

**ORMOND BEACH CITY COMMISSION MEETING  
HELD AT CITY HALL COMMISSION CHAMBERS  
September 7, 2010 7:00 p.m.**

Present were: Mayor Fred Costello, Commissioner Lori Gillooly, Commissioners Ed Kelley, Troy Kent, and Bill Partington, City Manager Joyce Shanahan, Assistant City Manager Ted MacLeod, City Attorney Randy Hayes, and City Clerk Veronica Patterson.

**A G E N D A**

- 1) Meeting call to order by Mayor Costello.
- 2) Invocation by Pastor Bud Murphy, Unitarian Universalist Society.
- 3) Pledge of Allegiance.
- 4) **FIRST PUBLIC HEARING - FY 2010-2011 PROPOSED MILLAGE RATES AND BUDGET:**
  - A) Resolution No. 2010-110 adopting proposed millage rates for the 2010-2011 fiscal year; establishing a date, time and place for a public hearing to adopt final millage rates and final budget. (3.6536 operating millage rate; debt service millage rates of 0.1100 and 0.0460)
  - B) First Reading of Ordinance No. 2010-39 adopting the Annual Budget for the 2010-2011 Fiscal Year beginning October 1, 2010, and ending September 30, 2011; repealing all inconsistent ordinances or parts thereof. (\$79,556,542)
- 5) **PRESENTATION:** Proclamation in honor of Ormond Beach Police Explorers.
- 6) **AUDIENCE REMARKS:**
- 7) **APPROVAL OF THE MINUTES** of the August 17, 2010, meeting.
- 8) **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. 2010-111 authorizing and directing the City Clerk to procure the necessary ballots and other forms to arrange for the use of voting machines and to make other required arrangements for the Regular Election to be held on November 2, 2010; authorizing the execution of a Memorandum of Understanding for Services and Materials. (City Clerk)
  - B) Resolution No. 2010-112 authorizing the execution of a release of Special Master Administrative Fine/Lien for code violations on property located at 274 Laws Lane, Ormond Beach, Volusia County, Florida (Parcel ID No. 241-08-02-0200).
  - C) Resolution No. 2010-113 reappointing Ken Artin and Amanda Hayes to serve as trustees of the City of Ormond Beach Municipal Police Officers' Pension Trust Fund; establishing terms and conditions of service.
  - D) Resolution No. 2010-114 approving and authorizing the execution of an addendum to the Mutual Aid Combined Operational Assistance and Voluntary Cooperation Agreement for Volusia County, Florida. (Police Chief)
  - E) Resolution No. 2010-115 authorizing the expenditure of \$6,400 from the Federal Law Enforcement Confiscation Fund for the purchase of 83 .45 caliber pistols and ammunition. (Police Chief)
  - F) Resolution No. 2010-116 accepting a bid from Ten-8 Fire Equipment, Inc., for miscellaneous fire equipment under Bid No. 2010-30; authorizing the approval and execution of a purchase authorization (Requisition 0000007266); rejecting all other bids. (\$77,839.78) (Fire Chief)
  - G) Purchase of an Aerial/Quint Fire Apparatus:
    - 1) Resolution No. 2010-117 authorizing the approval and execution of a Purchase Authorization (Requisition 0000007228) for the purchase of a Pierce Impel Aerial

Quint fire apparatus under Florida Sheriffs Association Bid No. 08-08-0909. (\$627,423) (Fire Chief)

