with respect, and not allowing food trucks in, does just that. Everybody around you is doing it. They are the only food truck representatives here tonight because the other ones are doing an event for and in the city of South Daytona. Lots of their friends wanted to be here tonight, but were already obligated to that as a spectator and went down there instead of staying here and eating. So, Ormond residents are going somewhere else to eat at food trucks. They are not necessarily staying here on that night to eat in a restaurant.

Mr. Buckner stated that if he were to park his truck over here on a Saturday and say, open up for lunch or open up for dinner - with the ability of what he has in the space that he has, he would be thrilled if he did an \$800 lunch. He has worked in restaurants, he has managed restaurants, and his wife has managed restaurants. A restaurant, such as the ones around here, if they do a full day lunch and dinner, they're probably doing tens of thousands of dollars collectively between all the restaurants. He has a hard time believing that if he set up his little shop over at the park - his shop is regulated by the state, inspected by the state, same health inspectors that inspect the restaurants in Ormond - that his \$800 hopeful sales are going to really put a hurt on tens of thousands of dollars collectively from the local restaurants in the same day. He thinks the city can come back and decide that they are going to give food trucks an opportunity to have a sign-up sheet. The city doesn't want more than one truck. He gets that. You don't want 20 trucks showing up in the park. As a truck owner, if there is a truck there, he is not stopping there. He wants to go where he can maximize his sales and maximize his business. He is a small business owner. He is not out to set the world on fire. He is trying to support his wife and two daughters, and this is his full-time job. Thank you for your time.

Ms. Jennifer Buckner, 1110 Parkside Drive, stated that this is a real blessing to be able to share like this, and she is thankful for the opportunity. She just really wants to reiterate that they are a family-based business. This is what they have decided to do with their future and they decided to do it in Ormond Beach. They love Ormond Beach. They have chosen to raise their children in Ormond Beach. They are just thankful for a great city like this. They are just asking for the ability to run their business here, not take from others. She knows there is talk of sharing the pie, but what they are trying to say is, let's make the pie bigger, let's make Ormond more valuable for other people. Or for people who didn't even know what exists downtown. Ms. Buckner stated that she loves food, and she loves eating in restaurants. And so, they go out all the time to visit restaurants right along Granada Boulevard. And more than once, while working in their food truck she has told people where they can get some good seafood. She directs them to restaurants, because she loves her city. They

never want to park in the restaurant parking lots or across the street from them. She wants to work with them, not against them. She wants us to be a team, to make Ormond greater. At Fortunato Park, a lot of people go paddle boarding and a lot of people walk their dogs there. Friday nights, they want to eat some food and have their bathing suits on. That's a niche that they can give them, and their food is not expensive and they are not taking anything from anyone else. They want to give to their city that they love so much, and just raise their children in the entrepreneurial way that they are learning. Thank you very much.

Ms. Isabella Buckner, 1110 Parkside Drive, stated that she is 16 years old and she is the daughter of Lee and Jennifer Buckner, owners and operators of Southern State of Mind food truck. Here in Ormond Beach, we are all a family. In a small little beach town, we attract many tourists, and our city has no intentions of trying to throw the restaurants, boutiques, salons, surf shops, yoga studios, or food trucks out of business. This is what makes Ormond Beach unique. Many of us have been born and raised here. We spend all of our money in the local businesses here around town, and we never have intentions to throw someone under the bus or to harm them. Adding food trucks to Ormond Beach will only make this bond stronger. They have already shown that they can work well with restaurants. This Friday night she will be working with her dad in the kitchen of a food truck restaurant collaboration. And at the end of the day, they are all families who want to provide for their homes. They want to have a place that they feel safe, which Ormond Beach has given them. They want food on their table, and they want our children and grandchildren to be happy. She sees these values and many more in her parents every single day. They always put others before themselves, and she believes the situation between restaurants and food trucks to be absolutely no different. They want to succeed just as much as the next person, without sabotaging anybody in the process. If her parents thought this was going to harm anyone in any way, they would've obviously humbled themselves and stepped down from this debate. They care about the individuals around them, whether it's a pedestrian, a local business owner, or a random surfer on the beach. Ms. Buckner stated that she would like to share with the board something they may have heard of, that she believes we can all relate to. When you buy from a small business, you're not helping a CEO buy a third vacation home. You're helping a little girl like my little sister get dance lessons. A little boy gets his team jersey. A mom like mine, put food on the table. A dad, pay a mortgage or soon enough, a student like myself, pay for college. Lastly, she would like to end with a quote that reminds her of her parents and family. This was stated by the owner of the Miami Dolphins. "Some people dream of success, while other people get up every morning and make it happen." Thank you for your time.

Mr. Carlos Soldevilla, 18 Tomoka Meadows Boulevard, stated that he and his wife, Angie, own La's Bistro. As far as the food trucks and what they bring to the area, he thinks it is a draw. He and his wife are known for going to every food truck rally they can catch. There is great diversity, and it is a great draw. They like it so much that they have collaborated with Southern State of Mind, and they come to their restaurant about once a month and do a takeover night where they're coming in and preparing the food. It gets him out of the kitchen. They do all the cooking, bring in the food, and they have found, by working this way with friends and collaborating together, that we have introduced each other's customer base to each other. Mr. Buckner has brought customers that have never been in our business, and the business has been here 15 years. Mr. Soldevilla has been running it nine years in July. And the

restaurant's clientele have been introduced to his food truck and what he does, and we now have seen those guests on their own, attend each other's functions separately. Whether it be just regular lunch, brunch, or an event night, a murder mystery dinner theater, cooking classes, what have you – they are coming in for the different events that we are holding. The food trucks are very specific in their menus. He and his wife do not feel that they compete; they don't clash. They are all fishing from the same Ormond Beach pond. Every restaurant in town and every food truck, we don't compete, we complement. We collaborate on different dishes at times, sometimes we just do a battle. Tomorrow night it is going to be a burger brawl, where we're bringing our best burgers to the table and let the crowd decide what's going on. These are fun ways on how we can use our different businesses and our different styles to complement each other, and just diversify a little bit. It is exciting, it is fun, coming up with these things. As far as public venues, he agrees that you don't want 20 food trucks across the street, and separation is good. He doesn't think there are any intentions to permanently park on public land. He thinks it is a brilliant idea, to once a month, be allowed to use a particular spot, but there would be a rotation. Wouldn't it be great if, before you go over to the beachside or come back from the beach, a food truck would be parked so that you can grab something to eat while you are all sandy from the beach? Thank you.

Mr. Andrew Folsom, 57 Great Apple Way, Ormond Beach, stated that he goes to a lot of parks in the area, whether he is setting up the hammock over at Fortunato Park, playing racquetball or basketball at Rainbow Park, heading up to Bicentennial after a day at the beach, and he just thinks it would be nice to have food trucks as an option, as other people have said. You come up from the beach all sandy and you're all sweaty after playing basketball. He plays with his friends and they either have to all go home, get dressed, meet back up at a restaurant to go out to eat, and he thinks it would be nice for food trucks to be able to set up in the parks. He feels like there is enough parking in most of the parks in the area to where food trucks don't have to go park at a private restaurant and take up their parking. He feels like there is adequate parking already at the parks for that to be able to happen. He understands the logic behind not wanting the food trucks from other cities coming in, taking money from businesses that are staples in our community, but he feels that food trucks such as Southern State of Mind are also staples to this community, and he just thinks that there should be consideration to how the decisions are also affecting them. Thank you for your time.

Mr. Dean Pepe, 1635 N. US Highway 1, state that he is with Destination Daytona and just wanted to give some input. Since they are on the U.S. 1 corridor, they are allowed to have food trucks during special events. He doesn't know if there is consideration for the regulations on top of that within their place. The one regulation that would affect them would be the proximity to restaurants, because they do have two very successful restaurants that have been there for 13 years, Houligans and Pig Stand, who were packed during the special events. They also have Saints and Sinners Pub that serves food, they have an ice cream shop that serves food during events, and then they need food trucks on top of that. They had four food trucks this past event, all of them extremely busy and happy and made money. And so, for them it is a necessity. It also offers a great additional service to our people that come there because just like when you go to a carnival, what are you looking for? Corn dog, turkey leg and stuff. Regular restaurants often don't have these types of things. Sometimes they do, but to have that variety, people really like that, and they have had some really neat variety that has come in with their food trucks. So, just like anything,

if you do some reasonable regulations with the food trucks, and codify it properly, but don't restrict it too much, I think it would be a benefit for everybody. But for them, it is a necessity and it is an added benefit and they hope that they are not restricted in any way at their place to do what they have been doing. Thank you.

Kevin Wakefield, 886 Riverside Drive, stated that he thinks there are two pressing issues as far as he is concerned, and they boil down to proximity, and then possibly using the food trucks to circumvent previously existing city ordinances. To Mr. Pepe's point, the US-1 corridor is obviously a unique situation. There is a large density of people who come there twice annually for large events, so he thinks that makes that a unique point when we are talking about food trucks. The restaurants that are within proximity, can't service on their own the amount of people they have there. As it pertains to himself, he has an interest in downtown. He has two restaurants now, and he is getting ready to open up a third one. He has been in the downtown since 2012. Prior to him being there, there has been a lot of effort by people like Mr. Jones and Mr. Hull that have spent a lot of time and effort in developing a downtown. It is his contention that without the efforts that were placed by people that were before him, downtown wouldn't even be an attractive area to bring a food truck at this juncture. People have spent a lot of time building up this downtown to make it a place attractive to food trucks. As it pertains to himself presently, he works closely with Ormond MainStreet and the Chamber to try to build more events downtown. They closed off New Britain successfully twice last year for events. City Hall parking lot has been closed down several times for events. It begins to be a proximity issue, where he is spending time, effort, money on brick-and-mortar and the staff and everything that goes into that to build events and to build the downtown into an event-driven type area, only to see other people come in and park a food truck. There are multiple private properties where, if you are going to say blindly, a private property is an okay place with that owner's permission to park a food truck, there are multiple private properties that are in and around his properties that would immediately benefit the owner of the property and a food truck and take away all the effort that is being made by the business owner like himself. It is counterproductive to what they are trying to do to build the downtown area specifically. He enjoys food trucks. He thinks food trucks have their place, but he thinks we have to be very careful about where we are allowing them to position themselves and how we are allowing them to do so. Thank you.

Mr. Scott Hale, 883 West Granada, stated that he is a 35-year resident of Ormond Beach, a homeowner, taxpayer, and a small business partner in the city. He wants to echo what everyone else has said, as he enjoys frequenting the food trucks, as well, when we have events and things like that, but he wants to speak from a small business perspective. He is a tax accountant, so as you can imagine there are probably other things he should be doing right now, with the 15th around the corner. But one of the things he knows is that when he goes to food trucks, he very rarely ever just goes there and eats and goes home. They frequent the area. They see all the other local businesses. He makes other local business contacts, and what you are proposing is the possibility of sending these people out of Ormond Beach. These are other Ormond Beach small business owners. They file their 940s, their 941s, their RT-6s. They are paying the city. So we are essentially forcing them out of the city and attracting income into other cities, where he thinks our focus should be, "How do we attract income back into Ormond Beach?" When he goes to food trucks, they always walk around the other local businesses, and his wife frequently will be spending their

money on other local businesses in other towns. He would like to see that stay in Ormond Beach. Thank you.

Mr. Curt Roberts, from Rose Villa at 43 West Granada, stated that he could make this easy on himself and say what Mr. Wakefield just said, but he would like to make a point that competition isn't always a good thing when you have a significant investment and you rely on special events and seasonality of our area to be able to survive and be profitable as a business. Then, more competition through those periods of time isn't necessarily a good thing. He has 30 employees, and certain times of the year it is difficult to operate profitably. So he needs to have those times of the year during events and everything where he can capitalize for the potential for income and be able to pay his bills. He understands that there are circumstances that Mr. Pepe brought up where there is more potential revenue than the immediate area. Where restaurants can handle, under that circumstance, that's great. But otherwise, he wouldn't want to have any more direct competition than is absolutely necessary for the amount of business that's potentially in the area. Thank you.

Ms. Karen Beattie, 27 Stratford Place, stated that she just moved back to Ormond Beach about three years ago when she retired from the military after 16 years. She was retired for combat PTSD. The reason she brings this up is because she thinks it is very valid, especially in circumstances for people with disabilities, that they have to be thought about. It is difficult for her sometimes to go into a brick-and-mortar building and eat lunch. It doesn't mean she doesn't want to go into a restaurant. It is just hard. It doesn't mean she doesn't do it. She does it all the time. Food trucks, though, give her an opportunity to do something else. When she first moved back, she worked at WyoTech for a few months. She loved it when she would come outside, and she would see the Southern State of Mind food truck sitting out there, and she would have an opportunity to eat a different kind of meal. Then, she started following them because she is also friends with them. It brought her out into the community more because they would go to church events that she wouldn't have gone to. They would go to school events that she normally wouldn't have gone to. It brought her out into the community more because they were going to be there. It gave her a lifeline that she wouldn't have had. That is what a community does. That is what a community is about. She understands that there are areas in this community that get more business than others and that it might be difficult for these small businesses like food trucks to be around those areas, but you have to think about the entire community of Ormond Beach. This entire community in this room, this is what you have to think about. Ormond Beach is bigger than just one road, and that's what these food trucks can do. They can bring this entire community together, and they can give everybody an opportunity to eat something different. Thank you.

Mr. James Friedman, 209 Royal Dunes Boulevard, stated that he has been working with the Highlander Corps and Bill Jones for the past year-and-a-half now to try to bring the Pumphouse BBQ to downtown Main Street. They have been in this chamber before to get a Special Exception for that. The reason they wanted to do that in the first place is because he and his friend were tired of driving by an abandoned gas station. As you board members know, we still have abandoned buildings downtown. There is still a lot of vacant real estate in Ormond Beach. And he brings this up because one of the reasons he thinks food trucks work great in other cities is there is a lack of real estate, there is a high barrier to entry in getting into a business, but here he doesn't think that is the case. Doing a Google search, he found 30 properties for

rent at \$12 to \$15 per square foot a year. So barrier to entry to get into a brick-and-mortar business in this town isn't that high. He does feel that driving down the street, he keeps hearing that there is a big draw to food trucks. He thinks they are pushing people away when they drive by abandoned buildings. So for the longevity of the city, he would love to see people invest in things that are stationary, that are going to be here a little bit longer. With that said, he doesn't think food trucks are inherently bad. He does like them. But again, he questions, is it really a draw to tourism? He thinks the beach is why people come to this town. He doesn't think they are coming because we have food trucks. And then it's not like a David and Goliath situation. Restaurants in this town are also small businesses. So, to hear that food trucks are small businesses and restaurants are these giant things trying to clear them out of business, he just doesn't see how that is possible. The guy who was just up here talking about Rose Villa, he struggles to stay in business because he is a small business. Also, he keeps hearing that restaurants are fancy. People don't want to go out to fancy restaurants. You can go into Jimmy Hula's or Larry's Giant Subs in a bathing suit. People do it all the time. I think that is more a distinction between fine dining and quick service, and we have more quick service restaurants opening in the area. He actually doesn't mind the current regulations. He has eaten at food trucks at breweries. He has had a few nights that were particularly ruined by generators running on the food trucks. It would have been a nice night to sit outside. So he thinks that is one thing that if you are going to eat at one, if there is a generator running, it is not fun to stay in that area. Do we have the population to support this? We have 42,000 people in this town. And we have tourism. We have times of the year where we get more people in town, but are 42,000 people enough to support additional businesses. And on top of that, maybe there is a moratorium on licenses. So you say that you will allow 20 food trucks in Ormond. Thank you for your time. He appreciates it.

Mr. Robert West, 274 North Ridgewood Avenue, stated that he is just going to echo what Mr. Friedman said. He is Mr. Friedman's partner with the Pumphouse BBQ. He thinks that the regulations that we have are good and that we should definitely proceed with those. He loves food trucks. He thinks they are great, but there are specific times and places for them. So definitely having regulations where we can say this is good for you to be here is something we should look to. He would also say that he thinks we need to regulate how many food trucks are allowed. He thinks if we are going to have food trucks, where are they going to be, how many are we going to have, and if we have 20 food trucks in town, how many people are we taking away from local businesses? Thank you.

Mr. Cord Bear, 209 Seminal Drive, stated that he is a pastor at Tomoka Christian Church, and was a restaurant manager for 10 years as well. The board has a tough decision to make about this. And you are not going to make either party happy at the end of the day because it is a no-win situation at some level when it comes to this food truck versus brick-and-mortar restaurants. We have a church of roughly 2,500 adults here in Ormond Beach, and a few hundred children. The one thing that we're constantly struggling with is, "How do we reach the next generation?" Because when you look at the average age of our church, it is about 54 years of age. And the reality is that every study that we look at says that the younger generation, the millennial generation, they are just not coming to faith in Christ. They are not interested in being a part of the church. So we talk about that constantly. We are constantly trying to figure out how to do that. So this past weekend, he hired a company, unbeknownst to

the rest of the staff, to come as a secret shopper into our church and observe how we did things to see if, from an outsider's perspective and a professional perspective, they could figure out what was going on. He sat down with the gentleman after the end of the weekend, and he asked Mr. Bear a few questions, but at the end of the day what he wanted to know the most was, "Tell me the average age of those who lead your church." And so he did. And the secret shopper said to him, "The reality is your church is 54-55 average years of age because they mirror the people that you have in leadership." Now, when you go to our worship service, you will see 20-something-year-old people on stage, and you will see lights, and you will see smoke, and you will see things that might seem attractive, but the reality is we simply mirror the people that are in our midst as leaders. So when they sit down as a leadership, they talk constantly, "We want to reach that generation." And he doesn't know if by what we choose to do, we actually really want to reach that generation because those are some very difficult decisions. There were four questions posted in the PowerPoint and the second question is clearly the most important for the board and that is, "Do you want food trucks in Ormond Beach?" It is a matter of opinion. Some people love them, some people don't love them. You could have 42,000 people come up here and give you their opinion. You all have to decide whether you want them. And if you do, he just wants to encourage the board that if you decide you want food trucks in Ormond Beach, coming to a fair decision is not going to be possible because people are always going to feel like it is unfair, but you have to decide if you truly want them like we truly want millennials. Then there are going to have to be some hard decisions made to make that happen. Personally, he is a food person. He loves brick-and-mortar. He did it for 10 years. One of his favorite jobs in the entire world. He loves food trucks, which is one of his favorite things to do. He thinks that there are restrictions that have to be put in place for them, but at the end of the day, if you want food trucks in Ormond, then those decisions that have to be made to affect small business brick-and-mortars will probably have to be made. Sticking a food truck with too many restrictions, basically says, "We really don't want food trucks here." He wants to encourage the board that if food trucks are a part of what Ormond is going to be, then don't codify it in a way that it makes it really impossible for a food truck to succeed. And then just own that decision one way or the other. He thinks the most important question you have to ask is, "Do you want them?" And if you do, do what it takes to make it work for them and make it a part of this community. And he personally hopes that you do. Thanks for your time.

Ms. Linda Webber, 1011 North U.S. 1, in the Bike Week Corridor. She is attempting, if her Special Exception goes through, to provide a park and wedding and event venue that is at the edge of the bridge before you get into the biker establishments. Very often, she will have an event that will want special food that a normal caterer would not be able to just bring and drop off. And the property next to her is owned by The Outpost, and they would like to collaborate with her to also host events, if that is allowed on their property. And a food truck would be the answer to having food brought in. If they are having a fishing tournament or anything on that property, they would need a food truck. There are things that a restaurant can't just supply. Her primary vendor is going to be The River Grille because of their proximity, but not everyone is going to want that type of food. And she feels that with all of the other properties that she sees every day, since she lives in that neighborhood, there are numerous food trucks there. But then when she is getting ready to do a special event, she is told that she cannot. She would like a food truck on the property every day. She is trying to build a park that is community-friendly, that is attractive to look at,

that brings back some of the history of the Tomoka River and will be a good place for people to bring their students, classroom hiking events and anything that's good for our community and for the Tomoka Estates area. She wants to clean it up a little bit. So she would prefer to be able to have a nice food truck or a nice restroom trailer brought in if she has a large-scale event. Most of their events are going to be very small, and it will be with a licensed caterer bringing drop-off food. So that is a little bit different. But on the occasion that there is something larger, she would love that affordability to do so.

Mr. Jimmy Hull, 111 West Granada Boulevard, stated that he has been in downtown Ormond Beach since 1981. He is fully invested in brick-and-mortar restaurants in the downtown area and a successful downtown area. His business employs 80 to 90 people year-round. Most of these employees live in Ormond Beach. They spend their money in Ormond Beach. They pay taxes. Having worked with the city for a long time, to re-develop the downtown area, they have all invested a lot. He knows every small businessman - he is a small businessman - and they have invested a lot over a long period of time. They just spent over \$800,000 in property improvements on their property. So bottom line is, he is opposed to having food trucks come into the downtown area within any proximity to him and taking anything that he needs to successfully pay off his loans, pay his massive array of bills and taxes and things to operate, and continue to make improvements. There is talk of, "Oh, we'll put a food truck over here at the park because nobody is going to walk from the park up to your place." Oh, yeah? Sure they are. We have outdoor seating, too. People walk in his restaurant all the time with flip-flops and shorts and dogs and all those things. We welcome them. And he is not opposed to food trucks. There is a place for food trucks, but it isn't in the downtown area close to these businesses that have invested so much. And he thinks that food trucks can actually be an asset in areas where there aren't other restaurants. So he has submitted a written comment. Hopefully, the board will read it. He is here to answer any questions. This isn't going to be a hill that he is going to die on, but he thinks that for downtown Ormond Beach, the downtown district, in particular, we need to have a great distance from people coming in and setting up food trucks and taking away from their business. And to him, it feels like if you let somebody come in here, they will be taking the gravy. Think of yourselves. If you are a realtor, and you have a real estate office, and now someone can go somewhere close by and set up as a truck realtor and he rolls in and gets your customer before he comes to you, that is kind of one way of looking at it. He will just leave it with that.

Mr. Hull continued that the board has to get those regulations in place. There are no real regulations on food trucks. There are decisions to make. He thinks there is a place for food trucks. But, he doesn't want them around him. If the city is going to allow food trucks to come into downtown Granada, then how many food trucks can he buy with \$800,000? He might as well. If you are going to let food trucks go on public places, he will just forget everything he has done and buy food trucks. It will be a lot cheaper and better, and he won't have to hire as many people. And he won't have to pay as many bills and vendors. It is the economy. And food trucks help the economy, too. He is not saying they don't. But they are trying to develop a downtown, and they are working on the master plan. They want to have a walking downtown. Well, if you're going to let food trucks down here, then let's have a food truck downtown. And there will just be vacant lots, and everybody can come eat at the food trucks. Thank you.

Mr. Bill Jones, 812 Oaks Trail stated that usually, when he talks at these meetings, he is usually for something, not against. This is probably one of the rare occasions when he feels truly, from his heart, against allowing food trucks to proliferate all over Ormond Beach. He will say the same thing that Mr. Hull said and everybody else – he has nothing against food trucks. There's a place for them. He doesn't have any wheels on all the buildings that he has built. He can't park them in his garage tonight. They have to stay where they are. Whether there is a good economy or a bad economy, his buildings are still there, and those tenants are still struggling to try and make a living. And he deals with these people every day. And if you don't think it's hard growing a business like that, a brick-and-mortar restaurant, you don't know anything because he would never wish a restaurant on his worst enemy. He had Alexander's about 30 years ago. And it is one difficult thing to pull off. And as soon as somebody else opens up in Ormond Beach, everybody flocks there. There is a place called Abbot Kinney Boulevard in Venice Beach in the Los Angeles area. He happens to have a house out there, and he visited there at the behest of his daughter, Victoria because she said, "It's really cool. They've got some great shops down there." So he and his wife went down there, and they couldn't find a decent place to eat. One place was open till 5 o'clock. There was really no place to get a decent lunch. So they waited around, and they just shopped and shopped. And lo and behold, at around 6:30, a dozen food trucks pulled in, in a Chevron pattern, at a big, huge empty lot. Mind you, this is Venice Beach. An empty lot in Venice Beach is worth a fortune. And everybody flocked to the food trucks. Now, that's cool. That's a very hipster thing to do. But remember what he said, there were no other viable restaurants on this entire boulevard in Los Angeles.

Mr. Jones continued that he was watching a program the other night about the industrial age, and there was a town in Massachusetts, and this guy wanted to figure out a way to make silk because it was getting easier and easier to make garments. So what he did was he imported a gypsy moth from France or Europe, tried to mate it with a moth in the United States, and it was a complete disaster. He failed. He lost all his money. He left. The problem was he left the gypsy moth behind, and this one town experienced a complete defoliation of every leaf, every tree, every living thing, and the whole town was completely devastated for about 30 years. What is the point of where he is going to? The decision the board makes tonight could impact them heavily in the future. He has put time, effort, and a great deal of funds into the downtown district. And his father said to him, "We've got to do something down here because it is really an eyesore." And it was really a drought or a deadly area where nobody really wanted to be bothered with it. And Mr. Jones, with the help of all these other guys, all these tenants, put this downtown back together. And he can't wait to see what is going to happen if we allow food trucks to proliferate in the area. He has a lot of empty land on New Britain. He can tear down whatever houses are there, and he can create his own food truck utopia if that is what we need. Make sure when you put the laws together, and he is not being impertinent because he knows this is a tough, tough decision, weigh it, think about it. Whatever you do today, five years from today could be a disaster, and it is going to be very difficult to undo it. And like Mr. Hull said, eventually, there will be no need for brick-and-mortar. We are seeing what Amazon is doing to brick-and-mortar. Look at the mall. And that was an innocent thing, the internet. Think about it. Think about it long and hard because it is going to be a real dreadful decision if it goes wrong. That is all he has got to say. Thank you for your time.

Mr. Al Smith, 14 St. Johns Place, stated that he appreciates the board serving the community, and doing this tonight. And he has a different perspective on this that he thinks might help move it forward. He owned a restaurant building in downtown Daytona Beach and ran it for 10 years. He has also been a promoter in the area, and has worked a lot with food trucks. He thinks the main thing he would tell the board is that what happens, food trucks are mobile, and they are mobile for a reason to get into an area and get out of an area. And when they are there, and it is not every night at the same time, what happens is the pie gets bigger, and more people come to these things and the restaurants do well. Two examples he will give you, Mt. Dora does food trucks once a month. They actually bring food trucks in. He means like 50 food trucks. And there are food trucks right next to a restaurant. He was kind of blown away when he first saw this, but what happens is people get food truck food and sit and get a drink from the bar, and they do it every month. It has been very successful, and it has helped their downtown. The other thing is he has done some events - a lot of events - on Main Street, Daytona Beach. And there is Neptune's Restaurant-- one of the few restaurants on Main Street-- and he said, "Whatever you do, do not put a food truck next to me." So he did put a food truck there. But what they found was he never did so much business until they had the food truck there. The next meeting, he said, "Anytime you want to put a food truck next to my restaurant, please do." So Mr. Smith thinks there is a place for food trucks. Maybe it is not in the downtown. That seems to be a lot of the pushback. But, the fact of the matter is people love food trucks. He works with them all the time. They are hard-working people like everybody else. The amount of money they do out of a truck is pretty minimal most of the time. When you go out to a restaurant, when you're on your way to eat, the food truck there isn't going to make you go, "Oh, I've got to go eat that instead of eating at the restaurant." But, you have to be respectful of these business owners and the investment they have made. So he thinks there are ways to accommodate both, and one recommendation he would have is to maybe, in the beginning, exclude the downtown area. You can discuss allowing them at some of the parks or a church. Office parks like Brown & Brown downtown, those people want something different, and trucks give a variety and the difference that they don't get anywhere else. So these are two totally different experiences. What you experience at a restaurant is much different than what you experience at a food truck. The whole country is doing this. Ormond Beach is not the only place. I think if you look at some of your bigger cities they have found compromises, and everybody has found a way to win. He just thought he would come tonight and share his unique experience. Thank you.

Mr. Bill Fletcher, Fletcher's Irish Pub, 393 West Granada Boulevard, stated that he is in the downtown area, too, but he is actually pro-food trucks. He agrees with Mr. Smith. If people are coming to his pub, they are coming to his pub. If people are going to food trucks, they're going to go to food trucks. He doesn't think somebody's going to veer their behavior just because they drive past a food truck and go, "You know what? We are not going to Fletcher's," just because there's a food truck right there. He takes his family when he is going out, and if he knows there is a food truck rally, it is going to be a decision he is going to make because it's an opportunity to go do something. He doesn't see a big franchise of food truck vendors. He doesn't know if there is a franchise of food truck vendors. Most food truck vendors are entrepreneurial, and he thinks that is a huge, massive trait that we should probably encourage within our community, being that he is a one-person show, and he started his business from scratch. It is a big deal, and he thinks we should look at this as a benefit-- encourage it in Ormond Beach and encourage entrepreneurialship. So with

that being said, he is a restaurant owner, and unfortunately he did not complete his survey, since it was during St. Patty's prep and there was no chance. He filled it out, but he never sent it back. So he does apologize for that. He is a pro downtown-business-restaurant that is for food trucks.

Ms. Dorian Burt, 203 Pinecone Trail, stated that she believes the board has some difficult decisions before you, as you have had lots of times in the past 20 years that she has been coming to this podium. However, she is sure that you have heard, just tonight, how many violations are occurring right now where food trucks are going where they are not even permitted. How would you enforce this? It would be through code enforcement and that begets people tattling on one another. She thinks there is a whole lot that the board has to take a look at in the regulations or the areas. Permitting food trucks in the industrial area because the owner of the brewery couldn't have a kitchen. But now, he has more and more space, and he could have a kitchen and pay for the ancillary hood system and the equipment, but he doesn't have to because he has a food truck. There is a whole lot of crisscrossing, and it is probably going to take more than tonight's meeting and a follow-up meeting is what she thinks, but good luck.

Chairman Thomas asked Mr. Spraker if he would explain to the board what he is looking for tonight. Mr. Spraker stated that they are looking for direction to create a Land Development Code amendment. There were four questions. And again, if the board feels like they need additional discussion time, we can come back as a discussion item again next month and come back with a Land Development Code amendment at a later time. So we're not trying to rush you through this process. So if there are things that the board wants to provide direction on and have staff research and come back to you, then staff can certainly do that. There are four questions that staff is looking for answers to. Should food trucks be allowed on public property to include sporting events and food trucks? They are not really seeking the details of how to do it. They just want a general policy direction, "Yes or no," and then based on the policy direction, staff can go and work out the details of how to allow food trucks in those specific situations. The second one is that lunch trucks were identified as an issue. They are not at a location all day. They come for lunch, and then basically, they're gone. So that was a specific subset of food trucks. Number three gets into, "Should food trucks be allowed on private property?" And the board has some leeway. If you want to exclude the downtown or if you want to try it on a certain roadway such as Nova, you could try it, and then if it doesn't work, you can just leave it there. And if it does work, you can expand it. The sub-question of that is, "How often should private properties be allowed to do food trucks?" And then the final one is, "Should there be a distance separation from restaurants?" So those are kind of what we're trying to get direction on.

Chairman Thomas stated that this came to the board as a discussion item. But is it staff's intention to take whatever direction this board feels it should go and take that to the City Commission, and then they go from there and make their decisions? Mr. Spraker stated that is correct. Staff is looking to the board for policy direction. So the City Commission then would review the testimony that's been presented tonight and amend the Land Development Code, the direction of the Planning Board, and they could pivot a different direction or they could modify it. But he thinks they are looking for the Planning Board to vet out some of the details, and then if they want to go a different direction, they'll let us know.

Chairman Thomas stated that he has spent a long time on this board. And he doesn't ever remember having a discussion item brought to us that is being used for official guidance to the City Commission. Maybe he is wrong, but it has not been this open before, that he has experienced. Mr. Spraker stated that one that he can think of, a while ago, was trailer parking on vacant lots was vetted through the Planning Board. That was in the mid-2000s. So we don't do a lot of discussion items that are seeking policy direction, but this is a unique topic that needs some "carrying-it-through-the-process" and it needs some policy direction. So we can provide the framework, but the details need to be policy decisions.

Chairman Thomas stated that one of the things he is looking for a clarification on is the gentleman that was speaking about Destination Daytona and the food trucks out there. Are those food trucks out there at only special events? Mr. Spraker stated that is correct. They are a part of the North U.S. 1 Interlocal Service Boundary Agreement. So food trucks are allowed during festivals and special events. Mr. Spraker wasn't really clear if Mr. Pepe was looking to expand it to year-round. So that may be a question that we want to ask him. Mr. Spraker stated that quite frankly, as we annex those properties from the North U.S. 1 corridors, they have Development Orders and they have rights to do those food trucks. So basically, as the city annexed this property, we've maintained whatever development approvals were given in the county. So during the recognized special events, Bike Week, Biketoberfest - I think there were a couple others - they're allowed to do recognized special events, which include the itinerant vending and the food trucks.

Mr. Spraker stated that Mr. Pepe is okay with the current rules. He is not looking for an expansion of the itinerant vending.

Mr. Briley stated that there were about 125 questionnaires that were sent out, and about 20 to 25 came back. Do we know from where in the city those responses were returned from? Mr. Spraker stated that they did not require people to give them their names. Some they know, some they don't. Usually, the ones that gave them their names, gave them a written response, too. So they didn't try to target the responses coming back. Mr. Briley asked if staff had looked at Daytona Beach and Port Orange and their food truck rallies. Mr. Spraker stated that they didn't include them specifically. The food truck rallies would really be tied in with that number one question, "Do you want to allow food truck events separate as special events on public property?" So once they get that policy direction, staff can come up with the standards. Daytona Beach is pretty broad. So they are amending their use categories to allow it as a use. So we are not calling it an accessory use. You need a principal use, and you need a host. So we are a little bit different, and he thinks they are still working through their regulations.

Mr. Briley continued that in listening to a few of the speakers, and he can agree with Mr. Buckner, places such as Duvasawko, where employees only get a half-hour lunch, sometimes it may make sense to have a food truck there where the people can go out, get something real quick, go back inside. He could also say the same thing for Ormond Crossings when Security First Insurance opens up there. He doesn't know how long those folks will get for lunch, but there's not a whole lot of options up that way. You have got Houligans and Pig Stand, but he also agrees with Mr. Pepe's situation where sometimes you have to bring in food trucks for special events, and it sounds like he is happy with the current regulations. However, he could see if they wanted to have a special event that is not during the recognized special events during

the year at Destination Daytona where they had a food truck rally. He thinks that would be totally appropriate if that is what he wanted to do. He agrees with Mr. Bear about the churches having the abilities to have these if they need to have something catered on a Sunday for an after-church type event. He totally agrees with that. And the itinerant vending on North U.S. 1 during the special events, he agrees with that as well. His concern is having these things in the downtown. He like food trucks. He is pro food trucks. He is also sensitive, though, to the brick-and-mortar businesses that have had a lot of investment put in them. He understands their concerns. And his other question would get back to, when we have the Four Corners celebration, we would allow food trucks down there for that, would we not?

Mr. Spraker stated correct. That is part of the large-scale special events. So not only the city, but also MainStreet would be allowed to do these events. Mr. Briley stated at the Casements and anywhere else. So he thinks those would be the times where you would allow them within the downtown business district because you're having a special event, but otherwise, he doesn't know if he would want them competing against the downtown businesses. And he noticed, too, in their packet that some cities have placed areas on a map where food trucks are not allowed. So we could certainly do that within the downtown business district. His only question would be, once we get into this, if we were to allow them at Duvasawko and Security First and some of the places up on North U.S. 1 where there are businesses in a plaza, and they get 30 minutes for lunch, he would have no problem with a food truck going there, selling food, that type of thing. How do we craft that into the ordinances or the zoning districts?

Mr. Spraker stated that for tonight, let's not worry about the how-to. Let's worry about the direction to take. What he is hearing from what Mr. Briley is saying is that he is not in favor of the downtown, but he is in favor of some of the larger office areas. Mr. Briley stated that he could even see having food truck rallies. Port Orange has them down at their city center. Why couldn't we have them at Nova Rec Center or something like that or a sports complex? Now, if you're having these things during sporting events at the sports complex, then you're competing with Seabreeze High School who is doing fundraising. He is trying to find a happy compromise somewhere that we can allow food trucks, but yet protect some of the other businesses. He doesn't hear anybody from a lot of corporate or chain food places that are having a problem with food trucks. It is people that are investing in our downtown. And that's really where he is hearing the pushback from, is from the downtown.

Chairman Thomas asked when they are putting restrictions on food trucks and where they could or couldn't be, is it possible to qualify that by saying that they can be at a business that has a minimum of 50 employees, 100 employees? In other words, targeting for what we are talking about where you have a lot of employees with a short period of time for lunch or supper breaks. Can we do that by the size of a business? City Attorney, Randy Hayes stated that he thinks if that is a policy direction, then the answer is yes. And then the challenge is going to be, how do you implement that in a regulation? And then it becomes an enforcement issue at some point. But for purposes of your question, yes, we can write that up. And if that is the direction you would give the Planning Director, we will be meeting on this and figure out a way to make this work, and there will be subsequent meetings before the Planning Board and probably the City Commission as well.

Chairman Thomas stated that staff wants some kind of guidance from the board, but then they are saying, tell us, "Yes, you want to do it," or "No, you don't want to do it," and then you will work out the details. His concern is that if, as a board, they say, "Yeah, we want to deal with food trucks," then somewhere he doesn't know how they are going to be able to come back and maybe change their mind. Mr. Spraker stated that if he could make a proposal, they could bring it back as a second discussion item. So if they can give staff some direction, for example, you are against it in the downtown, but let's say, for example, you want to see a city policy of how you could potentially do food trucks, we can bring it back for a second discussion item in May. The board can take a look at it and say you like this, you don't like that. And then we can come the next available month for action.

Chairman Thomas stated that what Mr. Spraker is looking for is an overlay from the board. Mr. Spraker stated that he is looking for a general policy direction. So he doesn't want the Planning Board to tell him how to do food trucks on city property. It is more like, do you want to allow it at the sporting complex? Staff can then work out the details. But staff doesn't know if the board is morally opposed to allowing food trucks as part of sporting events. Staff doesn't know if the board wants to allow them on private property if, for example, there is a certain size of an office. If it is over 10,000 square-feet, like Security First, Duvasawko, the Reflections Building, those would all be places that you could allow it on a limited time. Chairman Thomas stated as far as sporting complexes, we have in this city, different organizations. We have Ormond Beach soccer. We have Ormond Beach baseball. We have Ormond Beach softball. We have all these different things, and our recreation facilities are usually run by parent organizations through volunteers. And the baseball, the softball, the soccer, the Pop-Warner football, PRIDE, they get this money from these concession stands. He knows that back in the '80s, they had somebody run our concession stands, and they gave us a percentage of the proceeds. His point is that soccer may be okay with it, but baseball isn't.

Attorney Hayes stated that there will probably be other meetings beyond this. He thinks for purposes of tonight, the Planning Director is looking for a broad policy direction. For instance, on the public properties, once the legal aspects get looked at, there may be some public property that are appropriate for this use, others that are not appropriate for this use. So he thinks from a broad stroke of the brush, the policy direction is more what the Planning Director is looking at now. And as we start to scope this down a little bit, then we can bring other finer details back for the board, and then you can get into that level of discussion as well. But he thinks, right now, this discussion is going to go on for a little while. So can we take a five-minute break?

(Five minute break was taken)

Chairman Thomas stated that they would call the meeting back to order. We have just had a situation where one of our board members who has had some recent illness is having to be looked after. One of our members is a nurse, and she is going with him. Chairman Thomas asked Mr. Spraker that this be continued to next month's meeting, which will also give them time to get the other two members back and also be able to have more information. And he also would request a joint session with the City Commission over food trucks. And he would like that at the City Commission's earliest possible time with their approval. Mr. Spraker stated that City Commission doesn't have as many meetings over the summer. Chairman Thomas stated that the board will just have to do it at their convenience. They may not want to do a meeting,

but we just would like to ask for it. Having said that, can I have a motion to continue the meeting for May?

Mr. Jorczak moved that we delay further discussion until our next regularly scheduled meeting in May. In the interim, some of the specific questions that the board may have, we should present those to staff. Attorney Hayes made some suggestions to the board. He asked if it is their desire to meet as a board before they meet jointly with the Commission. Chairman Thomas stated that it is. Attorney Hayes state that the board can revisit this in May. You don't necessarily need to continue it. Staff can just bring it back to you. And, because of the Sunshine Law requirements, it would be preferable not to share questions and thoughts among board members by email. If you have a question, you can certainly call the Planning Director on your own if you want to do that. But he thinks we should not cross-pollinate information outside of the public meeting process.

Mr. Galloway stated that we are trying to reinvent the wheel. Since staff stated that they had contacted other municipalities, instead of the board and staff completely re-writing a policy, it would be interesting for the lay people who are not in the restaurant or food truck business, to see what other communities are doing. Not just Daytona or Port Orange, but other communities that have gone through this exact same process. Mr. Galloway stated that he is 50/50 on this. He has friends in the food truck business and he has friends here this evening that are in the restaurant business. He can see both sides, and he can definitely understand why they don't want a permanent truck vendor next to a restaurant. It would be interesting that instead of the board, as lay people, trying to make policies and decisions either way, to see what other communities of like sizes that have already addressed this.

Mr. Spraker stated that within the packet are four communities – Sanford, Orlando, Deland and Holly Hill. Staff could poll other ones, but they thought those four were the best and most similar to what they are trying to do. Those are within the packet for tonight's meeting. Mr. Galloway stated that he knows of some communities where food trucks have been widely accepted, but they are only on, like, the third Thursday of each month, in a downtown area that doesn't allow them otherwise. He doesn't understand why we are trying to reinvent the wheel. He wished Mr. Hull was still here. He said something about real estate, and yes, they are having to change too, because of a company called Zillow. They have hit them right between the eyes. The point he is making is this is happening in other communities that have been able to address it to the satisfaction of the brick and mortar restaurant people and also the food vendors.

Chairman Thomas stated that he thinks staff needs to broaden their scope. Ms. Shull stated not a city like Orlando. It doesn't compare to what we have here.

Attorney Hayes stated that he would like to add some food for the next meal on this subject. Planning staff and his office would be more than happy to get the board as much information as they want from other jurisdictions. Ormond Beach is special and everyone knows that. So you take components that you might like from other jurisdictions, and at some point you will have to scope that down to what you want to keep Ormond Beach unique. What may work in Orlando or any place nationwide, may not necessarily fit to a tee here.

Mr. Spraker stated that we already have the components of the ordinance, we are just missing the locations. You have the definitions, permits, code enforcement and the operational standards. What is missing is the locations. The operational standards were taken from the other jurisdictions.

Mr. Jorczak asked if there is any general consensus from the rest of the board, that these other parameters all sound reasonable. In other words, we are really focusing on the location issues. All the other things that were in the packet with respect to the regulations, all the inspections, all the permitting – if all of those other elements look like they sound reasonable, can we tell staff that is something that pretty much has been canned and we are primarily talking about the location issue. They have sculpted a set of parameters for operation, even for existing trucks under our permitting operation.

Chairman Thomas stated that he questions enforcement and is wondering if it is going to be complaint driven. Mr. Spraker stated that no matter what jurisdictions staff brings to the board, they are still going to have the decisions about locations where the food trucks will be allowed. All of the questions were in that section.

Mr. Galloway stated that it is a matter of taking a map and saying yes they can go here, or no they can't go there. He would like to see how other communities have drawn that line to say yes, no or maybe. Attorney Hayes stated that you will be talking about location as it applies to public property, as it applies to private property, as it applies to the downtown district, recreation facilities, and special events. It is not just one singular location criteria. It will apply to a lot of different elements.

Chairman Thomas stated that he would not feel comfortable handling this tonight and making a decision. He just doesn't think they have had enough information or time to discuss this.

Ms. Tolland stated that in relation to location, the Downtown Steering Committee is discussing the different downtown districts, and they are focusing on the downtown area between Beach Street and Rt. 1, but there is also the whole strip of stores on the other side of the river that has restaurants as well. That needs to be a big consideration too. Ms. Tolland doesn't think we heard from anyone on the beach side tonight, except for the one letter from Wild Rabbit.

Mr. Spraker stated that staff will bring back more information to them in May, and then the board can decide if they need additional information, and if they want to meet with City Commission. He has enough direction to move forward, and they will bring back some more information.

Mr. Jorczak made a motion to continue the discussion at the May meeting, seconded by Mr. Galloway. Vote was called, and the motion was approved (6-0) with Mr. Briley being absent from the vote.

VIII. OTHER BUSINESS

There was none.

CITY OF ORMOND BEACH

FLORIDA

PLANNING

MEMORANDUM

TO: Planning Board members

FROM: Steven Spraker, AICP, Planning Director

DATE: May 1, 2019

SUBJECT: Discussion item: Mobile Food Dispensing Vehicle (continuation)

At the **April 11, 2019**, Planning Board meeting, Planning staff presented a discussion item regarding Mobile Food Dispensing Vehicles. The Planning Board packet included:

1. Staff report with the framework of a Land Development Code (LDC) amendment seeking policy direction on certain items.
2. Survey results from restaurants and food truck operator(s).
3. The February 5, 2019 joint workshop packet (City Commission and Planning Board) that includes:
 - a. Summary of the city's current food truck policies;
 - b. Summary of how other local jurisdictions are currently regulating food trucks. The summary included the regulations from the Cities of DeLand, Holly Hill, Orlando, Sanford, and St. Petersburg;
 - c. Review of potential Land Development Code amendments; and
 - d. Best zoning practices regarding food trucks;

There were twenty individuals who addressed the Planning Board and the minutes are included in the Planning Board packet. A short summary of the comments are as follows:

In favor	Expressed concern	Other thoughts
Food trucks offer a unique casual dining experience and can co-exist with restaurants.	Concern with the proximity of food trucks to brick and mortar restaurants.	Destination Daytona seeks to ensure special event food truck vending is not altered.
Food trucks are a completely different experience than restaurants. Would like the option to allow in City parks.	Food trucks have a place, but not in the Downtown area.	Be mindful of the impacts of any regulations on food trucks and brick and mortar restaurants.

In favor	Expressed concern	Other thoughts
Food trucks provide a lunch option for larger office businesses.	Not against competition, but there are not the same cost/constraints with food trucks compared to brick and mortar restaurants.	
Food trucks could help restaurants attract more customers.	Food trucks work great in other cities if there's a lack of real estate and a high barrier to entry in getting into a business. This is not applicable to Ormond Beach.	
Food trucks can work in partnership with restaurants, such as La's Bistro.	There is a place for food trucks, but it isn't in the downtown area close to restaurants that have invested so much.	
Would like the option to use food trucks.	Not against food trucks, but they need to be in the correct location so as not to undermine the investment being made in the Downtown area.	
Opportunity to have a unique family experience with food trucks.	Concern for code enforcement for food trucks.	
Food trucks create diversity that can assist restaurant owners by bringing in new customers and interest into the City of Ormond Beach.		

The April 11, 2019 Planning Board discussion item sought input on several key issues. The key issues are summarized below:

Question 1: Should food trucks on public property be expanded to include sporting events and food truck events?

Current policies: Food trucks are allowed as part of organized special events only.

Potential use of food trucks on public property: This option could allow food trucks on City park facilities such as the Ormond Beach Sports complex, Nova Recreation Center,

or the South Ormond Neighborhood Center. Examples would include sports activities, tournaments and independent food truck rallies. If there is a desire to allow food trucks on public property a separate City policy on how food trucks would be allowed would be required. Individual parks would be reviewed to determine if food trucks can be allowed. Additional questions, such as impacts to existing sports concession stands would also be analyzed in the City policy.

Input received: There were public speakers who encouraged the use of public parks outside of large-scale special events. There were also speakers who were against the use of parks, such as Cassen Park in the Downtown area.

Options:

- A) Yes: Food trucks should be allowed on City property separate of large special scale events. A food truck policy would need to be developed by the city Leisure Services department and approved by the City Commission; or
- B) No: Food trucks should not be allowed on City property other than large scale special events.

Question 2: Should food trucks be allowed on private property?

Current policies: There are very limited allowances of food trucks currently within Ormond Beach that include special events in the North U.S. Highway 1 corridor during certain times of the year and Malted Beverage Producers in the I-1 zoning district.

Public and survey input objections: The primary area of objection of food trucks from the survey and speakers at the Planning Board was within the Downtown Community Redevelopment Agency. There was strong objection that stated allowing food trucks would undercut the investment and future plans within the Downtown area. A food truck operator stated that large employment centers was a desired location for food trucks to operate. To date, staff has not received any requests from private property owners to allow food trucks.

Other jurisdictions regulations: At the April 11, 2019 Planning Board meeting staff was requested to provide additional cities other than the five provided with the packet regarding where food trucks were allowed. Additional jurisdictional regulations regarding food trucks is included in ATTACHMENT 1. Staff has divided the cities as follows: (1) cities that allow food trucks as special events only, (2) cities that allow food trucks at special events and limited areas on private properties, (3) cities that allow food trucks on private and public properties (little restrictions).

- (1) Cities that allow food trucks as special events only: These cities allow food trucks as part of public special event, including festivals and food truck rallies.

- 1. New Smyrna Beach;
- 2. Port Orange;
- 3. Orange City;
- 4. South Daytona;
- 5. Debary;
- 6. Winter Park;

7. Mount Dora; and
8. Thomasville, Georgia.

(2) Cities that allow food trucks at special events and on private properties:

1. St. Petersburg: Allowed in zoning districts that allow retail uses, restaurants, bars including CCT-2, CCS-1, CCS-2, CCS-3, RC-1, RC-2, RC-3, IC(I).
2. Sanford. Distance requirements range from 250' to 500' from restaurants. Prohibited on 1st Street, 2nd Street, and South Sanford Avenue (see map).
3. Delray Beach: Allowed in certain zoning districts: Automotive Commercial (AC), General Commercial (GC), Planned Commercial (PC), Planned Office Center (POC), Planned Commerce Center (PCC), Mixed Industrial and Commercial (MIC), Planned Office District (POD), Mixed Residential Office and Commercial (MROC), Light Industrial (LI), Industrial (I).
4. Jacksonville Beach: Property must be at least 6,000 square feet and contain a principal use or building. One mobile food vendor is allowed for properties 6,000 square feet to one acre and two mobile food vendors allowed for properties over one acre.
5. Titusville: Mobile vendors may be permitted within the CM, SMU, CC, RC and M-1 zoning districts except no business tax receipt will be issued within the downtown mixed-use land use designation.
6. Hollywood: Not allowed in areas of the Beach and or Downtown Districts of the CRA. Distance separation of 200' from any eating establishment.

(3) Cities that allow food trucks on private and public properties:

1. Deland;
2. Holly Hill; and
3. Palm Beach Gardens.

Options:

There is a wide range of potential options to allow food trucks. The current allowance for food trucks is very limited. Potential options include (depending on the option(s) selected, some options could be combined):

1. Maintain the current policies that limit food trucks to Malted Beverage Producers located within the I-1 zoning district and recognized special events;
2. Allow food trucks as an outdoor activity which requires a Special Exception from the property and includes a Planning Board review and City Commission action;
3. Prohibit food trucks within the Downtown Overlay District/CRA except for large scale community events;
4. Allow food trucks along certain major roadways; or
5. Allow food trucks based upon zoning designations (See ATTACHMENT 2).

Question 3: If food trucks are allowed on private property (Question 2), how often should food trucks be allowed?

Options:

There are a wide range of potential options for duration of food trucks available that include:

1. No limit. Food trucks can operate at any one private property seven days a week;
2. A certain number of days per week. One option would be to allow a food truck one day per calendar week. St. Petersburg regulations allows food trucks two days per week on individual private property; or
3. A certain number of days per year. An example would be the city of Deland that allows food trucks 12 days a year on private property.

Question 4: Should there be a distance separation from restaurants?

Current policies: There are very limited allowances of food trucks currently within Ormond Beach that include special events in the North U.S. Highway 1 corridor during certain times of the year and Malted Beverage Producers in the I-1 zoning district. There are no current distance separations from restaurants because food trucks are not generally allowed near restaurants.

Survey input: One action from the February 5, 2019, joint workshop was to obtain input from restaurants. Of the 25 restaurants responding, 20 restaurants stated that there should be a distance separation requirement. There was no common distance separation from the survey. Seven restaurant responses stated there should be a 1,000' separation, two stated 500', and three stated 250' separation.

Other jurisdictional regulations: There is a wide range of distance separation requirements in other jurisdictions regulations as follows:

1. Deland: No separation required;
2. Holly Hill: No separation required;
3. Orlando: Requirement ranges from 250' to 500';
4. Sanford: Requirement specifies 250' prohibited area;
5. St. Petersburg: No separation required within allowed vending area;
6. Fort Pierce: 500' from a similar business and 300' from school, church, and park;
7. Hollywood: No separation required;
8. Titusville: 500' as measured from the property line required;
9. Jacksonville Beach: No separation required;
10. Palm Beach Gardens: No separation required;
11. Delray Beach: No separation required.

Options:

There are a wide range of possible options available that include:

1. No distance separation;
2. 100’;
3. 250’;
4. 500’; or
5. 1000’.
6. Require a distance separation and allow an written exemption for restaurants than desire to host food truck events (as described at the April 11th Planning Board meeting with La’s Bistro)

The distance separation option selected needs to specify if the distance separation is measured from the restaurant’s front door or the property line.

Question 5: Should lunch trucks be allowed? If yes, is the I-1 zoning district appropriate?

Current policies: Lunch trucks, specifically designed to provide quick lunches to major employment centers, are not currently allowed. During the discussion of food trucks for the malted beverage producers, Planning Board members stated that lunch trucks are occurring within the City.

Other jurisdictional regulations: Depending on the allowance of food trucks in a city, a separate provision may or may not be needed for lunch trucks. The City of Orlando’s regulations allows lunch trucks throughout the City in non-residential and non-public zoning districts for a 30-minute time period.

Options: If food trucks are allowed within the City, then there is no need for a separate allowance for lunch trucks. If there is a desire not to allow food trucks in the City, an option would be to allow lunch trucks under certain conditions.

Conclusion: Staff has not re-printed the material provided at the April 11, 2019 meeting. If a hard copy is needed, please notify Planning staff and a hard copy can be provided. This memorandum is provided to further the discussion item regarding Mobile Food Dispensing Vehicles and no recommendation is provided.

Attachments:

Attachment 1: Other jurisdictions food truck regulations

Attachment 2: Sample Mobile Food Dispensing Vehicles LDC amendment taken from the April 11, 2019 staff report

Attachment 3: City zoning districts

ATTACHMENT 1

Other jurisdictions food
truck regulations

Holly Hill

Sec. 114-904. - Food truck services.

Non-residential locations may apply for temporary permits to allow food truck operations subject to compliance with the following conditions. Vacant lots may not host food trucks and food trucks may not serve from public streets and rights-of-way.

- (1) All food truck units shall comply with state requirements for food service and display certification of compliance.
- (2) No discharge of grease or other cooking waste is permitted.
- (3) The property owner is responsible for the provision of trash receptacles and the cleanliness of the service and dining area.
- (4) The property owner is responsible for the provision of restroom facilities.
- (5) No site may host food trucks for more than one day per week. Food truck operations approved as part of a city-sponsored special event or under a special use permit issued per section 114-902 shall not count against the day limitations of this section. (A multiple tenant location is considered one property for purposes of this code provision.)
- (6) Food trucks may not occupy more than 20 percent of the vehicular use area or disrupt parking area operation. Food trucks may not be parked in landscaped areas.
- (7) Temporary dining areas may be provided in association with the food truck operations. The temporary dining area may be located in landscaped areas exclusive of planting beds and landscaped buffers.
- (8) Any music provided shall comply with the city's standard noise ordinance.
- (9) Food trucks may place one supplemental A-frame or similar temporary sign not to exceed six square feet of area.
- (10) Each food truck location shall obtain a permit from the city at least seven days prior to opening for business. A single permit may include multiple business dates. The permit application shall be on a form issued by the city and contain at a minimum the following information:
 - a. Location address.
 - b. Property owner approval.
 - c. Dimensioned sketch of the proposed location showing compliance with the requirements set forth above.

Holly Hill

- d. Proposed date(s) and hours of operation.
- e. Owner contact information.
- f. Vendor contact information.
- g. Photo of the vendor and food truck.
- h. Fees as established by the city commission.

(Ord. No. 2981, § 1, 10-25-16)

Sec. 22-13. - Food trucks.

- (a) *Defined.* The term "food truck" shall mean any vehicle, trailer, or other conveyance or mobile apparatus from which food is prepared and/or sold to the public. Food trucks may not be operated without first obtaining a safety inspection certificate pursuant to this section, or a special event permit issued pursuant to the city's special event permitting procedures.
- (b) *Permitted locations.* Food trucks shall only be permitted to sell food to the public on a parcel of property for which a food truck site permit has been issued pursuant to section 22-14 of the DeLand Code of Ordinances.
- (c) *Fire safety inspection/fire safety inspection certificate.* Food truck operators desiring to operate within the corporate limits of the City of DeLand must complete an application on a form provided by the community development department and undergo an annual fire safety inspection administered by the city's fire department. In the event that the city determines that a food truck cannot safely be operated within the city from a fire safety perspective, then the city shall provide the food truck operator with a written explanation setting forth specifically what requirements the food truck operator must comply with in order to be granted permission to operate the food truck in the City of DeLand. Upon satisfactory completion of each annual fire safety inspection, the city shall issue the food truck operator a fire safety inspection certificate.
- (d) *Display of fire safety inspection certificate.* The fire safety inspection certificate issued pursuant to this section shall be prominently displayed on or in the food truck such that city officials can readily verify that the food truck is being properly operated within the City of DeLand.

(Ord. No. 2014-13, § 3, 4-21-14)

Sec. 22-14. - Food truck site permits.

- (a) *Defined.* The term "food truck site permit" shall mean a permit issued to an owner or lessor of a parcel of real property located within the corporate limits of the City of DeLand which specifically authorizes the operation of a food truck, which is properly authorized to conduct business within the City of DeLand pursuant to section 22-13 of the Code of Ordinances, on said parcel for a maximum of 12 days during a calendar year.
- (b) *Food truck site permit requirements.* The following requirements must be met in order

to obtain a food truck site permit pursuant to this section:

- (1) The applicant, if not the property owner, shall provide the chief building official with written authorization from the property owner, which authorization shall be duly sworn and notarized.
- (2) The applicant shall submit a detailed site plan which shows, at a minimum, each of the following elements:
 - a. The existing site, including but not limited to buildings, parking areas, driveways and other vehicle movement areas, and landscape areas.
 - b. The proposed location of the food truck on the site, parking areas for patrons, places where patrons will eat, trash receptacles and rest room facilities.
 - c. Any other information deemed necessary by the planning director in order to ensure that the operation of the food truck will not interfere with the operation of the principal use on the site, or otherwise cause a violation of the land development regulations applicable to the site.
 - d. Any other information required by the planning director, chief building official or fire marshal.
- (c) *Site permit review.* The planning director, chief building official and fire marshal, or any one or more of their designees, shall review the application and determine whether a food truck can be safely operated as requested. The city may place any conditions on the food truck site permit that are reasonably necessary to ensure the safe operation of a food truck and to ensure that operation of the food truck does not create a nuisance to adjoining properties. Within 20 days of submittal of a complete application, the planning director shall either issue the food truck site permit, including any appropriate conditions, or deny the application for the food truck site permit. If the food truck site permit is denied, the planning director shall notify the applicant in writing of the reasons for denial.
- (d) *Operation of food truck pursuant to food truck site permit.* At least two business days prior to the operation of a food truck on a particular parcel of property pursuant to a food truck site permit, either the food truck operator or holder of the food truck site permit shall notify the planning director or his designee of the identity and hours of operation for the upcoming food truck operation. The fire marshal or other city official may inspect the food truck and the site prior to commencement or during operation of the food truck. In the event that the fire marshal or other city official determines that

DeLand

operation of the food truck poses a risk to the public, the fire marshal or other city official may prohibit, or order the immediate cessation of, operation of the food truck. The authority granted herein is supplemental to any other authority vested in the fire marshal and any other city official pursuant to any other provision of law.

(Ord. No. 2014-13, § 4, 4-21-14)

Thomasville, Mount Dora, and Winter Park

8.A.b

Spraker, Steven

From: Kornel, Laureen
Sent: Saturday, April 13, 2019 6:51 AM
To: Spraker, Steven
Subject: Thomasville, Mount Dora, Winter Park

Aloha,

I have contacted Winter Park, Mount Dora and Thomasville, GA. None of those three cities have food trucks codified in their codes. Here are their responses:

1. Thomasville:

Good Afternoon Laureen,

Happy Friday! Unfortunately Thomasville does not have any regulations specifically for food trucks. However, we have recently contracted with Dover Kohl and Partners out of Miami to assist us in writing a new Unified Development Ordinance, where we hope to clarify the issue of food trucks, as well as other ROW issues we have with private use of public space. Currently we only allow food truck vendors on public space during City or non-profit sponsored events. Please let me know what you find out, as I would love to bring more food trucks to Thomasville.

Thank you,

J. Kenneth Thompson

City Planner | City of Thomasville | Planning
Office: (229) 227-4118 | Fax: (229) 227-3268
411 West Jackson Street | P.O. Box 1540 | Thomasville, GA | 31799

2. Mount Dora

Good Afternoon,

The City of Mount Dora does not allow food trucks other than on the monthly food truck rally as a special event. The City's Land Development Code is written to state that if a use does not fall under a permitted or conditional use than that use is prohibited.

Best regards,

Shelby Eldridge

Planner



510 N. Baker Street
Mount Dora, FL 32757

352-735-7100 ext. 1712
eldridges@cityofmounddora.com

Laureen,

You are correct, we do not have our food truck regulations codified. The Parks department and Fire departments are mostly the ones who deal with food trucks, especially at our farmer's market.

Have a good weekend!



City of Winter Park
401 Park Ave. South
Winter Park, FL. 32789
cityofwinterpark.org

Allison McGillis

Senior Planner

Planning & Community
Development



MEMORANDUM

DATE: May 20, 2013 City Council Meeting

TO: Mayor Dyer and City Commissioners

FROM: Dean Grandin, Planning Official

SUBJECT: Temporary Use Permit - LDC2012-00308
Mobile Food Vending: Food Trucks, Food Carts and Lunch Trucks

A. Recommendation

1. Approve a city-wide Temporary Use Permit allowing Mobile Food Vending (Food Trucks, Food Carts and Lunch Trucks) on private property under a two-year pilot program.
2. Authorize the Planning Official to review and approve individual Mobile Food Vendors through a Planning Official Determination.
3. Temporarily waive application fees for Planning Official Determinations concerning Mobile Food Vendors for a period of 90 days from approval of this Temporary Use Permit; thereafter a \$50 per truck/cart fee would apply.

B. Need

1. Mobile Food Vending has become a local and national phenomenon, bringing activity and vitality to commercial districts and special events alike.
2. Approximately 25 Food Trucks (one type of Mobile Food Vendor) currently operate throughout the city.
3. Food Trucks operate either alone or in groups, typically on an underutilized portion of an existing parking lot in commercial zoning districts; they also operate occasionally at special events in residential districts at churches and schools.
4. Some Food Truck operators would prefer to operate within the street right-of-way, from on-street parking spaces.
5. Orlando regulations prohibit the sale of food and merchandise on city streets and sidewalks, except where specifically approved by City Council (Sec 54.27-1).
6. Orlando regulations prohibit the sale of food and drink within public parks, recreation areas and facilities, except under a current concession agreement approved by the city (Sec. 43.44).
7. Orlando regulations prohibit parking on any public or private street, public parking lot or any other public property for the purpose of advertising or selling merchandise (Sec. 39.22).
8. "Mobile Food Vendor" is not listed as a separate use in the City of Orlando Land Development Code. Therefore, Mobile Food Vending has been interpreted up until now as an "Intensive Retail" use, allowed by right in limited zoning districts (Mixed Use, Industrial, AC-3 or as a Conditional Uses in other Activity Centers).

C. Process

Staff is recommending, after considerable review of the issue, that Mobile Food Vendors be allowed throughout the City under the following approval process:

1. City Council approves citywide Temporary Use Permit for Mobile Food Vending.
2. Vendors obtain a license from the Florida Department of Business and Professional Regulation's Division of Hotels and Restaurants.
3. If operating on private property, Vendor obtains notarized letter from private property owner granting permission to operate on that owner's property.
4. Vendor acknowledges: "You are prohibited from conducting business on any public streets, sidewalks, rights-of-way or in any public parks." This restriction includes any sites that are partially located on the right-of-way, or require their customers to be upon the right-of-way to be served.
5. If wishing to operate within the public right-of-way or property, vendors must be ancillary to an 18A special event, obtain a concession agreement on all other public property (e.g. parks), or is a vendor participating under a right-of-way utilization agreement for a closed street (e.g. Church Street District).
6. Vendor applies for a Planning Official Determination. Application must include:
 - a. A copy of the Vendor's county Business Tax Receipt.
 - b. A copy of the Vendor's state license.
 - c. A general site plan of the typical operation, including the Vendors' home address, the name or location of the Vendor's commissary, planned locations for the Vendor's operations, the location where the vehicle will be stored, and photos of the vehicle and any associated signage.
7. Vendor obtains a Business Tax Receipt (BTR) to operate in the City of Orlando, per Chapter 36 of the City Code.

D. Standards and Conditions

1. Definitions

- a. Food Truck. A vehicle (including trailers) operated by a mobile food vendor to prepare and sell food at multiple locations, typically operating at one location for more than 30 minutes.
- b. Food Cart. A mobile food vendor that sells pre-packaged food, such as hot dogs or boiled peanuts from a movable, non-motorized cart.
- c. Lunch Truck. A vehicle operated by a mobile food vendor to sell pre-packaged food, such as ice cream and sandwiches, at multiple locations, typically operating at one location for less than 30 minutes.

2. *Locations*

- a. Lunch Trucks are allowed throughout the City of Orlando in any non-residential or non-public zoning district, except in the Downtown Core area shown on Exhibit "A." Lunch Trucks may not operate at the same location more than 30 minutes in any 6 hour period.
- b. A particular private property may host Food Trucks and/or Food Carts one day per week within the following districts, as shown on Exhibit "A". If a Main Street sponsors and advertises a special event with Mobile Food Vendors, it shall not count toward the one day per week allocation for a particular property:
 - i. Orlando Main Street Districts (Downtown South, Ivanhoe Village, College Park, Mills/50, Audubon Park, and Thornton Park),
 - ii. The Washington Shores Special Plan area,
 - iii. The Milk District,
 - iv. Regional retail shopping centers (Colonial Plaza, Fashion Square, Millenia, Premium Outlets, and Festival Bay Malls), and
 - v. The Downtown Community Redevelopment Area except for the Downtown Core (refer to inset map on the attachment).

The location in the above areas must be within a zoning district that allows Eating & Drinking Establishments.

3. *Additional Locations and Restrictions*

- a. Food Carts may be allowed on properties in non-downtown activity centers under covered structures, such as an arcade, at home improvement and similar stores daily, where the use is clearly incidental to the primary use.
- b. When not in operation, all mobile food vendors must leave the site and return to their commissary and storage facility. They shall not be left unattended.
- c. All mobile food vendors must locate on a property that has a legal principal use, and an improved surface (e.g. parking lot).

4. *Permanent Food Trucks, Food Trailers, etc.* If a food truck, trailer, or other such installation wishes to permanently remain on a property, it shall do so as an "Intensive Retail" (i.e. outdoor) use, only permitted in those zoning districts where such uses are allowed. All requirements of the Land Development Code apply (parking, landscaping, required building code matters, change of use to a higher intensity class, etc.).

5. *Special Events.*

- a. The City may authorize food trucks and food carts in the public right-of-way as part of a special event under the issuance of a Chapter 18A public assembly permit. Food trucks and carts must be ancillary to the special event. In the Downtown Core, the Church Street District is allowed vendors, including Food Trucks, as part of its approved right-of-way utilization agreement or any other City permitted special event. The future Performing Arts Center Plaza is also allowed vendors under a concession agreement.

- b. Rights-of-way under jurisdiction of the Florida Department of Transportation (FDOT) require additional permits from the FDOT District 5 offices. Typically, the right-of-way is required to be closed to vehicular traffic.
 - c. The City may also authorize mobile food vendors at special events for schools, religious institutions and benevolent organizations. Within residential zoning districts, such special events are limited to twice a year.
6. *Downtown Core Area Restrictions.* Mobile Food Vending is prohibited on private or public properties and on street rights-of-way within the Downtown Core area shown on Exhibit "A," except as follows:
- a. A single Food Cart is allowed within improved pedestrian plazas of at least 0.10 acres. Available locations include the Chase Plaza, Suntrust Plaza, 55 and 54 West, Wells Fargo/Morgan & Morgan, Seaside/Signature Plaza with the permission of the property owner.
 - b. Food Carts may be allowed in public properties and in parks/plazas within the Downtown Core area under a concession agreement, if approved by the City Council. Locations include the City Commons Park, Heritage Park, Amway Center Plaza, and future Performing Arts Center Plaza.
 - c. Food Trucks and Carts may be utilized as vendors in the public right-of-way of Church Street as part of a Church Street District's right-of-way utilization agreement, a valid concession agreement or other special event. Also, such vendors are allowed in the West Washington Street expansion of Lake Eola Park and on the periphery of the Performing Arts Center Plaza through the appropriate concession agreement.
- Food Carts in the above areas may be located there daily, and are thus not restricted to once a week (but may be limited by a concession agreement). However, they are limited to operating at any single location up to eight hours in a 24 hour period of time, and must be removed when not in operation. All mobile food vendors in the Downtown Core must be set back a minimum of 5 feet from any rights-of-way (unless the particular right-of-way is closed to vehicular traffic) and are subject to appearance review by the Architectural Review Board of the Downtown Development Board. If within a Historic District, a minor review is required by the Historic Preservation Officer.

E. Operating Conditions for all Mobile Food Vendors

- 1. All Mobile Food Vendors must be located on a paved parking area; within the Downtown Core on private property, they must be located within a paved pedestrian plaza – and not unimproved property.
- 2. May not damage required landscaping (bufferyards, parking lot landscaping).
- 3. Must be setback from adjacent residential districts a minimum of 40-feet without a bufferwall, and minimum 15-feet with a concrete bufferwall.
- 4. May not be located within 5 feet of any right-of-way or public sidewalk.
- 5. May not disrupt vehicular or pedestrian circulation for ingress and egress to the property.

6. May not locate or block access to required parking for a simultaneously operating business on the property according to the City's parking requirements. Sites that do not have excess parking during the operation of the primarily uses are not be eligible for mobile food vending.
7. Must comply with all regulations in the Land Development Code, such as signage and setbacks.
8. Food Trucks, Lunch Trucks and Food Carts shall not sell alcohol unless specifically approved as part of an 18A special event permit or other permit approved by the Police Department, and must comply with Land Development Code restrictions for the sale of alcohol near schools and churches.

F. Maintenance

Mobile Food Vendors shall comply with the following operating standards:

1. All operations must be contained within the approved vending vehicle, as permitted by the State of Florida Department of Business and Professional Regulation's Division of Hotels and Restaurants; however, a maximum of two coolers are allowed for beverages external to the vending vehicle or cart.
2. Vendor is responsible for the proper disposal of trash and waste associated with the operation. Vendor shall provide adequate trash receptacles for use by its customers. Vendors shall remove all waste and trash from their location at the end of each day/visit or as needed. The vendor must keep clean all areas of the subject property, and public rights-of-way within twenty-five (25) feet of the subject property, including grease, trash, paper, cups, coolers, or cans associated with the vending operation beyond twenty-five feet. This includes emptying city trash receptacles on the public rights-of-way that contain debris from the operation within twenty-five feet of the property.
3. Non-styrofoam packaging and cups must be used for serving containers. Styrofoam is not allowed for mobile food vending within the City of Orlando. Recycling receptacles must be provided for any packaging that is recyclable, if present.
4. Liquid waste or grease may not be disposed of in tree wells, storm drains, or onto the sidewalks, streets, or other public space. The vendor is responsible for removal of grease and liquid waste from the sidewalk and street surfaces resulting from its operation, or the unloading and loading of food carts. The vendor shall comply with all state laws for servicing the vehicle or cart for waste water and grease disposal, including commissary requirements.
5. If at any time the State revokes, suspends or expires the issued food vending permit, the Planning Official Determination for the Vendor under this pilot program is revoked or suspended simultaneously.

6. The Mobile Food Vendor is liable for all damages and repairs to the streetscape, trees and vegetation, sidewalks, streets, or other public amenities that relate to its operation.
7. Vehicles shall not “hop” curbs or perform any other illegal traffic maneuvers.

G. Duration

1. This pilot program shall be effective for two years from the date approved by City Council. The Planning Official may approve a one-year extension.
2. The Planning Official may revoke approval granted under a Planning Official Determination for an individual operator for non-compliance with any conditions of the pilot program.
3. The Planning Official shall report semi-annually to the Chief Administrative Officer on the effectiveness of the program.

Use Table: Where Mobile Vending is allowed in Non-Residential Zoning Districts

	Main Street	CRA Outside Core	Regional Mall	Schools/ Churches*	Downtown Core	ROW/ Sidewalks	Special Event: ROW or Park	Park: Occasional or Permanent
Food Trucks	Allowed	Allowed	Allowed	Allowed	Not** allowed	Not allowed	18A Permit	Concession Agreement
Lunch Trucks	Allowed	Allowed	Allowed	Allowed	Not allowed	Not allowed	18A Permit	Concession Agreement
Food Carts	Allowed	Allowed	Allowed	Allowed	Allowed in plaza	Not allowed	18A Permit	Concession Agreement

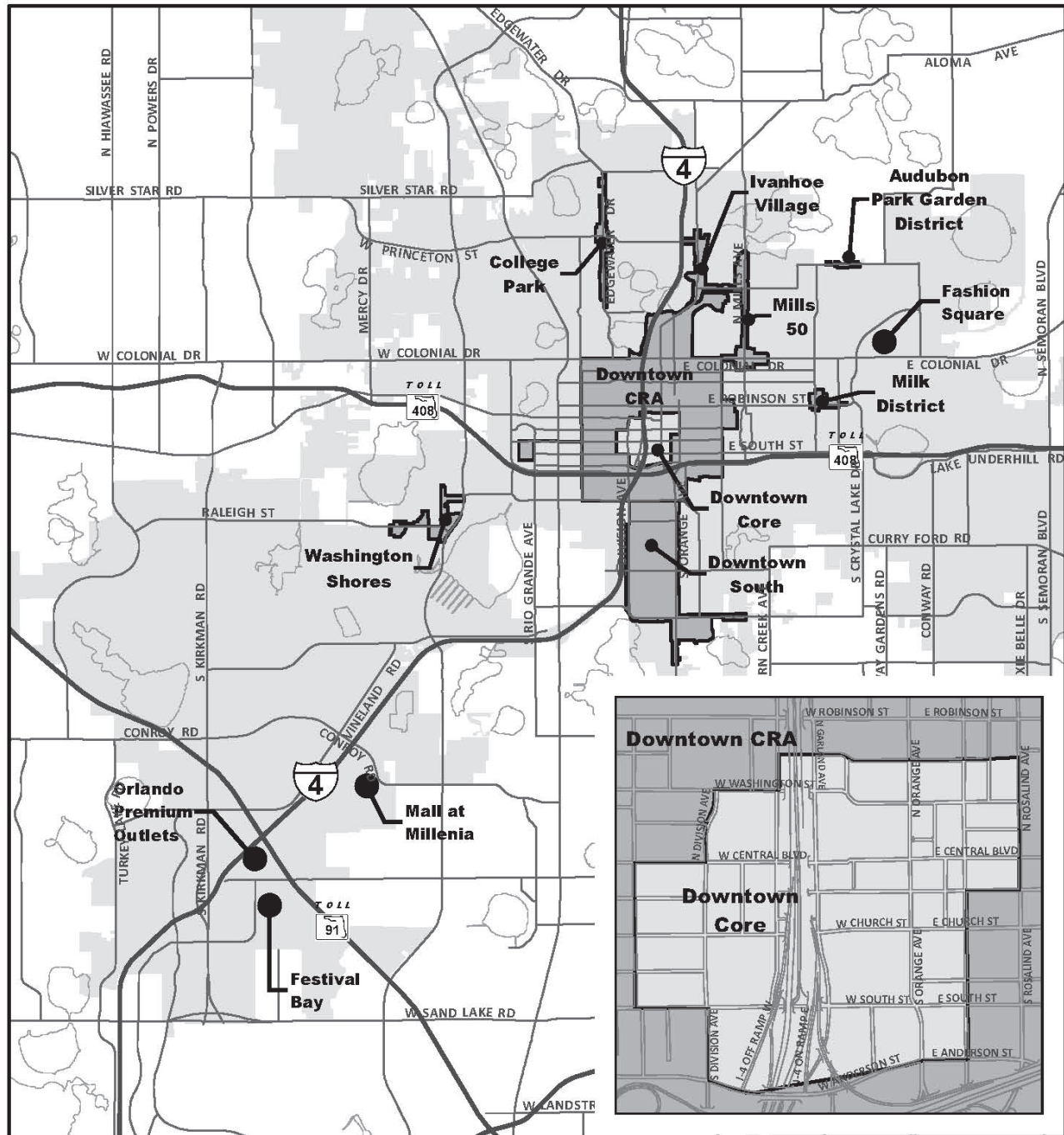
* Allowed at Schools/Churches, except up to twice a year in residential zoning districts.

**May be allowed on Church Street as part of the right-of-way utilization agreement for vendors with the Church Street District or any other Special Event approved by the City, and Performing Arts Center plaza as part of a concession agreement.

Orlando

Exhibit A

Food Trucks



LEGEND

0 0.5 1 2 Miles

City of Orlando, Economic Development Department
Transportation Division, August 2012

- Food Truck Area
- Food Truck Mall
- City of Orlando Jurisdiction



Sec. 5.4. - Temporary Uses and Structures.

- A. **Purpose.** This section allows for the establishment of certain temporary uses (including special events) of a limited duration and temporary structures, provided that such uses, structures, and events do not negatively affect adjacent land, are discontinued upon the expiration of a set time period, and do not involve the construction or alteration of any permanent building or structure.

5. *Temporary Use/Structure Table for Residential, Business, Industrial, Tourist, and Specialty Districts.*

Table 5.4.B.5: Temporary Use/Structure Table for Residential, Business, Industrial, Tourist, and Specialty Districts ✓ = Temporary Use/Structure allowed without a Temporary Use Permit T = Temporary Use/Structure allowed with a Temporary Use Permit Blank Cell = Prohibited Temporary Use/Structure																						
Temporary Use/ Structure Type	Residential Districts				Business Districts					Industrial Districts					Tourist Districts				Specialty Districts			Use-Specific Standards
	SFR-5	MFR-12	MFR-20	MFR-40	RP	OP	BP	BR-1	BR-2	BA	M-1	M-2	M-4	M-5	T-1	T-2	T-4	T-5	AG	HM	MS	
Farmers' market				T			T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	5.4.C.1
Garage or yard sale	T	T	T	T	T																	5.4.C.2
<u>Mobile Food Vending 1</u>	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Outside temporary promotional activity (TPA)						T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	5.4.C.3
Special event	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	5.4.C.4
Temporary construction-related structure or facility	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	5.4.C.5
Temporary factory-fabricated transportation building	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	5.4.C.6
Temporary mobile/manufactured home/trailer living unit	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	5.4.C.7
Temporary model sales home/unit	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	5.4.C.8
Temporary not-for-profit carwash			✓	✓	✓			✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	5.4.C.9
Temporary off-street event parking						✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	5.4.C.10
Temporary outside activities associated with a festival	Allowed in all districts with City Commission approval—see Section 5.4.C.11																					
Temporary overnight parking (RVs only)											T	T	T	T								5.4.C.15

Daytona Beach (PB Proposed)

Temporary portable storage unit	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	5.4.C.12
Temporary redevelopment project parking lot																					5.4.C.13
Temporary use of an accessory structure as a principal dwelling after a catastrophe	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	5.4.C.14
NOTE: 1. See Code of Ordinances regarding regulations for Mobile Food Vending.																					

6. Temporary Use/Structure Table for Redevelopment Districts.

Table 5.4.B.6: Temporary Use/Structure Table for Redevelopment Districts																										
✓ = Temporary Use/Structure allowed without a Temporary Use Permit																										
T = Temporary Use/Structure allowed with a Temporary Use Permit																										
Blank Cell = Prohibited Temporary Use/Structure																										
Temporary Use/Structure Type	Beachside											Downtown							Midtown						Use-Specific Standards	
	RDB-1	RDB-2	RDB-3	RDB-4	RDB-5	RDB-6	RDB-7	RDB-8	RDB-9	RDB-10	RDB-11	RDD-1	RDD-2	RDD-3	RDD-4	RDD-5	RDD-6	RDD-7	RDM-1	RDM-2	RDM-3	RDM-4	RDM-5	RDM-6		
Farmers' market																									5.4.C.1	
Garage or yard sale						T	T			T	T					T	T								5.4.C.2	
Mobile Food Vending 1	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Outside temporary promotional activity (TPA)	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	5.4.C.3	
Special event	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	5.4.C.4	
Temporary construction-related structure or facility	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	5.4.C.5	
Temporary factory-fabricated transportation building																									5.4.C.6	
Temporary mobile/manufactured home/trailer living unit																									5.4.C.7	
Temporary model sales home/unit	T				T						T		T	T	T	T		T		T		T	T	T	5.4.C.8	
Temporary not-for-profit carwash													✓	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	5.4.C.9	
Temporary off-street event parking																									5.4.C.10	
Temporary outside	Allowed in all districts with City Commission approval—see Section 5.4.C.11																									

activities associated with a festival																									
Temporary portable storage unit	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	5.4.C.1 2
Temporary redevelopment project parking lot	T				T			T																	5.4.C.1 3
Temporary use of an accessory structure as a principal dwelling after a catastrophe						✓	✓			✓							✓					✓			5.4.C.1 4

NOTE:
1. See Code of Ordinances regarding regulations for Mobile Food Vending.

7. Temporary Use/Structure Table for Planned Development and Overlay Districts.

Table 5.4.B.7: Temporary Use/Structure Table for Planned Development and Overlay Districts																	
✓ = Temporary Use/Structure Allowed without a Temporary Use Permit																	
T = Temporary Use/Structure Allowed with a Temporary Use Permit																	
PD Districts: Blank Cell = Prohibited Temporary Use																	
Overlay Districts (Only Modifications of Underlying Base District Use Standards Are Shown):																	
X = Prohibited Temporary Use																	
Temporary Use/ Structure Type	Planned Development Districts		Overlay Districts														Use- Specific Standards
			His- toric	Transitional				Airport		Other							
	PD-G	PD-RD		HO	TA	TB	TC	TD	AHO	ANO	STO	WO	EPO	NRO	E-Zone	AO	
Farmers' market	T	T															5.4.C.1
Garage or yard sale	T	T															5.4.C.2
Mobile Food Vending 1	✓	✓															
Outside temporary promotional activity (TPA)	T	T															5.4.C.3
Special event	T	T															5.4.C.4
Temporary construction-related structure or facility	✓	✓															5.4.C.5
Temporary factory-fabricated transportation building	✓																5.4.C.6
Temporary mobile/manufactured home/trailer living unit	✓																5.4.C.7
Temporary model sales home/unit	✓	✓															5.4.C.8
Temporary not-for-profit carwash	✓	✓															5.4.C.9
Temporary off-street event parking	✓	✓															5.4.C.10
Temporary outside activities associated with a festival	✗	✗															5.4.C.11
Temporary portable storage unit	✓																5.4.C.12
Temporary redevelopment project parking lot		T															5.4.C.13

Temporary use of an accessory structure as a principal dwelling after a catastrophe	✓	✓																5.4.C.14
NOTE: 1. See Code of Ordinances regarding regulations for Mobile Food Vending. 12. Allowed with City Commission approval.																		

Chapter 103 - Mobile Food Vendors

Sec. 1. Purpose.

- (a) The purpose of this article is to establish licensing procedures and governing regulations for mobile food vending businesses operating within the city.
- (b) It is also the purpose of this article to enhance business activity within the city, reduce vehicular traffic, and increase pedestrian mobility, by providing local and transient fresh produce and food service establishments accessible to the public and the city's workforce.

Sec. 2. Mobile Food Vending.

(a) *Applicability.*

- i. The standards within this section shall apply to mobile food vending in the City, except as provided by subsection [ii] below.
- ii. *Exemptions.* Mobile food vending associated with a *Special Event* or a *Temporary Outside Activity Associated with a Festival* shall not be subject to the standards in this section, provided the city has approved such activities in accordance with *Section 5.4.C.5 – Special Events* or *Section 5.4.C.11 - Temporary Outside Activity Associated With a Festival*, of the Land Development Code.

(b) *Definitions.*

- i. *Food Trailer.* An attached or detached trailer that is equipped with facilities for vending fresh produce, or preparing, cooking or selling various types of food products.
- ii. *Mobile Food Vending.* The sale of food, including mobile produce vending, as well as prepared foods, from a mobile food vendor vehicle or food trailer.
- iii. *Mobile Food Vendor.* Any person selling food from a mobile food vendor vehicle or food trailer.
- iv. *Mobile Food Vending Site.* A parcel of privately owned real property on which the Mobile Food Vendor intends to establish, or has established, operations from a mobile food vendor vehicle or food trailer.
- v. *Mobile Food Vendor Vehicle.* A self-contained, motorized vehicle-mounted food service unit that is used for vending fresh produce, or preparing, cooking, or selling various types of food products.
- vi. *Mobile Produce Vending.* The exclusive sale of produce from a mobile food vendor vehicle or food trailer. The “exclusive sale of produce” means that a substantial portion of

the mobile produce vendor's product and sales is fresh, unprepared and uncooked, produce including but not limited to the sale of raw fruits and vegetables.

(c) *Location and Operational Requirements.*

- i. Mobile food vending shall not occur on private property unless the Mobile Food Vendor has written consent from the property owner.
- ii. Mobile food vending shall not occur on private property developed with a single-family or duplex dwelling.
- iii. Mobile food vending shall not occur within 250 feet of private property developed with a single-family or duplex dwelling as measured from the mobile food vendor to the closest exterior wall of the residential dwelling improvement, unless the mobile food vendor has written consent from the owner. This section shall not apply to mobile produce vending or properties containing a place of worship.
- iv. Mobile food vending is prohibited in all areas of the right-of-way. This restriction shall not apply to mobile produce vending subject to the restriction in section vi below.
- v. Mobile food vending shall not occur within 250 feet of the edge of pavement for the following streets:
 - a. Atlantic Avenue
 - b. Seabreeze Boulevard
 - c. Oakridge Boulevard
 - d. Main Street
 - e. East International Speedway Boulevard
 - f. Beach Street – North of Orange Avenue and South of Fairview AvenueThis restriction shall not apply to mobile produce vending or properties containing a place of worship.
- vi. Mobile produce vendor vehicles or produce food trailers may stop, stand, or park in any area of the right-of-way not provided for vehicular travel (e.g. street-side parking areas). Blocking of vehicular traffic by a mobile produce vendor is prohibited.
- vii. Mobile food vending shall not occur within 250 feet of a licensed eating establishment, as measured from the mobile food vendor to the entrance of the establishment, during the hours of operation of the establishment, unless the Mobile Food Vendor has written consent from the owner. This restriction shall not apply to mobile produce vending, or to mobile food vending on private property improved with a licensed eating establishment.
- viii. Mobile produce vending shall not occur within 500 feet of a licensed grocery store or produce stand, as measured from the mobile produce vendor to the entrance of the establishment, during the hours of operation of the establishment, unless the mobile produce vendor has written consent from the owner. This restriction shall not apply to mobile produce vending on private property improved with a licensed grocery store or produce stand.

- ix. Mobile food vending shall not be located so as to block vehicular visibility at all street intersections and driveway access points.
- x. A mobile food vendor vehicle or food trailer shall not be placed in any location that impedes the ingress or egress of other businesses, building entrances, emergency building exits, loading zones, or handicap accessible parking spaces. The mobile food vendor vehicle shall not be placed on unimproved surfaces.
- xi. Mobile food vending shall not occur on public property unless the mobile food vendor has written consent from the government entity owning the property.
- xii. Mobile produce vending shall not occur on right-of-way owned and controlled by another jurisdiction unless the mobile produce vendor has written consent from the other government entity.
- xiii. *Vacant and/or Unimproved Lots.* It shall be prohibited for mobile food vending to occur on any vacant or unimproved lot or property.
- (d) *Hours of Operation.* Mobile food vending shall not be allowed to operate on any single property for more than 8 hours in a 24 hour period. The mobile food vendor must be present at all times during hours of operation. At the end of each business operation, the mobile food vendor shall remove the mobile food vendor vehicle or food trailer and all materials associated with the business from the mobile food vending site.
- (e) *Sales Area.* A mobile food vendor's sales area shall not exceed the area of two (2) standard parking stalls (18' x 38'), or approximately 400 square feet, subject to the following additional standards and conditions:
 - i. A mobile food vendor operating at a mobile food vending site for more than three hours shall confirm that employees have access to a flushable restroom within 150 feet of the vending location during the hours of operation.
 - ii. A mobile food vendor shall be equipped with a suitable trash container readily accessible to the public, in which customers may deposit any litter, trash, or waste related to the vendor's sales. Prior to moving a mobile food vendor vehicle or food trailer from a mobile food vending site, a mobile food vendor shall pick up and remove all litter, trash, and waste related to the mobile food vendor's sales within 100 feet of the sales area. The mobile food vendor shall not use City trash receptacles for such pickup and removal.
 - iii. All mobile food vendors are required to comply with the City's Illicit Discharge Detection and Elimination Ordinance, as provided in Section 7.2.N of the LDC.
- (f) *Storage and Parking.* Outside of the hours of operation, a mobile food vendor vehicle or food trailer may not be stored on the mobile food vending site. If stored on private property

Daytona Beach (PB Proposed)

within the City, the mobile food vendor vehicle or trailer must meet all applicable City codes and ordinances regulating commercial vehicle parking. Mobile food vendor vehicles and food trailers may not be stored, parked, or left overnight on any public street or sidewalk.

