

PORT ORANGE CITY COUNCIL
SPECIAL MEETING/WORKSHOP MINUTES
COUNCIL CHAMBERS
1000 CITY CENTER CIRCLE
AUGUST 11, 2016

SCANNED

THE CITY COUNCIL SPECIAL MEETING/WORKSHOP of the City of Port Orange was called to order by Mayor Green at 5:00 p.m.

Pledge of Allegiance

Silent Invocation

PRESENT: Councilman Bob Ford
Councilman Donald Burnette
Councilman Scott Stiltner
Vice Mayor Drew Bastian
Mayor Allen Green

ALSO PRESENT: Jake Johansson, City Manager
Margaret Roberts, City Attorney
Robin Fenwick, City Clerk

Portions of the Rules of Procedure as approved by City Council on May 3, 2016 were read by Robin Fenwick, City Clerk.

5. Riverwalk summary overview for POTC CRA and City Council meeting

Wayne Clark, Community Development Director, provided a detailed overview of the objective of the meeting with the Town Center CRA and Council.

Margaret Roberts, City Attorney, provided advice regarding the procedure for this meeting. The agenda items considered, recommended, and approved shall not be final until all agenda items have been approved by the City Council at the time of second meeting of the ordinances, which is currently scheduled for September 13, 2016. She recommended Council open all items at the same time so that full discussion can be held.

Council recessed at 5:26 p.m. to hold the Town Center CRA Meeting, minutes of which are under separate cover. The Town Center CRA members discussed many of these same agenda items in detail.

Council reconvened at 7:09 p.m.

ACTION ITEMS

6. First Reading - Ordinance No. 2016-14 - relating to the 2016 Amendment to the Port Orange Town Center (POTC) Redevelopment Plan, Case No. 16-15000001

ORDINANCE NO. 2016-14

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, RELATING TO COMMUNITY REDEVELOPMENT; AMENDING THE COMMUNITY REDEVELOPMENT AREA PLAN FOR PORT ORANGE TOWN CENTER; REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion to approve Ordinance No. 2016-14 on first reading was made by Vice Mayor Bastian, and Seconded by Councilman Burnette. Motion carried unanimously by roll call vote.

7. First Reading - Ordinance No. 2016-15 – Riverwalk Amended and Restated Master Development Agreement and Conceptual Development Plan, Case No. 16-40000003

ORDINANCE NO. 2016-15

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, APPROVING THE AMENDMENT AND RESTATEMENT OF THE RIVERWALK MARINA AND RIVERBOAT MASTER DEVELOPMENT AGREEMENT AND CONCEPTUAL DEVELOPMENT PLAN FOR APPROXIMATELY 11.9 ACRES LOCATED WITHIN THE PLANNED COMMUNITY-PORT ORANGE RIVERWALK (PC-R) DISTRICT; PROVIDING FOR CONFLICTING ORDINANCES, SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

Modification requests were made by the Developer as noted on the attached document.

Motion to approve subject to revisions as presented and recommended by the Town Center CRA was made by Vice Mayor Bastian, and Seconded by Councilman Burnette. Motion carried unanimously by roll call vote.

DISCUSSION ITEMS

8. Deed of Dedication with Consent and Joinder Agreement
9. Resolution No. 16-42 - Vacating a portion of the Halifax Dr. right-of-way
10. Resolution No. 16-43 - Limiting vehicular access for a portion of Ocean Ave.
11. Economic Incentive Agreement
12. Exchange Agreement for the Cardwell Funeral Home Property
 - a. Escrow Agreement
 - b. Proposed funeral home Deed for Escrow
 - c. Temporary construction easement for demolition
 - d. Bond in the amount of average annual lease revenues
13. Blanket easement covering proposed subdivision Lots 1-6 and 9 with legal description by metes and bounds
14. Subdivision Replat and Plans - Riverwalk at Port Orange, Case No. 16-50000001
15. License Agreement for temporary off-site sign located at the intersection of Ridgewood Avenue and Dunlawton Avenue, 3999 Ridgewood Avenue
16. Temporary Construction Easement for Public Trail and Park
17. Phase 1 Riverwalk - Targeted Business Program Incentive Request

There were no further questions from Council on items #8-17.

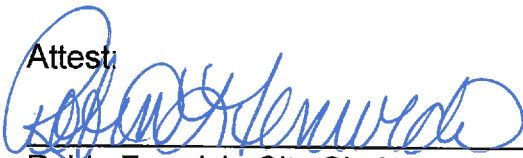
Motion to bring back items #8-17 at the same meeting as the second reading of ordinances above was made by Vice Mayor Bastian, and Seconded by Councilman Burnette. Motion carried unanimously by roll call vote.

Mr. Johansson thanked the City Attorney's Office as well as Community Development Staff for their efforts.

ADJOURNMENT – 7:13 p.m.



Mayor Allen Green

Attest:


Robin Fenwick, City Clerk

Modifications to proposed Master Developer Agreement

- Timing for completion of Phase I including Public Trail and Park (PTP) and horizontal site improvements

PTP and Horizontal Improvements: Start construction 2 years from MDA approval and complete in 12 months (i.e. 3 years from MDA approval).

Restaurant and balance of Phase I: Completed in maximum of 4 years from MDA approval.

- Blanket Easement for public access: Too broad, needs to just be walkways.

Replacement Language:

Owner Developer shall construct a walkway around the perimeter of the point restaurant as shown on the conceptual development plan. Access to the walkway shall be granted to the general public during normal business hours. Owner Developer reserves all rights to manage the property and business there in as they see fit to maintain a safe and secure environment for the operation of the restaurant, other affiliated businesses and their patrons. Owner Developer may redirect pedestrian traffic as warranted during special events (i.e. weddings, festivals and paid events).

- 5% TCEA Fees

Developer requests a waiver of the 5% TCEA as part of the Master Development Agreement

Modifications to proposed Economic Incentive Agreement ("EIA")

Public Improvements and Public Benefits

The improvements which constitute Public Improvements and Public Benefits under the Development Plan include but are not limited to the following:

- Utility Improvements: The land and construction costs for a 12 inch potable water line, 6 inch reuse line, 6 inch sanitary force main, potable water improvements, fire hydrants, valves, fire department connections, gravity sewer services, lighting/electrical services. Underground utilities along U.S. 1 and Halifax Avenue.
- Multi-Use Park Improvements (in excess of \$250,000) for imported fill, six inch compact base, six inch concrete base, concrete pavers, lighting, electrical service, park benches, trash cans, landscape and irrigation.
- Paving: the land and construction costs for US 1 FDOT turn lane(s); Ocean Avenue improvements; sub-base, base, asphalt for parking lots.
- Drainage: the land and construction costs for drainage improvements, inlets, curbing headwall, mitered end sections and piping
- Soft Costs: All design costs, governmental fees, studies, reports, recording costs, associated with constructing a Public Improvement.
- Site: Any cost for acquisition or construction under the Development Plan which constitutes a public improvement or public benefits under the CRA Plan or Florida Statutes Chapter 163.

Provided by Developer