- 2) Resolution No. 2010-118 authorizing the execution of a Governmental Equipment Lease-Purchase Agreement with Oshkosh Capital, and all other papers necessary and incidental thereto, regarding the purchase of a Pierce Impel Aerial Quint fire apparatus. (Fire Chief)
- H) Resolution No. 2010-119 accepting a bid from Halifax Paving, Inc., for construction services regarding the 2010 Roadway Resurfacing Project under Bid No. 2010-29; authorizing the execution of a contract and payment therefor; rejecting all other bids. (\$611,410) (Acting City Engineer)
- I) Resolution No. 2010-120 accepting a proposal from Florida Health Care Plans, Inc., for the provision of employee health/medical benefits services; authorizing the execution of a contract and payment therefor. (Human Resources Director)
- J) Resolution No. 2010-121 accepting a proposal from Blue Cross Blue Shield for the provision of employee dental benefits services; authorizing the execution of a contract and payment therefor. (Human Resources Director)
- K) Resolution No. 2010-122 accepting a proposal from Hartford Life and Accident Insurance Company for the provision of employee life insurance benefits services; authorizing the execution of a contract and payment therefor. (Human Resources Director)
- L) Resolution No. 2010-123 accepting a proposal from Hartford Life and Accident Insurance Company for the provision of employee long term disability insurance benefits services; authorizing the execution of a contract and payment therefor. (Human Resources Director)
- M) Resolution No. 2010-124 accepting the proposal of Employers Mutual, Inc., regarding workers' compensation claims administration and medical management services; authorizing the execution of an agreement and payment therefor; rejecting all other proposals. (Human Resources Director)
- N) Resolution No. 2010-125 establishing minimum requirements for risk management, payment and performance bonds, commercial general liability insurance, and comprehensive general liability insurance for leases, contractors, and licensees and permittees. (Human Resources Director/Risk Manager)
- O) Proposed conceptual design for new T-ball fields and a parking lot at the Ormond Beach Sports Complex:
  - 1) Resolution No. 2010-126 accepting a design plan from Zev Cohen & Associates, Inc., regarding the relocation of the T-ball fields at the Ormond Beach Sports Complex. (Leisure Services Director)
  - 2) Resolution No. 2010-127 amending the Ormond Beach Community Park Master Plan regarding the relocation of the T-ball fields at the Ormond Beach Sports Complex. (Leisure Services Director)
- P) Community Development Block Grant subrecipient agreement amendments.

DISPOSITION: Approve as recommended in City Manager memorandum dated September 2, 2010.
- Q) Completion of a railing project at the Nova Community Center skatecourt.

DISPOSITION: Approve as recommended in City Manager memorandum dated September 2, 2010.

9) **PUBLIC HEARINGS:**

- A) Resolution No. 2010-128 of the City Commission, also acting as the Community Redevelopment Agency, of the City of Ormond Beach, Florida, accepting the proposal of Zev Cohen & Associates, Inc., regarding a Downtown Drainage Master Stormwater

Plan for the Community Redevelopment Area; authorizing the execution of an agreement and payment therefor; rejecting all other proposals. (\$117,745) (Planning)

- B) Ordinance No. 2010-43 of the City Commission of the City of Ormond Beach, also acting as the North Mainland/Ormond Crossings Community Redevelopment Agency, establishing a Redevelopment Trust Fund for the North Mainland/Ormond Crossings Redevelopment Agency; authorizing the establishment of subaccounts within the trust fund; proving terms and conditions. (First Reading) (Finance Director/Economic Development Director)
- C) Ordinance No. 2010-44 authorizing the execution and issuance of a First Amended Development Order for a 19.22-acre parcel of real property located at 765 West Granada Boulevard known as "Olive Grove" Planned Business Development (formerly known as "Granada Grande") by authorizing modifications to the approved site plan to reduce the land use/density from 208 senior multi-family units to 88 affordable multi-family units; incorporating the dimensional and use standards of the B-9 zoning district; approving and authorizing the removal of eleven (11) diseased or dying historic trees and one (1) healthy historic tree located on the property; and approving a multi-phase project. (Planning Director)
- D) Ordinance No. 2010-45 annexing certain real property into the City of Ormond Beach, said property consisting of approximately 2.5751± acres and being generally located along the west side of North US1 approximately 825 feet south of the US1 and Interstate 95 ramp located at 1530 N. US Highway 1, including a portion of Flagler Road; setting forth zoning, privileges and obligations regarding the property; redefining the territorial boundaries of the City of Ormond Beach to include the property; re-designating the boundaries of Zone 3 of the City of Ormond Beach to include the property; providing for transmission; and setting forth an effective date. (McDonald's Property) (First Reading)