- (g) *Condition of Vehicles and Trailers.* A mobile food vendor vehicle or food trailer shall not be used for vending a product unless it is designed and constructed specifically for such purpose. All exterior body work of any mobile food vendor vehicle, food trailer, or motor vehicle used to transport a food trailer, shall be maintained in good and clean condition and free of substantial scratches, chips, rust, dents, abrasions, or excessive wear or damage.
- (h) *Merchandise.* The selling of non-food or drink items shall be limited to incidental sales of merchandise displaying the mobile food vendor company logo and/or branding. No items may be displayed outside of the vehicle.
- (i) *State Vehicle and Trailer Registration.* Mobile food vendor vehicles and food trailers shall be registered as required by state law.
- (j) *Equipment.* It is prohibited and unlawful for a mobile food vendor to operate any mobile food vendor vehicle or food trailer on a public roadway unless the vehicle is equipped as required by state law.
- (k) Mobile Food Vendor Vehicles must comply, as applicable, with the standards specified by Chapter 5K-4.002, Florida Administrative Code, and the U.S. Food and Drug Administrative 2001 Food Code, as such codes may be amended from time-to-time.
- (l) *Prohibited on Non-Compliant Properties.* A mobile food vending site may not be located on private property upon which uncorrected code violations exist, or which is under citation for code violations.
- (m) *Compliance with Laws.* It is prohibited and unlawful for a mobile food vendor to fail to comply with all state and city traffic and parking, and stopping and standing laws, codes, ordinances, rules and regulations.
- (n) *Mobile Food Vendor License Required.*
 - i. Except as expressly provided in this section, it shall be unlawful for any person to engage in business as a mobile food vendor within the city without first obtaining a mobile food vendor license from the city. Upon being granted a mobile food vendor license, the vendor must comply with the affirmative mandates of this article, and must not violate the prohibitions regarding sales, operations, locations, and restrictions contained therein. The failure to do so may result in the revocation or suspension of the mobile food vendor license.
 - ii. A mobile food vendor license fee in the amount of \$100.00 for each mobile food vendor vehicle or food trailer to be operated by a mobile food vendor shall be paid prior to the

issuance of a license. The fee may be modified from time-to-time by resolution adopted by the city commission.

- iii. Every mobile food vendor license issued under the provisions of this article shall expire on February 6, 2020 pursuant to the sunset provision in section 3 below.

(o) *Indemnification of the city; Insurance.* Prior to the issuance of a mobile food vendor license:

- i. The applicant shall furnish the city with a signed statement on a form provided by the city that the licensee shall hold harmless the city, its officers, officials, employees and agents and shall indemnify the city, its officers, officials, employees and agents for, from and against any and all claims for damages to property or injury to persons which may be occasioned by any activity carried on under the terms of the Mobile Food Vendor License.
- ii. The mobile food vendor licensee shall furnish to the city and maintain Commercial General Liability Insurance including food products liability, products and completed operations, and property damage liability from all claims and damage to property or bodily injury including, but not limited to, death, which may arise from operations under the mobile food vendor permit or in connection therewith. Such insurance shall provide coverage of not less than \$1,000,000.00 for bodily injury, property damage, or any claims or injuries respectively per occurrence. If insurance is provided with an annual aggregate, then the aggregate shall be in an amount of no less than \$2,000,000. Such insurance shall be without prejudice to coverage otherwise existing therein and shall name as additional insured the city, its officers, officials, employees and agents, and shall further provide that the policy shall not terminate or be cancelled prior to the completion of the mobile food vendor license period without 45 days' written notice to the city at the address shown in the permit. The applicant shall provide proof of necessary insurance prior to receiving the Mobile Food Vendor License.

(p) *Licensing Requirements.*

Applications for mobile food vendor licenses shall be made on forms furnished by the city and which application when completed shall, at a minimum, contain:

- i. The applicant's full name and residential address;
- ii. The business name under which the applicant will be operating and the business address, if applicable;
- iii. If the applicant is a corporation or other business entity, whether the applicant is registered to do business in Florida;
- iv. A brief description of the type of mobile food vendor vehicle or food trailer to be utilized;
- v. The license or registration number of each mobile food vendor vehicle or food trailer from which sales will be made (if licensed to travel on public roads);

Daytona Beach (PB Proposed)

- vi. The applicant must provide proof that all other appropriate state and local licenses and permits have been acquired at the time of issuance of the mobile food vendor license.
- vii. The applicant must provide proof that all appropriate taxes (such as the local business tax) have been paid at the time of issuance of the mobile food vendor license. The business tax receipt issued by the city must be displayed by the permittee when conducting mobile food service operations.

(q) *Violation and Penalties; License Revocation.*

Any person violating this chapter may be punished as provided in section 1-14 but will not be subject to imprisonment. Upon imposition of a third offense the mobile food vendor license issued pursuant to this section shall be revoked. A mobile food vendor who has had his or her license revoked shall not be allowed to reapply for a mobile food vending license for a period of 90 days after the effective date of such action. Alternatively, the code enforcement board and special magistrates will have jurisdiction to enforce these provisions pursuant to F.S. ch. 162, and any person determined to be in violation will be subject to penalties and remedies available as provided by law.

MOBILE FOOD TRUCKS

Application No. _____



Included in this packet:

1. List of Required Submittals
2. Application Form
3. Information Sheet
4. Downtown Map

List of Required Submittals

Only complete applications will be accepted:

- ☐ Completed application form
- ☐ Application fee (\$170 first year, \$85 annual renewal fee)
- ☐ Department of Business and Professional Regulation
Division of Hotels and Restaurants, or Florida Department of
Agriculture, "License" for mobile vending
- ☐ Proof of Insurance
- ☐ Photographs of the mobile food truck depicting all sides of the
vehicle (for new applications)
- ☐ Vehicle Identification Number (VIN)

Supplemental Information

- Visit <http://www.myfloridalicense.com/dbpr/hr/index.html> for the most current regulations from Florida Division of Hotels and Restaurants.
- Visit <http://www.freshfromflorida.com/Divisions-Offices/Food-Safety> for the most current regulations from Florida Division of Food Safety (Agriculture).

Note: Obtaining an annual mobile food truck permit does not exempt the holder from complying with all requirements of City Code Section 16.50.440.

These regulations exclude a contractual or other private arrangement between a mobile food truck and an individual or group that wishes to have food catered to a specific location and which is not open to the public.

Planning and Economic
Development Department

Development Review
Services Division

<http://www.stpete.org/LDR>

City of St. Petersburg
P.O. Box 2842
St. Petersburg, FL 33713
727 - 893-7471

Last Updated: 9-14-2016



MOBILE FOOD TRUCKS

Application No. _____

All applications are to be filled out completely and correctly. The application shall be submitted to the City of St. Petersburg's Planning and Economic Development Department, located on the 1st floor of the Municipal Services Building, One Fourth Street North, St. Petersburg, Florida.

GENERAL INFORMATION

Name of Applicant:

Street Address:

City, State, Zip:

Telephone No:

Email Address:

Website:

VEHICLE INFORMATION

Business Name:

Vehicle Identification Number (VIN):

State License, No. for Mobile Food Dispensing Unit:

State License, Date Issued:

State License, Expiration Date:

REQUEST

To operate on private property: ☐ Yes ☐ No

To operate on public rights-of-way: ☐ Yes ☐ No

AUTHORIZATION

By signing this application, the applicant affirms that all information contained within this application packet has been read and that the information on this application is accurate. The applicant certifies that he/she has read City Code Section 16.50.440 regulating the operation of mobile food trucks and understand that issuance of an annual mobile food truck permit does not exempt the holder from complying with all requirements of the City Code. Filing an application does not guarantee approval.

NOTES: 1) It is incumbent upon the applicant to submit correct information. Any misleading, deceptive, incomplete or incorrect information may invalidate your approval.

Signature of Applicant: _____ Date: _____

OFFICIAL USE ONLY

PRE-APPROVED	TYPE OF TRUCK	FINAL APPROVAL
Requires Pre-Approval Authorization	Class I Mobile Kitchen	Requires Final Approval STAMP
	Class II Canteen Truck	
	Class III Ice Cream Truck	

The Application:

- **State License:** A copy of the state permit for a mobile food dispensing vehicle is required and must be approved prior to approval to vend in the City of St. Petersburg.
- **Insurance:** Include a certificate of insurance demonstrating the following (contact the Risk Management Division with specific questions at 727-893-7582:
 - If operating in the street (right-of-way):
 - Commercial General Liability Insurance
 - \$1,000,000 per Occurrence
 - \$2,000,000 General Aggregate
 - *Must name the City as “additionally insured”.
 - Automobile Liability
 - \$300,000 Combined Single Limit
 - Proof of Workers Compensation as required by Florida law (if more than 3 employees).
- **Business Tax:** A separate City of St. Petersburg Business Tax License is required for each mobile food truck and must be obtained as part of the permit process.

The Permit/Fees:

- The permit fee is \$170 for the first year and \$85 for annual renewals of existing permits.
- The annual Business Tax License fee is \$65.
- Permits expire at the end of the fiscal year for which they are issued (September 30th).

The Truck (or Trailer):

- A mobile food truck is a vehicle which is used to vend food and beverage products and is classified as one of the following:
 - o **Class I—Mobile kitchens.** In addition to the vending of products allowed for class II and class III mobile food trucks, these vehicles may cook, prepare and assemble food items on or in the unit and serve a full menu.
 - o **Class II—Canteen trucks.** These vehicles vend fruits, vegetables, hot dogs, pre-cooked foods, pre-packaged foods and pre-packaged drinks. No preparation or assembly of foods or beverages may take place on or in the vehicle, however, the heating of pre-cooked foods is allowed. A cooking apparatus or grill top for the heating of pre-cooked foods is permitted so long as it complies with state regulations. These vehicles are limited to providing catering services to employees at a specific location and do not advertise

for customers, except as may be allowed by a City issued permit.

- o **Class III—Ice cream trucks.** These vehicles vend only pre-packaged frozen dairy or frozen water-based food products, soft serve or hand-dipped frozen dairy products or frozen water-based food products and pre-packaged beverages. If vending in the street (right-of-way) only this permit does not apply – please contact the City’s Police Department to obtain a Peddler’s Permit.

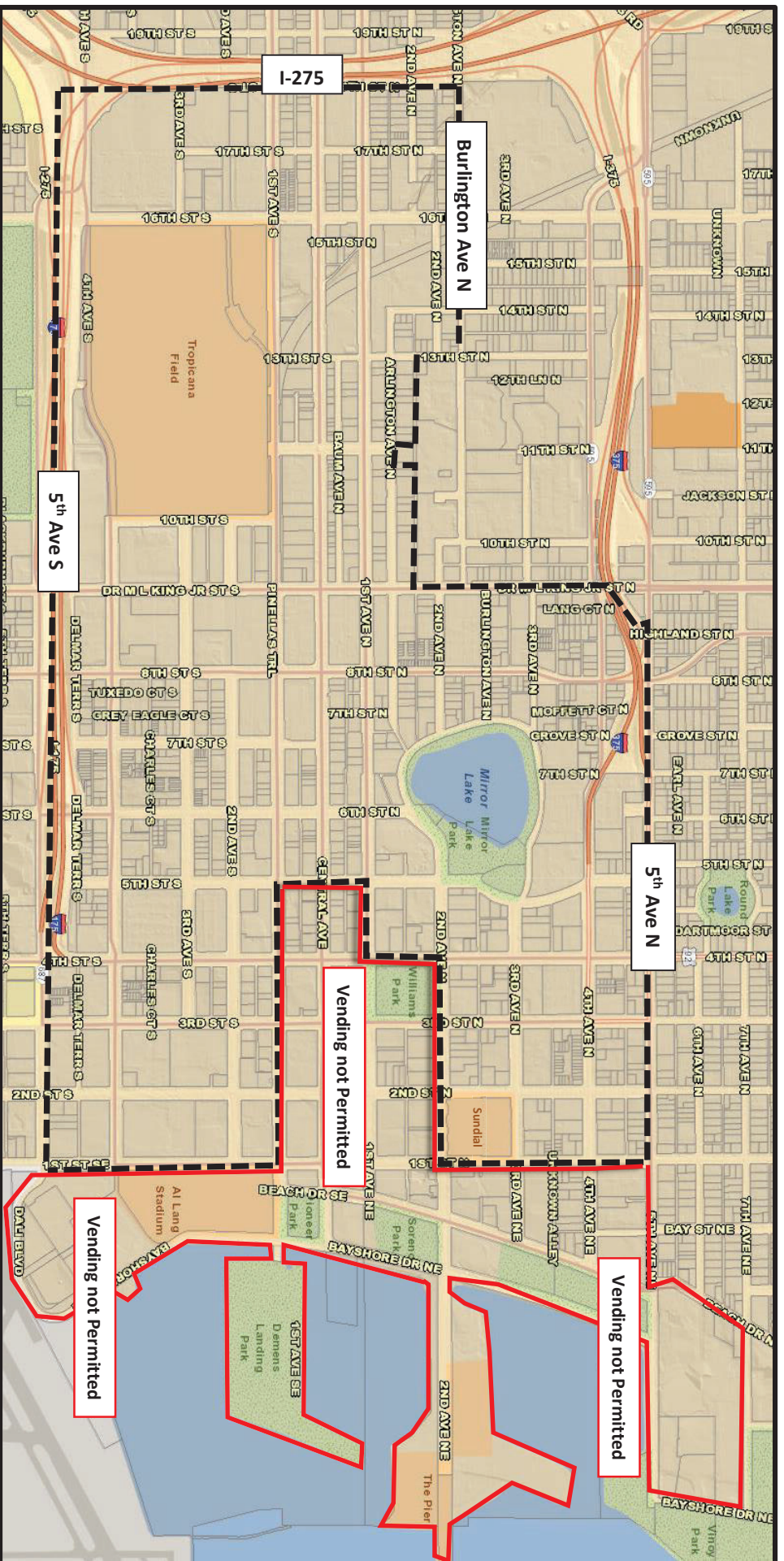
The Locations:

- Vending on private property may occur with the property owner’s consent on properties located within zoning districts allowing retail uses or restaurants and bars (CRT-2, CCT-1, CCT-2, CCS-1, CCS-2, CCS-3, RC-1, RC-2, RC-3, IC(I)).
- To check the zoning designation of a property, visit www.stpete.org/LDR.
- On private property mobile food trucks can operate a maximum of two days per calendar week. A food truck may operate 7 days a week at different locations, but one location may only host a food truck up to two days per week.
- In Downtown Center zoning districts mobile food truck vending in the street (right-of-way) is prohibited (see attached map for downtown location restrictions).
- Mobile vending is not allowed on city park land (except as part of an approved special event).
- Operation of a food truck is prohibited on vacant and undeveloped property, except when located in a CCT-2 zoning district.
- No more than two mobile food trucks shall operate on any property at any one time, except as may be allowed by a City issued permit (such as a Food Truck Rally permit).

Operation:

- When vending in the street (right-of-way) a Class I mobile food truck may stop, stand or park in any area of the right-of-way not provided for vehicular travel (e.g. parking spaces). Food trucks may not block travel lanes.
- Open flame cooking is prohibited.
- No tables, chairs or other furniture or equipment (other than the mobile food truck) shall be placed in the street (right of way).

Mobile Food Truck Vending in Downtown St. Petersburg



Mobile Vending permitted on private property only (no vending in the streets)

Mobile Vending not permitted in this area (on private property or in streets)

- * This map applies to individual operators of Class I Mobile Kitchens. An approved Mobile Food Truck Permit is required prior to vending.
- ** Restrictions do not apply to an event approved by the City.

St. Petersburg

Fort Pierce

DIVISION 3. - MOBILE VENDING

Sec. 9-111. - General regulations.

- (a) The telephone number included on the permit application must remain valid and active at all times. The vendor is responsible for notifying the city of any changes to their contact information.
- (b) Mobile vending units must comply with the following minimum distance requirements, which shall be measured from the approved vending location to the nearest point of an established property line:
 - (1) Five hundred (500) feet from a similar type business.
 - (2) Three hundred (300) feet from a school, church, or any city or county park.
 - (3) One thousand (1,000) feet from an approved special event.
- (c) May not block the ingress/egress to any property, sidewalk or street.
- (d) May not block or impede pedestrian or vehicular traffic.
- (e) May only operate at the approved location, clearly identified on the permit.
- (f) May have one advertisement sign with a maximum size of sixteen (16) square feet. Such sign may not be free standing, illuminating, moving, flashing or utilizing neon color typically reserved for emergency services. Such restriction to be separate from any business name, decal or logo professionally installed on any motorized MFDV.
- (g) May have one menu sign with a maximum size of nine (9) square feet.
- (h) No amplified sounds, music or other loud noises, except as provided for in section 9-113, ice cream vendors.
- (i) A trash receptacle must be provided and must be removed by the operator daily. Trash may not be placed within public street side trash receptacles.
- (j) Mobile vendors are responsible for picking up all litter and waste within twenty-five (25) feet of their unit.
- (k) No wastewater leakage or any other leakage is allowed.
- (l) A single umbrella is permitted provided it is maintained in good condition and does not impede traffic or block clear vision areas.
- (m) It shall be unlawful to place any chair, table, box, crate, stand, counter or shelving independent from the approved mobile vending unit.
- (n) No mobile vending unit shall remain at approved location for more than three (3) consecutive days.

([Ord. No. 14-019, § 1, 9-15-14](#) ; Ord. No. [17-004](#), § 4, 2-21-17)

Sec. 9-112. - Itinerant retail produce vendor.

- (a) Every person who engages in the business of an itinerant retail produce vendor within the corporate limits of the city, before engaging in such business, shall apply for and obtain a mobile vending permit from the city pursuant to this division.
- (b) A business tax receipt is not required for itinerant retail produce vendors.
- (c) All products and produce offered for sale under this division must be clean, wholesome and in good sanitary condition and their state and condition shall comply with the pure food laws of the state.
- (d) Itinerant retail produce vendors are permitted to vend from any truck, wagon, automobile, trailer or other vehicle provided that the vehicle is properly registered with the State of Florida. A copy of such registration shall be submitted with the permit application.
- (e) All other regulations as outlined in section 9-111 of this chapter shall apply.

Fort Pierce

([Ord. No. 14-019, § 1, 9-15-14](#))

Sec. 9-113. - Ice cream vendors.

- (a) **General.** The rules in this section shall apply to each person lawfully permitted as an ice cream vendor.
- (b) **Prohibited sales.** It shall be unlawful for any ice cream vendor to sell or attempt to sell any commodity:
 - (1) By means of any outcry, sound, speaker or amplifier, or any instrument or device which can be heard for a distance greater than three hundred (300) feet, or when passing a hospital, church or other place of worship during the hours when services are being held.
 - (2) Within five hundred (500) feet of any school during the school year.
- (c) **Noise—Vehicle stopped.** It shall be unlawful for any such vendor to use, play or employ the use of any sound, outcry, amplifier, loudspeaker, radio, phonograph with a loudspeaker or amplifier or any other instrument or device when the vehicle such vendor is using is stopped for the purpose of making a sale.
- (d) **Same—Hours.** The use by the vendor of any such noise, instrument or device which emits a loud sound shall be prohibited before the hours of 9:00 a.m. on weekdays and 1:00 p.m. on Sundays, or after 7:00 p.m. on any day.
- (e) **Traffic.** It shall be unlawful for any vendor to:
 - (1) Exceed a speed of fifteen (15) miles an hour when cruising neighborhoods seeking sales or when attempting to make a sale.
 - (2) Stop anywhere within twenty-five (25) feet of an intersection when making a sale or attempting to make a sale.
 - (3) Double-park, or park in any manner contrary to any ordinance relating to parking, when attempting a sale or when making a sale.
 - (4) Make a U-turn on any block in a residential zone.
 - (5) Drive his/her vehicle backwards to make or attempt to make a sale.
 - (6) Sell to any person who is standing in the street.
 - (7) Permit any person to hang on the vehicle or permit any person to ride in or on the vehicle except a bona fide assistant or assistants.
 - (8) Remain standing or stopped at any place for a period of time exceeding five (5) minutes.
 - (9) Sell or attempt to sell along any particular route more than one time during a 24-hour period.

([Ord. No. 14-019, § 1, 9-15-14](#))

Cross reference— Health, § 2-261 et seq.

Sec. 9-114. - Seasonal sale vendors.

The rules of this section shall apply to each person lawfully permitted as a seasonal sales vendor.

- (a) Every person who engages in the business of seasonal sale in the city, before engaging in such business, shall apply for and obtain a permit from the city pursuant to division 2 of this article.
- (b) Tents or canopies larger than 900 square feet or as required under section 5-3 of the Code of Ordinances are prohibited unless a supplemental tent permit is obtained. Application for such permit shall be made with the building department. A sketch of the property showing the location of the tent or canopy on the property and a certificate of flame resistance shall be required to be submitted with the application.

Fort Pierce

- (c) Seasonal sales permits will be issued no sooner than thirty (30) days prior to the associated holiday and shall expire seven (7) days following the holiday.

([Ord. No. 14-019, § 1, 9-15-14](#); Ord. No. [17-004](#), § 5, 2-21-17)

Secs. 9-115—9-130. - Reserved.



Today's Date _____

SECTION 1

Application for (Please check one)

_____ SPECIAL PARK MOBILE FOOD DISPENSING PERMIT
City of Hollywood Special Events and / or Parks
 _____\$75 /6 month permit _____\$125 / 1 year permit

_____ MOBILE FOOD DISPENSING PERMIT
Public Right of Way, City of Hollywood property, Private Property
 _____\$75 /6 month permit _____\$125 / 1 year permit

Owner / Operator _____

Business /Food Truck Name _____

Address _____

City /State /Zip Code _____

License Number /State _____

Telephone with Area Code _____

Email Address _____

SPECIAL PARK MOBILE FOOD DISPENSING PERMIT:

Please continue to Section 2, below

MOBILE FOOD DISPENSING PERMIT:

Please continue to Section 3, below

SECTION 2

Event Name _____

Event Date(s) _____

Services Requested (please check) _____ Electric _____ Water

Space Requested (please check)

_____ Tables (3, maximum) _____ Chairs (4 each, maximum)

Please continue to SECTION 4, below.

SECTION 3

LOCATION(S) / Route Requested (Within the City of Hollywood)

Attach MAP and Copy of Menu

Date(s) / Time(s) / Duration _____

Number of Employees _____

Location of Parking for Employees _____

Please note:

Requested routes and stop locations may be reviewed and approved by the City Engineer.

Please continue to SECTION 4, below.

SECTION 4

Documentation, as stated below must be submitted at time of application:

- ☐ \$1M general liability, City of Hollywood stated as Additional Insured and Certificate Holder
- ☐ \$100K automobile insurance, City of Hollywood stated as Additional Insured and Certificate Holder
- ☐ Indemnification Agreement (form provided by City of Hollywood)
- ☐ Proof of City of Hollywood Fire Marshal inspection (annually updated)
- ☐ SafeServ Food Service Certificate (National Restaurant Association)
- ☐ Mobile Kitchen Business and Professional Regulation License (issued from State of Florida)
- ☐ City of Hollywood Business Tax Receipt
- ☐ Map of locations and Site Plan
- ☐ Menu

PLEASE READ THE FOLLOWING STATEMENT AND SIGN BELOW:

I affirm that all information that I have provided is true and correct. I further acknowledge that I will be subject to all penalties prescribed by law for providing any false information to the City. I understand that the requested permit, if approved, will be issued to the Mobile Food Dispensing operator subject to applicable fees payable to the City of Hollywood. I also understand that these conditions will be made part of the permit.

Food Truck Owner / Operator (Print Name)

Signature

Date

STATE OF FLORIDA)
COUNTY OF BROWARD)

The foregoing instrument was acknowledged before me this _____ day of _____,
20_____ by _____ and who is _____ personally known
to me; or _____ produced the following identification.

My Commission Expires:

NOTARY PUBLIC
State of Florida

Submit this completed notarized application, application fee and documents
appearing in SECTION 4 to:

City of Hollywood
Department of Parks, Recreation and Cultural Arts
SPECIAL EVENTS
P. O. Box 229045, Hollywood, Florida 33022-9045

To submit in person:
Department of Parks, Recreation and Cultural Arts
1405 S. 28th Avenue, Hollywood, FL 33020

INDEMNIFICATION AGREEMENT**Hollywood**

THIS INDEMNIFICATION AGREEMENT made and entered into this ____ day of _____, 20____, among the City of Hollywood, Florida, a municipal corporation of the State of Florida ("City"), and the City of Hollywood, Florida, Community Redevelopment Agency ("CRA") and _____ ("Vendor"). I, _____,

Vendor or Company Name

individually and/or as the agent of the Vendor performing _____
Service performed or Product being sold

("Services") do hereby agree to indemnify and hold harmless the City, and CRA, their officers, agents, employees and contractors from and against any and all loss, damage, claim, demand, liability or expense by reason of any damage or injury to property or person which may be claimed to have arisen as a result of or in connection with the occupancy or use of said premises by Vendor performing Services. During the conduct of a _____ at _____

Name of Event

Location of Event

on the date _____. Such obligation to indemnify and hold harmless shall continue notwithstanding any negligence or comparative negligence on the part of the City and/or CRA relating to such loss or damage and shall include all costs, expenses and liabilities incurred by the City and/or CRA in connection with any such claim, suit action or cause of action, including the investigation thereof and the defense of any action or proceeding brought thereon and any order, judgment or decree which may be entered in any such action or proceeding or as a result thereof. These provisions shall survive the expiration or earlier termination of the use of premises. Nothing in this Agreement shall be construed to affect in any way the City nor the CRA's rights, privileges, and immunities as set forth in Florida Statutes section 768.28.

Signature

Print Name

Title

Daytime phone number

Email Address (Please Print) _____

Address _____

City _____ **State** _____ **Zip code** _____

APPROVED AS TO FORM & LEGAL SUFFICIENCY

*For the use and reliance of the City of Hollywood, Florida, and
 The City of Hollywood, Florida, Community Redevelopment Agency only.*

 DOUGLAS R. GONZALES, CITY ATTORNEY

HollywoodORDINANCE NO. 0-2014-11

AN ORDINANCE OF THE CITY OF HOLLYWOOD, FLORIDA, AMENDING CHAPTER 122 ENTITLED "PEDDLERS, SOLICITORS AND ITINERANT MERCHANTS" TO REVISE THE REGULATIONS FOR THE SALE OF FOOD FROM MOBILE FOOD DISPENSING VEHICLES SUCH AS FOOD TRUCKS AND FOOD CARTS.

WHEREAS, the City currently regulates the sale of food from mobile units in city parks, at locations in the city that are within 200 feet of an establishment that handles the same kinds of food, and on private property; and

WHEREAS, due to the increased popularity of mobile food vendors, it has been determined that a review and update of the current regulations is merited;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA:

Section 1: That Section 122.02 is hereby repealed in its entirety and replaced with a new Section 122.02, as set forth herein:

TITLE XI: BUSINESS REGULATIONS

* * *

CHAPTER 122. PEDDLERS, SOLICITORS AND ITINERANT MERCHANTS

GENERAL PROVISIONS

* * *

§ 122.02 SALES OF FOOD FROM MOBILE FOOD VENDORS.

(A) DEFINITIONS. For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

FOOD CART. A movable non-motorized cart, operated by a Mobile Food Vendor, which sells pre-packaged food, such as hot dogs, ice cream, snow cones, or non-alcoholic beverages.

(Coding: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions).

Hollywood

FOOD TRUCK. A vehicle (including trailers), operated by a Mobile Food Vendor, used to prepare and sell food at multiple locations, typically operating at one location for more than 30 minutes.

LUNCH TRUCK. A vehicle, operated by a Mobile Food Vendor, used to sell pre-packaged food, such as sandwiches, snacks (such as potato chips) and non-alcoholic beverages, at multiple locations, typically operating at one location for less than 30 minutes.

MOBILE FOOD DISPENSING PERMIT. A written authorization that must be obtained from the Director of Parking and Intergovernmental Affairs, or his/her designee, to carry out Mobile Food Vending Services from Mobile Food Dispensing Vehicles on public property (other than in a Park) or on private property.

MOBILE FOOD DISPENSING VEHICLES. A vehicle-mounted public food service establishment that is self-propelled or otherwise movable from place to place which includes but is not limited to a Food Cart, Food Truck, or Lunch Truck.

MOBILE FOOD VENDOR. A person or persons, as defined herein, that has the required mobile food vendor license from the Florida Department of Business and Professional Regulation.

PARK. Any public park, community center, recreation or playground area, or building or facility or parking lot thereon, within the City of Hollywood, owned and maintained as a public park or community center, whether or not such areas have been formally dedicated for such purpose.

PERSON. Any person, firm, partnership, association, club, corporation, company or organization of any kind.

SPECIAL PARK MOBILE FOOD DISPENSING PERMIT. A written authorization that must be obtained from the Director of the Department of Parks, Recreation and Cultural Arts, or his/her designee, to operate a Mobile Food Dispensing Vehicle in a Park.

(B) MOBILE FOOD DISPENSING VEHICLES IN PARKS AND ON PARK PROPERTY.

(1) Mobile Food Vendors. It shall be unlawful for any Person to operate a Mobile Food Dispensing Vehicle within a City Park unless the following conditions have first been met:

Hollywood

- (a) The Mobile Food Vendor is contracted by the City, or by a Special Event Permit Holder, for a City approved event;
- (b) The owner/operator of the Mobile Food Dispensing Vehicle has obtained a Special Park Mobile Food Dispensing Permit, as set forth herein;
- (c) The Mobile Food Dispensing Vehicle must only serve in a temporary capacity, subject to the event specific requirements as determined by the Director;
- (d) The Mobile Food Dispensing Vehicle must be positioned at the location designated on the park map attached to the Special Park Mobile Food Dispensing Permit and may only operate during the days and times set forth in the Special Park Mobile Food Dispensing Permit;
- (e) The Mobile Food Dispensing Vehicle must be stationary at that designated location prior to selling food or beverages and must remain stationary for the entirety of the event for which the permit was issued;
- (f) Mobile Food Vendors that desire to have seating adjacent to their Mobile Food Dispensing Vehicle must obtain approval of a seating arrangement plan with the issuance of the Special Park Mobile Food Dispensing Permit. Seating arrangements shall be limited to no more than three (3) tables, each with no more than four (4) chairs, that are placed within fifteen feet of the Mobile Food Dispensing Vehicle. Such seating arrangements shall adhere to the Special Park Mobile Dispensing Permit conditions;
- (g) The owner/operator of a Mobile Food Dispensing Vehicle must provide proof of all applicable licensure, including but not limited to, licensure from the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, and Florida Department of Agriculture and local business tax receipt;
- (h) If the owner/operator of a Mobile Food Dispensing Vehicle is providing services to a Special Event Permit Holder other than the City, he/she must provide proof that they are an approved vendor for the event;

Hollywood

(i) The owner/operator of Mobile Food Dispensing Vehicle shall obtain and maintain a liability insurance policy in an amount not less than \$1,000,000 and shall provide proof of insurance as a condition of obtaining the Permit;

(j) The owner/operator shall be required to clean up and dispose of any litter, trash, garbage or other refuse generated from the sale of food at the designated location as set forth in the Special Park Mobile Food Dispensing Permit, including providing a suitable receptacle for recycling materials, waste and litter (the Mobile Food Vendor is responsible for removal and disposal of garbage and recycling); and

(k) Owner/Operator shall not erect signage. Menu boards may be displayed with authorization of the Director of Parks, Recreation and Cultural Arts.

(2) Special Park Mobile Food Dispensing Permit Procedures.

(a) A Special Park Mobile Food Dispensing Permit application must be submitted to the Department of Parks, Recreation and Cultural Arts along with all required documentation set forth in Division (B)(1) above.

(b) All of the conditions set forth in Division (B)(1) above must be satisfied prior to the issuance of a Special Park Mobile Food Dispensing Permit. If the Special Park Mobile Food Dispensing Permit is approved, the Director, in consultation with the affected Departments, may also impose any necessary restrictions or conditions required to ensure public safety, environmental and administrative considerations are met.

(c) The Director reserves the right to assess charges for maintenance, clean-up, and/or damages to the area utilized by the Mobile Food Vendor.

(d) If electrical hook-up and services are required and supplied by the City, then the Mobile Food Vendor shall be charged additional fees for said hook-up and services. The decision to provide such electrical hookup is at the sole discretion of the Director.

(e) Insurance. The owner/operator of the Mobile Food Dispensing Vehicle shall obtain and maintain a liability insurance policy in an amount not less than \$1,000,000 naming the City as an additional insured and

Hollywood

shall provide proof of insurance as a condition of obtaining the permit. If alcohol is sold, served, or consumed as a part of the event or pursuant to the Special Park Permit, the insurance policy shall be endorsed for liquor liability

(3) The City shall not issue a Special Park Mobile Food Dispensing Permit for the sale of food from a Mobile Food Dispensing Vehicle from property owned by the State of Florida or operated by Broward County. The right to sell from such property shall be granted solely by such authorities.

(4) Special Park Mobile Food Dispensing Permit Fee. The Special Park Mobile Food Dispensing Permit Fee shall be established and amended by resolution of the City Commission.

(C) MOBILE FOOD DISPENSING VEHICLES LOCATED ON PRIVATE PROPERTY ZONED COMMERCIAL OR INDUSTRIAL.

(1) No Person or Mobile Food Vendor shall park, stand or stop a Mobile Food Dispensing Vehicle for the purpose of selling food to the public on private property, zoned commercial or industrial, without the notarized written consent of the property owner, his lessee or agent or the person having custody or control of the property and obtaining the required Mobile Food Dispensing Permit in accordance with the permit requirements set forth below and in Division (D)(3). Said Mobile Food Dispensing Vehicles shall not remain on the property for a period to exceed four hours at any one time and shall not operate in the same location more than once in any 12-hour period. Mobile Food Dispensing Vehicles must not be located within 200 feet from any eating establishment. This separation requirement shall apply only during the normal hours of operation of the eating establishment. However, Mobile Food Dispensing Vehicles that sell food to the public on private property with the owner's consent for a period that does not exceed thirty minutes or less, shall not be required to comply with this subsection.

(2) All Mobile Food Dispensing Vehicles must be located within a paved pedestrian plaza on the private property and not on unimproved property.

(3) A Mobile Food Dispensing Vehicle may not be located within 5 feet of any right-of-way or public sidewalk and may not disrupt vehicular or pedestrian circulation for ingress and egress to the property.

Hollywood

(4) A Mobile Food Dispensing Vehicle may not locate or block access to required parking for a simultaneously operating business on the property according to the City's parking requirements. Sites that do not have excess parking during the operation of the primary uses are not eligible locations for Mobile Food Dispensing Vehicles.

(5) Mobile Food Dispensing Vehicles shall not sell or distribute alcoholic beverages.

(6) Mobile Food Dispensing Vehicles shall not be permitted within the following areas of the Beach and or Downtown Districts of the CRA:

(a) Downtown: Polk Street to Van Buren Street, and U.S. 1 to 21st Avenue.

(b) Beach: The area between Thomas Street to the north, the southern city limits, A1A to the west and the Broadwalk to the east.

(D) MOBILE FOOD DISPENSING PERMITS ON CITY PROPERTY.

(1) Mobile Food Dispensing Vehicles shall not be permitted within the following areas of the Beach and or Downtown Districts of the CRA:

(a) Downtown: Polk Street to Van Buren Street, and U.S. 1 to 21st Avenue.

(b) Beach: The area between Thomas Street to the north, the southern city limits, A1A to the west and the Broadwalk to the east.

(2) Mobile Food Dispensing Vehicles shall not be located on City Public Property or rights-of-ways unless approved by the Director of Parking & Intergovernmental Affairs, or his/her designee. A Mobile Food Vendor who desires to utilize City public property or rights-of-way shall submit a Mobile Food Dispensing Permit application along with the required information set forth in Division (D)(3) below. Permit applications for locations in the public rights-of way shall be reviewed by the City Engineer. Such Mobile Food Dispensing Permit may be approved as long as the public purpose is compatible with the existing physical facilities and does not interfere with the health, safety and welfare of the public.

Hollywood

(3) Mobile Food Dispensing Permits. Permits for Mobile Food Dispensing Vehicles will be issued on a first come, first serve basis for specific locations designated for such purpose. No Mobile Food Dispensing Vehicle of any kind shall be located within 200 feet of an eating establishment during the hours of operation of said establishment. Not more than two vendors of similar food products will be permitted in close proximity, as determined by the Director of Parking and Intergovernmental Affairs. Said Mobile Food Dispensing Vehicles shall not remain on the property for a period to exceed four continuous hours and shall not operate in the same location more than once in any 12-hour period.

All Mobile Food Dispensing Permits shall be effective for the dates designated on the permit, but under no circumstance can a Mobile Food Dispensing Vehicle be permitted for the same designated location for more than thirty (30) consecutive days. Any permit issued under this part may include additional limitations on the hours of operation

Applications for Mobile Food Dispensing Permits must be submitted to the Office of Parking and Intergovernmental Affairs at least two weeks in advance of the requested date(s) for usage. The Director of Parking and Intergovernmental Affairs, or his/her designee, shall coordinate review of the permit application with the appropriate City, County and /or State authorities. The application shall include the following information:

(a) Name, address, telephone number of applicant, mailing/business address, electronic mail address and telephone number of the applicant;

(b) Mobile Food Vendor's name, address and telephone number if different than the applicant and a copy of insurance for the Mobile Food Vendor;

(c) Copy of the Florida Department of Business and Regulation License, City Business Tax Receipt, and a copy of the current vehicle registration and individual's drivers license;

(d) Description of the type of vending;

(e) Desired location(s);

(f) Duration of the permit;

(g) Indemnification and Hold Harmless Agreement and proof of insurance. The owner/operator of the Mobile Food Dispensing Vehicle

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shall indemnify the City and obtain and maintain a liability insurance policy in an amount not less than \$1,000,000 naming the City as an additional insured and shall provide proof of insurance as a condition of obtaining the permit; and

(h) Payment of a non-refundable permit fee.

Upon review of the Mobile Food Dispensing Permit application, the Director of Parking and Intergovernmental Affairs shall approve or deny the permit application. If the Permit is approved, the Director, in consultation with the affected Departments, shall also impose any necessary restrictions or conditions required to ensure public safety, environmental and administrative considerations are met.

(4) Charges for maintenance, clean-up or damage to City property. The Director of Parking and Intergovernmental Affairs reserves the right to assess charges for excessive maintenance, clean-up, and/or damages to the area utilized by the Mobile Food Dispensing Vehicle located on city property or in the public rights-of-way. Further, the Director may set additional fees for electrical hook up and services on city property or in the public rights-of-way.

(5) Special Events: A Mobile Food Dispensing Permit shall not be valid during a Special Event (approved by the Department of Parks, Recreation and Cultural Arts in accordance with Chapter 102 of the Hollywood Code of Ordinances) on adjacent City property, streets and sidewalks. The Department of Parks, Recreation and Cultural Arts will notify Permittees of the scheduled Special Events and of procedures for the Mobile Food Vendors to participate in those Special Events, if available. Mobile Food Vendors who are eligible to participate in the Special Event shall be required to submit a Vendor application and applicable permit fees to the sponsor of the Special Event separate from the Mobile Food Dispensing Permit.

(E) State roadways. A Mobile Food Vendor must obtain the approval of the State of Florida through the Department of Transportation in order to be located on any state roadway within the City of Hollywood. All Motor Food Dispensing Vehicles shall comply with all applicable state statutes regarding state maintained roads and rights-of-way and the unlawful commercial use thereof.

(F) Prohibitions. No Mobile Food Vendor that has been issued a Mobile Food Dispensing Permit shall be allowed to do the following:

(1) Sell or distribute alcoholic beverages.

Hollywood

- (2) Operate a freestanding electric generator.
 - (3) Operate any type of amplified speaker system or play music of any kind.
 - (4) Park, stand or stop a Motor Food Dispensing Vehicle in any no-parking or safety zone or in any other zone where parking, standing or stopping is prohibited.
 - (5) Park, stand or stop a Motor Food Dispensing Vehicle in such a manner as to cause an obstruction to pedestrian or vehicular traffic or to cause any sight hazard.
 - (6) Mobile Food Dispensing Vehicles shall not be permitted in any residential area unless said Mobile Food Dispensing Vehicle is part of a Special Event falling within Chapter 102 of the Hollywood Code of Ordinances, or has obtained a Special Park Mobile Food Dispensing Permit. Further, Mobile Food Dispensing Vehicles shall not be permitted on vacant land or abandoned properties.
 - (7) Mobile Food Dispensing Vehicles shall not sell or dispense any food to customers in a moving vehicle and drive up sales are strictly prohibited.
- (G) Maintenance by all Mobile Food Vendors. In addition to the requirements set forth for a Special Park Mobile Food Dispensing Permit or Mobile Food Dispensing Permit, all Mobile Food Vendors shall comply with the following:
- (1) All operations must be contained within the approved Mobile Food Dispensing Vehicle, as licensed and permitted by the Florida Dept. of Business and Professional Regulation's Division of Hotels and Restaurants, with the exception of a maximum of two coolers, which are allowed for beverages.
 - (2) Styrofoam containers are not allowed for mobile food vending within the City of Hollywood.
 - (3) Liquid waste or grease may not be disposed of in tree wells, storm drains, or onto the sidewalks, streets, or any other public space. The Mobile Food Vendor is responsible for removing and properly disposing of grease and liquid waste from the sidewalk and street surfaces resulting from its operation, or the unloading and loading of Mobile Food Dispensing Vehicles. The Mobile Food Vendor shall comply with all state laws for servicing of the Mobile Food

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Dispensing Vehicle for waste water and grease disposal, including commissary requirements.

(4) The Mobile Food Vendor shall be liable for all damages and/or repairs to the streetscape, trees and vegetation, sidewalks, streets, or other public amenities that relate to its operation.

(5) Mobile Food Dispensing Vehicles shall not "hop" curbs or perform any other illegal traffic maneuvers.

(6) Mobile Food Dispensing Vehicles shall maintain the area/site clear of any garbage, debris, and litter and shall restore the area/site to its original condition within 30 minutes of its last sale.

(7) Garbage receptacles (and recyclable receptacles for any packaging that is recyclable) must be provided. Vendor is responsible for removal and proper disposal of garbage and recyclable materials.

(H) Revocation of Permits.

(1) If, at any time, the Florida Department of Business Regulation revokes or suspends the Mobile Food Vendor's license, then the City's Mobile Food Dispensing Permit shall be deemed to have been simultaneously revoked or suspended.

(2) The Director may revoke any permit set forth in this section if the permittee's operation is determined not to be in the public interest; if the permittee provided false or incorrect information in the permit application, if the permittee fails to pay any fees, or if the permittee fails to comply with the applicable requirements of this ordinance, and any other applicable state, county and local laws. The Director shall provide reasonable notice of the revocation of the permit, unless he/she determines there is an imminent danger to the public health, safety, welfare, or property, in which case the revocation may be without notice. An imminent danger includes, but is not limited to, any situation in which the Mobile Food Vendor has failed to meet the State of Florida Department of Health's minimum standards for sanitation and food service or any situation in which a Mobile Food Dispensing Vehicle is creating a traffic hazard. Any permittee whose permit is revoked shall have the right to file a written appeal with the City Manager within 10 calendar days after the notice of revocation is issued. If the City Manager upholds the revocation, the permittee has the right to file a

Hollywood

written appeal to the City Commission within ten (10) calendar days after the City Manager's decision.

(I) Mobile Food Dispensing Permit Fees. The Mobile Food Dispensing Permit Fees shall be established by resolution of the City Commission.

* * *

Section 2: That it is the intention of the City Commission that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of the City of Hollywood, Florida, and the provisions of this ordinance may be renumbered to accomplish such intention.

Section 3: That if any word, phrase, clause, subsection or section of this ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this ordinance.

Section 4: That all sections or parts of sections of the Code of Ordinances, all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed to the extent of such conflict.

Section 5: That this ordinance shall be in full force and effect immediately upon its passage and adoption.

Advertised on June 6, 2014.

PASSED on first reading this 4 day of June, 2014.

PASSED AND ADOPTED on second reading this 18 day of June, 2014.



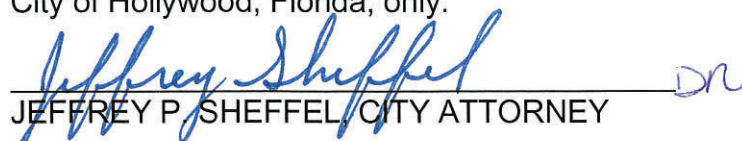
PETER BOBER, MAYOR

ATTEST:



PATRICIA A. CERNY, MMC, CITY CLERK

APPROVED AS TO FORM & LEGALITY
for the use and reliance of the
City of Hollywood, Florida, only.



JEFFREY P. SHEFFEL, CITY ATTORNEY

Palm Beach Gardens

Sec. 78-196. - Operation and sale of food from mobile food trucks.

(a) *Definitions.* (for the purpose of this chapter):

- (1) *Mobile food truck* means a vehicle, including trailers and other conveyances regardless of the means of propulsion, that is used to vend food and/or beverage products and is classified as one (1) of the following:
 - a. *Class I - Mobile Kitchens.* These vehicles may cook, prepare, and assemble food items on or in the unit and serve a full menu. These vehicles may also vend the products permitted for Class II Canteen Trucks.
 - b. *Class II - Canteen Trucks.* These vehicles vend pre-cooked foods, pre-packaged foods, pre-packaged drinks, and incidental sales of pre-packaged frozen dairy or frozen water-based food products, fruits, and vegetables. No preparation or assembly of food or beverage may take place on or in the vehicle; however, the heating of pre-cooked food is permitted. (Open flame and/or grease laden vapor is strictly prohibited.)
 - (2) *Mobile food vendor* means a person who prepares, dispenses, or otherwise sells food from a mobile food truck.
- (b) *Administrative rules and regulations.* The city shall enact and amend Standard Operating Procedures (SOP) to cover the mobile food truck permit application requirements, permit fees, and the permit renewal procedure. A copy of the most recent SOP shall be kept on file with the city clerk and shall be available for public inspection during normal working hours.
- (c) *Exemptions.* Mobile food truck - Class II - canteen trucks, provided such vehicles are only parked for a maximum of fifteen (15) minutes or less, are exempt from the provisions of this section.
- (d) *Permit requirements.*
- (1) The mobile food vendor shall have the consent of the property owner(s) prior to applying for the location for the mobile food truck permit.
 - (2) Any person engaged in the selling, preparation, or dispensing of food from a Class I - Mobile Kitchens shall obtain a Mobile Food Truck permit in accordance with this section and the Standard Operating Procedures promulgated by the city.
 - (3) The mobile food vendor shall provide copies of all applicable approvals and licenses from the State of Florida Department of Business and Professional Regulations (DBPR), Florida Department of Health, and Florida Department of Agriculture and Consumer Services.
 - (4) The mobile food vendor shall make the mobile food truck available for inspection by the City of Palm Beach Gardens Fire Department at a location determined by the fire department. The fire department shall ensure compliance with all applicable federal, state, and local fire safety statutes, regulations, ordinances, and codes. Subsequently, every Class I - Mobile Kitchens shall undergo an annual inspection by the City of Palm Beach Gardens Fire Department.
 - (5) All mobile food vendors shall display the mobile food truck permit issued by the city in a prominent and visible manner.
- (e) *Prohibitions.* Class I - Mobile Kitchens are prohibited from the following:
- (1) Selling or distributing alcoholic beverages;
 - (2) Operating in a city park or city parking lots and public rights-of-way, except as may be permitted by a special event permit issued by the city;
 - (3) Operating in a residentially zoned and/or the residential portion of mixed use zoning neighborhoods, except as may be permitted by a special event permit issued by the city;
 - (4) Operating on unimproved surfaces and abandoned business locations or as otherwise approved;
 - (5) Using any sound amplification regardless of the intended purposes;

Palm Beach Gardens

- (6) Using balloons, banners, streamers, large flashing lights, or other similar devices to attract customers;
- (7) Selling or dispensing food to customers in a moving vehicle or otherwise engaging in drive-up sales;
- (8) Parking a mobile food truck:
 - a. On the public right-of-way, in a fire lane or blocking fire hydrants, or Americans with Disabilities Act (ADA) accessible parking spaces and/or accessible ramps;
 - b. In any driveway aisles, no parking zones, loading areas; and
 - c. Mobile operation may not impede the on-site circulation of motion of vehicles.
- (f) *Class I - Mobile Kitchens - General Regulations.*
 - (1) Mobile food vendors shall remove all waste and trash prior to vacating their location.
 - (2) Under no circumstances shall grease or any waste materials be released into the stormwater system, tree pits, sidewalks, streets, parking lots, or private/public property. Mobile food vendors shall be responsible to properly discard any waste material in accordance with federal, state, county, municipal, or any laws, rules, regulations, orders, or permits.
 - (3) In accordance with the Florida Department of Business and Professional Regulation guidelines, all necessary control measures shall be used to effectively minimize, or eliminate when possible, the presence of rodents, roaches, and other vermin and insects on the premises of all mobile food trucks. Each mobile food vendor shall maintain a log containing a written record of the control measures performed by exterminators or other pest control businesses on the mobile food truck. This log shall be open to inspection by the city.
 - (4) Mobile food vendors shall not engage in food preparation if the vehicle does not provide water and waste systems as required by the Florida Department of Business and Professional Regulation or otherwise fails to meet sanitation and safety requirements.
 - (5) All food service equipment utilized by the mobile food vendor shall be maintained in good repair and a clean condition.
 - (6) Routine inspections may be conducted by code enforcement inspectors, building code inspectors, fire inspectors, or police officers on each mobile food truck at any time and at any frequency deemed appropriate by the city.
 - (7) In accordance with the city's Code section 78-285, one A-frame or "sandwich" menu board is permitted to be placed by or within the immediate vending area of the mobile food truck. The sign can only be displayed during the hours of operation. Menu signs are also permitted to be affixed to the mobile food truck.
- (g) *Operating requirements.*
 - (1) Mobile food trucks shall be self-contained when operating, except for the required trash and/or recycling receptacles that shall be attached to the mobile food truck and shall not impede free movement of automobiles or pedestrians.
 - (2) No more than two mobile food trucks shall operate on any property at any one (1) time, except as may be permitted by a special event permit issued by the city.
 - (3) Mobile food trucks shall be operated only by the mobile food vendor or by an authorized employee of the vendor.
 - (4) If at any time the Florida Department of Business and Professional Regulation revokes or suspends the mobile food vendor's license, the city's mobile food truck permit shall be deemed to have been simultaneously revoked or suspended.

(Ord. No. 17, 2017, § 1, 9-7-17)

PALM BEACH
*Gardens***Palm Beach Gardens****Mobile Food Truck Permit****Applicant (Vendor):** _____

Address: _____

Telephone and E-mail*: _____

Vehicle Owner Name (if different then applicant): _____

Mailing Address: _____

Telephone and E-mail*: _____

Name of Food Truck and Business: _____**Food Truck Vendor's Driver's License Number:** _____**Food Truck Vehicle License Number:** _____**Proposed Vending Locations (if more than 5 please attach a separate sheet)**

Location: _____

Location: _____

Location: _____

Location: _____

Location: _____

Description of Vehicle and type of fuel used: _____

A complete application, all supplemental materials, and a non-refundable Mobile Food Truck Permit application fee in the amount of **\$85.00 payable to the City of Palm Beach Gardens** shall be submitted with application to: **City of Palm Beach Gardens, Planning and Zoning Department, 10500 North Military Trail, Palm Beach Gardens, Florida 33410.**

* As a courtesy, renewal notices will be sent **via email** prior to each Fiscal Year.



REQUIRED DOCUMENTS		Yes	N/A*
	Copies of the Driver's Licenses for all authorized Mobile Food Vendors		
	Copies of all applicable approvals and licenses, if applicable:		
	Florida Department of Business and Professional Regulations (DBPR)		
	Local Business Tax Receipt (BTR)		
	Florida Department of Health		
	Notarized affidavit signed by each property owner indicating that the vendor has permission to vend on his or her property		
	Color photograph of the mobile food vending vehicle depicting the current condition of the unit		
	Diagram or photos of the proposed signage		

* If N/A please submit a statement explaining why it is not applicable

Once an application is submitted and found sufficient, an inspection by the City's Fire Department will be scheduled with an on-site inspection of the Mobile Food Truck. A decal indicating the year for the permit will be given once an inspection has passed. A Mobile Food Truck is required to submit annually, in coordination with the City's Fiscal Year (Oct 1-Sept 30), for the Mobile Food Truck to operate in the City of Palm Beach Gardens.

I certify the information contained herein is true and correct to the best of my knowledge, and I have received a copy of Sec. 78-196. I understand that any false or misleading information on this application or failure to comply with City of Palm Beach Gardens Land Development Regulations Section 78-196. Operation and sale of food from Mobile Food Trucks, may be cause for referral to the Special Magistrate for disposition. Permits are not transferrable upon the sale/transfer of ownership of the mobile vending business and shall be renewed annually.

Applicant Signature

Print Name

Date

STATE OF FLORIDA, COUNTY OF PALM BEACH:

The foregoing instrument was acknowledged before me this _____ day of _____, 20____,
by _____ who is personally
known to me or who has produced _____ as identification.

NOTARY PUBLIC, STATE OF FLORIDA

Print Name: _____

(Affix Notary Seal Above)

My Commission Expires: _____

CITY OF PALM BEACH GARDENS

10500 N. Military Trail Palm Beach Gardens, FL 33410-4698
www.pbgfl.com



Palm Beach Gardens

Property Owner Authorization Affidavit for Mobile Food Truck Permit

I/We, _____, being the owner of the
Property Owner Name

property located at _____, Palm Beach Gardens,
Property Address of Proposed Mobile Food Truck Site

Florida, hereby authorize _____ (“hereinafter Vendor”)
Mobile Food Truck Vendor Name

to engage in Mobile Food Truck Service on my property as listed above. As the property owner, I/we hereby acknowledge that:

1. I/We have read and I/we understand the requirements of Section 78-196 of the Code of Ordinances of the City of Palm Beach Gardens regarding the Operation and Sale of food from Mobile Food Trucks.
2. I/We will require and, to the best of my/our ability, ensure that Vendor meets all applicable laws, ordinances, rules and codes including, but not limited to, permitting requirements regarding his or her specific business.
3. I/We understand that I/we will be held responsible, along with Vendor, for any violations of the Code of Ordinances of the City of Palm Beach Gardens.

By signing this Affidavit on this _____ day of 20_____, I hereby acknowledge that the statements contained herein are true and correct to the best of my knowledge.

Property Owner Signature

Print Name of Property Owner

Mailing Address/ Phone Number

STATE OF _____, COUNTY OF _____:

The foregoing instrument was acknowledged before me this _____ day of _____, 20_____, by _____ who is personally known to me or who has produced _____ as identification.

Notary Public Signature

Print Notary Name

(Affix Notary Seal Above)

CITY OF PALM BEACH GARDENS

10500 N. Military Trail Palm Beach Gardens, FL 33410-4698
www.pbgfl.com

Titusville

Sec. 11-332. - Mobile vendors.

- (a) *Business tax receipt required.* It shall be unlawful for any mobile vendor to engage in such business within the city without first obtaining a business tax receipt in compliance with the provisions of this article.
- (b) *Off-loading prohibited.* No business tax receipt shall be required by this article of any person for the privilege of engaging in the selling of farm, grove, horticultural, floricultural, tropical piscicultural or tropical fish farm products or products manufactured therefrom, except intoxicating liquors, wine or beer, when such products were grown or produced by such person in the state. No off-loading of any merchandise from mobile vehicles will be permitted.
- (c) *[Signed sworn application.]* Applicants for a business tax receipt under this section shall file a written sworn application signed by the applicant, if an individual, by a partner, if a partnership, and by an authorized officer or agent if a corporation, with the administrator, showing:
 - (1) The name of the persons having the management or supervision of applicant's business during the time that it is proposed that it will be carried on in the city.
 - (2) The local address or addresses of such persons while engaged in such business.
 - (3) The permanent addresses of such persons.
 - (4) The capacity in which such persons will act (that is, whether as proprietor, agent or otherwise).
 - (5) The name and address of the person for whose account the business will be carried on, if any.
 - (6) If a corporation, under the laws of the state it is incorporated.
 - (7) The places in the city where it is proposed to carry on applicant's business, the dates during which the business shall be conducted and, if located on private property, written authorization from the property owner for the use of the property and a site plan.
 - (8) A mailing address at which notice of any city information pertinent to any business tax receipt under the section shall be considered received and binding upon the applicant on the fifth day after first class mail is posted to said address.
 - (9) A description of the business, including specification of the goods/services offered for sale and, if a mobile vendor, a description of the vehicle to be used in the business.
 - (10) If edibles are offered for sale, a written acknowledgment from the appropriate state or county agency that the business is licensed in conformity with applicable health codes, which acknowledgment shall have been issued.
 - (11) A site plan must be submitted showing the general location of the vehicle relative to streets, sidewalks, property boundaries and similar permanent businesses.
 - (12) No business tax receipt shall be issued for any person pleading no contest of being convicted of theft, consumer fraud, deceptive trade practices or sexual battery within the last five (5) years.
 - (13) One (1) sign per street frontage—Thirty-two (32) square feet maximum area of sign face. Sign can be double-sided.
 - (14) All signs, displays and associated uses must be removed daily.
 - (15) Cleanup of the property upon expiration of the business tax receipt shall be the responsibility of the business tax receipt holder and property owner equally.
 - (16) Such other reasonable information as to the identity or character of the person having the management or supervision of applicant's business or the method or plan of doing such business as the administrator may deem proper to fulfill the purpose of this article in the protection of the public good.
- (d) *Zoning districts.* Mobile vendors may be permitted within the CM, SMU, CC, RC and M-1 zoning districts except no business tax receipt will be issued within the downtown mixed use land use designation. (NOTE: See Future Land Use Map for official areas designated as downtown mixed use.)

Titusville

In general, this area encompasses Washington Avenue from Buffalo Road to the southern boundary of Titusville High School; Garden Street from North William Avenue to the F.E.C. Railroad tracks; and along South Street from the water tower to the railroad tracks. Within PID zoning districts mobile vendor lunch wagons shall be permitted.

- (e) *Distance requirements.* No mobile vendor shall locate within five hundred (500) feet, as measured from the property line, of any lawful permanent business which sells the same goods during the hours of operation of said business.
- (f) *Business tax receipt fee.* A mobile vendor's business tax receipt is a flat fee of one hundred and nine dollars and twenty cents (\$109.20) for each merchant, including one (1) vehicle; for the second and each additional vehicle, sixteen dollars and eighty cents (\$16.80) each. This fee is renewable per the timelines specified in section 11-54. Specifically excluded from this classification is any such store which has an established place of business in the City of Titusville holding a business tax receipt or any mobile vendor whose proceeds are used exclusively for charitable, religious, fraternal, youth, civic and service organizations.
- (g) *Exemption.* Farm, aquacultural, grove, horticultural, floricultural, tropical piscicultural, and tropical fish farm products are required to obtain a no-fee business tax receipt for the privilege of engaging in the selling of farm, aquacultural, grove, horticultural, floricultural, tropical piscicultural, or tropical fish farm products, or products manufactured herefrom, except intoxicating liquors, wine, or beer, when such products were grown or produced by such natural person in the state.
- (h) *Wholesale business tax receipt.* A wholesale farmer's produce market shall have the right to pay a business tax receipt fee of not more than two hundred dollars (\$200.00) for a business tax receipt that will entitle the market's stall tenants to engage in the selling of agricultural and horticultural products therein, in lieu of such tenants being required to obtain individual local business tax receipts to so engage. (F.S. Section 205.064)
- (i) *Transfer of business tax receipt.* A business tax receipt may be transferred to another owner provided all rules are followed as prescribed in section 11-47, change of ownership/change of name.
- (j) *Certification.* Written certification of where and by whom the farm, aquacultural, grove, horticultural, floricultural, tropical piscicultural, and tropical fish farm products are grown is required by the administrator.
- (k) *Hours of operation.* The hours and days of operation shall be the choice of the vendor, but cannot exceed five (5) days per week and must be specified on the application. Hours of operation shall be from sunup to sundown only. Vehicles must be removed from site during non-operational hours.
- (l) *Review of application.* Upon receipt of the application and fee, the city will review the application to determine compliance with the requirements; and if the application meets the code, a business tax receipt will be issued. Failure to meet the code will cause a business tax receipt to be denied.

(Code 1963, § 13-26(D)(2)(g), (3)(a), (M)(2); Ord. No. 32-1995, § 5, 9-26-95; Ord. No. 41-1996, § 2, 11-12-96; Ord. No. 24-2009, § 4, 6-9-09)

Editor's note— Section 4 of Ord. No. 24-2009, adopted June 9, 2009, redesignated § 11-331 as § 11-332.

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Sec. 12-33. - Mobile food vending.

Where allowed under the permitted use provisions in certain zoning districts as set forth in Division 2 of Article VII of Chapter 34 of the Jacksonville Beach Code of Ordinances, mobile food vendors shall conform to the following conditions:

(1) *Definitions.*

- a. *Commissary* means an approved facility that provides support services for specific required functions of a mobile food vendor. Any food establishment permitted or licensed by a regulatory agency, such as a catering operation, restaurant, grocery store, or similar establishment, or any other approved facility where food, containers, or supplies are kept, handled, prepared, packaged, or stored can be considered for approval as a commissary. A private residence may not be used as a commissary.
- b. *Mobile food vending vehicle* means a vehicle-mounted public food service establishment that is either self-propelled or otherwise movable from place to place. A mobile food vending vehicle is further defined as having, as part of the vehicle, a three-compartment sink for washing, rinsing and sanitizing equipment and utensils; a separate hand wash sink; adequate refrigeration and storage capacity; full provision of power utilities including electrical, LP-gas, or a portable power generation unit; a potable water holding tank; and a means for liquid waste containment and disposal.
- c. *Mobile food vendor* means any person or business selling food from a mobile food vending vehicle from which food items are sold to the general public.

(2) *Location, permit, and separation requirements.*

- a. Mobile food vendors may be located on a lot having six thousand (6,000) square feet or more of area, and containing a principal building or use. The maximum number of mobile food vendors per lot is limited as follows:
 - i. Maximum of one (1) mobile food vendor on lots having six thousand (6,000) to forty-three thousand five hundred fifty-nine (43,559) square feet of area;
 - ii. Maximum of two (2) mobile food vendors on lots having forty-three thousand five hundred sixty (43,560) or more square feet of area.
- b. Mobile food vending permits, unless sooner suspended or revoked, shall be valid for an initial period that coincides with the expiration date established for this section.
- c. Approved permits must be attached to the mobile food vending vehicle where they are readily visible and shall include the name, mailing address, and valid phone number of the mobile food vending vehicle owner and shall list the addresses and parcel identification numbers where the permit is valid.
- d. Routine inspections may be conducted by code enforcement inspectors, building code inspectors, fire inspectors, or police officers on each mobile food vending vehicle at any time and at any frequency deemed appropriate by the city.
- e. Mobile food vending vehicles must be located at least one hundred (100) feet from the main entrance to any eating establishment or similar food service business and one hundred (100) feet from any outdoor dining area. This separation requirement shall apply only during the normal hours of operation of the eating establishment or similar food service business or outdoor dining area.
- f. Mobile food vending vehicles are not allowed to be located within a required sight visibility triangle at the intersection of a driveway, alleyway, or public street with another public street as set forth in Chapter 34 of this Code of Ordinances; or within five (5) feet of a public sidewalk, utility box or vault, handicapped ramp, building entrance, or exit or emergency access/exit way; and must not locate within any area of the lot that impedes, endangers, or interferes with pedestrian or vehicular traffic. Mobile food vending vehicles must be located a minimum distance of fifteen (15) feet in all directions away from a fire hydrant.

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- g. Mobile food vending vehicles may not occupy or prevent access to any handicap accessible parking space.
- (3) *Signage and noise.* One (1) free-standing sandwich board or A-frame type sign is permitted on private property for each mobile food vendor. The total size of the sign may not exceed forty-two (42) inches in height or thirty-six (36) inches in width. No audio amplification is permitted as part of a mobile food vending operation.
- (4) *Hours of operation.*
- a. Hours of operation are limited to the hours between 7:00 a.m. and 3:00 a.m. unless the designated location on the lot accommodating the mobile food vending vehicle is located within one hundred fifty (150) feet of the property line of a dwelling unit in a residential zoning district, in which case the hours of operation are limited to the hours between 7:00 a.m. and 10:00 p.m.
 - b. The mobile food vending operator or his or her designee must be present at all times.
 - c. The mobile food vending vehicle and any associated outdoor seating must be removed from its permitted locations during impermissible hours of operation; and must not be stored, parked, or left overnight on any public street or sidewalk.
- (5) *Waste management.*
- a. The mobile food vendor is responsible for the proper disposal of waste and trash associated with the permitted operation. City trash receptacles shall not be used for this purpose. At a minimum, vendors must remove all waste and trash from their approved location at the end of each day or as needed to maintain the health and safety of the public. Vendors must keep all areas within twenty-five (25) feet of the vehicles and any associated seating areas clean of grease, trash, paper, cups or cans associated with the vending operation.
 - b. Liquid waste or grease shall be disposed of at an approved location (for example, an approved commissary) and shall not be placed in tree pits, storm drains, or onto any sidewalk, street, or any other public space. Under no circumstances shall grease be released or disposed of in the city's sanitary or storm sewer systems. If at any time evidence of the improper disposal of liquid waste or grease is discovered, the responsible mobile food vending business will be required to cease operation immediately, clean up the improperly disposed material to the satisfaction of the city, and shall not resume operation until an alternate method of disposal has been approved by the public works department.
 - c. With the exception of allowable outdoor seating areas, all equipment required for the operation must be contained within, attached to or within three (3) feet of the mobile food vending vehicle; and all food preparation, storage, and sales/distribution shall be in compliance with all applicable sanitary regulations.
- (6) *Licenses and permits required.* For each location, a City of Jacksonville Beach business tax receipt for the mobile food vending business must be obtained; and all required State of Florida, Duval County, and City of Jacksonville Beach permits, licenses, and business tax receipt must be clearly displayed on the mobile food vending unit. Prior to the issuance of a City of Jacksonville Beach mobile food vending business tax receipt, the vendor shall provide evidence of having obtained all applicable State of Florida and Duval County licenses and permits, and obtained approval from the City of Jacksonville Beach Public Works Department for the method for the disposal of grease within an approved grease disposal facility. A mobile food vending business tax receipt shall be renewed annually.
- (7) *Application submittal requirements.* Applications for mobile food vendor permits must include the following information:
- a. Name, address, telephone number, and email address of the applicant and the owner of the vehicle if not the same as the applicant.
 - b. Description of the type of food and/or beverages to be sold.

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- c. Color photograph of the mobile food vending vehicle depicting the current condition of the unit.
 - d. Address of proposed vending site(s), including the property address, property owner's name and telephone number, and the name of the principal business located on the property where applicable.
 - e. Site plan for each proposed vending site, drawn to scale, depicting the following information:
 - i. Total square footage of the property;
 - ii. Location and square footage of the existing principal and accessory use(s), where applicable;
 - iii. Proposed location for the mobile food vending vehicle; and
 - iv. Location of ingress/egress to the site.
 - f. Address of proposed location to store the mobile food vending vehicle when not in use.
 - g. Copies of all permits and business licenses required by the State of Florida and Duval County.
 - h. Notarized commissary agreement confirming the mobile food vendor is operating in conjunction with a licensed commissary in accordance with Florida Statutes, where applicable. All commissaries must be pre-approved by the city prior to issuance of a mobile food vendor permit.
 - i. Notarized affidavit signed by each property owner indicating that the vendor has permission to vend on his or her property. The affidavit must also indicate that the property owner acknowledges the following requirements:
 - i. The property owner shall comply with all ordinances regarding solid waste disposal, and shall provide the vendor access to solid waste collection on the subject property.
 - ii. The property owner shall require that the vendors meet all applicable federal, state and local statutes, regulations, laws, ordinances, rules and codes; including but not limited to permitting requirements regarding his or her specific business:
 - iii. The property owner shall acknowledge that she/he understands the regulations governing mobile food vendors and shall be held responsible, along with the vendor, for any code violations; and,
 - iv. The property owner shall ensure that the property is continuously maintained in a neat, clean, and orderly manner.
 - j. Proof of business insurance, issued by an insurance company that is licensed to do business in the State of Florida, and which protects the applicant from all claims for damages to property and bodily injury, including death, which may arise from operations under or in connection with mobile food vendor.
- (8) *Enforcement procedure.*
- a. *Revocation.* If at any time, the State of Florida or Duval County revokes or suspends the issued mobile food vending permit, the City of Jacksonville Beach business tax receipt for the mobile food vending business will be simultaneously revoked or suspended. A mobile food vendor who has his or her permit declared null and void or revoked for any of the reasons set forth in this section shall not be allowed to reapply for a mobile food vending permit for a period of ninety (90) days after the effective date of such action.
 - b. *Other violations.* If at any time evidence is provided that a mobile food vending business is being operated in a way that does not comply with these regulations, a notice of violation shall be issued to the lot owner and mobile food vendor and the violation shall be referred to

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the special magistrate for a hearing and disposition in accordance with the provisions of Article VI Code Enforcement of Chapter 2 Administration of this Code of Ordinances.

(9) *[Reserved.]*

(Ord. No. 2014-8041, § 1, 2-3-14; [Ord. No. 2014-8061, § 1, 12-15-14](#))

Delray Beach

Sec. 120.01. - OPERATION AND SALE OF FOOD FROM MOBILE FOOD TRUCKS.

(A) *Definitions.* For the purpose of this Chapter:

- (1) *Mobile food truck* means a vehicle which is used to vend food and beverage products and is classified as one of the following:
 - (a) *Class I—Mobile Kitchens.* These vehicles may cook, prepare and assemble food items on or in the unit and serve a full menu. These vehicles may also vend the products permitted for Class II Mobile Food Trucks.
 - (b) *Class II—Canteen Trucks.* These vehicles vend pre-cooked foods, pre-packaged foods, pre-packaged drinks and incidental sales of pre-packaged frozen dairy or frozen water-based food products, fruits and vegetables. No preparation or assembly of food or beverage may take place on or in the vehicle; however, the heating of pre-cooked food is permitted.
- (2) *Mobile food vendor* means a person who prepares, dispenses or otherwise sells food from a mobile food truck.

(B) *Administrative Rules and Regulations.* The City Manager shall adopt, enact and amend Administrative Rules and Regulations for Mobile Food Trucks. These Administrative Rules and Regulations shall cover the mobile food vendor permit application requirements, permit fees and the permit renewal procedure.

(C) *Permit Requirements.*

- (1) Any person engaged in the selling, preparation or dispensing of food from a mobile food truck must purchase a mobile food vendor permit in accordance with this Chapter and the Administrative Rules and Regulations promulgated by the City Manager.
- (2) An applicant for a Class I Mobile Food Vendor permit shall make their mobile food truck available for inspection by the City of Delray Beach Fire Department at a location determined by the Fire Department. The City of Delray Beach Fire Department shall ensure compliance with all applicable federal, state and local fire safety statutes, regulations, ordinances and codes. Subsequently, every Class I Mobile Food Truck must undergo an inspection by the City of Delray Beach Fire Department every six (6) months.
- (3) All mobile food vendors must display the mobile food vendor permit issued by the City in a prominent and visible manner.

(D) *Permitted Zoning Districts for Operation of a Mobile Food Truck.* Mobile food trucks will be permitted to operate in the following zoning districts:

- (1) Automotive Commercial (AC).
- (2) General Commercial (GC).
- (3) Planned Commercial (PC).
- (4) Planned Office Center (POC).
- (5) Planned Commerce Center (PCC).
- (6) Mixed Industrial and Commercial (MIC).
- (7) Planned Office District (POD).
- (8) Mixed Residential Office and Commercial (MROC).
- (9) Light Industrial (LI).
- (10) Industrial (I).

(E) *Prohibitions.* Mobile food vendors are prohibited from the following:

- (1) Selling or distributing alcoholic beverages;

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- (2) Operating in a City park or City parking lots, municipal beach, state road A-1-A and public rights-of-way, municipal cemetery or residentially zoned neighborhoods unless pursuant to a separate agreement with the City;
- (3) Operating outside of the permitted zoning districts listed in Section 120.01 (D) above unless pursuant to a separate agreement with the City or this Chapter;
- (4) Operating on unimproved surfaces, vacant lots and abandoned business locations;
- (5) Providing or allowing a dining area, including but not limited to tables, chairs, booths, bar stools, benches and standup counters;
- (6) Selling or dispensing food to customers in a moving vehicle or otherwise engaging in drive-up sales;
- (7) Parking a mobile food truck:
 - (a) Within twenty (20) feet of a crosswalk;
 - (b) Within two hundred (200) feet of any brick and mortar restaurant or outdoor dining area;
 - (c) Within fifteen (15) feet of any fire hydrant or storm drainage structure

(F) *Food Truck General Regulations.*

- (1) Mobile food vendors shall remove all waste and trash at the end of each day.
- (2) Under no circumstances shall grease be released into the City's sanitary sewer system. No liquid waste or grease is to be disposed in tree pits or onto the sidewalks, streets or other public spaces.
- (3) In accordance with the Florida Department of Business and Professional Regulation guidelines, all necessary control measures shall be used to effectively minimize, or eliminate when possible, the presence of rodents, roaches and other vermin and insects on the premises of all mobile food Trucks. Each Mobile Food Vendor shall maintain a log containing a written record of the control measures performed by exterminators or other pest control businesses on the mobile food truck. This log shall be open to inspection by City Code Enforcement Officers.
- (4) Mobile food vendors must not engage in food preparation if the vehicle does not provide water and waste systems as required by the Florida Department of Business and Professional Regulation or otherwise fails to meet sanitation and safety requirements.
- (5) All food service equipment utilized by the mobile food vendor shall be maintained in good repair and a clean condition.
- (6) A mobile food vendor shall use only single-service food utensils. All single-service food utensils such as cups, straws, knives, forks, spoons and stirrers shall be individually wrapped, kept in a clean place, properly handled and shall be used only once. All cups and containers for bulk drinks shall be stored in closed cartons and served from dispensers which protect their rims from contamination by customers, dust, dirt or flies.
- (7) All pre-packaged food must be individually wrapped and must comply with the labeling requirements provided in 21 CFR Part 101, as amended. No person shall keep or offer for sale individual portions of perishable food products which have been rewrapped or repackaged or portions of which the identifying date on the wrapper has been altered, disfigured or changed in any manner.

(G) *Operating Requirements.*

- (1) Mobile food trucks shall be permitted to operate between 9:00 a.m. and midnight each day of the week.
- (2) Mobile food trucks shall not be parked at one location for longer than six (6) hours.
- (3) A mobile food truck may operate at a single location up to a maximum of four (4) days per week but no more than three (3) consecutive days.

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- (4) Mobile food trucks shall not exceed ten (10) feet in width, including any side extensions of awnings, twenty-four (24) feet in length, including the length of any trailer hitch, the trailer or other extensions.
 - (5) Mobile food trucks must be self-contained when operating, except for the required trash and/or recycling receptacles, which must be attached to the mobile food truck, and shall not impede free movement of automobiles or pedestrians. The mobile food vendor shall keep all areas within five (5) feet of the mobile food truck clean of grease, trash, paper, cups or cans associated with the vending operation.
 - (6) No more than one mobile food truck shall operate on any property at any one time, except as may be permitted by a special event or special use permit issued by the City.
 - (7) Mobile food trucks operating at a site for a duration of more than three (3) hours shall have a written agreement, available upon request, which confirms that employees have access to a flushable restroom within one hundred fifty (150) feet of the vending location during the hours of operation.
 - (8) Mobile food trucks shall be operated only by the mobile food vendor permittee or by an authorized employee of such permittee.
- (H) *Refrigeration and Heating Equipment.*
- (1) All mobile food trucks shall have adequate mechanical refrigeration equipment that is capable of maintaining food or drink at a temperature of forty (40) degrees Fahrenheit or less, if any food or drink is required to be kept cold.
 - (2) All mobile food trucks shall have adequate mechanical heating equipment that is capable of maintaining food or drink at a temperature of one hundred forty (140) degrees Fahrenheit or more, if any food or drink is required to be kept hot, or capable of heating food or drink to a temperature of one hundred sixty-five (165) degrees Fahrenheit or more, if any food or drink is required to be heated.
 - (3) All mechanical refrigeration and heating equipment shall be equipped with a thermometer.
- (I) *Food Service Provided to Persons Engaged in Construction.* Class II Mobile Food Trucks that are being used to provide food and drink to persons engaged in construction in the City of Delray Beach are exempt from the provisions of Section 120.01(D) above, provided such vehicles are only parked for a maximum of fifteen (15) minutes.
- (J) *Penalty.*
- (1) A Code Enforcement Officer or a Law Enforcement Officer may issue a civil citation for a violation of this Chapter pursuant to the procedures and amounts listed in Section 37.45 of this City's Code of Ordinances. Each violation shall constitute a separate instance for which a separate penalty may be imposed in accordance with the penalties listed below:
 - (a) If the offense is the first offense, a maximum fine of three hundred twenty-five dollars (\$325.00) may be imposed.
 - (b) If the offense is the second offense within the preceding twelve (12) months, a maximum fine of five hundred dollars (\$500.00) may be imposed.
 - (c) If the offense is the third offense within the preceding twelve (12) months, the mobile food vendor permit may be revoked.
 - (2) For the purposes of this section, "offense" shall mean a finding of violation by the Code Enforcement Board or payment of the noncontested civil penalty in Section 37.45(Q) of this City's Code of Ordinances. An offense shall be deemed to have occurred on the date the violation occurred. An offense occurring twelve (12) months after the last offense shall be treated as a first offense for purposes of incurring new fines and penalties.

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- (3) If, at any time, the Florida Department of Business and Professional Regulation revokes or suspends the mobile food vendor's license, the City's Mobile Food Vendor permit shall be deemed to have been simultaneously revoked or suspended.

([Ord. No. 04-16](#), § 1, passed 1/19/16)

ATTACHMENT 2

Sample Mobile Food
Dispensing Vehicles LDC
amendment taken from the
April 11, 2019 staff report

**Sample Mobile Food Dispensing Vehicles LDC amendment taken
from the April 11, 2019 staff report**

Chapter 2, District and General Regulations, Article III, General Regulations, Section 2-50 of the Land Development Code

(49) Mobile Food Dispensing Vehicles

a. Definitions:

1. Food Truck. A vehicle (including trailers) operated by a Mobile Food Dispensing vendor to prepare, cook, assemble and sell food at multiple locations.
2. Food Cart. A Mobile Food Dispensing vendor that sells pre-packaged food, such as hot dogs or boiled peanuts from a movable, non-motorized cart.
3. Lunch Truck. A vehicle operated by a Mobile Food Dispensing vendor to sell pre-packaged food, such as sandwiches, drinks and chips, at multiple locations.
4. Mobile Food Dispensing vendor. A person who prepares, dispenses or otherwise sells food and beverages from a Mobile Food Dispensing Vehicle.

b. Permit required:

1. A host or special event permit is required. For Mobile Food Dispensing Vehicles on private property, the property owner is required to obtain a host permit that displays a sketch and picture of the area designated for the Mobile Food Dispensing Vehicles. Community events, both on public and private property, are required to obtain a special event permit and the Mobile Food Dispensing Vehicles are required to be shown on the special event permit application.
2. Mobile Food Dispensing Vehicles are required to obtain a permit and provide or obtain:
 - a. An Ormond Beach business tax receipt for the Mobile Food Dispensing Vehicle which is required to be renewed annually.
 - b. A State of Florida Division of Business and Professional Regulation license.
 - c. A Certificate of Insurance – General Liability coverage listing the City of Ormond Beach as certificate holder (\$1,000,000 policy).
 - d. A picture of the Mobile Food Dispensing Vehicle.
 - e. Fire Inspection review: Prior to operating within Ormond Beach, each Mobile Food Dispensing Vehicle is required to be inspected by a City Fire Inspector to determine the operation is in compliance with the applicable codes and standards of the Florida Fire Prevention Code applicable to such uses. This inspection is required prior to the issuance of a city permit and shall be required every six months. If the Mobile Food Dispensing vendor provides documentation of a state fire inspection, the City Fire inspection fee shall be waived.

c. Locations:

1. The City may authorize Mobile Food Dispensing Vehicles on public property in association with special events.

2. Large scale community events hosted by Houses of Worship designed to attract over 500 people.
3. Within the Interlocal Service Boundary Area (ISBA) with recognized itinerant vending during recognized special events per Section 2-87 of this Land Development Code.
4. Malted Beverage Producers within the I-1 (Light Industrial) zoning district per Section 2-57 of this Land Development Code.
5. Lunch trucks are allowed within the I-1 (Light Industrial) zoning district.
6. Mobile Food Dispensing Vehicles are allowed on private property (specify one a week or a certain number of times per year) within the following areas (specify areas):
7. Prohibited locations.
 - a. On any right-of-way without an authorized special event permit.
 - b. Any developed residential use, including single-family, duplex, or multi-family.
 - c. On any vacant lot.
 - d. Within XXXX feet of a restaurant as measured from the food truck to the front door of the restaurant.
- d. Operational standards:
 1. Hours of operation: Shall be limited to 8:00 am to 10:00 pm.
 2. Lunch trucks may not operate more than 60 minutes at any one location in any 6-hour period.
 3. Define sales area: Shall be shown on the host or special event permit and cannot be over 30% of the parking lot area. Temporary dining areas may be provided in association with Mobile Food Dispensing Vehicles.
 4. Storage and parking: Mobile Food Dispensing Vehicles shall not be allowed overnight.
 5. Trash disposal: The property owner or special event permit holder is required to provide trash receptacles and ensure that Mobile Food Dispensing Vehicle are kept clean.
 6. The property owner or special event permit holder shall be responsible for the provision of rest room facilities.
 7. Host property owners on private property shall have no active code violations to allow Mobile Food Dispensing Vehicles.
 8. Mobile Food Dispensing Vehicles shall not block vehicular or pedestrian circulation for ingress or egress to the site.
 9. Mobile Food Dispensing Vehicles shall not park or otherwise impact existing landscaped areas.
 10. It is prohibited for Mobile Food Dispensing Vehicles to create a nuisance condition to include, but not limited to, displaying flags, creating loud noises, shouting, or outdoor music.

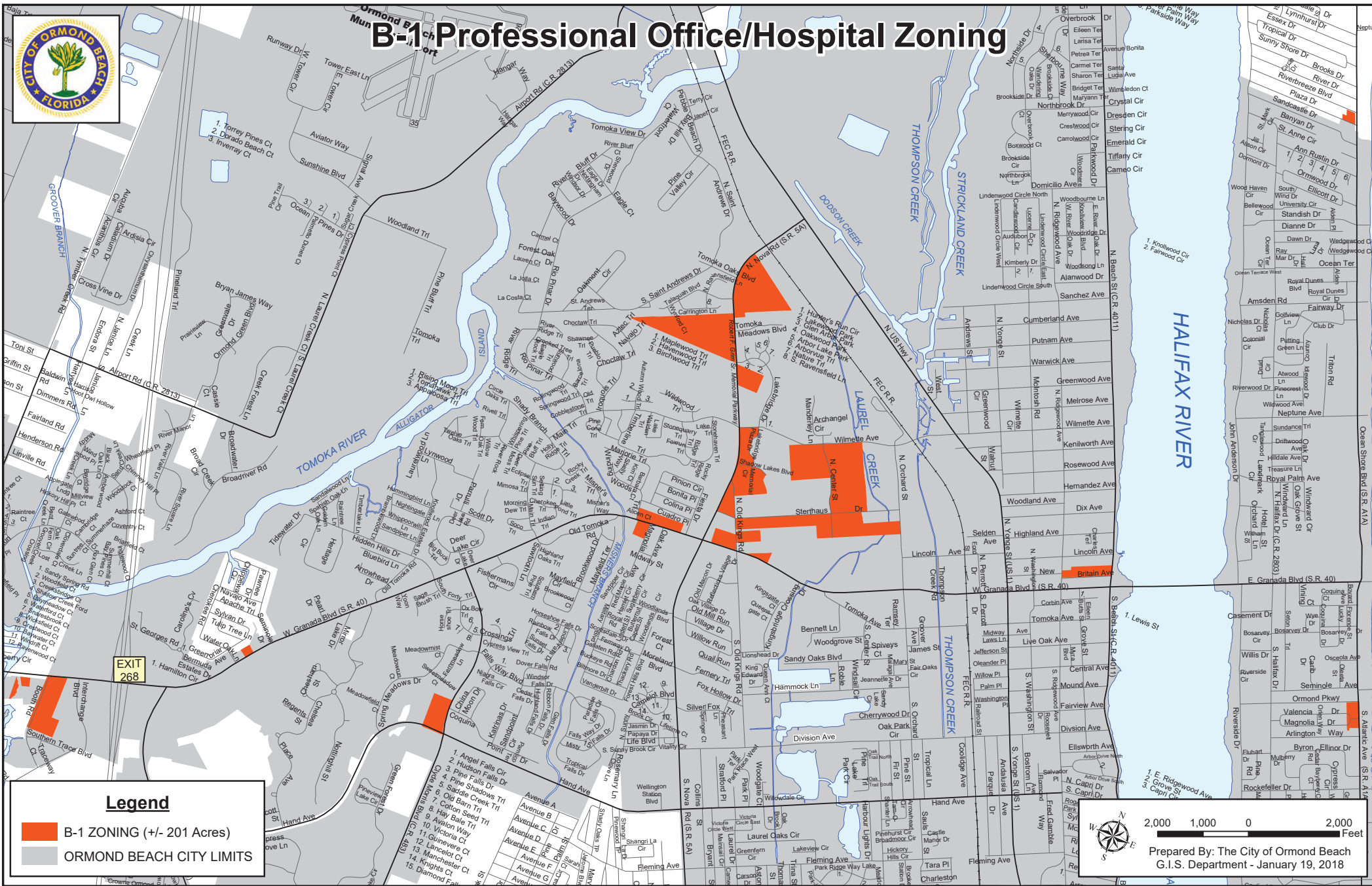
11. Signage: An A-frame sign in accordance with the maximum size limit and number of signs under the A-frame sign regulations provided under Section 3-46 of the Land Development Code is permitted within 15' of the Mobile Food Dispensing Vehicles. No other flags, pennants, balloons or other signage is permitted.
 12. No alcoholic beverages are allowed.
 13. Setback: The minimum required setback for Mobile Food Dispensing Vehicles from the public right-of-way shall be at least 15 feet.
- e. Enforcement:
1. Host or special event property owners are responsible to ensure Mobile Food Dispensing Vehicles have their City and state licensing and inspections.
 2. If within any one (1) year period, there are two (2) demonstrated code violations of the Mobile Food Dispensing Vehicle regulations, as proven through the Special Master code enforcement process, the right by the property owner to have any Mobile Food Dispensing Vehicles shall be suspended for 90 days. Upon the issuance of a second notice of code enforcement violation by either a Neighborhood Improvement Officer or Police Officer, the ability of the property owner to have the Mobile Food Dispensing Vehicles shall be suspended until the finding of the Special Master hearings are complete. If the Special Master determines that a second violation has occurred, the ability to have Mobile Food Dispensing Vehicles shall thereafter be suspended. If the Special Master determines that no violation occurred, the property owner shall be permitted to resume the operations of the Mobile Food Dispensing Vehicles.

ATTACHMENT 3

City zoning districts

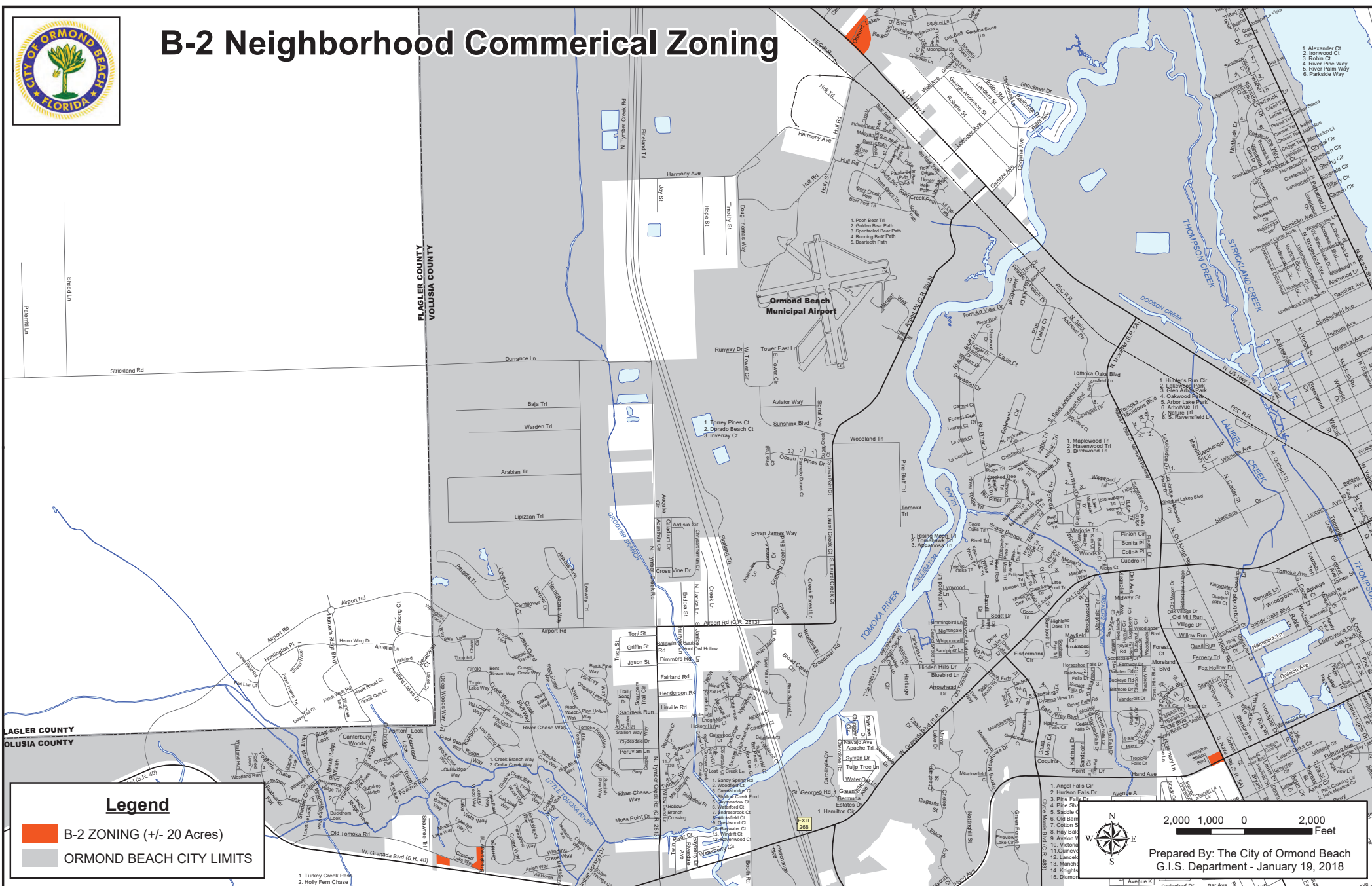


B-1 Professional Office/Hospital Zoning

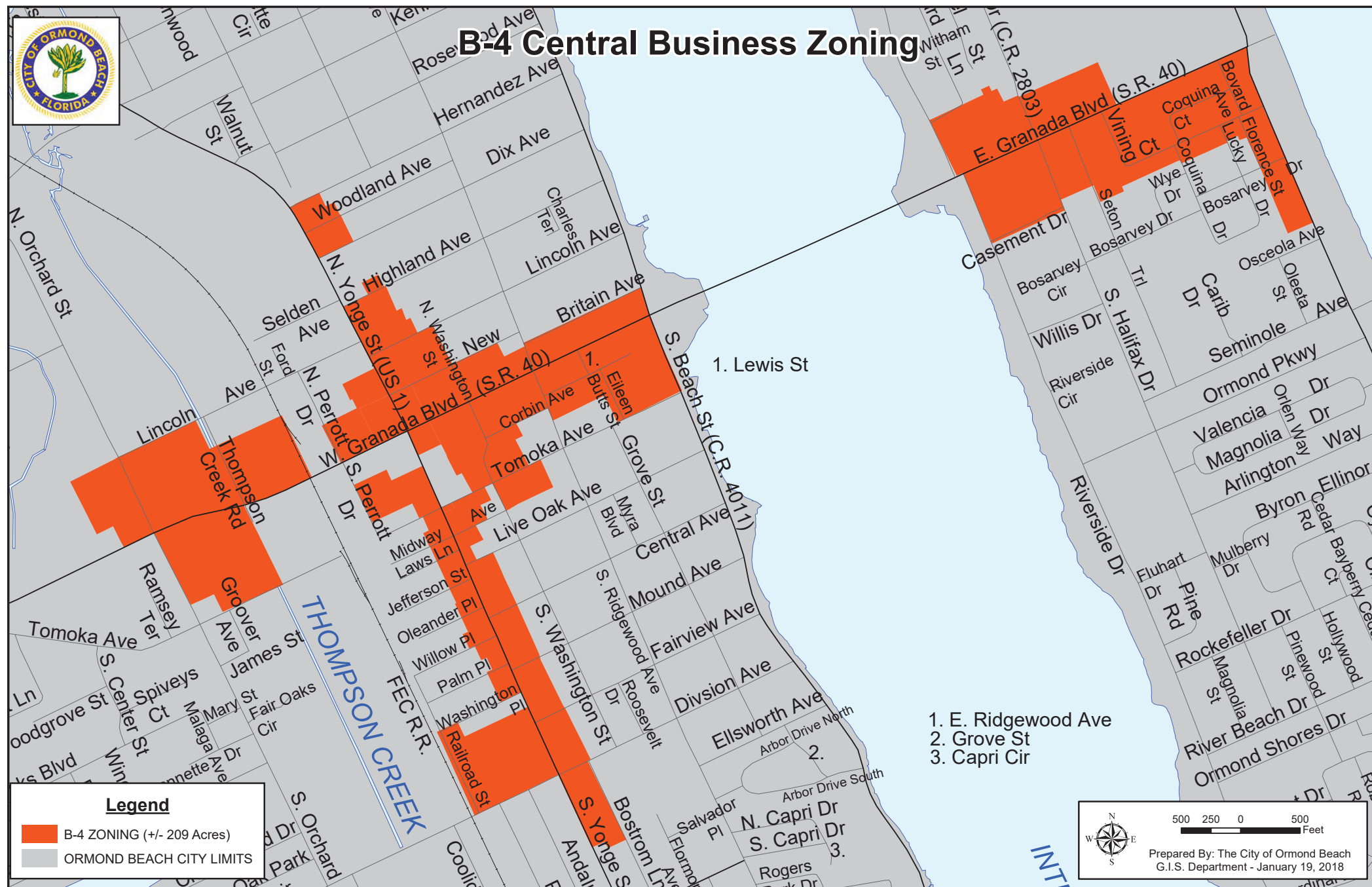




B-2 Neighborhood Commercial Zoning



B-4 Central Business Zoning

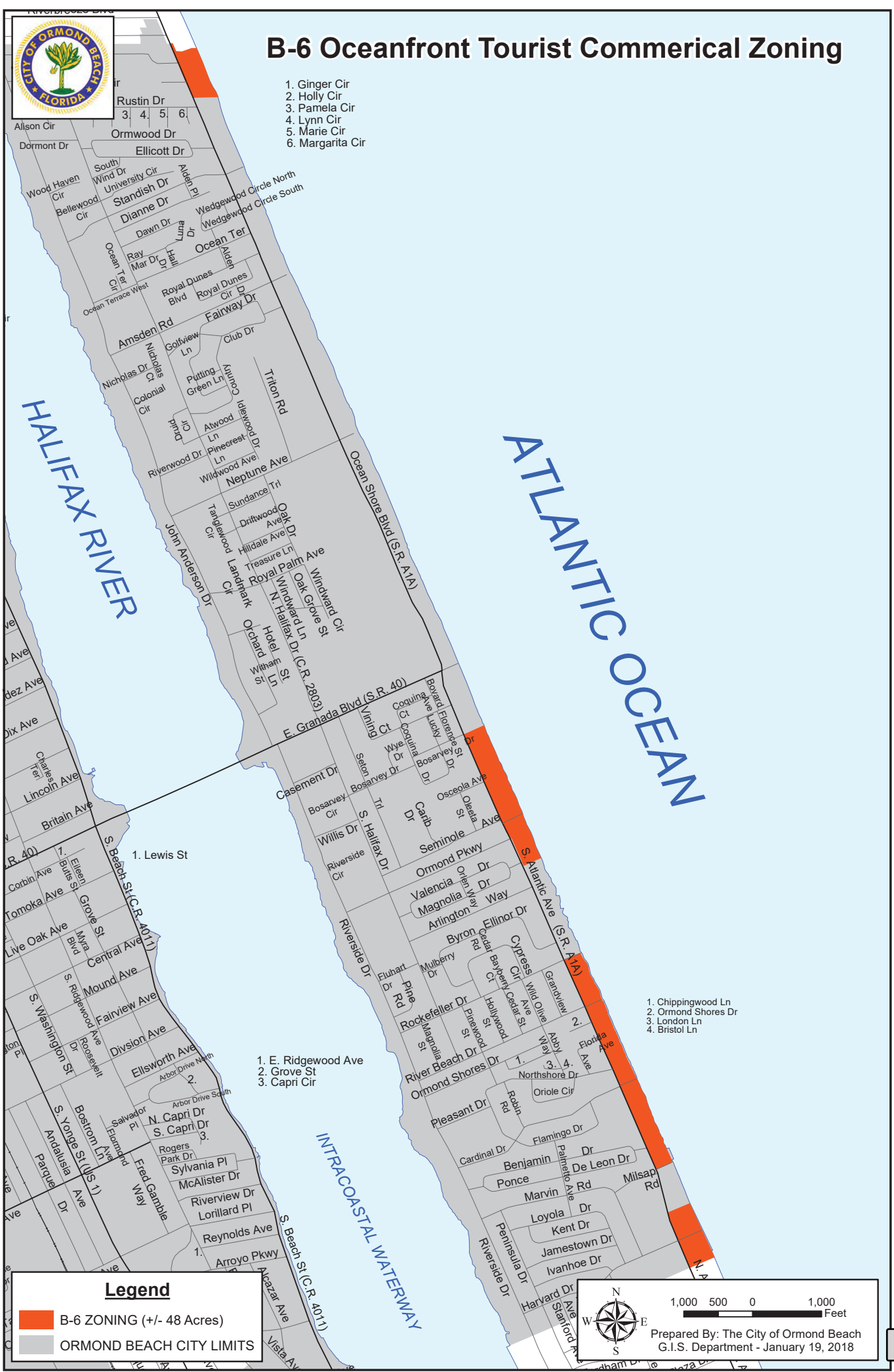






B-6 Oceanfront Tourist Commerical Zoning

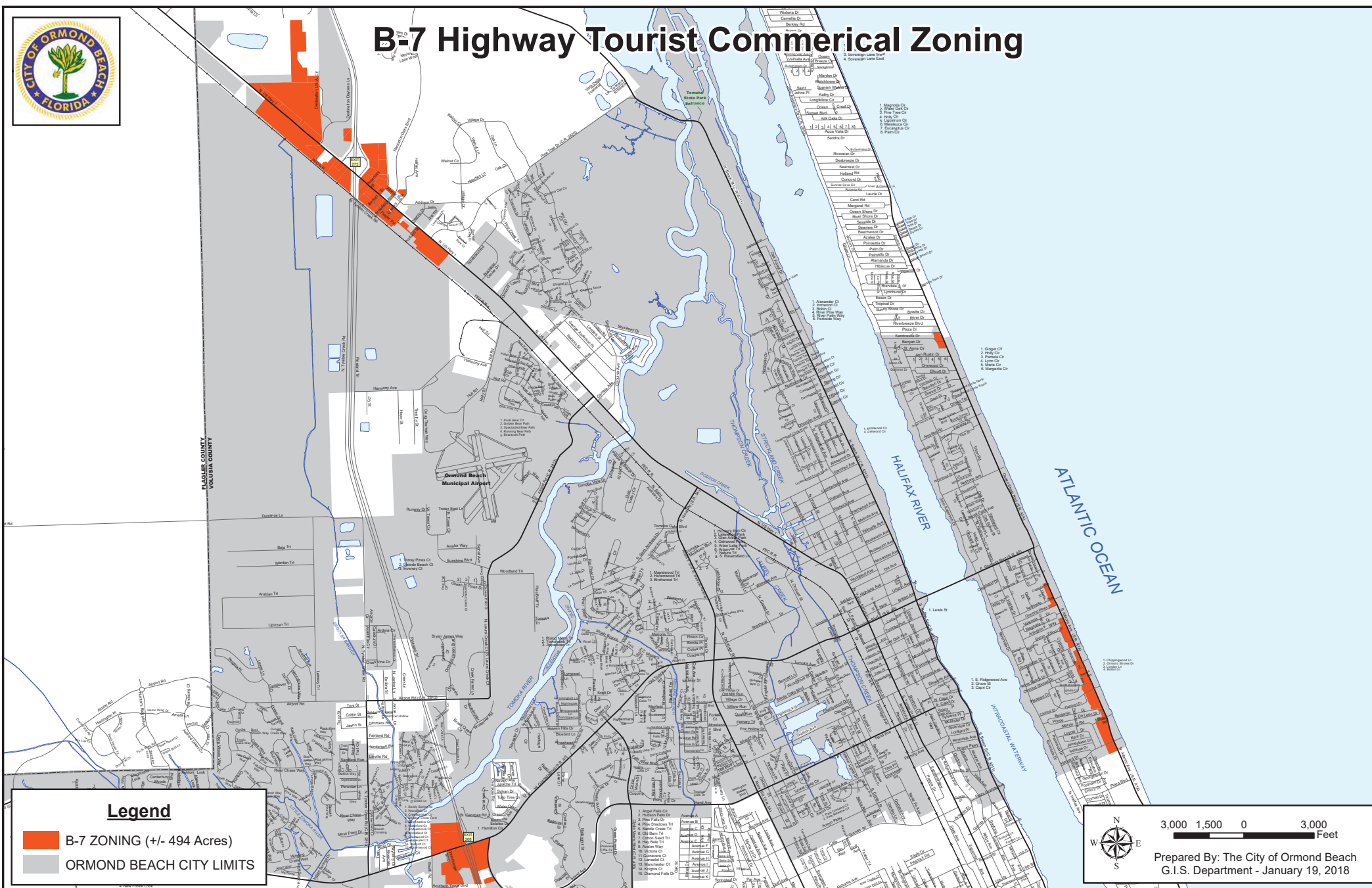
- 1. Ginger Cir
- 2. Holly Cir
- 3. Pamela Cir
- 4. Lynn Cir
- 5. Marie Cir
- 6. Margarita Cir



Prepared By: The City of Ormond Beach
G.I.S. Department - January 19, 2018

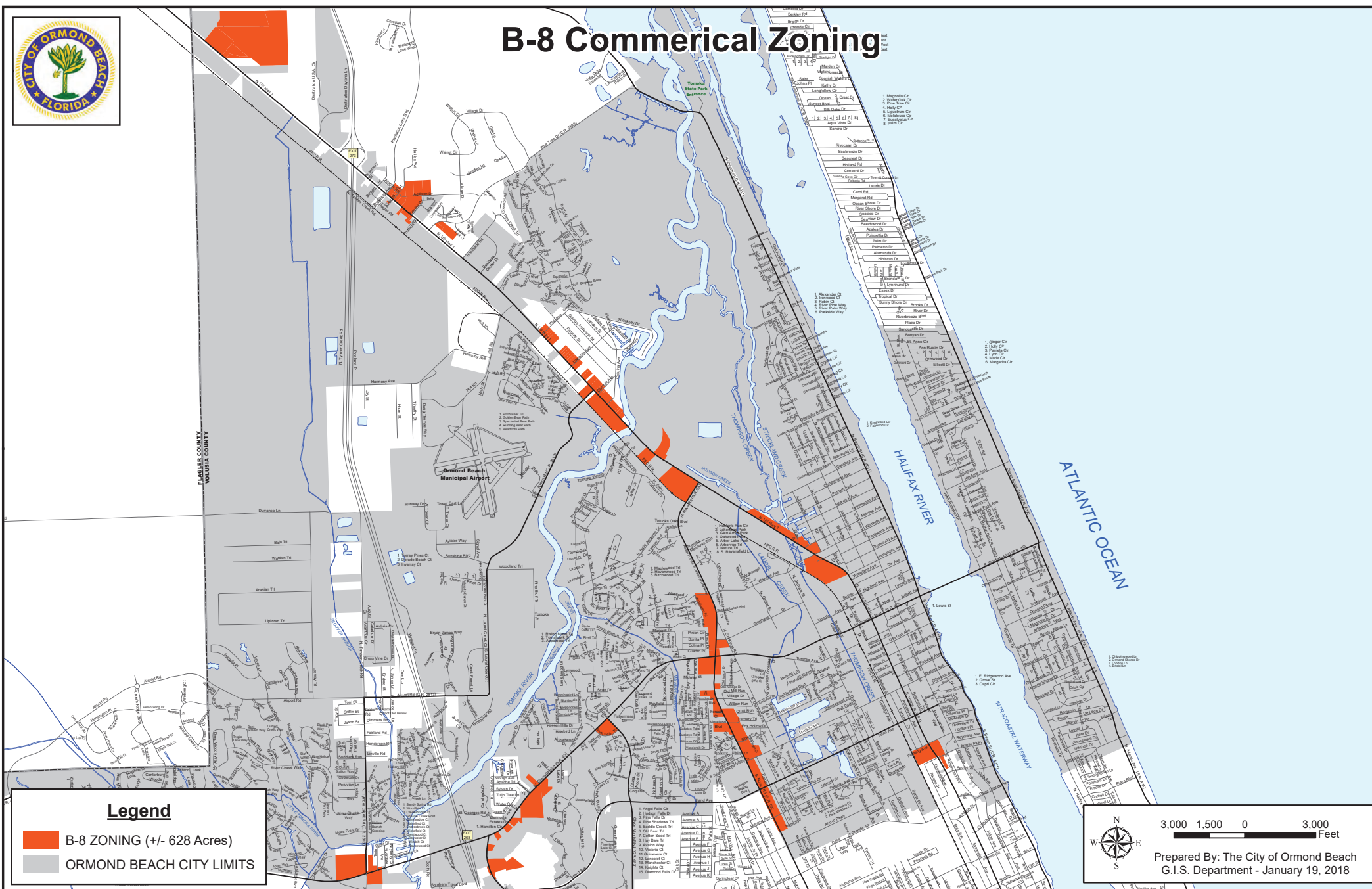


B-7 Highway Tourist Commerical Zoning

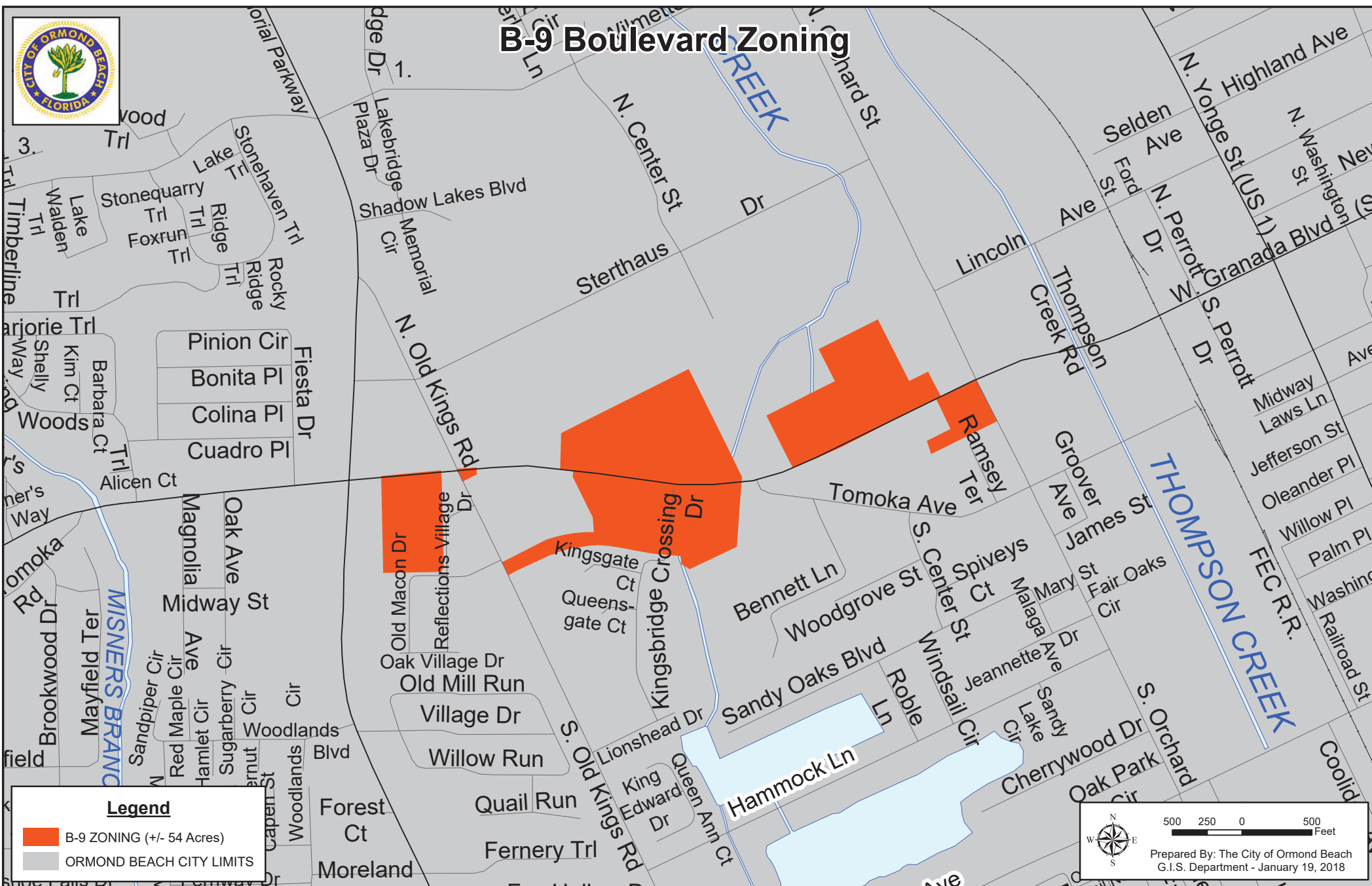




B-8 Commerical Zoning

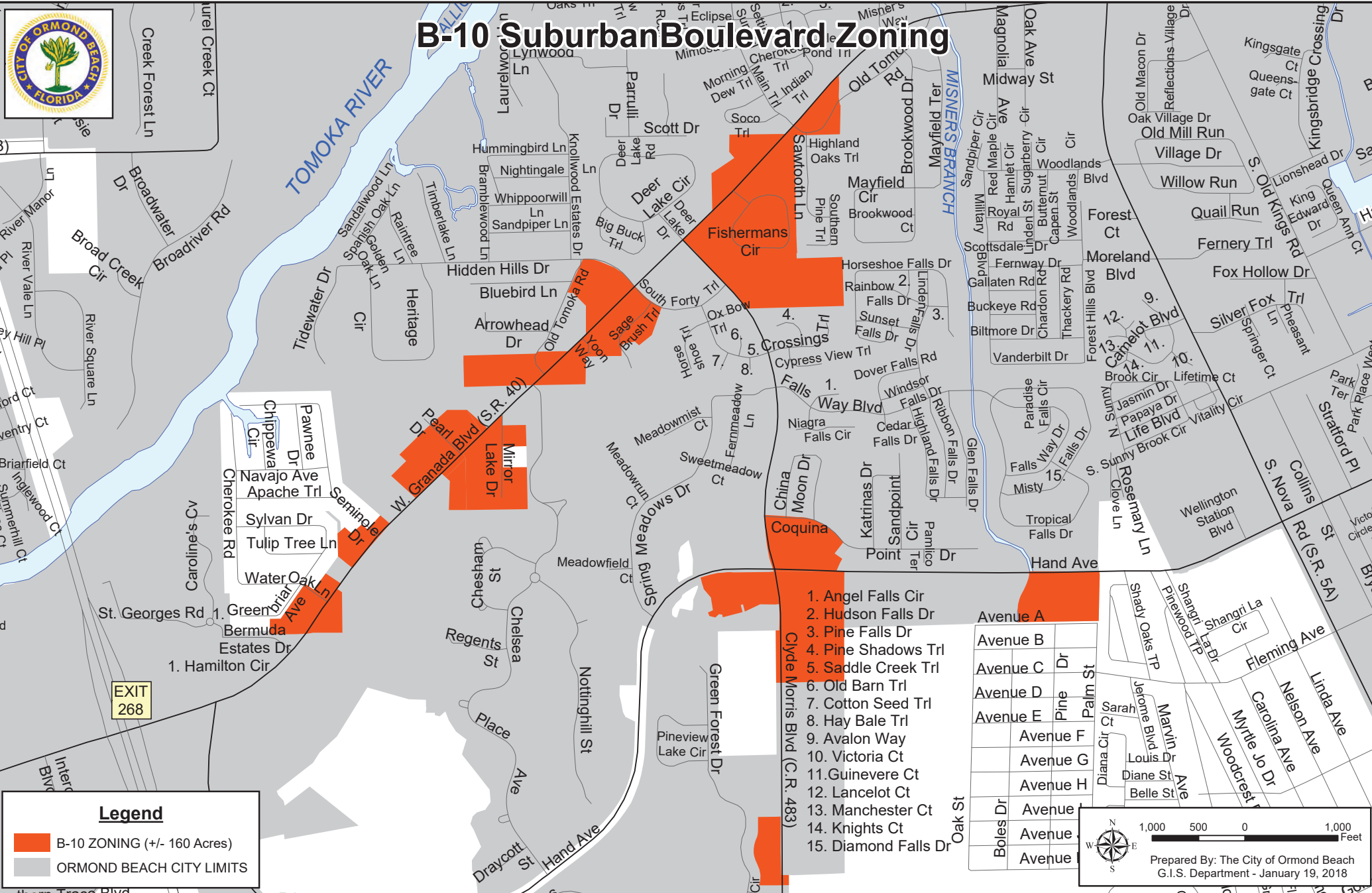


B-9 Boulevard Zoning





B-10 Suburban Boulevard Zoning





I-1 Light Industrial Zoning

FLAGLER COUNTY
VOLUSIA COUNTY

Legend

I-1 ZONING (+/- 1309 Acres)

ORMOND BEACH CITY LIMITS

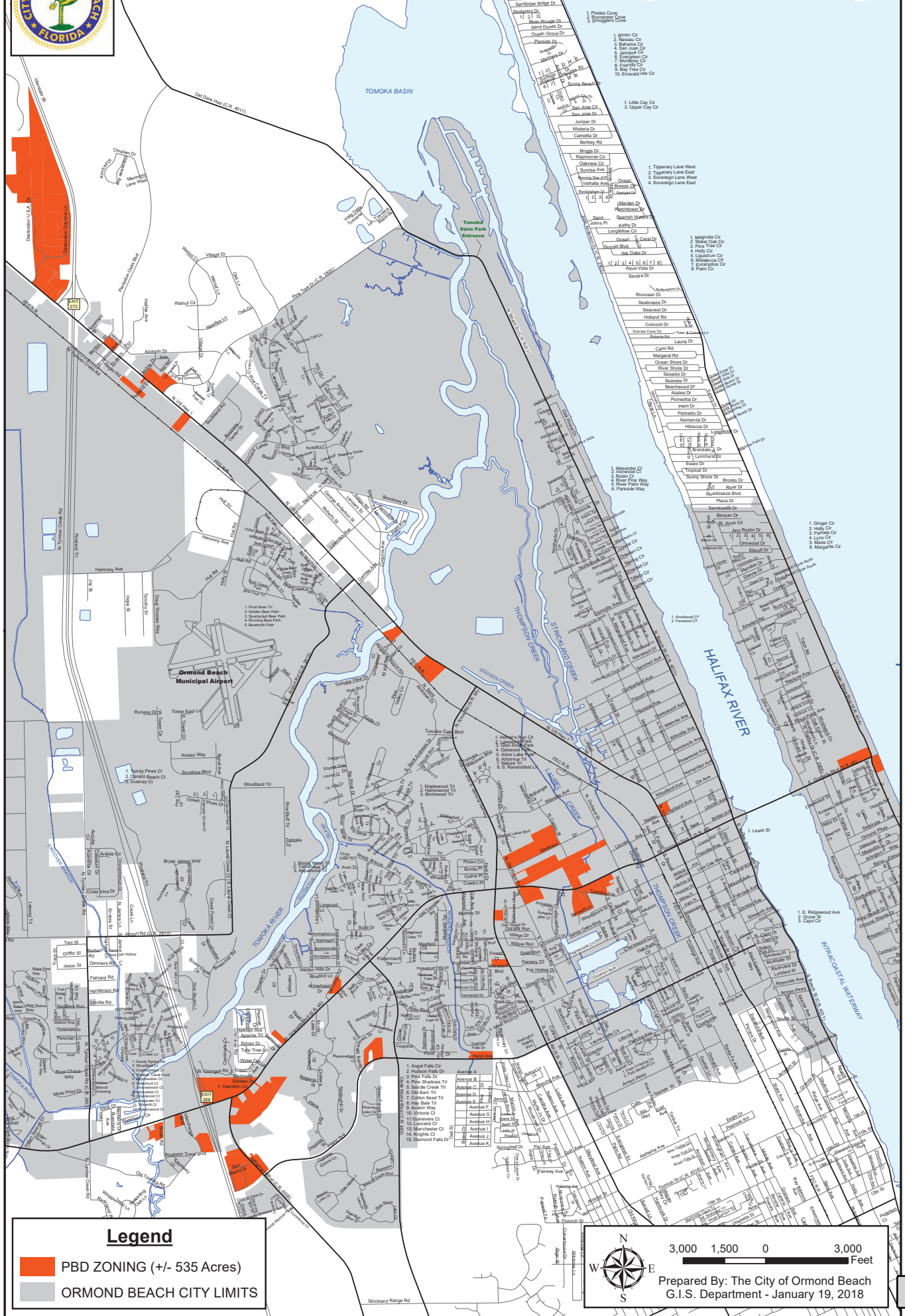


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Feet

Prepared By: The City of Ormond Beach
G.I.S. Department - January 19, 2018

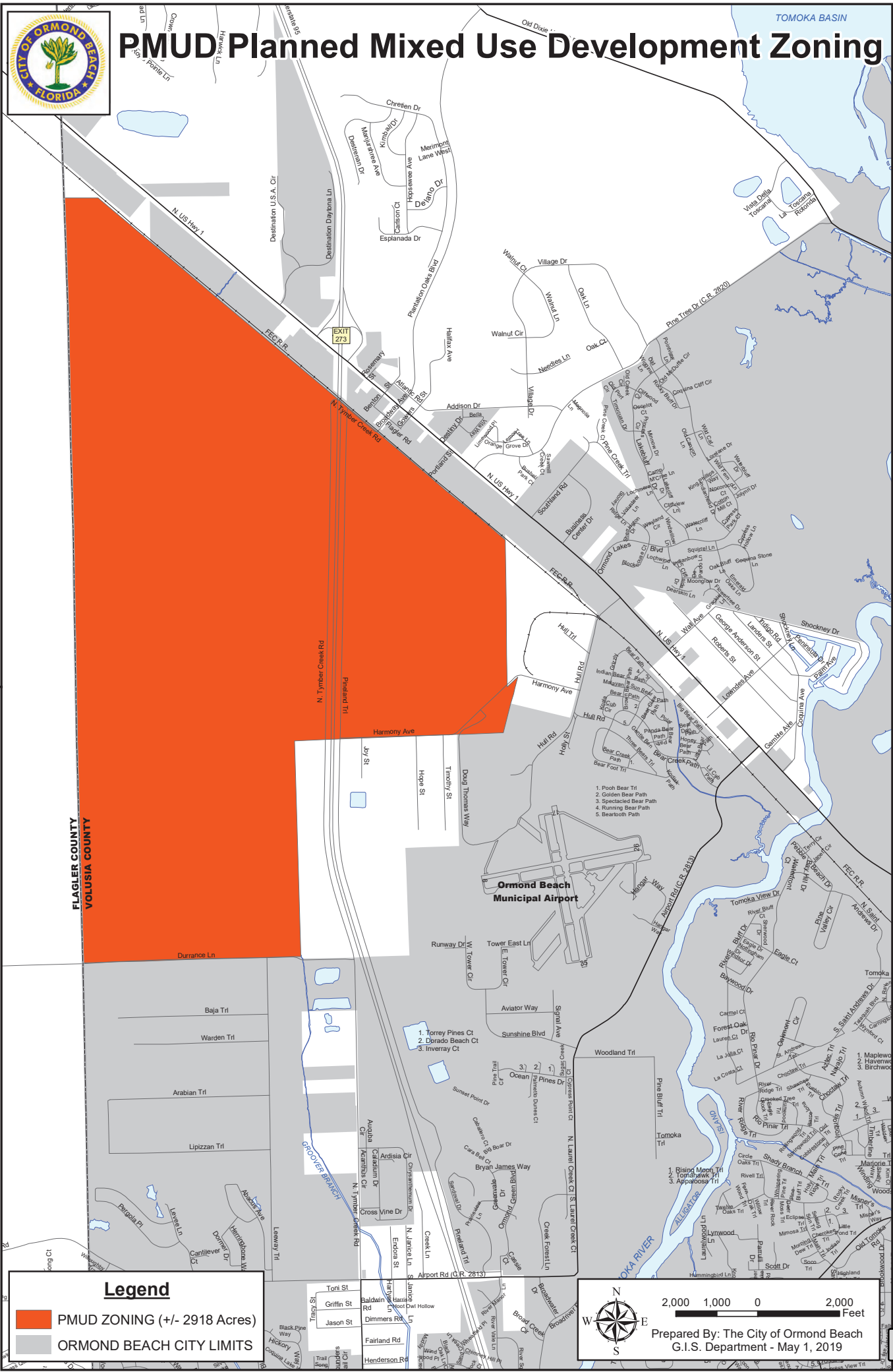


PBD Planned Business Development Zoning



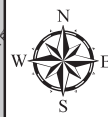


PMUD Planned Mixed Use Development Zoning



Legend

- PMUD ZONING (+/- 2918 Acres)
- ORMOND BEACH CITY LIMITS



2,000 1,000 0 2,000 Feet

Prepared By: The City of Ormond Beach
G.I.S. Department - May 1, 2019

likely in September. Mr. Spraker explained that the City will be back here to assign land use and zoning for the entire area. This project will keep giving actions for the Planning Board to look at.

Chairman Thomas asked if anyone had any questions for Mr. Spraker.

Ms. Shull asked who collects the taxes. Mr. Spraker answered that today it is Volusia County. When it is annexed the City would then become the entity that gets the City portion. Volusia County will still get their portion.

Mr. Jorczak stated that he went up to the Grand Opening and the ribbon cutting of the project and thinks it is more than people in Ormond Beach thought it would be and deserving of the agreement and annexation.

Chairman Thomas asked if there was anyone in the audience that would like to speak.

Mr. Parker Mynchenberg, 1729 Ridgewood Avenue, owner and engineer on the project is excited about the annexation coming forward and feels it is the first step coming into the City of Ormond. Mr. Mynchenberg stated he would be happy to answer any questions. He thanked Mr. Clay Ervin at the County level. Mr. Thomas opened the meeting up for questions on the matter. A member from the audience asked what the anticipated build out time was. Mr. Mynchenberg replied they have 97 lots that are manufactured homes for a portion of the site. Depending on the market and absorption he thought that portion would be completed in 5-6 years. They are looking at other sections to do conventional stick built housing that may start next year. It will again be market driven with 1577 lots total.

Mr. Briley made a motion to approve M 2019-069: North U.S. 1 Interlocal Service Boundary Agreement (ISBA), First Amendment. Mr. Jorczak seconded the motion. Vote was called, and the motion was approved (6-0).

B. LDC 2019-059: Mobile Food Dispensing Vehicles (food trucks)

Mr. Spraker, Planning Director, stated that within the packet was a memo that addresses some of the concerns that were brought up at the last meeting. There are 4 areas that allow food trucks today through policy: 1) through large scale civic events hosted by a city or non-profit; 2) large scale non-profit events; 3) within the Interlocal Service Boundary Agreement, which is the north U.S. 1 corridor doing special events and; 4) the only case where it is allowed on private property today is within malted beverage producers in the I-1 zoning district. Staff attempted to give questions to provide parameters for the discussion tonight:

1) Should food trucks on public property be expanded to include sporting events and food truck events? The option presented for that one was yes or no. If yes, basically the City staff, Leisure Services Board, City Manager and the Commission will come up with a policy and determine what parts will or will not be appropriate. There will be discussions through the Leisure Services Advisory Board. That policy will be through a separate entity other than the Planning Board. It is not necessary to get into which park is appropriate and which park is not. It will be a yes or no option.

2) Should food trucks be allowed on private property? The current policy reflects just the malted beverage producers. The City tries to frame suggestions of no - it should not be allowed, it should only be allowed through a public hearing Special

Exception to allow it along major roadways or by zoning designations, or concerns within a downtown overlay district, so it is an area that can be excluded out.

3) If there is a desire to provide it on private property the next question would be how often you want to allow it? Options are there is no limit, it can be done seven days a week on any private property, or a specific number of days per week. It does not mean a food truck cannot go to multiple properties, but that 1 individual property can only do it 1 day per week. Other jurisdictions, such as DeLand allow food trucks twelve days per year. You can do it once a month.

4) Should there be a distance separation for restaurants? The options range from no distance requirements to 100 – 250 +. A written exception from the restaurant may be considered from a restaurant that desires to host a food truck. For example, the City heard that La's Bistro works with food trucks. There may be a provision to allow it, with a written consent of the restaurant.

5) Should lunch trucks be allowed? If yes, is the I-1 zoning district appropriate? In the current policies lunch trucks, specifically designed to provide quick lunches to major employment centers, are not currently allowed. During the discussion of food trucks for the malted beverage producers, Planning Board members stated that lunch trucks are occurring within the City. If food trucks are allowed within the City, then there is no need for a separate allowance for lunch trucks. If there is a desire not to allow food trucks in the City, an option would be to allow lunch trucks under certain conditions.

Chairman Thomas asked the board if food trucks should be allowed on City property, and started with Mr. Scudiero. Mr. Scudiero explained that he is somewhere in the middle. He would have problems with #1 as a blanket approval. Mr. Scudiero stated that he would need conditions and parameters for reasons like that of food truck fundraisers which fund youth trips, and the effects for-profit entities at public parks would have on them.

Ms. Tolland stated food trucks should be allowed at sport complexes and parks, and has confidence in Robert Carolin, City Leisure Services Director, that something could be worked out between the vendors and sponsors of that concession during an event.

Ms. Shull stated that she is for the food truck idea and likes the ability of food trucks to be on City property, especially in parks. Ms. Shull continued that she read about food truck day in the City park, not necessarily daily but during certain events to incorporate food trucks on City property. Citizens spoke during past Ormond Beach meetings that they like having outdoor events, and she supports it.

Mr. Jorczak added that he would be inclined to craft rules up that would allow for the food trucks on public property. There are areas that would benefit if time restrictions were placed on them. If more people were occupying these facilities on the weekends rather than daily, something may be able to be worked out with respect to specific sporting events and fundraisers. Exceptions could be carved out that permit non-competition with certain situations. Mr. Jorczak continued that he would be in favor of permitting food trucks in general and the park areas, with respect to sporting areas.

Mr. Briley stated that his initial concern was that if City staff can come up with something and Leisure Services is okay with it that we can find a way to incorporate them at sporting events and does not see a problem. Mr. Briley continued that his concern with parks is that if the subject is regarding a restriction of the downtown

area there are 5 parks there. At Casson Park, Ike Leary sells hotdogs and food and has a contract as a tenant with the City of Ormond Beach, which would be a concern. Mr. Briley stated that other than the downtown, and the parks there, he does not have a problem with food trucks setting up at other parks around the City.

Chairman Thomas asked if Mr. Briley has a problem with food trucks setting up at Andy Romano Park because of their contract due to lack of room. There is a big question about putting a food truck in the parking lot there due to a legal issue. Mr. Spraker replied that as part of the development of policies that each park can be gone through to see which ones would not be eligible. The two previously stated being two good examples. Mr. Briley stated that when talking about public parks and sporting event venues he sees the City sponsoring a food truck rally at the Nova Road complex, Hull Road or Central Park. Mr. Briley suggested not closing off the parks, just the ones there is a concern about being in a current vendor contract or downtown area.

Chairman Thomas explained that he read letters where people have commented that they would rather go to a food truck after coming from the beach. Chairman Thomas continued that if a food truck is set up in Central Park where there is no competition, perhaps one time per day. Mr. Briley rephrased his earlier comment about the City sponsorship, and how it is not necessarily the City that is sponsoring it, but allowing it. Chairman Thomas replied that he does not have any problem with the parks and recreation area as long as it does not interfere with the people the City is already dealing with and it is taking money from them. The city has a lot of children and they like to go to Cooper's town and different places. He continued that it can be worked out as long as baseball and softball have a seat at the table on it. Mr. Briley wanted to clarify that the downtown parks would be exempt for special events such as the four corners and other events downtown and at Rockefeller Gardens, wherever food trucks are brought in.

Ms. Shull inquired if Main Street was A1A to Orchard Street. Mr. Briley replied that was correct. Chairman Thomas replied it was downtown. Mr. Briley called it the Main Street District. Ms. Shull continued that the main problem is across the street from City Hall, between north Beach Street and U.S. 1 where the Chamber is and how there is no parking, therefore she cannot see where a food truck would park. Mr. Spraker replied that could be in a future question. Ms. Shull answered yes, and questioned if Mr. Spraker would look at each park individually and address it. Mr. Spraker replied correct and sees the board is in favor of the concept but there are concerns about existing vendors and is interested in seeing how it will impact the concessions at the sports complex.

Mr. Scudiero commented that he does not want to see a blanket every day of the year, every park type approval. Mr. Spraker replied that there will be an actual City Policy on it and first it will go to the Leisure Services Advisory Board, then the City Commission. This will give opportunities for everyone to comment on it.

Chairman Thomas continued with question #2, if food trucks should be allowed on private property. Mr. Jorczak replied other than special event type situations, he is not crazy about the concept and would rather there be a tighter arrangement of control. Both from time and location standpoints. Chairman Thomas asked Mr. Jorczak if it would include places of mass employment. Mr. Jorczak replied industrial and office buildings can be permitted on an individual basis. He does not want it opened up to anyone that has private property where they can qualify to stick

a food truck on it. Chairman Thomas turned to Mr. Spraker for additional feedback on the subject. Mr. Spraker replied that it would be best to get everyone's opinion and get the direction of the board first. City Attorney Randy Hayes, City Attorney stated coming from a regulatory perspective there will be combination or regulations in the Land Development Code and policies to be implemented administratively based on the elements within the ordinance. The ordinance is effectively the local law. The planning staff is looking for general direction and will hone down and define the parameters. For instance if the board feels it is appropriate to have food trucks in public parks, for some it may not be possible for various legal reasons, and others it may be appropriate with conditions in the Land Development Code as a regulation to define the parameters. Relating to private property, there may be elements that the board may not think should be included needing stricter requirements that can be built into the ordinance. He continued that the planning staff is looking more for general direction from the questions asked prior. Attorney Hayes stated he will meet with them following to figure out how to sculpt something thereafter which will generate additional questions.

Mr. Jorczak echoed that he does not want a blanket private property arrangement, but define where, when, how, what the parameters might be. There is a need for industrial parks that have no cafeteria facilities, which in turn also works for the food vendor. The need is to hone down on where the board wants to permit it as a tightly defined arrangement.

Mr. Briley stated he did not have a problem with food trucks in large parking lots at places of employment for those that give their employees a half an hour lunch that do not have time to drive to pick up lunch. He added that commercial private property is one thing but does not want to see a food truck out front of a birthday with a bounce house in the front yard. He would like to hear more discussion as there may be opportunities such as a large scale office complexes and business parks.

Ms. Shull commented that she agrees with both prior comments and feels private property should be allowed with exceptions. Commercial differs from residential. If someone is throwing a party on their two acres with sufficient room and space for the food truck so it does not have to park in the street blocking traffic. Adding specifics in a regulation with the amount of space around the truck and specifics on where it should park, on a specific area of land. Her company held a customer appreciation event in their parking lot and would have loved to have had a food truck there.

Ms. Tolland stated she is more liberal and likes the idea of food trucks on private property and did not delineate commercial and residential and was not thinking residential. Her ideas were at churches and places of employment like Security First with large parking lots. It is an opportunity to bring young people to gather together in a large area, as long as it is not taking away from the bricks and mortar and the downtown area. La's Bistro has a large parking lot.

Mr. Scudiero stated he was not here when the example of what was approved in #1 is the perfect example for a food truck and would have voted for it if he was in attendance at the time. It is isolated, serves a need, does not impact surrounding businesses in any harmful way. Mr. Scudiero is also fine with #2 but answers a no to #3. He does not want it anywhere near downtown. There are too many jobs at stake. No on #4. Sure on #5, with consensus of the board and commission – it can be expanded from what is in #1 and #2 but will not support anything that puts it in the area between Beach Street and U.S. 1.

Chairman Thomas stated that he is in agreement with everything discussed but believes it would be best to speak with the owner of the whole property of La's Bistro, not only the individual business person. He continued that he is pretty good with all of it. Mr. Scudiero commented that nothing would stop La's Bistro if the property owner wanted to seek permission to do it with a band downtown, he inquired if they could still seek a Special Exception type of approval. Mr. Spraker answered correct, that they can do a Special Exception to allow food trucks under certain conditions. An example of this is when Ormond Outpost did something similar which they allow approximately twice per month. Summarizing, Mr. Spraker commented that what he heard from the board discussion is that large employers, industrial zoning district, looking at large properties such as a shopping plaza like Tomoka Plaza would be places where food trucks would be appropriate. Ms. Tolland commented inserting a clause for a certain distance away from competing restaurants if they are in disagreement with food trucks. Mr. Spraker replied that the planning department is trying to give the board a framework and from there can be massaged when it comes back as well as give opportunity for written or public comments. He is attempting to get the broad parameters to bring back something that is in the ballpark.

Mr. Spraker continued with question #3 how often should industrial large employers, large lot areas be allowed to have food trucks. If they are not one of those three and they are still interested in having a food truck, they can go through the Special Exception like Mr. Scudiero said. Some allow it certain number of days per week, and some allow it a certain number of times per year.

Ms. Tolland asked how difficult it is to go through a Special Exception and what is involved. How long does it take and the cost? Mr. Spraker replied it is about a two month process involving the Planning Board and City Commission with fees of approximately \$1600.00. Ms. Shull asked if that process and price is only for one event or if they have to come back for every event. Mr. Spraker replied typically what has been historically done is grant the exception for a three year period. After three years if they do not have multiple violations, they come back and get it on a permanent basis which has been done on the north U.S. 1 corridor. The Planning Board could allow it for a longer period of time. They can be exempted from special event fees because they paid a Special Exception fee. The acreage size can also be looked at.

Mr. Briley commented that he can see it go a couple of different ways; a certain number of days per year such as La's Bistro, or can also have the Special Exception process for events like Bike Week, where they would apply for a permit for a specific number of days. Mr. Spraker replied if using the DeLand example you can give them twelve days per year and they can do it once a month, or the last week in a bike week so they would have flexibility.

Ms. Tolland asked if you can do it not to exceed a certain amount, as many days as you want so it could be all in continuous or separate out not to exceed a certain amount of days in that year. Mr. Spraker recommends doing it a certain number of days and let the operator use it how they so choose. Ms. Tolland then asked how much it would cost for a Special Exception. Mr. Spraker replied \$1650.00 which includes advertising, processing, letters to the abutters, site postings and a newspaper ad.

Mr. Jorczak commented that another thing is when looking at commercial buildings or industrial parks you are looking at five days per week essentially. If a work week

is Monday – Friday, that is where the market you would probably want to do that is if they could generate a customer base consistently fifty two weeks per year. Ms. Tolland asked if lunch trucks could be so much done, different times, and other events a different amount of times. Mr. Spraker answered for example you could allow the industrial to do it once or twice per week, and allow the large employers and properties to do it twelve times per year. You could have some mixing and matching, depending on what you feel is appropriate.

Mr. Scudiero commented that in an example like Security First and how isolated their property will be, he is in favor of them having the ability to have food trucks operate there on a regular basis, but not necessarily every day city wide. Mr. Briley in turn asked if that gives them enough days if given twelve days per year. The consensus is not likely, but Mr. Scudiero stated he is not for A or C. Mr. Jorczak replied perhaps designating different times and periods depending on the zone that it is servicing. Mr. Briley added when looking at St. Petersburg they allow twice per week. Chairman Thomas asked if it could be set up, that it would depend on the need of the company or the customer or a business that operates 7 days per week. He does not have a problem with a food truck going to a place like that every day but not everywhere, every day. Mr. Briley stated that it could be a good example of an application that should come through as a Special Exception so that you could give them the flexibility to do it 5 days per week at their discretion if they want to do it, treating it separately than some of the more administrative things that can be handled through planning and the Site Plan Review Committee. There will not be one approach for all things, and may be multi-dimensional. Attorney Hayes reminded the members that what the Planning Director is saying is not to get hung up in the details, but give him direction and staff will get down into the weeds and figure out how to make this work.

Ms. Shull asked for clarification as an example, if Security First who owns their land and building as opposed to a restaurant or anything in a strip center who does not own their property. They would have to get permission from the owner, the landlord of the company. Would that be the person that would get the Special Exception? Mr. Spraker answered that they would be the host. The landlord is the host and holds the permit. The landlord would authorize the restaurant to be the host. If the food truck does something wrong the property owner would be responsible. Attorney Hayes stated that there will be different elements that will have to be evaluated. For instance, Security First who will have plenty of parking, but looking at other shared commercial parking and shopping areas it creates different challenges. Ms. Shull asked why Security First would need a permit if it is their property that they are having the food truck on. Mr. Spraker replied they cannot have outdoor storage and product displays. The Land Development Code contains regulations. Food trucks are not a principle use. They are an accessory used to that principle building. In order to be outside the 4 walls, they have to be allowed specifically within the Land Development Code or get a Special Exception.

Mr. Scudiero compared the similarity to an example of not being able to have and operate a cemetery in front yards. Even though the homeowner owns the yard, there are still rules.

Mr. Spraker summarized that what he is hearing to the answer of question #3 is that there is desire for the industrial to allow food trucks more times per week and to allow large employers and commercial lots to set a minimum of 12-24 days, if choosing to

go above that doing the Special Exception. Chairman Thomas suggested using an example of Lowe's, if they were having a speaker come in and host a lawn and garden event to allow them to bring in a food truck. Mr. Spraker replied with an example of a commercial property over 2 acres, meeting the operational standards they would be allowed to have food trucks. Considering the size of Chairman Thomas's example, their parking lot has the ability to have the parking. It would be up to the Planning Board and Commission as to how often they would be able to do that. Ms. Tolland suggested discussing the number or a ratio of food trucks allowed in regards to how much property is available. Mr. Spraker replied that the concern from the public safety outlook is what impacts multiple trucks would have on the parking, safety, and track. He continued that it can be looked at and brought back to the board when the City comes back with the amendment.

Mr. Jorczak suggested starting more on the conservative side, allowing 2-3 vendors to have food trucks and then evaluate. The market will shake out how many people can support an individual entity. The food trucks offer a different fare to the customers. He continued that he prefers allowing a few in verses allowing too many. They can rotate on a list for the market after a reevaluation as to how many would be allowed in. Chairman Thomas asked if that could be legally done. Attorney Hayes replied that due to fire safety that it would not be allowed for too many food trucks to be allowed in a small area. Some of it will be self-controlling for a number of reasons. Attorney Hayes continued there is not a need for concern of these issues at the current time because more questions will be generated later during the process when the City drafts legislation that will accomplish what the Planning Board and Commission want to do. Mr. Spraker advised Mr. Jorczak that it will be looked at and will bring back options with the amendment.

Mr. Spraker continued with question #4 asking if there should be a distance separation from restaurants. There are many jurisdictions that do no distance separation to 100-250 feet. There have not been too many that do the higher numbers of 500-1000 feet, but are options. The board may want to allow a waiver if restaurants want to work with food trucks, which in that case they would not be competing, they would be working together. All mentioned are options if decided to include in the ordinance.

Chairman Thomas asked what if there was another restaurant that could bring a food truck in and ask for a waiver, and there were other restaurants within a short distance. Mr. Spraker replied that depending on the distance, distance separation would be needed from all of them.

Ms. Tolland added that the distance could be limited. Mr. Spraker continued that if it is only 100 feet that there may not be any other restaurants and if there are they would need written consent from all of the restaurants. Chairman Thomas confirmed that then that would be outside of the downtown overlay district discussed. Mr. Briley asked what the distance from La's Bistro to Manny's Pizza is. Mr. Spraker replied that he would have to look, but if the board does not think it is appropriate then no distance separation. Mr. Briley continued that in this case La's Bistro wants to work with food trucks and sees no problem with it. Chairman Thomas asked if a distance had to be identified tonight, or if there was a need to know if the distance separation had to be specified and discuss the details of the distance later. Mr. Spraker suggested he preferred to have as much direction as possible but if the direction is no distance separation required then it is time to go on to the next item.

Mr. Briley stated that is where it can get sticky if you actually want a distance separation. Chairman Thomas then stated that he is comfortable with 250 feet because he does not have enough information yet.

Ms. Tolland asked what the estimated distance from La's Bistro and the other restaurants in the plaza are. Mr. Spraker guessed 300 feet. Door to door, or property line to property line would have to be distinguished.

Following discussion, Chairman Thomas asked if anyone on the board was for no distance separation. Following no reply, he stated he was not sure if he wanted 100 feet or 1000 feet due to not having enough examples. Mr. Spraker replied that a minimum size parcel will be established and will give examples from there mentioning Tomoka Plaza and La's Bistro. Mr. Briley continued with Chairman Thomas's example; consider Lowe's having a food truck, and Dustin's BBQ is in the parking lot. Ms. Tolland suggested to be careful as in the instance of if Salty Dog wanted a food truck in their parking lot and asked how close that is to the whole downtown overlay. Mr. Jorczak asked if there was a general consensus that it is not wanted in the overlay? Ms. Tolland replied we do not want it in the overlay. Mr. Spraker confirmed that his notes have it for the industrial, large employers, large lots. The goal is to have it at sites that are appropriate to have food trucks, and large parking lots that are underutilized to provide that public infrastructure. Chairman Thomas commented that if he was asked he would say no food trucks along Granada Boulevard from the Atlantic Ocean out to Tymber Creek. Mr. Spraker confirmed that the board still had opportunity to say so during this process. It was confirmed that Orchard Street is the last street in the downtown overlay. Mr. Spraker advised that the City will do additional work with this and bring it back at a later date.

Chairman Thomas stated there should not be a number of times or a time limit. Mr. Scudiero asked for clarification of lunch trucks verses food trucks. Mr. Spraker answered that a lunch truck is a temporary vehicle, designed for 30 minutes, a quick service. Traditional food truck cooks more food, whereas the lunch truck has sandwiches, sodas and chips. Mr. Briley asked if both types of trucks go through the same rigorous inspections. Mr. Spraker replied yes. Right now these type of trucks are not allowed anywhere in Ormond Beach. They are operating illegally. They would go through the same inspection service with the City.

Chairman Thomas called a member of the public up, Mr. Lee Buckner of Southern State of Mind food truck, 1110 Parkside Drive, Ormond Beach. Mr. Buckner introduced himself and explained the differences of the definition of a lunch truck verses the traditional food truck. Lunch trucks have sandwiches already made, Sorrento's of Holly Hill runs several of them throughout the area in commercial areas. They are not regulated by the DBPR, who regulates food trucks and restaurants. They are regulated by the same people as an ice cream truck. They do not have to go through licensing because they are not preparing the food there on the truck. They are preparing it off-site and selling and delivering it from a van or pickup truck. Chairman Thomas asked if Mr. Bockner was allowed in the brewery areas in the industrial district. Mr. Bockner replied, yes in one brewery that he is aware of. Chairman Thomas asked if he needed a license for doing so. Mr. Spraker replied that they are not allowed anywhere right now in the City of Ormond Beach. The City is aware that they exist but they are not permitted or operating legally. Ms. Tolland questioned if the Grind Restaurant is able to offer lunches to Security First by preparing sandwiches at their restaurant and sell out of their lunch truck there. Mr.

Spraker advised that is correct, but that it is entirely separate if being catered. Whatever vehicle they are using should be licensed. Ms. Shull asked Mr. Buckner what places he frequents in Daytona and Port Orange in his food truck. Mr. Buckner answered Daytona Brewing Company, Daytona Library, schools, the ball park, Halifax Hospital, offices including small dental offices, and confirmed he does not get permits from the cities.

Mr. Scudiero asked Attorney Hayes about the licensing of the food trucks and if it is possible to do a permitting process for those that live and work here and want to do this on a regular basis. Attorney Hayes answered that yes it can be done with the proper set of regulations. Whether there are regulations or not, it sounds like it is a problem now being that it is not allowed and it is occurring. Mr. Spraker commented that today food trucks are not allowed except in very limited areas. The food trucks that are operating in that area are doing a good job of getting their business tax receipt and doing their inspections. The City has done the inspections and 95% of all of them have all of their information. Anywhere else in the City of Ormond Beach, whether a lunch truck, food truck, at a dentist office are not allowed. In Port Orange they are only allowed on public land. The goal of the process is to establish the regulations, cement the permit process, get the food trucks inspected, and establish regulations. Code enforcement is a struggle due to there being a gray area or totally off.

Ms. Shull asked Attorney Hayes what the difference between a Special Exception and a permit is. Attorney Hayes answered that a permit is less formal and is more administrative. A Special Exception involves more of a process. The Special Exception goes through planning, the attorney's office, the commission, with an issuance of a Development Order which spells out the conditions. The permit is still needed for certain things after the Special Exception. The other way it could be done is in a regulation with any particular zoning district, whether it be the industrial district between the hours of 8:00 a.m. and 5:00 p.m., and set up a licensing and permitting scheme to implement it administratively. Some people comply with the laws, and some do not. Mr. Scudiero added that the permitting idea, is subject to enforcement, if you have a local food truck that is complying, and there is an out of town truck that shows up taking business away from them, that they help make sure that the City is aware and can be dealt with accordingly. Mr. Scudiero would like to see a safeguard put into it.

Mr. Spraker advised that attachment 2 has the sample ordinance and item B is the permit required and goes through what the permit process is today and will be incorporated into the Land Development Code. Ms. Tolland asked if the board helped. Mr. Spraker replied absolutely.

Ms. Tolland asked Chairman Thomas about the notes that were at the boards seats during the meeting. Mr. Spraker replied that someone from Rose Villa brought paperwork today to provide to the Planning Board as part of their discussion. Mr. Kurt Roberts, of Rose Villa Restaurant stated that he brought information about whether food trucks bring a positive effect to the brick and mortar businesses. Recently the City had the Celtic Festival event and Mr. Roberts detailed his Saturday sales on the day of the event and included the four Saturdays following. The data shows clearly that there was an impact of his sales, and not a good effect the day of the festival.

Mr. and Mrs. Buckner, Southern State of Mind food truck, stated they had paperwork to submit but that the material had to be submitted the prior week. Attorney Hayes

suggested if they have material to submit it to the Planning Director and he will ensure it is rotated in. Chairman Thomas confirmed that anything that is submitted to the Planning Department gets submitted to the Planning Board and he was not aware of deadlines for material. People have even put material up at the board place settings the day of meetings.

Ms. Tolland expressed she originally thought it would bring people into the town spending money at the bricks and mortar and appreciates Rose Villa's numbers. She continued that there are intangibles of bringing food trucks with comradery and fun. It is not an issue because it was agreed upon that they do not want food trucks in the downtown area. Ms. Shull explained food trucks during special events would be allowed. Ms. Tolland recommends restaurants doing their own food or lunch truck and attend events. Chairman Thomas advised he thinks that the whole community's desire is to have food truck rallies at Central Park.

Mr. Scudiero stated that the brewery on Division Street is a half mile from restaurants and that is why there are no complaints.

Mr. Jorczak suggested it is a good idea to get it codified sooner than later anticipating explosive growth on the commercial industrial side. The LPGA, and Security First area will expand quickly. He continued anything done here with the board is going to prepare for the growth in the northwest quadrant of the City.

Chairman Thomas called Ms. Dorian Burt, 203 Pine Cone Trail up asking if she was aware if Mr. Jones had any comments. Ms. Burt stated she was not aware if Mr. Jones had any comments as he is out of town. Ms. Burt added that the restaurants downtown support all Mainstreet events. They give plenty. Ms. Burt asked if allowing food trucks in 2 acre tracks for big boxes, if it was for the employees of businesses to eat due to lack of time, or for people driving by to stop and eat at a food truck.

Chairman Thomas encouraged the public to get with the Planning Director if they had any material they wanted the board to look at.

Mr. Jorczak asked Mr. Spraker about the timeframe at this point and what the next step was. Mr. Spraker replied the next step would be to involve the Leisure Services Board. Mr. Spraker answered the next actions are to draft an ordinance, get with the City Attorney's office, bring it back to the next meeting if they have the capacity. The City Attorney's office may need additional time. As soon as staff has something ready for public input we will bring it back. Chairman Thomas suggested it will be 6 months out. Attorney Hayes replied he did not think it will be that long. It is a process. It is important to get the regulations right the first time. Chairman Thomas commented that is why it may take a while narrowing things down, coming back to the board 2 more times possibly. Chairman Thomas added he is not used to making decisions on discussion items, and would like to have a little more time to research it.

VIII. OTHER BUSINESS

Ms. Tolland gave a report on downtown Mainstreet relating to the food trucks. It is evident by most of the members that they are against the food trucks from Beach Street to Orchard. Ms. Tolland added it is important that the same framework should

be used to clear any confusion. Chairman Thomas advised that he is against food trucks in the downtown area. Ms. Tolland suggested the board be respectful of that and all of the brick and mortar restaurants in the area.

IX. MEMBER COMMENTS

Mr. Jorczak – no comments.

Mr. Scudiero will not be at the next Planning Board meeting and mentioned that he noticed there was something on the tentative schedule to deal with the Aldi area on Granada Boulevard. Mr. Spraker answered that there are two Special Exceptions that will like come to the board next month. One is where PDQ restaurant would have been, and they are coming back with another drive-thru restaurant but have not identified it yet. Within that zoning district they need to go through a Special Exception as a drive thru restaurant. The second application is 48 West Granada, the Ormond Garage. They are coming through with a signage plan requiring a Special Exception.

Ms. Tolland applauded Mr. Spraker and staff for bringing Lucky's and these type of businesses to Ormond Beach and likes the way it is growing.

Ms. Shull commented on the traffic, especially north Beach Street to U.S. 1. Ormond still has parking and traffic issues which is the concern with the food trucks being that there is nowhere to park. Rod's Carpets complained about vandalism and profanity. Hull's customers cannot get to Hull's due to no parking. There is a BBQ restaurant going in across the street. Ms. Shull asked if anything has been addressed to assist with parking. Mr. Spraker encouraged Ms. Shull to participate in the Downtown Steering Committee, and stated that there is parking across the street from Hull's at the Ormond Beach Elementary school lot. There are ideas for signage and how to engage those areas. There is also an opportunity for Rod's Carpet to provide public parking and get paid for the parking to help and increase the overall supply of public parking. There has to be public parking, there has to be shared parking and better signage for public parking, the reason for the Downtown Master Plan. The meeting is Wednesday, May 15 at 6:00 p.m. at the Anderson Price Building. At the meeting you can list your top 5 ideas, which will be put on a board and then will let everyone vote. Ms. Tolland encouraged people as well to attend.

Mr. Jorczak stated that it will be a positive thing if the Governor signs the budget request by the City of Ormond Beach to expand the southwest quadrant of the airport and put a new road structure in (\$470,000). It will open up development of that area northwest of the industrial park. He encouraged everyone to write the Governor in support of it and to urge not to veto the money.

Mr. Briley echoed Ms. Tolland's comment on Lucky's. He thanked the board for their well wishes and hopes to see everyone next month.

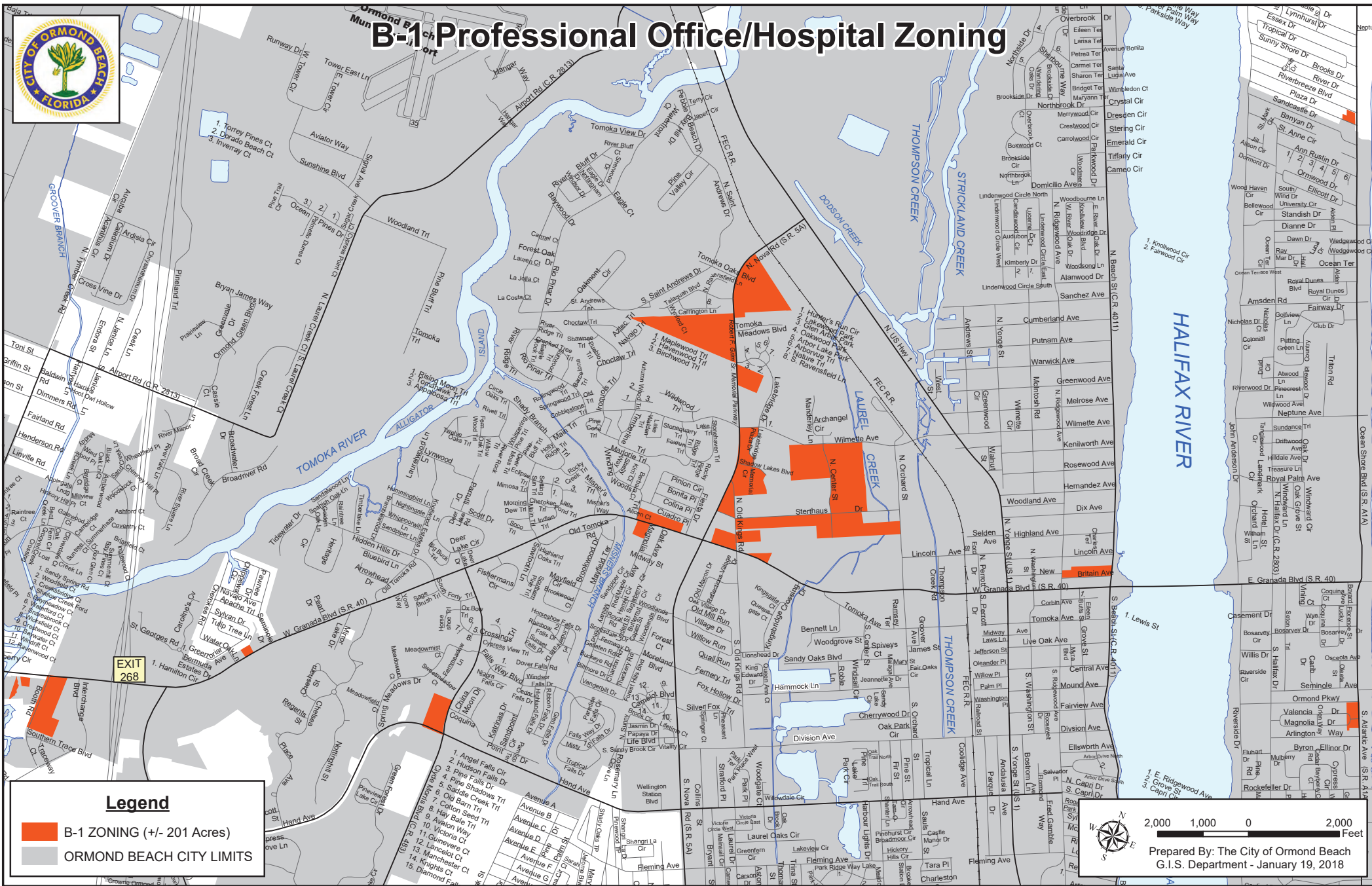
Chairman Thomas stated he believes there is a place for food trucks in Ormond Beach as well as places in Ormond Beach where there should not be food trucks. He added the board has gone a long way towards working it out tonight, giving Mr.

Attachment 3:

Zoning district maps

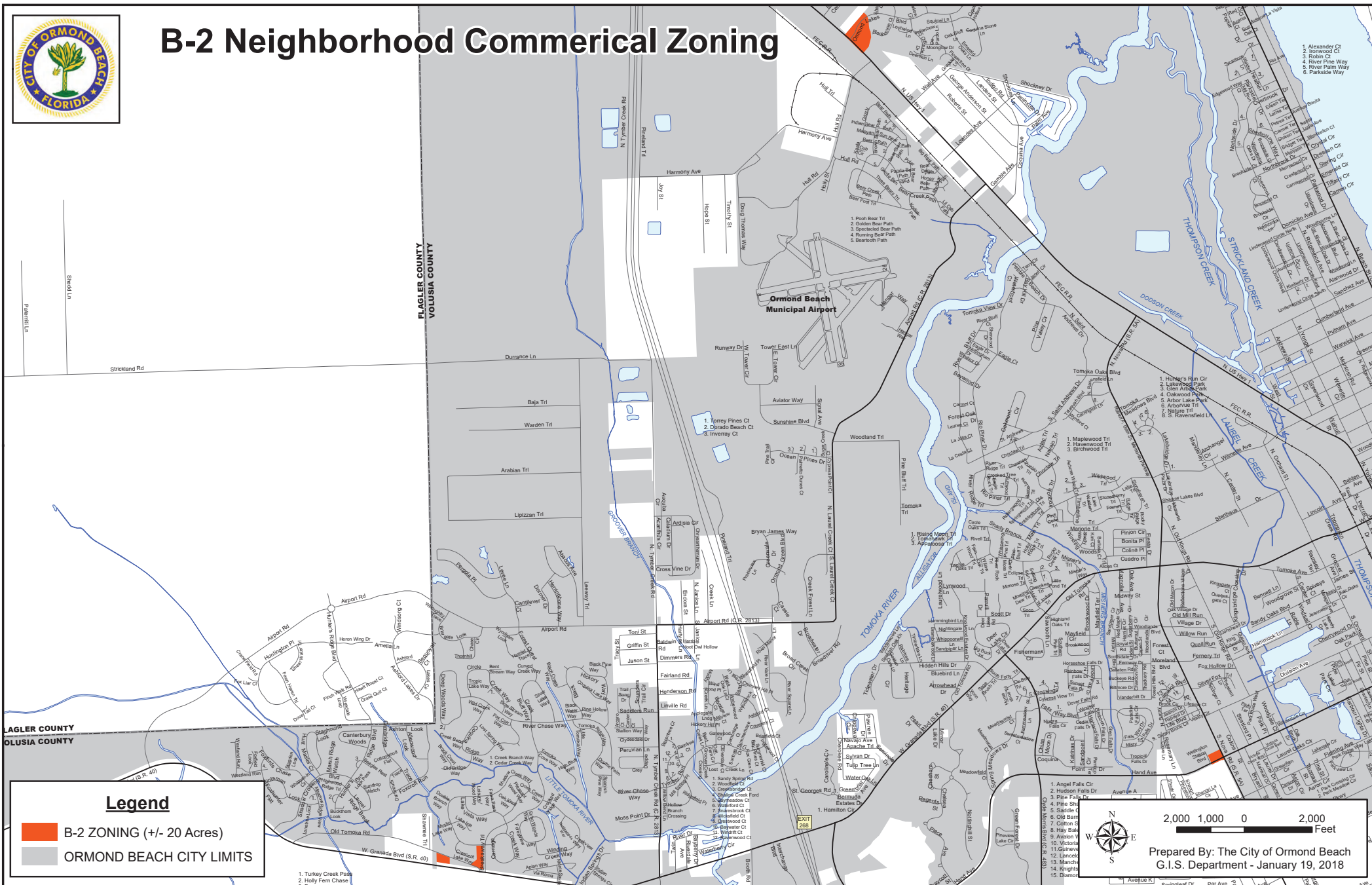


B-1 Professional Office/Hospital Zoning

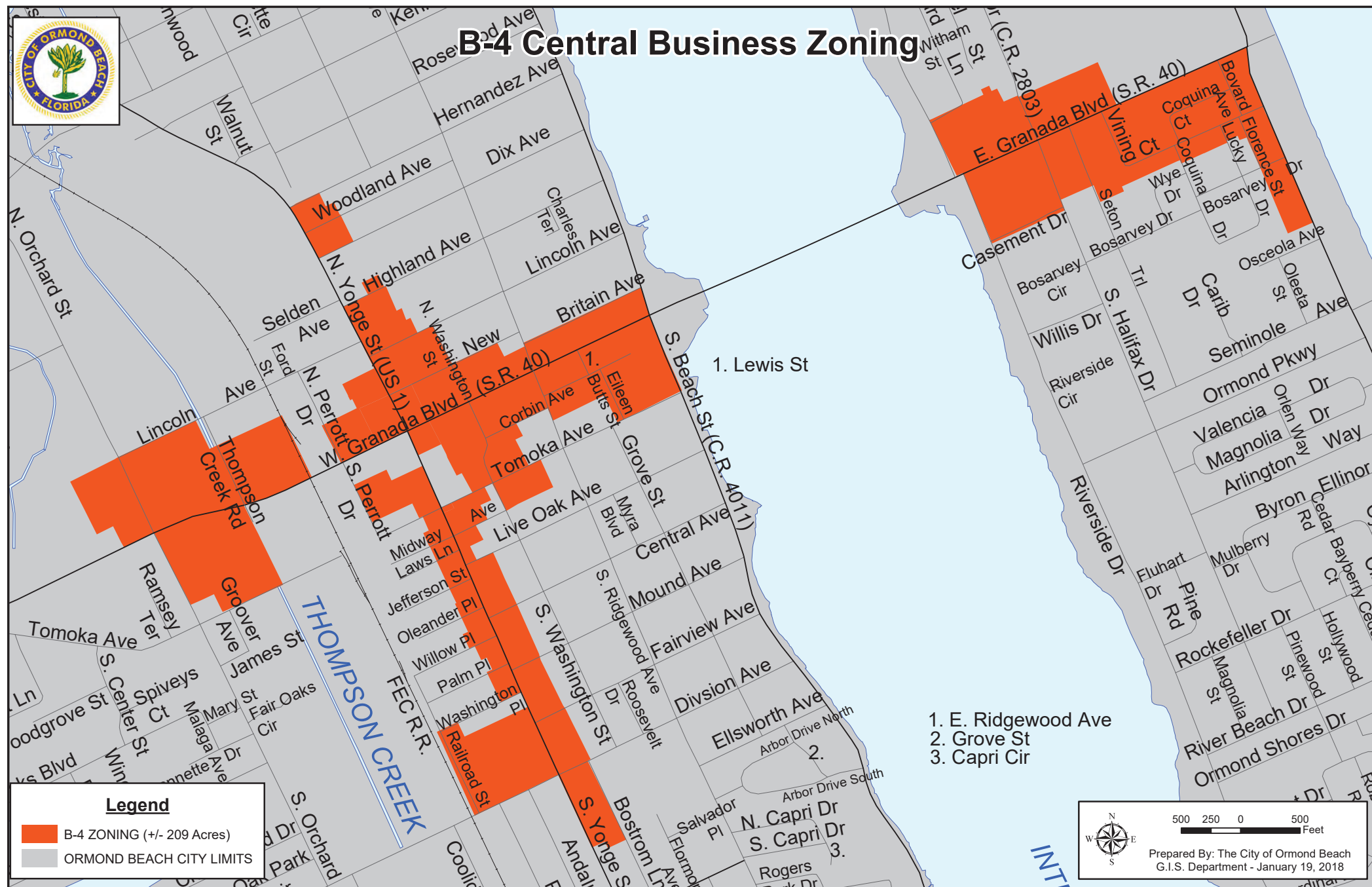




B-2 Neighborhood Commercial Zoning

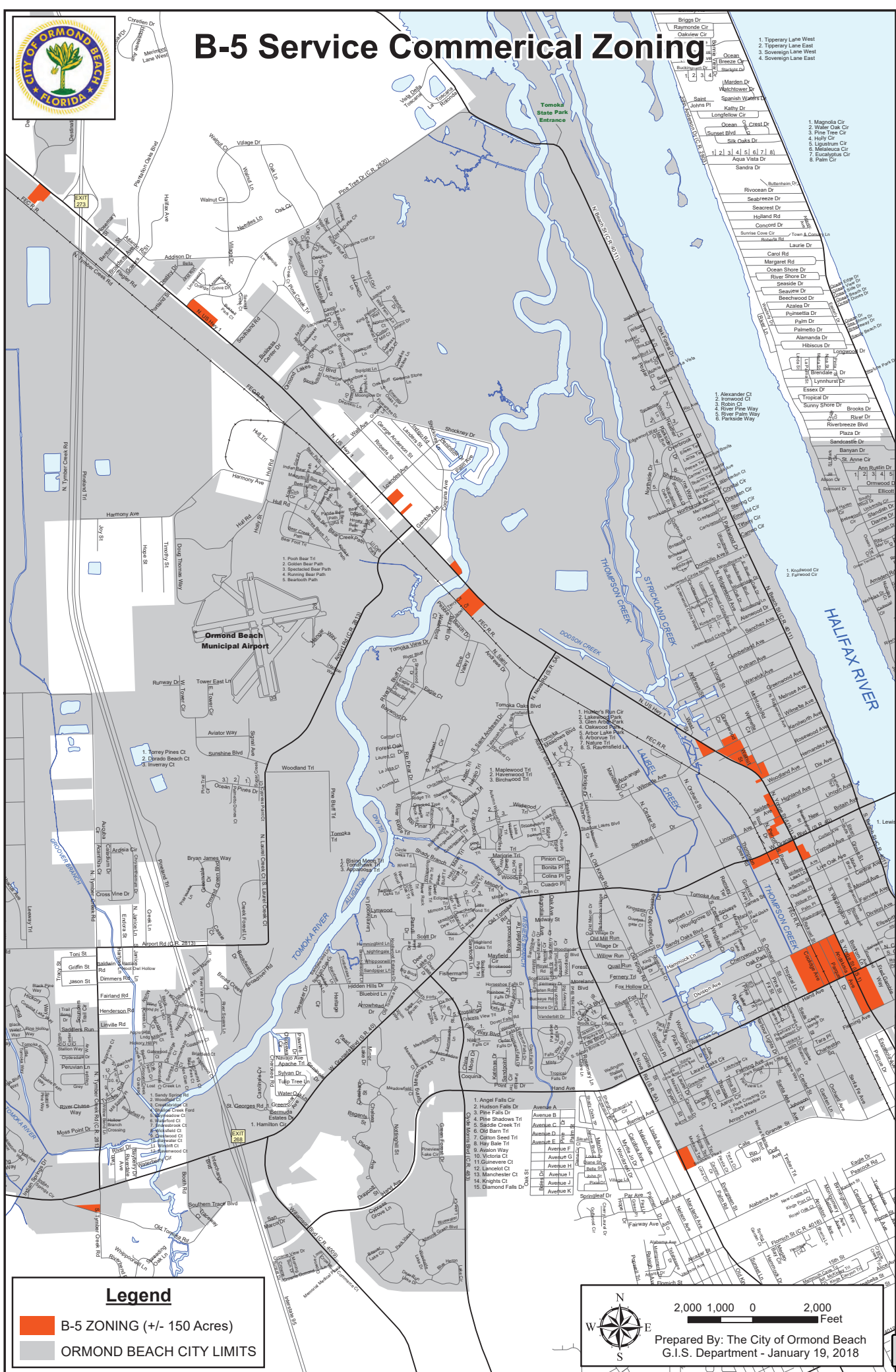


B-4 Central Business Zoning





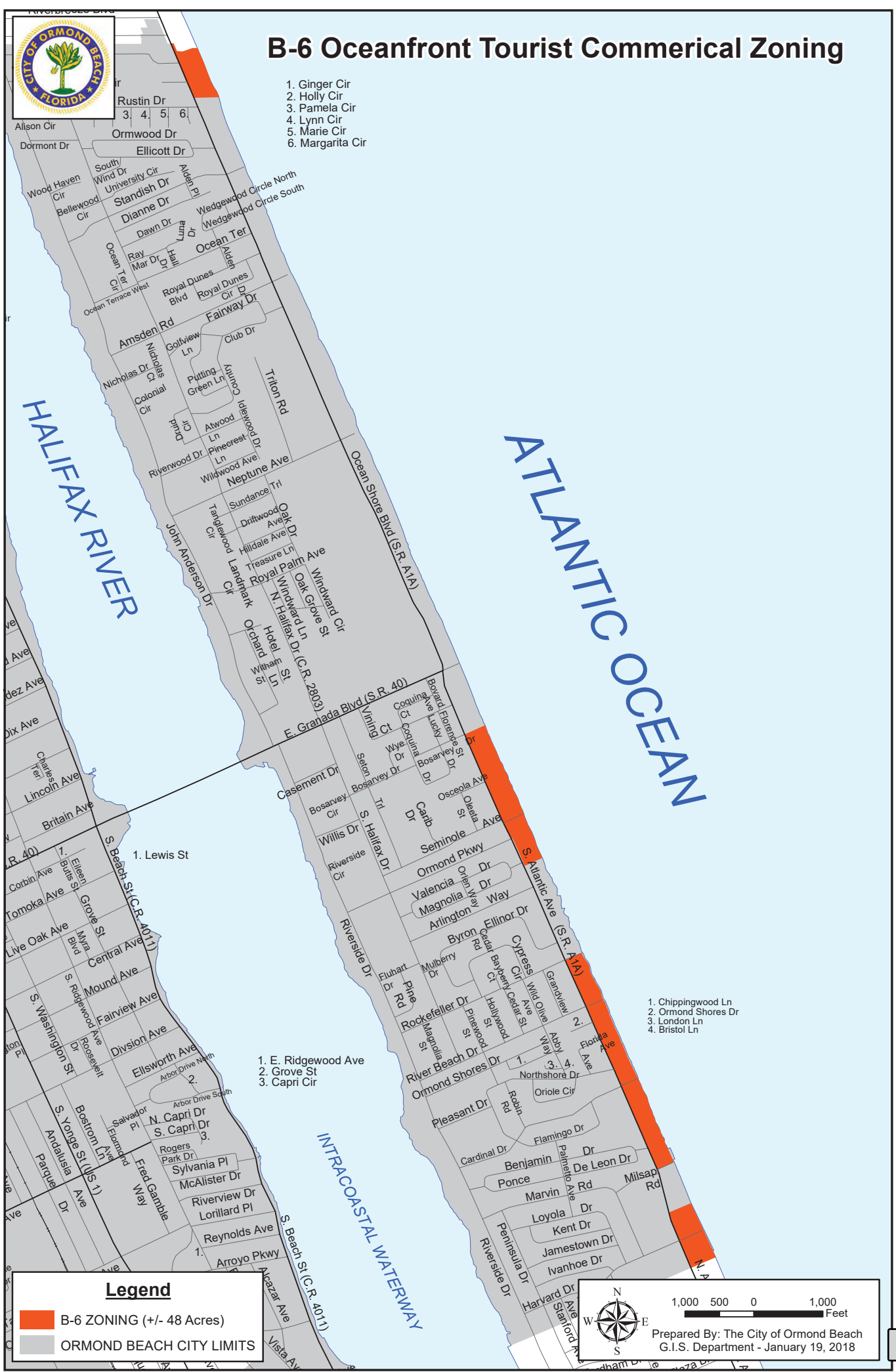
B-5 Service Commerical Zoning





B-6 Oceanfront Tourist Commerical Zoning

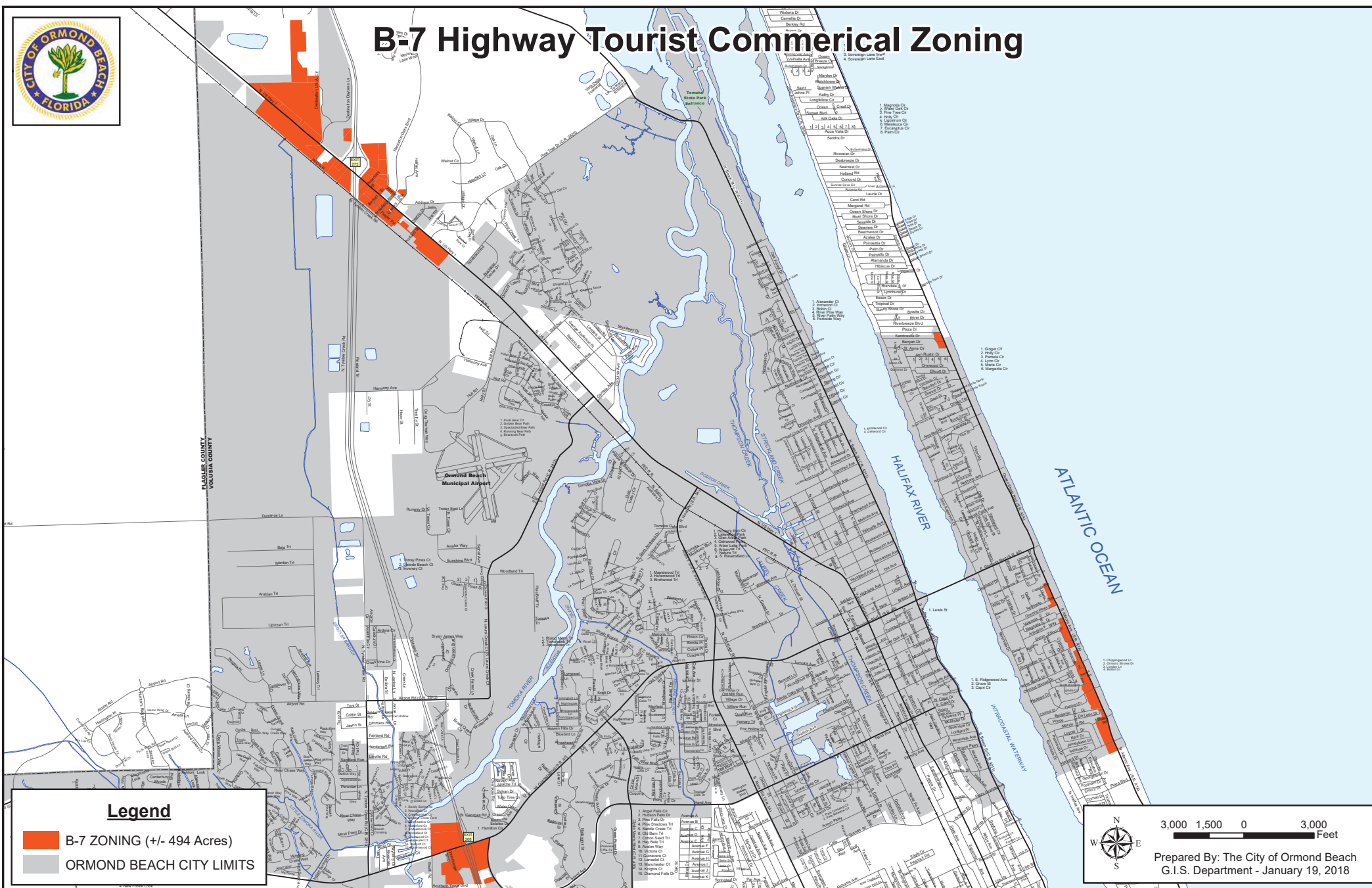
- 1. Ginger Cir
- 2. Holly Cir
- 3. Pamela Cir
- 4. Lynn Cir
- 5. Marie Cir
- 6. Margarita Cir



Prepared By: The City of Ormond Beach
G.I.S. Department - January 19, 2018

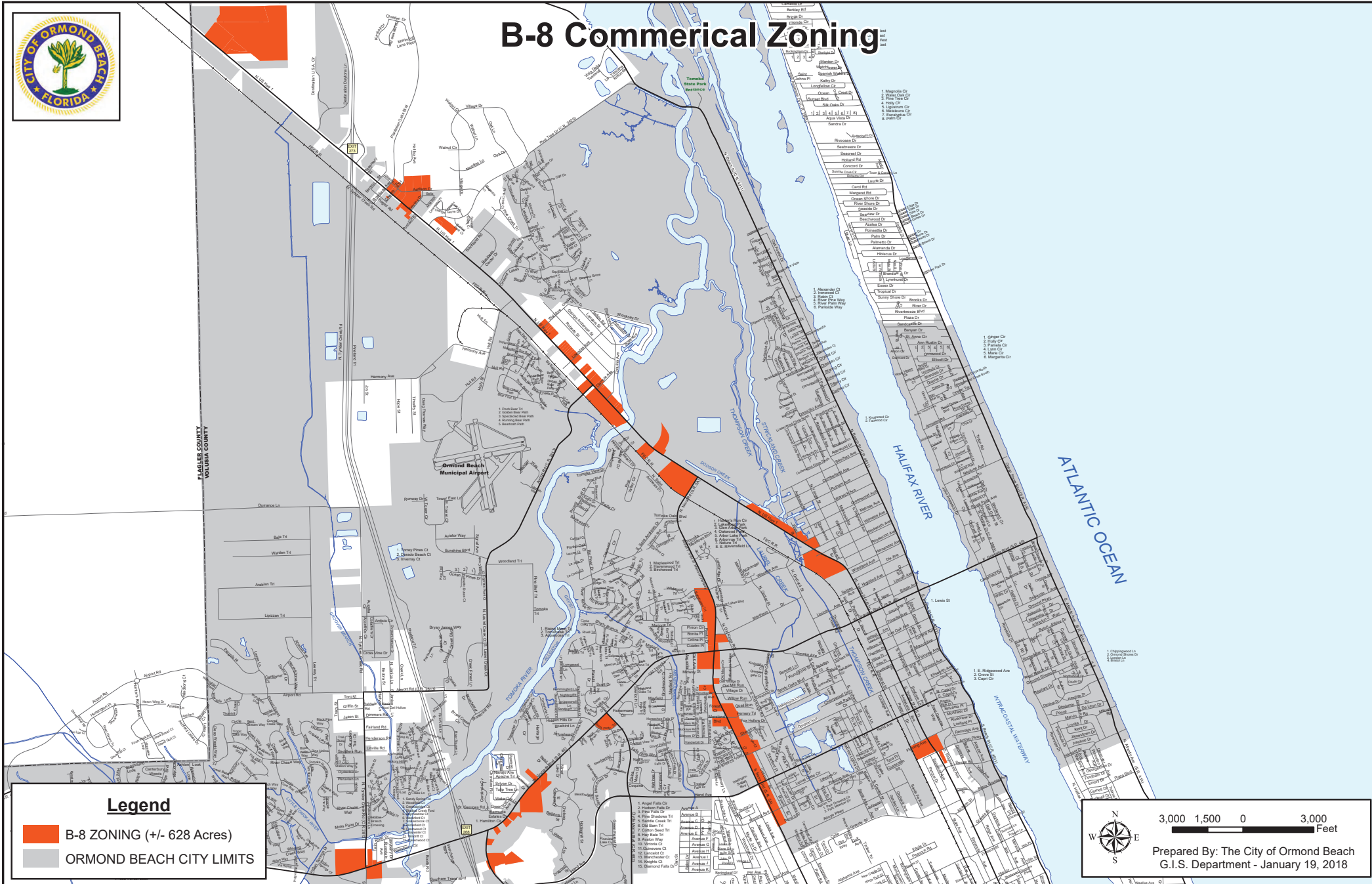


B-7 Highway Tourist Commerical Zoning





B-8 Commerical Zoning



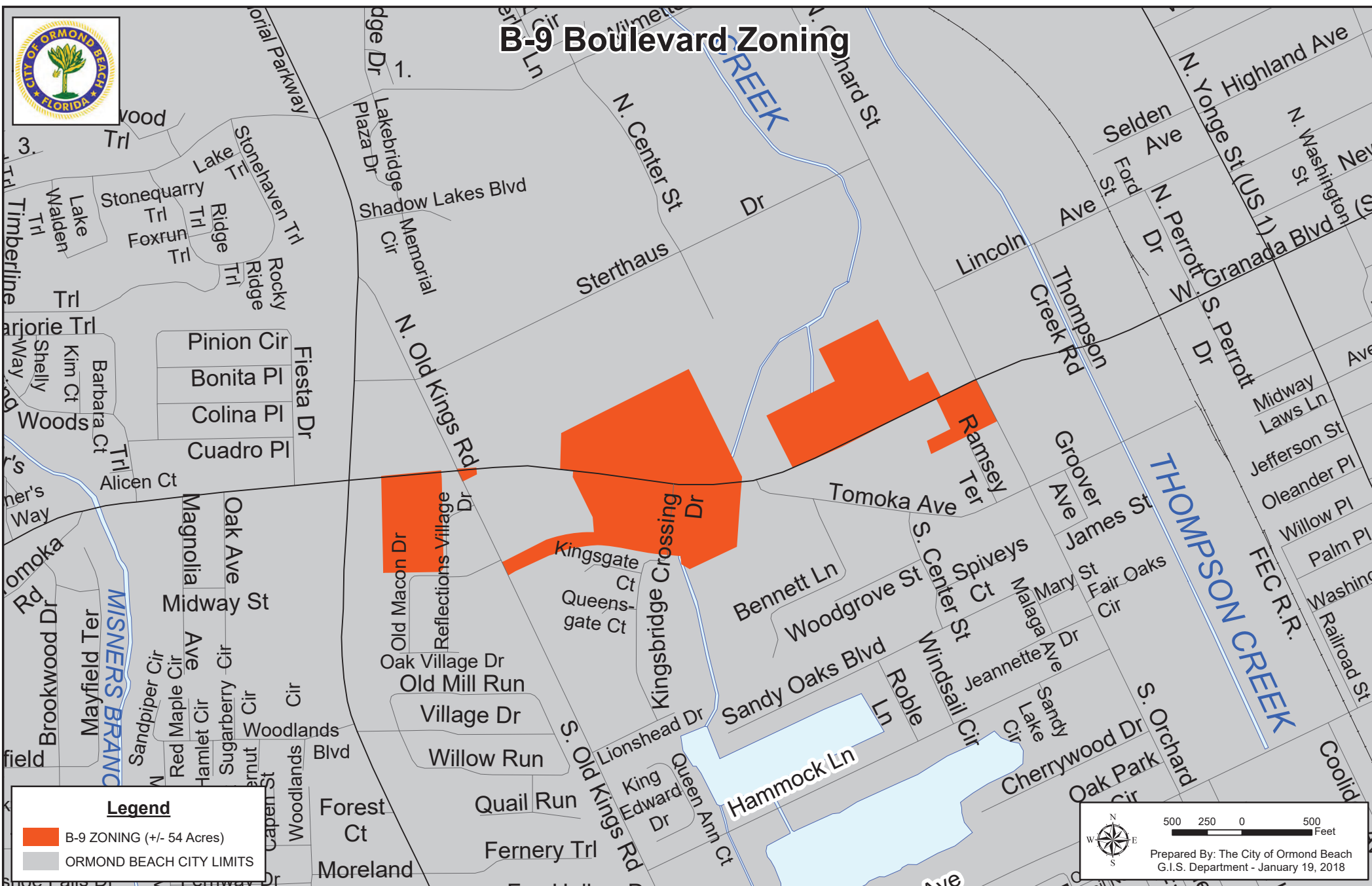
Legend

- B-8 ZONING (+/- 628 Acres)
- ORMOND BEACH CITY LIMITS



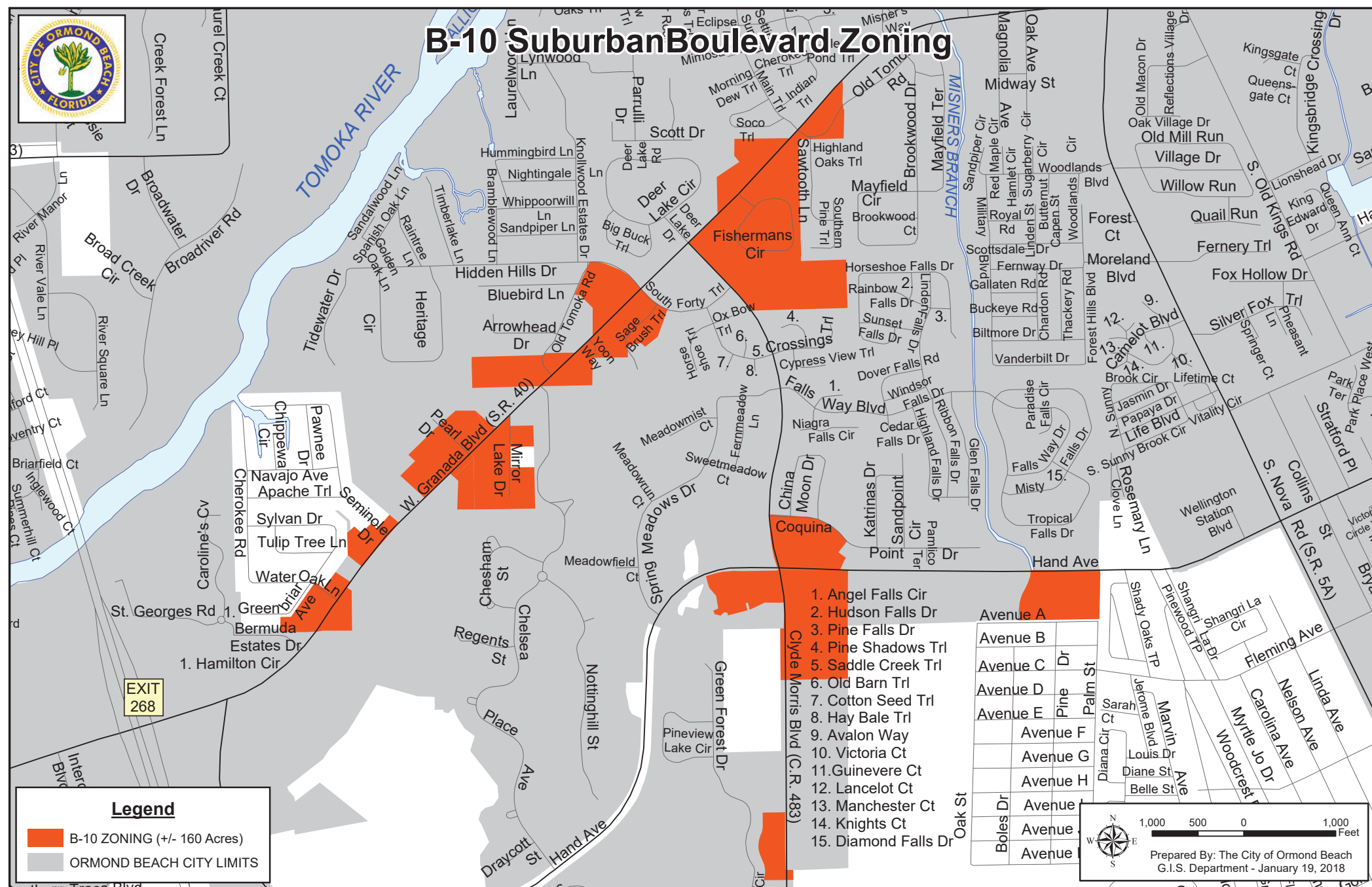
Prepared By: The City of Ormond Beach
G.I.S. Department - January 19, 2018

B-9 Boulevard Zoning



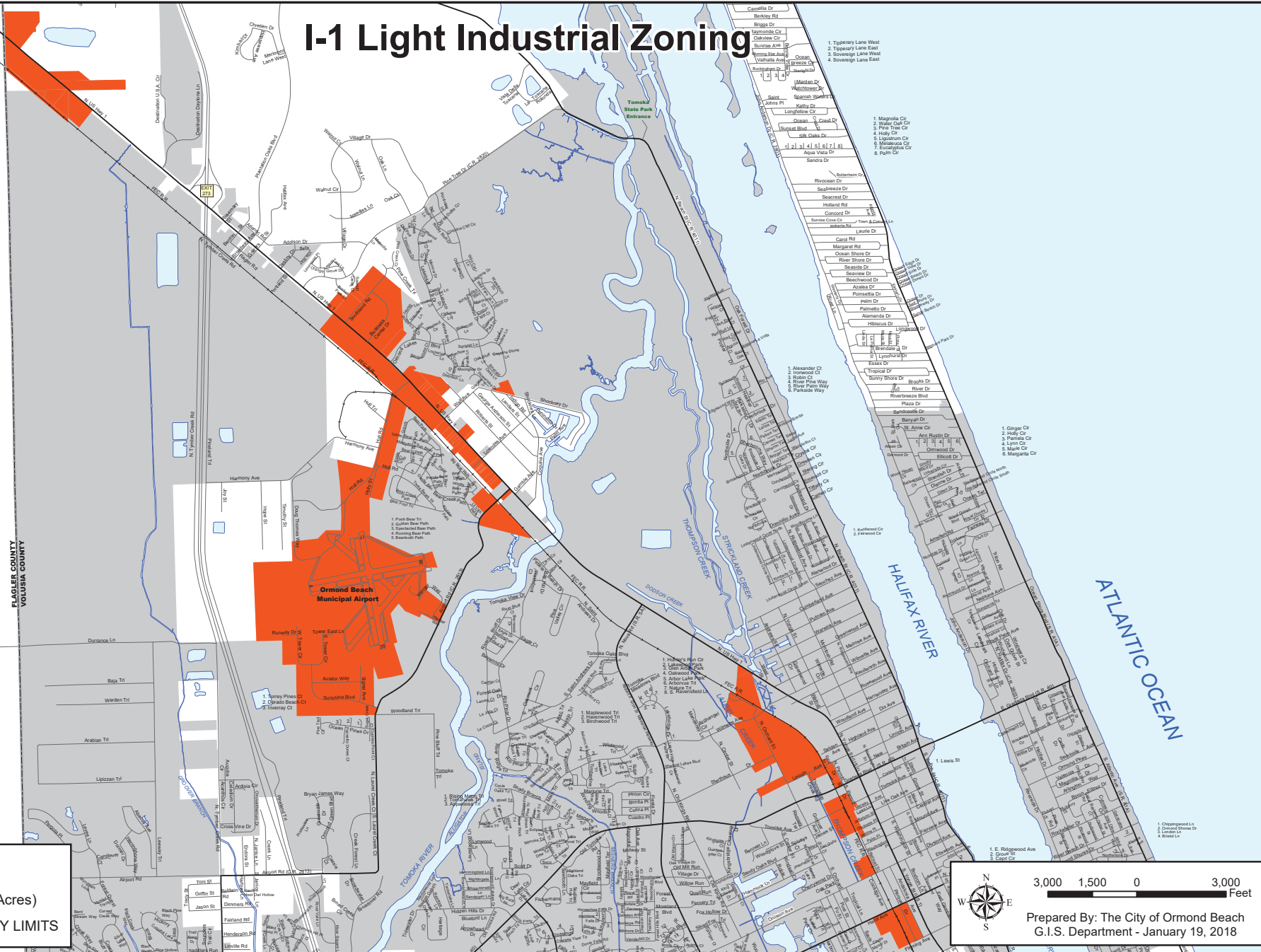


B-10 SuburbanBoulevardZoning





I-1 Light Industrial Zoning



DRAFT

May 13, 2021 Planning Board minutes

Mobile Food Dispensing Vehicles (Food Trucks)

Administrative amendment to the Land Development Code (LDC),
Section 1-22, Definition of terms and words, of Chapter 1,
General Administration, Article III, Definitions and Acronyms and
Section 2-50, Accessory Uses, of Chapter 2, District and General
Regulations, Article III, General Regulations.

extensions are required. He continued that the City's utility manager reviewed the section and expressed concern that a property, as they extend the water and sewer lines, should extend at the full length of the property so that the next property could connect and extend the utility lines. By policy, past utility managers have required the extension throughout properties but the current utility manager prefers to have it in the Land Development Code (LDC). Mr. Spraker concluded that staff recommends approval and the tentative City Commission dates are July 20, 2021 and August 4, 2021.