10) **FIRST READING OF ORDINANCES:**

- A) Ordinance No. 2010-40 amending Sections 22-23, 22-24, 22-26 and 22-71 of Chapter 22, Water and Sewers, of the Code of Ordinances, by increasing the minimum water and sewer rates. (Finance Director)
- B) Ordinance No. 2010-41 of the City of Ormond Beach, Florida, amending Division 1, Generally, of Article V, Stormwater Drainage Utility, of Chapter 22, Water and Sewers, of the Code of Ordinances; by renumbering Section 22-151, Short Title, to Section 22-151.01; by renumbering Section 22-152, Creation of Stormwater Drainage Utility, to Section 22-151.02; by renumbering and amending Section 22-153, Definitions, to Section 22-151.03; by renumbering Section 22-154, Duties of the Director, to Section 22-151.04; by reserving Sections 22-152, 22-153, and 22-154 for future use; by creating the following new sections: Section 22-151.05, Stormwater Systems, Section 22-151.06, Private Facilities, Section 22-151.07, Rules and Regulations, Section 22-151.08, Right of Entry for Survey, Examination and Inspection, Section 22-151.09, Enforcement; Liens; Fines and Emergency Abatement, and Section 22-151.10, Flooding Liability. (Acting City Engineer)
- C) Ordinance No. 2010-42 of the City of Ormond Beach, Florida, amending Article III, Firefighters' Pension Trust Fund, of Chapter 16, Pensions and Retirement, of the Code of Ordinances; amending Section 16-45, Benefit Amounts and Eligibility. (Finance Director)

11) **RESOLUTIONS:**

- A) Resolution No. 2010-129 affirming the certification of the Volusia County Canvassing Board regarding the results of the General Obligation Bond Election held in the City of Ormond Beach, Florida, on Tuesday, August 24, 2010; declaring the results of said election. (City Clerk)
- B) Resolution No. 2010-130 of support regarding the authorization and commitment of the sum of \$150,000 as a grant for property located at 765 West Granada Boulevard for an affordable housing project to be developed and constructed in the City of Ormond Beach by Beneficial Communities, LLC; providing legislative findings; establishing terms and conditions. (Planning Director)

- C) Resolution No. 2010-131 of the City of Ormond Beach City Commission, pursuant to Chapter 171, Part II, Florida Statutes, the Interlocal Service Boundary Agreement Act, initiating the process provided for thereunder for the purpose of addressing the issues more particularly set forth therein.
  - D) Resolution No. 2010-132 authorizing the execution of a Water, Sewer and Annexation Agreement between the City and Saddle Jack's Bar & Grill, Inc., providing for recordation; and setting forth an effective date.
- 12) **STAFF ACTION ITEM:** Request by Volusia County for a determination by the City Commission regarding emergency transport services.
- 13) **REPORTS, SUGGESTIONS, REQUESTS:** Mayor, City Commission, City Manager, City Attorney.
- 14) **CLOSE THE MEETING.**

Item #1 – Meeting Call to Order

The meeting was called to order by Mayor Costello at 7:00 p.m.

Item #2 – Invocation

The invocation was giving by Pastor Bud Murphy, Unitarian Universalist Society.

Item #3 – Pledge of Allegiance

The Pledge of Allegiance was led by Mayor Costello.

Item #4A – Adopting Proposed Millage Rates for 2010-2011 Fiscal Year

RESOLUTION NO. 2010-110

A RESOLUTION ADOPTING PROPOSED MILLAGE RATES FOR THE 2010-2011 FISCAL YEAR; ESTABLISHING A DATE, TIME AND PLACE FOR A PUBLIC HEARING TO ADOPT FINAL MILLAGE RATES AND FINAL BUDGET AND SETTING FORTH AN EFFECTIVE DATE.