Mr. Galloway asked Mr. Spraker for clarification using an example on if a developer would be required to extend the line all of the way down on a property two to three-thousand feet deep. Mr. Spraker answered that he was correct. Mr. Galloway referred back to when Wilmette Avenue and Center Street were opened up for the YMCA and they were required to run waterlines with reimbursement back to them. He asked if this would allow that developer to be able to be reimbursed similar to the formula as with the Il Villaggio subdivision off of State Road 40, where whoever hooks up to the line receives the fees and cost reimbursements. Mr. Spraker replied that it would be an analysis by the applicant's engineer and the City's utility staff. There is an existing reimbursement policy, subsection B of the LDC. There are no changes to that and developers have the right to seek reimbursement. He concluded that this is for major subdivisions or major commercial developments to extend the utilities to build the infrastructure.

Mr. Jorczak asked if the property abutted a state park with no development to the land how it could back away to say it would not have to be extended to something where there is never going to be any development beyond there. Mr. Spraker replied that the Utilities Department has discretion where if there is no future utility service then the line is just extended to serve that property.

Mr. Briley motioned to approve LDC 2021-051 – Utility Line Extension, Land Development Code Amendment. Ms. Shull seconded it. Vote was called, and the motion was approved (7-0).

D. LDC 2021-052 – Mobile Food Dispensing Vehicles (Food Trucks), Land Development Code Amendment

Mr. Steven Spraker, Planning Director, stated that this is an administrative request to amend Section 1-22, Definitions of terms and words, of Chapter 1, General Administration, Article III, Definitions and Acronyms and Section 2-50, Accessory Uses, of Chapter 2, District and General Regulations, Article III, General Regulations, of the City of Ormond Beach Land Development Code (LDC) to add definitions and accessory use standards to allow mobile food dispensing vehicles (food trucks) under certain conditions and within certain zoning districts. Included in the Board packet was information on the history of the topic and now there is a House Bill as part of the Florida Statutes with three key parts: 1) Local Governments cannot license, register or inspect food trucks. The state preempts every jurisdiction and they are the licensing entity; 2) A jurisdiction cannot prohibit mobile food dispensing vehicles from operating with the entirety of the city. It has to be allowed somewhere within the city; 3) Local governments retain their authority to regulate the operations. Operational standards can be established for wherever it is allowed.

Mr. Spraker explained that the City's current regulations and policies allow food trucks at large scale civic events organized by the City or a nonprofit. Examples

include the Riverfest, Celtic Festival, and the 4th of July celebration. Larger scale nonprofit events include the Prince of Peace Oktoberfest, and the Calvary Christian Church 4th of July celebrations. Mr. Spraker continued that when the properties were annexed on the North U.S. Highway 1 corridor, through the Interlocal Service Boundary Agreement (ISBA), they had existing agreements to have food trucks. That existing ability continued on through their special events during Bike Week and Biketoberfest. A few years ago the City's LDC was amended to allow malted beverage producers in the I-1 zoning district to do food trucks and allow them to serve food with their tasting rooms.

Mr. Spraker explained that the proposed LDC amendment has specific types of regulations. The first regulation was permit types. A special event permit would be required for events such as the Celtic Festival or 4th of July event. A defined period of time is allowed for the special event, and food trucks can be a part of it. The second permit type is where food trucks would be allowed on private property. Mr. Spraker went on to explain the second type of permit, a host permit. The host is the property owner who is responsible for all of the operational standards to be sure that the food trucks are licensed and to make sure whatever site plan is approved that they follow. Private property requires a host permit which would be valid for one year.

Mr. Spraker detailed a second regulation of the proposed LDC amendment, the locational requirements of food trucks:

- 1) *City property as approved in association with a city sponsored event, or as approved by the Leisure Services Department with a special event permit. Permits are contingent on providing proof of liability insurance required for permittees and other conditions of a special event permit.*
- 2) *Houses of Worship special events that are designed for over 500 people with a special event permit.*
- 3) *Within the Interlocal Service Boundary Agreement area (ISBA) with recognized itinerant vending during recognized special events per Chapter 2, Article VII of this Code.*
- 4) *Within the B-8 (Commercial) and I-1 (Light Industrial) zoning district with a mobile food dispensing vehicle host permit. The B-8 zoning district is primarily along the North U.S. Highway 1 corridor, along Nova Road and portions of Granada Boulevard. The amendment does not propose to allow it in the downtown area on private property. It would still remain permissible at The Rockefeller House during special events and city special events but not on private property. The I-1 zoning districts allows it at the malted beverage producers and in areas at lunchtime.*
- 5) *No mobile food dispensing vehicles shall be permitted on vacant land or properties with vehicles to no principal use. A principal use shall be demonstrated with an active Business Tax Receipt (BTR).*

Mr. Spraker discussed a third regulation of the proposed LDC amendment, the operational standards. Mr. Spraker explained that these are the best practices that the City researched through other jurisdictions. The host permit would be responsible if there are violations of the ordinance.

Mr. Spraker stated staff is recommending approval of the LDC amendment and received correspondence from the Trails Homeowners' Association (HOA) regarding allowing food trucks at large residential community centers. If the Planning Board is inclined to do so the item could be tabled with it being added or bring it back as a separate portion of the code, allowing the current amendment to move forward and then bring it back later. He added that there is concern in general of how to include residential areas but may be opportunities for residential areas that have large clubhouses.

Mr. Briley commented that the Trails had a successful food truck rally recently. He continued that he can understand those type of events as well as allowing clubhouses to have the food trucks and would like staff to look at. Mr. Briley concluded that he agrees with the amendment.

Ms. Tolland stated that she lives in a community that does not have a clubhouse but has an annual neighborhood party and feels a food truck would be appropriate in that setting. She asked how many trucks are allowed under one permit. Mr. Spraker replied up to 30 percent of the parking lot. A site plan would be required showing the proper distance with information specifying that they had adequate parking. Attorney Hayes elaborated that there is a City ordinance in place that allows neighborhood parties with a permit. The regulations for it do not allow or provide food trucks. He continued that criteria should be researched for Houses of Worship and residential HOA type of events. The HOA events could be specified for residential subdivisions with at least "x" amount of residential dwellings and be required to meet other criteria. Attorney Hayes concluded that many factors need to be evaluated that will need staff's time to look at the HOA request independently and bring back at a later date.

Mr. Jorczak concurred with Attorney Hayes recommendation and commented that today's food truck amendment can be voted on as is, bringing the HOA amendment proposal back to the Board. It would be an appropriate item to add in the right format bringing back in another meeting.

Mr. Galloway asked about different scenarios for food trucks including special home deliveries and birthday parties. Attorney Hayes replied that it is not allowed. Mr. Galloway commented that he has noticed multiple apartment complexes advertise for food truck events. Attorney Hayes agreed that there is a lot of that type of activity and that the food truck operators may assume that the statute preempts all regulation in which it does not. It preempts the City's authority to regulate it throughout the entire jurisdiction. It can be not allowed in certain areas as long as it is allowed in other areas. Mr. Spraker added the code enforcement is reactionary and if there is no complaint on the action, then no enforcement will occur.

Mr. Galloway mentioned the Good Humor ice cream truck that goes out to birthday parties and events. Mr. Scudiero replied that ice cream trucks are not included. Mr. Spraker concurred and explained that if a food truck is part of a company's corporate office event and they are not selling to the general public, then that would be a catered event which staff does not consider a food truck event as a separate entity, and not intended for the public.

Following Board discussion, Attorney Hayes expressed that there are unique public safety issues with food trucks and would need to comply with fire safety standards and a host of other things. Mr. Spraker commented that it is dependent upon the

zoning authority. If the Board believes that food trucks are appropriate in residential areas then the proposed standards should be amended for special events and within certain commercial zoning districts. It may be expanded in the future.

Ms. Shull asked the difference between the ice cream truck and the food trucks. Mr. Spraker replied that there are different regulations within the Code of Ordinances. Mr. Scudiero commented that he recalled it came down to pre-packaged versus prepared food.

Mr. Scudiero remarked that he would like to approve as-is tonight. Staff will research other scenarios. He concluded that the Planning Board and City Commission should clarify specifications and rules to it in the future. Attorney Hayes agreed that it may be more appropriate than the other set of regulations that deal with neighborhood block parties.

Ms. Tolland elaborated that she approves of the amendment.

Ms. Shull asked about the process for the aforementioned food truck amendment additions and improvements. Attorney Hayes answered that this is a starting point and staff will look at it and improve upon it and bring it back to the Board. He continued that staff would need to know if there was a unique application for it and any regulations for block parties.

Mr. Galloway brought up a past Special Exception for companies that serve malted beverages and expressed feeling uncomfortable getting that finite, "selective zoning", which can cause fairness for some and rejection for others. Mr. Spraker commented that it is allowed in the entire I-1 zoning district and not only for the malted beverage producers. He continued that if there is interest in expanding the locational requirements, that it can be brought back before the Board.

Mr. Briley commented about HOA food truck events versus block party food truck events and their differences with closing streets. The HOA food truck event would be different and would not have to apply for the permit but under this amendment they would need a permit to have an event such as a food truck rally. Mr. Spraker concurred and remarked that the direction is to treat them like a host permit where they would be responsible for the location of the food trucks on their property.

Chairman Thomas asked about food trucks at sporting events and mentioned that PAL, PRIDE, OBYBSA, OBYBA and Pop Warner have their own concession stands for fundraising. Mr. Spraker answered that they can go to the Leisure Services Department and ask permission. Chairman Thomas stated that he does not feel it is appropriate to allow food trucks there. Attorney Hayes remarked that the aforementioned organizations have lease agreements with the City and are protected by them. It specifies that the City is not able to interfere with the operations. It was mentioned that it may be referencing city parks including Sanchez Park and Central Park for once a month type of activity. Chairman Thomas asked that it be stated that as long as the Leisure Services Department has an agreement with sports organizations that they are allowed to do the concession and no other food suppliers be allowed at the recreational areas. Attorney Hayes replied that it is already prohibited and the City would be in violation of the agreement if it did so.

Ms. Tolland offered a suggestion regarding organizations working with the food trucks and manning volunteers to serve out of them and give a percentage of the profit to the organization. She continued that she is interested in them having the opportunity to do that but be protected by the City. Attorney Hayes explained that

in order for that type of use the lease agreements would need to be amended as it is not currently allowed by Code and is not allowed under their contract with the City. The Code would need to be amended to authorize it and then the lease agreements would need to be amended to state that they have the ability to do it.

A discussion continued regarding food trucks at city sports events. Chairman Thomas expressed that he does not want the food trucks to affect the restaurants.

Audience Comments

Ms. Dorian Burt, 203 Pine Cone Trail, stated that as long as it is clear that the food trucks are not allowed downtown on any private property. The discussion is that they are allowed for City or nonprofit events. She explained that during special events the restaurants cannot accommodate all of the people, therefore there are no issues with food trucks at that time. Ms. Burt commented that block parties should be inside subdivisions and not on residential streets that are not part of a subdivision. She concluded that she would not want a block party on Lincoln Avenue taking away from the restaurants. Chairman Thomas replied that it is pretty clear that the restaurants are protected.

Mr. Jorczak motioned to approve LDC 2021-052 – Mobile Food Dispensing Vehicles (Food Trucks), Land Development Code Amendment. Mr. Briley seconded it. Vote was called, and the motion was approved (7-0).

E. LDC 2021-055 – Outdoor Activities (Car/Motorcycle Washes), Land Development Code Amendment

Mr. Steven Spraker, Planning Director, stated that LDC 2021-055 is an administrative request to amend Chapter 2 – District and General Regulations, Article III. – General Regulations, Section 2-50, Accessory Uses, subsection (v). – Outdoor activities of the Land Development Code (LDC), to amend the conditions for nonprofit related car and motorcycle washes. He continued that there are two processes to allow outdoor activities, the first being the Special Exception. As an applicant seeks to do items that are outside their building, they are required to go through a public hearing process. Mr. Spraker touched on recent examples including the Boot Hill Saloon with their itinerant merchants and music, Custom FX with their itinerant vendors, outdoor music and outdoor sales. In 2005 as part of an accessory use the City created an exception for nonprofit uses. Mr. Spraker commented that it was not reasonable to make nonprofits go through the public hearing process, therefore a section of code was created to allow a nonprofit a broad ability to support fundraising abilities which currently being discussed.

Mr. Spraker expressed that over the last few years there have been concerns and complaints regarding motorcycle washes specifically during Bike Week and Biketoberfest along South Atlantic Avenue. Concerns presented to staff have been the duration of motorcycle washes beyond a one day event, the location of the event on the property, workers advertising the event within the right-of-way, distractions to motorists and traffic safety. Mr. Spraker stated that staff have spoken with property and business owners who expressed that they feel that they are bringing a service during special events and are earning money for nonprofits as well as their businesses. The three options for the Board to consider are:



CITY OF ORMOND BEACH

City Manager • 22 S. Beach Street • Ormond Beach • Florida • 32174 • (386) 676-3200 • Fax (386) 676-3384

CITY MANAGER MEMORANDUM

To: The Honorable Mayor Partington and City Commissioners

Through: Joyce A. Shanahan, City Manager

From: Steven Spraker, Planning Director

Date: August 4, 2021

Subject: LDC Amendment - Gas Canopies

Commission Goal: Community Development - Other

Introduction

This is an administrative amendment to the Land Development Code (LDC), Chapter 3, Article VI - Architectural Design Standards, Section 3-70, Special structure provisions, to modify the requirements for motor vehicle service station canopies.

Background

With the adoption of the 2004 Land Development Code re-write, Chapter 3 - Performance Standards, Article VI - Architectural Design Standards was established to adopt citywide architectural standards. As part of the citywide architectural standards, Section 3-70 was created to provide regulations for gas station canopies. Through the Planned Development process for convenience stores with gasoline canopies, the architectural standards for the gasoline canopies have been modified based on individual site plans. Examples include RaceTrac (1670 West Granada Boulevard), Sunoco (3 North Yonge Street, 460 South Atlantic Avenue, and 1546 West Granada Boulevard) and Wawa (600 West Granada Boulevard).

In 2017, House Bill 1021 prohibited local governments from enacting or enforcing existing regulations that prevent the use of corporate trademarks, logos, color patterns or branding related to gas stations or other national corporate uses. The purpose of this amendment is to amend the motor vehicle service station canopies standards within the Land Development Code to be consistent with Section 553.79 of the Florida Statutes. This state law was also the basis for the Land Development Code amendment to allow the electronic changeable copy signage for retail prices of gasoline as a Special Exception.

Discussion

The Planning Board reviewed the proposed Land Development Code amendment and

recommended approval with a 7-0 vote. There were no individuals who spoke for or against the Land Development Code amendment. The minutes of the Planning Board meeting are attached in the City Commission packet.

Budget Impact

There is no budget impact associated with the Land Development Code amendment. The amendment seeks to align the Land Development Code with the Florida Statutes.

Citizen Impact

The Land Development Code amendment is not expected to have a citizen impact.

Recommendation

It is Planning staff's and the Planning Board recommendation (7-0) that the City Commission **APPROVE** amendments to the Land Development Code, Chapter 3 - Performance Standards, Article VI - Architectural Design Standards, Section 3-70, Special structure provisions, to modify the requirements for motor vehicle service station canopies, as shown in the attached Ordinance.

Attachments:

- 21-22 Gas Canopies (P21-0076G) (PDF)
- LDC amendment Section 3-70 Special structures, PB Staff Report (PDF)
- DRAFT - Planning Board minutes - Special Structures (PDF)

REVIEWED BY:


Kelly McGuire, Finance Director 6/9/2021


Claire Whitley, Assistant City Manager 7/5/2021

APPROVED BY:


Joyce A. Shanahan, City Manager 7/14/2021

ORDINANCE NO. 2021-22

AN ORDINANCE AMENDING CHAPTER 3, PERFORMANCE STANDARDS, ARTICLE VI, ARCHITECTURAL DESIGN STANDARDS, SECTION 3-70, SPECIAL STRUCTURE PROVISIONS, OF THE *LAND DEVELOPMENT CODE* TO AMEND THE REQUIREMENTS FOR MOTOR VEHICLE SERVICE STATION CANOPIES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, the City’s planning staff has proposed that the City of Ormond Beach *Land Development Code* (“the *LDC*”) be amended to modify the requirements for motor vehicle service station canopies within Section 3-70, Special structure provisions, of the *LDC*, and

WHEREAS, the local planning agency, being the Planning Board of the City of Ormond Beach, has reviewed the recommended amendment and has made recommendations thereon to the City Commission, and

WHEREAS, all applicable notice requirements of Section 166.041(3)(c)(2), *Florida Statutes*, have been complied with, and

WHEREAS, the City Commission finds the recommended amendment to be consistent with the provisions of the *Comprehensive Plan* of the City of Ormond Beach, and in the overall best interest of the public health, safety and welfare, now therefore,

**BE IT ENACTED BY THE PEOPLE OF THE CITY OF ORMOND BEACH,
FLORIDA, THAT:**

SECTION ONE. Section 3-70, Special structure provisions, of Chapter 3, Performance Standards, of Article VI, Architectural Design Standards, of the *LDC* is hereby amended to read as follows:

Sec. 3-70. - Special structure provisions.

Certain structures require special design considerations to integrate them properly into the community's architectural fabric. Such structures include motor vehicle service station pump island canopies, service bays for carwashes and motor vehicle service stations, power supply facilities, and drive through aisles. Also warranting special consideration are multifamily residential buildings, shopping centers/office complexes and big-box structures larger than ten thousand (10,000) square feet in size. Such facilities shall comply with the following requirements:

- (1) *Motor vehicle service station canopies.* Canopies are considered to be accessory structures. It is the intent of this subsection to ensure that canopies associated with convenience stores, motor vehicle service stations, etc., are designed such that they do not visually dominate the site, as compared to the size of the principal structure. Such canopies shall meet the following design criteria:
 - a. Architectural design shall be consistent with the principal structure in terms of style, roofline, colors, materials and finishes.
 - b. Decorative rooftop design embellishments shall be provided, such as dormers, cupolas, clerestory windows, and weathervanes, as consistent with the architectural style of the principal structure.
 - c. The columns must be of sufficient width so as to appear structural in proportion to the canopy, as consistent with the architectural style of the principal structure.
 - d. Bollards must be painted to match or be compatible with the color of the canopy and principal structure. If it is necessary that the bollards be painted a different color from that used for the building and canopy for the purposes of safety and visibility, then the color white shall be an acceptable alternative.
 - e. ~~Signage on the pump island canopy shall be prohibited, including striping with corporate brand colors. In addition, panels removed from signs on existing canopies shall not be replaced~~ The display on a pump island canopy of a corporate trademark or service mark, including the display of corporate branding identity consisting of trade dress, logos, color patterns, design scheme insignia, or image standards that are authorized and depicted by a corporate trademark or service mark, or by a franchise as provided in 16 Code

of Federal Regulations, section 436.1, may be allowed subject to the conditions in section 3-48 of this Code.

- f. Under-canopy light fixtures shall be recessed so as to minimize off-site glare and light intrusion. No part of the light fixtures, including bulb or glass, shall project downward beyond the bottom of the canopy so as to be visible from the adjacent public right-of-way.
 - g. ~~The maximum clearance between the pavement and the canopy ceiling shall be fourteen and one half feet (14½').~~
 - h. The maximum height of the canopy shall be no greater than that of the principal structure.
 - i. ~~The maximum total canopy area shall not be more than twenty-five percent (25%) greater than that of the principal structure.~~
- (2) *Open bays or service areas. ***No change to existing text****
 - (3) *Multifamily structures. ***No change to existing text****
 - (4) *Big-box structures. ***No change to existing text****

SECTION TWO. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION THREE. In the event any word, phrase, clause, sentence, paragraph, term, or provision of this Ordinance shall be held to be invalid by a court of competent jurisdiction, such judicial determination shall not affect any other word, clause, phrase, sentence, paragraph, term or provision, of this Ordinance, and the remainder of this Ordinance shall remain in full force and effect.

SECTION FOUR. This Ordinance shall take effect immediately upon its adoption.

PASSED UPON at the first reading of the City Commission, this 20th day of July, 2021.

PASSED UPON at the second and final reading of the City Commission, this 4th
day of August, 2021.

BILL PARTINGTON
Mayor

ATTEST:

WENDY J. HONTZ
Acting City Clerk

STAFF REPORT

City of Ormond Beach Department of Planning

DATE: May 3, 2021

SUBJECT: Land Development Code amendment: Section 3-70. - Special Structure Provisions (Motor vehicle service station canopies)

APPLICANT: Administrative

NUMBER: LDC 2021-054

PROJECT PLANNER: Steven Spraker, AICP, Planning Director

INTRODUCTION:

This is an administrative amendment to the Land Development Code (LDC), Chapter 3, Article VI.-Architectural Design Standards, Section 3-70, Special structure provisions, to modify the requirements for motor vehicle service station canopies.

BACKGROUND:

With the adoption of the 2004 Land Development Code re-write, Chapter 3 – Performance Standards, Article VI.-Architectural Design Standards was established to adopt citywide architectural standards. As part of the citywide architectural standards, Section 3-70 was created to provide regulations for gas station canopies. Through the Planned Development process for convenience stores with gasoline canopies the architectural standards for the gasoline canopies have been modified based on individual site plans. Examples include RaceTrac (1670 West Granada Boulevard), Sunoco (3 North Yonge Street, 460 South Atlantic Avenue, and 1546 West Granada Boulevard) and Wawa (600 West Granada Boulevard).

In 2017, House Bill 1021 prohibited local governments from enacting or enforcing existing regulations that prevent the use of corporate trademarks, logos, color patterns or branding related to gas stations or other national corporate uses. The legislation is included in Section 553.79, Permits; applications; issuance; inspections of the 2020 Florida Statutes as follows:

(22)(a) A political subdivision of this state may not adopt or enforce any ordinance or impose any building permit or other development order requirement that:

1. Contains any building, construction, or aesthetic requirement or condition that conflicts with or impairs corporate trademarks, service marks, trade dress, logos, color patterns, design scheme insignia, image standards, or other features of corporate branding identity on real property or improvements thereon used in activities conducted under chapter 526 or in carrying out business activities defined

as a franchise by Federal Trade Commission regulations in 16 C.F.R. ss. 436.1, et. seq.; or

2. Imposes any requirement on the design, construction, or location of signage advertising the retail price of gasoline in accordance with the requirements of ss. 526.111 and 526.121 which prevents the signage from being clearly visible and legible to drivers of approaching motor vehicles from a vantage point on any lane of traffic in either direction on a roadway abutting the gas station premises and meets height, width, and spacing standards for Series C, D, or E signs, as applicable, published in the latest edition of Standard Alphabets for Highway Signs published by the United States Department of Commerce, Bureau of Public Roads, Office of Highway Safety.

(b) This subsection does not affect any requirement for design and construction in the Florida Building Code.

(c) All such ordinances and requirements are hereby preempted and superseded by general law. This subsection shall apply retroactively.

(d) This subsection does not apply to property located in a designated historic district.

The purpose of this amendment is to amend the motor vehicle service station canopies standards within the Land Development Code to be consistent with Section 553.79 of the Florida Statutes. This state law was also the basis for the Land Development Code amendment to allow the electronic changeable copy signage for retail prices of gasoline as a Special Exception.

ANALYSIS:

The proposed Land Development Code amendment is shown below. The underlined text are additions to the original text and ~~strike through~~ are the deleted text of the amendment.

Sec. 3-70. - Special structure provisions.

Certain structures require special design considerations to integrate them properly into the community's architectural fabric. Such structures include motor vehicle service station pump island canopies, service bays for carwashes and motor vehicle service stations, power supply facilities, and drive through aisles. Also warranting special consideration are multifamily residential buildings, shopping centers/office complexes and big-box structures larger than ten thousand (10,000) square feet in size. Such facilities shall comply with the following requirements:

- (1) *Motor vehicle service station canopies.* Canopies are considered to be accessory structures. It is the intent of this subsection to ensure that canopies associated with convenience stores, motor vehicle service stations, etc., are designed such that they do not visually dominate the site, as compared to the size of the principal structure. Such canopies shall meet the following design criteria:

- a. Architectural design shall be consistent with the principal structure in terms of style, roofline, colors, materials and finishes.
 - b. Decorative rooftop design embellishments shall be provided, such as dormers, cupolas, clerestory windows, and weathervanes, as consistent with the architectural style of the principal structure.
 - c. The columns must be of sufficient width so as to appear structural in proportion to the canopy, as consistent with the architectural style of the principal structure.
 - d. Bollards must be painted to match or be compatible with the color of the canopy and principal structure. If it is necessary that the bollards be painted a different color from that used for the building and canopy for the purposes of safety and visibility, then the color white shall be an acceptable alternative.
 - e. ~~Signage on the pump island canopy shall be prohibited, including striping with corporate brand colors. In addition, panels removed from signs on existing canopies shall not be replaced~~ The display on a pump island canopy of a corporate trademark or service mark, including the display of corporate branding identity consisting of trade dress, logos, color patterns, design scheme insignia, or image standards that are authorized and depicted by a corporate trademark or service mark, or by a franchise as provided in 16 Code of Federal Regulations, section 436.1, may be allowed subject to the conditions in section 3-48 of this Code.
 - f. Under-canopy light fixtures shall be recessed so as to minimize off-site glare and light intrusion. No part of the light fixtures, including bulb or glass, shall project downward beyond the bottom of the canopy so as to be visible from the adjacent public right-of-way.
 - g. ~~The maximum clearance between the pavement and the canopy ceiling shall be fourteen and one half feet (14½').~~
 - h. The maximum height of the canopy shall be no greater than that of the principal structure.
 - i. ~~The maximum total canopy area shall not be more than twenty five percent (25%) greater than that of the principal structure.~~
- (2) *Open bays or service areas. ***No change to existing text****
 - (3) *Multifamily structures. ***No change to existing text****
 - (4) *Big-box structures. ***No change to existing text****

The amendments are consistent with Section 553.79 of the Florida Statutes. Per the state law, convenience stores with gasoline canopies are allowed to display their corporate trademarks, logos, and signage.

CONCLUSION:

Section 1-15(d)(3) of the Land Development Code requires certain criteria that must be evaluated before adoption of a Land Development Code amendment when making their recommendation, as follows:

- 1. The proposed development conforms to the standards and requirements of this Code and will not create undue crowding beyond the conditions normally**

permitted in the zoning district, or adversely affect the public health, safety, welfare or quality of life.

The proposed amendment does not propose any site-specific development. This amendment seeks to align the Land Development Code with Section 553.79 of the Florida Statutes. Past convenience stores with gasoline canopies have been permitted corporate trademarks and signage through the Planned Development process. It is not expected that the proposed Land Development Code amendment would create undue crowding beyond the conditions normally permitted in the zoning district, or adversely affect the public health, safety, welfare or quality of life.

2. The proposed development is consistent with the Comprehensive Plan.

The proposed Land Development Code amendment is consistent with the Comprehensive Plan. Objective 2.1 of the Future Land Use Element of the Comprehensive Plan discussed the need to update Land Development Code regulations.

3. The proposed development will not adversely impact environmentally sensitive lands or natural resources, including but not limited to waterbodies, wetlands, xeric communities, wildlife habitats, endangered or threatened plants and animal species or species of special concern, wellfields, and individual wells.

The proposed Land Development Code amendment does not approve any site-specific development and will not have an adverse impact on environmentally sensitive lands.

4. The proposed use will not substantially or permanently depreciate the value of surrounding property; create a nuisance; or deprive adjoining properties of adequate light and air; create excessive noise, odor, glare, or visual impacts on the neighborhood and adjoining properties.

The proposed Land Development Code amendment does not approve any site-specific development and will not have any impacts on surrounding properties.

5. There are adequate public facilities to serve the development, including but not limited to roads, sidewalks, bike paths, potable water, wastewater treatment, drainage, fire and police safety, parks and recreation facilities, schools, and playgrounds.

The proposed Land Development Code amendment is not applicable to public facilities.

6. Ingress and egress to the property and traffic patterns are designed to protect and promote motorized vehicle and pedestrian/bicycle safety and convenience, allow for desirable traffic flow and control, and provide adequate access in case of fire or catastrophe. This finding shall be based on a traffic report where available, prepared by a qualified traffic consultant, engineer or planner which details the anticipated or projected effect of the project on adjacent roads and the impact on public safety.

There is no development proposed as part of the proposed amendment. The application pertains to a Land Development Code amendment.

7. The proposed development is functional in the use of space and aesthetically acceptable.

There is no development proposed as part of the proposed amendment. The application pertains to a Land Development Code amendment.

8. The proposed development provides for the safety of occupants and visitors.

There is no development proposed as part of the proposed amendment. The application pertains to a Land Development Code amendment.

9. The proposed use of materials and architectural features will not adversely impact the neighborhood and aesthetics of the area.

There is no development proposed as part of the proposed amendment. The application pertains to a Land Development Code amendment.

10. The testimony provided at public hearings.

There has not been a public hearing at this time. The comments from the Planning Board meeting will be incorporated into the City Commission packet.

RECOMMENDATION:

It is recommended that the Planning Board **APPROVE** the amendments to the Land Development Code, Chapter 3 – Performance Standards, Article VI.-Architectural Design Standards, Section 3-70, Special structure provisions, to modify the requirements for motor vehicle service station canopies, as shown in Attachment 1.

Attachments:

Attachment 1: Proposed Land Development Code amendment

Attachment 2: Current Section 3-70 of the Land Development Code

Attachment 1:

Proposed Land Development Code amendment

Chapter 3 – Performance Standards, Article VI.-Architectural Design Standards

Sec. 3-70. - Special structure provisions.

Certain structures require special design considerations to integrate them properly into the community's architectural fabric. Such structures include motor vehicle service station pump island canopies, service bays for carwashes and motor vehicle service stations, power supply facilities, and drive through aisles. Also warranting special consideration are multifamily residential buildings, shopping centers/office complexes and big-box structures larger than ten thousand (10,000) square feet in size. Such facilities shall comply with the following requirements:

- (1) *Motor vehicle service station canopies.* Canopies are considered to be accessory structures. It is the intent of this subsection to ensure that canopies associated with convenience stores, motor vehicle service stations, etc., are designed such that they do not visually dominate the site, as compared to the size of the principal structure. Such canopies shall meet the following design criteria:
 - a. Architectural design shall be consistent with the principal structure in terms of style, roofline, colors, materials and finishes.
 - b. Decorative rooftop design embellishments shall be provided, such as dormers, cupolas, clerestory windows, and weathervanes, as consistent with the architectural style of the principal structure.
 - c. The columns must be of sufficient width so as to appear structural in proportion to the canopy, as consistent with the architectural style of the principal structure.
 - d. Bollards must be painted to match or be compatible with the color of the canopy and principal structure. If it is necessary that the bollards be painted a different color from that used for the building and canopy for the purposes of safety and visibility, then the color white shall be an acceptable alternative.
 - e. ~~Signage on the pump island canopy shall be prohibited, including striping with corporate brand colors. In addition, panels removed from signs on existing canopies shall not be replaced~~ The display on a pump island canopy of a corporate trademark or service mark, including the display of corporate branding identity consisting of trade dress, logos, color patterns, design scheme insignia, or image standards that are authorized and depicted by a corporate trademark or service mark, or by a franchise as provided in 16 Code of Federal Regulations, section 436.1, may be allowed subject to the conditions in section 3-48 of this Code.
 - f. Under-canopy light fixtures shall be recessed so as to minimize off-site glare and light intrusion. No part of the light fixtures, including bulb or glass, shall project downward beyond the bottom of the canopy so as to be visible from the adjacent public right-of-way.
 - g. ~~The maximum clearance between the pavement and the canopy ceiling shall be fourteen and one-half feet (14½').~~
 - h. The maximum height of the canopy shall be no greater than that of the principal structure.

- i. ~~The maximum total canopy area shall not be more than twenty-five percent (25%) greater than that of the principal structure.~~
- (2) *Open bays or service areas. ***No change to existing text****
- (3) *Multifamily structures. ***No change to existing text****
- (4) *Big-box structures. ***No change to existing text****

Attachment 2:

Current Section 3-70 of the
Land Development Code

PERFORMANCE STANDARDS

§ 3-70



(Ord. No. 2012-25, § 4, 9-4-2012)

Sec. 3-70. Special structure provisions.

Certain structures require special design considerations to integrate them properly into the community's architectural fabric. Such structures include motor vehicle service station pump island canopies, service bays for carwashes and motor vehicle service stations, power supply facilities, and drive through aisles. Also warranting special consideration are multifamily residential buildings, shopping centers/office complexes and big-box structures larger than ten thousand (10,000) square feet in size. Such facilities shall comply with the following requirements:

- (1) *Motor vehicle service station canopies.* Canopies are considered to be accessory structures. It is the intent of this subsection to ensure that canopies associated with

convenience stores, motor vehicle service stations, etc., are designed such that they do not visually dominate the site, as compared to the size of the principal structure. Such canopies shall meet the following design criteria:

- a. Architectural design shall be consistent with the principal structure in terms of style, roofline, colors, materials and finishes.
 - b. Decorative rooftop design embellishments shall be provided, such as dormers, cupolas, clerestory windows, and weathervanes, as consistent with the architectural style of the principal structure.
 - c. The columns must be of sufficient width so as to appear structural in proportion to the canopy, as consistent with the architectural style of the principal structure.
 - d. Bollards must be painted to match or be compatible with the color of the canopy and principal structure. If it is necessary that the bollards be painted a different color from that used for the building and canopy for the purposes of safety and visibility, then the color white shall be an acceptable alternative.
 - e. Signage on the pump island canopy shall be prohibited, including striping with corporate brand colors. In addition, panels removed from signs on existing canopies shall not be replaced.
 - f. Under-canopy light fixtures shall be recessed so as to minimize off-site glare and light intrusion. No part of the light fixtures, including bulb or glass, shall project downward beyond the bottom of the canopy so as to be visible from the adjacent public right-of-way.
 - g. The maximum clearance between the pavement and the canopy ceiling shall be fourteen and one-half feet (14½').
 - h. The maximum height of the canopy shall be no greater than that of the principal structure.
 - i. The maximum total canopy area shall not be more than twenty-five percent (25%) greater than that of the principal structure.
- (2) *Open bays or service areas.* Structures that feature open bays or service areas, such as car washes, motor vehicle service stations, and office/warehouses, shall be oriented on a site in such a fashion that the open bays do not face the primary public road on which the structures are located. Facility site design shall also utilize landscaping to help screen open bays from public rights-of-way. Service areas not enclosed in a building shall be screened through similar means.
- (3) *Multifamily structures.* Multifamily developments shall comply with the following:
- a. Outdoor patio areas of individual living units and community facilities shall be designed to provide maximum visual privacy. Such areas shall be enclosed with screen, or screened by opaque fence or walls or with landscaping and/or berms with landscaping.

DRAFT

May 13, 2021 Planning Board minutes

Administrative amendment to the Land Development Code (LDC),
Chapter 3, Article VI.-Architectural Design Standards, Section 3-
70, Special structure provisions.

Ms. Tolland asked if the City's rating of 6 was a good rating. Ms. Weedo answered that the ratings are similar to golf where 1 is best. Starting off with 10, there is an opportunity to get to 1 and with each progression receive an additional 5 percent. Currently the City is 20 percent and if improving the rating would go to 5, receiving a 25 percent discount.

Mr. Jorczak motioned to approve LDC 2021-050 – Floodplain Management, Land Development Code Amendment. Ms. Tolland seconded it. Vote was called, and the motion was approved (7-0).

H. LDC 2021-054 – Special Structure Provisions (Motor vehicle service station canopies), Land Development Code Amendment

Mr. Steven Spraker, Planning Director, stated that LDC 2021-054 is an administrative amendment to the Land Development Code (LDC), Chapter 3, Article VI.-Architectural Design Standards, Section 3-70, Special Structure Provisions, to modify the requirements for motor vehicle service station canopies. He explained that there was a house bill that prohibited local governments from infringing on trademarks and corporate logos. It is the same bill that led to the electronic changeable copy signs. The City cannot restrict gas stations from having their corporate identity. Mr. Spraker continued that the LDC changes recognizes that and allows signage per the LDC based on the canopy. The height was also cleaned up from 14.5 feet high and now there is a 16 foot clearance required for fire trucks. Mr. Spraker concluded that staff recommends approval of the amendments to the Land Development Code (LDC), Chapter 3-Performance Standards, Article VI.-Architectural Design Standards, Section 3-70, Special Structure Provisions, to modify the requirements for motor vehicle service station canopies, as shown in Attachment 1. The tentative City Commission dates are July 20, 2021 and August 4, 2021.

Mr. Briley motioned to approve LDC 2021-054 – Special Structure Provisions (Motor vehicle service station canopies), Land Development Code Amendment. Mr. Galloway seconded it. Vote was called, and the motion was approved (7-0).

I. LDC 2021-056 – Sidewalks, Land Development Code Amendment

Mr. Steven Spraker, Planning Director, stated that this is an administrative amendment to the Land Development Code (LDC), Chapter 3-Performance Standards, Article V.-Utility and Infrastructure Design Standards, Section 3-55, Bicycle and pedestrian ways, to (1) allow payment in lieu of constructing a sidewalk under certain conditions and (2) requiring sidewalks on both sides of the street in new subdivisions. Mr. Spraker elaborated on how we have known that the City's regulations only require sidewalks on one side of the street and have routinely through Planned Developments required them on both sides because it can be asked for in Planned Development. Staff is seeking to amend the code to require it for new subdivisions.

Mr. Spraker added that the second item is regarding establishment of a sidewalk fund. This would be a tool and not used on a consistent basis. Ormond Ace Hardware is a good example referenced where there is a larger project coming in and they do not need to make a sidewalk that is going to be ripped up in the future. He mentioned



CITY OF ORMOND BEACH

City Manager • 22 S. Beach Street • Ormond Beach • Florida • 32174 • (386) 676-3200 • Fax (386) 676-3384

CITY MANAGER MEMORANDUM

To: The Honorable Mayor Partington and City Commissioners

Through: Joyce A. Shanahan, City Manager

From: Steven Spraker, Planning Director

Date: August 4, 2021

Subject: LDC Amendment - Floodplain Management

Commission Goal: N/A

Introduction

This is an administrative amendment to the Land Development Code (LDC), Chapter 1, General Administration, Article III, Definitions and Acronyms, Section 1-22, Definitions of Terms and Words; and Chapter 3, Performance Standards, Article II, Environmental Protection Standards, Section 3-20 Floodplain Management and Protection; to update the current regulations for floodplain management consistent with the state model ordinance, and includes the new requirements of the 2021 Addendum to the Community Rating System (CRS) program that went into effect January 1, 2021. The proposed ordinance amendments have been reviewed and approved by the Florida Department of Emergency Management for consistency with the state model floodplain ordinance and the Florida Building Code.

Background

The City of Ormond Beach participates in the FEMA, National Flood Insurance Program, CRS. The CRS is a voluntary incentive program that recognizes and encourages community floodplain management activities that exceed the minimum NFIP requirements. Currently, the City's CRS rating is a "6" which provides up to a 20% discount to flood policy holders in the Special Flood Hazard Area.

An Addendum to the 2017 CRS Coordinator's Manual became effective on January 1, 2021. The addendum requires changes to the City's floodplain management regulations in order to meet the minimal qualifications for maintaining the current CRS rating. These changes are consistent with the State model ordinance previously adopted and the Florida Building Code.

Discussion

The Planning Board reviewed the proposed Land Development Code amendments on

May 13, 2021 and unanimously recommended approval (7-0). There were no speakers for or against the amendments.

Budget Impact

The proposed amendment has no budget impact.

Citizen Impact

The proposed amendments will continue the City's participation in the National Flood Insurance Program and the Community Rating System while coordinating with the Florida Building Code. Currently, by participating in these programs, property owners are able to purchase flood insurance from the NFIP, the City can take advantage of disaster assistance when a declaration of disaster is determined, and the City can offer a discount that saves flood policy holders over \$173,000 annually.

Recommendation

It is recommended that the City Commission **APPROVE** the attached Ordinance to amend Chapter 1, General Administration, Article III, Definitions and Acronyms, Section 1-22, Definitions of Terms and Words; and Chapter 3, Performance Standards, Article II, Environmental Protection Standards, Section 3-20 Floodplain Management and Protection consistent with the state model floodplain ordinance and the Florida Building Code, and furthering the City's continued participation in the Community Rating System related to the CRS Addendum 2021.

Attachments:

- 21-25 LDC Amendment - Floodplain Management (P21-0069G) (PDF)
- LDC 21-050_FloodplainManagement - PB pkt (PDF)
- DRAFT - Planning Board minutes - Floodplain (PDF)

REVIEWED BY:


Kelly McGuire, Finance Director 6/9/2021


Claire Whitley, Assistant City Manager 7/22/2021

APPROVED BY:


Joyce A. Shanahan, City Manager 7/27/2021

ORDINANCE NO. 2021-25

AN ORDINANCE AMENDING CHAPTER 1, GENERAL ADMINISTRATION, ARTICLE III, DEFINITIONS AND ACRONYMS, SECTION 1-22, DEFINITIONS OF TERMS AND WORDS; AND CHAPTER 3, PERFORMANCE STANDARDS, ARTICLE II, ENVIRONMENTAL PROTECTION STANDARDS, OF THE CITY OF ORMOND BEACH, LAND DEVELOPMENT CODE, BY AMENDING THE FLOODPLAIN MANAGEMENT AND PROTECTION REGULATIONS; AND REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR APPLICABILITY; SEVERABILITY; AND AN EFFECTIVE DATE.

WHEREAS, the City of Ormond Beach participates in the National Flood Insurance Program and participates in the NFIP's Community Rating System, a voluntary incentive program that recognizes and encourages community floodplain management activities that exceed the minimum program requirements; and

WHEREAS, the City of Ormond Beach achieved a CRS rating of Class 6, making citizens who purchase NFIP flood insurance policies eligible for premium discounts; and

WHEREAS, in October 2020, the NFIP Community Rating System established certain minimum prerequisites for communities to qualify for or maintain class ratings of Class 8 or better; and

WHEREAS, to satisfy the prerequisite, and for the City of Ormond Beach to maintain the current CRS rating, all manufactured homes installed or replaced in special flood hazard areas must be elevated so that the lowest floors are at or above the base flood elevation plus 1 foot; and

WHEREAS, for purposes of this Ordinance text with underlined (underlined) type

shall constitute additions to the original text and text with strike-through (~~strike-through~~) type shall constitute deletions to the original text; and

WHEREAS, the City of Ormond Beach has determined that it is in the public interest to amend the floodplain management regulations to better protect owners and occupants of manufactured homes and to continue participating in the Community Rating System at the current class rating; and

WHEREAS, the Federal Emergency Management Agency released FEMA Policy #104-008-03 Floodplain Management Requirements for Agricultural Structures and Accessory Structures; and

WHEREAS, in accordance with its broad home rule powers, the City of Ormond Beach has determined it appropriate to adopt regulations that are consistent with the FEMA Policy to allow issuance of permits for wet floodproofed accessory structures that are not larger than the sizes specified in the FEMA Policy; and

WHEREAS, the City Commission finds the requested amendment to be consistent with the provisions of the Comprehensive Plan of the City of Ormond Beach, and in the overall best interest of the public health, safety and welfare, now therefore,

BE IT ENACTED BY THE PEOPLE OF THE CITY OF ORMOND BEACH, FLORIDA, THAT:

SECTION ONE. Section 1-22, Definition of terms and words, Article III, Definitions and Acronyms, of Chapter 1, General Administration, of the *Land Development Code* is hereby amended to read as follows:

Accessory structure, for the purpose of floodplain management, means a structure used only for parking and storage that is located on the same parcel of property as a principal structure and the use of which is incidental to the use of the principal structure.

~~Existing manufactured home park or subdivision~~, for floodplain management purposes means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before September 7, 1973.

~~Expansion to an existing manufactured home park or subdivision~~ means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

~~Market value~~ means the price at which a property will change hands between a willing buyer and a willing seller, neither party being under compulsion to buy or sell and both having reasonable knowledge of relevant facts. As as used in section 3-20, the term "market value" refers to the market value of buildings and structures, excluding the land and other improvements on the parcel. Market value may be established by a qualified independent appraiser, is the actual cash value (like-kind replacement cost depreciated for age, wear and tear, neglect, and quality of construction), or tax assessment value adjusted to approximate market value by a factor provided by the property appraiser.

~~New manufactured home park or subdivision~~ mean a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after September 7, 1973.

(All other definitions in Section 1-22 remain unchanged)

SECTION TWO. Paragraph (i) and paragraph (l) of Section 3-20, Floodplain management and protection, of Article II, Environmental Protection Standards, of Chapter 3, Performance Standards, of the Land Development Code and is hereby amended to read as follows:

(i) *Buildings and structures.*

(4) *Accessory structures.* Accessory structures ~~not subject to the Florida Building Code are permitted without complying with elevation or dry floodproofing requirements provided~~

~~all of the following criteria are met:~~ are permitted below the base flood elevation provided the accessory structures are used only for parking or storage and:

- a. ~~Accessory structures shall be used only for parking and storage and not for human habitation (including working, sleeping, living, cooking or restroom areas); If located in special flood hazard areas (Zone A/AE) other than coastal high hazard areas, are one-story and not larger than 600 sq. ft.~~
- b. ~~Accessory structures shall be designed to have low flood damage potential (wet floodproofing); If located in special flood hazard areas (Zone A/AE) other than coastal high hazard areas, have flood openings in accordance with Section R322.2 of the Florida Building Code, Residential.~~
- c. ~~Accessory structures shall be constructed using flood damage-resistant materials below the base flood elevation; If located in coastal high hazard areas (Zone V/VE), are not located below elevated buildings and are not larger than 100 sq. ft.~~
- d. ~~Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters; Are anchored to resist flotation, collapse or lateral movement resulting from flood loads.~~
- e. ~~Accessory structures shall be firmly anchored to prevent flotation, collapse or lateral movement of the structure; Have flood damage-resistant materials used below the base flood elevation plus one (1) foot.~~
- f. ~~Service facilities such as electrical and heating equipment shall be elevated above base flood elevation or be floodproofed; and Have mechanical, plumbing and electrical systems, including plumbing fixtures, elevated to or above the base flood elevation plus one (1) foot.~~
- g. ~~Flood openings to relieve hydrostatic pressure during a flood shall be provided in accordance with section R322.2 of the Florida Building Code, Residential.~~

(l) *Manufactured Homes.*

(1) (No change to existing text)

(2) (No change to existing text)

(3) (No change to existing text)

(4) *Elevation.* All manufactured homes that are placed, replaced, or substantially improved in flood hazard areas shall be elevated such that the bottom of the frame is at or above the elevation required, as applicable to the flood hazard area, in the *Florida Building Code, Residential* Section R322.2 (Zone A) or Section R322.3 (Zone V and Coastal A Zone). Manufactured homes that are placed, replaced, or substantially improved shall comply with subsections (1)(5) or (1)(6) of this section, as applicable.

~~(5) General elevation requirement.~~ Unless subject to the requirements of subsection (1)(6) of this section, all manufactured homes that are placed, replaced, or substantially improved on sites located:

- ~~a. Outside of a manufactured home park or subdivision;~~
- ~~b. In a new manufactured home park or subdivision;~~
- ~~c. In an expansion to an existing manufactured home park or subdivision; or~~
- ~~d. In an existing manufactured home park or subdivision upon which a manufactured home has incurred "substantial damage" as the result of a flood, shall be elevated such that the bottom of the frame is at or above the elevation required, as applicable to the flood hazard area, in the Florida Building Code, Residential section R322.2 (Zone A) or section R322.3 (Zone V).~~

~~(6) Elevation requirement for certain existing manufactured home parks and subdivisions.~~ Manufactured homes that are not subject to subsection (1)(5) of this section, including manufactured homes that are placed, replaced, or substantially improved on sites located in an existing manufactured home park or subdivision, unless on a site where substantial damage as result of flooding has occurred, shall be elevated such that either the:

- ~~a. Bottom of the frame of the manufactured home is at or above the elevation required, as applicable to the flood hazard area, in the Florida Building Code, Residential section R322.2 (Zone A) or section R322.3 (Zone V); or~~
- ~~b. Bottom of the frame is supported by reinforced piers or other foundation elements of at least equivalent strength that are not less than 48 inches in height above grade.~~

~~(5)(7) Enclosures.~~ Enclosed areas below elevated manufactured homes shall comply with the requirements of the Florida Building Code, Residential section R322.2 or R322.3 for such enclosed areas, as applicable to the flood hazard area.

~~(6)(8) Utility equipment.~~ Utility equipment that serves manufactured homes, including electric, heating, ventilation, plumbing, and air conditioning equipment and other service facilities, shall comply with the requirements of the Florida Building Code, Residential section R322, as applicable to the flood hazard area.

~~(7)(9) Evacuation plan.~~ A plan for notification and evacuation of residents of new manufactured home parks or subdivisions shall be developed and submitted to the city for approval.

SECTION FOUR. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION FIVE. In the event any word, phrase, clause, sentence, paragraph, term, or provision of this Ordinance shall be held to be invalid by a court of competent jurisdiction, such judicial determination shall not affect any other word, clause, phrase, sentence, paragraph, term or provision, of this Ordinance, and the remainder of this Ordinance shall remain in full force and effect.

SECTION SIX. This Ordinance shall take effect immediately upon its adoption.

PASSED UPON at the first reading of the City Commission, this 4th day of August, 2021.

PASSED UPON at the second and final reading of the City Commission this 17th day of August, 2021.

BILL PARTINGTON
Mayor

ATTEST:

WENDY J. HONTZ
Acting City Clerk

STAFF REPORT

City of Ormond Beach Department of Planning

MEETING DATE: May 13, 2021

SUBJECT: Land Development Code Amendment:
Floodplain Management and Protection Regulations

APPLICANT: Administrative

NUMBER: LDC 21-050

PROJECT PLANNER: Becky Weedo, AICP, CFM, Senior Planner

INTRODUCTION:

This is an administrative amendment to the Land Development Code (LDC), Chapter 1, General Administration, Article III, Definitions and Acronyms, Section 1-22, Definitions of Terms and Words; and Chapter 3, Performance Standards, Article II, Environmental Protection Standards, Section 3-20 Floodplain Management and Protection; to update the current regulations for floodplain management consistent with the state model ordinance and includes the new requirements of the 2021 Addendum to the CRS program effective January 1, 2021. The proposed ordinance amendments have been reviewed and approved by the Florida Department of Emergency Management for consistency with the state model floodplain ordinance and the Florida Building Code.

BACKGROUND:

The City of Ormond Beach participates in the Federal Emergency Management Agency (FEMA), National Flood Insurance Program (NFIP), Community Rating System (CRS). The CRS is a voluntary incentive program that recognizes and encourages community floodplain management activities that exceed the minimum NFIP requirements. As a result, flood insurance premium rates are discounted to reflect the reduced flood risk resulting from the City's actions meeting the three goals of the CRS:

1. Reduce flood damage to insurable property;
2. Strengthen and support the insurance aspects of the NFIP, and
3. Encourage a comprehensive approach to floodplain management.

Currently, the City's CRS rating is a "6" which provides up to a 20% discount to flood policy holders in the Special Flood Hazard Area. It has come to staff's attention that a 2021 CRS Addendum became effective on January 1, 2021. The addendum requires changes to the City's floodplain management regulations in order to meet the minimal qualifications for maintaining the current CRS rating. These changes are consistent

with the State model ordinance previously adopted and the Florida Building Code. A Draft Floodplain Management Ordinance is attached as Exhibit 1.

LDC AMENDMENT: The following summarizes the changes that are being proposed to ensure the regulations meet the minimal requirements of the CRS program for continued participation.

1. *Chapter 2, Article III, Section 1-22, Definitions*₁ is proposed to be amended to include definitions required as a minimum for continued participation in the National Flood Insurance Program, Community Rating System (2021 CRS Addendum), and consistency with the Florida Building Code as follows:

Definition	Proposed Change
<i>Accessory structure, for the purpose of floodplain management</i>	Definition added related to accessory structures for floodplain purposes only: <u>Accessory structure, for the purpose of floodplain management means a structure used only for parking and storage that is located on the same parcel of property as a principal structure and the use of which is incidental to the use of the principal structure.</u>
<i>Existing manufactured home park or subdivision</i>	Definition deleted. No longer needed since requirements are inclusive to all manufactured homes regardless of what type of park or subdivision it is located in.
<i>Expansion to an existing manufactured home, park or subdivision</i>	Definition deleted. No longer needed since requirements are inclusive to all manufactured homes regardless of what type of park or subdivision it is located in.
<i>Market value</i>	Definition updated: Market value means the price at which a property will change hands between a willing buyer and a willing seller, neither party being under compulsion to buy or sell and both having reasonable knowledge of relevant facts. As <u>as</u> used in section 3-20 , the term "market value" refers to the market value of buildings and structures, excluding the land and other improvements on the parcel. Market value may be established by a qualified independent appraiser, is the actual cash value (<u>like-kind</u> replacement cost depreciated for age, <u>wear and tear, neglect,</u> and quality of construction), or tax assessment value adjusted to approximate market value by a factor provided by the

Definition	Proposed Change
	property appraiser.
<i>New manufactured home park or subdivision</i>	Definition deleted. No longer needed since requirements are inclusive to all manufactured homes regardless of what type of park or subdivision it is located in.

2. Chapter 3 Article II, Section 3-20, Floodplain management and protection is proposed to be amended to incorporate the minimum NFIP CRS standards coordinated with the Florida Building Code. The proposed amended language is as follows:

LDC Section	Proposed Change
3-20 (j)(4)	Amend as follows, “Accessory structures not subject to the Florida Building Code are permitted without complying with elevation or dry floodproofing requirements provided all of the following criteria are met: <u>are permitted below the base flood elevation provided the accessory structures are used only for parking or storage and:</u>
3-20 (j)(4)	a. Accessory structures shall be used only for parking and storage and not for human habitation (including working, sleeping, living, cooking or restroom areas); If located in special flood hazard areas (Zone A/AE) other than coastal high hazard areas, are one-story and not larger than 600 sq. ft. b. Accessory structures shall be designed to have low flood damage potential (wet floodproofing); If located in special flood hazard areas (Zone A/AE) other than coastal high hazard areas, have flood openings in accordance with Section R322.2 of the Florida Building Code, Residential. c. Accessory structures shall be constructed using flood damage resistant materials below the base flood elevation; If located in coastal high hazard areas (Zone V/VE), are not located below elevated buildings and are not larger than 100 sq. ft. d. Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters; Are anchored to resist flotation, collapse or lateral movement resulting from flood loads. e. Accessory structures shall be firmly anchored to prevent flotation, collapse or lateral movement of the structure; Have flood damage-resistant materials used below the base flood elevation plus one (1) foot. f. Service facilities such as electrical and heating equipment shall be elevated above base flood elevation or be floodproofed; and Have mechanical, plumbing and electrical systems, including plumbing fixtures, elevated to or above the base flood elevation plus one (1) foot. g. Flood openings to relieve hydrostatic pressure during a flood shall be provided in accordance with section R322.2 of the Florida Building Code, Residential.”

LDC Section	Proposed Change
3-20 (1)(4-7)	(4) <i>Elevation.</i> <u>All manufactured homes that are placed, replaced, or substantially improved in flood hazard areas shall be elevated such that the bottom of the frame is at or above the elevation required, as applicable to the flood hazard area, in the Florida Building Code, Residential Section R322.2 (Zone A) or Section R322.3 (Zone V and Coastal A Zone).</u> Manufactured homes that are placed, replaced, or substantially improved shall comply with subsections (1)(5) or (1)(6) of this section, as applicable. (5) General elevation requirement. Unless subject to the requirements of subsection (1)(6) of this section, all manufactured homes that are placed, replaced, or substantially improved on sites located: a. Outside of a manufactured home park or subdivision; b. In a new manufactured home park or subdivision; c. In an expansion to an existing manufactured home park or subdivision; or d. In an existing manufactured home park or subdivision upon which a manufactured home has incurred "substantial damage" as the result of a flood, shall be elevated such that the bottom of the frame is at or above the elevation required, as applicable to the flood hazard area, in the Florida Building Code, Residential section R322.2 (Zone A) or section R322.3 (Zone V). (6) Elevation requirement for certain existing manufactured home parks and subdivisions. Manufactured homes that are not subject to subsection (1)(5) of this section, including manufactured homes that are placed, replaced, or substantially improved on sites located in an existing manufactured home park or subdivision, unless on a site where substantial damage as result of flooding has occurred, shall be elevated such that either the: a. Bottom of the frame of the manufactured home is at or above the elevation required, as applicable to the flood hazard area, in the Florida Building Code, Residential section R322.2 (Zone A) or section R322.3 (Zone V); or b. Bottom of the frame is supported by reinforced piers or other foundation elements of at least equivalent strength that are not less than 48 inches in height above grade.
3-20 (1)(4-7))	(5) (7) <i>Enclosures.</i> Enclosed areas below elevated manufactured homes shall comply with the requirements of the Florida Building Code, Residential section R322.2 or R322.3 for such enclosed areas, as applicable to the flood hazard area. (6) (8) <i>Utility equipment.</i> Utility equipment that serves manufactured homes, including electric, heating, ventilation, plumbing, and air conditioning equipment and other service facilities, shall comply with the requirements of the Florida Building Code, Residential section R322, as applicable to the flood hazard area. (7) (9) <i>Evacuation plan.</i> A plan for notification and evacuation of residents of new manufactured home parks or subdivisions shall be developed and submitted to the city for approval.

CONCLUSION:

There are certain criteria that must be evaluated before adoption of an amendment according to the LDC, the Planning Board must consider the following criteria when making their recommendation.

1. **The proposed development conforms to the standards and requirements of this Code and will not create undue crowding beyond the conditions normally permitted in the zoning district, or adversely affect the public health, safety, welfare or quality of life.** No specific development is proposed. The intent of the proposed amendment is to continue participation in the National Flood Insurance Program by coordinating the City's floodplain management regulations with the Florida Building Code. Standards will continue to support the public health, safety, welfare or quality of life and provide a needed service to Ormond Beach residents.
2. **The proposed development is consistent with the Comprehensive Plan.** The proposed Land Development Code amendment is consistent with the Comprehensive Plan.
3. **The proposed development will not adversely impact environmentally sensitive lands or natural resources, including but not limited to waterbodies, wetlands, xeric communities, wildlife habitats, endangered or threatened plants and animal species or species of special concern, wellfields, and individual wells.** The proposed Land Development Code amendment will not have an adverse impact on environmentally sensitive lands. Instead, these amendments are designed to enhance and protect the natural and beneficial functioning of the floodplains and those environmentally sensitive lands, surface water and other natural resources and habitats contained within.
4. **The proposed use will not substantially or permanently depreciate the value of surrounding property; create a nuisance; or deprive adjoining properties of adequate light and air; create excessive noise, odor, glare, or visual impacts on the neighborhood and adjoining properties.** The proposed Land Development Code amendment is based on the premise of No Adverse Impact Floodplain Management, or that the actions of one property owner shall not adversely affect the rights of other property owners, specifically those related to increased flood peaks, increased flood stages, higher flood velocities, increased erosion and sedimentation. This amendment has been designed to have no adverse effect on surrounding property; create a nuisance; deprive adjoining properties of adequate light and air; or create excessive noise, odor, glare or visual impacts on adjoining properties.
5. **There are adequate public facilities to serve the development, including but not limited to roads, sidewalks, bike paths, potable water, wastewater treatment, drainage, fire and police safety, parks and recreation facilities, schools, and playgrounds.** Not applicable.

6. **Ingress and egress to the property and traffic patterns are designed to protect and promote motorized vehicle and pedestrian/bicycle safety and convenience, allow for desirable traffic flow and control, and provide adequate access in case of fire or catastrophe. This finding shall be based on a traffic report where available, prepared by a qualified traffic consultant, engineer or planner which details the anticipated or projected effect of the project on adjacent roads and the impact on public safety.** Not applicable.
7. **The proposed development is functional in the use of space and aesthetically acceptable.** Not applicable.
8. **The proposed development provides for the safety of occupants and visitors.** Not applicable.
9. **The proposed use of materials and architectural features will not adversely impact the neighborhood and aesthetics of the area.** Not applicable.
10. **The testimony provided at public hearings.** There has not been a public hearing at this time. The comments from the Planning Board meeting will be incorporated into the City Commission packet.

RECOMMENDATION:

It is recommended that the Planning Board **APPROVE LDC 21-050**, to amend the Land Development Code (LDC) adopting the amendments pursuant to the state model floodplain ordinance, standards of the NFIP regulations (44 CFR 59, etc.) and the Florida Building Code, and furthering the City's continued participation in the Community Rating System related to CRS Addendum 2021.

Attachment:

Exhibit 1 – Draft Floodplain Management Ordinance

EXHIBIT 1**DRAFT FLOODPLAIN MANAGEMENT ORDINANCE****ORDINANCE NO. 21-XX**

AN ORDINANCE AMENDING THE FLOODPLAIN MANAGEMENT AND PROTECTION REGULATIONS OF THE CITY OF ORMOND BEACH, LAND DEVELOPMENT CODE, BY AMENDING CHAPTER 1, GENERAL ADMINISTRATION, ARTICLE III, DEFINITIONS AND ACRONYMS, SECTION 1-22, DEFINITIONS OF TERMS AND WORDS; AND CHAPTER 3, PERFORMANCE STANDARDS, ARTICLE II, ENVIRONMENTAL PROTECTION STANDARDS; AND REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR APPLICABILITY; SEVERABILITY; AND AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida has, in Chapter 166 – Municipalities, Florida Statutes, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the City of Ormond Beach participates in the National Flood Insurance Program and participates in the NFIP's Community Rating System, a voluntary incentive program that recognizes and encourages community floodplain management activities that exceed the minimum program requirements; and

WHEREAS, the City of Ormond Beach achieved a CRS rating of Class 6, making citizens who purchase NFIP flood insurance policies eligible for premium discounts; and

WHEREAS, in October 2020, the NFIP Community Rating System established certain minimum prerequisites for communities to qualify for or maintain class ratings of Class 8 or better; and

WHEREAS, to satisfy the prerequisite and for City of Ormond Beach to maintain the current CRS rating, all manufactured homes installed or replaced in special flood hazard

areas must be elevated such that the lowest floors are at or above the base flood elevation plus 1 foot, which necessitates modification of the existing requirements;

WHEREAS, for purposes of this Ordinance text with underlined (underlined) type shall constitute additions to the original text and text with strike-through (~~strike-through~~) type shall constitute deletions to the original text; and

WHEREAS, the City of Ormond Beach has determined that it is in the public interest to amend the floodplain management regulations to better protect owners and occupants of manufactured homes and to continue participating in the Community Rating System at the current class rating.

WHEREAS, the Federal Emergency Management Agency released FEMA Policy #104-008-03 Floodplain Management Requirements for Agricultural Structures and Accessory Structures; and

WHEREAS, the City of Ormond Beach has determined it appropriate to adopt regulations that are consistent with the FEMA Policy to allow issuance of permits for wet floodproofed accessory structures that are not larger than the sizes specified in the FEMA Policy.

WHEREAS, the City Commission finds the requested amendment to be consistent with the provisions of the Comprehensive Plan of the City of Ormond Beach, and in the overall best interest of the public health, safety and welfare, now therefore,

**BE IT ENACTED BY THE PEOPLE OF THE CITY OF ORMOND BEACH,
FLORIDA, THAT:**

SECTION ONE. Section 1-22, Definition of Terms and Words, Article III

Definitions and Acronyms, of Chapter 1, General Administration, of the *LDC* is hereby amended to read as follows:

Accessory structure. ***No change to existing text***

Accessory structure, for the purpose of floodplain management, means a structure used only for parking and storage that is located on the same parcel of property as a principal structure and the use of which is incidental to the use of the principal structure.

Accessory use or structure ***No change to existing text***

*Existing condition****No change to existing text***

~~*Existing manufactured home park or subdivision,* for floodplain management purposes means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before September 7, 1973.~~

~~Expansion to an existing manufactured home park or subdivision means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).~~

*Facade, building****No change to existing text***

*Marina****No change to existing text***

~~*Market value* means the price at which a property will change hands between a willing buyer and a willing seller, neither party being under compulsion to buy or sell and both having reasonable knowledge of relevant facts. As as used in [section 3-20](#), the term "market value" refers to the market value of buildings and structures, excluding the land and other improvements on the parcel. Market value may be established by a qualified independent appraiser, is the actual cash value (like-kind replacement cost depreciated for age, wear and tear, neglect, and quality of construction), or tax assessment value adjusted to approximate market value by a factor provided by the property appraiser.~~

Marquee ***No change to existing text***

New construction ***No change to existing text***

~~*New manufactured home park or subdivision* mean a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after September 7, 1973.~~

Park Trailer ***No change to existing text***

SECTION TWO. Section 3-20 Floodplain management and protection of Article II, Environmental Protection Standards, of Chapter 3, Performance Standards, of the LDC and is hereby amended to read as follows:

(i) *Buildings and structures.*

- (1) *Design and construction of buildings, structures and facilities exempt from the Florida Building Code. ***No change to existing text****
- (2) *Buildings and structures seaward of the coastal construction control line. ***No change to existing text****
- (3) *Critical facilities. ***No change to existing text****
- (4) *Accessory structures. Accessory structures ~~not subject to the Florida Building Code are permitted without complying with elevation or dry floodproofing requirements provided all of the following criteria are met:~~ are permitted below the base flood elevation provided the accessory structures are used only for parking or storage and:*
 - a. ~~Accessory structures shall be used only for parking and storage and not for human habitation (including working, sleeping, living, cooking or restroom areas); If located in special flood hazard areas (Zone A/AE) other than coastal high hazard areas, are one-story and not larger than 600 sq. ft.~~
 - b. ~~Accessory structures shall be designed to have low flood damage potential (wet floodproofing); If located in special flood hazard areas (Zone A/AE) other than coastal high hazard areas, have flood openings in accordance with Section R322.2 of the Florida Building Code, Residential.~~
 - c. ~~Accessory structures shall be constructed using flood damage-resistant materials below the base flood elevation; If located in coastal high hazard areas (Zone V/VE), are not located below elevated buildings and are not larger than 100 sq. ft.~~
 - d. ~~Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters; Are anchored to resist flotation, collapse or lateral movement resulting from flood loads.~~
 - e. ~~Accessory structures shall be firmly anchored to prevent flotation, collapse or lateral movement of the structure; Have flood damage-resistant materials used below the base flood elevation plus one (1) foot.~~
 - f. ~~Service facilities such as electrical and heating equipment shall be elevated above base flood elevation or be floodproofed; and Have mechanical, plumbing and electrical systems, including plumbing fixtures, elevated to or above the base flood elevation plus one (1) foot.~~
 - g. ~~Flood openings to relieve hydrostatic pressure during a flood shall be provided in accordance with section R322.2 of the Florida Building Code,~~

~~Residential.~~

(5) *Temporary development.* ***No change to existing text***

(1) *Manufactured Homes.*

(1) *General.* ***No change to existing text***

(2) *Foundations****No change to existing text***

(3) *Anchoring.* ***No change to existing text***

(4) *Elevation.* All manufactured homes that are placed, replaced, or substantially improved in flood hazard areas shall be elevated such that the bottom of the frame is at or above the elevation required, as applicable to the flood hazard area, in the Florida Building Code, Residential Section R322.2 (Zone A) or Section R322.3 (Zone V and Coastal A Zone. ~~Manufactured homes that are placed, replaced, or substantially improved shall comply with subsections (1)(5) or (1)(6) of this section, as applicable.~~

~~(5) General elevation requirement.~~ Unless subject to the requirements of subsection (1)(6) of this section, all manufactured homes that are placed, replaced, or substantially improved on sites located:

~~a. Outside of a manufactured home park or subdivision;~~

~~b. In a new manufactured home park or subdivision;~~

~~c. In an expansion to an existing manufactured home park or subdivision; or~~

~~d. In an existing manufactured home park or subdivision upon which a manufactured home has incurred "substantial damage" as the result of a flood, shall be elevated such that the bottom of the frame is at or above the elevation required, as applicable to the flood hazard area, in the Florida Building Code, Residential section R322.2 (Zone A) or section R322.3 (Zone V).~~

~~(6) Elevation requirement for certain existing manufactured home parks and subdivisions.~~ Manufactured homes that are not subject to subsection (1)(5) of this section, including manufactured homes that are placed, replaced, or substantially improved on sites located in an existing manufactured home park or subdivision, unless on a site where substantial damage as result of flooding has occurred, shall be elevated such that either the:

~~a. Bottom of the frame of the manufactured home is at or above the elevation required, as applicable to the flood hazard area, in the Florida Building Code, Residential section R322.2 (Zone A) or section R322.3 (Zone V); or~~

~~b. Bottom of the frame is supported by reinforced piers or other foundation elements of at least equivalent strength that are not less than 48 inches in height above grade.~~

~~(5)(7) Enclosures.~~ Enclosed areas below elevated manufactured homes shall comply with the requirements of the Florida Building Code, Residential section R322.2 or R322.3 for such enclosed areas, as applicable to the flood hazard area.

~~(6)(8)~~ *Utility equipment.* Utility equipment that serves manufactured homes, including electric, heating, ventilation, plumbing, and air conditioning equipment and other service facilities, shall comply with the requirements of the Florida Building Code, Residential section R322, as applicable to the flood hazard area.

~~(7)(9)~~ *Evacuation plan.* A plan for notification and evacuation of residents of new manufactured home parks or subdivisions shall be developed and submitted to the city for approval.

SECTION FOUR. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict

SECTION FIVE. In the event any word, phrase, clause, sentence, paragraph, term, or provision of this Ordinance shall be held to be invalid by a court of competent jurisdiction, such judicial determination shall not affect any other word, clause, phrase, sentence, paragraph, term or provision, of this Ordinance, and the remainder of this Ordinance shall remain in full force and effect.

SECTION SIX. This Ordinance shall take effect immediately upon its adoption.

PASSED UPON at the first reading of the City Commission, this ___ day of ___, 2021

PASSED UPON at the second and final reading of the City Commission this ___ day of ___, 2021.

BILL PARTINGTON
Mayor

ATTEST:

KATE SETTLE
City Clerk

DRAFT

May 13, 2021 Planning Board minutes

Administrative amendment to the Land Development Code (LDC),
Chapter 1, Article III, Section 1-22, Definitions of Terms and
Words; and Chapter 3, Article II, Section 3-20 Floodplain
Management and Protection.

Mr. Galloway motioned to approve LDC 2021-053 – Downtown Overlay District, Land Development Code Amendment. Ms. Shull seconded it. Vote was called, and the motion was approved (7-0).

G. LDC 2021-050 – Floodplain Management, Land Development Code Amendment

Ms. Becky Weedo, Senior Planner, explained that LDC 2021-050 is an administrative amendment to the Land Development Code (LDC), Chapter 1, Article III, Section 1-22, Definitions of Terms and Words; and Chapter 3, Article II, Section 3-20, Floodplain Management and Protection; to update the current regulations for floodplain management consistent with the state model ordinance and include the new requirements of the 2021 addendum to the CRS program effective January 1, 2021. She added that the City of Ormond Beach participates in the FEMA National Flood Insurance Program Community Rating System (CRS), which is a voluntary incentive program that recognizes and encourages community floodplain management activities that exceed the minimum NFIP requirements. Currently the City has a rating of 6 which provides a 20 percent discount to flood policy holders in the floodplain. Ms. Weedo continued that an addendum to the 2017 CRS Coordinators Manual became effective January 1, 2021 and the addendum requires changes to the City's Floodplain Management Regulations to meet the minimal qualifications for the City to remain in the CRS Program and maintain the current CRS rating. These changes are consistent with the state model ordinance previously adopted and the Florida Building Code.

Ms. Weedo reviewed the Floodplain Management Ordinance Proposed Amendments displayed overhead and also included in the Board packets, which include five proposed minor changes to Chapter 1, Article II, Section 1-22, Definitions to update, delete or add definitions consistent with the NFIP CRS Addendum and the Florida Building Code. The proposed amendments to Chapter 3, Article II, Section 3-20, Floodplain Management and Protection to meet the minimum requirements of the CRS Addendum were explained and detailed the minor changes proposed:

1. Language added and updated regarding accessory structures for floodplain purposes; and
2. Added text regarding elevation requirements of manufactured homes in a floodplain.

Ms. Weedo stated that the proposed ordinance amendments have been reviewed and approved by the Florida Department of Emergency Management for consistency with the state model floodplain ordinance and the Florida Building Code. She concluded that staff recommends that the Planning Board recommend approval of LDC 21-050, to amend the LDC adopting the amendments pursuant to the State model floodplain ordinance, standards of the NFIP regulations (44 CFR 59, etc.) and the Florida Building Code, and furthering the City's continued participation in the Community Rating System related to CRS addendum 2021 language. Tentative City Commission dates are July 20, 2021 and August 4, 2021.

Mr. Jorczak asked about the suggested proposed changes regarding having flood damage or existing materials below the base flood elevation plus one foot section and if it requires any change in the building codes. Ms. Weedo replied that it does not.

Ms. Tolland asked if the City's rating of 6 was a good rating. Ms. Weedo answered that the ratings are similar to golf where 1 is best. Starting off with 10, there is an opportunity to get to 1 and with each progression receive an additional 5 percent. Currently the City is 20 percent and if improving the rating would go to 5, receiving a 25 percent discount.

Mr. Jorczak motioned to approve LDC 2021-050 – Floodplain Management, Land Development Code Amendment. Ms. Tolland seconded it. Vote was called, and the motion was approved (7-0).

H. LDC 2021-054 – Special Structure Provisions (Motor vehicle service station canopies), Land Development Code Amendment

Mr. Steven Spraker, Planning Director, stated that LDC 2021-054 is an administrative amendment to the Land Development Code (LDC), Chapter 3, Article VI.-Architectural Design Standards, Section 3-70, Special Structure Provisions, to modify the requirements for motor vehicle service station canopies. He explained that there was a house bill that prohibited local governments from infringing on trademarks and corporate logos. It is the same bill that led to the electronic changeable copy signs. The City cannot restrict gas stations from having their corporate identity. Mr. Spraker continued that the LDC changes recognizes that and allows signage per the LDC based on the canopy. The height was also cleaned up from 14.5 feet high and now there is a 16 foot clearance required for fire trucks. Mr. Spraker concluded that staff recommends approval of the amendments to the Land Development Code (LDC), Chapter 3-Performance Standards, Article VI.-Architectural Design Standards, Section 3-70, Special Structure Provisions, to modify the requirements for motor vehicle service station canopies, as shown in Attachment 1. The tentative City Commission dates are July 20, 2021 and August 4, 2021.

Mr. Briley motioned to approve LDC 2021-054 – Special Structure Provisions (Motor vehicle service station canopies), Land Development Code Amendment. Mr. Galloway seconded it. Vote was called, and the motion was approved (7-0).

I. LDC 2021-056 – Sidewalks, Land Development Code Amendment

Mr. Steven Spraker, Planning Director, stated that this is an administrative amendment to the Land Development Code (LDC), Chapter 3-Performance Standards, Article V.-Utility and Infrastructure Design Standards, Section 3-55, Bicycle and pedestrian ways, to (1) allow payment in lieu of constructing a sidewalk under certain conditions and (2) requiring sidewalks on both sides of the street in new subdivisions. Mr. Spraker elaborated on how we have known that the City's regulations only require sidewalks on one side of the street and have routinely through Planned Developments required them on both sides because it can be asked for in Planned Development. Staff is seeking to amend the code to require it for new subdivisions.

Mr. Spraker added that the second item is regarding establishment of a sidewalk fund. This would be a tool and not used on a consistent basis. Ormond Ace Hardware is a good example referenced where there is a larger project coming in and they do not need to make a sidewalk that is going to be ripped up in the future. He mentioned



CITY OF ORMOND BEACH

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CITY MANAGER MEMORANDUM

To: The Honorable Mayor Partington and City Commissioners

Through: Joyce A. Shanahan, City Manager

From: Steven Spraker, Planning Director

Date: August 4, 2021

Subject: LDC Amendment - Utility Line Extension

Commission Goal: Community Development - Other

Introduction

This is an administrative request to amend Chapter 3 - Performance Standards, Article V. - Utility and Infrastructure Design Standards, Section 3-61. - Utility line extensions to require water and sewer lines be extended across the site frontage for new development where utility extensions are required.

Background

The city Utilities Department has requested a revision to Section 3-61 of the Land Development Code that pertains to utility line extensions. Utility line extensions typically occur when a new development is required to extend utilities to serve a project. The Utilities Department policy has required a project that is extending a water or sewer line to extend the utilities across the full length of the property, rather than just serving the project under construction. For example, if a project has 500 linear feet of frontage and a waterline was required, this amendment would require the extension across the entire property frontage for future extensions. This amendment seeks to incorporate an existing development policy into the Land Development Code. The proposed language does allow the developers to request reimbursements if the water or sewer line size desired is greater than what a project would require. The reimbursement section is existing and is not proposed for amendment.

Discussion

The Planning Board reviewed the proposed Land Development Code amendment and recommended approval with a 7-0 vote. There were no individuals who spoke for or against the Land Development Code amendment. The minutes of the Planning Board meeting are attached in the City Commission packet.

Budget Impact

There is no budget impact associated with the Land Development Code amendment. The proposed amendment places an existing Utility Department policy for new development into the Land Development Code.

Citizen Impact

The Land Development Code amendment is not expected to have a citizen impact. The amendment seeks to codify a policy that currently exists.

Recommendation

It is Planning staff's and the Planning Board recommendation (7-0) that the City Commission **APPROVE** amendments to Land Development Code, Chapter 3 - Performance Standards, Article V. - Utility and Infrastructure Design Standards, Section 3-61. - Utility line extensions to require water and sewer lines be extended across the site frontage for new development where utility extensions are required, as reflected in the attached ordinance.

Attachments:

- 21-26 LDC Amendment - Utility Line Extension (P21-0070G) (PDF)
- LDC amendment Section 3-61, utility line extension, PB Staff Report (PDF)
- DRAFT - Planning Board minutes - Utility line extension (PDF)

REVIEWED BY:


Kelly McGuire, Finance Director 6/9/2021


Claire Whitley, Assistant City Manager 7/22/2021

APPROVED BY:


Joyce A. Shanahan, City Manager 7/27/2021

ORDINANCE NO. 2021-26

AN ORDINANCE AMENDING CHAPTER 3, PERFORMANCE STANDARDS, ARTICLE V, UTILITY AND INFRASTRUCTURE DESIGN STANDARDS, SECTION 3-61, UTILITY LINE EXTENSIONS, OF THE *LAND DEVELOPMENT CODE* TO REQUIRE WATER AND SEWER LINES BE EXTENDED ACROSS THE SITE FRONTAGE FOR NEW DEVELOPMENT WHERE UTILITY EXTENSIONS ARE REQUIRED; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, the City's planning staff has proposed that the City of Ormond Beach *Land Development Code* ("the *LDC*") be amended to require water and sewer lines be extended across the site frontage for new development where utility extensions are required within Section 3-61, Utility line extensions, of the *LDC*, and

WHEREAS, the local planning agency, being the Planning Board of the City of Ormond Beach, has reviewed the recommended amendment and has made recommendations thereon to the City Commission, and

WHEREAS, all applicable notice requirements of Section 166.041(3)(c)(2), *Florida Statutes*, have been complied with, and

WHEREAS, the City Commission finds the recommended amendment to be consistent with the provisions of the *Comprehensive Plan* of the City of Ormond Beach, and in the overall best interest of the public health, safety and welfare, now therefore,

BE IT ENACTED BY THE PEOPLE OF THE CITY OF ORMOND BEACH, FLORIDA, THAT:

SECTION ONE. Section 3-61, Utility line extensions, of Chapter 3, Performance Standards, of Article V, Utility and Infrastructure Design Standards, of the *LDC* is hereby amended to read as follows:

Sec. 3-61. - Utility line extensions.

(a) *Service line extension.* ***No change in existing text***

(b) Utility main extension.

(1) Water and sewer main lines shall be extended across the entire length of residential or commercial property and connecting streets at the time the property is under construction or development. The extended water and sewer main lines shall be designed to “stub-out” at the corner of the property line. The purpose of the requirement is to facilitate utility service to adjacent properties.

(c) Utility main extension reimbursement policy. ***No change in existing text***

~~(e)~~ (d) Reimbursement. ***No change in existing text***

~~(d)~~ (e) Construction. ***No change in existing text***

SECTION TWO. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION THREE. In the event any word, phrase, clause, sentence, paragraph, term, or provision of this Ordinance shall be held to be invalid by a court of competent jurisdiction, such judicial determination shall not affect any other word, clause, phrase, sentence, paragraph, term or provision, of this Ordinance, and the remainder of this Ordinance shall remain in full force and effect.

SECTION FOUR. This Ordinance shall take effect immediately upon its adoption.

PASSED UPON at the first reading of the City Commission, this 4th day of August, 2021.

PASSED UPON at the second and final reading of the City Commission, this 17th day of August, 2021.

BILL PARTINGTON
Mayor

ATTEST:

WENDY J. HONTZ
Acting City Clerk

STAFF REPORT

City of Ormond Beach Department of Planning

DATE: May 3, 2021

SUBJECT: Land Development Code amendment: Section 3-61. - Utility line extension

APPLICANT: Administrative

NUMBER: LDC 2021-051

PROJECT PLANNER: Steven Spraker, AICP, Planning Director

INTRODUCTION:

This is an administrative request to amend Chapter 3 – Performance Standards, Article V.-Utility and Infrastructure Design Standards, Section 3-61. - Utility line extensions to require water and sewer lines be extended across the site frontage for new development where utility extensions are required.

BACKGROUND:

The city Utilities Department has requested a revision to Section 3-61 of the Land Development Code that pertains to utility line extensions. Utility line extensions typically occur when a new development is required to extend utilities to serve a project. The Utilities Department policy has required a project that is extending a water or sewer line to extend the utilities across the full length of the property rather than just serving the project under construction. For example, if a project has 500 linear feet of frontage and a waterline was required, this amendment would require the extension across the entire property frontage for future extensions. This amendment seeks to incorporate an existing development policy into the Land Development Code. The proposed language does allow the developers to request reimbursements if the water or sewer line size desired is greater than what a project would require. The reimbursement section is existing and is not proposed for amendment.

ANALYSIS:

The proposed Land Development Code amendment is shown below. The underlined text are additions to the original text and ~~strike-through~~ are the deleted text of the amendment.

Section 3-61. - Utility line extensions

(b) Utility main extension.

- (1) Water and sewer main lines shall be extended across the entire length of residential or commercial property and connecting streets at the time the property is under construction or development. The extended water and sewer main lines shall be designed to “stub-out” at the corner of the property line. The purpose of the requirement is to facilitate utility service to adjacent properties.

Within Attachment 3, the Utility Manager provides a memorandum of the proposed amendment. The memorandum states:

“Standard development practice requires utility pipelines such as water and sewer to be installed to not only service the development but also to extend those utilities across the development frontage and in other connecting roads allowing adjacent developments to connect to the utility pipelines. This approach provides a fair and equitable policy as each property developer installs utilities to service their lots and extends the utilities along their property boundary”.

CONCLUSION:

Section 1-15(d)(3) of the Land Development Code requires certain criteria that must be evaluated before adoption of a Land Development Code amendment when making their recommendation, as follows:

- 1. The proposed development conforms to the standards and requirements of this Code and will not create undue crowding beyond the conditions normally permitted in the zoning district, or adversely affect the public health, safety, welfare or quality of life.**

The proposed amendment does not propose any site-specific development. This amendment seeks to incorporate an existing development policy into the Land Development Code. It is not expected that the proposed Land Development Code amendment would create undue crowding beyond the conditions normally permitted in the zoning district, or adversely affect the public health, safety, welfare or quality of life.

- 2. The proposed development is consistent with the Comprehensive Plan.**

The proposed Land Development Code amendment is consistent with the Comprehensive Plan. Objective 2.1 of the Future Land Use Element of the Comprehensive Plan discussed the need to update Land Development Code regulations.

- 3. The proposed development will not adversely impact environmentally sensitive lands or natural resources, including but not limited to waterbodies, wetlands, xeric communities, wildlife habitats, endangered or threatened plants and animal species or species of special concern, wellfields, and individual wells.**

The proposed Land Development Code amendment does not approve any site-specific development and will not have an adverse impact on environmentally sensitive lands.

- 4. The proposed use will not substantially or permanently depreciate the value of surrounding property; create a nuisance; or deprive adjoining properties of adequate light and air; create excessive noise, odor, glare, or visual impacts on the neighborhood and adjoining properties.**

The proposed Land Development Code amendment does not approve any site-specific development and will not have any impacts on surrounding properties.

- 5. There are adequate public facilities to serve the development, including but not limited to roads, sidewalks, bike paths, potable water, wastewater treatment,**

drainage, fire and police safety, parks and recreation facilities, schools, and playgrounds.

The proposed Land Development Code amendment is not applicable to public facilities.

- 6. Ingress and egress to the property and traffic patterns are designed to protect and promote motorized vehicle and pedestrian/bicycle safety and convenience, allow for desirable traffic flow and control, and provide adequate access in case of fire or catastrophe. This finding shall be based on a traffic report where available, prepared by a qualified traffic consultant, engineer or planner which details the anticipated or projected effect of the project on adjacent roads and the impact on public safety.**

There is no development proposed as part of the proposed amendment. The application pertains to a Land Development Code amendment.

- 7. The proposed development is functional in the use of space and aesthetically acceptable.**

There is no development proposed as part of the proposed amendment. The application pertains to a Land Development Code amendment.

- 8. The proposed development provides for the safety of occupants and visitors.**

There is no development proposed as part of the proposed amendment. The application pertains to a Land Development Code amendment.

- 9. The proposed use of materials and architectural features will not adversely impact the neighborhood and aesthetics of the area.**

There is no development proposed as part of the proposed amendment. The application pertains to a Land Development Code amendment.

- 10. The testimony provided at public hearings.**

There has not been a public hearing at this time. The comments from the Planning Board meeting will be incorporated into the City Commission packet.

RECOMMENDATION:

It is recommended that the Planning Board **APPROVE** the amendments to Land Development Code, Chapter 3 – Performance Standards, Article V.-Utility and Infrastructure Design Standards, Section 3-61. - Utility line extensions to require water and sewer lines be extended across the site frontage for new development where utility extensions are required, as shown in Attachment 1.

Attachments:

Attachment 1: Proposed Land Development Code amendment

Attachment 2: Current Section 3-61 of the Land Development Code

Attachment 3: Utility Manager memorandum

Attachment 1:

Proposed Land Development Code amendment

Chapter 3 – Performance Standards, Article V.-Utility and Infrastructure Design Standards

Sec. 3-61. - Utility line extensions.

(a) *Service line extension. ***No change in existing text****

(b) Utility main extension.

(1) Water and sewer main lines shall be extended across the entire length of residential or commercial property and connecting streets at the time the property is under construction or development. The extended water and sewer main lines shall be designed to “stub-out” at the corner of the property line. The purpose of the requirement is to facilitate utility service to adjacent properties.

(c) *Utility main extension reimbursement policy. ***No change in existing text****

~~(e)~~ (d) *Reimbursement. ***No change in existing text****

~~(d)~~ (e) *Construction. ***No change in existing text****

Attachment 2:

Current Section 3-61 of the
Land Development Code

PERFORMANCE STANDARDS

§ 3-61

- (3) *Existing development.* As an effluent system becomes available in an existing developed area not subject to subsection (1) of this section, the city shall inform potential users of the advantages of irrigating with reclaimed water, including:
- The lower costs as compared to potable water from the public water supply system;
 - Better quality, as compared to well water;
 - Reduction of demand on groundwater supplies;
 - Recharge to groundwater and possible prevention of saltwater intrusion; and
 - The possibility of reducing the need to make costly improvements to plant capacity.

When the reclaimed water system is made available to an existing development, the irrigation meter shall be removed. The owner may then pay all fees and connect to the reclaimed system at his option.

- (4) *Performance and design standards.*
- Monitoring equipment and appropriately trained personnel shall be provided at the respective wastewater treatment plant to ensure the continuous quality of the effluent.
 - All reclaimed water systems shall be permitted and designed to meet applicable requirements of the state department of environmental protection.
 - Any land application of reclaimed water shall be at a rate and manner to avoid ponding and overland flow.
 - Any percolation ponds shall be designed with soil permeabilities to permit infiltration of wastewater effluent into the ground at a rate sufficiently large enough to economically justify their use, yet not cause any local flooding at an adjacent site. The ponds shall be designed in segments, as appropriate, to permit cleaning after a period of use should flooding occur.
- (5) *Connection permit required.* No person other than an authorized city employee shall enter any public reclaimed water main or appurtenance thereto or make any connections thereto without a written permit from the utilities manager.

Sec. 3-61. Utility line extensions.

- (a) *Service line extension.*
- Service extensions within public rights-of-way shall be installed by the city provided extensions do not exceed one inch (1") in diameter and seventy-five feet (75') in length. Costs for service extensions shall be determined by the city and paid for by the property owner prior to providing such service line extension.
 - Service extension requests that do not meet the requirement of subsection (a)(1) of this section shall be submitted for review by the engineering division by application

for an engineering permit. Upon approval of said permit, the applicant may proceed with installation of the service extension. All costs associated with as well as the construction of the installation shall be the applicant's responsibility. All work and connections shall be performed by a contractor who has first been issued a business tax receipt by the city.

(b) *Utility main extension reimbursement policy.*

- (1) Procedure for utility main extension reimbursement policy. In the event that any person is required to by the city or desires to extend water, sewer or reclaimed water lines, lines that are larger than the minimum line size required to serve a parcel or development in order to provide for anticipated future development or extensions, that person or developer may request reimbursement for the cost of such extension, in accordance with the following procedures:

- a. Engineering drawings, including therewith design calculations, shall be submitted to the city engineer and utilities manager indicating:
 1. The size and location of the proposed lines or the appurtenances thereto;
 2. Preliminary cost estimates showing the cost difference for construction of the proposed oversize main verses the cost for the minimum size main that would be required to serve the parcel or development in accordance with the city's minimum design standards.
 - b. The city engineer shall review the entire submittal and shall make a recommendation to the city commission on the eligibility of the proposal for reimbursement, based on the conformance of the proposed improvements with the city's construction design standards and with the criteria established in subsection (c) of this section.
 - c. The city may enter into an agreement for reimbursement with the person making the submittal, based on a finding that the trunk lines and appurtenances thereto comply with city standards, are appropriately sized and located, and that there is adequate water and sewer treatment plant capacity for the area anticipated to be served.
- (2) Extension outside city. Trunk lines shall not be extended beyond the city limits unless approved by the city commission based on a finding that:
 - a. It is in the best interest of the city in order to improve efficiency and quality of service.

(c) *Reimbursement.*

- (1) Reimbursement shall be made in annual payments on January 1 of each year, up to a maximum of ten (10) years, following acceptance of the improvements by the city, and shall be limited to the amount of impact fees received from any development which connects to the lines or appurtenances identified in the agreement.

PERFORMANCE STANDARDS

§ 3-61

- (2) Total reimbursement shall not exceed the estimated cost difference between the installation of the oversized line and the cost to install the minimum line size that would have been required to serve the development. Cost reimbursement shall be based on construction costs only.
 - (3) If there is more than one (1) agreement applicable to the same lines or appurtenances or extensions thereof, reimbursement shall be proportional to the impact fees collected from projects of the submitter over the preceding calendar year.
- (d) *Construction.*
- (1) Following the execution of a line extension reimbursement agreement, detailed construction drawings prepared by an engineer licensed by the state shall be submitted for review and approval by the city engineer and utilities manager. All necessary permits and approvals shall then be obtained by the person desiring to perform the work.
 - (2) Prior to beginning any construction activities, the contractor to perform the work shall attend a preconstruction conference with the city engineer or his designee and shall post a performance bond in an amount equal to one hundred ten percent (110%) of the total approved project cost in a form to be approved by the city attorney.
 - (3) Prior to the city accepting the lines and appurtenances thereto:
 - a. The lines shall meet all applicable governmental standards, have all required approvals and be ready for service to the public;
 - b. There shall be provided to the utilities manager a complete set of as-built record drawings certified by the engineer of record;
 - c. There shall be posted a one (1) year maintenance bond in an amount equal to twenty-five percent (25%) of the amount of the performance bond in a form to be approved by the city attorney; and
 - d. Except for sewer laterals, reuse service lines and potable water service lines on the customer service side of an individual or master water meter, all water, sewer and reclaimed water lines and appurtenances thereto which are constructed by the developer or owner shall be dedicated to the city along with an easement therefor, and thereafter maintained by the city. At the time of dedication, the developer or owner shall provide the finance director with full documentation as to the actual cost of the project.
- (e) *Annexation.* Water and/or sewer service ("city utilities") may be provided to property or areas outside of the city's municipal boundaries that are considered suitable for annexation, as follows:
- (1) For property that is contiguous to the city's municipal boundaries and that meets other legal requirements for annexation, the property owner must annex the property prior to or concurrent with connection to the city's utilities.

§ 3-61

ORMOND BEACH LAND DEVELOPMENT CODE

- (2) Except as otherwise provided in paragraph 6 of this policy, the property owner executes and records an agreement to annex at the time the property is contiguous to the city's municipal boundaries and meets all other legal requirements for annexation.
 - (3) If connection to city utilities is necessary to develop the property, the proposed development is found to be generally consistent with the goals and policies of the SLDR district or other appropriate land use designation.
 - (4) The proposed development is contiguous to an urban water and/or sewer service area.
 - (5) As otherwise provided by an interlocal agreement between the city and a governmental entity.
 - (6) As otherwise provided for properties in a utility service area established by the city commission; such utility service areas include at the present time but are not necessarily limited to the following:
 - (7) Except as otherwise provided in this policy, connection to city utilities shall be deemed to be consent to annexation.
- (Ord. No. 2020-06, § 1, 5-12-2020)

Sec. 3-62. Wholesale sale of potable water, sewage treatment or reclaimed water.

The city, at its sole discretion, may provide potable water, sewage treatment or reclaimed water to any governmental agency or utility franchise upon approval of the city commission, provided that it is determined that:

- (1) The city has adequate capacity to serve such areas and the provision of such services shall not diminish the city's long-range ability to provide such service within its corporate boundary.
- (2) Such arrangements are in the best interests of the city.
- (3) Arrangements are made to ensure the annexation of properties receiving such services into the city at the time they become eligible for annexation.
- (4) All line extensions and appurtenances thereto are at the expense of the provider of retail service and in accordance with the procedures described in this chapter.
- (5) An agreement is entered into for the collection of impact fees and fair share reimbursement for line extension.
- (6) An agreement is entered into that would ensure that the rate received for such services shall be not less than the cost for producing such services including all related administrative costs.

Attachment 3:

Utility Manager memorandum



CITY OF ORMOND BEACH

501 North Orchard Street • Ormond Beach • Florida • 32174 • (386) 676-3230 • Fax (386) 676-3221

PUBLIC WORKS DEPARTMENT UTILITIES DIVISION

Memorandum

**TO: Steven Spraker, AICP
Planning Director**

FROM: Tim Heyrend, P.E., Utilities Manager

DATE: 4/29/2021

RE: Extension of Utility Lines to Property Boundaries

Steven:

The proper placement and construction of utility pipelines throughout the City is of utmost importance in providing service to lots in current and future developments. During the development review process, the utility needs of a proposed project are examined and those current and future utility needs according to Master Plans and City Code are addressed. Included in this review, consideration is paid to the size, routing, and connection points for those utilities. Standard development practice requires utility pipelines such as water and sewer to be installed to not only service the development but also to extend those utilities across the development frontage and in other connecting roads allowing adjacent developments to connect to the utility pipelines. This approach provides a fair and equitable policy as each property developer installs utilities to service their lots and extends the utilities along their property boundary. In some instances, utilities need to be brought in from their current location to a development that is “leap frogging” across other property frontages where development is not yet occurring. This utility is paid for by the current developer who can then request for a reimbursement by impact fees when neighboring properties that benefit from the previously installed utility pipes are developed. A limitation of ten years is typically placed for reimbursement. Developers may also be required to install a pipe that is larger than what is needed to service their development. In these cases the developer can request a reimbursement from the City through impact fees for the difference in the cost of the pipe installed verses the cost of the pipe to serve the development. This cost participation is currently addressed in the Code of Ordinances.

The City’s current land development code does not specifically state that a developer is required to extend utility pipelines across the property and street frontages and in all street stubs. The proposed change to the code would require developments to extend utilities across frontages, in streets, and to provide easements when required between lots.

DRAFT

May 13, 2021 Planning Board minutes

Administrative request to amend Chapter 3 – Performance Standards, Article V.-Utility and Infrastructure Design Standards, Section 3-61. - Utility line extensions.

Ms. Tolland commented that residents live off of Leeway Trail and Durrance Trail for a reason, for the peace and a sanctuary atmosphere. She believes bikes are fun but feels that there is a place for them and that it is not in a residential area. Ms. Tolland remarked that she sympathizes with the neighbors and enjoys her backyard and nature and would hate for a motorized vehicle to disturb that. She added that it is not appropriate with the land use code. Ms. Tolland concluded that it sets a precedent that she does not want to make as it will be addressed repeatedly and is a negative impact on the neighbors.

Mr. Scudiero explained that he is torn on the matter and lives close enough to the property that he has heard the gunshots. Looking at the activity it seems the area is fitting but is also sympathetic to the residents that surround it and do not want the noise. The opportunity may have been missed to win the neighbors over by limiting the noise. Mr. Scudiero confirmed that the amendment being reviewed at this time would allow the property owner and others in the area that are also interested in the same activity to have the opportunity to come back with a well-crafted Special Exception, and noted that by saying no to this amendment, it would be saying no forever. This made him reluctant to vote it down and cut off any future possibility of a compromise. He concluded that he understands that it lies within the will of the Board.

Mr. Galloway stated that he is a huge property rights person and believes that if an individual owns a piece of property that they have the right to do what he can with the property. The caveat to this is when a property owner buys the property they should do research in finding out what they can do with the property. Mr. Galloway referred to a past case where the applicant sought to put more horses on their property and how now the discussion is to change the LDC and may open pandoras box with motorcycles today, 4-wheelers tomorrow, street rockets the next day, and a jet ski pond in the future, etc. He continued that noise pollution for a farmer, horse-owner or rancher is the worst thing that can affect them. Changing the format for a piece of land designed for agricultural purposes only and creating a track on that property could start a car racetrack out there next. Mr. Galloway concluded that he will not be able to support the amendment in the location with the particular zoning district that the property is in.

Chairman Thomas commented that a person is entitled to do on his land what the law says he can do on his land and in this case, it does not say that. The Board will make a recommendation to the City Commission and they will decide. He remarked that he is not supportive of the Special Exception personally and will vote no to it.

Ms. Shull motioned to deny LDC 2021-057 – Off-Road Recreational Vehicle Course Land Development Code Amendment. Mr. Jorczak seconded it. Vote was called, and the motion was denied (7-0).

Chairman Thomas commented that the Land Development Code amendment is scheduled to go to the City Commission on July 20, 2021.

C. LDC 2021-051 – Utility Line Extension, Land Development Code Amendment

Mr. Steven Spraker, Planning Director, explained the administrative request to amend Chapter 3 – Performance Standards, Article V. – Utility and Infrastructure Design Standards, Section 3-61. – Utility line extensions to require water and sewer lines be extended across the site frontage for new development where utility

extensions are required. He continued that the City's utility manager reviewed the section and expressed concern that a property, as they extend the water and sewer lines, should extend at the full length of the property so that the next property could connect and extend the utility lines. By policy, past utility managers have required the extension throughout properties but the current utility manager prefers to have it in the Land Development Code (LDC). Mr. Spraker concluded that staff recommends approval and the tentative City Commission dates are July 20, 2021 and August 4, 2021.

Mr. Galloway asked Mr. Spraker for clarification using an example on if a developer would be required to extend the line all of the way down on a property two to three-thousand feet deep. Mr. Spraker answered that he was correct. Mr. Galloway referred back to when Wilmette Avenue and Center Street were opened up for the YMCA and they were required to run waterlines with reimbursement back to them. He asked if this would allow that developer to be able to be reimbursed similar to the formula as with the Il Villaggio subdivision off of State Road 40, where whoever hooks up to the line receives the fees and cost reimbursements. Mr. Spraker replied that it would be an analysis by the applicant's engineer and the City's utility staff. There is an existing reimbursement policy, subsection B of the LDC. There are no changes to that and developers have the right to seek reimbursement. He concluded that this is for major subdivisions or major commercial developments to extend the utilities to build the infrastructure.

Mr. Jorczak asked if the property abutted a state park with no development to the land how it could back away to say it would not have to be extended to something where there is never going to be any development beyond there. Mr. Spraker replied that the Utilities Department has discretion where if there is no future utility service then the line is just extended to serve that property.

Mr. Briley motioned to approve LDC 2021-051 – Utility Line Extension, Land Development Code Amendment. Ms. Shull seconded it. Vote was called, and the motion was approved (7-0).

D. LDC 2021-052 – Mobile Food Dispensing Vehicles (Food Trucks), Land Development Code Amendment

Mr. Steven Spraker, Planning Director, stated that this is an administrative request to amend Section 1-22, Definitions of terms and words, of Chapter 1, General Administration, Article III, Definitions and Acronyms and Section 2-50, Accessory Uses, of Chapter 2, District and General Regulations, Article III, General Regulations, of the City of Ormond Beach Land Development Code (LDC) to add definitions and accessory use standards to allow mobile food dispensing vehicles (food trucks) under certain conditions and within certain zoning districts. Included in the Board packet was information on the history of the topic and now there is a House Bill as part of the Florida Statutes with three key parts: 1) Local Governments cannot license, register or inspect food trucks. The state preempts every jurisdiction and they are the licensing entity; 2) A jurisdiction cannot prohibit mobile food dispensing vehicles from operating with the entirety of the city. It has to be allowed somewhere within the city; 3) Local governments retain their authority to regulate the operations. Operational standards can be established for wherever it is allowed.

Mr. Spraker explained that the City's current regulations and policies allow food trucks at large scale civic events organized by the City or a nonprofit. Examples



CITY OF ORMOND BEACH

City Manager • 22 S. Beach Street • Ormond Beach • Florida • 32174 • (386) 676-3200 • Fax (386) 676-3384

CITY MANAGER MEMORANDUM

To: The Honorable Mayor Partington and City Commissioners

Through: Joyce A. Shanahan, City Manager

From: Steven Spraker, Planning Director

Date: August 4, 2021

Subject: LDC Amendment - Downtown Overlay District

Commission Goal: Community Development - Other

Introduction

This is an administrative amendment to the Land Development Code (LDC), Chapter 2, Article VI. - Overlay Districts, Section 2-70, Downtown Overlay District, to update the section consistent with the 2019 Downtown Master Plan update.

Background

On October 1, 2019, the City Commission adopted Resolution No. 2019-178 that adopted the 2019 Community Redevelopment Agency (CRA) Master Plan update, amending the 2006 Master Plan. The 2019 Master Plan update was guided by the Downtown Steering Committee composed of members of city boards, residents, business owners, and organizations active in the downtown area.

The purpose of this Land Development Code amendment is to ensure consistency between the 2019 Downtown Master Plan update and the Downtown Overlay District within the Land Development Code. The Downtown Overlay District underwent major Land Development Code amendments in 2010, adopted with Ordinance 2010-051, that implements a form-based code. Key proposed changes of this amendment include:

1. Updating the three (3) districts of the Downtown Overlay District. The 2006 Master Plan created the Creek, River, and Ocean districts. With the 2019 Downtown Master Plan update, the name of these districts were updated to Uptown, Downtown, and Beachside.
2. On November 7, 2017, the City Commission adopted Ordinance No. 2017-20 that amended the Future Land Use Element of the Comprehensive Plan to allow a maximum floor area ratio of 2.0 with the "General Commercial" land use with the Downtown Community Redevelopment area. This land use amendment needs to be incorporated into the Downtown Overlay District section.
3. Separation of existing subsection (h) of the Downtown Overlay District, permitted uses, to separate the prohibited uses within the Downtown Overlay District into

their own subsection. There are no changes to the listed permitted or prohibited uses.

4. Create subsection (m), redevelopment plan, based on the existing language of Section 2-25(A) of the Land Development Code, which describes the purpose of the B-4 (Central Business) zoning district. This subsection is designed to allow projects to have the ability to seek a Special Exception or Planned Development as part of redevelopment plan where the regulations in the Land Development Code cannot be met.

Discussion

The Planning Board reviewed the proposed Land Development Code amendment and recommended approval with a 7-0 vote. There were no individuals who spoke for or against the Land Development Code amendment. The minutes of the Planning Board meeting are attached in the City Commission packet.

Budget Impact

There is no budget impact associated with the Land Development Code amendment.

Citizen Impact

The Land Development Code amendment is not expected to have a citizen impact. The amendment seeks to update the Downtown Overlay District consistent with the 2019 Downtown Master Plan and a Comprehensive Plan amendment.

Recommendation

It is Planning staff's and the Planning Board recommendation (7-0) that the City Commission **APPROVE** amendments to Land Development Code, Chapter 2, Article VI. - Overlay Districts, Section 2-70, Downtown Overlay District, to update the section consistent with the 2019 Downtown Master Plan update, as reflected in the attached ordinance.

Attachments:

- 21-27 LDC Amendment - Downtown Overlay District (P21-0071G) (PDF)
- LDC amendment Section 2-70, Downtown Overlay District, PB Staff Report (PDF)
- DRAFT - Planning Board minutes - DOD (PDF)

REVIEWED BY:


Kelly McGuire, Finance Director 6/9/2021



Claire Whitley, Assistant City Manager 7/22/2021

APPROVED BY:



Joyce A. Shanahan, City Manager 7/28/2021

ORDINANCE NO. 2021-27

AN ORDINANCE AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE VI, OVERLAY DISTRICTS, SECTION 2-70, DOWNTOWN OVERLAY DISTRICT, OF THE *LAND DEVELOPMENT CODE* TO UPDATE THE SECTION CONSISTENT WITH THE 2019 DOWNTOWN MASTER PLAN UPDATE; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, the City's planning staff has proposed that the City of Ormond Beach *Land Development Code* ("the *LDC*") be amended to update the section consistent with the 2019 Downtown Master Plan update within Section 2-70, Downtown Overlay District, of the *LDC*, and

WHEREAS, the local planning agency, being the Planning Board of the City of Ormond Beach, has reviewed the recommended amendments and has made recommendations thereon to the City Commission, and

WHEREAS, all applicable notice requirements of Section 166.041(3)(c)(2), *Florida Statutes*, have been complied with, and

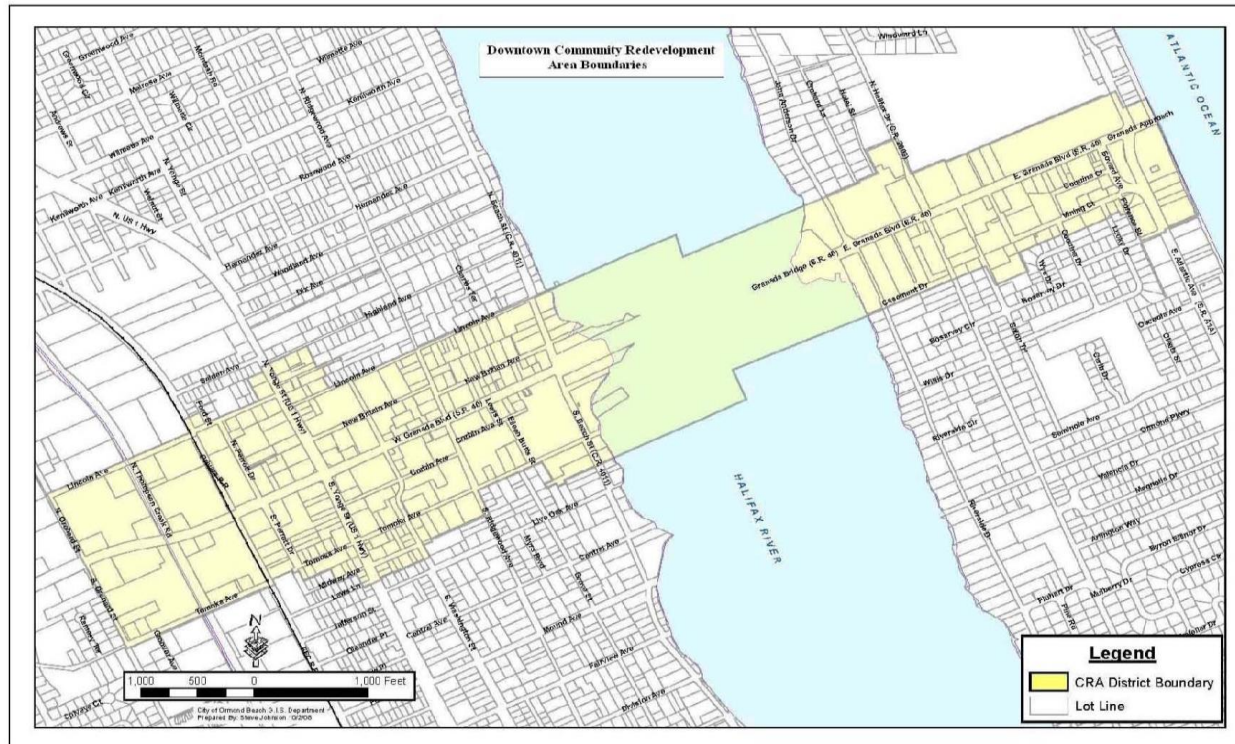
WHEREAS, the City Commission finds the recommended amendment to be consistent with the provisions of the *Comprehensive Plan* of the City of Ormond Beach, and in the overall best interest of the public health, safety and welfare, now therefore,

**BE IT ENACTED BY THE PEOPLE OF THE CITY OF ORMOND BEACH,
FLORIDA, THAT:**

SECTION ONE. Section 2-70, Downtown Overlay District, of Chapter 3, Performance Standards, of Article V, Utility and Infrastructure Design Standards, of the *LDC* is hereby amended to read as follows:

Sec. 2-70. - Downtown Overlay District.

- (a) *Purpose.* The purposes of the DOD, Downtown Overlay District are to promote development of a compact, pedestrian-oriented downtown consisting of a high-intensity employment, vibrant and dynamic mixed use areas, and residential living environments that provide a broad range of housing types and tenures; promote a diverse mix of entertainment activities for workers, visitors, and residents; encourage pedestrian-oriented development that is within walking distance of and supports transit opportunities at densities and intensities that will help to support transit usage and town center businesses; create a sense of place that is unique, attractive, and is a memorable destination for visitors and residents; enhance the community's character through the promotion of high quality urban design; and implement the vision expressed in the adopted ~~2007~~ 2019 Downtown Redevelopment Master Plan update. The land area to which this section applies is the downtown community redevelopment area boundaries.
- (b) *Regulating plan (see regulating plans).* The DOD districts consist of regulating plans depicting preferred concepts that reflect the existing and desired building placements articulated for the ~~Creek~~ Uptown, ~~River~~ Downtown and ~~Ocean~~ Beachside Districts within the downtown redevelopment master plan. The three (3) districts served by transit are the:



- (1) Creek Uptown District. This subdistrict is primarily intended to enhance the existing suburban style development pattern. ~~This subdistrict is a prime location for workforce housing for both tenure types. Redevelopment of industrial uses upon vacancy should be to medium and high density housing, since the current employment estimate for the Creek district is 9.49 per acre, which is the lowest of the three (3) subdistricts. New buildings on unimproved parcels or where tear-down of existing buildings occur shall line the Granada Boulevard frontage. Uptown acts as the main entry to Ormond Beach. This area is heavily vehicle dominated and house most of the district's major regional retailers. Through enhanced streetscaping, which includes native plants and shade trees, and enhanced painted bike lanes the space can begin to serve pedestrians and multimodal transportation. Long-term, redevelopment of the cement mixing plant to a use that could benefit commuter rail or local transit would be highly desirable;~~
- (2) River Downtown District. This district has a traditional downtown appearance which should be supported and enhanced with similar form and function. ~~The office and retail service function in this district has a current employee estimate of 12.34 per acre. The district regulations support the function of the town center's core role as a hub of city importance for business, communications, office, government, retail, culture, education, visitor~~

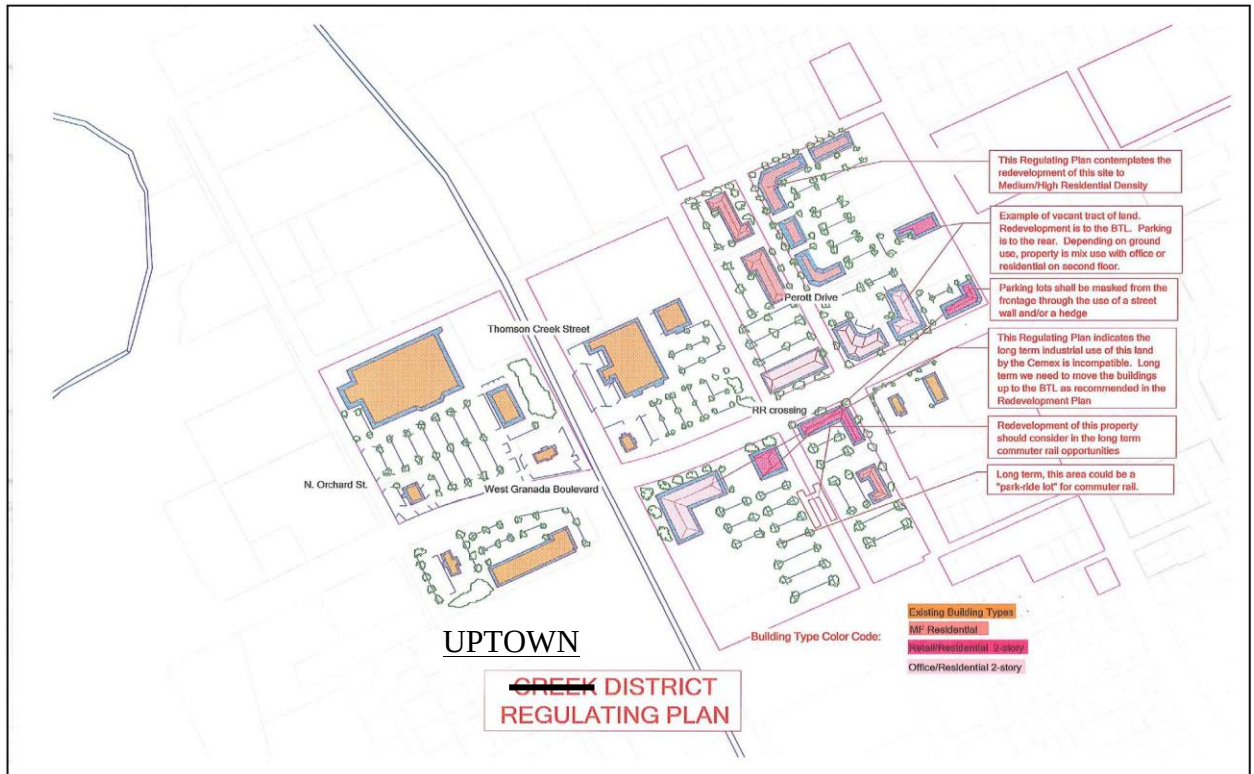
accommodations and entertainment. The regulations contained herein for this district support a mix of office commercial, public, recreation and entertainment uses. The ~~River~~ Downtown District also accommodates mixed use and medium and high density residential projects along the parallel side street system to Granada Boulevard. The side street system and adjacent areas are primarily intended to accommodate medium to high density residential development and small scale ground floor commercial uses with residential units above. This area also accommodates low-intensity office development compatible with the established residential character as well as to adjacent residentially zoned districts. The side street area is considered to be all of the parcels fronting New Britain Avenue from North Beach Street to U.S. 1 and those properties fronting north and south oriented streets. Providing a more pedestrian friendly environment and creating enhanced connectivity could enhance this area; and

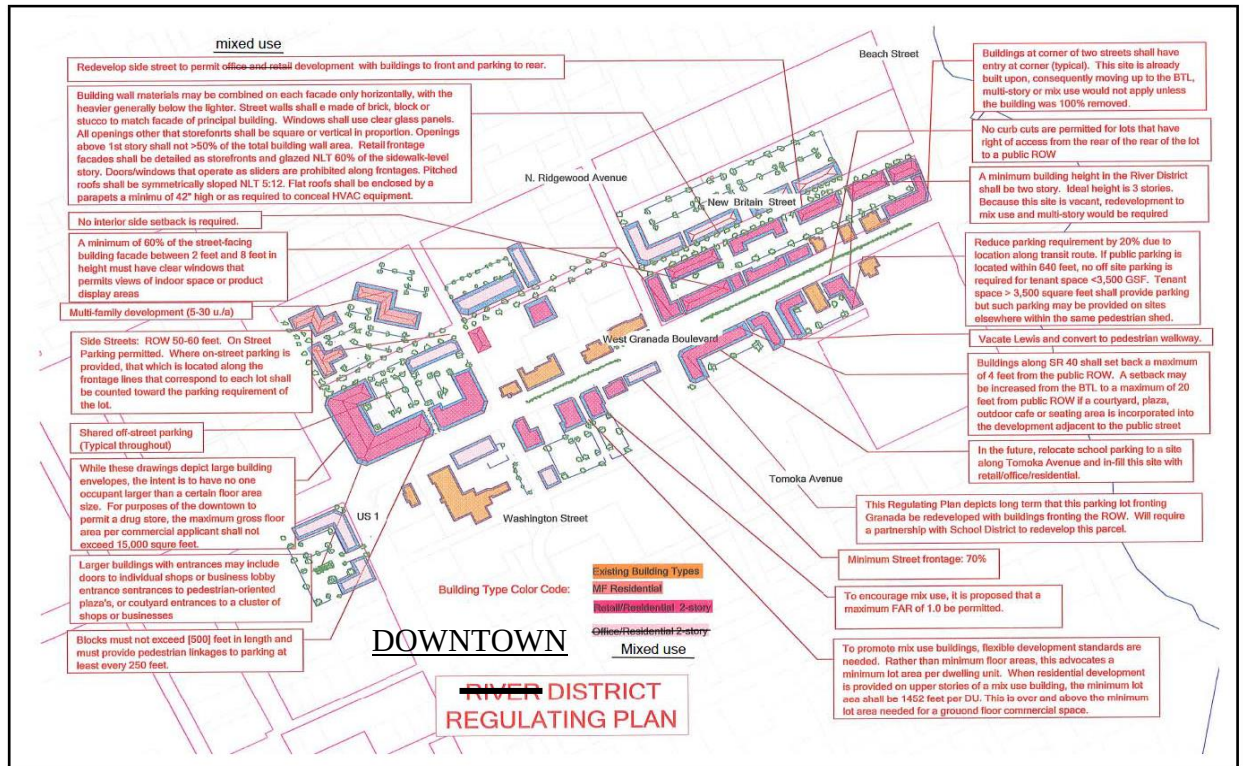
- (3) ~~Ocean~~ Beachside District. This area is uniquely situated to take advantage of both the Halifax River and the Atlantic Ocean. More intensive infill housing south of Granada Boulevard as well as mixed use development along Granada Boulevard and the side street system incorporating a housing component is needed. ~~The employee per acre in the district is the highest of the three (3) districts at 25.16 per acre. The district is considered to be all parcels fronting Granada Boulevard from SR A-1-A to Riverside Drive/John Anderson Drive and the side street system on the south side of East Granada. This district encompasses many of the historic assets in Ormond holding the potential to act as "Museum Row".~~

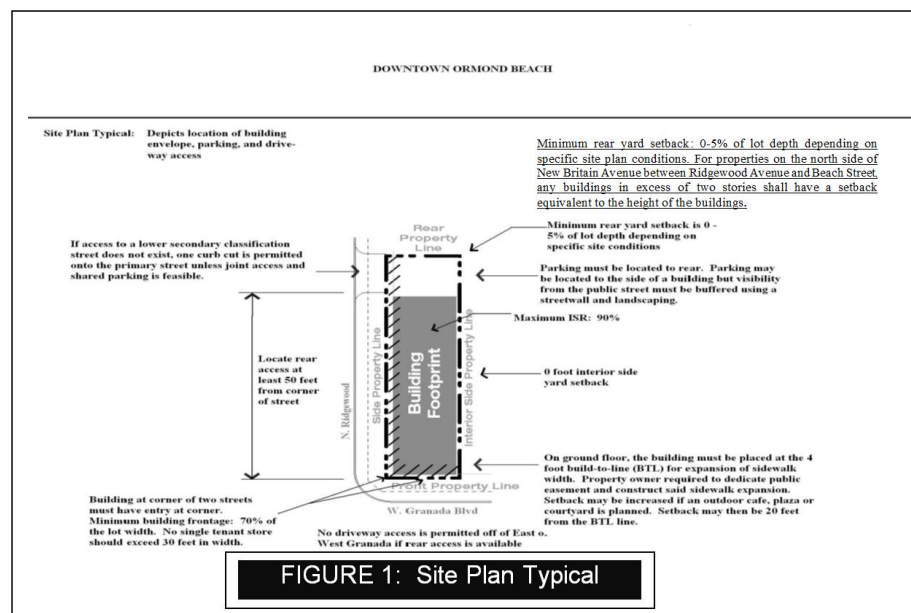
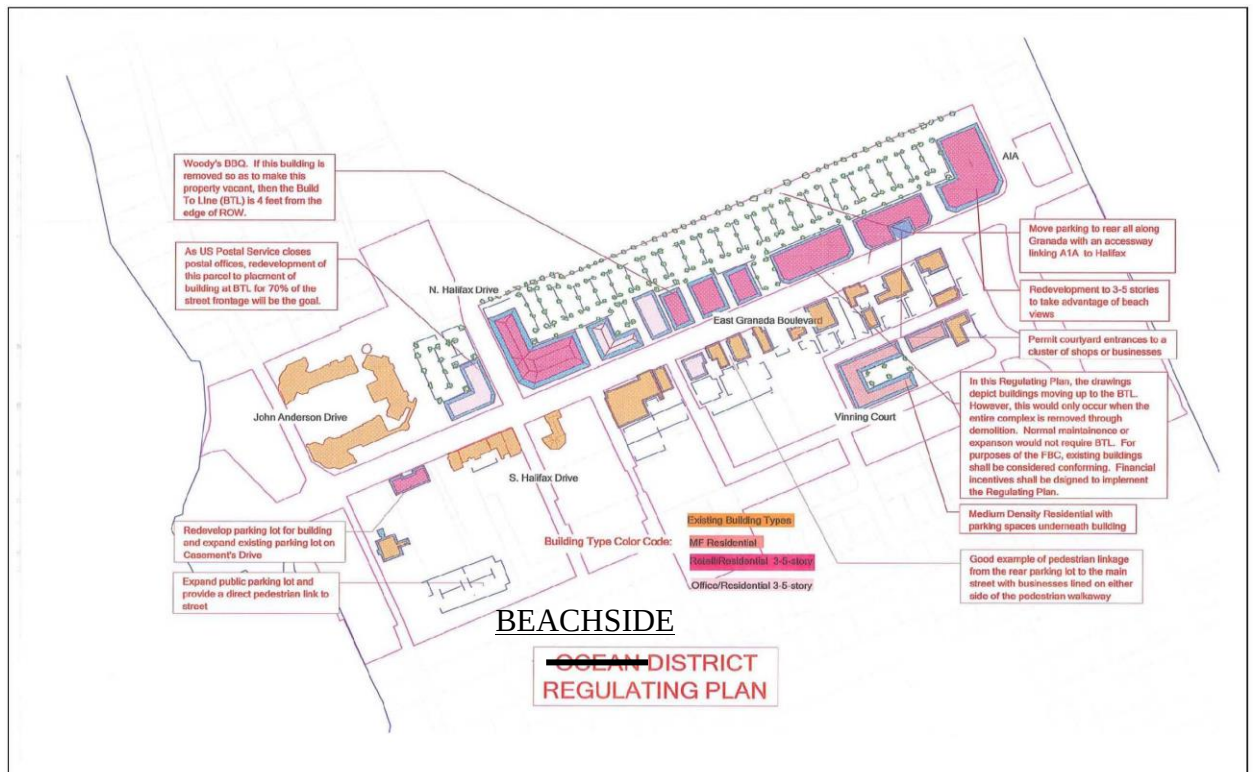
(c) *Building envelope layout.* (See figure 1, site plan typical.)

- (1) Street frontage: minimum seventy percent (70%).
- (2) Minimum interior side property line setback: zero feet.
- (3) Building frontage in figure 1 should not be construed as preventing the interconnection of on-premises sidewalks, courtyards or outdoor cafes from rear parking lots and secondary streets to the primary frontage street.
- (4) Minimum rear yard setback: zero to five percent (0% to 5%) of lot depth depending on specific site plan conditions. For properties on the north side of New Britain Avenue between Ridgewood Avenue and Beach Street, any building in excess of two stories shall have a setback equivalent to the height of the building.
- (5) Front setback.
 - a. Granada Boulevard: four feet (4');

b. Side streets: five feet (5').







(6) The following exceptions of the build-to-line (BTL) for front and street side building setbacks apply:

- a. Buildings may be set back from the BTL to provide an articulated facade or accommodate an entrance feature provided the created space does not exceed one (1) square foot for every linear foot of building frontage; or
 - b. Buildings may be set back in order to accommodate an outdoor eating area or cafe.
- (7) In order to preserve the continuity of the street wall, no building may be set back more than twenty feet (20') from the BTL regardless of the exceptions provided in subsection (c)(6) of this section.
- (8) Floor area ratio, to encourage mixed use buildings, a FAR of ± 2.0 shall be permitted for properties in the CRA with a "General Commercial" land use designation.
- (9) Lot area per unit (density). The minimum lot area per dwelling unit shall be one thousand, five hundred (1,500) square feet for mixed use buildings located on the side street system and Granada Boulevard, respectively. (See the downtown design guidelines for an example of how this can be accommodated on a site.) All other buildings shall be subject to the minimum square footage by bedroom in the respective zoning district.
- (10) Landscaped buffers shall not be required for any portion of street frontage. Landscaped buffers and landscaping shall be required to buffer and screen parking lots in accordance with sections 3-05 and 3-06. Any development of property along the north side of New Britain Avenue between Ridgewood Avenue and Beach Street where the proposed building exceeds two (2) stories shall provide a landscape buffer along the rear property line having a minimum width of at least ten (10) feet and a decorative screening wall at least six (6) feet in height.
- (11) Maximum impervious surface: ninety percent (90%).
- (d) *Height requirements.* (See figure 2, building cross section typical.)
 - (1) Building height. Height is measured in stories.
 - (2) Table 1 depicts the heights by physical location and the district in which a building is located.
 - (3) Redevelopment along that portion of New Britain Avenue adjacent to the Lincoln Avenue Historic District shall not exceed three stories. Redevelopment exceeding three (3) stories in building height, not to exceed five (5) stories in building height, may be permitted with a rezoning to Planned Business Development.

- (4) Floor-to-floor heights and floor area of ground-floor space. All commercial floor space provided on the ground floor of a mixed use building must have a minimum floor-to-ceiling height of eleven feet (11'). All nonresidential floor space provided on the ground floor of a mixed use building must contain at least eight hundred (800) square feet or twenty-five percent (25%) of the lot area, whichever is greater, on lots with street frontage of less than fifty feet (50') or at least twenty percent (20%) of the lot area on lots with fifty feet (50') of street frontage or more.
- (5) Floor heights. Allowable ground floor height is a minimum of eleven feet (11') as measured floor to floor. Upper floor minimums shall be nine feet (9'), maximum eleven feet (11'), as measured floor to floor.

Table 1. Height by Location

Location	Creek <u>Uptown</u>	River <u>Downtown</u>	Ocean <u>Beachside</u>
Granada Boulevard	2-story	2—5 stories	3—5 stories

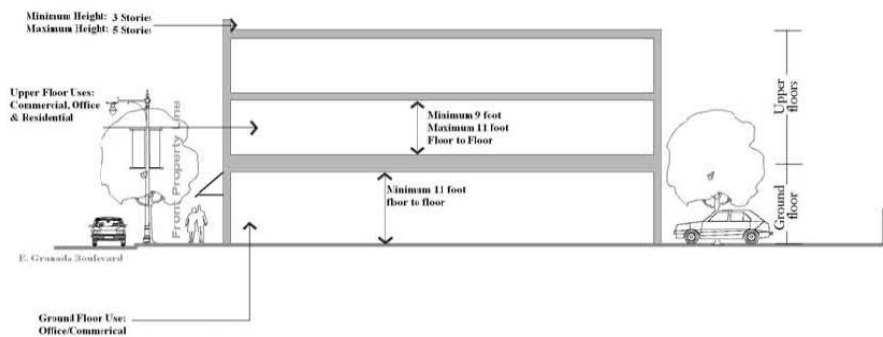


Figure 2. 3-5 Story Building X Section Typical

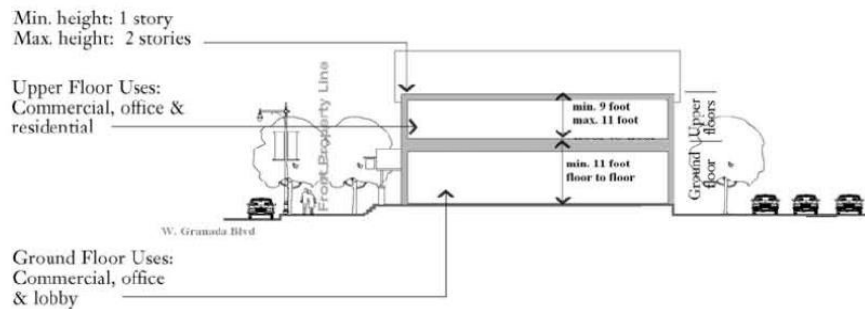


Figure 2. 2-Story Building X Section Typical

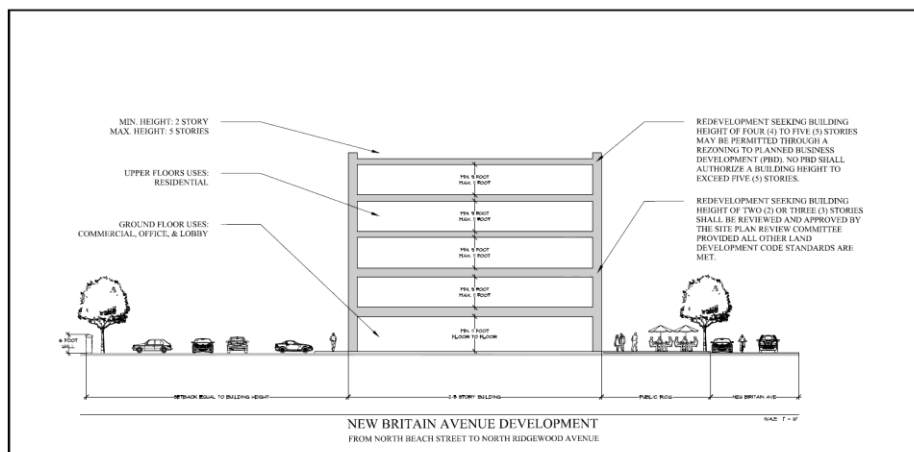
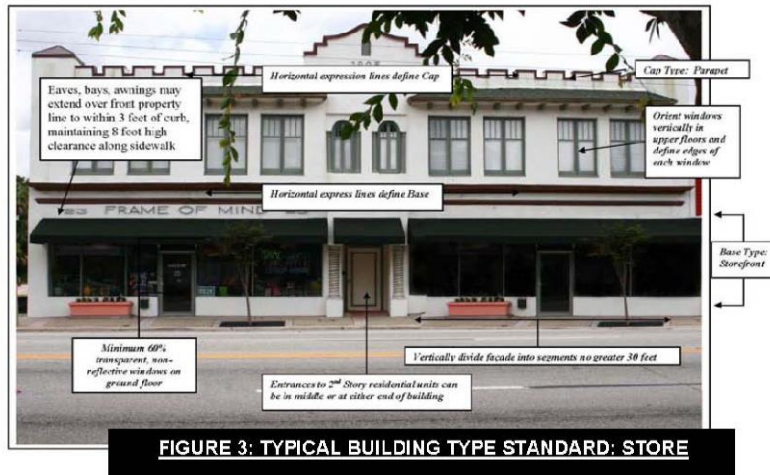


Figure 2. New Britain Avenue Development from North Beach Street to North Ridgewood Avenue

(e) *Facade requirements.* (See figure 3, building type standard: store.)

- (1) *Window transparency.* A minimum of sixty percent (60%) of the street-facing building facade between two feet (2') and eight feet (8') in height must comprise clear windows that allow views of indoor nonresidential space or product display areas. Windows shall use clear glass panels.
- (2) *Building entrance.* Buildings located at the corner of two (2) intersecting streets shall have the building entry located at the corner. Building entrances may include doors to individual shops or businesses, entrances to pedestrian-oriented plazas, or courtyard entrances to a cluster of shops or businesses.

- (3) *Facade elements.* There is not a specific design style advocated by this Land Development Code. However, all of the following elements should exist regardless of style:
- a. A recognizable storefront base exists. Doors/windows that operate as sliders are prohibited along frontages;
 - b. Horizontal expression lines exist to define the cap and base of the building;
 - c. Pitched roofs shall be symmetrically sloped not less than (NLT) five to twelve (5:12). Parapet is an allowable cap type, but it must be a minimum of forty-two inches (42") high or as required to screen all HVAC equipment from view on the principal street;
 - d. Upper story windows must be oriented vertically and window edges must be defined. All openings other than storefronts shall be square or vertical in proportion. Openings above the first story shall not be greater than fifty percent (50%) of the total building wall area;
 - e. The building shall not exceed a three to one (3:1) horizontal to vertical ratio;
 - f. The facade shall be vertically divided into segments no larger than thirty feet (30'); and
 - g. Building wall materials may be combined on each facade only horizontally, with the heavier generally below the lighter. Street walls shall be made of brick, block or stucco to match facade of principal building.
- (4) *Downtown design guidelines incorporated by reference.* The downtown design guidelines are incorporated herein for more detailed guidance on specific design elements such as proportion, wall and window pattern, materials, doors, ornamentation, color and skyline articulation.



(f) *Access and parking requirements.*

(1) *Access.*

- a. Location. On-site surface parking lots are permitted only to the rear of a lot, fully screened from the front property line by a building. Parking may be placed on the side of a building but a street wall with landscaping at the base of the wall must be provided. The street wall must be designed to screen the view of vehicles from the principal street. A three-foot (3') street wall must be designed with the same building materials as the principal building;
- b. Driveways as a general rule shall not be permitted on Granada Boulevard. Access shall be taken from a lower classification street if available; and
- c. Driveway access from a secondary access street must be located at least fifty feet (50') from the front property line on Granada Boulevard.

(2) *Parking.*

- a. There shall be provided on the same site with any use, off-street parking spaces for automobiles and bicycles in accordance with the requirements of section 3-26. In all cases where bicycle parking is provided, such parking shall not be more inconveniently located than car parking and attempts should be made to have bicycle parking more convenient;

- b. Off-street parking requirements shall not be considered as providing required off-street parking facilities for any other use except as provided for when shared parking is proposed;
- c. Parking requirements for uses within the DOD districts shall vary according to the size of development, the location of public parking and transit availability. Where parking is required, parking may be provided through the use of shared parking, off-site valet or remote parking, a parking reduction study, a payment in lieu of on-site parking, on-site parking or a combination of these approaches. It is not the intent of this provision to limit the alternative parking approaches to those identified in this section. Other alternative approaches which have been used successfully in other downtown areas similar to the city which are rational and based upon applied science may be considered;
- d. Due to transit availability, and the existence of on-street parking and public parking lots in the River Downtown District, the first two thousand (2,000) square feet of floor area for any ~~new development building~~ within the River Downtown District shall be exempt from the minimum parking requirements as calculated in section 3-26;
- e. In all other districts (~~ocean and creek~~ Uptown and Beachside) such parking may be reduced by twenty-five percent (25%) due to transit availability;
- f. Where parking is required due to the size of the development or type of use, parking may be provided on-site or off-site through valet or remote parking or through shared parking where the city acts as the broker, coordinator and approving authority for the shared parking; and
- g. When parking is provided as a principal or accessory use on-site, parking may remain on a semi-improved surface, such as shale or stone until a master stormwater conceptual permit is approved and implemented for the downtown. This option is at the sole discretion of the city and should not be construed as an entitlement by an individual property owner. Once improvements within the subbasis area where the unimproved parking lot is located, the property shall be constructed and landscaped in accordance with sections 3-28 and 3-05, respectively.

(3) *Alternative parking options to on-site parking provisions.*

- a. *Valet or remote parking.* Upon application to the city, a business may utilize off-site valet parking or provide remote parking to meet the parking requirements. Valet or remote parking need not be located on the same side of the street of the use to be serviced by such parking. If

valet parking is to be used, the applicant must provide the location and number of the valet parking spaces, or the location and size of the valet parking zone being requested; the location of the off-street parking area the valet parking operation intends to use for the storing of the vehicles, and a signed contract or agreement showing that the valet parking has acquired the legal right to store the vehicles; and proof of insurance as required by the city;

- b. *Payment in lieu of parking.* An applicant may elect to make a payment in lieu of parking to the city. Such payment shall be based upon the current construction cost of one (1) surface parking space times the number of parking spaces. Payments shall be deposited to the city tax increment financing account for construction of parking based on demand;
- c. *Parking study reduction.* A study prepared by a qualified transportation firm or individual may be used to support reduction of parking based upon the known characteristics of the use. It shall be at the city's discretion to accept all, a portion, or none of the parking supported by the study; and
- d. *Shared parking.* Shared parking may be used, if feasible, to satisfy all or a portion of the minimum off-street parking requirements. Shared parking is permitted between different categories of uses or uses with different hours of operation provided the city acts as the broker, coordinator, and approving authority for the banking of parking arrangement. The planning director may authorize upon application, the allocation, transfer and the use of public parking spaces and private spaces to another land use to serve as the required off-street parking, based upon the percentage of required parking which is anticipated to be available by general use and time of day, as indicated in the following table 2:

TABLE 2. PERCENTAGE OF AVAILABLE PARKING
PERMITTED TO BE SHARED

General Use Classification	Weekdays			Weekends		
	12:00 midnight to 7:00 a.m.	7:00 a.m. to 6:00 p.m.	6:00 p.m. to 12:00 midnight	12:00 midnight to 7:00 a.m.	7:00 a.m. to 6:00 p.m.	6:00 p.m. to 12:00 midnight
Office	95	0	95	100	95	100
Retail	100	0	50	100	0	25
Restaurant	50	30	0	30	65	0
Lodging	0	35	0	0	35	0
Residential	0	50	20	0	25	25
Entertainment	95	80	0	95	50	0
Place of worship	100	70	50	100	0	25

- e. *Shared use parking example.* Assume a parcel in the downtown is to have a five thousand (5,000) square foot retail building constructed upon it. This LDC requires twenty-five (25) spaces; however, only twelve (12) spaces can be accommodated on-site. A twenty percent (20%) reduction is permitted because a transit route exists, reducing the required parking to twenty (20) spaces. Based upon table 2, the applicant for the retail establishment would be permitted to share one hundred percent (100%), or twelve (12) spaces, from 12:00 midnight to 7:00 a.m.; no spaces from 7:00 a.m. to 6:00 p.m.; and fifty percent (50%), or six (6) spaces, from 6:00 p.m. to 12:00 midnight. In return for the city's permitting eight (8) spaces from a city-owned fifty (50) space parking lot located within six

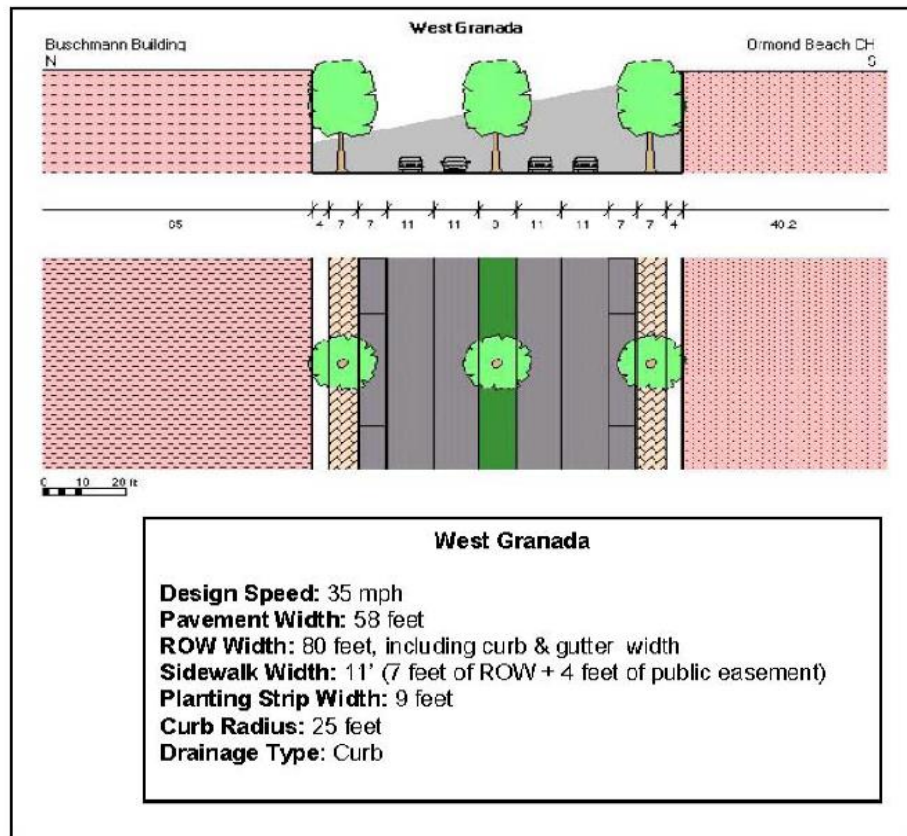
hundred sixty feet (660') of the use in order for the applicant to meet his parking requirement of twenty (20) spaces during the period of time the most number of parking is needed (7:00 a.m. to 6:00 p.m.), the applicant would be required to permit the use of all twelve (12) parking spaces for the public from 12:00 midnight to 7:00 a.m. and six (6) spaces from 6:00 p.m. to 12:00 midnight. The use of this parking by the public would be establishments which require parking at different hours than the retail use. In this example, the city has leveraged its fifty (50) space parking lot by increasing the number of spaces available in the early morning to sixty-two (62) spaces, forty-two (42) parking spaces during the day, and fifty-six (56) spaces at night. The increased parking made available between 12:00 midnight to 7:00 a.m. supports increased residential densities in the downtown, while providing nighttime uses, such as restaurants, with a supply of parking required between 6:00 p.m. and 12:00 midnight. A public parking easement would be required from the owner of the five thousand (5,000) square-foot retail building, but the easement would only be effective for as long as the shared parking arrangement continued. This easement could be terminated by the owner upon notice to the city; however, the owner will still be required to provide the required parking to meet his day time need. In this example, the city is the banker, broker, coordinator and approving authority for the shared parking arrangement.

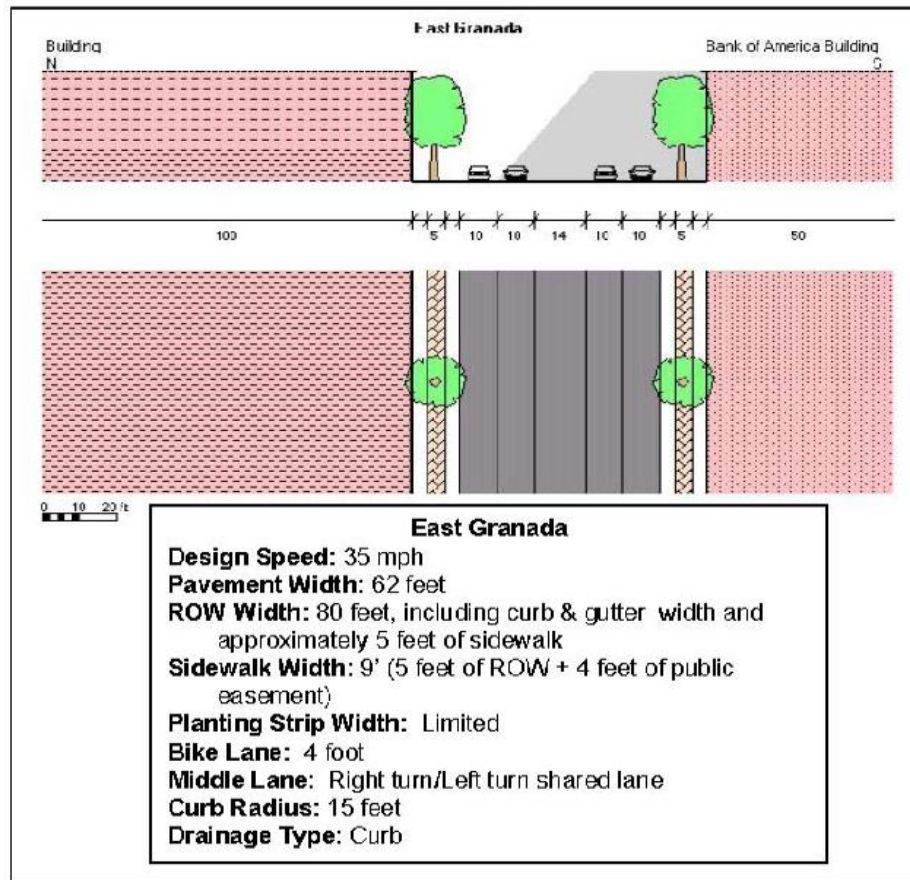
(g) *Public space standards.*

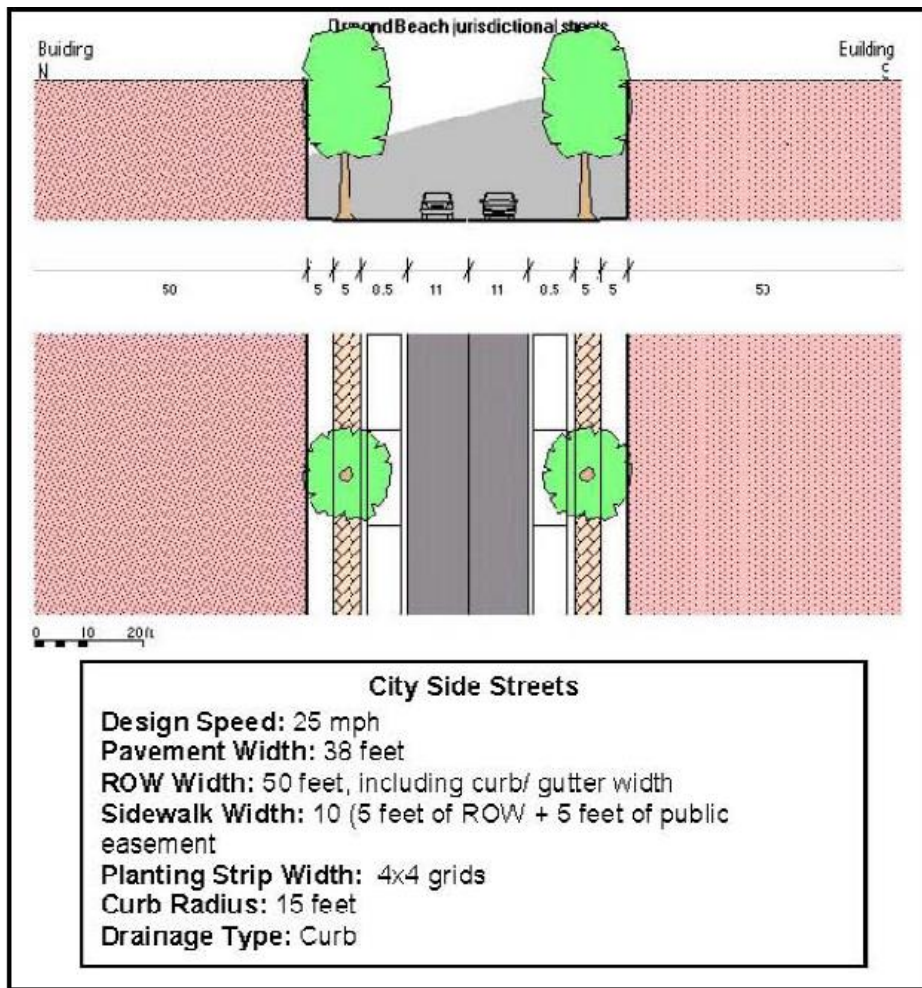
- (1) Streets within the city's downtown, regardless of jurisdiction, should be inviting public space and integral components of community design. The state and local street network provides for bicycle, pedestrian, and transit accessibility. All side streets parallel to and connecting to Granada Boulevard should continue to connect and not be vacated except for Lewis Street, which should be vacated as a pedestrian connection. These local connections help create a network of public areas to allow free movement of automobiles, bicyclists and pedestrians. In order for this street network to be safe for motorists and pedestrians, all design elements must consistently be applied to calm automobile traffic. Designs should permit comfortable use of the street by motorists, pedestrians, and bicyclists. Pavement widths, design speeds and the number of motor travel lanes should be minimized to enhance safety for motorists and nonmotorists alike. The specific design of any given street must consider the building types which have frontage and the relationship of the street to the overall street network. All new or renovated transportation infrastructure in the city's downtown CRA should achieve safety, comfort and convenience for all modes of travel, including pedestrians, bicyclists and

transit riders, in addition to automobile traffic. The following is a checklist of elements that should be incorporated into all new developments or transportation projects in the city's downtown.

- a. Provide sidewalk easements to expand the existing width of the current sidewalk on Granada Boulevard to eleven feet (11'), thus providing pedestrian safety as well as landscaping opportunities.
- b. Provide sufficient rights-of-way (fifty-foot (50') width) on all other side streets to ensure required sidewalk width (five feet (5') wide, both sides); on-street parking (eight and one-half feet (8½') wide, both sides), two (2) eleven-foot (11') wide through lanes; and two and one-half-foot (2½') curb and gutter on both sides is accommodated. The additional five-foot (5') setback shall be used to widen the sidewalk through dedication of a public easement.
- c. Include bicycle facilities on local access roadways and retrofit existing roadways with major reconstruction projects where feasible and without loss of on-street parking.
- d. In lieu of concurrency, all new development and redevelopment shall contribute in the form of a fee to be used towards multimodal improvements such as pedestrian sidewalks, bicycle trails and enhancements, and facility/operational improvements along the transit corridors.
- e. Provide full accessibility to all, including kids, seniors and people with disabilities.







- (h) Additional Permitted uses. In addition to the permitted, conditional, special exception and accessory uses provided for within section 2-25 for the B-4, Central Business Zoning District, live/work units and residential units above nonresidential ground floor uses are permitted by right.
- (i) Prohibited uses within the Downtown Overlay District. Prohibited uses include: noncamouflaged telecommunication towers, new or used car lots, outdoor storage, and type B and C convenience stores. The current uses located within the Downtown Overlay District which are considered prohibited may remain and re-establish through redevelopment; however, no such new use shall be permitted by right or through a PBD process. Where building use types are depicted on the regulating plan but are not permitted by the underlying land use and zoning, a land use and zoning change shall be required.

(ij) *Incentives.*

- (1) To support development and redevelopment in the DOD district, the planning director or designee may approve administrative relief of up to twenty percent (20%) to any dimensional requirement, yard or setback standard. In addition, development or redevelopment of uses which further the regulating plans, lot layout and building design standards of this section shall be eligible for financial incentives for property improvement. Use or dimensional nonconformities may be permitted to expand provided the nonconforming conditions are improved and such expansions are consistent with this section.
- (2) Stormwater treatment on parcels involving lot coverage of less than five thousand (5,000) square feet of floor area and less than four thousand (4,000) square feet of impervious road surface, for a total of nine thousand (9,000) square feet, shall not be required if the overall lot coverage is being reduced as a result of redevelopment. For parcels which have lot coverage of less than five thousand (5,000) square feet of floor area and less than four thousand (4,000) square feet of impervious road surface and redevelopment will increase the lot coverage but the floor area and impervious road surface is less than the nine thousand (9,000) square feet of lot coverage, only the additional lot coverage shall require treatment. Financial incentives may be permitted to offset infiltration techniques, such as "filterra boxes" to treat the additional lot coverage.

(jk) *Signs.* Permitted signs are subject to the requirements contained in chapter 3, article IV of this Land Development Code.

(kl) *Administration.* All current uses, buildings and lot layouts as of the date the ordinance from which this section is derived are considered conforming regardless of the illustrations depicted in the regulating plan and the text contained herein. Subsections (b) through (j) of this section applies to all new development on vacant parcels or parcels which will have current building improvements removed for redevelopment. A change of use as defined by section 2-64(b), building expansions and other improvements regardless of valuation or a use vacant for greater than six (6) months shall comply with the design guidelines only from subsections (e), (f), (h) and (j) of this section. Compliance with the design guidelines shall make the property eligible for financial assistance. Where the presence or absence of a provision exists in the DOD districts that thwart the implementation of the redevelopment plan, the planning director or designee is authorized to implement a different standard or provision provided the purposes of DOD districts are furthered by the alternative standard or provision. Where planning development is of such a type and nature that the internal and external operations has been demonstrated that the mixed use and upper story construction is inappropriate, relief from these requirements may be granted administratively

by the planning director or designee. The granting of relief shall be at the sole discretion of the city and shall not be considered a right by the applicant for development. All development and redevelopment shall be administratively approved through the SPRC committee.

(m) Redevelopment Plan: Where a project within a non-residential zoning district in the Downtown Overlay District cannot meet the standards of this section or the Land Development Code based on prevalence of nonconforming lots or at an applicant's option, these requirements may be waived through a city commission monitored process as a Special Exception or Planned Development aimed at producing development having design compatibility, meeting required parking to the maximum extent feasible, and achieving a high level of aesthetic appeal through a combination of innovative architecture, landscaping and hardscape materials. The Redevelopment Plan shall demonstrate compliance with the 2019 Downtown Master Plan update.

(n) Design guidelines. The downtown overlay design guidelines are hereby adopted by reference and shall be utilized in determining both compliance with this Land Development Code section as well as evaluating development proposals for eligibility under any financial incentive program offered by the community redevelopment agency.

SECTION TWO. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION THREE. In the event any word, phrase, clause, sentence, paragraph, term, or provision of this Ordinance shall be held to be invalid by a court of competent jurisdiction, such judicial determination shall not affect any other word, clause, phrase, sentence, paragraph, term or provision, of this Ordinance, and the remainder of this Ordinance shall remain in full force and effect.

SECTION FOUR. This Ordinance shall take effect immediately upon its adoption.

PASSED UPON at the first reading of the City Commission, this 4th day of August, 2021.

PASSED UPON at the second and final reading of the City Commission, this 17th
day of August, 2021.

BILL PARTINGTON
Mayor

ATTEST:

WENDY J. HONTZ
Acting City Clerk

STAFF REPORT

City of Ormond Beach Department of Planning

DATE: May 3, 2021

SUBJECT: Land Development Code amendment: Section 3-70. –
Downtown Overlay District

APPLICANT: Administrative

NUMBER: LDC 2021-053

PROJECT PLANNER: Steven Spraker, AICP, Planning Director

INTRODUCTION:

This is an administrative amendment to the Land Development Code (LDC), Chapter 2, Article VI.-Overlay Districts, Section 2-70, Downtown Overlay District, to update the section consistent with the 2019 Downtown Master Plan update.

BACKGROUND:

On October 1, 2019, the City Commission adopted Resolution 2019-178 that adopted the 2019 Community Redevelopment Agency (CRA) Master Plan update amending the 2006 Master Plan. The 2019 Master Plan update was guided by the Downtown Steering Committee composed of members of city boards, residents, business owners, and organizations active in the downtown area.

The purpose of this Land Development Code amendment is to ensure consistency between the 2019 Downtown Master Plan update and the Downtown Overlay District within the Land Development Code. The Downtown Overlay District underwent major Land Development Code amendments in 2010, adopted with Ordinance 2010-051 that implements a form-based code. Key proposed amendments of this action include:

1. Updating the three (3) districts of the Downtown Overlay District. The 2006 Master Plan created the Creek, River, and Ocean districts. With the 2019 Downtown Master Plan update, the name of these districts were updated to Uptown, Downtown, and Beachside.
2. On November 7, 2017, the City Commission adopted 2017-20 that amended the Future Land Use Element of the Comprehensive Plan to allow a maximum floor area ratio of 2.0 with the "General Commercial" land use with the Downtown Community Redevelopment area. This land use amendment needs to be incorporated into the Downtown Overlay District section.
3. Separation of existing subsection (h) of the Downtown Overlay District permitted uses to separate the prohibited uses within the Downtown Overlay District into their own subsection. There are no changes to the listed permitted or prohibited uses.
4. Create subsection (m) redevelopment plan based on the existing language of Section 2-25(A) of the Land Development Code. This section is the purpose of the B-4 (Central Business) zoning district. This subsection is designed to allow

projects to have the ability to seek a Special Exception or Planned Development as part of redevelopment plan where the regulations in the Land Development Code cannot be met.

ANALYSIS:

Based upon the length of the Downtown Overlay District section, the proposed changes are shown in Attachment 1. The sources of the changes are also provided as attachments, including excerpts of 2019 Master Plan update (Attachment 3), Ordinance 2017-10 of the floor area ratio amendment (Attachment 4), and the existing language for a redevelopment plan (Attachment 5). The proposed amendments seek to provide updates based upon the 2019 Master Plan update and the 2017 Comprehensive Plan amendment.

CONCLUSION:

Section 1-15(d)(3) of the Land Development Code requires certain criteria that must be evaluated before adoption of a Land Development Code amendment when making their recommendation, as follows:

- 1. The proposed development conforms to the standards and requirements of this Code and will not create undue crowding beyond the conditions normally permitted in the zoning district, or adversely affect the public health, safety, welfare or quality of life.**

The proposed amendment does not propose any site-specific development. This amendment seeks to incorporate the 2019 Master Plan update and Comprehensive Plan amendment into the Land Development Code. It is not expected that the proposed Land Development Code amendment would create undue crowding beyond the conditions normally permitted in the zoning district, or adversely affect the public health, safety, welfare or quality of life

- 2. The proposed development is consistent with the Comprehensive Plan.**

The proposed Land Development Code amendment is consistent with the Comprehensive Plan. Objective 2.1 of the Future Land Use Element of the Comprehensive Plan discussed the need to update Land Development Code regulations.

- 3. The proposed development will not adversely impact environmentally sensitive lands or natural resources, including but not limited to waterbodies, wetlands, xeric communities, wildlife habitats, endangered or threatened plants and animal species or species of special concern, wellfields, and individual wells.**

The proposed Land Development Code amendment does not approve any site-specific development and will not have an adverse impact on environmentally sensitive lands.

- 4. The proposed use will not substantially or permanently depreciate the value of surrounding property; create a nuisance; or deprive adjoining properties of adequate light and air; create excessive noise, odor, glare, or visual impacts on the neighborhood and adjoining properties.**

The proposed Land Development Code amendment does not approve any site-specific development and will not have any impacts on surrounding properties.

- 5. There are adequate public facilities to serve the development, including but not limited to roads, sidewalks, bike paths, potable water, wastewater treatment, drainage, fire and police safety, parks and recreation facilities, schools, and playgrounds.**

The proposed Land Development Code amendment is not applicable to public facilities.

- 6. Ingress and egress to the property and traffic patterns are designed to protect and promote motorized vehicle and pedestrian/bicycle safety and convenience, allow for desirable traffic flow and control, and provide adequate access in case of fire or catastrophe. This finding shall be based on a traffic report where available, prepared by a qualified traffic consultant, engineer or planner which details the anticipated or projected effect of the project on adjacent roads and the impact on public safety.**

There is no development proposed as part of the proposed amendment. The application pertains to a Land Development Code amendment.

- 7. The proposed development is functional in the use of space and aesthetically acceptable.**

There is no development proposed as part of the proposed amendment. The application pertains to a Land Development Code amendment.

- 8. The proposed development provides for the safety of occupants and visitors.**

There is no development proposed as part of the proposed amendment. The application pertains to a Land Development Code amendment.

- 9. The proposed use of materials and architectural features will not adversely impact the neighborhood and aesthetics of the area.**

There is no development proposed as part of the proposed amendment. The application pertains to a Land Development Code amendment.

- 10. The testimony provided at public hearings.**

There has not been a public hearing at this time. The comments from the Planning Board meeting will be incorporated into the City Commission packet.

RECOMMENDATION:

It is recommended that the Planning Board **APPROVE** the amendments to Land Development Code, Chapter 2, Article VI.-Overlay Districts, Section 2-70, Downtown Overlay District, to update the section consistent with the 2019 Downtown Master Plan update, as shown in Attachment 1.

Attachments:

- Attachment 1: Proposed Land Development Code amendment
- Attachment 2: Current Section 2-70 of the Land Development Code
- Attachment 3: Excerpts of the 2019 Downtown Master Plan update
- Attachment 4: 2017 Comprehensive Plan amendment
- Attachment 5: B-4 (Central Business) zoning district

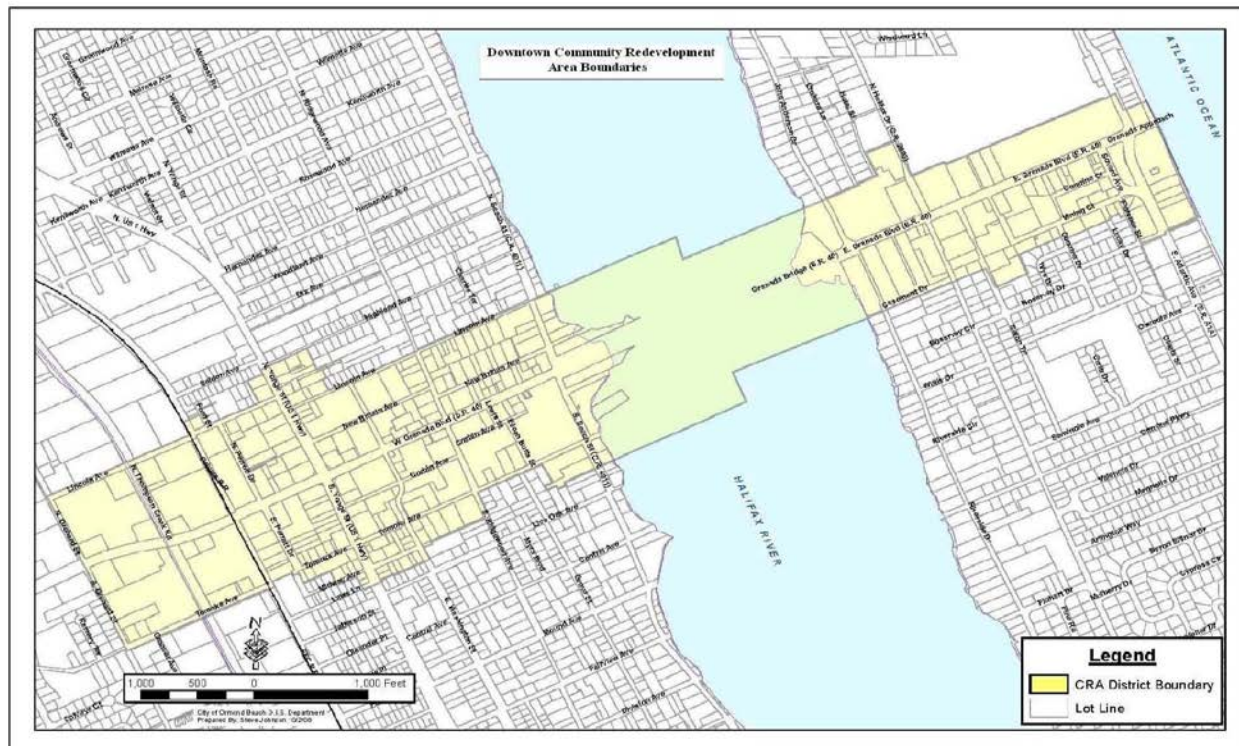
Attachment 1:

Proposed Land Development Code amendment

Chapter 2, District and General Regulations, Article VI.-Overlay Districts

Sec. 2-70. - Downtown Overlay District.

- (a) *Purpose.* The purposes of the DOD, Downtown Overlay District are to promote development of a compact, pedestrian-oriented downtown consisting of a high-intensity employment, vibrant and dynamic mixed use areas, and residential living environments that provide a broad range of housing types and tenures; promote a diverse mix of entertainment activities for workers, visitors, and residents; encourage pedestrian-oriented development that is within walking distance of and supports transit opportunities at densities and intensities that will help to support transit usage and town center businesses; create a sense of place that is unique, attractive, and is a memorable destination for visitors and residents; enhance the community's character through the promotion of high quality urban design; and implement the vision expressed in the adopted ~~2007~~ 2019 Downtown Redevelopment Master Plan update. The land area to which this section applies is the downtown community redevelopment area boundaries.
- (b) *Regulating plan (see regulating plans).* The DOD districts consist of regulating plans depicting preferred concepts that reflect the existing and desired building placements articulated for the Creek Uptown, River Downtown and Ocean Beachside Districts within the downtown redevelopment master plan. The three (3) districts served by transit are the:

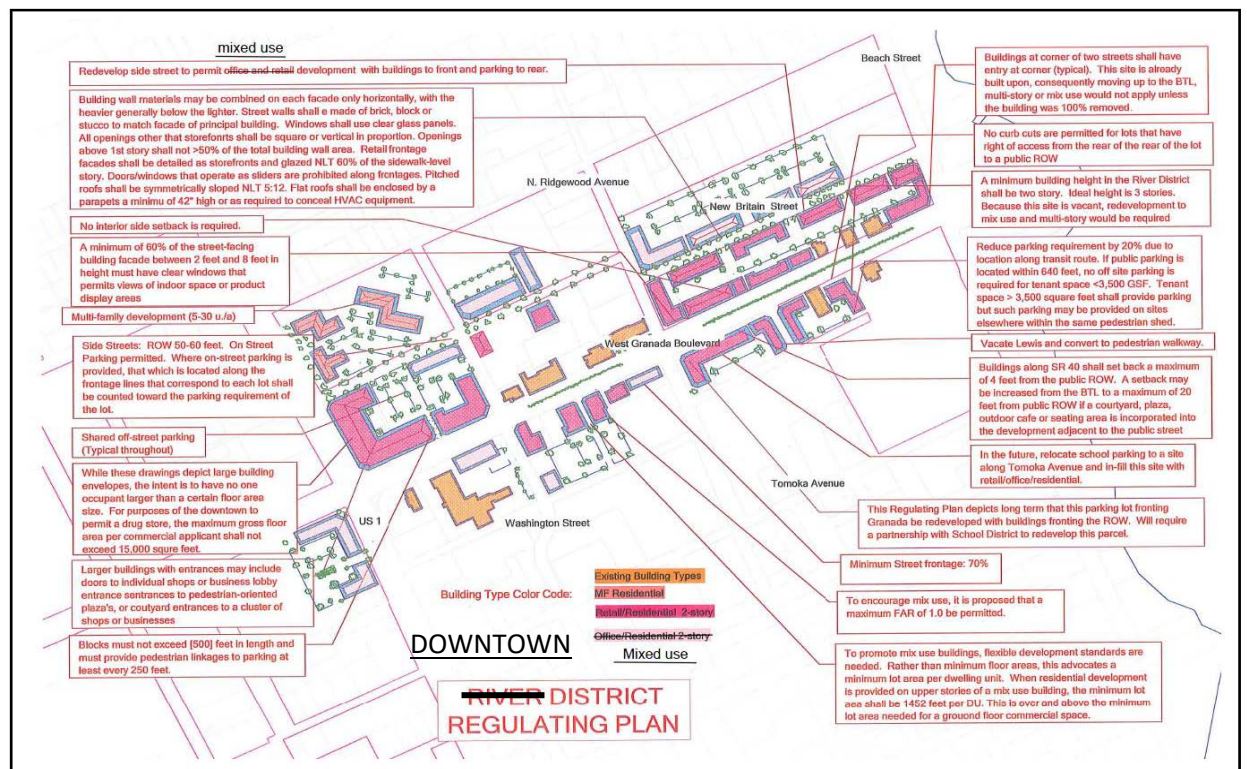
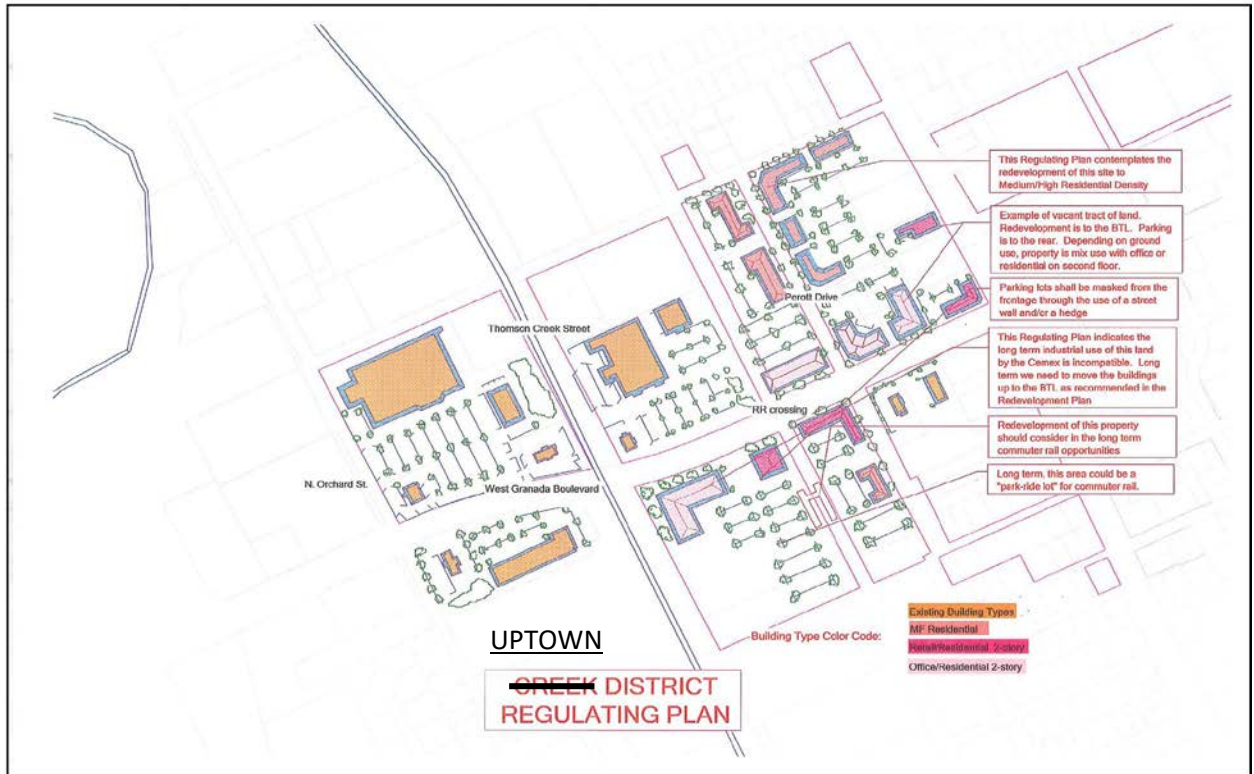


- (1) Creek Uptown District. This subdistrict is primarily intended to enhance the existing suburban style development pattern. ~~This subdistrict is a prime location for workforce housing for both tenure types. Redevelopment of industrial uses upon vacancy should be to medium and high density housing, since the current employment estimate for the Creek district is 9.49 per acre, which is the lowest of the three (3) subdistricts. New buildings on unimproved parcels or where tear-down of existing buildings occur shall line the~~

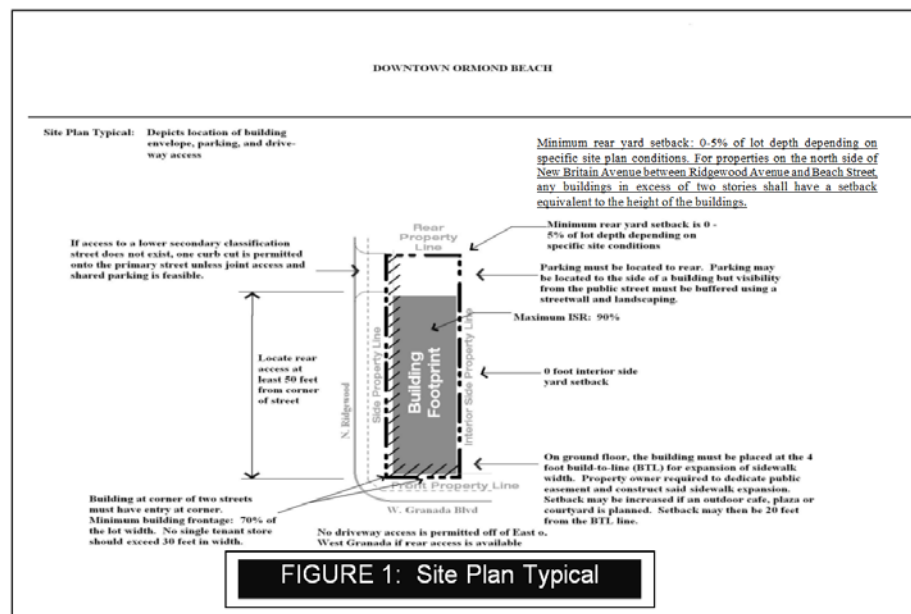
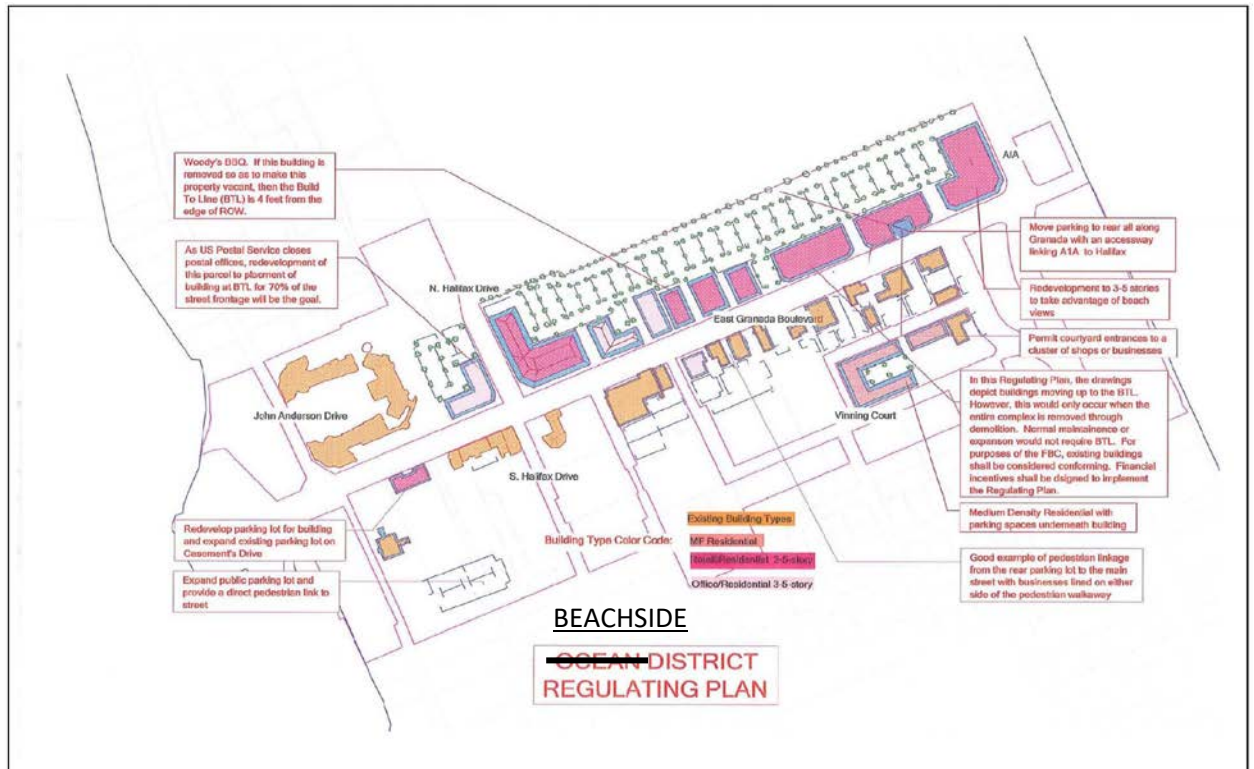
Granada Boulevard frontage. Uptown acts as the main entry to Ormond Beach. This area is heavily vehicle dominated and house most of the district's major regional retailers. Through enhanced streetscaping, which includes native plants and shade trees, and enhanced painted bike lanes the space can begin to serve pedestrians and multimodal transportation. Long-term, redevelopment of the cement mixing plant to a use that could benefit commuter rail or local transit would be highly desirable;

- (2) River Downtown District. This district has a traditional downtown appearance which should be supported and enhanced with similar form and function. ~~The office and retail service function in this district has a current employee estimate of 12.34 per acre.~~ The district regulations support the function of the town center's core role as a hub of city importance for business, communications, office, government, retail, culture, education, visitor accommodations and entertainment. The regulations contained herein for this district support a mix of office commercial, public, recreation and entertainment uses. The River Downtown District also accommodates mixed use and medium and high density residential projects along the parallel side street system to Granada Boulevard. The side street system and adjacent areas are primarily intended to accommodate medium to high density residential development and small scale ground floor commercial uses with residential units above. This area also accommodates low-intensity office development compatible with the established residential character as well as to adjacent residentially zoned districts. The side street area is considered to be all of the parcels fronting New Britain Avenue from North Beach Street to U.S. 1 and those properties fronting north and south oriented streets. Providing a more pedestrian friendly environment and creating enhanced connectivity could enhance this area; and
 - (3) Ocean Beachside District. This area is uniquely situated to take advantage of both the Halifax River and the Atlantic Ocean. More intensive infill housing south of Granada Boulevard as well as mixed use development along Granada Boulevard and the side street system incorporating a housing component is needed. ~~The employee per acre in the district is the highest of the three (3) districts at 25.16 per acre. The district is considered to be all parcels fronting Granada Boulevard from SR A-1-A to Riverside Drive/John Anderson Drive and the side street system on the south side of East Granada. This district encompasses many of the historic assets in Ormond holding the potential to act as "Museum Row".~~
- (c) *Building envelope layout.* (See figure 1, site plan typical.)
- (1) Street frontage: minimum seventy percent (70%).
 - (2) Minimum interior side property line setback: zero feet.
 - (3) Building frontage in figure 1 should not be construed as preventing the interconnection of on-premises sidewalks, courtyards or outdoor cafes from rear parking lots and secondary streets to the primary frontage street.
 - (4) Minimum rear yard setback: zero to five percent (0% to 5%) of lot depth depending on specific site plan conditions. For properties on the north side of New Britain Avenue between Ridgewood Avenue and Beach Street, any building in excess of two stories shall have a setback equivalent to the height of the building.
 - (5) Front setback.