Mayor Costello stated the tentative millage rate for the City of Ormond Beach necessary to fund the Fiscal Year 2010-2011 Budget was 3.6536 mills which was an 11.31% tax decrease from the rollback rate of 4.11; the tentative debt service millage rate were 0.1100 for the 2002 General Obligation Bond Sinking Fund and 0.0460 for the 2003 General Obligation Bond Sinking Fund. The Mayor stated he was proud that with the City's outstanding staff, the same overall millage rate was being proposed for the third year in a row, with over a \$1 million in cuts this year in property tax revenues, as there were last year. He pointed out that Ormond Beach had the second lowest millage rate in the county at a total of 3.8096.

Rick Banker, Budget Advisory Board Chairman, stated the Budget Advisory Board (BAB) recommended to unanimously support the proposed millage rate set by the City Commission with the option of reducing it; to unanimously support the proposed budget as presented to the City Commission; and to reduce pension costs. He stated the BAB believed pension costs were out of control with pension costs increasing from \$1.4 million in 2004 to \$3.3 million in 2011, which was a 136% increase; and the BAB believed these costs were unsustainable. Mr. Banker stated the BAB unanimously support the City's goal to work with plan members on restructuring the pension plans to reduce the burden on the City's taxpayers. He stated that Finance Director Kelly McGuire and City Manager Joyce Shanahan had very sharp pencils and were a pleasure to work with.

Jim Cameron, Senior Vice President, Daytona Regional Chamber of Commerce, expressed appreciation for the City's efforts on an austere and responsible budget. He thanked City Manager Shanahan and Finance Director McGuire for their assistance with the Chamber's budget matrix of local government entities. He pointed out that the major budgetary issue with many cities was pensions. He invited everyone to attend the September 17 Eggs and Issue Breakfast where the speaker would be Howard Tippen, the Chairman of the Study Committee on Fire Services and transport.

Mayor Costello stated the 2008-2009 General Fund net budget was \$28 million, in 2009-2010 it was \$26.5 million, to the proposed 2010-2011 General Fund of \$25.4 million; the property tax

revenue went from \$12.5 million in 2008-2009 to \$10.8 million in 2009-2010 to an anticipated \$9.6 million in the 2010-2011 fiscal year. He pointed out the City has worked hard to absorb the decreased revenues. He stated part of the problem with the pension issue was in Tallahassee; since 2004, the City has had a 17% increase in the general employee pension contribution, the firefighters' pension contribution increased 93%, and the police pension contribution increased 456%. The Mayor stated the firefighters and police were fabulous, and this increase was not due to their actions, but from the state government mandating the pension regulations for firefighters and police.

**Commissioner Kelley moved; seconded by Commissioner Kent, for approval of Resolution 2010-110 to adopt the proposed operating millage rate of 3.656 and the debt service millage rates of 0.1100 and 0.0460.**

Mayor Costello stated the tentative operating millage rate of 3.656 mills was 11.31% less than the rollback millage rate, and the resolution included the adoption of the tentative debt service millage rates of 0.1100 for the 2002 General Obligation Bond Sinking Fund and 0.0460 for the 2003 General Obligation Bond Sinking Fund.

Call Vote:	Commissioner Gillooly	Yes
	Commissioner Kent	Yes
	Commissioner Kelley	Yes
	Commissioner Partington	Yes
Carried.	Mayor Costello	Yes

Mayor Costello stated the operating millage rate was set at 3.656 mills, which was 11.31% less than the rollback millage rate.

Item #4B – Adopting the Annual Budget for the 2010-2011 Fiscal Year

ORDINANCE NO. 2010-39  
 AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE 2010-2011 FISCAL YEAR BEGINNING OCTOBER 1, 2010-AND ENDING SEPTEMBER 30, 2011 REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Mayor Costello stated Ordinance No. 2010-39 was to adopt a budget of \$79,556,542.

**Commissioner Kelley moved; seconded by Commissioner Gillooly, approving Ordinance No. 2010-39, on first reading, as read by title only.**

Call Vote:	Commissioner Kent	yes
	Commissioner Kelley	yes
	Commissioner Partington	yes
	Commissioner Gillooly	yes
Carried.	Mayor Costello	yes

Mayor Costello stated that without objection the public hearing was closed.

Item #5 – Proclamation in honor of Ormond Beach Police Explorers

Mayor Costello read the proclamation in honor of the Ormond Beach Police Explorers who placed fourth in Overall Champions at the Florida Association of Police Explorers State Conference in Fort Myers. He stated the Police Explorers was a program for youths, ages 14 to 21 years old, looking at law enforcement as a career opportunity, who receive training in various aspects of law enforcement, such as, building searches, traffic stops, traffic accident investigation, domestic violence, crime scene investigation, and firearms, as well as participating in the "ride along" program under the direction and encouragement of Sergeant D.W. Smith.

Item #6 - Audience Remarks

Oceanside Country Club Pond

Donald Moore stated he and his wife, Margaret have lived at 411 Triton Road since 1993 and discussed the erosion to their property due to the migration of the Oceanside Country Club (Oceanside) pond which abuts their property. Mr. Moore stated Oceanside had added three and one half acres of ponds, joined with their other ponds to create an 11 ½ acre reservoir where the reclaimed water is pumped out for irrigation of Oceanside's ground. He asked the City to enforce the 10-foot setback Oceanside certified in its as built survey; require Oceanside to restore their property; and require Oceanside to stabilize the bank to prevent a recurrence; and

issue no building permits or other permits or certificates of occupancy to Oceanside until they complied.

City Manager Joyce Shanahan stated the City would meet with Mr. Moore to resolve the issues.

Item #7 – Approval of the Minutes

Mayor Costello advised the minutes of the August 17, 2010, regular meeting had been sent to the Commission for review and asked for any corrections, additions, or omissions. Mayor Costello stated with no corrections, the minutes stand approved as submitted.

Item #8 – Consent Agenda

Mayor Costello advised the action proposed for each item on the Consent Agenda was so stated on the agenda. He asked if any member of the Commission had questions or wished to discuss any item separately.

**Commissioner Kelley moved, seconded by Commissioner Partington, for approval of the Consent Agenda.**

Call Vote:	Commissioner Kelley	Yes
	Commissioner Partington	Yes
	Commissioner Gillooly	Yes
	Commissioner Kent	Yes
Carried.	Mayor Costello	Yes

Commissioner Kent thanked Brown & Brown for their assistance to the City for the great insurance rates.

Mayor Costello stated DeLand and Palm Coast were considering instituting a well clinic which would cost Deland \$518 per employee, and the City was paying \$412 per employee. The Mayor stated the change in the election cycle saved the City \$31,000 this year. He expressed gratitude to Police Chief Osterkamp for the mutual aid agreement, and the weapons upgrade was outstanding. The Mayor commented the T-ball fields would enhance the Sports Complex and provide additional parking.

Item #9A – Downtown Drainage Master Stormwater Plan

RESOLUTION NO. 2010-128

A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, ACCEPTING THE PROPOSAL OF ZEV COHEN & ASSOCIATES, INC. REGARDING A DOWNTOWN DRAINAGE MASTER STORMWATER PLAN FOR THE COMMUNITY REDEVELOPMENT AREA; AUTHORIZING THE EXECUTION OF AN AGREEMENT AND PAYMENT THEREFOR; REJECTING ALL OTHER PROPOSALS; AND SETTING FORTH AN EFFECTIVE DATE.

Mayor Costello stated the City Commission served as the Community Redevelopment Agency (CRA) and must review each CRA agenda item and make a recommendation as the CRA prior to the City Commission public hearing; therefore, the City Commission meeting would be recessed and a meeting of the Community Redevelopment Agency convened. He explained that once the recommendations were made, the CRA meeting would be adjourned and the City Commission meeting reconvened to hold the public hearing on this item.