- Granada Boulevard: four feet (4');
- Side streets: five feet (5').



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(6) The following exceptions of the build-to-line (BTL) for front and street side building setbacks apply:

- Buildings may be set back from the BTL to provide an articulated facade or accommodate an entrance feature provided the created space does not exceed one (1) square foot for every linear foot of building frontage; or
- Buildings may be set back in order to accommodate an outdoor eating area or cafe.

- (7) In order to preserve the continuity of the street wall, no building may be set back more than twenty feet (20') from the BTL regardless of the exceptions provided in subsection (c)(6) of this section.
 - (8) Floor area ratio, to encourage mixed use buildings, a FAR of ~~12.0~~ shall be permitted for properties in the CRA with a "General Commercial" land use designation.
 - (9) Lot area per unit (density). The minimum lot area per dwelling unit shall be one thousand, five hundred (1,500) square feet for mixed use buildings located on the side street system and Granada Boulevard, respectively. (See the downtown design guidelines for an example of how this can be accommodated on a site.) All other buildings shall be subject to the minimum square footage by bedroom in the respective zoning district.
 - (10) Landscaped buffers shall not be required for any portion of street frontage. Landscaped buffers and landscaping shall be required to buffer and screen parking lots in accordance with sections 3-05 and 3-06. Any development of property along the north side of New Britain Avenue between Ridgewood Avenue and Beach Street where the proposed building exceeds two (2) stories shall provide a landscape buffer along the rear property line having a minimum width of at least ten (10) feet and a decorative screening wall at least six (6) feet in height.
 - (11) Maximum impervious surface: ninety percent (90%).
- (d) *Height requirements.* (See figure 2, building cross section typical.)
- (1) Building height. Height is measured in stories.
 - (2) Table 1 depicts the heights by physical location and the district in which a building is located.
 - (3) Redevelopment along that portion of New Britain Avenue adjacent to the Lincoln Avenue Historic District shall not exceed three stories. Redevelopment exceeding three (3) stories in building height, not to exceed five (5) stories in building height, may be permitted with a rezoning to Planned Business Development.
 - (4) Floor-to-floor heights and floor area of ground-floor space. All commercial floor space provided on the ground floor of a mixed use building must have a minimum floor-to-ceiling height of eleven feet (11'). All nonresidential floor space provided on the ground floor of a mixed use building must contain at least eight hundred (800) square feet or twenty-five percent (25%) of the lot area, whichever is greater, on lots with street frontage of less than fifty feet (50') or at least twenty percent (20%) of the lot area on lots with fifty feet (50') of street frontage or more: and
 - (5) Floor heights. Allowable ground floor height is a minimum of eleven feet (11') as measured floor to floor. Upper floor minimums shall be nine feet (9'), maximum eleven feet (11'), as measured floor to floor.

Table 1. Height by Location

Location	Creek <u>Uptown</u>	River <u>Downtown</u>	Ocean <u>Beachside</u>
Granada Boulevard	2-story	2—5 stories	3—5 stories

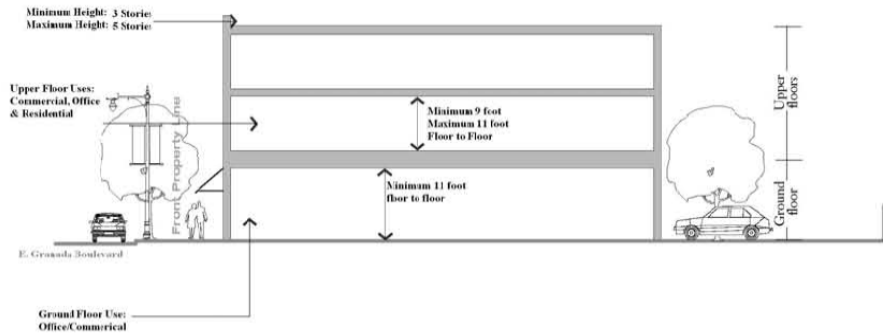


Figure 2. 3-5 Story Building X Section Typical

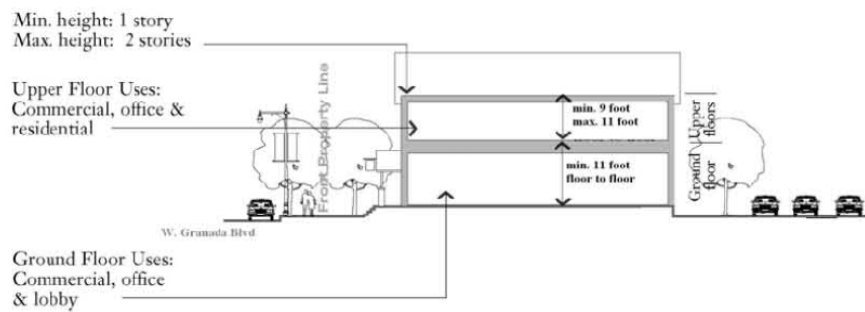


Figure 2. 2-Story Building X Section Typical

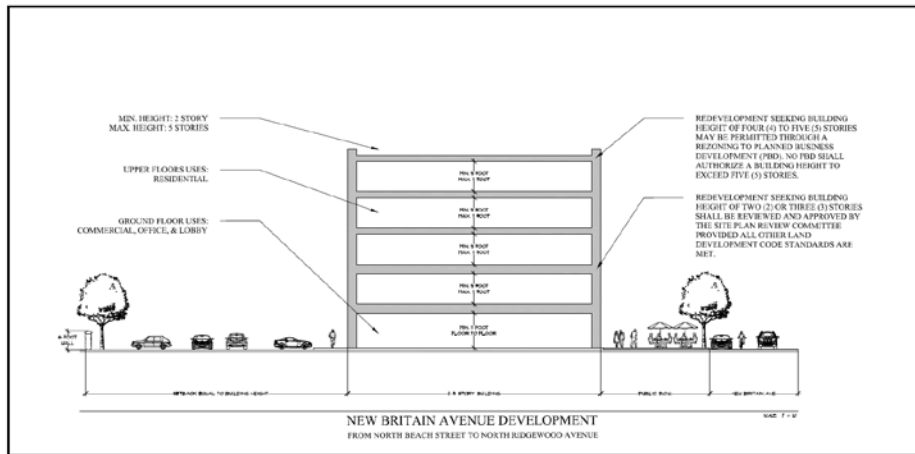
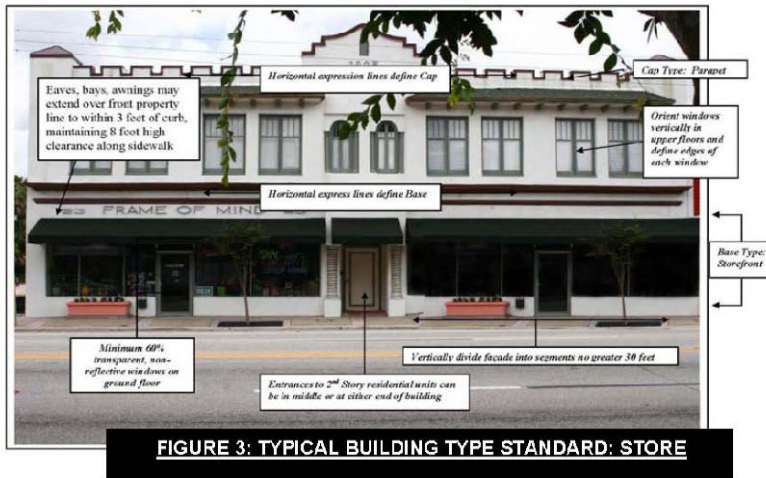


Figure 2. New Britain Avenue Development from North Beach Street to North Ridgewood Avenue

(e) *Facade requirements.* (See figure 3, building type standard: store.)

- (1) *Window transparency.* A minimum of sixty percent (60%) of the street-facing building facade between two feet (2') and eight feet (8') in height must comprise clear windows that allow views of indoor nonresidential space or product display areas. Windows shall use clear glass panels.
- (2) *Building entrance.* Buildings located at the corner of two (2) intersecting streets shall have the building entry located at the corner. Building entrances may include doors to individual shops or businesses, entrances to pedestrian-oriented plazas, or courtyard entrances to a cluster of shops or businesses.
- (3) *Facade elements.* There is not a specific design style advocated by this Land Development Code. However, all of the following elements should exist regardless of style:
 - a. A recognizable storefront base exists. Doors/windows that operate as sliders are prohibited along frontages;
 - b. Horizontal expression lines exist to define the cap and base of the building;
 - c. Pitched roofs shall be symmetrically sloped not less than (NLT) five to twelve (5:12). Parapet is an allowable cap type, but it must be a minimum of forty-two inches (42") high or as required to screen all HVAC equipment from view on the principal street;
 - d. Upper story windows must be oriented vertically and window edges must be defined. All openings other than storefronts shall be square or vertical in proportion. Openings above the first story shall not be greater than fifty percent (50%) of the total building wall area;
 - e. The building shall not exceed a three to one (3:1) horizontal to vertical ratio;
 - f. The facade shall be vertically divided into segments no larger than thirty feet (30'); and

- g. Building wall materials may be combined on each facade only horizontally, with the heavier generally below the lighter. Street walls shall be made of brick, block or stucco to match facade of principal building.
- (4) *Downtown design guidelines incorporated by reference.* The downtown design guidelines are incorporated herein for more detailed guidance on specific design elements such as proportion, wall and window pattern, materials, doors, ornamentation, color and skyline articulation.



(f) *Access and parking requirements.*

(1) *Access.*

- a. Location. On-site surface parking lots are permitted only to the rear of a lot, fully screened from the front property line by a building. Parking may be placed on the side of a building but a street wall with landscaping at the base of the wall must be provided. The street wall must be designed to screen the view of vehicles from the principal street. A three-foot (3') street wall must be designed with the same building materials as the principal building;
- b. Driveways as a general rule shall not be permitted on Granada Boulevard. Access shall be taken from a lower classification street if available; and
- c. Driveway access from a secondary access street must be located at least fifty feet (50') from the front property line on Granada Boulevard.

(2) *Parking.*

- a. There shall be provided on the same site with any use, off-street parking spaces for automobiles and bicycles in accordance with the requirements of section 3-26. In all cases where bicycle parking is provided, such parking shall not be more inconveniently located than car parking and attempts should be made to have bicycle parking more convenient;

- b. Off-street parking requirements shall not be considered as providing required off-street parking facilities for any other use except as provided for when shared parking is proposed;
 - c. Parking requirements for uses within the DOD districts shall vary according to the size of development, the location of public parking and transit availability. Where parking is required, parking may be provided through the use of shared parking, off-site valet or remote parking, a parking reduction study, a payment in lieu of on-site parking, on-site parking or a combination of these approaches. It is not the intent of this provision to limit the alternative parking approaches to those identified in this section. Other alternative approaches which have been used successfully in other downtown areas similar to the city which are rational and based upon applied science may be considered;
 - d. Due to transit availability, and the existence of on-street parking and public parking lots in the ~~River~~ Downtown District, the first two thousand (2,000) square feet of floor area for any ~~new~~ development within the ~~River~~ Downtown District shall be exempt from the minimum parking requirements as calculated in section 3-26;
 - e. In all other districts (~~ocean and creek~~ Uptown and Beachside) such parking may be reduced by twenty-five percent (25%) due to transit availability;
 - f. Where parking is required due to the size of the development or type of use, parking may be provided on-site or off-site through valet or remote parking or through shared parking where the city acts as the broker, coordinator and approving authority for the shared parking; and
 - g. When parking is provided as a principal or accessory use on-site, parking may remain on a semi-improved surface, such as shale or stone until a master stormwater conceptual permit is approved and implemented for the downtown. This option is at the sole discretion of the city and should not be construed as an entitlement by an individual property owner. Once improvements within the subbasis area where the unimproved parking lot is located, the property shall be constructed and landscaped in accordance with sections 3-28 and 3-05, respectively.
- (3) *Alterative parking options to on-site parking provisions.*
- a. *Valet or remote parking.* Upon application to the city, a business may utilize off-site valet parking or provide remote parking to meet the parking requirements. Valet or remote parking need not be located on the same side of the street of the use to be serviced by such parking. If valet parking is to be used, the applicant must provide the location and number of the valet parking spaces, or the location and size of the valet parking zone being requested; the location of the off-street parking area the valet parking operation intends to use for the storing of the vehicles, and a signed contract or agreement showing that the valet parking has acquired the legal right to store the vehicles; and proof of insurance as required by the city;
 - b. *Payment in lieu of parking.* An applicant may elect to make a payment in lieu of parking to the city. Such payment shall be based upon the current construction cost of one (1) surface parking space times the number of parking spaces. Payments shall

be deposited to the city tax increment financing account for construction of parking based on demand;

- c. *Parking study reduction.* A study prepared by a qualified transportation firm or individual may be used to support reduction of parking based upon the known characteristics of the use. It shall be at the city's discretion to accept all, a portion, or none of the parking supported by the study; and
- d. *Shared parking.* Shared parking may be used, if feasible, to satisfy all or a portion of the minimum off-street parking requirements. Shared parking is permitted between different categories of uses or uses with different hours of operation provided the city acts as the broker, coordinator, and approving authority for the banking of parking arrangement. The planning director may authorize upon application, the allocation, transfer and the use of public parking spaces and private spaces to another land use to serve as the required off-street parking, based upon the percentage of required parking which is anticipated to be available by general use and time of day, as indicated in the following table 2:

TABLE 2. PERCENTAGE OF AVAILABLE PARKING
PERMITTED TO BE SHARED

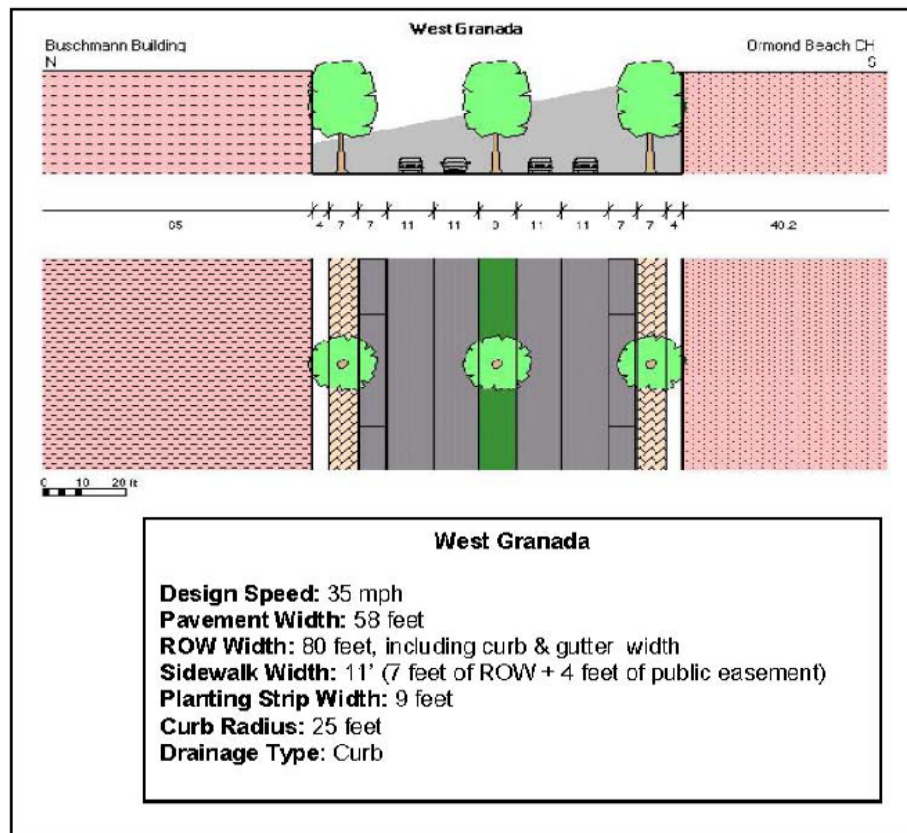
General Use Classification	Weekdays			Weekends		
	12:00 midnight to 7:00 a.m.	7:00 a.m. to 6:00 p.m.	6:00 p.m. to 12:00 midnight	12:00 midnight to 7:00 a.m.	7:00 a.m. to 6:00 p.m.	6:00 p.m. to 12:00 midnight
Office	95	0	95	100	95	100
Retail	100	0	50	100	0	25
Restaurant	50	30	0	30	65	0
Lodging	0	35	0	0	35	0
Residential	0	50	20	0	25	25
Entertainment	95	80	0	95	50	0
Place of worship	100	70	50	100	0	25

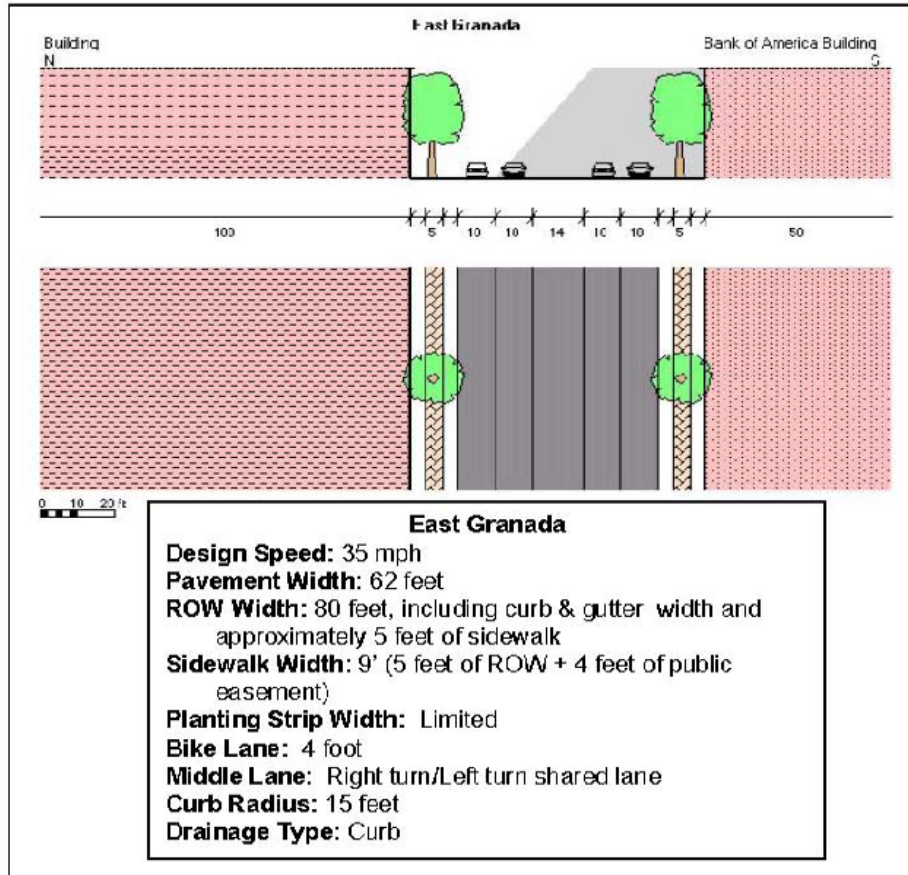
- e. *Shared use parking example.* Assume a parcel in the downtown is to have a five thousand (5,000) square foot retail building constructed upon it. This LDC requires twenty-five (25) spaces; however, only twelve (12) spaces can be accommodated on-site. A twenty percent (20%) reduction is permitted because a transit route exists, reducing the required parking to twenty (20) spaces. Based upon table 2, the applicant for the retail establishment would be permitted to share one hundred percent (100%), or twelve (12) spaces, from 12:00 midnight to 7:00 a.m.; no spaces from 7:00 a.m. to 6:00 p.m.; and fifty percent (50%), or six (6) spaces, from 6:00 p.m. to 12:00 midnight. In return for the city's permitting eight (8) spaces from a city-owned fifty (50) space parking lot located within six hundred sixty feet (660') of the use in order for the applicant to meet his parking requirement of twenty (20) spaces during the period of time the most number of parking is needed (7:00 a.m. to 6:00 p.m.), the applicant would be required to permit the use of all twelve (12) parking spaces for the public from 12:00 midnight to 7:00 a.m. and six (6) spaces from 6:00 p.m. to 12:00 midnight. The use of this parking by the public would be establishments which require parking at different hours than the retail use. In this example, the city has leveraged its fifty (50) space parking lot by increasing the number of spaces available in the early morning to sixty-two (62) spaces, forty-two (42) parking spaces during the day, and fifty-six (56) spaces at night. The increased parking made available between 12:00 midnight to 7:00 a.m. supports increased residential densities in the downtown, while providing nighttime uses, such as restaurants, with a supply of parking required between 6:00 p.m. and 12:00 midnight. A public parking easement would be required from the owner of the five thousand (5,000) square-foot retail building, but the easement would only be effective for as long as the shared parking arrangement continued. This easement could be terminated by the owner upon notice to the city; however, the owner will still be required to provide the required parking to meet his day time need. In this example, the city is the banker, broker, coordinator and approving authority for the shared parking arrangement.

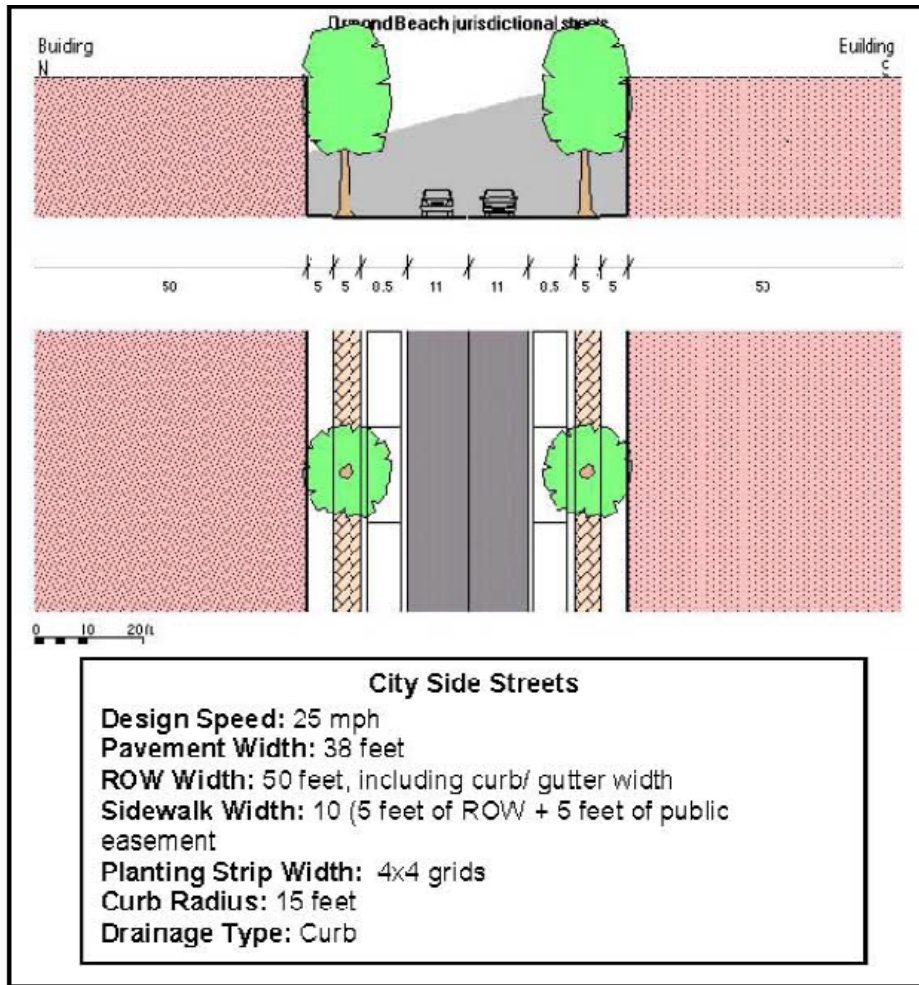
(g) *Public space standards.*

- (1) Streets within the city's downtown, regardless of jurisdiction, should be inviting public space and integral components of community design. The state and local street network provides for bicycle, pedestrian, and transit accessibility. All side streets parallel to and connecting to Granada Boulevard should continue to connect and not be vacated except for Lewis Street, which should be vacated as a pedestrian connection. These local connections help create a network of public areas to allow free movement of automobiles, bicyclists and pedestrians. In order for this street network to be safe for motorists and pedestrians, all design elements must consistently be applied to calm automobile traffic. Designs should permit comfortable use of the street by motorists, pedestrians, and bicyclists. Pavement widths, design speeds and the number of motor travel lanes should be minimized to enhance safety for motorists and nonmotorists alike. The specific design of any given street must consider the building types which have frontage and the relationship of the street to the overall street network. All new or renovated transportation infrastructure in the city's downtown CRA should achieve safety, comfort and convenience for all modes of travel, including pedestrians, bicyclists and transit riders, in addition to automobile traffic. The following is a checklist of elements that should be incorporated into all new developments or transportation projects in the city's downtown.

- Provide sidewalk easements to expand the existing width of the current sidewalk on Granada Boulevard to eleven feet (11'), thus providing pedestrian safety as well as landscaping opportunities.
- Provide sufficient rights-of-way (fifty-foot (50') width) on all other side streets to ensure required sidewalk width (five feet (5') wide, both sides); on-street parking (eight and one-half feet (8½') wide, both sides), two (2) eleven-foot (11') wide through lanes; and two and one-half-foot (2½') curb and gutter on both sides is accommodated. The additional five-foot (5') setback shall be used to widen the sidewalk through dedication of a public easement.
- Include bicycle facilities on local access roadways and retrofit existing roadways with major reconstruction projects where feasible and without loss of on-street parking.
- In lieu of concurrency, all new development and redevelopment shall contribute in the form of a fee to be used towards multimodal improvements such as pedestrian sidewalks, bicycle trails and enhancements, and facility/operational improvements along the transit corridors.
- Provide full accessibility to all, including kids, seniors and people with disabilities.







- (h) Additional Permitted uses. In addition to the permitted, conditional, special exception and accessory uses provided for within section 2-25 for the B-4, Central Business Zoning District, live/work units and residential units above nonresidential ground floor uses are permitted by right.
- (i) Prohibited uses within the Downtown Overlay District. Prohibited uses include: noncamouflaged telecommunication towers, new or used car lots, outdoor storage, and type B and C convenience stores. The current uses located within the Downtown Overlay District which are considered prohibited may remain and re-establish through redevelopment; however, no such new use shall be permitted by right or through a PBD process. Where building use types are depicted on the regulating plan but are not permitted by the underlying land use and zoning, a land use and zoning change shall be required.
- (j) Incentives.
- (1) To support development and redevelopment in the DOD district, the planning director or designee may approve administrative relief of up to twenty percent (20%) to any dimensional requirement, yard or setback standard. In addition, development or redevelopment of uses which further the regulating plans, lot layout and building design standards of this section shall be eligible for financial incentives for property improvement. Use or dimensional nonconformities may be permitted to expand provided

the nonconforming conditions are improved and such expansions are consistent with this section.

- (2) Stormwater treatment on parcels involving lot coverage of less than five thousand (5,000) square feet of floor area and less than four thousand (4,000) square feet of impervious road surface, for a total of nine thousand (9,000) square feet, shall not be required if the overall lot coverage is being reduced as a result of redevelopment. For parcels which have lot coverage of less than five thousand (5,000) square feet of floor area and less than four thousand (4,000) square feet of impervious road surface and redevelopment will increase the lot coverage but the floor area and impervious road surface is less than the nine thousand (9,000) square feet of lot coverage, only the additional lot coverage shall require treatment. Financial incentives may be permitted to offset infiltration techniques, such as "filterra boxes" to treat the additional lot coverage.
- (~~jk~~) *Signs.* Permitted signs are subject to the requirements contained in chapter 3, article IV of this Land Development Code.
- (~~kl~~) *Administration.* All current uses, buildings and lot layouts as of the date the ordinance from which this section is derived are considered conforming regardless of the illustrations depicted in the regulating plan and the text contained herein. Subsections (b) through (j) of this section applies to all new development on vacant parcels or parcels which will have current building improvements removed for redevelopment. A change of use as defined by section 2-64(b), building expansions and other improvements regardless of valuation or a use vacant for greater than six (6) months shall comply with the design guidelines only from subsections (e), (f), (h) and (j) of this section. Compliance with the design guidelines shall make the property eligible for financial assistance. Where the presence or absence of a provision exists in the DOD districts that thwart the implementation of the redevelopment plan, the planning director or designee is authorized to implement a different standard or provision provided the purposes of DOD districts are furthered by the alternative standard or provision. Where planning development is of such a type and nature that the internal and external operations has been demonstrated that the mixed use and upper story construction is inappropriate, relief from these requirements may be granted administratively by the planning director or designee. The granting of relief shall be at the sole discretion of the city and shall not be considered a right by the applicant for development. All development and redevelopment shall be administratively approved through the SPRC committee.
- (m) Redevelopment Plan: Where a project within a non-residential zoning district in the Downtown Overlay District cannot be meet the standards of this section or the Land Development Code based on prevalence of nonconforming lots or at an applicant's option, these requirements may be waived through a city commission monitored process as a Special Exception or Planned Development aimed at producing development having design compatibility, meeting required parking to the maximum extent feasible, and achieving a high level of aesthetic appeal through a combination of innovative architecture, landscaping and hardscape materials. The Redevelopment Plan shall demonstrate compliance with the 2019 Downtown Master Plan update.
- (~~hn~~) *Design guidelines.* The downtown overlay design guidelines are hereby adopted by reference and shall be utilized in determining both compliance with this Land Development

Code section as well as evaluating development proposals for eligibility under any financial incentive program offered by the community redevelopment agency.

(Ord. No. [2017-02](#), §§ 1, 2, 2-7-2017)

Attachment 2:

Current Section 2-70 of the Land Development Code

DISTRICT AND GENERAL REGULATIONS

§ 2-70

- g. A description of the nonconformity, if known by the applicant.
- (2) Such application shall be dated and notarized prior to submittal to the planning department. The applicant shall submit supportive evidence, including the following items as may be deemed by the planning director to be appropriate:
 - a. Survey drawn to scale, indicating property boundaries and all existing structures, all other.
 - b. Floor plans, with dimensions clearly legible.
 - c. Photographs.
 - d. Historical information about the property from the county property appraiser's office.
 - e. Historical documentation from public and/or private utility companies regarding electrical and/or water service (e.g., dates that the original electrical and/or water meters were installed, set and length of service, as well as, documentation of the use or activity serviced together with related information).
 - f. Business tax receipt information (if the request is for a business).
 - g. Copies of relevant legal documents (e.g., leases, rental documents, deeds, private property appraisals, contract agreements and similar documents).
 - h. Current and historical records from the city building department pertaining to the property (e.g., copies of permit applications, permits, site plans and similar information).
 - i. Any other pertinent information relative to the request.
- (c) *Appeal of the planning director.* Appeals of the planning director's determination shall be in accordance with the procedures established in section 1-19, along with the applicable filing fee.

ARTICLE VI. OVERLAY DISTRICTS

Sec. 2-69. In general.

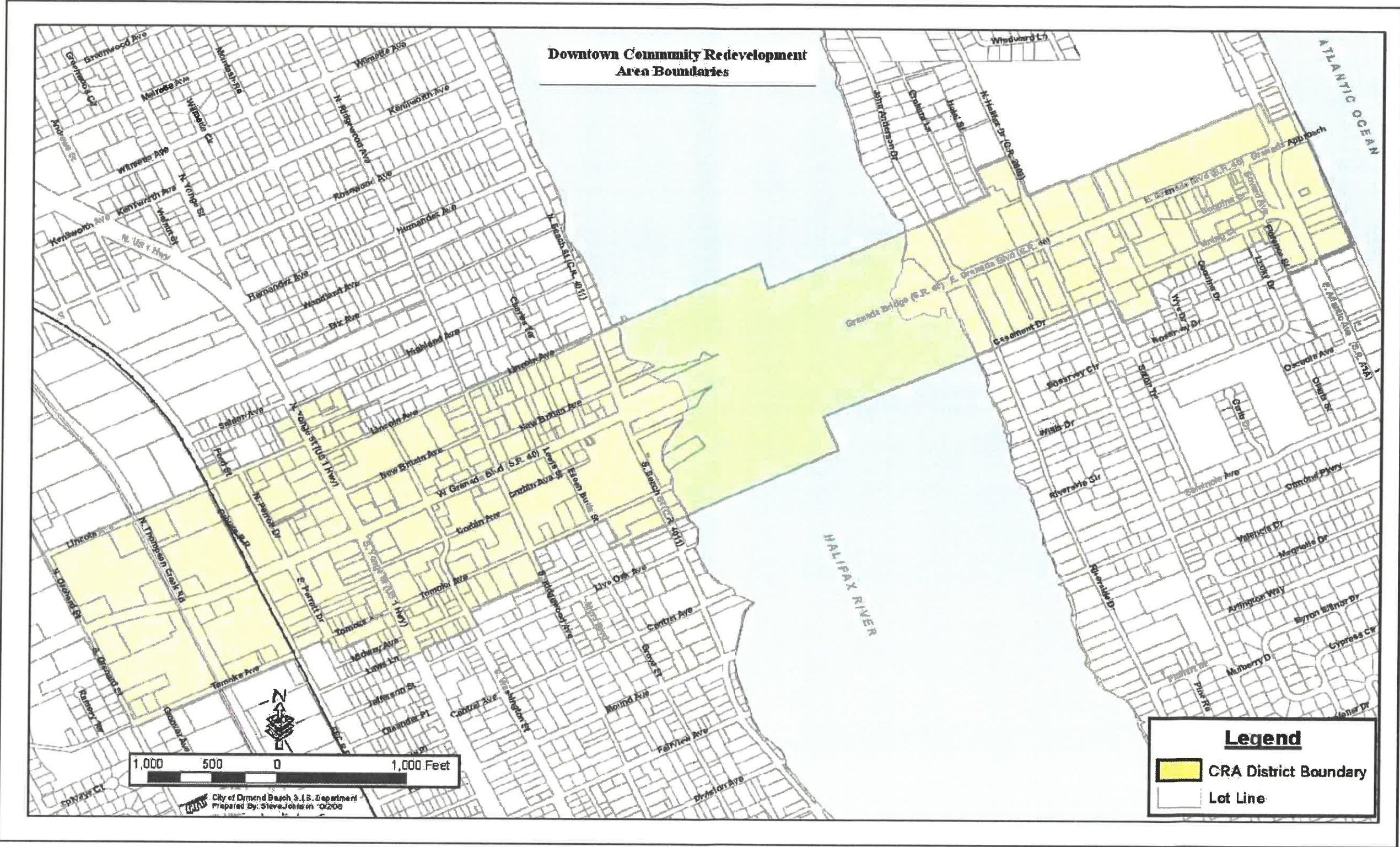
The purpose of this article is to establish certain overlay and special districts that, because of their character or special conditions, need design standards and use regulations that promote and protect the desired character or special conditions, or in the case of the downtown area, also encourage redevelopment.

Sec. 2-70. Downtown Overlay District.

- (a) *Purpose.* The purposes of the DOD, Downtown Overlay District are to promote development of a compact, pedestrian-oriented downtown consisting of a high-intensity employment, vibrant and dynamic mixed use areas, and residential living environments that provide a broad range of housing types and tenures; promote a diverse mix

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DISTRICT AND GENERAL REGULATIONS

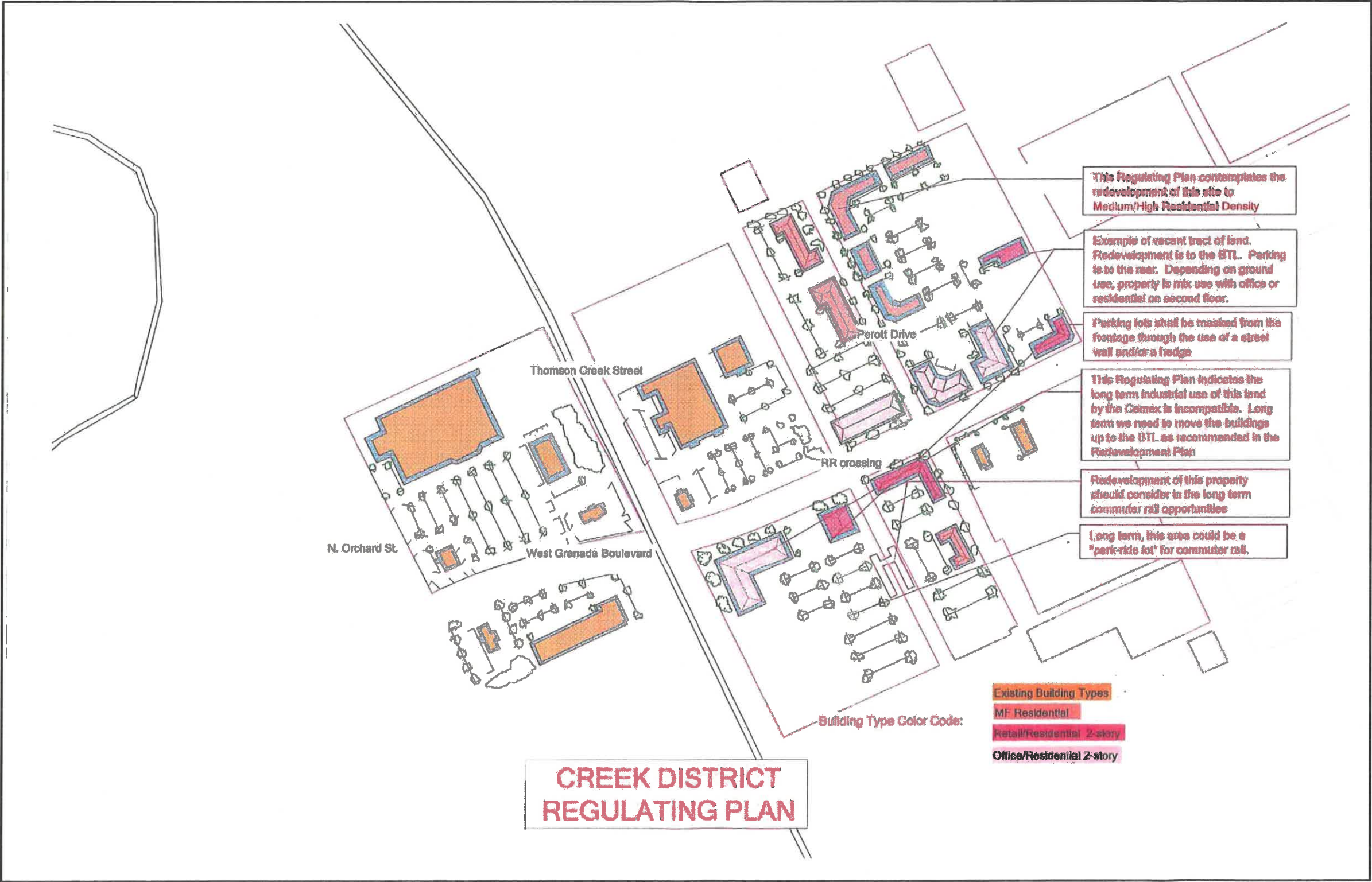
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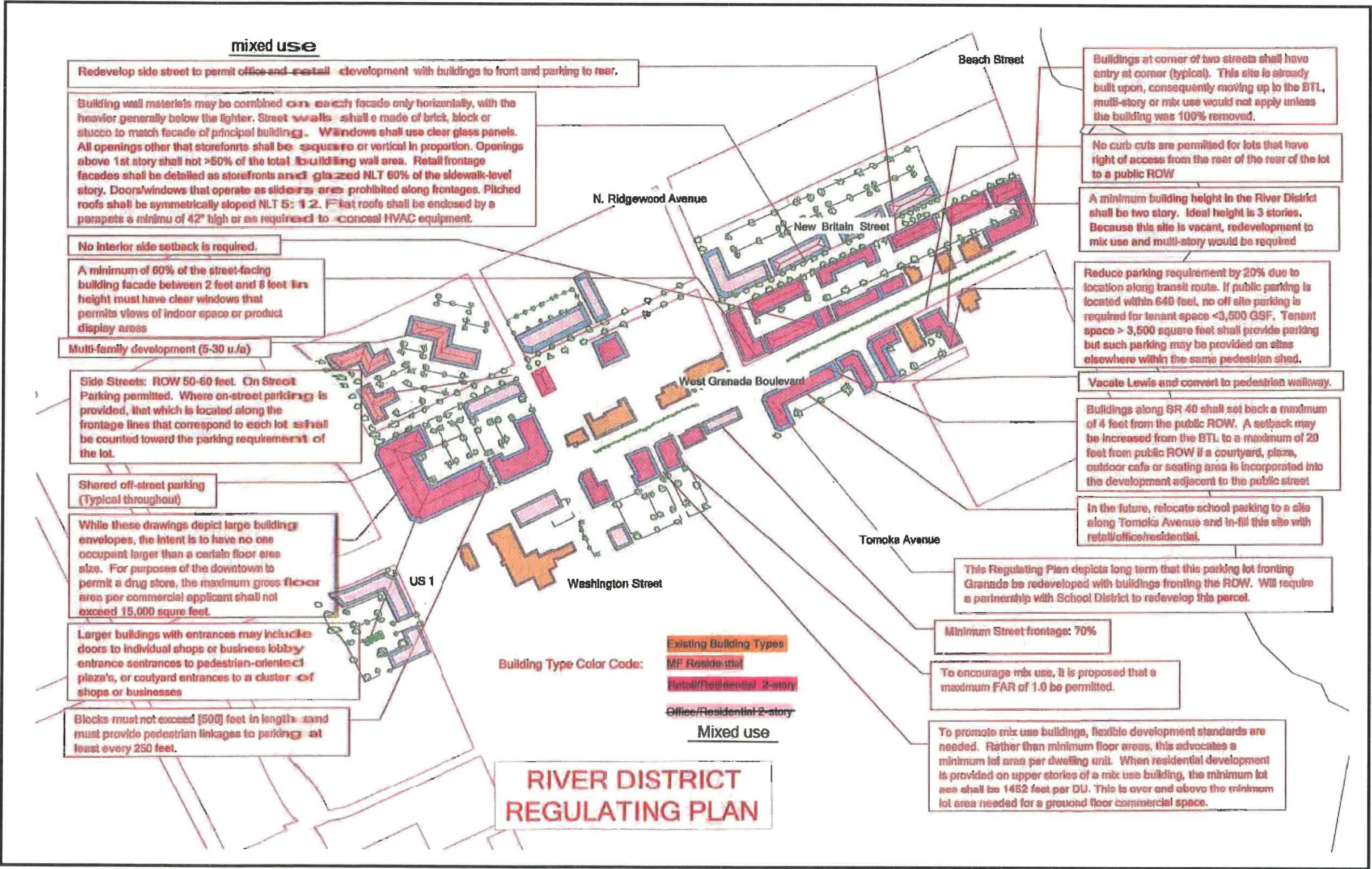
- (1) *Creek District.* This subdistrict is primarily intended to enhance the existing suburban style development pattern. This subdistrict is a prime location for workforce housing for both tenure types. Redevelopment of industrial uses upon vacancy should be to medium and high density housing, since the current employment estimate for the Creek district is 9.49 per acre, which is the lowest of the three (3) subdistricts. New buildings on unimproved parcels or where tear-down of existing buildings occur shall line the Granada Boulevard frontage. Long-term, redevelopment of the cement mixing plant to a use that could benefit commuter rail or local transit would be highly desirable;
 - (2) *River District.* This district has a traditional downtown appearance which should be supported and enhanced with similar form and function. The office and retail service function in this district has a current employee estimate of 12.34 per acre. The district regulations support the function of the town center's core role as a hub of city importance for business, communications, office, government, retail, culture, education, visitor accommodations and entertainment. The regulations contained herein for this district support a mix of office commercial, public, recreation and entertainment uses. The River District also accommodates mixed use and medium and high density residential projects along the parallel side street system to Granada Boulevard. The side street system and adjacent areas are primarily intended to accommodate medium to high density residential development and small scale ground floor commercial uses with residential units above. This area also accommodates low-intensity office development compatible with the established residential character as well as to adjacent residentially zoned districts. The side street area is considered to be all of the parcels fronting New Britain Avenue from North Beach Street to U.S. 1 and those properties fronting north and south oriented streets; and
 - (3) *Ocean District.* This area is uniquely situated to take advantage of both the Halifax River and the Atlantic Ocean. More intensive infill housing south of Granada Boulevard as well as mixed use development along Granada Boulevard and the side street system incorporating a housing component is needed. The employee per acre in the district is the highest of the three (3) districts at 25.16 per acre. The district is considered to be all parcels fronting Granada Boulevard from SR A-1-A to Riverside Drive/John Anderson Drive and the side street system on the south side of East Granada.
- (c) *Building envelope layout.* (See figure 1, site plan typical.)
- (1) Street frontage: minimum seventy percent (70%).
 - (2) Minimum interior side property line setback: zero feet.
 - (3) Building frontage in figure 1 should not be construed as preventing the interconnection of on-premises sidewalks, courtyards or outdoor cafes from rear parking lots and secondary streets to the primary frontage street.

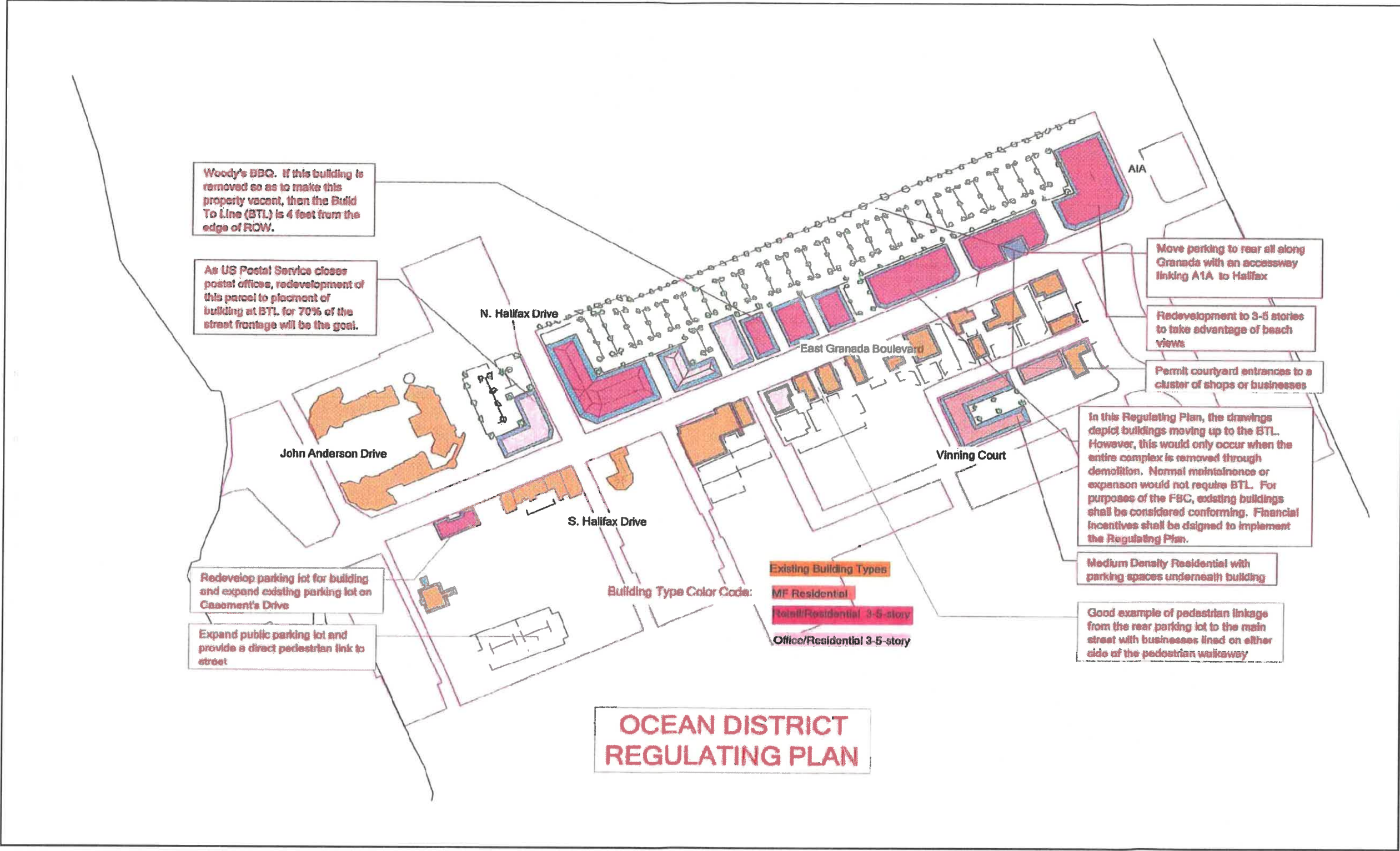
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- (4) Minimum rear yard setback: zero to five percent (0% to 5%) of lot depth depending on specific site plan conditions. For properties on the north side of New Britain Avenue between Ridgewood Avenue and Beach Street, any building in excess of two stories shall have a setback equivalent to the height of the building.
- (5) Front setback.
 - a. Granada Boulevard: four feet (4');
 - b. Side streets: five feet (5').







where the proposed building exceeds two (2) stories shall provide a landscape buffer along the rear property line having a minimum width of at least ten (10) feet and a decorative screening wall at least six (6) feet in height.

(11) Maximum impervious surface: ninety percent (90%).

(d) *Height requirements.* (See figure 2, building cross section typical.)

- (1) Building height. Height is measured in stories.
- (2) Table 1 depicts the heights by physical location and the district in which a building is located.
- (3) Redevelopment along that portion of New Britain Avenue adjacent to the Lincoln Avenue Historic District shall not exceed three stories. Redevelopment exceeding three (3) stories in building height, not to exceed five (5) stories in building height, may be permitted with a rezoning to Planned Business Development.
- (4) Floor-to-floor heights and floor area of ground-floor space. All commercial floor space provided on the ground floor of a mixed use building must have a minimum floor-to-ceiling height of eleven feet (11'). All nonresidential floor space provided on the ground floor of a mixed use building must contain at least eight hundred (800) square feet or twenty-five percent (25%) of the lot area, whichever is greater, on lots with street frontage of less than fifty feet (50') or at least twenty percent (20%) of the lot area on lots with fifty feet (50') of street frontage or more: and
- (5) Floor heights. Allowable ground floor height is a minimum of eleven feet (11') as measured floor to floor. Upper floor minimums shall be nine feet (9'), maximum eleven feet (11'), as measured floor to floor.

Table 1. Height by Location

<i>Location</i>	<i>Creek</i>	<i>River</i>	<i>Ocean</i>
Granada Boulevard	2-story	2—5 stories	3—5 stories

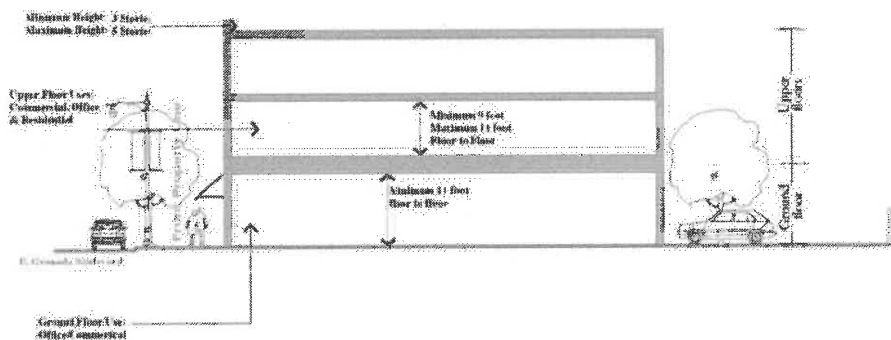


Figure 2. 3-5 Story Building X Section Typical

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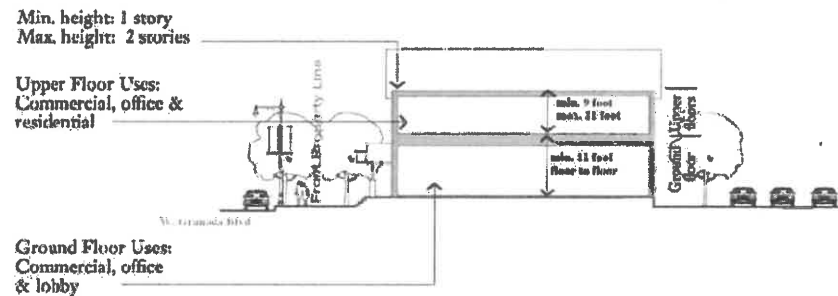


Figure 2. 2-Story Building X Section Typical

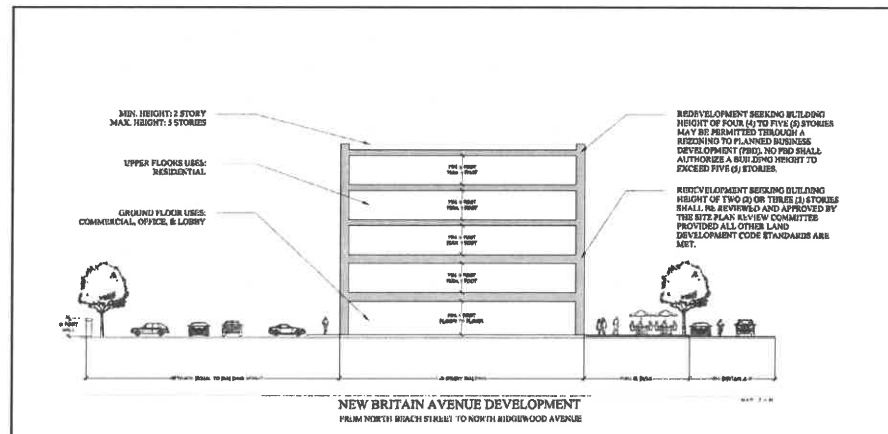


Figure 2. New Britain Avenue Development from North Beach Street to North Ridgewood Avenue

(e) *Facade requirements.* (See figure 3, building type standard: store.)

- (1) *Window transparency.* A minimum of sixty percent (60%) of the street-facing building facade between two feet (2') and eight feet (8') in height must comprise clear windows that allow views of indoor nonresidential space or product display areas. Windows shall use clear glass panels.
- (2) *Building entrance.* Buildings located at the corner of two (2) intersecting streets shall have the building entry located at the corner. Building entrances may include doors to individual shops or businesses, entrances to pedestrian-oriented plazas, or courtyard entrances to a cluster of shops or businesses.
- (3) *Facade elements.* There is not a specific design style advocated by this Land Development Code. However, all of the following elements should exist regardless of style:
 - a. A recognizable storefront base exists. Doors/windows that operate as sliders are prohibited along frontages;

- b. Horizontal expression lines exist to define the cap and base of the building;
 - c. Pitched roofs shall be symmetrically sloped not less than (NLT) five to twelve (5:12). Parapet is an allowable cap type, but it must be a minimum of forty-two inches (42") high or as required to screen all HVAC equipment from view on the principal street;
 - d. Upper story windows must be oriented vertically and window edges must be defined. All openings other than storefronts shall be square or vertical in proportion. Openings above the first story shall not be greater than fifty percent (50%) of the total building wall area;
 - e. The building shall not exceed a three to one (3:1) horizontal to vertical ratio;
 - f. The facade shall be vertically divided into segments no larger than thirty feet (30'); and
 - g. Building wall materials may be combined on each facade only horizontally, with the heavier generally below the lighter. Street walls shall be made of brick, block or stucco to match facade of principal building.
- (4) *Downtown design guidelines incorporated by reference.* The downtown design guidelines are incorporated herein for more detailed guidance on specific design elements such as proportion, wall and window pattern, materials, doors, ornamentation, color and skyline articulation.

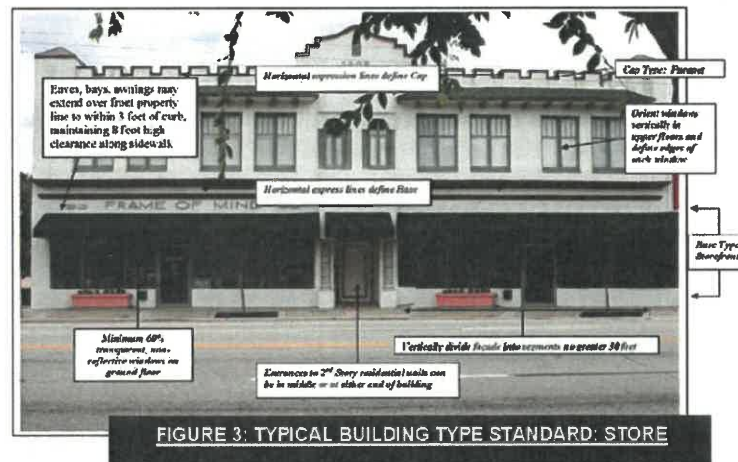


FIGURE 3: TYPICAL BUILDING TYPE STANDARD: STORE

(f) *Access and parking requirements.*

(1) *Access.*

- a. **Location.** On-site surface parking lots are permitted only to the rear of a lot, fully screened from the front property line by a building. Parking may be placed

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on the side of a building but a street wall with landscaping at the base of the wall must be provided. The street wall must be designed to screen the view of vehicles from the principal street. A three-foot (3') street wall must be designed with the same building materials as the principal building;

- b. Driveways as a general rule shall not be permitted on Granada Boulevard. Access shall be taken from a lower classification street if available; and
- c. Driveway access from a secondary access street must be located at least fifty feet (50') from the front property line on Granada Boulevard.

(2) *Parking.*

- a. There shall be provided on the same site with any use, off-street parking spaces for automobiles and bicycles in accordance with the requirements of section 3-26. In all cases where bicycle parking is provided, such parking shall not be more inconveniently located than car parking and attempts should be made to have bicycle parking more convenient;
- b. Off-street parking requirements shall not be considered as providing required off-street parking facilities for any other use except as provided for when shared parking is proposed;
- c. Parking requirements for uses within the DOD districts shall vary according to the size of development, the location of public parking and transit availability. Where parking is required, parking may be provided through the use of shared parking, off-site valet or remote parking, a parking reduction study, a payment in lieu of on-site parking, on-site parking or a combination of these approaches. It is not the intent of this provision to limit the alternative parking approaches to those identified in this section. Other alternative approaches which have been used successfully in other downtown areas similar to the city which are rational and based upon applied science may be considered;
- d. Due to transit availability, and the existence of on-street parking and public parking lots in the River District, the first two thousand (2,000) square feet of floor area for any new development within the River District shall be exempt from the minimum parking requirements as calculated in section 3-26;
- e. In all other districts (ocean and creek) such parking may be reduced by twenty-five percent (25%) due to transit availability;
- f. Where parking is required due to the size of the development or type of use, parking may be provided on-site or off-site through valet or remote parking or through shared parking where the city acts as the broker, coordinator and approving authority for the shared parking; and
- g. When parking is provided as a principal or accessory use on-site, parking may remain on a semi-improved surface, such as shale or stone until a master stormwater conceptual permit is approved and implemented for the downtown. This option is at the sole discretion of the city and should not be construed as an

entitlement by an individual property owner. Once improvements within the subbasis area where the unimproved parking lot is located, the property shall be constructed and landscaped in accordance with sections 3-28 and 3-05, respectively.

(3) *Alternative parking options to on-site parking provisions.*

- a. *Valet or remote parking.* Upon application to the city, a business may utilize off-site valet parking or provide remote parking to meet the parking requirements. Valet or remote parking need not be located on the same side of the street of the use to be serviced by such parking. If valet parking is to be used, the applicant must provide the location and number of the valet parking spaces, or the location and size of the valet parking zone being requested; the location of the off-street parking area the valet parking operation intends to use for the storing of the vehicles, and a signed contract or agreement showing that the valet parking has acquired the legal right to store the vehicles; and proof of insurance as required by the city;
- b. *Payment in lieu of parking.* An applicant may elect to make a payment in lieu of parking to the city. Such payment shall be based upon the current construction cost of one (1) surface parking space times the number of parking spaces. Payments shall be deposited to the city tax increment financing account for construction of parking based on demand;
- c. *Parking study reduction.* A study prepared by a qualified transportation firm or individual may be used to support reduction of parking based upon the known characteristics of the use. It shall be at the city's discretion to accept all, a portion, or none of the parking supported by the study; and
- d. *Shared parking.* Shared parking may be used, if feasible, to satisfy all or a portion of the minimum off-street parking requirements. Shared parking is permitted between different categories of uses or uses with different hours of operation provided the city acts as the broker, coordinator, and approving authority for the banking of parking arrangement. The planning director may authorize upon application, the allocation, transfer and the use of public parking spaces and private spaces to another land use to serve as the required off-street parking, based upon the percentage of required parking which is anticipated to be available by general use and time of day, as indicated in the following table 2:

TABLE 2. PERCENTAGE OF AVAILABLE PARKING
PERMITTED TO BE SHARED

General Use Classification	Weekdays			Weekends		
	12:00 midnight to 7:00 a.m.	7:00 a.m. to 6:00 p.m.	6:00 p.m. to 12:00 midnight	12:00 midnight to 7:00 a.m.	7:00 a.m. to 6:00 p.m.	6:00 p.m. to 12:00 midnight
Office	95	0	95	100	95	100

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General Use Classification	Weekdays			Weekends		
	12:00 midnight to 7:00 a.m.	7:00 a.m. to 6:00 p.m.	6:00 p.m. to 12:00 midnight	12:00 midnight to 7:00 a.m.	7:00 a.m. to 6:00 p.m.	6:00 p.m. to 12:00 midnight
Retail	100	0	50	100	0	25
Restaurant	50	30	0	30	65	0
Lodging	0	35	0	0	35	0
Residential	0	50	20	0	25	25
Entertainment	95	80	0	95	50	0
Place of worship	100	70	50	100	0	25

- e. *Shared use parking example.* Assume a parcel in the downtown is to have a five thousand (5,000) square foot retail building constructed upon it. This LDC requires twenty-five (25) spaces; however, only twelve (12) spaces can be accommodated on-site. A twenty percent (20%) reduction is permitted because a transit route exists, reducing the required parking to twenty (20) spaces. Based upon table 2, the applicant for the retail establishment would be permitted to share one hundred percent (100%), or twelve (12) spaces, from 12:00 midnight to 7:00 a.m.; no spaces from 7:00 a.m. to 6:00 p.m.; and fifty percent (50%), or six (6) spaces, from 6:00 p.m. to 12:00 midnight. In return for the city's permitting eight (8) spaces from a city-owned fifty (50) space parking lot located within six hundred sixty feet (660') of the use in order for the applicant to meet his parking requirement of twenty (20) spaces during the period of time the most number of parking is needed (7:00 a.m. to 6:00 p.m.), the applicant would be required to permit the use of all twelve (12) parking spaces for the public from 12:00 midnight to 7:00 a.m. and six (6) spaces from 6:00 p.m. to 12:00 midnight. The use of this parking by the public would be establishments which require parking at different hours than the retail use. In this example, the city has leveraged its fifty (50) space parking lot by increasing the number of spaces available in the early morning to sixty-two (62) spaces, forty-two (42) parking spaces during the day, and fifty-six (56) spaces at night. The increased parking made available between 12:00 midnight to 7:00 a.m. supports increased residential densities in the downtown, while providing nighttime uses, such as restaurants, with a supply of parking required between 6:00 p.m. and 12:00 midnight. A public parking easement would be required from the owner of the five thousand (5,000) square-foot retail building, but the easement would only be effective for as long as the shared parking arrangement continued. This easement could be terminated by the owner upon notice to the city; however, the owner will still be required to provide the required parking to meet his day time need. In this example, the city is the banker, broker, coordinator and approving authority for the shared parking arrangement.

(g) *Public space standards.*

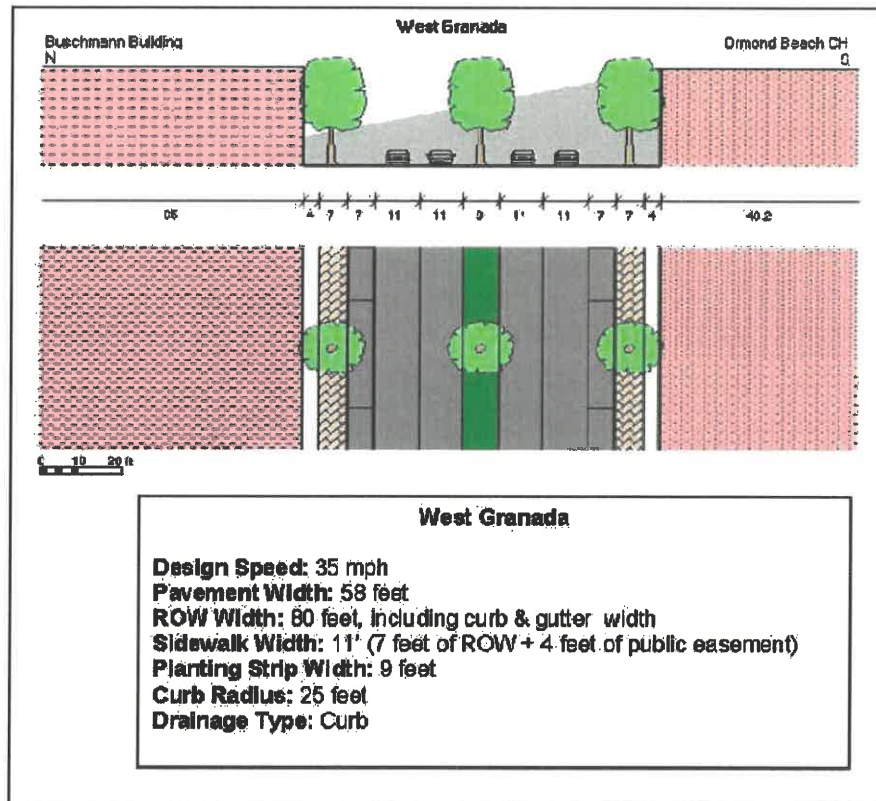
- (1) Streets within the city's downtown, regardless of jurisdiction, should be inviting public space and integral components of community design. The state and local

street network provides for bicycle, pedestrian, and transit accessibility. All side streets parallel to and connecting to Granada Boulevard should continue to connect and not be vacated except for Lewis Street, which should be vacated as a pedestrian connection. These local connections help create a network of public areas to allow free movement of automobiles, bicyclists and pedestrians. In order for this street network to be safe for motorists and pedestrians, all design elements must consistently be applied to calm automobile traffic. Designs should permit comfortable use of the street by motorists, pedestrians, and bicyclists. Pavement widths, design speeds and the number of motor travel lanes should be minimized to enhance safety for motorists and nonmotorists alike. The specific design of any given street must consider the building types which have frontage and the relationship of the street to the overall street network. All new or renovated transportation infrastructure in the city's downtown CRA should achieve safety, comfort and convenience for all modes of travel, including pedestrians, bicyclists and transit riders, in addition to automobile traffic. The following is a checklist of elements that should be incorporated into all new developments or transportation projects in the city's downtown.

- a. Provide sidewalk easements to expand the existing width of the current sidewalk on Granada Boulevard to eleven feet (11'), thus providing pedestrian safety as well as landscaping opportunities.
- b. Provide sufficient rights-of-way (fifty-foot (50') width) on all other side streets to ensure required sidewalk width (five feet (5') wide, both sides); on-street parking (eight and one-half feet (8½') wide, both sides), two (2) eleven-foot (11') wide through lanes; and two and one-half-foot (2½') curb and gutter on both sides is accommodated. The additional five-foot (5') setback shall be used to widen the sidewalk through dedication of a public easement.
- c. Include bicycle facilities on local access roadways and retrofit existing roadways with major reconstruction projects where feasible and without loss of on-street parking.
- d. In lieu of concurrency, all new development and redevelopment shall contribute in the form of a fee to be used towards multimodal improvements such as pedestrian sidewalks, bicycle trails and enhancements, and facility/operational improvements along the transit corridors.
- e. Provide full accessibility to all, including kids, seniors and people with disabilities.

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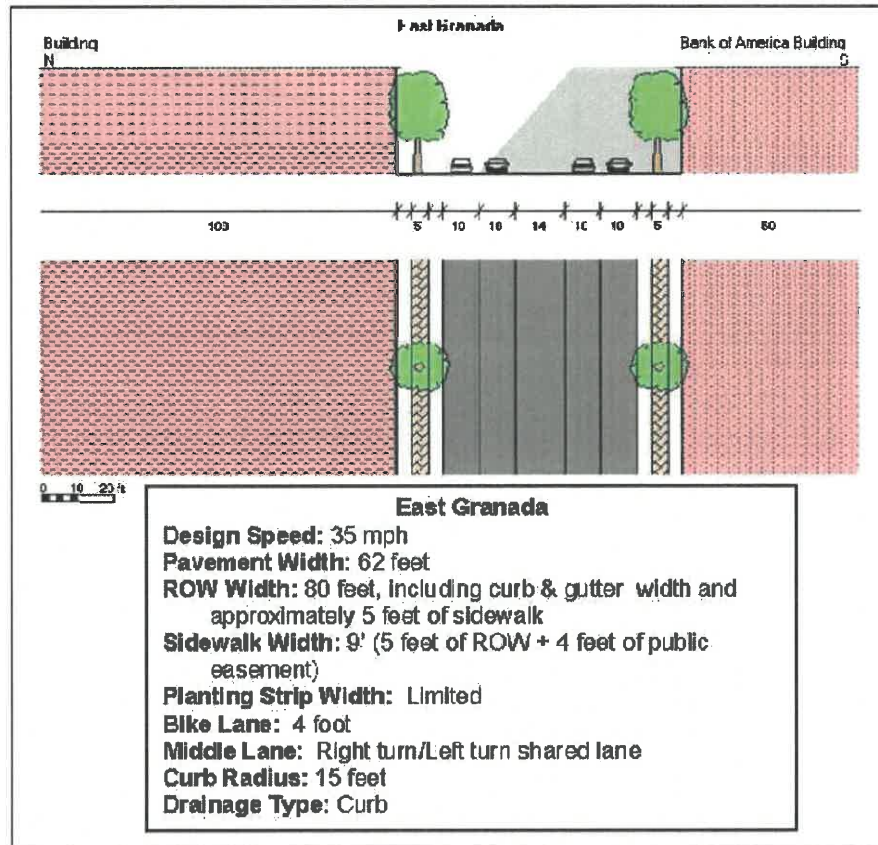
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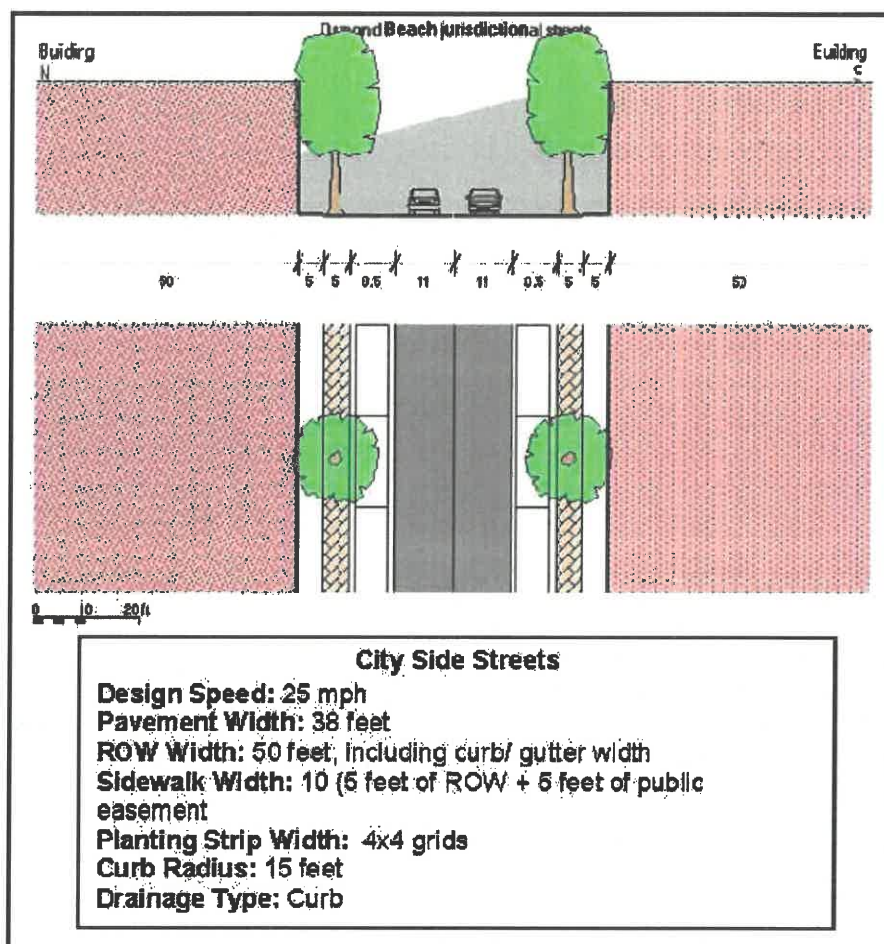
ORMOND BEACH LAND DEVELOPMENT CODE



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- (h) *Permitted uses.* In addition to the permitted, conditional, special exception and accessory uses provided for within section 2-25 for the B-4, Central Business Zoning District, live/work units and residential units above nonresidential ground floor uses are permitted by right. Prohibited uses include: noncamouflaged telecommunication towers, new or used car lots, outdoor storage, and type B and C convenience stores. The current uses located within the Downtown Overlay District which are considered prohibited may remain and re-establish through redevelopment; however, no such new use shall be permitted by right or through a PBD process. Where building use types are depicted on the regulating plan but are not permitted by the underlying land use and zoning, a land use and zoning change shall be required.
- (i) *Incentives.*
- (1) To support development and redevelopment in the DOD district, the planning director or designee may approve administrative relief of up to twenty percent (20%)

to any dimensional requirement, yard or setback standard. In addition, development or redevelopment of uses which further the regulating plans, lot layout and building design standards of this section shall be eligible for financial incentives for property improvement. Use or dimensional nonconformities may be permitted to expand provided the nonconforming conditions are improved and such expansions are consistent with this section.

- (2) Stormwater treatment on parcels involving lot coverage of less than five thousand (5,000) square feet of floor area and less than four thousand (4,000) square feet of impervious road surface, for a total of nine thousand (9,000) square feet, shall not be required if the overall lot coverage is being reduced as a result of redevelopment. For parcels which have lot coverage of less than five thousand (5,000) square feet of floor area and less than four thousand (4,000) square feet of impervious road surface and redevelopment will increase the lot coverage but the floor area and impervious road surface is less than the nine thousand (9,000) square feet of lot coverage, only the additional lot coverage shall require treatment. Financial incentives may be permitted to offset infiltration techniques, such as "filterra boxes" to treat the additional lot coverage.
- (j) *Signs.* Permitted signs are subject to the requirements contained in chapter 3, article IV of this Land Development Code.
- (k) *Administration.* All current uses, buildings and lot layouts as of the date the ordinance from which this section is derived are considered conforming regardless of the illustrations depicted in the regulating plan and the text contained herein. Subsections (b) through (j) of this section applies to all new development on vacant parcels or parcels which will have current building improvements removed for redevelopment. A change of use as defined by section 2-64(b), building expansions and other improvements regardless of valuation or a use vacant for greater than six (6) months shall comply with the design guidelines only from subsections (e), (f), (h) and (j) of this section. Compliance with the design guidelines shall make the property eligible for financial assistance. Where the presence or absence of a provision exists in the DOD districts that thwart the implementation of the redevelopment plan, the planning director or designee is authorized to implement a different standard or provision provided the purposes of DOD districts are furthered by the alternative standard or provision. Where planning development is of such a type and nature that the internal and external operations has been demonstrated that the mixed use and upper story construction is inappropriate, relief from these requirements may be granted administratively by the planning director or designee. The granting of relief shall be at the sole discretion of the city and shall not be considered a right by the applicant for development. All development and redevelopment shall be administratively approved through the SPRC committee.
- (l) *Design guidelines.* The downtown overlay design guidelines are hereby adopted by reference and shall be utilized in determining both compliance with this Land

DISTRICT AND GENERAL REGULATIONS

§ 2-71

Development Code section as well as evaluating development proposals for eligibility under any financial incentive program offered by the community redevelopment agency.

(Ord. No. 2017-02, §§ 1, 2, 2-7-2017)

Sec. 2-71. Historic districts and landmarks.

- (a) *Purpose.* The purpose of this section is to protect, enhance and perpetuate the existence and use of those grouped and individual archaeological sites and structures of local, state or national historical significance; to stabilize and improve property values near such sites and structures; to protect the city's cultural, archaeological, and social heritage; to foster civic pride in the beauty and accomplishments of the past; to foster social stability; to protect and enhance the city's attractiveness to potential residents and visitors; to strengthen the economy of the city; and to promote the use of the historic preservation process for the education, health and welfare of the people of the city.
- (b) *Applicability.*
 - (1) Except as otherwise provided herein, this section shall apply to those properties approved by ordinance by the city commission as local historic landmarks and any historic districts established by ordinance by the city commission.
 - (2) Anything contained in this section to the contrary notwithstanding, no owner of any contributing property located within a designated historic district shall be required to obtain a certificate of appropriateness prior to engaging in any activity with respect to such property until the written request, by all of the owners of the property, to the board to subject the property to all of the applicable regulations of this section.
 - (3) An historic district, historic landmark or landmark/archaeological site designation may be placed on any site, natural or improved, including any building, improvement or structure located thereon, or any area of particular historic, architectural or cultural significance to the city, such as historic structures or sites which:
 - a. Exemplify or reflect the broad cultural, political, economic or social history of the nation, state or community.
 - b. Are identified with historic personages or with important events in national, state or local history.
 - c. Embody the distinguishing characteristics of an architectural type specimen, inherently valuable for a study of a period, style, method of construction or of indigenous materials or craftsmanship.

(c) *Designation procedures.*

- (1) *Historic landmarks and archaeological sites.* The designation of an historic landmark, archaeological site, or other such notable feature shall be done by ordinance adopted by the city commission in accordance with the following procedures:
- a. The applicant shall submit a written request, at no cost to the applicant, to the planning department and shall provide studies, documentation, or other evidence regarding the historic significance of the proposed landmark, site or feature. If the applicant is someone other than the property owner, the applicant shall send by regular mail, a copy of the written request, a letter indicating his intention to pursue the historic landmark designation from the city commission, and a copy of all studies, documentation, or other evidence to the property owner demonstrating the historical or archeological significance of the site.
 - b. If the applicant is someone other than the property owner, the planning director shall wait fourteen (14) days from the date that notification was sent by regular mail to receive a response from the property owner regarding the written request for a landmark designation. After the fourteen-day (14) period has expired, the planning director shall proceed with city review of the request as set forth herein.
 - c. Any initiation of local landmark designation by anyone other than the property owner must be reviewed by the city commission before an application is processed, unless the property owner has no objection to such designation. If the written request is from someone other than the property owner, the planning director shall send by regular mail, notification of the necessary public hearings to the property owner of the proposed landmark, archaeological site, or other such notable feature. Said notification shall be postmarked at least ten (10) days prior to the public hearing. The planning director or designees will prepare a proposed ordinance and schedule public hearings with the Historic Landmark Preservation Board (HLPB) and the city commission to consider the request for an historic landmark designation.
 - d. If the property owner submits a request for an historic landmark designation, the planning director shall prepare a proposed ordinance and schedule the necessary public hearings before the Historic Landmark Preservation Board, the planning board and the city commission.
 - e. After an initial public hearing, the Historic Landmark Preservation Board shall submit the minutes of the public hearing, the recommendations of the planning department, and a report with its recommendations to the planning board.
 - f. After the planning board public hearing, the planning board shall submit the minutes of the public hearing, the recommendations of the planning board, and a final report with its recommendations to the city commission.

Attachment 3:

Excerpts of the 2019 Downtown Master Plan update

CRA Places

Identity, Places & Connections

Through a thorough analysis of the CRA district and incorporated public input, specific areas of interest in the CRA began to arise. These key areas fell into three realms of space; identity, places, and connections.

One of the key aspects of Ormond is its division into four distinct districts; Gateway, Downtown, The Bridge, and Beachside. Each of these areas was further broken down into subdistricts to enhance the districts' unique identities and begin to address specific implementations that could benefit each individual area.

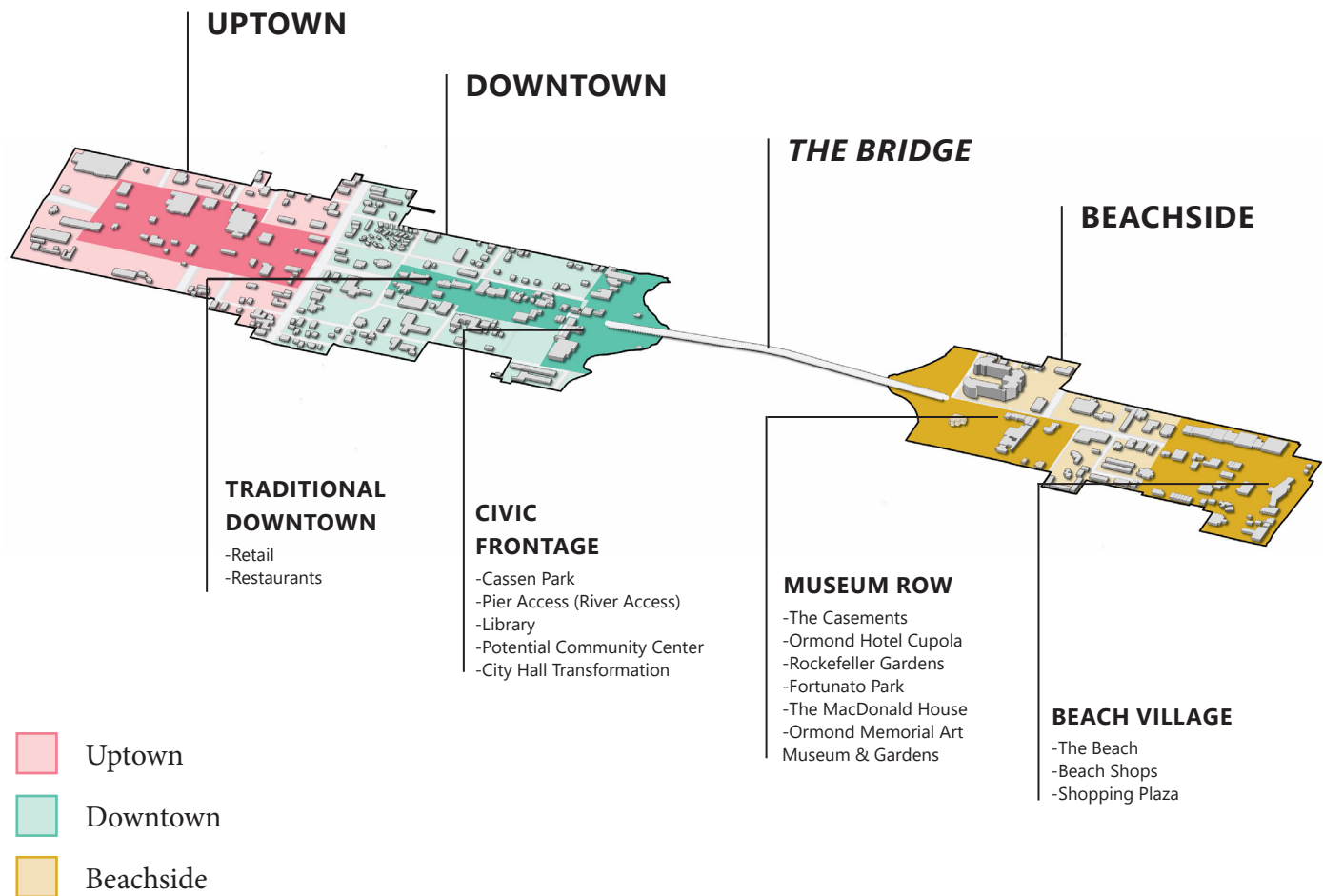
Within each district are important

places that currently act as key nodes and other places that have the potential to act as such. These locations were identified as areas of interest for potential event/market space, redevelopment opportunities, and key locations that have the ability to be enhanced and add to the fabric of the community.

In order to stitch together these key districts and places an exploration of the connectivity of the site was explored. Implementations to better enhance the existing connections and make them more accessible, as well as add new connections were investigated.

Identity

The Districts & Subdistricts



Uptown:

Uptown acts as the main entry to Ormond Beach. This area is heavily vehicle dominated and houses most of the districts major regional retailers. Through enhanced street scaping, which includes native plants and shade trees, and enhanced painted bike lanes the space can begin to serve pedestrians and multimodal transportation.