Mayor Costello stated the City Commission meeting was adjourned, and called the meeting of the Community Redevelopment Agency to order at 7:29 p.m. Mayor Costello advised there were two items for the CRA to consider. The first of which was a proposal for a Downtown Stormwater Master Plan. He stated he had no cards to speak on this item.

**Commissioner Gillooly moved, Commissioner Kelley seconded, to recommend Resolution No. 2010-128 for approval.**

Mayor Costello stated the recommendation to approve the proposal for the Downtown Drainage Master Plan was unanimously.

The Mayor stated the second item concerned a Redevelopment Trust Fund. The Mayor stated there was no one who wished to speak on Item #9B.

**Commissioner Kent moved; seconded by Commissioner Kelley, for approval of Ordinance No. 2010-43.**

Mayor Costello reported the CRA unanimously recommended Ordinance No. 2010-43. He adjourned the CRA meeting and reconvened the City Commission meeting at 7:31 p.m.

**Commissioner Gillooly moved, seconded by Commissioner Kelley, for the approval of Resolution No. 2010-128, as read by title only.**

Mayor Costello stated Resolution No. 2010-128 received unanimous approval from the CRA.

Call Vote:	Commissioner Partington	Yes
	Commissioner Gillooly	Yes
	Commissioner Kent	Yes
	Commissioner Kelley	Yes
Carried.	Mayor Costello	Yes

Item #9B – Redevelopment Trust Fund for North Mainland/Ormond Crossings

ORDINANCE NO. 2010-43

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, ALSO ACTING AS THE NORTH MAINLAND/ORMOND CROSSINGS COMMUNITY REDEVELOPMENT AGENCY, ESTABLISHING A REDEVELOPMENT TRUST FUND FOR THE NORTH MAINLAND/ORMOND CROSSINGS REDEVELOPMENT AGENCY; AUTHORIZING THE ESTABLISHMENT OF SUBACCOUNTS WITHIN THE TRUST FUND; PROVIDING TERMS AND CONDITIONS; PROVIDING FOR SEVERABILITY; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

**Commissioner Partington moved; seconded by Commissioner Gillooly, for approval of Ordinance No. 2010-43, on first reading, as read by title only.**

Mayor Costello stated Ordinance No. 2010-43 had received unanimous approval from the CRA.

Call Vote:	Commissioner Gillooly	Yes
	Commissioner Kent	Yes
	Commissioner Kelley	Yes
	Commissioner Partington	Yes
Carried.	Mayor Costello	Yes

Mayor Costello stated that without objection, the public hearing was closed. The Mayor pointed out that Crossings Boulevard would connect with US1 to open the Ormond Crossings business park which will include the potential for 11,000 permanent jobs, 10,600 construction jobs to build, with an increase in the assessed value in 2007 of \$10 million to the 2038 property value of \$1.7 billion, and the cumulative property tax for the City over those years will be \$64 million.

Item #9C – First Amended Development Order for “Olive Grove”

ORDINANCE NO. 2010-44

AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF A FIRST AMENDED DEVELOPMENT ORDER FOR A 19.22-ACRE PARCEL OF REAL PROPERTY LOCATED AT 765 WEST GRANADA BOULEVARD KNOWN AS “OLIVE GROVE” PLANNED BUSINESS DEVELOPMENT (FORMERLY KNOWN AS “GRANADA GRANDE”) BY AUTHORIZING MODIFICATIONS TO THE APPROVED SITE PLAN TO REDUCE THE LAND USE/DENSITY FROM 208 SENIOR MULTI-FAMILY UNITS TO 88 AFFORDABLE MULTI-FAMILY UNITS; INCORPORATING THE DIMENSIONAL AND USE STANDARDS OF THE B-9 ZONING DISTRICT; APPROVING AND AUTHORIZING THE REMOVAL OF ELEVEN (11) DISEASED OR DYING HISTORIC TREES AND ONE (1) HEALTHY HISTORIC TREE LOCATED ON THE PROPERTY; AND APPROVING A MULTI-PHASE PROJECT; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Mayor Costello stated it was a public hearing and called for any questions or concerns; hearing none, he called for a motion.

**Commissioner Partington moved; seconded by Commissioner Kent, for approval of Ordinance No. 2010-44, on first reading, as read by title only.**

Commissioner Kelley stated it was a well designed project and asked the length of time the developer was committed to maintain the property.

John Luther, Director of Development for Beneficial Communities, 2206 Jo-An Drive, stated the developer was required to hold the property for 30 years because of the tax credit base, and the commitment was to maintain the property to quality standards.

Commissioner Kelley stated the eligibility was based on area median income, and asked if that pertained to area median income of Volusia County or the City, which was a difference of approximately \$10,000.

Mr. Luther stated it was based on the County's median income, updated annually.

Commissioner Kelley noted rents were projected to be about \$400 to \$500 a month.

Ken Bowron, Beneficial Communities, 2206 Jo-An Drive, reported the rents ranged from a low of \$300 up to \$600 depending upon qualifying; a one-bedroom at 40% would be \$311 a month and a three-bedroom at 60% would be \$600 a month.

Commissioner Kelley stated that the one-bedroom for \$311 would be 40% of the renter's income; therefore, someone making \$12,000 to \$13,000 a year would qualify, and the \$600 a month renter would be making 60% of the area median income. He confirmed that the number of family members was part of the formula, that a family of four would not be in a one-bedroom unit, and multiple families could not be in one unit.

Mr. Luther explained that approximately 10% of the units were one-bedroom units, 50% to 60% were two-bedroom units, and the remainder of the units were three-bedroom.

Commissioner Gillooly stated this project was set apart by the tax credit aspect of the project. She stated that as an advocate of affordable housing she understood one of the key issues with this project was that it would not have the stigma of low income housing. She asked if any of the units were going to be rented at market value.

Mr. Luther stated that originally three units were considered at market value, but an additional funding made it possible for all 88 units to be classified as affordable housing at 40% to 60% of area median income.

Commissioner Gillooly commended the developer for providing an aesthetically pleasing community for families who were working hard to provide for their families.

Call Vote:	Commissioner Kent	yes
	Commissioner Kelley	yes
	Commissioner Partington	yes
	Commissioner Gillooly	yes
Carried.	Mayor Costello	yes

Mayor Costello reported the Planning Board voted 6-0 for approval of Ordinance No. 2010-44.

Item #9D – Annexing McDonald's Property on North US1

ORDINANCE NO. 2010-45

AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY INTO THE CITY OF ORMOND BEACH, SAID PROPERTY CONSISTING OF APPROXIMATELY 2.5751± ACRES AND BEING GENERALLY LOCATED ALONG THE WEST SIDE OF NORTH US1 APPROXIMATELY 825 FEET SOUTH OF THE US1 AND INTERSTATE 95 RAMP LOCATED AT 1530 n. US HIGHWAY 1 INCLUDING A PORTION OF FLAGLER ROAD; SETTING FORTH ZONING, PRIVILEGES AND OBLIGATIONS REGARDING THE PROPERTY; REDEFINING THE TERRITORIAL BOUNDARIES OF THE CITY OF ORMOND BEACH TO INCLUDE THE PROPERTY; REDESIGNATING THE BOUNDARIES OF ZONE 3 OF THE CITY OF ORMOND BEACH TO INCLUDE THE PROPERTY; PROVIDING FOR TRANSMISSION; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.



Mayor Costello stated this was a public hearing and he had no requests from the audience to speak.

**Commissioner Kelley moved; seconded by Commissioner Gillooly, for approval of Ordinance No. 2010-45, on first reading, as read by title only.**

Call Vote:	Commissioner Kelley	Yes
	Commissioner Partington	Yes
	Commissioner Gillooly	Yes
	Commissioner Kent	Yes
Carried.	Mayor Costello	Yes

Mayor Costello stated that hearing no objections, the public hearing was closed.