Downtown:

The majority of survey respondents (92%) consider this area to be the heart of downtown. Housing locally owned retail including small restaurants, boutiques, art galleries, and other shops, in a walkable proximity, this area functions as Downtown. Providing a more pedestrian friendly environment and creating enhanced connectivity could enhance this area.



The Bridge:

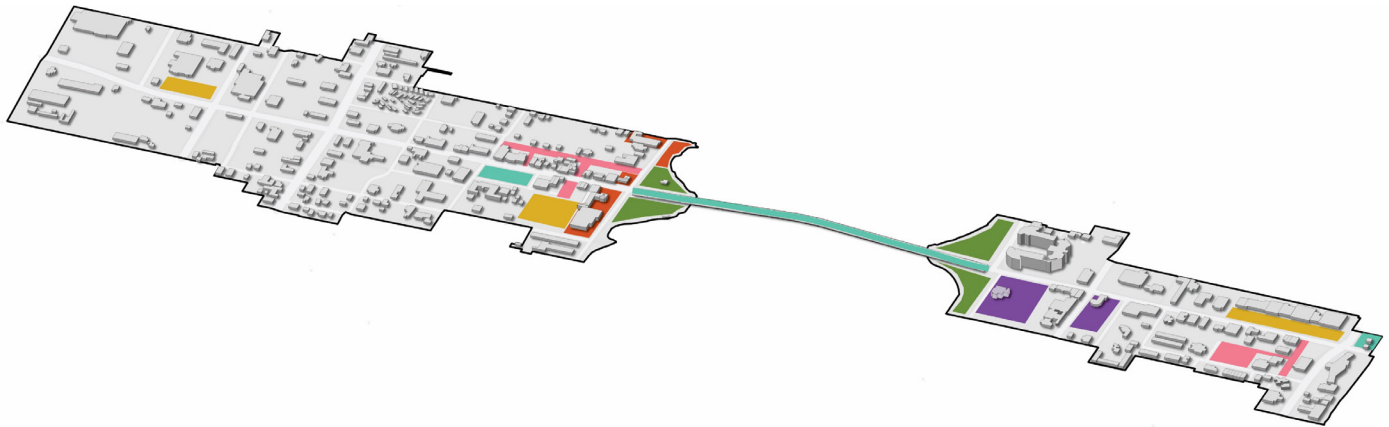
The Bridge is a key location in the CRA. It is the main connection from Downtown to Beachside. Currently lacking identity other than “The Bridge”, it is a hostile environment for pedestrians. Though branding such as lighting, painted pedestrian and bike lanes the bridge can act as a key identifying feature of Ormond Beach.

Beachside:

As you cross the bridge, you enter Beachside. This district encompasses many of the historic assets in Ormond holding the potential to act as “Museum Row”. As you move through the corridor, there is new development and small beach shops and restaurants.

Places

Opportunity and Growth Locations



- | | |
|---|--|
| Pop-up Event Spaces | Opportunity Zones |
| Underutilized Spaces | Four Corners Parks |
| Alleys / Secondary Spaces | Historic District |

There are many spaces and places throughout the CRA that are not meeting their potential or could perform dual functions. Areas such as parking lots can act as temporary events spaces that can host a variety of pop-up events and activities. These spaces can be landscaped and designed to serve as parking lots when not being used and transition into vibrant active spaces at certain times.

There are many underutilized spaces along the corridor. The elementary school parking lot lacks clear signage indicating its public use at certain time of the day, and spaces like the bridge do not have the pedestrian amenities to function optimally. Through small incremental changes, these spaces can quickly become essential places in the community.



Other key areas in the CRA include secondary spaces, such as alleys and paths that are currently underutilized and difficult to access. Creating more accessibility to these spaces and cohesion in their aesthetic would help make these spaces an integral part of the fabric of the city.

Historic District (Museum Row) on Beachside is another key place in Ormond Beach. This area houses the majority of Ormond Beach's historic and cultural assets. With this in mind, maintaining and investing in this area to become Ormond Beach's central place for art, culture and history would add an essential layer to the identity of the CRA.

Attachment 4:

2017 Comprehensive Plan amendment

ORDINANCE NO. 2017-20

AN ORDINANCE ADOPTING CERTAIN AMENDMENTS TO THE FUTURE LAND USE ELEMENT OF THE CITY OF ORMOND BEACH COMPREHENSIVE PLAN; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, the City of Ormond Beach planning staff has initiated an amendment to the Future Land Use Element, to amend the existing Maximum Floor Area Ratio of the “General Commercial” land use category to allow a Maximum Floor Area Ratio of 2.0 within the Downtown Community Redevelopment area within the Comprehensive Plan, and

WHEREAS, by Ordinance No. 90-36, the City Commission did adopt the City of Ormond Beach *Comprehensive Plan*, as required by the Local Government Comprehensive Planning and Land Development Regulation Act (Chapter 163, Part II, *Florida Statutes*) which *Comprehensive Plan* has been subsequently amended, and

WHEREAS, on July 13, 2017, the Planning Board serving as the local planning agency, conducted a public meeting with due public notice on the *Comprehensive Plan* amendments, and recommended approval thereof, and

WHEREAS, the City Commission has duly conducted a public hearing authorizing transmittal of the requested *Comprehensive Plan* amendment, as described in §163.3184(3) and (11), *Florida Statutes*, and

WHEREAS, the City Commission has duly conducted a public hearing adopting the requested *Comprehensive Plan* amendment, as described in §163.3184(3)(c)(1), (4)(e)(1) and (11), *Florida Statutes*, and

WHEREAS, the City Commission finds that approval of the *Comprehensive Plan* amendment will preserve the internal consistency of the City's *Comprehensive Plan* pursuant to §163.3177, *Florida Statutes*, now therefore,

BE IT ENACTED BY THE PEOPLE OF THE CITY OF ORMOND BEACH, FLORIDA, THAT:

SECTION ONE. The foregoing recitals are incorporated herein by reference as the legislative findings of the Ormond Beach City Commission.

SECTION TWO. The text of the Future Land Use Element of the City of Ormond Beach *Comprehensive Plan*, is hereby amended to read as depicted in Exhibit "A" attached hereto and incorporated herein by reference (Note: Additions in text are shown by underline; and deletions in text are shown by ~~strikeout~~).

SECTION THREE. In order to make the City of Ormond Beach *Comprehensive Plan*, as hereby amended, available to the public, a certified copy of the enacting Ordinance, as well as certified copies of the City of Ormond Beach *Comprehensive Plan* and the amendments thereto, shall be located in the Planning Department of the City of Ormond Beach. The Planning Director shall also make copies available to the public for a reasonable reproduction charge.

SECTION FOUR. The Planning Director is hereby authorized and directed to transmit the appropriate number of copies of the land use element amendment within ten (10) days after the first reading of this Ordinance to the Department of Economic Opportunity, the Department of Environmental Protection, the Department of State, the Department of

Transportation, the St Johns River Water Management District, and the East Central Florida Regional Planning Council.

SECTION FIVE. The Planning Director is hereby authorized and directed to transmit the appropriate number of copies of the land use element amendment after the first reading of this Ordinance to the Volusia Growth Management Commission and to any other local government agency in the State of Florida which has filed a written request with the City Commission for such.

SECTION SIX. Pursuant to §163.3184(3) and (5), *Florida Statutes*, the second reading of this *Comprehensive Plan* amendment shall not exceed 180 days after the receipt of the Department of Economic Opportunity comments.

SECTION SEVEN. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION EIGHT. In the event any section or provision of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid, such declaration shall not be deemed to affect the validity of this Ordinance as a whole or any other section or provision thereof.

SECTION NINE. The effective date of this plan amendment, if the amendment if not timely challenged, shall be 31 days after the state land planning agency notifies the City of Ormond Beach that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in

compliance. No development orders, development permits, or land use dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administrative Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

PASSED UPON at the first reading of the City Commission, this 15th day of August, 2017.

PASSED UPON at the second reading of the City Commission, this 7th day of November, 2017.



BILL PARTINGTON
Mayor

ATTEST:



J. SCOTT McKEE
City Clerk

EXHIBIT "A"**FUTURE LAND USE ELEMENT****A. General Commercial (GC)**

Purpose: A multi-use land use category to provide for the sales of retail goods and services, high density multi-family, professional offices and services, and restaurants, depending on the range of population to be served and the availability of transit. For projects that propose a mixture of residential and non-residential uses, the minimum FAR should be 0.2.

Density: Maximum: 32 units per acre.

Maximum FAR: 0.7 (2.0 within the Downtown Community Redevelopment area)

Attachment 5:

B-4 (Central Business)
zoning district

DISTRICT AND GENERAL REGULATIONS

§ 2-25

Sec. 2-25. B-4, Central Business Zoning District.

A. PURPOSE:	The purpose of the B-4, Central Business Zoning District is to provide for a wide range of uses and facilities in a manner offering optimum design flexibility. Where dimensional or landscape standards cannot be met due to the prevalence of nonconforming lots in this zoning district or at an applicant's option, these requirements may be waived through a city commission monitored process aimed at producing development having design compatibility, meeting required parking to the maximum extent feasible, and achieving a high level of aesthetic appeal through a combination of innovative architecture, landscaping and hardscape materials. It is intended that permitted uses meeting applicable lot and building requirements be approved administratively, and those requiring special approval by the city commission be approved through the special exception process. Chapter 2, article VI, provides design regulations applicable to the Downtown Overlay District.																
	B. DIMENSIONAL STANDARDS																
1. Type	2. Density	3. Maximum Building Height	4. Maximum Building Coverage	5. Maximum Impervious Lot Coverage	6. Minimum Lot Size	7. Minimum Lot Width	8. Minimum Lot Depth	9. Setbacks									
								a. Front	b. Rear	c. Side	d. Street Side/Corner	e. Waterbody					
Nonresidential Uses	36 (transient lodging)	75'	35%	75%	20,000 SF	100'	N/A	15' For lots of record existing prior to August 1, 1985, and having a depth of less than 150', the minimum front yard shall be 10% of the average lot depth, but not less than 10'.	20'; 30' if abutting residential district; 5' additional combined side yard required for each story over 2. For lots of record existing prior to August 1, 1985, and having an average lot depth of less than 200', the minimum rear yard shall be 10% of the average lot depth, but not less than 10'.	10' Lots of record existing prior to August 1, 1985, and having an average width of less than 50' or having an existing building on an adjacent property built to the lot line shall be exempt from any side yard requirement.	20'	30'					
Multifamily	10; 12, if 2 stories; 26, if 3 or more stories	75'	35%	75%	20,000 SF	100'	N/A	15' For lots of record existing prior to August 1, 1985, and having a depth of less than 150', the minimum front yard shall be 10% of the average lot depth, but not less than 10'.	20'; 30' if abutting residential district. For lots of record existing prior to August 1, 1985, and having an average lot depth of less than 200', the minimum rear yard shall be 10% of the average lot depth, but not less than 10'.	10' Lots of record existing prior to August 1, 1985, and having an average width of less than 50' or having an existing building on an adjacent property built to the lot line shall be exempt from any side yard requirement.	20'	30'					
C. PERMITTED USES		D. CONDITIONAL USES						E. SPECIAL EXCEPTION USES			F. OTHER STANDARDS						
1. Adult Day Care Center 2. Assisted Living Facility 3. Business and Professional Office 3. Business and Professional Office 4. Business Service 5. Clubs and Fraternal Organization 6. Convenience Store, Type "A" 7. Financial Institution 8. Instructional Physical Activity 9. Medical Supply and Rental 10. Mixed Use Development 11. Nursing Home 12. Retail Sales and Services 13. School, Public 14. Transient Lodging 15. Veterinarian		1. Auction Business 2. Bar 3. Child Care Facility 4. Community Residential Home 5. Convenience Store, Type "B" 6. Convenience Store, Type "C" 7. Dwelling, Multifamily 8. Family Day Care Home 9. Farmer's Market 10. Garden Center and Nursery 11. Historic Preservation Mixed Use 12. House of Worship 13. Instructional Artistic Activity 14. Nightclub 15. Parking Lot 16. Parking Garage				17. Parks and Recreation Facilities, Private 18. Parks and Recreation Facilities, Public 19. Personal Services 20. Public Facilities 21. Public Utilities 22. Recreational Facilities, Indoor 23. Restaurant, Type "A" 24. Restaurant, Type "B" 25. Restaurant, Type "C" 26. Restaurant, Type "D" 27. School, Private 28. Shopping Center 29. Theater 30. Vehicle Repair, Type "A" 31. Wind Energy System 32. Wine, Beer or Liquor Store			1. Automatic Amusement Center 2. Nightclub 3. Outdoor Activity 4. Outdoor Storage 5. Recreational Facilities, Outdoor 6. Terminal, Bus			All development must comply with the following requirements: 1. Wetlands (chapter 3, article II). 2. Special corridors and buffer requirements (chapter 3, article I). 3. See conditional and special exception regulations (chapter 2, article IV). 4. Multifamily residential dwelling units shall have the following minimum square footage per bedroom: <table><tr><td>One = 750 SF</td><td>Three = 1,050 SF</td></tr><tr><td>Two = 900 SF</td><td>Each Additional Bedroom = 150 SF</td></tr></table>		One = 750 SF	Three = 1,050 SF	Two = 900 SF	Each Additional Bedroom = 150 SF
One = 750 SF	Three = 1,050 SF																
Two = 900 SF	Each Additional Bedroom = 150 SF																
G. PERMITTED ACCESSORY USES: Accessory uses customarily associated with, dependent on and incidental to their permitted principal uses, provided that such uses conform to the regulations set forth in chapter 2, article III.																	

(Ord. No. 2011-14 § 2, 4-20-2011; Ord. No. 2012-03, § 4, 2-7-2012; Ord. No. 2014-39, §§ 1, 2, 1-6-2015; Ord. No. 2015-11, §§ 3, 4, 4-7-2015)

DRAFT

May 13, 2021 Planning Board minutes

Administrative amendment to the Land Development Code (LDC),
Chapter 2, Article VI.-Overlay Districts, Section 2-70, Downtown
Overlay District.

Attorney Hayes worked on refocusing the discussion. Staff is establishing the minimum criteria so that when there is a complaint there is something to enforce. Every use on residential or commercial property in the LDC has an enforcement criterion including either setbacks, signage and specify the times that are appropriate. Staff is looking to establish criteria from an enforcement perspective and in-part at the request at some of the complaints during specific special events. Attorney Hayes continued that a question for the Board should be if an event should be for a single day or for more than a day and what the hours of operation should be. If the Board feels the criteria is too strict then they can create more flexibility, and if the criteria is not strict enough then to propose to narrow them down in scope, or do nothing.

Chairman Thomas explained that he would be interested in modifying recommendation - option 2 with the Boards suggestions. The following changes were suggested:

- Delete b; the event shall be limited to no more than one day.
- Amend c; allow during recognized special events and no more than 10 events per year, per property.
Strikeout/delete: no more than one per calendar week.
- Delete d; the event shall be set back a minimum distance of at least 50 feet from all roadways abutting the property at which the event shall occur.
- Amendment; the event shall be set back inside the edge of the sidewalk and cannot be on the right-of-way.

Board discussion occurred on the proposed amendments.

Mr. Briley motioned to approve LDC 2021-055 – Outdoor Activities (Car/Motorcycle Washes), Land Development Code Amendment with the following modifications to recommendation - option 2: Limit the duration with the sub option to establish setbacks for car and motorcycle washes. Mr. Jorczak seconded it. Vote was called, and the motion was approved (5-2), with Mr. Scudiero and Ms. Tolland voting against it.

F. LDC 2021-053 – Downtown Overlay District, Land Development Code Amendment

Mr. Steven Spraker, Planning Director, stated that LDC 2021-053 is an administrative amendment to the Land Development Code (LDC), Chapter 2, Article VI.-Overlay Districts, Section 2-70, Downtown Overlay District, to update the section consistent with the 2019 Downtown Overlay District, to update the section consistent with the 2019 Downtown Master Plan update. He continued that the purpose of the amendment is to clean up and update the Code per the adopted Master Plan update. A land use amendment was done in 2017 and it is of interest to incorporate it and separate the prohibited and additional permitted uses to make it clearer and incorporate the redevelopment plan in the B-4 zoning district into the Downtown Overlay District. Mr. Spraker concluded that staff is recommending approval. The tentative City Commission dates are July 20, 2021 and August 4, 2021.

Mr. Galloway motioned to approve LDC 2021-053 – Downtown Overlay District, Land Development Code Amendment. Ms. Shull seconded it. Vote was called, and the motion was approved (7-0).

G. LDC 2021-050 – Floodplain Management, Land Development Code Amendment

Ms. Becky Weedo, Senior Planner, explained that LDC 2021-050 is an administrative amendment to the Land Development Code (LDC), Chapter 1, Article III, Section 1-22, Definitions of Terms and Words; and Chapter 3, Article II, Section 3-20, Floodplain Management and Protection; to update the current regulations for floodplain management consistent with the state model ordinance and include the new requirements of the 2021 addendum to the CRS program effective January 1, 2021. She added that the City of Ormond Beach participates in the FEMA National Flood Insurance Program Community Rating System (CRS), which is a voluntary incentive program that recognizes and encourages community floodplain management activities that exceed the minimum NFIP requirements. Currently the City has a rating of 6 which provides a 20 percent discount to flood policy holders in the floodplain. Ms. Weedo continued that an addendum to the 2017 CRS Coordinators Manual became effective January 1, 2021 and the addendum requires changes to the City's Floodplain Management Regulations to meet the minimal qualifications for the City to remain in the CRS Program and maintain the current CRS rating. These changes are consistent with the state model ordinance previously adopted and the Florida Building Code.

Ms. Weedo reviewed the Floodplain Management Ordinance Proposed Amendments displayed overhead and also included in the Board packets, which include five proposed minor changes to Chapter 1, Article II, Section 1-22, Definitions to update, delete or add definitions consistent with the NFIP CRS Addendum and the Florida Building Code. The proposed amendments to Chapter 3, Article II, Section 3-20, Floodplain Management and Protection to meet the minimum requirements of the CRS Addendum were explained and detailed the minor changes proposed:

1. Language added and updated regarding accessory structures for floodplain purposes; and
2. Added text regarding elevation requirements of manufactured homes in a floodplain.

Ms. Weedo stated that the proposed ordinance amendments have been reviewed and approved by the Florida Department of Emergency Management for consistency with the state model floodplain ordinance and the Florida Building Code. She concluded that staff recommends that the Planning Board recommend approval of LDC 21-050, to amend the LDC adopting the amendments pursuant to the State model floodplain ordinance, standards of the NFIP regulations (44 CFR 59, etc.) and the Florida Building Code, and furthering the City's continued participation in the Community Rating System related to CRS addendum 2021 language. Tentative City Commission dates are July 20, 2021 and August 4, 2021.

Mr. Jorczak asked about the suggested proposed changes regarding having flood damage or existing materials below the base flood elevation plus one foot section and if it requires any change in the building codes. Ms. Weedo replied that it does not.



CITY OF ORMOND BEACH

City Manager • 22 S. Beach Street • Ormond Beach • Florida • 32174 • (386) 676-3200 • Fax (386) 676-3384

CITY MANAGER MEMORANDUM

To: The Honorable Mayor Partington and City Commissioners

Through: Joyce A. Shanahan, City Manager

From: Steven Spraker, Planning Director

Date: August 4, 2021

Subject: LDC Amendment - Sidewalks

Commission Goal: Community Development - Other

Introduction

This is an administrative amendment to the Land Development Code (LDC), Chapter 3 - Performance Standards, Article V. - Utility and Infrastructure Design Standards, Section 3-55, Bicycle and pedestrian ways, to (1) allow payment in lieu of constructing a sidewalk under certain conditions and (2) requiring sidewalks on both sides of the street in new subdivisions.

Background

Section 3-55 of the Land Development Code requires the construction of sidewalks with new development. This request seeks the following amendments:

- 1. To allow a payment in lieu of construction under certain conditions.** There may be situations where the construction of a sidewalk may not be practical or desired. Examples can include areas that have substantial grading, stormwater ditches, no other connecting sidewalks, or there is a pending larger master plan sidewalk capital improvement. This amendment allows the payment into a sidewalk fund in lieu of construction for these unique conditions. A recent example where a payment into a sidewalk fund in lieu of construction was appropriate is the Ormond Ace Hardware project. During the Site Plan Review Committee (SPRC) review, it was identified that a sidewalk was required along U.S. Highway 1 that has significant drainage improvements in the right-of-way. There is a programmed capital project for the construction of a ten-foot (10') sidewalk along this portion of U.S. Highway 1 that includes stormwater improvements. As part of the planned development zoning amendment for the Ormond Ace Hardware project, the funds that would have required for the construction of a sidewalk were approved to be placed into a sidewalk fund to assist with the larger sidewalk capital project. Staff does not anticipate widespread use of the payment in lieu of sidewalk construction regulation, but there are unique situations where this option may be appropriate.

2. **Require sidewalks on both sides of new subdivisions.** The city has, by policy, requested sidewalks on both sides of new subdivisions, such as Cypress Trails. This item seeks to require sidewalks on both sides of new subdivisions as part of the sidewalk regulations. The amendment would not apply to projects that have existing development orders that allow a sidewalk on one side of the street.

Discussion

The Planning Board reviewed the proposed Land Development Code amendment and recommended approval with a 6-1 vote. The Board member voting against the amendment expressed concern with the concept of requiring sidewalks on both sides of a street and stated it would add additional cost to the purchaser of the property. There were no individuals who spoke for or against the Land Development Code amendment. The minutes of the Planning Board meeting are attached in the City Commission packet.

Budget Impact

There is no budget impact associated with the Land Development Code amendment. As part of Planned Developments, staff has been requesting sidewalks on both sides of the street and payment in lieu of constructing sidewalks recognizes that there may be unique conditions where sidewalks may not be able to be constructed as part of a development project.

Citizen Impact

The Land Development Code amendment is not expected to have a citizen impact. The amendment seeks to codify policies that exist.

Recommendation

It is Planning staff's and the Planning Board recommendation (6-1) that the City Commission **APPROVE** amendments to the Land Development Code, Chapter 3 - Performance Standards, Article V. - Utility and Infrastructure Design Standards, Section 3-55, Bicycle and pedestrian ways, to allow payment in lieu of constructing a sidewalk under certain conditions and requiring sidewalks on both sides of the street in new subdivisions, as reflected in the attached ordinance.

Attachments:

- 21-28 LDC amendment - Sidewalks (P21-0072G) (PDF)
- LDC amendment Section 3-55 sidewalks, PB Staff Report (PDF)
- DRAFT - Planning Board minutes - sidewalks (PDF)

REVIEWED BY:
Kelly McGuire, Finance Director 6/9/2021
Claire Whitley, Assistant City Manager 7/22/2021**APPROVED BY:**
Joyce A. Shanahan, City Manager 7/27/2021

ORDINANCE NO. 2021-28

AN ORDINANCE AMENDING CHAPTER 3, PERFORMANCE STANDARDS, ARTICLE V, UTILITY AND INFRASTRUCTURE DESIGN STANDARDS, SECTION 3-55, BICYCLE AND PEDESTRIAN WAYS, OF THE *LAND DEVELOPMENT CODE* TO ALLOW PAYMENT IN LIEU OF CONSTRUCTING SIDEWALKS UNDER CERTAIN CONDITIONS AND REQUIRING SIDEWALKS ON BOTH SIDES OF THE STREET IN NEW SUBDIVISIONS; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, the City’s planning staff has proposed that the City of Ormond Beach *Land Development Code* (“the *LDC*”) be amended to allow payment in lieu of constructing sidewalks under certain conditions and requiring sidewalks on both sides of the street in new subdivisions within Section 3-55, Bicycle and pedestrian ways, of the *LDC*, and

WHEREAS, the local planning agency, being the Planning Board of the City of Ormond Beach, has reviewed the recommended amendment and has made recommendations thereon to the City Commission, and

WHEREAS, all applicable notice requirements of Section 166.041(3)(c)(2), *Florida Statutes*, have been complied with, and

WHEREAS, the City Commission finds the recommended amendment to be consistent with the provisions of the *Comprehensive Plan* of the City of Ormond Beach, and in the overall best interest of the public health, safety and welfare, now therefore,

**BE IT ENACTED BY THE PEOPLE OF THE CITY OF ORMOND BEACH,
FLORIDA, THAT:**

SECTION ONE. Section 3-55, Bicycle and pedestrian ways, of Chapter 3, Performance Standards, of Article V, Utility and Infrastructure Design Standards, of the *LDC* is hereby amended to read as follows:

Sec. 3-55. - Bicycle and pedestrian ways.

Bicycle and pedestrian ways shall include sidewalks, bikeways and pedestrian paths. Except as provided below, bicycle and pedestrian ways may meander between the curb and right-of-way line where necessary to preserve topographical or natural features or to provide visual interest, provided a grassed or landscaped area at least three feet (3') wide is retained to separate the pathway from the adjacent curb. Bicycle and pedestrian ways construction and material standards shall comply with those set forth in the SCDCS manuals.

(1) *Sidewalks.*

- a. Sidewalks shall be provided on both sides of arterial, collector and minor collector streets, ~~and on one (1) side of~~ subdivision feeder, local access, and cul-de-sac streets. However, no sidewalk shall be required on either I-95 or cul-de-sac streets which are less than six hundred feet (600') in length, or on noncollector streets within gated, adult-only, nonplatted manufactured home developments with privatized streets. Where interior pedestrian pathways or other alternative walking facilities are provided within a development, the applicant may request approval to provide sidewalks on only one (1) side of major or minor collector streets. Some sidewalks may be waived if bike paths or bike lanes are installed in accordance with subsection (2)e of this section.
- b. Sidewalks may abut the curb where the available right-of-way is constrained, when approved as part of a special district plan, or where necessary to maintain continuity with previously constructed sidewalks on adjacent properties.
- c. Sidewalks may be required in areas not specifically noted, where necessary to continue a walk on an existing street, to link areas or to provide access to pedestrian generators located in close proximity.
- d. Except where otherwise required by this Land Development Code, sidewalks shall have the following minimum width standards:

Roadway Functional Classification	Minimum Sidewalk Width
Local access street or subdivision feeder	5 feet; 5 feet for sidewalks placed on one side of a street or where a public school or public park is located within a 2-mile distance, as measured along the street centerline
Cul-de-sacs	4 feet
Minor collector and major collector	5 feet; 6 feet within one-half mile distance to a public school or public park, as measured along the street centerline
Arterial	6 feet
New arterial or collector street serving residential development	5 feet on 1 side and 8-foot bike path on the other side

Where a new or reconstructed sidewalk will have a greater width than adjoining sidewalk on adjacent property, the sidewalk width shall be tapered down to the width of the narrower sidewalk. Conversely, if a new or reconstructed sidewalk will adjoin a sidewalk of greater width, the sidewalk shall be widened to match the width of the wider sidewalk. The city engineer shall determine where the point of taper or widening shall begin in proximity to the adjoining sidewalk.

- e. All sidewalk design and construction shall meet the requirements of the state accessibility code and the American Disabilities Act.
- f. Development shall provide pedestrian connections to adjacent properties and shall connect on-site systems with those located on adjacent property that extend to or near the property line.

g. Payment in lieu of constructing a sidewalk. The city may allow the owner or developer to make a cash payment to the city in lieu of constructing a sidewalk along the street frontage in areas where sidewalks cannot be practically constructed due to physical or topographical constraints, or otherwise cannot be reasonably anticipated or constructed as determined by the Site Plan Review Committee. The cash payment shall be equivalent to the estimated cost of providing the sidewalk, as determined by the city engineer to include administration, design, construction and contingency costs. In such cases, the city shall retain the payment for use in the construction of a sidewalk within the city.

(2) *Bikeways. ***No change to existing text****

(3) *Pedestrian paths. ***No change to existing text****

SECTION TWO. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION THREE. In the event any word, phrase, clause, sentence, paragraph, term, or provision of this Ordinance shall be held to be invalid by a court of competent jurisdiction, such judicial determination shall not affect any other word, clause, phrase, sentence, paragraph, term or provision, of this Ordinance, and the remainder of this Ordinance shall remain in full force and effect.

SECTION FOUR. This Ordinance shall take effect immediately upon its adoption.

PASSED UPON at the first reading of the City Commission, this 4th day of August, 2021.

PASSED UPON at the second and final reading of the City Commission, this 17th
day of August, 2021.

BILL PARTINGTON
Mayor

ATTEST:

WENDY J. HONTZ
Acting City Clerk

STAFF REPORT

City of Ormond Beach Department of Planning

DATE: May 3, 2021

SUBJECT: Land Development Code amendment: Section 3-55 -
Sidewalks

APPLICANT: Administrative

NUMBER: LDC 2021-056

PROJECT PLANNER: Steven Spraker, AICP, Planning Director

INTRODUCTION:

This is an administrative amendment to the Land Development Code (LDC), Chapter 3 – Performance Standards, Article V.-Utility and Infrastructure Design Standards, Section 3-55, Bicycle and pedestrian ways, to (1) allow payment in lieu of constructing a sidewalk under certain conditions and (2) requiring sidewalks on both sides of the street in new subdivisions.

BACKGROUND:

Section 3-55 of the Land Development Code requires the construction of sidewalks with new development. This request seeks the following amendments:

1. **To allow a payment in lieu of construction under certain conditions.** There may be situations where the construction of a sidewalk may not be practical or desired. Examples can include areas that have substantial grading, stormwater ditches, no other connecting sidewalks, or there is a pending larger master plan sidewalk capital improvement. This amendment allows the payment into a sidewalk fund in lieu of construction for these unique conditions. A recent example where a payment into a sidewalk fund in lieu of construction was appropriate is the Ormond Ace Hardware project. During the Site Plan Review Committee (SPRC) review it was identified that a sidewalk was required along U.S. Highway 1 that has significant drainage improvements in the right-of-way. There is a programmed capital project for the construction of a ten-foot (10') sidewalk along this portion of U.S. Highway 1 that includes stormwater improvements. As part of the planned development zoning amendment for the Ormond Ace Hardware project, the funds that would have required for the construction of a sidewalk were approved to be placed into a sidewalk fund to assist with the larger sidewalk capital project. Staff does not anticipate widespread use of the payment in lieu of sidewalk construction regulation, but there are unique situations where this option may be appropriate.
2. **Require sidewalks on both sides of new subdivisions.** The city has, by policy, requested sidewalks on both sides of new subdivisions, such as Cypress Trails. This item seeks to require sidewalks on both sides on new subdivisions as part of

the sidewalk regulations. The amendment would not apply to projects that have existing development orders that allow a sidewalk on one side of the street.

ANALYSIS:

The proposed Land Development Code amendment is shown below. The underlined text are additions to the original text and ~~strike through~~ are the deleted text of the amendment.

Sec. 3-55. - Bicycle and pedestrian ways.

Bicycle and pedestrian ways shall include sidewalks, bikeways, and pedestrian paths. Except as provided below, bicycle and pedestrian ways may meander between the curb and right-of-way line where necessary to preserve topographical or natural features or to provide visual interest, provided a grassed or landscaped area at least three feet (3') wide is retained to separate the pathway from the adjacent curb. Bicycle and pedestrian ways construction and material standards shall comply with those set forth in the SCDCS manuals.

(1) *Sidewalks.*

- a. Sidewalks shall be provided on both sides of arterial, collector and minor collector streets, and on one (1) side of subdivision feeder, local access, and cul-de-sac streets. However, no sidewalk shall be required on either I-95 or cul-de-sac streets which are less than six hundred feet (600') in length, or on noncollector streets within gated, adult-only, nonplatted manufactured home developments with privatized streets. Where interior pedestrian pathways or other alternative walking facilities are provided within a development, the applicant may request approval to provide sidewalks on only one (1) side of major or minor collector streets. Some sidewalks may be waived if bike paths or bike lanes are installed in accordance with subsection (2)e of this section.
- b. Sidewalks may abut the curb where the available right-of-way is constrained, when approved as part of a special district plan, or where necessary to maintain continuity with previously constructed sidewalks on adjacent properties.
- c. Sidewalks may be required in areas not specifically noted, where necessary to continue a walk on an existing street, to link areas or to provide access to pedestrian generators located in close proximity.
- d. Except where otherwise required by this Land Development Code, sidewalks shall have the following minimum width standards:

Roadway Functional Classification	Minimum Sidewalk Width
Local access street or subdivision feeder	5 feet; 5 feet for sidewalks placed on one side of a street or where a public school or public park is located within a 2-mile distance, as measured along the street centerline

Cul-de-sacs	4 feet
Minor collector and major collector	5 feet; 6 feet within one-half mile distance to a public school or public park, as measured along the street centerline
Arterial	6 feet
New arterial or collector street serving residential development	5 feet on 1 side and 8-foot bike path on the other side

Where a new or reconstructed sidewalk will have a greater width than adjoining sidewalk on adjacent property, the sidewalk width shall be tapered down to the width of the narrower sidewalk. Conversely, if a new or reconstructed sidewalk will adjoin a sidewalk of greater width, the sidewalk shall be widened to match the width of the wider sidewalk. The city engineer shall determine where the point of taper or widening shall begin in proximity to the adjoining sidewalk.

- e. All sidewalk design and construction shall meet the requirements of the state accessibility code and the American Disabilities Act.
- f. Development shall provide pedestrian connections to adjacent properties and shall connect on-site systems with those located on adjacent property that extend to or near the property line.
- g. Payment in lieu of constructing a sidewalk. The city may allow the owner or developer to make a cash payment to the city in lieu of constructing a sidewalk along the street frontage in areas where sidewalks cannot be practically constructed due to physical or topographical constraints, or otherwise cannot be reasonably anticipated or constructed as determined by the Site Plan Review Committee. The cash payment shall be equivalent to the estimated cost of providing the sidewalk, as determined by the city engineer to include administration, design, construction and contingency costs. In such cases, the city shall retain the cash payment in a trust fund for use in construction of a sidewalk within the city.

(2) *Bikeways. ***No change to existing text****

(3) *Pedestrian paths. ***No change to existing text****

Section 3-55(1)(a) of the Land Development Code would be modified to require sidewalks on both sides of a new subdivision. Section 3-55(1)(g) of the Land Development Code

would be created to allow the payment in lieu of constructing a sidewalk with review and approval of the Site Plan Review Committee.

CONCLUSION:

Section 1-15(d)(3) of the Land Development Code requires certain criteria must be evaluated before adoption of a Land Development Code amendment when making their recommendation, as follows:

- 1. The proposed development conforms to the standards and requirements of this Code and will not create undue crowding beyond the conditions normally permitted in the zoning district, or adversely affect the public health, safety, welfare or quality of life.**

The proposed amendment does not propose any site-specific development. This amendment seeks to (1) allow payment into a sidewalk fund where the construction is not possible per the Site Plan Review Committee (SPRC) review and (2) incorporate an existing development policy for subdivision sidewalks into the Land Development Code. It is not expected that the proposed Land Development Code amendment would create undue crowding beyond the conditions normally permitted in the zoning district, or adversely affect the public health, safety, welfare or quality of life.

- 2. The proposed development is consistent with the Comprehensive Plan.**

The proposed Land Development Code amendment is consistent with the Comprehensive Plan. Objective 2.1 of the Future Land Use Element of the Comprehensive Plan discussed the need to update Land Development Code regulations.

- 3. The proposed development will not adversely impact environmentally sensitive lands or natural resources, including but not limited to waterbodies, wetlands, xeric communities, wildlife habitats, endangered or threatened plants and animal species or species of special concern, wellfields, and individual wells.**

The proposed Land Development Code amendment does not approve any site-specific development and will not have an adverse impact on environmentally sensitive lands.

- 4. The proposed use will not substantially or permanently depreciate the value of surrounding property; create a nuisance; or deprive adjoining properties of adequate light and air; create excessive noise, odor, glare, or visual impacts on the neighborhood and adjoining properties.**

The proposed Land Development Code amendment does not approve any site-specific development and will not have any impacts on surrounding properties.

- 5. There are adequate public facilities to serve the development, including but not limited to roads, sidewalks, bike paths, potable water, wastewater treatment, drainage, fire and police safety, parks and recreation facilities, schools, and playgrounds.**

The proposed Land Development Code amendment seeks to (1) allow payment into a sidewalk fund where the construction is not possible per the Site Plan Review Committee (SPRC) review and (2) incorporate an existing development policy for

subdivision sidewalks into the Land Development Code. The amendment would not have a negative impact to public facilities.

- 6. Ingress and egress to the property and traffic patterns are designed to protect and promote motorized vehicle and pedestrian/bicycle safety and convenience, allow for desirable traffic flow and control, and provide adequate access in case of fire or catastrophe. This finding shall be based on a traffic report where available, prepared by a qualified traffic consultant, engineer or planner which details the anticipated or projected effect of the project on adjacent roads and the impact on public safety.**

There is no development proposed as part of the proposed amendment. The application pertains to a Land Development Code amendment.

- 7. The proposed development is functional in the use of space and aesthetically acceptable.**

There is no development proposed as part of the proposed amendment. The application pertains to a Land Development Code amendment.

- 8. The proposed development provides for the safety of occupants and visitors.**

There is no development proposed as part of the proposed amendment. The application pertains to a Land Development Code amendment.

- 9. The proposed use of materials and architectural features will not adversely impact the neighborhood and aesthetics of the area.**

There is no development proposed as part of the proposed amendment. The application pertains to a Land Development Code amendment.

- 10. The testimony provided at public hearings.**

There has not been a public hearing at this time. The comments from the Planning Board meeting will be incorporated into the City Commission packet.

RECOMMENDATION:

It is recommended that the Planning Board **APPROVE** the amendments to the Land Development Code, Chapter 3 – Performance Standards, Article V.-Utility and Infrastructure Design Standards, Section 3-55, Bicycle and pedestrian ways, to allow payment in lieu of constructing a sidewalk under certain conditions and requiring sidewalks on both sides of the street in new subdivisions, as shown in Attachment 1.

Attachments:

Attachment 1: Proposed Land Development Code amendment

Attachment 2: Current Section 3-55 of the Land Development Code

Attachment 1:

Proposed Land Development Code amendment

Chapter 3 – Performance Standards, Article V.-Utility and Infrastructure Design Standards

Sec. 3-55. - Bicycle and pedestrian ways.

Bicycle and pedestrian ways shall include sidewalks, bikeways and pedestrian paths. Except as provided below, bicycle and pedestrian ways may meander between the curb and right-of-way line where necessary to preserve topographical or natural features or to provide visual interest, provided a grassed or landscaped area at least three feet (3') wide is retained to separate the pathway from the adjacent curb. Bicycle and pedestrian ways construction and material standards shall comply with those set forth in the SCDCS manuals.

(1) *Sidewalks.*

- a. Sidewalks shall be provided on both sides of arterial, collector and minor collector streets, ~~and on one (1) side of~~ subdivision feeder, local access, and cul-de-sac streets. However, no sidewalk shall be required on either I-95 or cul-de-sac streets which are less than six hundred feet (600') in length, or on noncollector streets within gated, adult-only, nonplatted manufactured home developments with privatized streets. Where interior pedestrian pathways or other alternative walking facilities are provided within a development, the applicant may request approval to provide sidewalks on only one (1) side of major or minor collector streets. Some sidewalks may be waived if bike paths or bike lanes are installed in accordance with subsection (2)e of this section.
- b. Sidewalks may abut the curb where the available right-of-way is constrained, when approved as part of a special district plan, or where necessary to maintain continuity with previously constructed sidewalks on adjacent properties.
- c. Sidewalks may be required in areas not specifically noted, where necessary to continue a walk on an existing street, to link areas or to provide access to pedestrian generators located in close proximity.
- d. Except where otherwise required by this Land Development Code, sidewalks shall have the following minimum width standards:

Roadway Functional Classification	Minimum Sidewalk Width
Local access street or subdivision feeder	5 feet; 5 feet for sidewalks placed on one side of a street or where a public school or public park is located within a 2-mile distance, as measured along the street centerline
Cul-de-sacs	4 feet

Minor collector and major collector	5 feet; 6 feet within one-half mile distance to a public school or public park, as measured along the street centerline
Arterial	6 feet
New arterial or collector street serving residential development	5 feet on 1 side and 8-foot bike path on the other side

Where a new or reconstructed sidewalk will have a greater width than adjoining sidewalk on adjacent property, the sidewalk width shall be tapered down to the width of the narrower sidewalk. Conversely, if a new or reconstructed sidewalk will adjoin a sidewalk of greater width, the sidewalk shall be widened to match the width of the wider sidewalk. The city engineer shall determine where the point of taper or widening shall begin in proximity to the adjoining sidewalk.

- e. All sidewalk design and construction shall meet the requirements of the state accessibility code and the American Disabilities Act.
 - f. Development shall provide pedestrian connections to adjacent properties and shall connect on-site systems with those located on adjacent property that extend to or near the property line.
 - g. Payment in lieu of constructing a sidewalk. The city may allow the owner or developer to make a cash payment to the city in lieu of constructing a sidewalk along the street frontage in areas where sidewalks cannot be practically constructed due to physical or topographical constraints, or otherwise cannot be reasonably anticipated or constructed as determined by the Site Plan Review Committee. The cash payment shall be equivalent to the estimated cost of providing the sidewalk, as determined by the city engineer to include administration, design, construction and contingency costs. In such cases, the city shall retain the cash payment in a trust fund for use in construction of a sidewalk within the city.
- (2) *Bikeways.* ***No change to existing text***
- (3) *Pedestrian paths.* ***No change to existing text***

Attachment 2:

Current Section 3-55 of the
Land Development Code

- (6) Street names may be designated by the applicant provided that they are consistent with all the following conditions:
- a. The name is in the dictionary. Names not from the dictionary are subject to city commission approval;
 - b. It does not have a negative connotation;
 - c. It does not have a sexual connotation (e.g., double entendre);
 - d. It is relatively easy to spell and pronounce;
 - e. It is not a duplicate or near duplicate of a street name in use elsewhere in the city;
 - f. It is not the last name of a person, except where that name is also a common noun or specifically approved by resolution of the city commission; and
 - g. The continuation of an existing street shall bear the name of the existing street; provided, however, that the city commission may waive this requirement where the continuation of a street crosses a collector or arterial and the areas on both sides of the collector or arterial are intended to be developed as interior subdevelopments.

Sec. 3-55. Bicycle and pedestrian ways.

Bicycle and pedestrian ways shall include sidewalks, bikeways and pedestrian paths. Except as provided below, bicycle and pedestrian ways may meander between the curb and right-of-way line where necessary to preserve topographical or natural features or to provide visual interest, provided a grassed or landscaped area at least three feet (3') wide is retained to separate the pathway from the adjacent curb. Bicycle and pedestrian ways construction and material standards shall comply with those set forth in the SCDCS manuals.

(1) *Sidewalks.*

- a. Sidewalks shall be provided on both sides of arterial, collector and minor collector streets and on one (1) side of subdivision feeder, local access, and cul-de-sac streets. However, no sidewalk shall be required on either I-95 or cul-de-sac streets which are less than six hundred feet (600') in length, or on noncollector streets within gated, adult-only, nonplatted manufactured home developments with privatized streets. Where interior pedestrian pathways or other alternative walking facilities are provided within a development, the applicant may request approval to provide sidewalks on only one (1) side of major or minor collector streets. Some sidewalks may be waived if bikepaths or bike lanes are installed in accordance with subsection (2)e of this section.
- b. Sidewalks may abut the curb where the available right-of-way is constrained, when approved as part of a special district plan, or where necessary to maintain continuity with previously constructed sidewalks on adjacent properties.

PERFORMANCE STANDARDS

§ 3-55

- c. Sidewalks may be required in areas not specifically noted, where necessary to continue a walk on an existing street, to link areas or to provide access to pedestrian generators located in close proximity.
- d. Except where otherwise required by this Land Development Code, sidewalks shall have the following minimum width standards:

<i>Roadway Functional Classification</i>	<i>Minimum Sidewalk Width</i>
Local access street or subdivision feeder	5 feet; 5 feet for sidewalks placed on one side of a street or where a public school or public park is located within 2-mile distance, as measured along the street centerline
Cul-de-sacs	4 feet
Minor collector and major collector	5 feet; 6 feet within one-half mile distance to a public school or public park, as measured along the street centerline
Arterial	6 feet
New arterial or collector street serving residential development	5 feet on 1 side and 8-foot bike path on the other side

Where a new or reconstructed sidewalk will have a greater width than adjoining sidewalk on adjacent property, the sidewalk width shall be tapered down to the width of the narrower sidewalk. Conversely, if a new or reconstructed sidewalk will adjoin a sidewalk of greater width, the sidewalk shall be widened to match the width of the wider sidewalk. The city engineer shall determine where the point of taper or widening shall begin in proximity to the adjoining sidewalk.

- e. All sidewalk design and construction shall meet the requirements of the state accessibility code and the American Disabilities Act.
 - f. Development shall provide pedestrian connections to adjacent properties and shall connect on-site systems with those located on adjacent property that extend to or near the property line.
- (2) *Bikeways.* The following design standards and criteria apply to bikeways:
- a. A bikeway providing for travel in two (2) directions shall be provided along every arterial and collector street, except I-95.
 - b. A bikeway shall consist of a one-directional bicycle lane along the outer edge of the traffic lane on both sides of the street, or a one-directional bicycle path between the curb and right-of-way line on both sides of the street or a two-directional bicycle path between the curb and the right-of-way line on one (1) side of the street.

- c. Bicycle lanes shall have a minimum paved width of four feet (4'). Where on-street parking is permitted, the bicycle lane shall be located between the parking lane and the outer edge of the traffic lane.
- d. Bicycle lanes shall be constructed of the same materials and specifications as the adjacent street.
- e. Bicycle paths shall have a minimum paved width of five feet (5') for one-way traffic and eight feet (8') for two-way traffic. A minimum width of six feet (6') is required for a one-way bicycle path if also used to meet sidewalk requirements.
- f. Bicycle-safe drainage grates shall be used in the construction of all streets.

(3) *Pedestrian paths.*

- a. Where a minimum eight-foot (8') wide pedestrian path is provided on both sides of a street, separate sidewalks and on-street bikeways shall not be required.
- b. Pedestrian easements at least ten feet (10') wide may be required to provide circulation or access through blocks to schools, playgrounds, shopping areas or other community facilities.

Sec. 3-56. Street lighting.

- (a) *Site Plan Review Committee (SPRC) approval.* Street lighting plans, including fixture type and pole locations, are to be submitted to the SPRC for review and approval.
- (b) *Location standards.* All developments other than subdivisions or planned developments, having an average density of two (2) or more units per acre, exclusive of surface waters or classified wetlands, shall provide for installation of streetlights in conjunction with the construction of new roadways or reconstruction or widening or initial paving of existing roads in accordance with the following standards:
 - (1) *Arterials.* Lighting units of twenty-two thousand (22,000) lumens along arterials generally spaced one hundred feet (100') to two hundred fifty feet (250') on alternate sides of the street. All intersections must be provided with street lighting.
 - (2) *Collectors.* Lighting units of sixteen thousand (16,000) lumens along collectors generally spaced two hundred feet (200') to two hundred fifty feet (250') on alternate sides of the roadway. All intersections must be provided with street lighting.
 - (3) *Locals and feeders.* New streetlights of five thousand two hundred (5,200) lumens on local streets generally spaced two hundred feet (200') to two hundred fifty feet (250') on alternate sides of the street. Streetlights shall also be provided at intersections or at points along the road such as sharp curves or existing over-length cul-de-sacs where streetlights would decrease the potential for accidents.
- (c) *Coordination.* Proposed street lighting along all public rights-of-way must be coordinated throughout the city. The city engineer shall coordinate the process with FP&L as street construction plans are complete. Construction costs for new street lighting on public or private streets shall be paid for by the developer.

DRAFT

May 13, 2021 Planning Board minutes

Amendment to the Land Development Code (LDC), Chapter 3 –
Performance Standards, Article V.-Utility and Infrastructure
Design Standards, Section 3-55, Bicycle and pedestrian ways,

Ms. Tolland asked if the City's rating of 6 was a good rating. Ms. Weedo answered that the ratings are similar to golf where 1 is best. Starting off with 10, there is an opportunity to get to 1 and with each progression receive an additional 5 percent. Currently the City is 20 percent and if improving the rating would go to 5, receiving a 25 percent discount.

Mr. Jorczak motioned to approve LDC 2021-050 – Floodplain Management, Land Development Code Amendment. Ms. Tolland seconded it. Vote was called, and the motion was approved (7-0).

H. LDC 2021-054 – Special Structure Provisions (Motor vehicle service station canopies), Land Development Code Amendment

Mr. Steven Spraker, Planning Director, stated that LDC 2021-054 is an administrative amendment to the Land Development Code (LDC), Chapter 3, Article VI.-Architectural Design Standards, Section 3-70, Special Structure Provisions, to modify the requirements for motor vehicle service station canopies. He explained that there was a house bill that prohibited local governments from infringing on trademarks and corporate logos. It is the same bill that led to the electronic changeable copy signs. The City cannot restrict gas stations from having their corporate identity. Mr. Spraker continued that the LDC changes recognizes that and allows signage per the LDC based on the canopy. The height was also cleaned up from 14.5 feet high and now there is a 16 foot clearance required for fire trucks. Mr. Spraker concluded that staff recommends approval of the amendments to the Land Development Code (LDC), Chapter 3-Performance Standards, Article VI.-Architectural Design Standards, Section 3-70, Special Structure Provisions, to modify the requirements for motor vehicle service station canopies, as shown in Attachment 1. The tentative City Commission dates are July 20, 2021 and August 4, 2021.

Mr. Briley motioned to approve LDC 2021-054 – Special Structure Provisions (Motor vehicle service station canopies), Land Development Code Amendment. Mr. Galloway seconded it. Vote was called, and the motion was approved (7-0).

I. LDC 2021-056 – Sidewalks, Land Development Code Amendment

Mr. Steven Spraker, Planning Director, stated that this is an administrative amendment to the Land Development Code (LDC), Chapter 3-Performance Standards, Article V.-Utility and Infrastructure Design Standards, Section 3-55, Bicycle and pedestrian ways, to (1) allow payment in lieu of constructing a sidewalk under certain conditions and (2) requiring sidewalks on both sides of the street in new subdivisions. Mr. Spraker elaborated on how we have known that the City's regulations only require sidewalks on one side of the street and have routinely through Planned Developments required them on both sides because it can be asked for in Planned Development. Staff is seeking to amend the code to require it for new subdivisions.

Mr. Spraker added that the second item is regarding establishment of a sidewalk fund. This would be a tool and not used on a consistent basis. Ormond Ace Hardware is a good example referenced where there is a larger project coming in and they do not need to make a sidewalk that is going to be ripped up in the future. He mentioned

that there are also stormwater concerns in that area. This tool would be where if it is not appropriate to take the money, to put it into a sidewalk fund and use it elsewhere in the corridor in the city.

Ms. Shull inquired who would determine how the funds are used. Mr. Spraker answered that the Public Works Director would through the Capital Improvement Process. It was further explained that it would be used for missing links of sidewalks where there is an identified need.

Following discussion on the sidewalk fund matter, Mr. Spraker explained that as houses are built in the subdivision, the sidewalk outside of the subdivision is put in. Whatever it would have cost to build the sidewalk is the amount that is determined to go into the fund. The subdivision puts the sidewalk in on both sides of the street.

Mr. Galloway expressed his concern with the concept of the end cost going to the purchaser of the property.

Mr. Jorczak motioned to approve LDC 2021-056 – Sidewalks, Land Development Code Amendment. Ms. Shull seconded it. Vote was called, and the motion was approved (6-1), with Mr. Galloway voting against it.

VIII. OTHER BUSINESS

Mr. Spraker stated that there are no items for the June Planning Board meeting.

Mr. Jorczak inquired about the traffic synchronization in the City. Mr. Spraker replied that data is being collected for the system to learn the traffic movements. It will go into the adaptive signalization mode soon.

Mr. Jorczak mentioned that there should be better phone reception as he heard that the City has signed an agreement for a new communication tower near the airport property.

X. MEMBER COMMENTS

Mr. Galloway thanked the staff and commented on the Julian's property demolition. He remarked that a nice proposal is on the horizon for the property.

Mr. Jorczak thanked Attorney Hayes in his efforts with the airport runway extensions.

Mr. Briley also thanked staff and expressed his appreciation.

Ms. Shull inquired about Tomoka Oaks Golf Course. Chairman Thomas replied that there will be neighborhood meetings at 4:00 p.m. and 6:00 p.m. on June 20, 2021 regarding the matter. Mr. Spraker added that it will start the conversation with the residents before the applicant designs their site plan and concept. At this time there is no application submittal.

Ms. Tolland thanked the staff and Board.

Mr. Scudiero commended the staff, encompassing all of the City of Ormond Beach staff, referencing a pothole near Pathways Elementary School that was there just two days before it was repaired.



CITY OF ORMOND BEACH

City Manager • 22 S. Beach Street • Ormond Beach • Florida • 32174 • (386) 676-3200 • Fax (386) 676-3384

CITY MANAGER MEMORANDUM

To: The Honorable Mayor Partington and City Commissioners

Through: Joyce A. Shanahan, City Manager

From: Steven Spraker, Planning Director

Date: August 4, 2021

Subject: Code of Ordinance Amendment - Building Fee Schedule

Commission Goal: Community Development - Other

Introduction

This is a request to amend Section 8-3 of the Code of Ordinances to update the building schedule of permit fees. This amendment would be the first major amendment to the building fee schedule since 2008.

Background

Section 8-3 of the Code of Ordinances contains the building permit fees associated with a wide range of construction activity. The Section has not undergone a review of fees since 2008 and staff has performed an analysis with proposed amendments to the schedule of fees. Florida State Statute 166.22 provides the authority of a municipality to impose reasonable inspection fees.

Building and Planning staff reviewed the fee schedule based upon several criteria:

1. Costs of services provided:
 - A. Administrative functions**, including software and document management systems, that include:
 1. Provision of general information as part of permitting;
 2. Naviline permitting software;
 3. Project Dox permitting software;
 4. Permit intake;
 5. Licensing review;
 6. Process and issue permit and collect required fees;
 7. Process final documentation and prepare documents for archival system (Certificate of Occupancy or Completion); and
 8. Maintain document archival system
 - B. Review of permit applications**, that include:
 1. Building code compliance review;
 2. Planning/Land Development Code review;

3. Engineering/stormwater review;
4. Environmental/tree review; and
5. Computer equipment for plan review.

C. Inspection:

1. Vehicles for inspections;
 2. Tools needed for inspections;
 3. Technology needed for inspections;
 4. Florida Building Code compliance;
 5. Site/Land Development Code compliance; and
 6. Ongoing training, certification, and continuing education.
2. Other jurisdiction's fee schedules. City staff reviewed and compared permit fees of other jurisdictions. Staff reviewed other cities compared to existing and proposed fee schedules.
 3. Input in the proposed fee schedule. Staff created a webpage dedicated to the proposed fee amendments:
<https://www.ormondbeach.org/991/Building-and-Planning-Fee-Update>
 Staff offered two meetings (one virtually and one in-person) to review and discuss the fee update. Staff provided notice of the fee update by:
 - A. E-mailing contacts within the ProjectDox system;
 - B. Flyers within the Building and Planning offices; and
 - C. Providing the meeting information to VCARD.

Discussion

The goal of the fee review is to cover the expenses associated with the processing of building permit fees, including administration, plan review and inspection. Specific changes to the section include:

1. Deletion of the existing fee schedule and a re-organization of the fees.
2. Increase of fee minimums (application, electrical, gas, mechanical) from \$30.00 to \$35.00.
3. Maintain an early permit review option for projects that do not have contractors.
4. Revised the work without a permit penalty fee to be either \$200 or 100% of the permit fee, whichever is higher.
5. The general fee increase is approximately 15% over the existing fees.
6. Established inspection and review fee credits for private providers.
7. Increase reinspection penalty fee (such as work not ready for inspection or failed inspection) from \$30.00 to \$50.00, with additional fees for additional reinspection of the same item.
8. Moved Land Development Code permits, such as patios, fences, driveways, and sheds to the Planning fee schedule. Created an LDC EZ permit for projects under \$1,000 with a fee of \$45.00 where the existing fee minimum is \$64.00.
9. Converted the educational fee of 5% of building permit value to a technology fee.

The revised permit fees would be effective October 1, 2021.

Budget Impact

The amendment shall provide additional revenue to provide building services. The fee schedule has not had a comprehensive review since 2008. The fee update review included time spent administratively processing permits, plan review and inspections and appropriate fees for permits. The proposed fees were also reviewed against the fees of other jurisdictions. The Building Department has submitted for an additional building inspector position as part of the budget process. The position would be able to provide additional plan review. If the position is funded, the additional revenue generated from the fee update would be utilized into plan review and building inspections.

Citizen Impact

Building fees should be designed to cover the cost of the administration, plan review and inspection of permitting so as not to impact the general revenue fund. Staff does not expect a negative citizen impact as the result of this amendment. It is understood that there may be concern with raising permit fees, but these fees have not been altered since 2008. Assessing adequate fees are important to providing the building services of the community.

Recommendation

It is recommended that the City Commission **APPROVE** the amendments to Section 8-3 of the Code of Ordinances to revise the building schedule of permit fees.

Attachments:

- 21-29 Code of Ordinance Amendment - Building Fee Schedule (P21-0093G) (PDF)

REVIEWED BY:


Kelly McGuire, Finance Director 7/13/2021


Claire Whitley, Assistant City Manager 7/22/2021

APPROVED BY:


Joyce A. Shanahan, City Manager 7/28/2021

ORDINANCE NO. 2021-29

AN ORDINANCE AMENDING SECTION 8-3, LOCAL AMENDMENTS TO BUILDING CODE, OF ARTICLE 1, IN GENERAL, OF CHAPTER 8, BUILDING AND CONSTRUCTION REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF ORMOND BEACH TO AMEND THE SCHEDULE OF PERMIT FEES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

BE IT ENACTED BY THE PEOPLE OF THE CITY OF ORMOND BEACH, FLORIDA, THAT:

SECTION ONE. Section 8-3, Local amendments to building code, of Article I, In General, of Chapter 8, Building and Construction Regulations, of the City of Ormond Beach, Florida, *Code of Ordinances* is hereby amended to read as follows:

Sec. 8-3. Local amendments to building code.

- (a) *Amendments. ***No change to existing text****
- (b) *Schedule of permit fees.*

~~(1) On all buildings, structures or alterations requiring a building permit, as set forth in the Florida Building Code, a fee for such building permit shall be paid at the time of issuance thereof, in accordance with the schedule below. Unless otherwise stated in this schedule, in all cases there shall be a minimum total permit fee of \$60.00, which shall be a nonrefundable fee in order to cover the administrative costs associated with processing the permit application and maintaining pertinent records. Expired permits are not eligible for refunds. The building official or designated representative may adjust fees where necessary. Permit fees in excess of \$60.00 can only be waived by city commission. Where actual scope of work does not meet the descriptions of the scope of work expected within this schedule, the building official or designated representative may base the permit fee on the value of the construction contract. In cases where this happens, the value shall be multiplied by three tenths, two tenths, or one tenth percent, as deemed applicable by the building official or designated representative. In cases where it is appropriate to re-evaluate permit fees, due to excessive fees, the~~

permit applicant shall provide in writing to the building official in a detailed scope of work, schedule of completion (including a target completion date), inspection schedule (special needs), and breakdown of project cost. Projects inspected by a private provider pursuant to F.S. § 553.791 are subject to all permit fees established in this resolution without discount.

Valuation of Project		Fee
(1)	\$0.00 — \$2,000.00- (minimum fee)-	\$30.00-
(2)	2,001.00 — 40,000.00/per thousand-	\$4.00 (plus \$30.00 flat fee)-
(3)	40,001.00 — 100,000.00/per thousand-	\$3.50 (plus \$182.00 flat fee)-
(4)	100,001.00 — 500,000.00/per thousand-	\$2.50 (plus \$362.00 flat fee)-
(5)	Over 500,000.00/per thousand-	\$1.50 (plus \$1,162.00 flat fee)-
(6)	Value of construction for permits will be determined by the most recent publishing of the International Code Council- Building Valuation Data, which estimates per square foot value according to the type of construction and building use. Building use shall be based on the predominant occupancy- classification for the majority of the structure per floor.-	
(7)	Electrical fees:-	
	Minimum fee for residential-	\$30.00-
	Minimum fee for nonresidential-	\$60.00-
	Alteration fees:-	
	Circuits 1 — 10, per circuit-	\$6.00-
	Circuits >10, per circuit-	\$3.00-
	Services fees:-	
	Single phase, per ampere-	\$0.60-
	Three phase (240 volts or less), per ampere-	\$1.00-

	Three-phase (>240 volts), per ampere-	\$1.50-
	Swimming pool electrical fees:-	
	Residential, per pool-	\$75.00-
	Commercial, per pool-	\$200.00-
	Temporary pole fees:-	
	Residential, per pole-	\$50.00-
	Commercial, per pole-	\$100.00-
	Pre-power/early power fees (in conjunction with new construction):-	
	One- and two-family (minimum fee)-	\$50.00-
	Nonresidential (minimum fee)-	\$100.00-
	Sign electrical fees:-	
	Circuits, per circuit-	\$50.00-
(8)-	Gas fees:-	
	Minimum fee, residential-	\$30.00-
	Minimum fee, commercial-	\$60.00-
	Boilers, per unit-	\$5.00-
	Central heating units, per unit-	\$5.00-
	Conversions burners, per unit-	\$5.00-
	Floor furnaces, per unit-	\$5.00-
	Vented recessed heaters, per unit-	\$5.00-
	Water heaters, per unit-	\$3.50-
	Gas outlets (4 or less), per outlet-	\$5.00-

	Gas outlets (more than 4), per outlet	\$3.50
(9)	Mechanical fees:-	
	Minimum fee, residential	\$30.00
	Minimum fee, commercial	\$60.00
	Minimum fee, for new equipment	\$65.00
	New equipment (0 — 3 tons)	\$65.00
	New equipment (>3 — 10 tons), per ton	\$11.00 (plus \$65.00 flat fee)
	New equipment (>10 — 25 tons), per ton	\$9.00 (plus \$142.00 flat fee)
	New equipment (>25 — 50 tons), per ton	\$5.50 (plus \$277.00 flat fee)
	New equipment (>50 tons), per ton	\$4.50 (plus \$414.50 flat fee)
	Equipment change out (no ducts and no added tonnage), per ton	\$5.00
	Ductwork only	Fees based on valuation of work
(10)	Plumbing fees:-	
	Minimum fee, for residential	\$30.00
	Minimum fee, for nonresidential	\$60.00
	Fixtures, per fixture	\$5.00
	Hook up (mobile home), per mobile home	\$30.00
	Sewer lateral (mobile home), per mobile home	\$9.00
(11)	Replacement placard fee (each)	\$10.00

	Contractor change-	\$25.00-
	Sub-contractor change (each)-	\$10.00-
	Re-stamp approved plans:-	
	Residential-	\$10.00-
	Commercial-	\$25.00-
(12)	Demolition (per square foot)-	\$0.15-
(13)	Mobile home set-up fees (per unit)-	\$250.00-
	Moving of structures fees:-	
(14)	House-	\$200.00-
	Other structures-	\$365.00-
	Pre-inspection fee (includes mobile home/habitability inspection)-	\$65.00-
(15)	Safety inspections/consultation request fees-	\$65.00, (includes two trips to site and written report to permit holder)-
	Tent fee (over 20 feet × 20 feet in size):-	
	First tent-	\$45.00-
(16)	Additional tents (within 100 feet), per tent-	\$30.00-
	Stocking permit fee-	\$50.00 (for a maximum of 14 days)-
(17)	Penalty fees. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a penalty of 100 percent of the usual permit fee in addition to the required permit fees. The payment of such penalty fees shall not relieve any person from fully complying with the requirements of this Code in the execution of work, nor from any other penalties prescribed herein.-	

(18)	Application fee:-	
	All permit applications-	\$30.00-
(19)	Plan resubmittal fees (based on valuation unless otherwise indicated):-	
	Residential (flat fee)-	\$30.00-
	Commercial:-	
	0.00 — 100,000.00-	\$50.00-
	100,001.00 — 500,000.00-	\$100.00-
	500,001.00 — 1,500,000.00-	\$250.00-
	>1,500,000.00-	\$500.00-
(20)	Building plan review fees:-	
	Plan review fees equal to 50 percent of the applicable building permit fee set forth in this section-	
	Fire/life safety plan review fees-	\$0.03 per square foot under roof-
(21)	Plan modification fees (applies to project modifications after the permit has been issued)-	\$30.00 or 15 percent of the original permit fee, whichever is greater, except for minor modifications requiring one half hour or less in processing time, as determined by the building official-
(22)	Special inspection fees (after hours, weekends, holidays)-	\$200.00 per site visit (must be preapproved by the chief building official)-
(23)	Re-inspection fees:-	
	First-	\$30.00-
	Second (same item)-	\$50.00-
	Third or more (same item)-	\$100.00-

A re-inspection fee may be charged for any of the following reasons:-
Failed inspections (code issues).
Wrong address, address not posted, or incorrect/insufficient directions given on the permit application.
Permit placard not posted in a conspicuous place visible from the public road or right-of-way.
City approved construction documents, including approved revisions, are not on site and available for a scheduled inspection.
Work is not ready for inspection when the inspector arrives for the inspection as scheduled.
Request for a same day re-inspection for work not approved or ready when the inspector arrives for the initial scheduled inspection. Same day re-inspections are performed at the discretion of the inspector.
Outstanding corrections or conditions not completed from a previous or partial inspection.
Failure to request required inspections and the work is concealed.
Inability for the inspector to enter premises due to locked gates, doors, uncontrolled animals, barriers, or other preventative measures.
Private provider fails to notify building official of private inspection as required by F.S. ch. 553.
Fees that result from re-inspections must be paid prior to receiving a final inspection or a certificate of completion/occupancy. If the building official determines that the number of re-inspections resulting from any one of the above listed reasons has become excessive, the building official, at their discretion, may determine that past due re-inspection fees shall be paid upon demand and may withhold further inspections until such time as the fees are paid.

	Partial inspection-	\$30.00 (each), depending on staff availability and workload
	In some instances, an administrative fine of \$120.00 may be assessed pursuant to F.S. § 553.802(c).	
(24)	Closeout fees:-	
	(Fees shall be paid before any permit is issued to contractor, applies to open, expired permits that have not received final required inspection or applicable certificate of completion/occupancy. Fee covers reactivation of permit at the discretion of the chief building official.)	
	New building or addition (maximum fee)-	\$250.00-
	In-ground pool (maximum fee)-	\$120.00-
	Miscellaneous (maximum fee)-	\$40.00-
(25)	Permit renewal fees-	(Fees shall be paid before work continues and before permit is renewed.)
	Prior to expiration-	\$30.00-
(26)	Business tax receipt inspection fee-	\$45.00, includes one re-inspection-
(27)	Concurrent building/fire code review with SPRC fees-	\$350.00 minimum fee, up to 10,000 square feet in building size. Additional \$50.00 per additional 1,000 square feet.
	(These fees are in addition to the normal permit fees at the time of full application submittal. To provide this additional service, 100 percent complete construction documents must be submitted for the concurrent review process.)	

(28)	State fees (new square footage added):-	
	Building inspector education fund-	\$0.0005, per square foot-
	Radon gas-	\$0.0005, per square foot-
(29)	Staff training/education fee-	5 percent of building permit fee-
(30)	Tree removal/clearing fees (residential) in conjunction with new construction-	\$60.00-
(31)	Irrigation system fees (residential)-	\$30.00-
(32)	Well fees:-	
	Residential-	\$10.00-
	Commercial-	\$20.00-

~~(2) Fee refunds.~~

- ~~a. The chief building official may authorize the refunding of any fee paid hereunder, which was erroneously paid or collected.~~
- ~~b. The chief building official may authorize the refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this Code.~~
- ~~c. The chief building official may authorize the refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review has been paid is withdrawn or canceled before any plan reviewing is done.~~
- ~~d. The chief building official shall authorize the applicable refund of any fees paid, upon written request filed by the permit holder not later than 90 days after the date of fee payment.~~
- ~~e. Refunds are issued to permit holders of active permits only.~~
- ~~f. All permits are subject to a nonrefundable minimum fee of \$60.00; therefore, permits totaling \$60.00 or less are not subject to refund.~~

~~g. The following fees are nonrefundable: building/life safety review fees, application fees, state fees, training/education fees, and plan resubmittal/modification fees.~~

(1) The cost of construction or project may be determined in the following ways as determined by the Building Official as provided by the Florida Building Code:

- a. Copy of the construction as submitted by the applicant.
- b. Copy of the signed contract for work to be performed.
- c. Using the values in the most recent edition of the ICC Building Valuation Data (BVD).

(2) On all buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a building permit, as set forth in the Florida Building Code, a fee shall be paid at the time of issuance thereof, in accordance with the schedule below.

(3) The Chief Building Official may adjust fees where necessary, not to exceed \$100.00, based on a request and justification from an applicant that the fee is not proportional to the scope of work and valuation.

(4) Application fees.

	<u>Item</u>	<u>Fee</u>
<u>a.</u>	<u>One and two-family dwellings and townhomes new construction</u>	<u>\$125.00</u>
<u>b.</u>	<u>Multi-family and Non-residential (new square footage construction)</u>	<u>\$250.00</u>
<u>c.</u>	<u>All other applications</u>	<u>\$35.00</u>
<u>d.</u>	<u>Plan resubmittal fee (with third plan submittal)</u>	<u>\$50.00</u>

(5) Building permit fees.

	<u>Item</u>	<u>Fee</u>
<u>a.</u>	<u>Value of construction for permits will be determined by the most recent publishing of the International Code Council Building Valuation Data, which estimates per square foot value according to the type of construction and building use. The building use shall be based on the</u>	

	<u>predominant occupancy classification for the majority of the structure per floor.</u>	
b.	<u>\$0.00—\$2,000.00 (minimum fee)</u>	<u>\$35.00</u>
c.	<u>\$2,001.00—\$40,000.00/per thousand</u>	<u>\$5.00 (plus \$35.00 flat fee)</u>
d.	<u>\$40,001.00—\$100,000.00/per thousand</u>	<u>\$4.38 (plus \$225.00 flat fee)</u>
e.	<u>\$100,001.00—\$500,000.00/per thousand</u>	<u>\$3.13 (plus \$487.80 flat fee)</u>
f.	<u>Over 500,000.00/per thousand</u>	<u>\$1.87 (plus \$1,739.80 flat fee)</u>

(6) Building permit plan review fees.

	<u>Item</u>	<u>Fee</u>
a.	<u>Building plan review fee</u>	<u>Fifty (50%) percent of the applicable building permit fee set forth in this section.</u>
b.	<u>Fire/life safety plan review fees</u>	<u>\$0.04 per square foot under roof</u>

(7) Building permit state fees.

	<u>Item</u>	<u>Fee</u>
a.	<u>Florida FBC and FBCC surcharge fee (FS 553.721)</u>	<u>1% of building permit fee or \$2.00 whichever is greater</u>
b.	<u>Florida BCAI Inspector Education Fee surcharge fee (FS 468.631)</u>	<u>1.5% of building permit fee or \$2.00, whichever is greater</u>

(8) Demolition permit fee.

	<u>Item</u>	<u>Fee</u>
a.	<u>Demolition</u>	<u>\$0.17 per square foot of structure; minimum fee of \$50.00</u>

(9) Early permit review fee.

	<u>Item</u>	<u>Fee</u>
a.	<u>Early building/fire code review</u>	<u>\$350.00 minimum fee, up to 10,000 square feet in building</u>

	size. Additional \$50.00 per additional 1,000 square feet of building square footage.
b.	<u>These fees are in addition to the normal permit fees at the time of full application submittal. To provide this additional service, 100 percent complete construction documents must be submitted for the early review process.</u>

(10) **Electrical fees.**

	<u>Item</u>	<u>Fee</u>
a.	<u>Minimum fee for one-and two-family dwellings and townhomes</u>	<u>\$35.00</u>
b.	<u>Minimum fee for multi-family dwellings and non-residential</u>	<u>\$70.00</u>
c.	<u>Alteration fee, circuits 1—10, per circuit</u>	<u>\$6.60</u>
d.	<u>Alteration fee, circuits 11 or more, per circuit</u>	<u>\$3.30</u>
e.	<u>Pre-power/early power fees, Residential</u>	<u>\$55.00</u>
f.	<u>Pre-power/early power fees, Multi-family and Nonresidential</u>	<u>\$110.00</u>
g.	<u>Service fee, single-phase, per ampere</u>	<u>\$0.66</u>
h.	<u>Service fee, Three-phase (240 volts or less), per ampere</u>	<u>\$1.10</u>
i.	<u>Service fee, Three-phase (more than 240 volts), per ampere</u>	<u>\$1.65</u>
j.	<u>Sign electrical fees, circuits (per circuit)</u>	<u>\$55.00</u>
k.	<u>Swimming pool electrical fees, residential (per pool)</u>	<u>\$82.50</u>
l.	<u>Swimming pool electrical fees, commercial (per pool)</u>	<u>\$220.00</u>

<u>m.</u>	<u>Temporary pole fee, residential (per pole)</u>	<u>\$55.00</u>
<u>n.</u>	<u>Temporary pole fee, commercial (per pole)</u>	<u>\$110.00</u>

(11) Gas fees.

	<u>Item</u>	<u>Fee</u>
<u>a.</u>	<u>Minimum fee for residential (up to five fixtures)</u>	<u>\$35.00</u>
<u>b.</u>	<u>Minimum fee for multi-family and nonresidential, (up to five fixtures)</u>	<u>\$75.00</u>
<u>c.</u>	<u>Each fixture, six and over</u>	<u>\$5.50</u>

(12) Inspection fees.

	<u>Item</u>	<u>Fee</u>
<u>a.</u>	<u>Business tax receipt inspection fee</u>	<u>\$45.00, includes one reinspection</u>
<u>b.</u>	<u>Building inspection</u>	<u>\$45.00</u>
<u>c.</u>	<u>Special inspection fees (after hours, weekends, holidays)</u>	<u>\$200.00 per site visit (must be preapproved by the chief building official)</u>
<u>d.</u>	<u>Partial building inspection</u>	<u>\$30.00</u>

(13) Mechanical fees.

	<u>Item</u>	<u>Fee</u>
	<u>Replacement of Equipment (No change to duct system)</u>	
<u>a.</u>	<u>One and two-family dwellings and townhomes</u>	<u>\$35.00 plus \$5.00 per ton over 7 tons</u>
<u>b.</u>	<u>Multi-family and non-residential</u>	<u>\$70.00 plus \$5.00 per ton over 14 tons</u>
	<u>Installation of New Systems (Includes Ducts Ancillary Components or Equipment)</u>	
<u>c.</u>	<u>New equipment (0—3 tons)</u>	<u>\$71.50</u>

d.	<u>New equipment (>3—10 tons), per ton</u>	<u>\$12.10 (plus \$71.50 flat fee)</u>
e.	<u>New equipment (>10—25 tons), per ton</u>	<u>\$9.90 (plus \$156.20 flat fee)</u>
f.	<u>New equipment (>25—50 tons), per ton</u>	<u>\$6.05 (plus \$304.70 flat fee)</u>
g.	<u>New equipment (>50 tons), per ton</u>	<u>\$4.95 (plus \$455.95 flat fee)</u>
h.	<u>All other mechanical work</u>	<u>Minimum \$35.00 or construction value, whichever is greater</u>

(14) Miscellaneous permit fees.

	<u>Item</u>	<u>Fee</u>
a.	<u>Contractor change</u>	<u>\$30.00</u>
b.	<u>Mobile home set-up fees (per unit)</u>	<u>\$288.00</u>
c.	<u>Moving of structure, house or other</u>	<u>\$400.00</u>
d.	<u>Replacement placard fee (each)</u>	<u>\$11.50</u>
e.	<u>Sub-contractor change (each)</u>	<u>\$11.50</u>
f.	<u>Stocking permit fee</u>	<u>\$57.50 (for a maximum of 14 days)</u>
g.	<u>Tent fee (over 20 feet × 20 feet in size):</u>	<u>\$45.00 first tent; \$30.00 any additional tents</u>

(15) Penalty fee.

	<u>Item</u>	<u>Fee</u>
a.	<u>Penalty fee</u>	<u>Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a penalty of \$200 or 100 percent of the usual permit fee, whichever is higher in addition to the required permit fees. The payment of such</u>

		<u>penalty fees shall not relieve any person from fully complying with the requirements of this Code in the execution of work, nor from any other penalties prescribed herein.</u>
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(16) Permit renewal/extension.

	<u>Item</u>	<u>Fee</u>
a.	<u>Prior to expiration</u>	<u>\$35.00</u>

(17) Plan revision fee.

	<u>Item</u>	<u>Fee</u>
a.	<u>Plan revisions after the issuance of the permit</u>	<u>Minimum of \$35.00 or 15% of the original building permit plan review fee whichever is greater for review times greater than 30 minutes as determined by the chief building official.</u>

(18) Plumbing permit fees.

	<u>Item</u>	<u>Fee</u>
a.	<u>Minimum Fee, residential</u>	<u>\$35.00</u>
b.	<u>Minimum fee, multi-family and non-residential</u>	<u>\$70.00</u>
c.	<u>Each fixture</u>	<u>\$6.50</u>
d.	<u>Utility connection fee</u>	<u>\$50.00</u>

(19) Private providers.

	<u>Item</u>	<u>Fee</u>
a.	<u>Building Inspection</u>	<u>Inspection fees will be credited to all residential permits at a rate of \$11.66 per required inspection. The</u>

		<u>number of inspections on commercial permits will have to be estimated on a permit by permit basis and credited at \$17.50 per inspection.</u>
b.	<u>Building Permit Plan Review</u>	<u>60% of the building plan review fee will be credited to all residential and commercial permits.</u>

(20) Refunds.

	<u>Item</u>	
a.	<u>Refundable Permit Fees</u>	<u>The chief building official shall authorize the applicable refund of any permit fees paid, upon written request filed by the permit holder, that meet the following conditions;</u> <u>1. It has been less than 90 days since the permit was issued, and;</u> <u>2. No work has commenced under a permit issued in accordance with this Code and;</u> <u>3. The total permit fees exceed \$100.00, or;</u> <u>4. Any fees which were erroneously paid or collected.</u>
b.	<u>Non-refundable permit fees</u>	<u>1. Building plan review fees, fire/life safety plan review fees, application fees, state fees,</u>

		<u>technology fees, plan resubmittal, and plan revision fees.</u>
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(21) Reinspection fees.

	<u>Item</u>	<u>Fee</u>
a.	<u>First</u>	<u>\$50.00</u>
b.	<u>Second (same item)</u>	<u>\$100.00</u>
c.	<u>Third or more (same item)</u>	<u>\$200.00</u>

(22) Technology fee.

	<u>Item</u>	<u>Fee</u>
a.	<u>Technology fee</u>	<u>5 percent of building permit fee</u>

- (c) Technical amendments to the Florida Building Code, Building Volume.
 No change to existing text

SECTION TWO. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION THREE. This Ordinance shall take effect on October 1, 2021.

PASSED UPON at the first reading of the City Commission, this 4th day of August, 2021.

PASSED UPON at the second and final reading of the City Commission, this 17th day of August, 2021.

BILL PARTINGTON
 Mayor

ATTEST:

WENDY J. HONTZ
 Acting City Clerk



CITY OF ORMOND BEACH

City Manager • 22 S. Beach Street • Ormond Beach • Florida • 32174 • (386) 676-3200 • Fax (386) 676-3384

CITY MANAGER MEMORANDUM

To: The Honorable Mayor Partington and City Commissioners

Through: Joyce A. Shanahan, City Manager

From: Steven Spraker, Planning Director

Date: August 4, 2021

Subject: Code of Ordinance Amendment - Planning Fee Schedule

Commission Goal: Community Development - Other

Introduction

This is a request to amend Section 8-10 of the Code of Ordinances to update the schedule of Planning application processing fees.

Background

Section 8-10 of the Code of Ordinances contains the Planning permit fees associated with a wide range of use review and construction permitting. The amendments are an update of the existing section. One key component of application fees are the advertisements that are associated with public hearings. The amendment provides the various types of advertising and establishes the required fees. The planning fees are designed to pay for the advertising costs associated with applications and the staff review time for the processing of applications.

Discussion

Specific changes to the Section include:

1. Advertising - adopting by ordinance rather than policy. These are the actual average costs seen from past applications. These amendments will ensure applications are paying the required advertising fees.
2. Requirement of a \$3,000 deposit for an independent review of Traffic Impact Analysis. Staff is obtaining independent review of traffic studies associated with development projects.
3. Creation of the Land Development Code permit for site related improvements including driveways, fences, sheds, gazebos, and patios. The amendments separate these improvements from the building permit fees. Staff created two categories: (1) LDC EZ for projects \$1,000 or less in cost and (2) LDC which are all projects over \$1,000. The LDC EZ permit fee is \$45 and the LDC permit fee is \$75.

5. Increased the fees on easement releases based on the amount of staff time needed. The current fee is \$50. Easement releases require SPRC review, preparation of an agenda item and Resolution. The revised fee is \$200.
6. Created a permit fee for Mobile Food Dispensing Vehicle host permit.
7. Increased fees for Planned Developments, site plans, and site inspections based on staff time to review and process these applications.
 - a. Increased by \$500 based on city staff time of review and public hearings.
 - b. Proposed fee of \$2,500 is less than other jurisdictions - Port Orange (\$8,500) and Deland (\$7,687.50). Each city has their own process therefore it is difficult to compare costs.
8. Added a fee for administrative variances based on staff review time and recording costs.
9. Zoning Map: Increased by \$500 based on city staff time of review and public hearings. Proposed fee of \$2,500 is less than other jurisdictions - Port Orange (\$6,500) and NSB (\$5,125).
10. Site plan inspection fee: Increased the percentage of construction cost based on staff time dealing with construction projects.
11. Site plan review: Increase the fee by \$500 based on staff time to review projects. Costs are lower than other jurisdictions.
12. Special Exception Development Order extension: This fee is proposed for the administrative extension allowed within the Land Development Code.
13. Lot line adjustment: This is a clarification amendment where the process is currently to charge the zoning verification fee of \$50. This amendment makes the lot line adjustment its own fee.
14. Plats: Increased by \$500 based on city staff time of review and public hearings. Proposed fee is less than other jurisdictions - Port Orange (\$2,000) and NSB (\$2,050 plus per lot). Each city has their own process therefore it is difficult to compare.
15. Vendor permit fees for North U.S. Highway 1 Municipal Service Area - increase fees consistent with Volusia County. There is a lot of staff time dedicated to these permits (Planning, Building, Code enforcement).

As part of the outreach for the building and planning fee updates, staff created a webpage dedicated to the proposed fee amendments: <https://www.ormondbeach.org/991/Building-and-Planning-Fee-Update>.

Staff offered two meetings (one virtually and one in-person) to review and discuss the fee update. Staff provided notice of the fee update by:

- A. E-mailing contacts within the ProjectDox system;
- B. Flyers within the Building and Planning offices; and
- C. Providing the meeting information to VCARD.

The existing and proposed fees were also reviewed against other city's planning fees. The revised permit fees would be effective October 1, 2021.

Budget Impact

The amendments will create some additional revenue that is dependent on the number of applications processed. Staff continues to monitor the advertising costs associated with applications and advise applicants of the required costs.

Citizen Impact

Staff does not anticipate a citizen impact associated with the amendments. The LDC EZ and LDC permits will simplify accessory uses and provide an easily determined fee.

Recommendation

It is recommended that the City Commission **APPROVE** the amendments to Section 8-10 of the Code of Ordinances to revise the Planning application processing fees.

Attachments:

- 21-30 Code of Ordinance Amendment - Planning Fee Schedule (P21-0094G) (PDF)

REVIEWED BY:


Kelly McGuire, Finance Director 7/13/2021


Claire Whitley, Assistant City Manager 7/23/2021

APPROVED BY:


Joyce A. Shanahan, City Manager 7/28/2021

ORDINANCE NO. 2021-30

AN ORDINANCE AMENDING SECTION 8-10, APPLICATION PROCESSING FEES, OF ARTICLE 1, IN GENERAL, OF CHAPTER 8, BUILDING AND CONSTRUCTION REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF ORMOND BEACH TO AMEND APPLICATION PROCESSING FEES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

BE IT ENACTED BY THE PEOPLE OF THE CITY OF ORMOND BEACH, FLORIDA, THAT:

SECTION ONE. Section 8-10, Application processing fees, of Article I, In General, of Chapter 8, Building and Construction Regulations, of the City of Ormond Beach, Florida, *Code of Ordinances* is hereby amended to read as follows:

Sec. 8-10. Application processing fees.

~~All applications that require advertising associated with a public hearing shall pay all costs associated with the advertising. A deposit shall be required with the submittal of the application as established by the planning director. Prior to the final city action, planning staff shall determine the status of the deposit and either refund any remaining balance or require the additional payment of advertising costs. The following application fees are required for each application type at the time of application submittal:~~

(1) Advertising fee for public hearings. All applications that require advertising associated with a public hearing shall pay all costs associated with the advertising. The following fees shall be submitted at the time of application. If the advertising is greater than the fee provided, the applicant may be billed the difference.

<u>#</u>	<u>Item</u>	<u>Fee</u>
<u>1.</u>	<u>Abutting letters only (ALO)</u>	<u>\$25.00</u>
<u>2.</u>	<u>Certified letters with 300' of the property (CL)</u>	<u>\$250.00</u>

3.	<u>Display newspaper advertisement with map (each meeting) (DNA)</u>	<u>\$750.00</u>
4.	<u>Legal newspaper advertisement (each meeting) (LNA)</u>	<u>\$350.00</u>
5.	<u>Legal newspaper advertisement – Historic (LNAH)</u>	<u>\$275.00</u>
6.	<u>Legal newspaper advertisement – Mural (LNAH)</u>	<u>\$275.00</u>
7.	<u>Letters with 300' of the property (each meeting) (L)</u>	<u>\$75.00</u>
8.	<u>Neighborhood meeting newspaper advertisement (NMNA)</u>	<u>\$350.00</u>
9.	<u>Variance site posting (VSP)</u>	<u>\$50.00</u>

(2) *Annexation.*

#	Item	Fee	Advertising Fees
1.	Areas within perimeter boundary of city	No fee	<u>Not assessed</u>
2.	Annexation agreements	\$100.00 <u>No fee</u>	<u>Not assessed</u>

(2)(3) *Comprehensive plan.* In addition to the fees listed below, additional costs for consultant services will be required if considered necessary as determined by city staff.

#	Item	Fee	Advertising Fees
1.	Small area amendment <u>< 10 acres</u> per F.S. § 163.3187(1)(a)	\$2,000.00, plus actual cost of required <u>advertising fees</u>	<u>\$1,025.00</u> (LNA)(CL)(LNA)(L)
2.	Large-scale amendment <u>≥ 10 acres</u> affecting a change in land use <u>or text changes</u>	\$2,500.00, plus actual cost of required <u>advertising fees</u>	<u>\$2,250.00</u> (DNA)(DNA)(DNA)
3.	Amendment other than under 1 or 2 of this table, affecting other than the land use element	\$1,000.00 plus actual cost of required advertising	

(3)(4) *Concurrency.*

#	Item	Fee	Advertising fees
1.	Nonbinding letters-	\$110.00	
2. 1.	Certificates of reservation/certificates of concurrency	Within site plan review fee schedule	<u>Not assessed</u>
3. 2.	Fair share agreements	\$2,500.00, plus consultant fees as needed by the city	<u>Not assessed</u>
4. 3.	Traffic impact analysis	500.00 or cost of traffic consultant review fees after notification by city staff Actual cost of consultant review fees. \$3,000.00 deposit is required.	<u>Not assessed</u>

(4)(5) *Developments of regional impact.*

#	Item	Fee	Advertising Fees
1.	Application for development approval. Fee to be paid at time of submittal of the application to the ECFRPC. Costs to be applied to staff time and to consultants as needed and approved by the city commission. Fees in excess of costs to be reimbursed at time of issuance of development order or denial of application, whichever is applicable	DRI and FQD categories. The applicant shall provide a minimum deposit of \$25,000.00 to cover staff and/or consultant expenses. At the time of issuance of the development order, the city shall provide the applicant with an accounting of the staff time and either	<u>\$2,250.00</u> <u>(DNA)(DNA)</u> <u>(DNA)</u>

		refund the unused balance or require payment of additional fees, as based on the actual time expended by staff and/or consultants, <u>plus advertising fees</u>	
2.	Amendments to approved DRIs	\$600.00, plus reimbursement for actual staff time in excess of 20 hours, plus <u>advertising fees and consultant costs as necessary and approved by the city commission, plus advertising fees</u>	<u>\$2,250.00</u> (DNA)(DNA) (DNA) Note: Applicant responsible for site posting

~~(5)(6)~~ *Historic preservation.*

#	Item	Fee	Advertising Fees
1.	Certificate of appropriateness, alteration	\$300.00, plus actual cost of required <u>advertising fees</u>	<u>\$300.00 (LNAH)</u> <u>(ALO)</u>
2.	Certificate of appropriateness, demolition	\$400.00, plus actual cost of required <u>advertising fees and costs of independent consultant services if deemed necessary by city staff</u>	<u>\$300.00 (LNAH)</u> <u>(ALO)</u>
3.	a. Local landmark list designation	No fee	<u>Not assessed</u>

	b. Local landmark list designation removal	\$ 600.00 <u>No fee, advertising fees only</u>	<u>\$825.00 (LNAH)</u> <u>(LNAH) (LNAH)</u>
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~~(6)~~ (7) *Grading and filling/clearing.*

#	Item	Fee	Advertising fees
1.	Single-family grade, fill, or clearing permit	\$60.00 <u>66.00</u>	<u>Not assessed</u>
2.	Non single-family grade, fill, or clearing permit	\$300.00 <u>\$330.00</u>	<u>Not assessed</u>
3.	Underbrushing	<u>\$15.00</u>	

(8) Land Development Code fees (no application fee or Florida surcharges assessed).

#	Item	Fee	Advertising Fees
<u>1.</u>	<u>Existing residential site work</u>	<u>\$60.00</u>	<u>Not assessed</u>
<u>2.</u>	<u>Commercial paint permit</u>	<u>\$20.00</u>	<u>Not assessed</u>
<u>3.</u>	<u>LDC (driveway, fences, sheds, gazebos, patio)</u>	<u>\$75.00</u>	<u>Not assessed</u>
<u>4.</u>	<u>LDC EZ (driveway, fences, sheds, gazebos, patio) under \$1,000 in value</u>	<u>\$45.00</u>	<u>Not assessed</u>

~~(7)~~ (9) *Miscellaneous.*

#	Item	Fee	Advertising Fees
1.	Appeal of interpretation	\$300.00	<u>Not assessed</u>
2.	Commercial paint permit	\$15.00	
3.	Dock permits	\$300.00	
<u>2.</u>	<u>Doggie dining license</u>		<u>Not assessed</u>
	<u>Annual license</u>	<u>\$100.00</u>	
	<u>Annual inspection</u>	<u>\$45.00</u>	
	<u>Re-inspection</u>	<u>\$30.00</u>	

43.	Easement releases	\$200.00 <u>\$50.00</u> (includes recording costs)	<u>Not assessed</u>
54.	Garage or yard sales	First and second event \$5.00 each, or \$10.00 if issued after the fact; third event no charge	<u>Not assessed</u>
65.	Landscape bond	1% of the amount bonded	<u>Not assessed</u>
76.	Miscellaneous work within the city right-of-way	\$100.00	<u>Not assessed</u>
7.	<u>Mobile Food Dispensing Vehicle host permit</u>	<u>\$100.00</u>	<u>Not assessed</u>
8.	Original artwork mural	No application fee; actual cost of advertising fees shall be required	<u>\$550.00 (L)NAM</u> <u>(L)NAM</u>
9.	Temporary outdoor sales of merchandise	\$25.00	<u>Not assessed</u>
10.	Zoning determination letter	\$35.00 <u>50.00</u>	<u>Not assessed</u>
11.	Zoning sign-off for alcoholic beverage licenses	\$50.00	<u>Not assessed</u>
12.	Doggie dining license-		
	a) Annual license-	\$100.00	
	b) Annual inspection-	\$45.00	
	c) Re-inspection-	\$30.00	

~~(8)~~ (10) *Planned development.*

#	Item	Fee	Advertising Fees
1.	Planned development, <u>(does not include site plan review fees)</u>	<u>\$2,500.00</u> \$2,000.00 , plus actual cost of required advertising fees	<u>\$2,400.00</u> (DNA)(L)(DNA) <u>(L)(DNA)</u>

			<u>Note: Applicant responsible for site posting</u>
2.	Major amendments to existing planned developments, <u>(does not include site plan review fees)</u>	\$1,000.00, plus actual cost of required advertising fees	<u>\$2,400.00</u> (DNA)(L)(DNA)(L)(DNA) <u>Note: Applicant responsible for site posting</u>
3.	Minor amendments (no public hearing review) to existing planned developments	\$400.00	<u>Not assessed</u>
4.	<u>One-year administrative extension</u>	\$350.00	<u>Not assessed</u>
5.	<u>Recording cost of development order</u>	<u>Actual cost of recording with the Volusia County Clerk of the Court</u>	<u>Not assessed</u>

~~(9)~~ (11) *Regulatory amendments.*

<u>#</u>	<u>Item</u>	<u>Fee</u>	<u>Advertising Fees</u>
1.	Zoning map (not part of a planned development)	<u>\$1,500.00</u> \$1,000.00 , plus actual cost of required advertising fees	<u>Under 10 acres:</u> <u>\$850.00,</u> (LNA)(L)(LNA)(L) <u>Over 10 acres:</u> <u>\$1,650.00,</u> (DNA)(L)(DNA)(L)
2.	Land development code text	\$1,000.00, plus actual cost of required advertising fees	<u>\$700.00, (LNA)</u> <u>(LNA)</u>
3.	<u>Land development code involving zoning district uses</u>	<u>\$1,000.00 plus advertising fees</u>	<u>\$1,500.00, (DNA)</u> <u>(DNA)</u>

(10) (12) Signage.

#	Item	Fee	Advertising Fees
1.	An annual real estate sign permit shall be required of any person (excluding the owner, providing that said owner occupies the dwelling), corporation, or agency before that person is authorized to display one or more real estate signs within the city	\$15.00	
21.	Annual sign permit renewal, wall signage 5 - 25 square feet	\$10.00	<u>Not assessed</u>
32.	Annual sign permit renewal, wall signage exceeding 25 square feet	\$15.00	<u>Not assessed</u>
43.	Annual sign permit renewal, site (pole and monument) signage	\$20.00	<u>Not assessed</u>
54.	Temporary banners	\$20.00	<u>Not assessed</u>
65.	A-frame signs (initial) Renewal for each year thereafter	\$50.00 \$15.00	<u>Not assessed</u>

(11) (13) Site inspection (SPRC) engineering permit.

#	Item	Fee	Advertising Fees
1.	Site plan inspection fee	1.5 2.0% of the first \$100,000.00 of site improvements and 0.5 1% over 100,000.00; minimum of \$250.00	<u>Not assessed</u>

2.	Final plat/subdivision inspection permit	2.25 2.5% of the total construction cost of the development. Construction costs include, but are not limited to, clearing and grading activities, roads, utilities, landscaping, bikeways, and sidewalks	<u>Not assessed</u>
3.	Fire flow and acceptance testing for hydrant installed in new development as part of site plan approval (minimum fee)	\$75.00	
43.	Site plan or subdivision re-inspection fee (after initial and one re-inspection)	\$500.00 <u>\$300.00</u>	

(12) (14) *Site plan review.* Site plan review fees are applicable to site plan submittals.

#	Item	Fee	Advertising Fees
1.	One-time conceptual plan review <u>submitted for review</u>	\$100.00	<u>Not assessed</u>
2.	Initial application (involving new construction or redevelopment)	\$1,500.00; \$375.00 refunded if completed within two submittals; <u>\$2,000.00</u>	<u>\$350.00 (NMNA), if applicable</u>
3.	Minor modification to existing buildings	<u>\$700.00</u> \$600.00	<u>\$350.00 (NMNA), if applicable</u>
4.	Downtown community redevelopment area initial application	\$600.00	<u>\$350.00 (NMNA), if applicable</u>

5.	Downtown community redevelopment area minor modification	\$300.00	<u>\$350.00 (NMNA), if applicable</u>
6.	Site work only, no new building square footage	\$300.00	<u>Not assessed</u>
7.	Resubmittals other than those involving response to initial review; submittal of final plans for sign-off; or applications not involving new construction	\$500.00, plus \$37.50 per hour exceeding 13 hours of site plan review committee members review time; \$300.00 after the 3rd submittal	<u>Not assessed</u>
8.	Outside of the city water or sewer connection review	\$400.00 <u>\$600.00</u>	<u>Not assessed</u>

~~(13)~~ (15) *Special exception.*

#	Item	Fee	Advertising Fees
1.	Involving new construction or redevelopment	\$850.00, plus actual cost of required advertising fees	<u>\$850.00</u> (LNA)(L)(LNA)(L) Note: Applicant responsible for site posting
2.	Downtown community redevelopment area redevelopment plan	\$400.00, plus actual cost of required advertising fees	<u>\$850.00</u> (LNA)(L)(LNA)(L) Note: Applicant responsible for site posting
3.	Rehearing or reconsideration	<u>\$325.00 plus</u> advertising fees	<u>\$850.00</u> (LNA)(L)(LNA)(L)
4.	<u>One year administrative extension</u>	\$350.00	<u>Not assessed</u>
5.	<u>Recording cost of development order</u>	<u>Actual cost of recording with the Volusia County Clerk of the Court</u>	<u>Not assessed</u>

(14) (16) Streets.

#	Item	Fee	Advertising Fees
1.	Street name change	\$100.00, plus actual cost of required advertising fees	<u>\$350.00 (LNA)</u>
2.	Street vacation	\$500.00, plus actual cost of required advertising fees	<u>\$1,925.00 (LNA)(L)(DNA)(DNA)</u>

(15) (17) Subdivisions.

#	Item	Fee	Advertising Fees
1.	Lot split or line adjustment	\$350.00 (includes recording fees)	<u>Not assessed</u>
2.	<u>Lot line adjustment</u>	<u>\$50.00</u>	<u>Not assessed</u>
23.	<u>Concept plan submitted for review</u>	\$350.00 <u>\$100.00</u>	<u>Not assessed</u>
34.	Preliminary plat	\$1,000.00 <u>\$1,500.00</u> , plus \$25.00 per lot	<u>Not assessed</u>
45.	Final plat	\$500.00 <u>\$1,000</u> , plus \$25.00 per lot, <u>plus advertising fees</u>	<u>\$350.00 (LNA)</u>
5.	City surveyor's review of plats	Actual cost of city surveyor's review of plat application	<u>Not assessed</u>
6.	Recording of plat	Actual cost of plat recording	<u>Not assessed</u>
7.	Subdivision resubmittal, other than those involving response to initial review; submittal of final plans for sign-off	\$500.00, plus \$37.50 per hour exceeding 13 hours of site plan review committee members' review time. <u>\$300.00 after the 3rd submittal</u>	<u>Not assessed</u>

(16) (18) *Surface water management plan.*

#	Item	Fee	Advertising Fees
1.	Surface water management plan <u>Multi-family or non-residential</u>	\$300.00, plus \$20.00 per acre up to ten acres; \$350.00	<u>Not assessed</u>
		plus \$10.00 per acre over ten acres up to 40 acres;	
		plus \$5.00 per acre for each acre or fraction thereof over 40 acres up to 160 acres;	
		plus \$2.00 per acre thereafter.	
2.	Single-family residential	\$50.00 <u>\$75.00</u>	Not assessed

(17) (19) *Tree removals/clearing fees.*

#	Item	Fee	Advertising Fees
1.	Existing single-family (0-3 trees)	\$20.00 up to 3 trees; 4 or more trees, \$30.00	<u>Not assessed</u>
2.	Existing single family (4 or more trees)	\$30.00	
3. 2.	Removal of historic tree application	\$175.00	<u>Not assessed</u>
4. 3.	Existing multifamily or commercial non-residential tree removal (not building or <u>engineering permit related</u>)	\$60.00, plus 20.00 per tree; maximum of 500.00	<u>Not assessed</u>
5. 4.	Single family new construction tree inspection	\$30.00	<u>Not assessed</u>

5.	<u>Site Plan Review Committee tree removal</u>	<u>Included in the site engineering permit</u>	<u>Not assessed</u>
6.	<u>Tree removal/clearing/grading in conjunction with new single-family construction</u>	<u>\$60.00</u>	<u>Not assessed</u>
7.	<u>Underbrushing</u>	<u>\$15.00</u>	<u>Not assessed</u>

~~(18)~~ (20) *Variance request.*

<u>#</u>	<u>Item</u>	<u>Fee</u>	<u>Advertising Fees</u>
1.	Residential and non-residential	\$350.00, plus actual cost of required advertising fees	<u>\$425.00</u> <u>(ALO)(VSP)(LNA)</u>
2.	After-the-fact variances	\$700.00, plus actual cost of required advertising fees	<u>\$425.00</u> <u>(ALO)(VSP)(LNA)</u>
3.	<u>Administrative variance</u>	<u>\$100.00 (includes recording costs)</u>	<u>Not assessed</u>

~~(19)~~ (21) *Vendor permit fees for North U.S. Highway 1 Municipal Service Area.*

<u>#</u>	<u>Item</u>	<u>Fee</u>	<u>Advertising Fees</u>
1.	Annual master vendor license	\$100.00 <u>\$126.00</u>	<u>Not assessed</u>
2.	Annual itinerant vendor license	\$250.00 <u>\$474.00</u>	<u>Not assessed</u>
3.	Six-month master and itinerant vendor license	\$150.00 <u>\$100.00</u>	<u>Not assessed</u>
4.	Outdoor entertainment activity > 500 participants		
	a. Annual	\$300.00 <u>\$450.00</u>	<u>Not assessed</u>
	b. Single event	\$125.00 <u>\$200.00</u>	<u>Not assessed</u>

~~(20)~~ (22) *Wetland protection fees.*

<u>#</u>	<u>Item</u>	<u>Fee</u>	<u>Advertising Fees</u>
1.	Wetlands permit Single-family	\$50.00 for single-family; \$250.00 for all other uses. homes; Where actual staff time exceeds eight hours or consultant fees are necessary, an additional fee shall be charged, after notification to the applicant and approval by the city commission	<u>Not assessed</u>
2.	<u>All other uses and not part of an approved site plan</u>	<u>\$250.00</u>	<u>Not assessed</u>
3.	<u>Part of an approved Site Plan</u>	<u>Included in the cost of the site plan review fee.</u>	<u>Not assessed</u>

SECTION TWO. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION THREE. This Ordinance shall take effect on October 1, 2021.

PASSED UPON at the first reading of the City Commission, this 4th day of August, 2021.

PASSED UPON at the second and final reading of the City Commission, this 17th
day of August, 2021.

BILL PARTINGTON
Mayor

ATTEST:

WENDY J. HONTZ
Acting City Clerk



CITY OF ORMOND BEACH

City Manager • 22 S. Beach Street • Ormond Beach • Florida • 32174 • (386) 676-3200 • Fax (386) 676-3384

CITY MANAGER MEMORANDUM

To: The Honorable Mayor Partington and City Commissioners

Through: Joyce A. Shanahan, City Manager

From: Steven Spraker, Planning Director

Date: August 4, 2021

Subject: Ormond Gateway, Final Plat

Commission Goal: Community Development - Other

Introduction

This is a request from Luke Kilic, P.E. of Zev Cohen and Associates on behalf of the property owner, Destination Interchange, LLC, for a final plat for an 18.17 acre property located at 1670 North U.S. Highway 1 (Volusia County parcel number: 3126-00-00-0170), 1662 North U.S. Highway 1 (Volusia County parcel number: 3136-01-65-0010), and no address (Volusia County parcel number: 3136-01-66-0070) for a three (3) lot commercial subdivision with associated site improvements.

Background

The subject property has a Future Land Use designation of “Low Intensity Commercial” and “Tourist Commercial”. The entire property has a zoning designation of B-7 (Highway Tourist Commercial). The B-7 (Highway Tourist Commercial) zoning district, Section 2-28 of the Land Development Code requires a minimum lot width of 100’ and a minimum lot size of 20,000 square feet. The purpose of the application is the development of a commercial subdivision for three (3) lots including the installation of utilities, stormwater management, compensating storage ponds, improvements in the Florida Department of Transportation right-of-way (driveway access, utilities and sidewalk) and Greenbelt landscape plantings. The improvements associated with the preliminary plat will establish common improvements that would be used for all three lots. The individual development of the lots would require separate Site Plan Review Committee (SPRC) review and approval. The project has indicated the uses would include a convenience/gas store, retail, and restaurant uses. These uses are allowed uses within the B-7 zoning district.

In order to subdivide land, preliminary and final plat approvals are required. The preliminary plat was approved on February 16, 2021 with Resolution 2021-48. The recordation of the final plat can occur in one of two methods. The first method is if all the subdivision improvements are completed and accepted by the Site Plan Review

Committee. The second method is to record the plat while completing the subdivision infrastructure improvements. Under the second method, the applicant shall be required to post a performance guarantee to ensure that the remaining subdivision improvements are completed. The applicant has indicated that the second method, record the plat with a performance guarantee, would be utilized.

Final plats are subject to review and approval by the Site Plan Review Committee, a Florida licensed surveyor acting on behalf of the City, and the City Attorney's office. The subject plat has been reviewed and determined acceptable. The proposed plat is consistent with the preliminary plat previously approved and the approved site plan.

Discussion

The Ormond Gateway final plat includes a three (3) commercial lot subdivision on an 18.17 acre parcel. Lot 1 is proposed at 2.87 acres, Lot 2 at 5.45 and Lot 3 at 2.24. The proposed lot sizes exceed the B-7 (Highway Tourist Commercial) zoning district requirements. The remaining areas are common stormwater, compensating storage and tree preservation areas. No site plan development is proposed with the final plat. The subdivision development would occur consistent with the approved site plan approved by the Site Plan Review Committee.

Budget Impact

There is no budget impact as the result of the final plat application.

Citizen Impact

There is no citizen impact anticipated with the final plat. The land area is close to Interstate 95 and the future uses are uses that would be allowed in the B-7 (Highway Tourist Commercial) zoning districts. The project has demonstrated compliance with applicable Land Development Code requirements.

Recommendation

It is recommended the City Commission **APPROVE** the final plat for the subdivision of land for an 18.17 acre property located at 1670 North U.S. Highway 1 (Volusia County parcel number: 3126-00-00-0170), 1662 North U.S. Highway 1 (Volusia County parcel number: 3136-01-65-0010), and no address (Volusia County parcel number: 3136-01-66-0070) into a three (3) lot commercial subdivision.

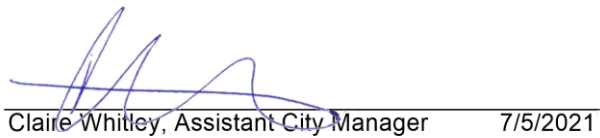
Attachments:

- 21-24 Ormond Gateway - Final Plat (P21-0090G) (PDF)
- Exhibit A, Ormond Gateway Final Plat (PDF)
- Ormond Gateway - Legal Description (PDF)

- Location Map (PDF)
- C6 OVERALL SUBDIVISION PLAN (PDF)

REVIEWED BY:


Kelly McGuire, Finance Director 6/22/2021


Claire Whitley, Assistant City Manager 7/5/2021

APPROVED BY:


Joyce A. Shanahan, City Manager 7/14/2021

ORDINANCE NO. 2021-24

AN ORDINANCE APPROVING THE FINAL PLAT FOR THE “ORMOND GATEWAY” SUBDIVISION, A COMMERCIAL THREE (3) LOT SUBDIVISION; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, on March 1, 2021, the Site Plan Review Committee approved a three (3) lot commercial subdivision to be known as “Ormond Gateway” on approximately 18.17 acres located at 1670 North U.S. Highway 1 (Volusia County parcel number: 3126-00-00-0170), 1662 North U.S. Highway 1 (Volusia County parcel number: 3136-01-65-0010), and no address (Volusia County parcel number: 3136-01-66-0070); authorizing the issuance and execution of a development order for clearing/tree removal, protected areas, stormwater retention areas, compensating storage, lot elevations, and utilities, and

WHEREAS, the Ormond Gateway project includes an 18.17 acre land area that has a zoning of B-7 (Highway Tourist Commercial), and

WHEREAS, on February 16, 2021, the City Commission approved Resolution 2021-48 authorizing a preliminary plat for a three (3) lot commercial subdivision to be known as “Ormond Gateway”, and

WHEREAS, the applicant desires to record the “Ormond Gateway” plat and shall provide a subdivision performance guarantee acceptable to the City Attorney prior to recordation, and

WHEREAS, the final plat for the “Ormond Gateway” subdivision has been reviewed by the City staff, City Surveyor, and by the Site Plan Review Committee and recommended for approval, and

WHEREAS, the City Commission concurs with the recommendation of City staff, City Surveyor, and by the Site Plan Review Committee, now therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA:

SECTION ONE. The City Commission hereby approves final plat for the “Ormond Gateway” subdivision, as depicted on Exhibit “A” attached hereto, subject to compliance with the following conditions prior to recordation of the final plat:

- (a) The project improvements shall either be completed and accepted by the Site Plan Review Committee or a performance bond for remaining construction improvements shall be in place; and
- (b) All applicable requirements of Chapter 177, *Florida Statutes*, shall be met.

SECTION TWO. In accordance with the requirements for development orders and building permits in Chapter 1, Article II, Section 1-14 of the *Land Development Code*; and where applicable, consistent with the concurrency requirements of Chapter 1, Article V, Section 1-37(4) of the *Land Development Code*, the approval granted shall automatically expire and become void unless the following conditions are met:

- (a) The plat is not recorded within eighteen (18) months of the date of City Commission approval, said date being February 4, 2023; and

SECTION THREE. This Ordinance shall take effect immediately upon its adoption.

PASSED UPON at the first reading of the City Commission, this 20th day of July, 2021.

PASSED UPON at the second reading of the City Commission, this 4th day of August, 2021.

BILL PARTINGTON
Mayor

ATTEST:

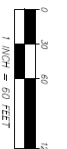
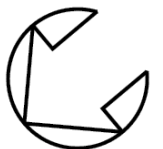
WENDY J. HONTZ
Acting City Clerk

ORMOND GATEWAY SUBDIVISION

MAP BOOK:

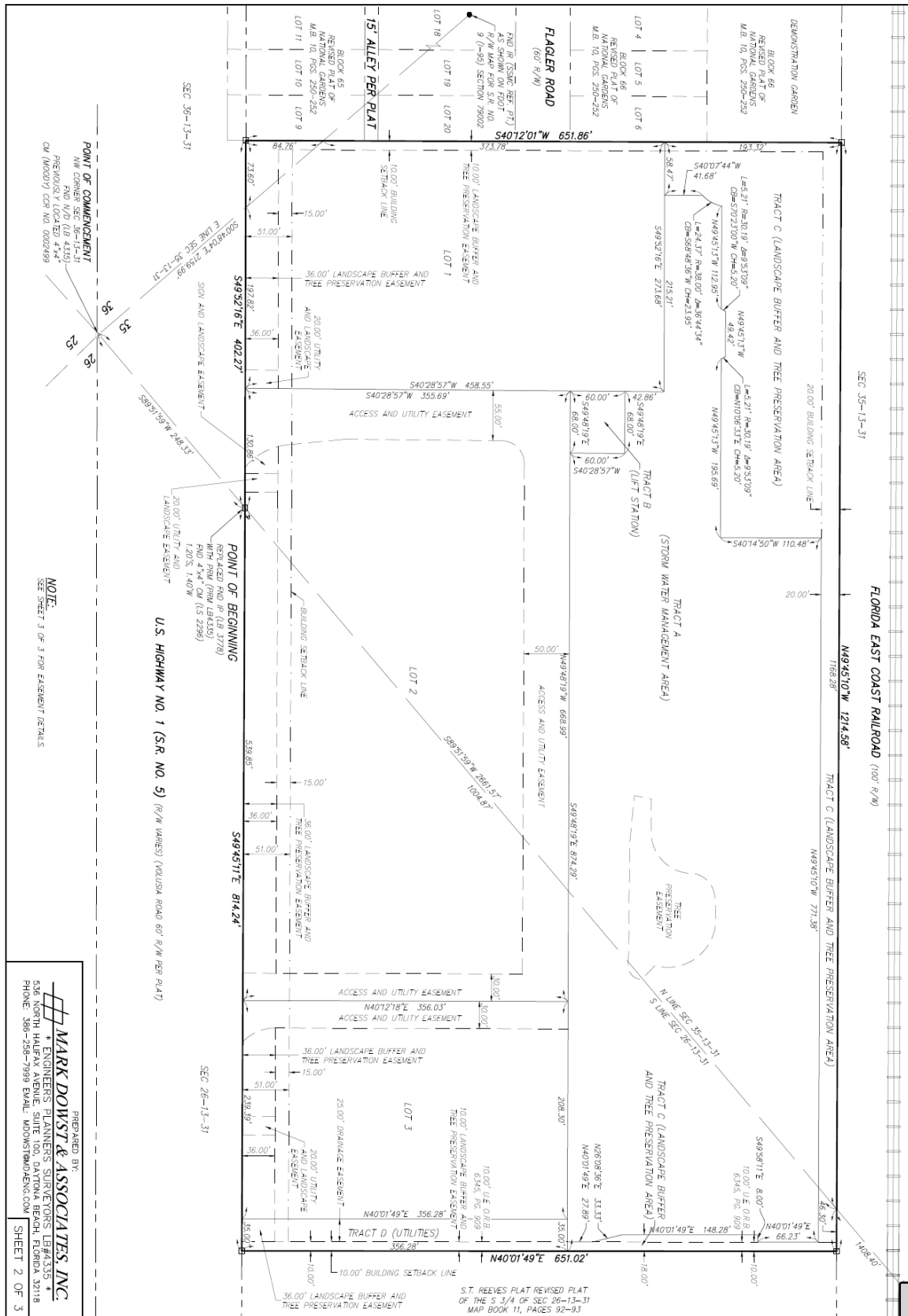
PAGE:

BEING A REPLAT OF LOTS 1-8 & 21-32, BLOCK 65, LOTS 7-22 AND THAT PORTION OF DEMONSTRATION GARDENS LYING NORTH THEREOF, BLOCK 66, THE ADJACENT PORTIONS OF FLAGLER ROAD AND A 15 FOOT ALLEY, REVISED PLAT OF NATIONAL GARDENS, ACCORDING TO MAP BOOK 10, PAGES 250-252; AND A PORTION OF S.T. REEVES REVISED PLAT OF NATIONAL GARDENS, MAP BOOK 11, PAGES 92-93, LOCATED IN SECTIONS 25, 35 & 36, TOWNSHIP 13 SOUTH, RANGE 31 EAST, CITY OF ORMOND BEACH, VOLUSIA COUNTY, FLORIDA



N 1/4 CORNER SEC. 36-13-31
 PND 5°44'00" (680826)
 COR. NO. 00022505

Packet Pg. 1150



NOTE:
 SEE SHEET 3 OF 3 FOR EASEMENT DETAILS

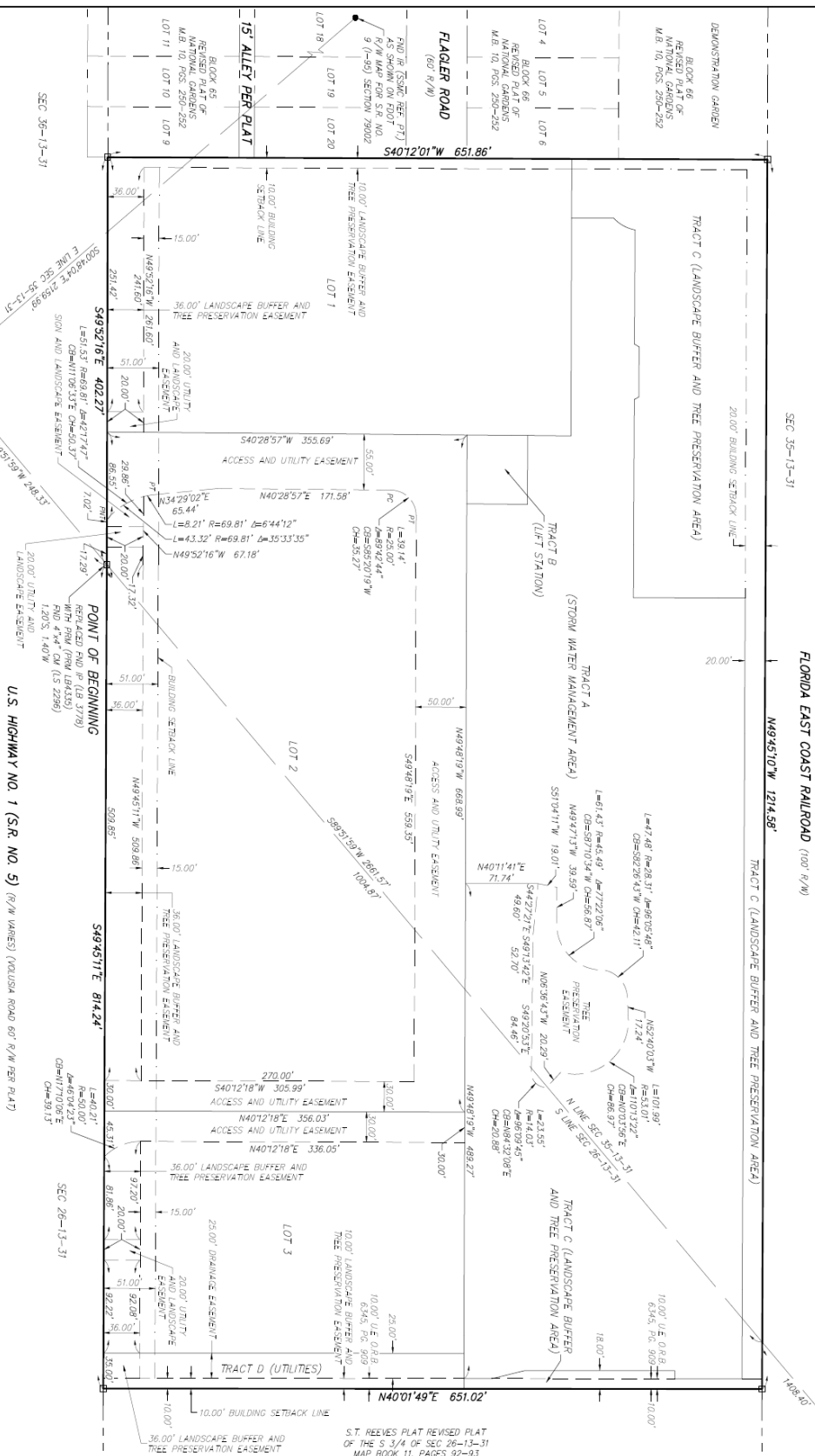
PREPARED BY:
MARK DOWST & ASSOCIATES, INC.
 ENGINEERS & SURVEYORS
 536 NORTH HALL STREET, SUITE 200, ORMOND BEACH, FLORIDA 32118
 PHONE: 386-258-7999 EMAIL: MDOWST@DOWST-INC.COM

SHEET 2 OF 3

PAGE:

N 1/4 CORNER, SEC 33-13-3
FND 4"x4" CM (BROKEN)
CCR NO. 0002505

Packet Pg. 1151



MARK DOWST & ASSOCIATES, INC.
* ENGINEERS PLANNERS SURVEYORS LB#4335 *
536 NORTH HALFAIX AVENUE, SUITE 100, DAYTONA BEACH, FLORIDA 32118
PHONE: 386-258-7999 EMAIL: MDOWST@MDAENG.COM

SHEET 3 OF 3

LEGAL DESCRIPTION:

LOTS 1-8 & 21-32, BLOCK 65, LOTS 7-22 AND THAT PORTION OF DEMONSTRATION GARDENS LYING NORTH THEREOF, BLOCK 66, THE ADJACENT PORTIONS OF VACATED FLAGLER ROAD AND 15 FOOT ALLEY, REVISED PLAT OF NATIONAL GARDENS, ACCORDING TO MAP BOOK 10, PAGES 250-252; AND A PORTION OF S.T. REEVES REVISED PLAT OF NATIONAL GARDENS AND VACATED PENNSYLVANIA AVENUE, MAP BOOK 11, PAGES 92-93, LOCATED IN SECTIONS 25, 35 & 36, TOWNSHIP 13 SOUTH, RANGE 31 EAST, VOLUSIA COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

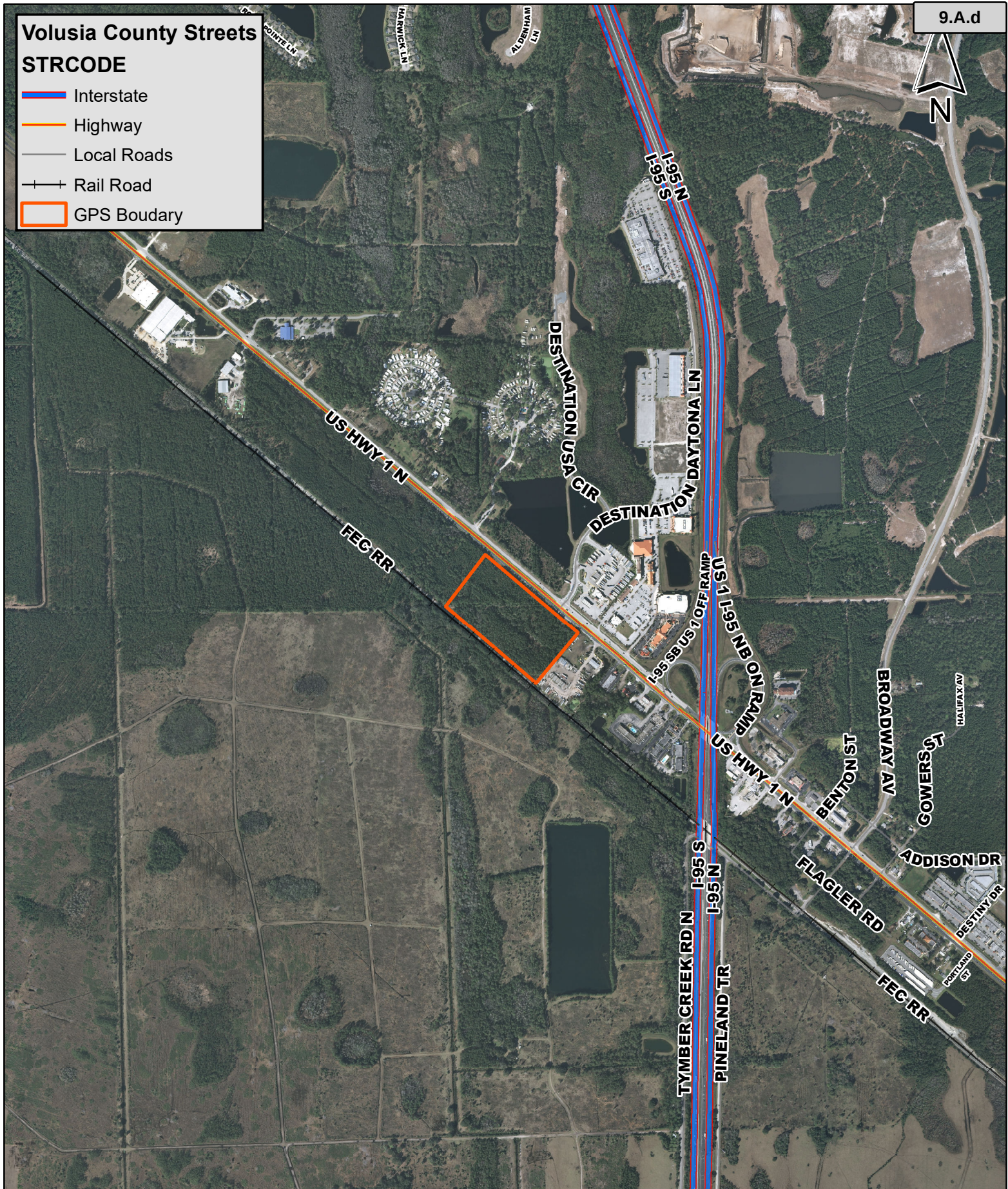
COMMENCE AT THE NORTHEAST CORNER OF SECTION 35, TOWNSHIP 13 SOUTH, RANGE 31 EAST, VOLUSIA COUNTY, FLORIDA; THENCE SOUTH 89 DEGREES 51 MINUTES 59 SECONDS WEST ALONG THE SOUTH LINE OF SAID SECTION 26, 248.33 FEET TO THE WESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 1 (A 160 FOOT RIGHT OF WAY) AND TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE S49°52'16"E, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 402.27 FEET TO A POINT ON THE WESTERLY LINE OF LOT 9, BLOCK 65, REVISED PLAT OF NATIONAL GARDENS, AS RECORDED IN MAP BOOK 10, PAGES 250-252, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE S40°12'01"W, ALONG SAID WESTERLY LINE AND THE WESTERLY LINE OF LOT 20, BLOCK 65 AND LOT 6, BLOCK 66, SAID REPLAT OF NATIONAL GARDENS AND THE NORTHERLY AND SOUTHERLY EXTENSIONS THEREOF, A DISTANCE OF 651.86 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF FLORIDA EAST COAST RAILROAD, HAVING A 100.00 FOOT RIGHT-OF-WAY; THENCE N49°45'11"W, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 1214.58 FEET; THENCE DEPARTING SAID RIGHT-OF-WAY LINE, RUN N40°01'49"E, A DISTANCE OF 651.02 FEET TO A POINT ON AFORESAID WESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 1; THENCE S49°45'11"E, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 814.24 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING 18.17 ACRES, MORE OR LESS.

Volusia County Streets

STRCODE

- Interstate
- Highway
- Local Roads
- + + Rail Road
- GPS Boudary



9.A.d

Info:

Date Saved: 8/15/2019 Created by: mtatum

Path: Z:\PROJECTS\2019\19006 Racetrac at Ormond Gateway\Aerial Map.mxd

1,300 650 0 1,300 Feet

Aerial Map
Ormond Gateway Subdivision
Ormond Beach, FL

ZEVC **COHEN**
& ASSOCIATES INC

300 Interchange Blvd
Ormond Beach, FL 32174

ph Packet Pg. 1153



CIVIL ENGINEERING
LANDSCAPE ARCHITECTURE
ENVIRONMENTAL
PLANNING
TRANSPORTATION

NO.	DATE	BY	DESCRIPTION
1	11/15/20	SK	PRELIMINARY DESIGN
2	11/15/20	SK	DESIGN DEVELOPMENT
3	11/15/20	SK	FINAL DESIGN
4	11/15/20	SK	CONSTRUCTION

ORMOND GATEWAY
SUBDIVISION
FINAL ENGINEERING PLANS
OVERALL SUBDIVISION PLAN

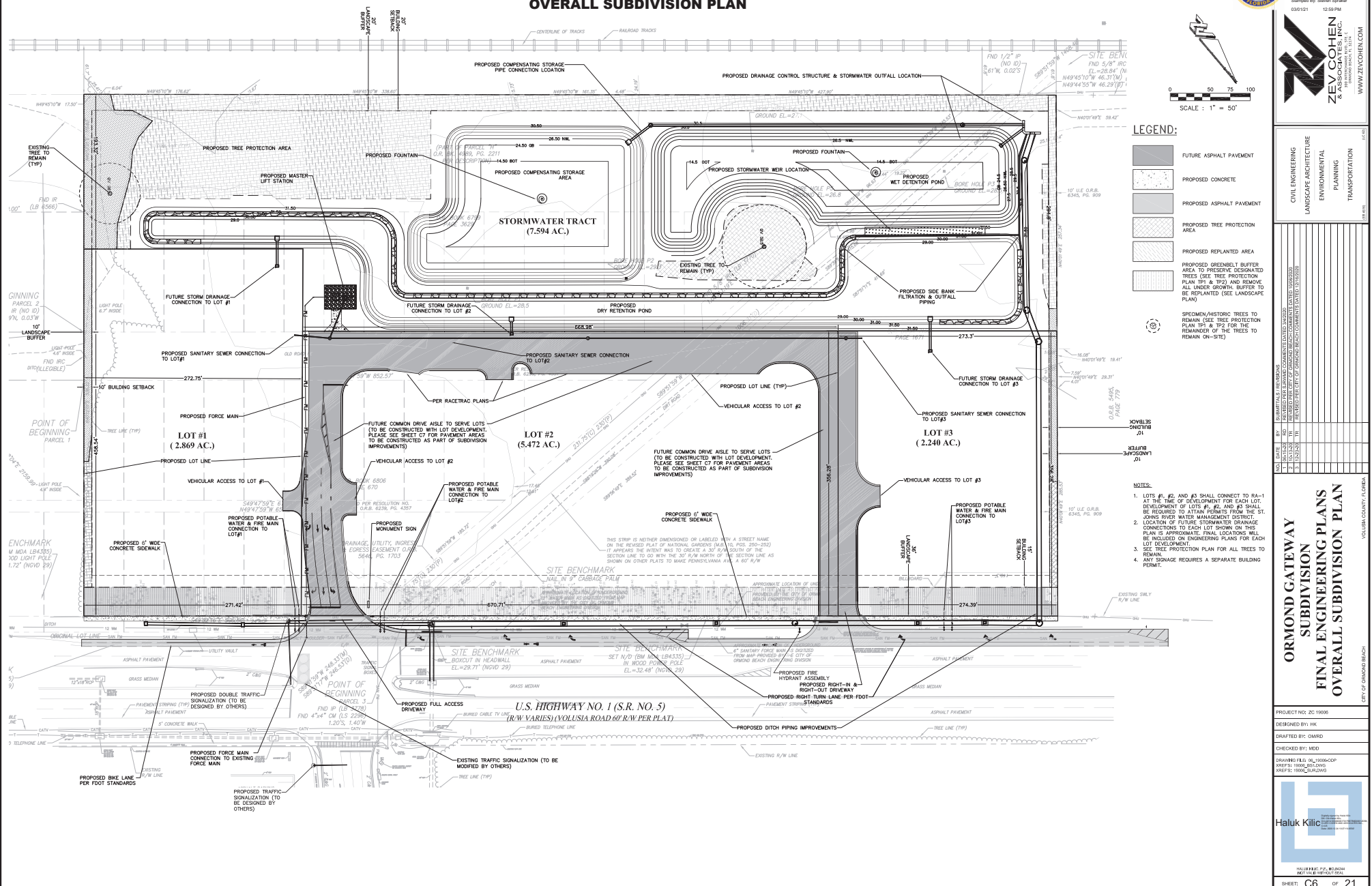
PROJECT NO: ZC-19008
DESIGNED BY: HK
DRAWN BY: OMD
CHECKED BY: MDG
DRAWING FILE: H:\19008\CDP
DATE: 11/15/20
XREF: 19008\CDP\DWG



HALUK KILIÇ
11/15/20 12:59 PM
10/15/21 10:00 AM

SHEET C6 OF 21

OVERALL SUBDIVISION PLAN



LEGEND:

- FUTURE ASPHALT PAVEMENT
- PROPOSED CONCRETE
- PROPOSED ASPHALT PAVEMENT
- PROPOSED TREE PROTECTION AREA
- PROPOSED REPLANTED AREA
- PROPOSED GREENBELT BUFFER AREA TO PRESERVE DESIGNATED TREES (SEE TREE PROTECTION PLAN TPI & TPI2) AND REMOVE ALL UNDER GROWTH (BUTTER TO BE REPLANTED (SEE LANDSCAPE PLAN))
- SPECIMEN/HISTORIC TREES TO REMAIN (SEE TREE PROTECTION PLAN TPI & TPI2 FOR THE REMAINDER OF THE TREES TO REMAIN ON-SITE)

NOTES:

- LOTS #1, #2, AND #3 SHALL CONNECT TO RA-1 AT THE TIME OF DEVELOPMENT FOR EACH LOT. DEVELOPMENT OF LOTS #1, #2, AND #3 SHALL BE REQUIRED TO ATTAIN PERMITS FROM THE ST. JAMES RIVER WATER MANAGEMENT DISTRICT.
- LOCATION OF FUTURE STORMWATER DRAINAGE CONNECTIONS TO EACH LOT SHOWN ON THIS PLAN IS APPROXIMATE. FINAL LOCATIONS WILL BE INCLUDED ON ENGINEERING PLANS FOR EACH LOT DEVELOPMENT.
- SEE TREE PROTECTION PLAN FOR ALL TREES TO REMAIN.
- ANY SIGNAGE REQUIRES A SEPARATE BUILDING PERMIT.



CITY OF ORMOND BEACH

City Manager • 22 S. Beach Street • Ormond Beach • Florida • 32174 • (386) 676-3200 • Fax (386) 676-3384

CITY MANAGER MEMORANDUM

To: The Honorable Mayor Partington and City Commissioners

Through: Joyce A. Shanahan, City Manager

From: Steven Spraker, Planning Director

Date: August 4, 2021

Subject: Corrective Legal Description for Ormond Memorial Art Museum & Garden, Resolution 2020-137

Commission Goal: Community Development - Other

Introduction

This is a request to correct the legal description associated with the Ormond Memorial Art Museum & Gardens Special Exception, Resolution 2020-137 at 78 East Granada Boulevard. This request is solely to amend the legal description of the Special Exception Development Order and no changes are sought to the Resolution.

Background

On September 23, 2020, the City Commission approved Resolution 2020-137 for the Ormond Memorial Art Museum & Gardens at 78 East Granada Boulevard. The Resolution approved a wall signage plan for the expansion of the Ormond Memorial Art Museum & Gardens. The Special Exception allowed five (5) wall signs for a total of 206± square feet of building signage.

City staff has been contacted by an attorney for the Total Comfort project stating that the development order for Resolution 2020-137 (Ormond Memorial Art Museum & Gardens) contains the incorrect legal description which is causing issues for the Total Comfort project. The project engineer for both Total Comfort and Ormond Memorial Art Museum has identified that the incorrect legal description was on the cover sheet of the Ormond Memorial Art Museum project. This incorrect legal description was used for the Ormond Memorial Art Museum Resolution.

Discussion

The purpose of this item is to correct the legal description for the Ormond Memorial Art Museum Resolution. Correction of the legal description from the Total Comfort project to the Ormond Memorial Art Museum project would resolve the issues that Total Comfort is experiencing. This item does not propose any change to the Ormond Memorial Art

Museum project or the Total Comfort project and only updates the legal description.

Budget Impact

There is no budget impact associated with the correction of the legal description for Resolution 2020-137.

Citizen Impact

There is no citizen impact associated with the correction of the legal description for Resolution 2020-137.

Recommendation

The Total Comfort legal description was incorrectly used from the cover page of the site plan for the Ormond Memorial Art Museum Resolution. There are no changes to either the Ormond Memorial Art Museum or Total Comfort approved projects. It is recommended that the City Commission **APPROVE** the correction of the legal description for Resolution 2020-137 as detailed in the attached resolution.

Attachments:

- 21-125 Corrected Legal 78 E Granada OMAM (P21-0096G) (PDF)
- Exhibit A - incorrect legal description (PDF)
- Exhibit B - corrected legal description (PDF)
- Resolution 2020-137 (original approval) (PDF)

REVIEWED BY:


Kelly McGuire, Finance Director 7/13/2021


Claire Whitley, Assistant City Manager 7/22/2021

APPROVED BY:


Joyce A. Shanahan, City Manager 7/27/2021

RESOLUTION NO. 2021-125

A RESOLUTION APPROVING A CORRECTIVE LEGAL DESCRIPTION TO THE SPECIAL EXCEPTION DEVELOPMENT ORDER PERTAINING TO THE ORMOND MEMORIAL ART MUSEUM & GARDENS PROJECT LOCATED AT 78 EAST GRANADA BOULEVARD; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, a Special Exception Development Order authorizing the use of alternative building signage at real property situated at 78 East Granada Boulevard (“Ormond Memorial Art Museum & Gardens Property”) was approved on September 23, 2020 by Resolution 2020-137, said resolution and development order having been recorded at Book 7918, Page 810 (consisting of eighteen pages) of the public records of Volusia County, Florida; and

WHEREAS, the legal description provided by the applicant for the Ormond Memorial Art Museum & Gardens project, a copy of said legal description being attached hereto as Exhibit “A”, does not legally describe or pertain to the Ormond Memorial Art Museum & Gardens property situated at 78 East Granada Boulevard; but instead pertains to and legally describes certain other real property that is located at 1345 N. U.S. Highway 1, Ormond Beach, Florida (“Total Comfort Property”); and

WHEREAS, the city commission desires to approve a corrected legal description for the Special Exception Development Order pertaining to the Ormond Memorial Art Museum & Gardens Property, and to release any interest or cloud upon the title, if any, that may have been created in the Total Comfort Property; and

WHEREAS, the legal description attached hereto as Exhibit “B” is the correct legal description pertaining to and describing the boundary of the Ormond Memorial Art Museum & Gardens Property; now therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA, THAT:

SECTION ONE. The City Commission hereby approves the corrected legal description attached hereto as Exhibit “B” which shall be incorporated into and shall be a material part of the Special Exception Development Order for the Ormond Memorial Art Museum & Gardens property located at 78 East Granada Boulevard. The legal description attached to this Resolution 2021-125 as Exhibit “B” shall supersede and replace the legal description that was approved by Resolution 2020-137 attached as Exhibit “A”. The legal description attached as Exhibit “A” that was erroneously approved by Resolution 2020-137 is and shall be null and void, and it shall have no legal effect relative to the Ormond Memorial Art Museum & Gardens Property. Further, the city hereby releases any and all interests in or clouds upon title, if any, that may have been erroneously created upon the Total Comfort Property situated at 1345 N. U.S. Highway 1. In the event of any conflict between this Resolution 2021-125 and Resolution 2020-137, this Resolution 2021-125 shall control.

SECTION TWO. Except as amended by this Resolution 2021-125, Resolution 2020-137 and the Special Exception Development Order approved thereby shall remain in full force and effect. A certified copy of this Resolution shall be recorded in the public records of Volusia County, Florida upon approval.

SECTION THREE. This Resolution shall take effect immediately upon its adoption.

APPROVED AND AUTHENTICATED, this 4th day of August, 2021.

BILL PARTINGTON
Mayor

ATTEST:

WENDY J. HONTZ
Acting City Clerk

EXHIBIT "A"**LEGAL DESCRIPTION (from site development plan prepared by Parker Mynchenberg & Associates, Inc. – 7/26/2019)****LEGAL DESCRIPTION**

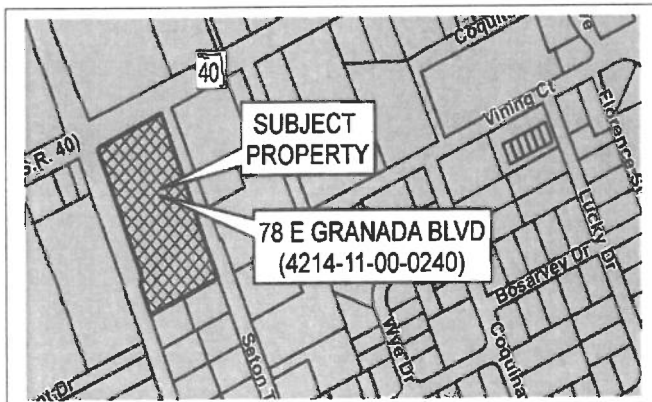
THE EASTERLY 200 FEET OF THE WESTERLY 1000 FEET, LYING EAST OF U.S. HIGHWAY NO.1, OF THE SOUTHERLY 500 FEET, NORTHERLY OF SOUTHLAND ROAD, OF THE SOUTH WEST 1/4 OF SECTION 31, TOWNSHIP 13 SOUTH, RANGE 32 EAST, VOLUSIA COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PART OF THE SOUTHWEST 1/4 OF SECTION 31, TOWNSHIP 13 SOUTH, RANGE 32 EAST, VOLUSIA COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE NORTHWEST CORNER OF SECTION 6, TOWNSHIP 14 SOUTH, RANGE 32 EAST; RUN NORTH 0 DEGREES 15 MINUTES EAST, A DISTANCE OF 438.4 FEET ALONG THE WEST LINE OF SECTION 31, TOWNSHIP 13 SOUTH, RANGE 32 EAST, TO THE POINT IN THE WESTERLY LINE OF THE 160 FOOT RIGHT-OF-WAY OF U.S. HIGHWAY NO.1; THENCE SOUTH 47 DEGREES 30 MINUTES EAST, ALONG SAID WESTERLY RIGHT-OF-WAY LINE U.S. NO.1, A DISTANCE OF 2209.6 FEET TO A POINT ON CURVE, SAID POINT OF CURVE BEING 15.9 FEET ON A BEARING OF SOUTH 47 DEGREES 30 MINUTES EAST, FROM THE SOUTHEAST CORNER OF LOT 7, NATIONAL GARDENS ADDITION, UNIT NO.1, PER MAP BOOK 11, PAGE 148, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE NORTH 42 DEGREES 30 MINUTES EAST, ACROSS AFORESAID U.S. NO.1, A DISTANCE OF 160 FEET TO THE POINT OF CURVE ON THE EASTERLY RIGHT-OF-WAY OF SAID U.S. 1; THENCE NORTH 47 DEGREES 30 MINUTES WEST, ALONG SAID EASTERLY RIGHT-OF-WAY OF U.S. NO.1, A DISTANCE OF 1420.9 FEET TO A POINT THEREIN, SAID POINT BEING IN THE NORTH LINE OF 50 FEET COUNTRY ROAD KNOWN AS SOUTHLAND ROAD; THENCE NORTH 42 DEGREES 30 MINUTES EAST, ALONG SAID NORTH LINE, A DISTANCE OF 800 FEET TO A POINT THEREIN AND THE POINT OF BEGINNING; THENCE CONTINUE NORTH 42 DEGREES 30 MINUTES EAST, ALONG SAID NORTH LINE, A DISTANCE OF 200 FEET TO A POINT THEREIN; THENCE NORTH 47 DEGREES 30 MINUTES WEST, A DISTANCE OF 500 FEET TO A POINT; THENCE SOUTH 42 DEGREES 30 MINUTES WEST, A DISTANCE OF 200 FEET TO A POINT; THENCE SOUTH 47 DEGREES 30 MINUTES EAST, A DISTANCE OF 500 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

THE WESTERLY 800 FEET, LYING EASTERLY OF U.S. HIGHWAY NO.1, OF THE SOUTHERLY 500 FEET, NORTHERLY OF SOUTHLAND ROAD, OF THE SOUTHWEST 1/4 OF SECTION 31, TOWNSHIP 13 SOUTH, RANGE 32 EAST, VOLUSIA COUNTY, FLORIDA.

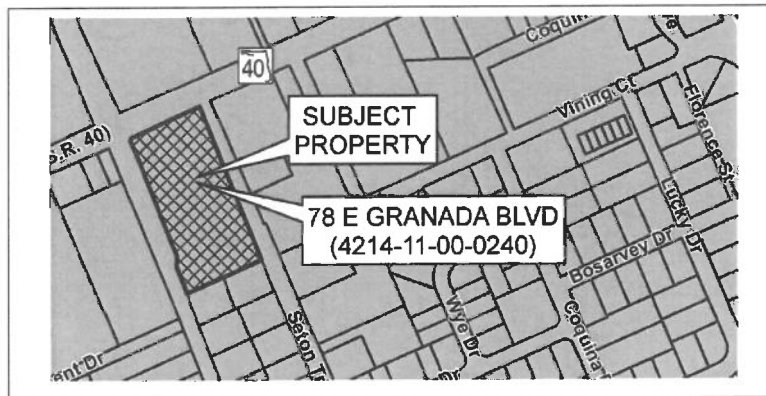
LOCATION MAP

PARCEL ID: 4214-11-00-0240
OWNER: CITY OF ORMOND BEACH
APPLICANT: SUSAN RICHMOND,
 AUTHORIZED AGENT FOR
 ORMOND MEMORIAL ART
 MUSEUM & GARDENS
SPECIAL EXCEPTION ADDRESS: 78 EAST GRANADA
 BOULEVARD, ORMOND
 BEACH, FL 32176

EXHIBIT "B"**LEGAL DESCRIPTION**

(from Sliger & Associates, Inc. survey – survey date July 1, 2019)

LEGAL DESCRIPTION:
LOTS 22, 24, 26, 28, 30, 31, 33, 35, 37, 39 EXCEPT RIGHTS OF WAY ALONG THE WEST BOUNDARY
OF SAID LOTS, OF WORTHY AND HUBBARDS ADDITION TO ORMOND, MAP BOOK 1, PAGE 121

LOCATION MAP

PARCEL ID: 4214-11-00-0240

OWNER: CITY OF ORMOND BEACH

APPLICANT: SUSAN RICHMOND, AUTHORIZED AGENT FOR
ORMOND MEMORIAL ART MUSEUM & GARDENS

SPECIAL EXCEPTION ADDRESS: 78 EAST GRANADA BOULEVARD, ORMOND BEACH, FL
32176

Incorrect legal description from Resolution 2020-137

EXHIBIT "A"

LEGAL DESCRIPTION (from site development plan prepared by Parker Mynchenberg & Associates, Inc. – 7/26/2019)

LEGAL DESCRIPTION

THE EASTERLY 200 FEET OF THE WESTERLY 1000 FEET, LYING EAST OF U.S. HIGHWAY NO.1, OF THE SOUTHERLY 500 FEET, NORTHERLY OF SOUTHLAND ROAD, OF THE SOUTH WEST 1/4 OF SECTION 31, TOWNSHIP 13 SOUTH, RANGE 32 EAST, VOLUSIA COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PART OF THE SOUTHWEST 1/4 OF SECTION 31, TOWNSHIP 13 SOUTH, RANGE 32 EAST, VOLUSIA COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

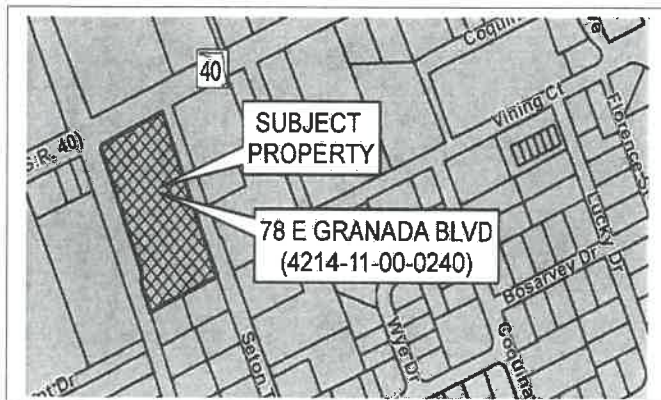
FROM THE NORTHWEST CORNER OF SECTION 6, TOWNSHIP 14 SOUTH, RANGE 32 EAST; RUN NORTH 0 DEGREES 15 MINUTES EAST, A DISTANCE OF 438.4 FEET ALONG THE WEST LINE OF SECTION 31, TOWNSHIP 13 SOUTH, RANGE 32 EAST, TO THE POINT IN THE WESTERLY LINE OF THE 160 FOOT RIGHT-OF-WAY OF U.S. HIGHWAY NO.1; THENCE SOUTH 47 DEGREES 30 MINUTES EAST, ALONG SAID WESTERLY RIGHT-OF-WAY LINE U.S. NO.1, A DISTANCE OF 2209.8 FEET TO A POINT ON CURVE, SAID POINT OF CURVE BEING 15.9 FEET ON A BEARING OF SOUTH 47 DEGREES 30 MINUTES EAST, FROM THE SOUTHEAST CORNER OF LOT 7, NATIONAL GARDENS ADDITION, UNIT NO.1, PER MAP BOOK 11, PAGE 148, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE NORTH 42 DEGREES 30 MINUTES EAST, ACROSS AFORESAID U.S. NO.1, A DISTANCE OF 160 FEET TO THE POINT OF CURVE ON THE EASTERLY RIGHT-OF-WAY OF SAID U.S. 1; THENCE NORTH 47 DEGREES 30 MINUTES WEST, ALONG SAID EASTERLY RIGHT-OF-WAY OF U.S. NO.1, A DISTANCE OF 1420.9 FEET TO A POINT THEREIN, SAID POINT BEING IN THE NORTH LINE OF 50 FEET COUNTRY ROAD KNOWN AS SOUTHLAND ROAD; THENCE NORTH 42 DEGREES 30 MINUTES EAST, ALONG SAID NORTH LINE, A DISTANCE OF 800 FEET TO A POINT THEREIN AND THE POINT OF BEGINNING; THENCE CONTINUE NORTH 42 DEGREES 30 MINUTES EAST, ALONG SAID NORTH LINE, A DISTANCE OF 200 FEET TO A POINT THEREIN; THENCE NORTH 47 DEGREES 30 MINUTES WEST, A DISTANCE OF 500 FEET TO A POINT; THENCE SOUTH 42 DEGREES 30 MINUTES WEST, A DISTANCE OF 200 FEET TO A POINT; THENCE SOUTH 47 DEGREES 30 MINUTES EAST, A DISTANCE OF 500 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

THE WESTERLY 800 FEET, LYING EASTERLY OF U.S. HIGHWAY NO.1, OF THE SOUTHERLY 500 FEET, NORTHERLY OF SOUTHLAND ROAD, OF THE SOUTHWEST 1/4 OF SECTION 31, TOWNSHIP 13 SOUTH, RANGE 32 EAST, VOLUSIA COUNTY, FLORIDA.

Note: Legal description is not correct - from the Total Comfort project.

LOCATION MAP



PARCEL ID: 4214-11-00-0240
OWNER: CITY OF ORMOND BEACH
APPLICANT: SUSAN RICHMOND,
 AUTHORIZED AGENT FOR
 ORMOND MEMORIAL ART
 MUSEUM & GARDENS
SPECIAL EXCEPTION ADDRESS: 78 EAST GRANADA
 BOULEVARD, ORMOND
 BEACH, FL 32176

Resolution 2020-137

Ormond Memorial Art Museum & Gardens Special Exception

78 East Granada Boulevard

RESOLUTION NO. 2020-137

A RESOLUTION AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A SPECIAL EXCEPTION REGARDING THE PROPOSED "ORMOND MEMORIAL ART MUSEUM & GARDENS" LOCATED AT 78 EAST GRANADA BOULEVARD, AND BEING SITUATED WITHIN THE B-4 (CENTRAL BUSINESS) ZONING DISTRICT, IN THE DOWNTOWN OVERLAY DISTRICT; ALLOWING ALTERNATIVE BUILDING SIGNAGE TOTALING FIVE (5) BUILDING SIGNS AND A COMBINED 206± SQUARE FEET; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, certain improvements will be made to the building and property situated at 78 East Granada Boulevard commonly known as the Ormond Memorial Art Museum & Gardens; and

WHEREAS, in accordance with the requirements of section 3-48 of the Land Development Code, signage on the building at the property shall not exceed two signs consisting of no more than eighty-seven combined square feet; and

WHEREAS, Susan Richmond, Museum Director for the Ormond Memorial Art Museum, Inc., (the "Applicant"), has applied for the issuance of a Development Order for a Special Exception to allow alternative building signage totaling five (5) building signs and a combined 206± square feet at the Ormond Memorial Art Museum & Gardens, located at 78 East Granada Boulevard, in the B-4 (Central Business) zoning district; and

WHEREAS, the applicant desires to increase the allowable number and square footage of the building signage as part of their *Creating a Vibrant Art Scene and Keeping Granada Green* expansion project; and

WHEREAS, the City Commission adopted the 2019 Downtown Master Plan that prioritizes and encourages Arts & Culture to create a stronger museum row and branded experience; and

WHEREAS, the expansion of the Ormond Memorial Art Museum & Gardens is consistent with the Downtown Master Plan theme and the signage is needed based upon the unique use; and

WHEREAS, Section 3-48(B) of the Land Development Code allows alternative business premise signage (wall signage) through a Special Exception; and

WHEREAS, the said application is in compliance with all applicable provisions of the City of Ormond Beach *Land Development Code* (“the *Land Development Code*”) and the general laws of Florida; and

WHEREAS, the Planning Board held a public hearing on August 13, 2020, regarding this matter as required by Chapter 1, Article II, Section 1-15D(2), of the *Land Development Code*; and

WHEREAS, the City Commission has duly held a public hearing on the application and has considered the testimony and evidence presented, and

WHEREAS, the City Commission has considered the following:

- (1) The report and recommendations of the Planning Board; and
- (2) The comments of governmental agencies, utility corporations and individuals, as received, and
- (3) The testimony provided at public hearings, and

WHEREAS, based upon all of the foregoing and in consideration thereof, the City

Commission finds that:

- (1) The proposed use conforms to the standards and requirements of the *Land Development Code* and will not create undue crowding beyond the conditions normally permitted in the B-4, Central Business, zoning district, or adversely affect the public health, safety, welfare or quality of life;
- (2) The proposed use is consistent with the *Comprehensive Plan*;
- (3) The proposed use will not adversely impact environmentally sensitive lands or natural resources, including but not limited to waterbodies, wetlands, xeric communities, wildlife habitats, endangered or threatened plants and animal species or species of special concern, wellfields, and individual wells;
- (4) The proposed use will not substantially or permanently depreciate the value of surrounding property; create a nuisance; or deprive adjoining properties of adequate light and air; create excessive noise, odor, glare, or visual impacts on the neighborhood and adjoining properties;
- (5) There are adequate public facilities to serve the development, including but not limited to roads, sidewalks, bike paths, potable water, wastewater treatment, drainage, fire and police safety, parks and recreation facilities, schools, and playgrounds, as proposed;
- (6) Ingress and egress to the property and traffic patterns are designed to protect and promote motorized vehicle and pedestrian/bicycle safety and convenience, allow for desirable traffic flow and control, and provide adequate access in case of fire or catastrophe, as proposed;
- (7) The proposed use is functional in the use of space and aesthetically acceptable;
- (8) The proposed use provides for the safety of occupants and visitors;
- (9) The proposed use of materials and architectural features will not adversely impact the neighborhood and aesthetics of the area;

now therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA, THAT:

SECTION ONE. The above recitals are true and correct and are incorporated by reference.

SECTION TWO. The Mayor and the City Manager are hereby authorized and directed to execute and issue a Development Order for a Special Exception to allow alternative building signage totaling five (5) building signs and a combined 206± square feet at the Ormond Memorial Art Museum & Gardens, located at 78 East Granada Boulevard, in the B-4 (Central Business) zoning district, on the real property described in the Special Exception Development Order, a copy of which is attached hereto and incorporated by reference.

SECTION THREE. The Special Exception Development Order is conditioned upon the approval of the site plan and building improvements as shown on the exhibits to the Development Order. In the event the site plan and building improvements are not approved, this Special Exception Development Order shall be null and void, and shall have no effect.

SECTION FOUR. A certified copy of this Resolution and the executed original Special Exception Development Order shall be recorded in the public records of Volusia County, Florida.

SECTION FIVE. This Resolution shall take effect immediately upon its adoption.

APPROVED AND AUTHENTICATED this 23rd day of September, 2020.



BILL PARTINGTON
Mayor

ATTEST:



COLBY CILENTO
City Clerk

**BEFORE THE
CITY COMMISSION
OF THE
CITY OF ORMOND BEACH**

IN RE: **Application of:** Susan Richmond, Authorized Agent For Ormond Memorial Art Museum & Gardens, Inc.

Application No. 2020-061

Project Name: Ormond Memorial Art Museum & Gardens

Property Address: 78 East Granada Boulevard

Parcel ID No.: 4214-11-00-0240

**SPECIAL EXCEPTION
DEVELOPMENT ORDER**

This matter having come on for public hearing before the City Commission of the City of Ormond Beach, Florida, on September 23, 2020, and the City Commission having considered those items as required by Section 1-18 of the *Land Development Code*, and having heard testimony and evidence from all affected persons, the City Commission hereby finds that:

1. The proposed use conforms to the standards and requirements of the *Land Development Code* and will not create undue crowding beyond the conditions normally permitted in the B-4, Central Business, zoning district, or adversely affect the public health, safety, welfare or quality of life;
2. The proposed use is consistent with the *Comprehensive Plan*;
3. The proposed use will not adversely impact environmentally sensitive lands or natural resources, including but not limited to waterbodies, wetlands, xeric communities, wildlife habitats, endangered or threatened plants and animal species or species of special concern, wellfields, and individual wells;
4. The proposed use will not substantially or permanently depreciate the value of surrounding property; create a nuisance; or deprive adjoining properties of adequate light and air; create excessive noise, odor, glare, or visual impacts on the neighborhood and adjoining properties;

5. There are adequate public facilities to serve the development, including but not limited to roads, sidewalks, bike paths, potable water, wastewater treatment, drainage, fire and police safety, parks and recreation facilities, schools, and playgrounds, as proposed;

6. Ingress and egress to the property and traffic patterns are designed to protect and promote motorized vehicle and pedestrian/bicycle safety and convenience, allow for desirable traffic flow and control, and provide adequate access in case of fire or catastrophe, as proposed;

7. The proposed use is functional in the use of space and aesthetically acceptable;

8. The proposed use provides for the safety of occupants and visitors;

9. The proposed use of materials and architectural features will not adversely impact the neighborhood and aesthetics of the area; and

Thereupon and in consideration thereof, the City Commission hereby orders that:

A. The application of Susan Richmond, Museum Director and authorized agent for the Ormond Memorial Art Museum & Gardens, Inc., (the "Applicant") for a Special Exception from the requirements of Section 3-48 of the Land Development Code that limits the signage on the building at the property located at 78 East Granada Boulevard commonly known as the Ormond Memorial Art Museum & Gardens, to no more than two signs consisting of no more than eighty-seven combined square feet is hereby granted to allow no more than five building signs consisting of a combined 206± square feet on that real property described and depicted on Exhibit "A" and "B" attached hereto and incorporated by reference, subject to the following conditions:

1. All applicable provisions of the *Land Development Code* shall be complied with at all times, such provisions being incorporated herein by reference and hereby specifically made a part of this Special Exception;

2. A maximum of five (5) signs totaling 206± square feet shall be allowed on the front (East Granada Boulevard) and the rear (Halifax Drive) building facades of 78 East Granada Boulevard as follows:

- a. Sign number 1 - 12'0 x 6'0 (72 square feet), Ormond Museum Logo located on the north façade of the proposed 2nd story addition facing East Granada Boulevard.

- b. Sign number 2 - 20'0 x 2'0 (40 square feet), Ormond Museum Sponsor, located on the west façade of the existing building facing Halifax Drive.
- c. Sign number 3 - 20'0 x 2'0 (40 square feet), Ormond Museum Sponsor, located on the south façade of the proposed 2nd story addition, visible from Halifax Drive.
- d. Sign number 4 - 6'0 x 3'0 (18 square feet), Ormond Museum Logo, located on the south façade of the proposed addition, visible from Halifax Drive.
- e. Sign number 5 - 6'0 x 6'0 (36 square feet), changeable copy sign to display upcoming events, located on the south façade of the proposed addition, visible from Halifax Drive.

3. Sign permits shall be required for each sign.

4. This Development Order is conditioned upon the approval of the site plan and building improvements as shown and depicted in the exhibits attached and incorporated herein. In the event the site plan and building improvements are not approved, this Special Exception Development Order shall be null and void, and shall be of no effect.

B. The alternative business premise signage (building signage) shall be consistent with all of the conditions listed in Paragraph A hereof, and the sign plan displayed in Exhibit "B" attached hereto shall be amended as necessary in order to achieve such consistency.

C. No material change shall be made to the final plans for this Special Exception without further review by the Planning Board and approval by the City Commission in accordance with the procedures for the approval of this Special Exception Development Order.

D. In the event a Neighborhood Improvement Officer subsequently determines there to be any violation of this Special Exception, such Officer shall promptly present such determination to Special Magistrate for hearing.

E. If this Special Exception is abandoned for a period of six (6) months, a zoning approval for a new use, subject to Special Exception requirements, shall not be issued until the Site Plan review Committee determines that all of the conditions of Chapter I, Article II, Section 1-14(3)(c) of the *Land Development Code* have been met.

G. This Special Exception Development Order shall be recorded in the public records of Volusia County, Florida, at the expense of Susan Richmond, Museum Director for the Ormond Memorial Art Museum & Gardens, Inc. and shall be binding upon Ormond Memorial Art

Museum & Gardens, Inc. and its successors and assigns, and shall run with the real property described in Exhibit "A" attached hereto and incorporated herein by reference. (Parcel ID No.: 421411000240)

ORDERED this 23rd day of September, 2020.

By: _____

BILL PARTINGTON

Mayor

(CITY SEAL)

Attest: _____

JOYCE A. SHANAHAN

City Manager

EXHIBIT "A"**LEGAL DESCRIPTION (from site development plan prepared by Parker Mynchenberg & Associates, Inc. – 7/26/2019)****LEGAL DESCRIPTION**

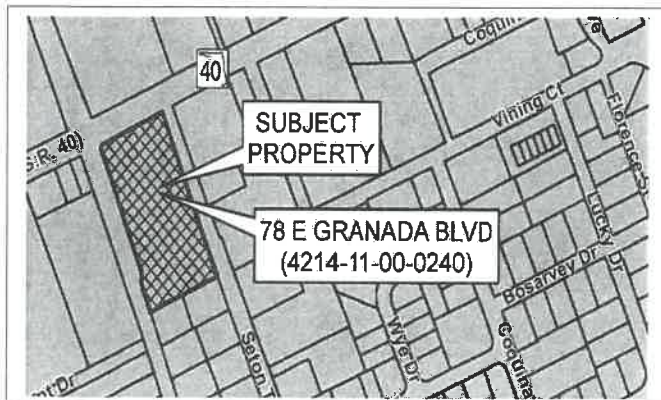
THE EASTERLY 200 FEET OF THE WESTERLY 1000 FEET, LYING EAST OF U.S. HIGHWAY NO.1, OF THE SOUTHERLY 500 FEET, NORTHERLY OF SOUTHLAND ROAD, OF THE SOUTH WEST 1/4 OF SECTION 31, TOWNSHIP 13 SOUTH, RANGE 32 EAST, VOLUSIA COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PART OF THE SOUTHWEST 1/4 OF SECTION 31, TOWNSHIP 13 SOUTH, RANGE 32 EAST, VOLUSIA COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE NORTHWEST CORNER OF SECTION 6, TOWNSHIP 14 SOUTH, RANGE 32 EAST; RUN NORTH 0 DEGREES 15 MINUTES EAST, A DISTANCE OF 438.4 FEET ALONG THE WEST LINE OF SECTION 31, TOWNSHIP 13 SOUTH, RANGE 32 EAST, TO THE POINT IN THE WESTERLY LINE OF THE 160 FOOT RIGHT-OF-WAY OF U.S. HIGHWAY NO.1; THENCE SOUTH 47 DEGREES 30 MINUTES EAST, ALONG SAID WESTERLY RIGHT-OF-WAY LINE U.S. NO.1, A DISTANCE OF 2209.8 FEET TO A POINT ON CURVE, SAID POINT OF CURVE BEING 15.9 FEET ON A BEARING OF SOUTH 47 DEGREES 30 MINUTES EAST, FROM THE SOUTHEAST CORNER OF LOT 7, NATIONAL GARDENS ADDITION, UNIT NO.1, PER MAP BOOK 11, PAGE 148, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE NORTH 42 DEGREES 30 MINUTES EAST, ACROSS AFORESAID U.S. NO.1, A DISTANCE OF 160 FEET TO THE POINT OF CURVE ON THE EASTERLY RIGHT-OF-WAY OF SAID U.S. 1; THENCE NORTH 47 DEGREES 30 MINUTES WEST, ALONG SAID EASTERLY RIGHT-OF-WAY OF U.S. NO.1, A DISTANCE OF 1420.9 FEET TO A POINT THEREIN, SAID POINT BEING IN THE NORTH LINE OF 50 FEET COUNTRY ROAD KNOWN AS SOUTHLAND ROAD; THENCE NORTH 42 DEGREES 30 MINUTES EAST, ALONG SAID NORTH LINE, A DISTANCE OF 800 FEET TO A POINT THEREIN AND THE POINT OF BEGINNING; THENCE CONTINUE NORTH 42 DEGREES 30 MINUTES EAST, ALONG SAID NORTH LINE, A DISTANCE OF 200 FEET TO A POINT THEREIN; THENCE NORTH 47 DEGREES 30 MINUTES WEST, A DISTANCE OF 500 FEET TO A POINT; THENCE SOUTH 42 DEGREES 30 MINUTES WEST, A DISTANCE OF 200 FEET TO A POINT; THENCE SOUTH 47 DEGREES 30 MINUTES EAST, A DISTANCE OF 500 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

THE WESTERLY 800 FEET, LYING EASTERLY OF U.S. HIGHWAY NO.1, OF THE SOUTHERLY 500 FEET, NORTHERLY OF SOUTHLAND ROAD, OF THE SOUTHWEST 1/4 OF SECTION 31, TOWNSHIP 13 SOUTH, RANGE 32 EAST, VOLUSIA COUNTY, FLORIDA.

LOCATION MAP

PARCEL ID: 4214-11-00-0240
OWNER: CITY OF ORMOND BEACH
 SUSAN RICHMOND,
APPLICANT: AUTHORIZED AGENT FOR
 ORMOND MEMORIAL ART
 MUSEUM & GARDENS
SPECIAL 78 EAST GRANADA
EXCEPTION BOULEVARD, ORMOND
ADDRESS: BEACH, FL 32176

EXHIBIT "B"
Page 1 of 7

ORMOND ART MUSEUM - SIGN PERMIT SCHEDULE:



SIGN	DIMENSIONS	AREA	DESCRIPTION	DETAIL
SIGN # 1	12'-0" X 6'-0"	72 SF	ORMOND MUSEUM LOGO - RAISED ILLUMINATED LETTERS	FONT SIZE & TYPE VARIES
SIGN # 2	20'-0" X 2'-0"	40 SF	ORMOND MUSEUM SPONSOR - RAISED ILLUMINATED LETTERS	FONT SIZE & TYPE T.B.D.
SIGN # 3	20'-0" X 2'-0"	40 SF	ORMOND MUSEUM SPONSOR - RAISED ILLUMINATED LETTERS	FONT SIZE & TYPE T.B.D.
SIGN # 4	6'-0" X 3'-0"	18 SF	ORMOND MUSEUM LOGO - RAISED ILLUMINATED LETTERS	FONT SIZE & TYPE VARIES
SIGN # 5	6'-0" X 6'-0"	36 SF	TEMPORARY SIGNAGE FOR UPCOMING MUSEUM EVENTS	FONT SIZE & TYPE T.B.D.

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EXHIBIT "B"
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ENGOLA W/ANTENNA 16' O.C.
BLA FABRIK IN BETWEEN EACH

EXHIBIT "B"
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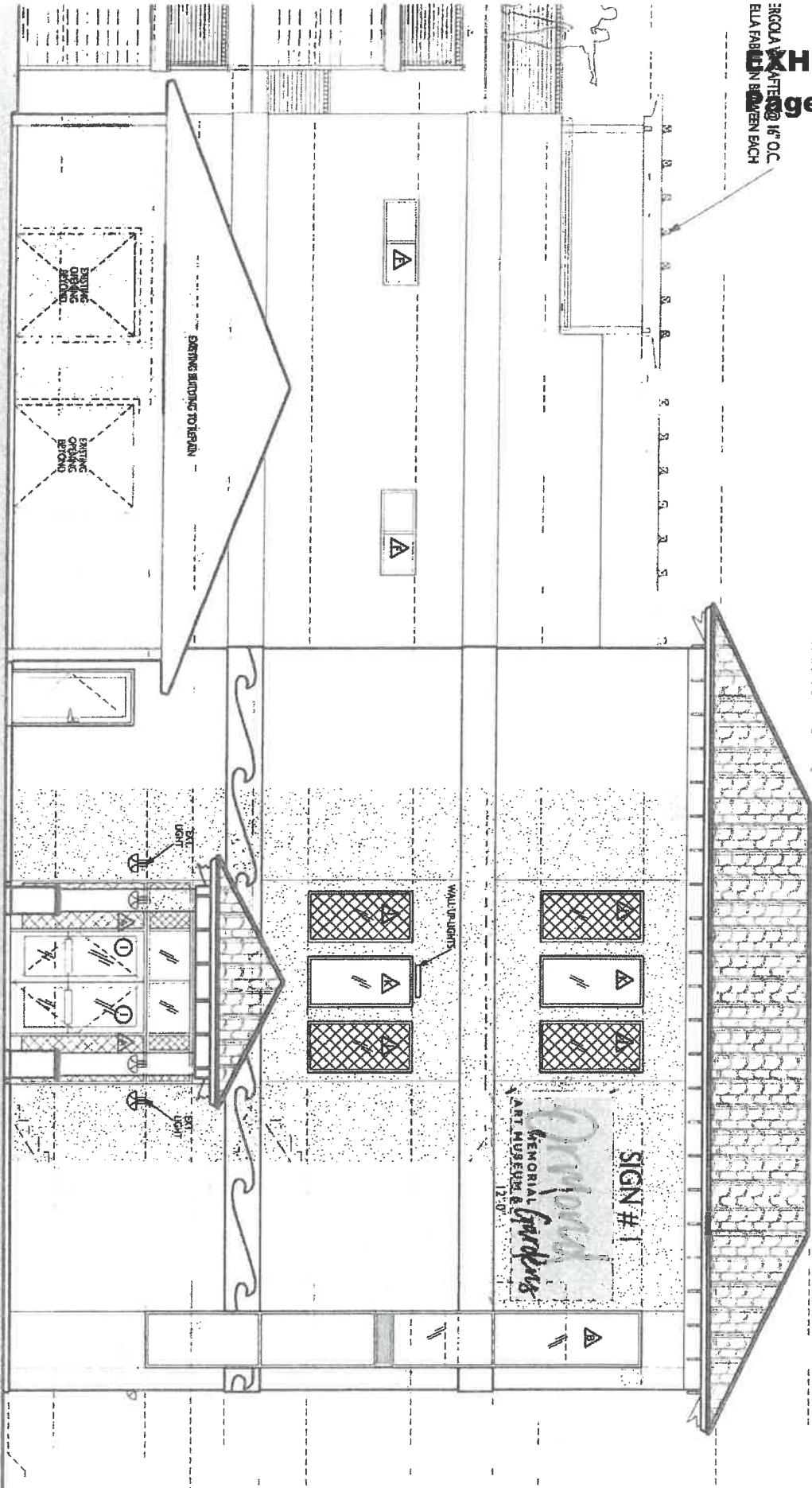


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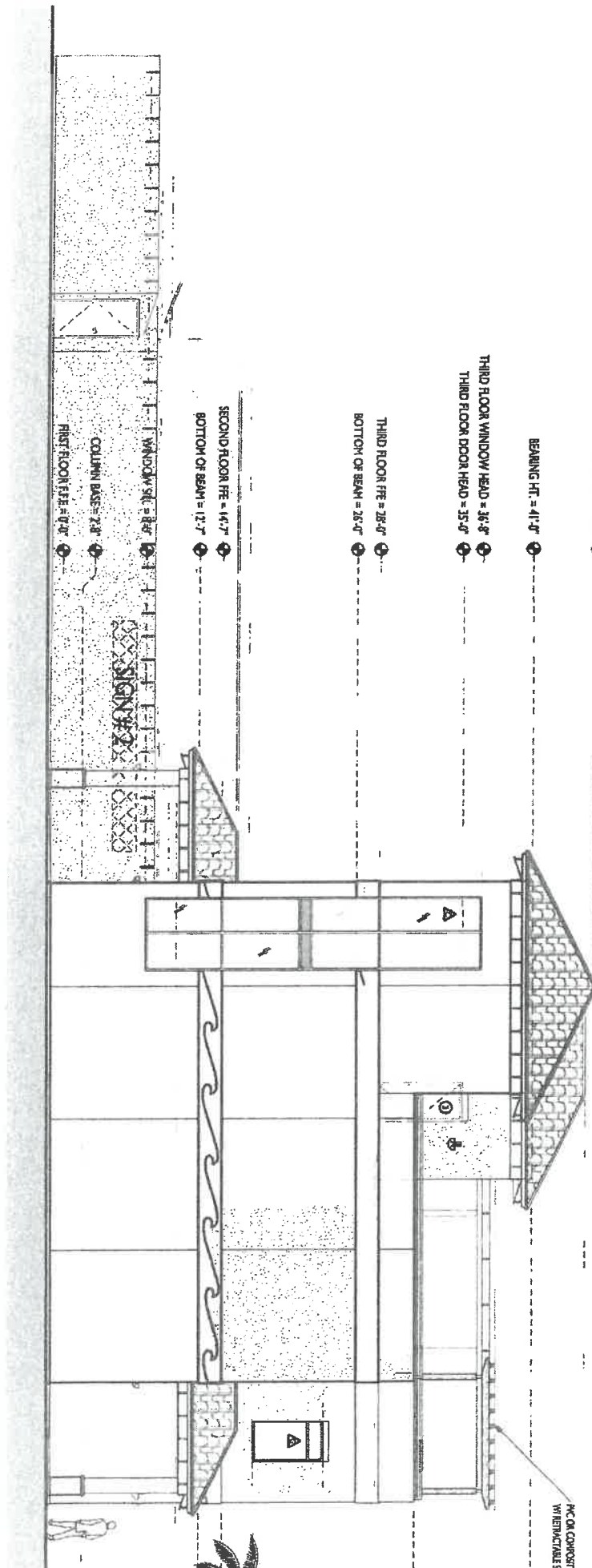
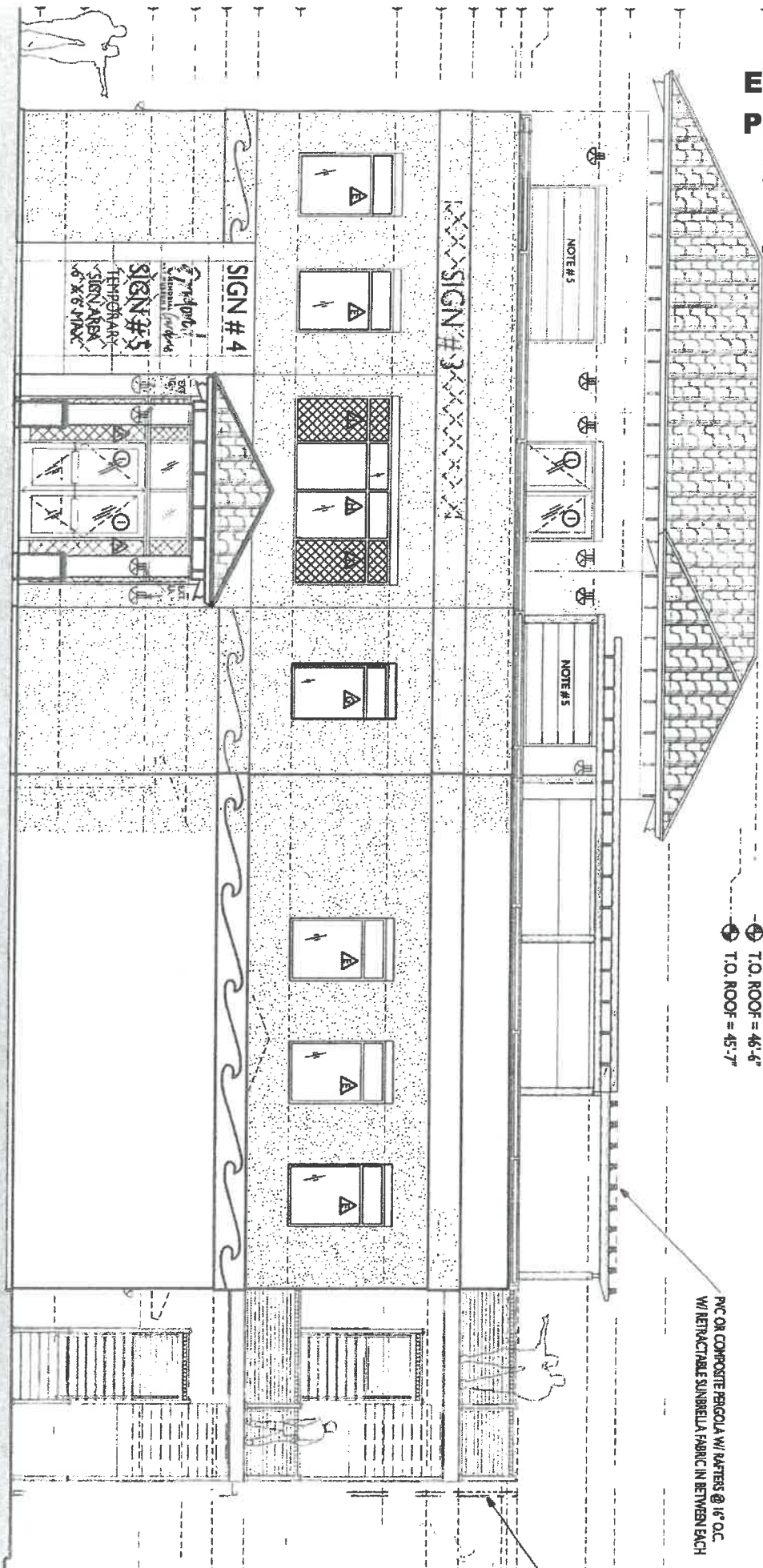
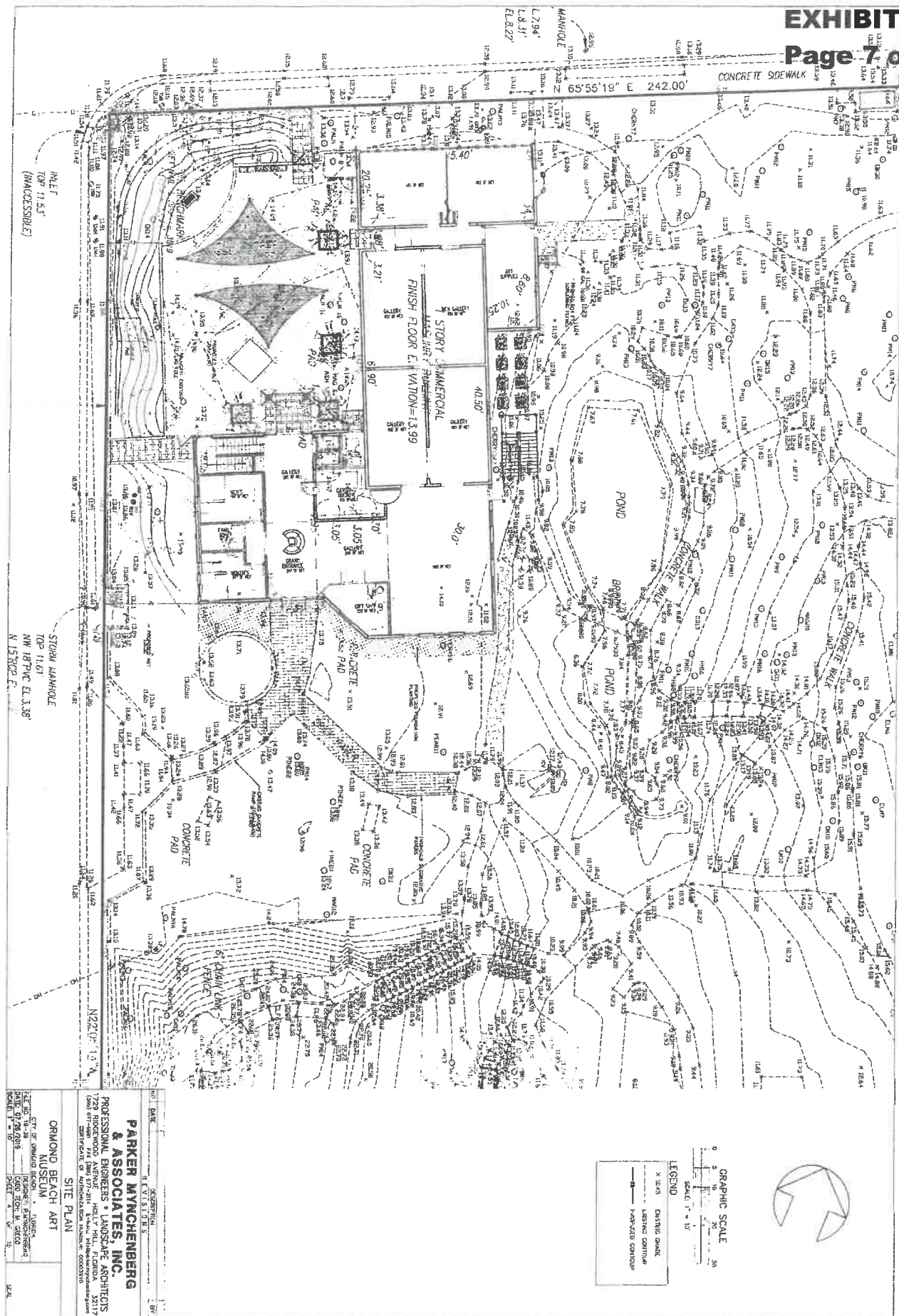


EXHIBIT "B"
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CERTIFICATE

STATE OF FLORIDA
COUNTY OF VOLUSIA
CITY OF ORMOND BEACH

I, Colby J. Cilento, City Clerk of the City of Ormond Beach, Florida, do hereby certify that the foregoing is a true, correct and complete copy of Resolution No. 2020-137 as the same appears of record at City Hall, City of Ormond Beach, Florida.

Dated this 25th day of September, 2020.



A handwritten signature in blue ink, which appears to read "Colby J. Cilento", is written over a horizontal line.

Colby J. Cilento
City Clerk
CITY OF ORMOND BEACH, FLORIDA