Item #10A – Water and Sewer Rates

ORDINANCE NO. 2010-40

AN ORDINANCE AMENDING SECTIONS 22-23, 22-24, 2-26 AND 22-71 OF CHAPTER 22, WATER AND SEWERS, THE CODE OF ORDINANCES, BY INCREASING THE MINIMUM WATER AND SEWER RATES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

**Commissioner Kelley moved; seconded by Commissioner Kent, for approval of Ordinance No. 2010-40, on first reading, as read by title only.**

Mayor Costello stated the 2.5% increase would result in an additional \$350,000 a year to be used for improvements to the City's infrastructure, and he explained the impact for a user of the minimum 2,000 gallons would result in an increase from \$26.52 to \$27.19, which was 67 cents a month or the median user of 5,000 gallons increased from \$48.21 to \$49.45, which was an increase of \$1.24 a month.

Betty Johnson, 1 Tomoka Oaks Blvd., asked for clarification of the rates.

Mayor Costello explained the increase was 2.5%, and for the minimum use of 2,000 the monthly bill would increase from \$26.52 to \$27.19, a 67 cent a month increase with the funds to be used for piping.

Mrs. Johnson stated no one had stated the number of foreclosed homes in the area, and she did not understand why the Commission was increasing the utility rates when people were losing their homes.

Mayor Costello stated the revenue from this increase was needed for the infrastructure to replace the old pipes to continue providing water service to the citizens. The Mayor stated the improvements were necessary to keep the community from deteriorating, and he stated he respectfully disagreed that 67 cents would cause someone to lose their home.

Mrs. Johnson stated it did not help to increase the price, and she did not understand what the Commission was thinking.

Commissioner Partington stated he was thinking the City had a water system that the City was responsible for maintaining to state requirements. He stated the Commission was sensitive to citizens' needs, but the water system had to be maintained, and this was the best approach.

Mayor Costello stated 100% of the utility rate increase was going to be used for the pipe replacement.

Commissioner Gillooly thanked Mrs. Johnson for coming to the meeting and expressing herself, but felt Mrs. Johnson might have something else bothering her.

Mrs. Johnson stated that money should have been put in an escrow account to pay for the maintenance.

Mayor Costello stated that was what the Commission was attempting to do with this rate adjustment.

Commissioner Gillooly stated the City had spent money to provide safe drinking water, but the infrastructure was old and in need of repair.

Commissioner Kent asked Assistant City Manager Ted MacLeod how old the pipes were.

Assistant City Manager MacLeod stated that some of the currently used pipes were installed in the 1960s.

Commissioner Kent asked how many gallons were lost due to leakage per day.

Assistant City Manager MacLeod responded that about 10% of the supply, which was about 500,000 gallons per day lost.

Commissioner Kent stated his constituents at his coffee meeting applauded the rate increase and suggested 2.5% might not be aggressive enough. He stated the City's water plant produced a premium product, but the pipes were old. He stated this should have been done 30 years ago but wasn't so it was being done now.

Commissioner Kelley agreed with Commissioner Kent, and he stated that before 2005 there had not been a rate increase in ten years; the rates were kept low and the pipes were not replaced. He stated the City could operate more efficiently when the pipes were replaced, and all that water would not be lost; then the rates may not have to increase.

Call Vote:	Commissioner Partington	Yes
	Commissioner Gillooly	Yes
	Commissioner Kent	Yes
	Commissioner Kelley	Yes
Carried.	Mayor Costello	Yes

Item #10B – Stormwater Drainage Utility

ORDINANCE NO. 2010-41

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA, AMENDING DIVISION 1, GENERALLY, OF ARTICLE V, STORMWATER DRAINAGE UTILITY, OF CHAPTER 22, WATER AND SEWERS, OF THE CODE OF ORDINANCES BY RENUMBERING SECTION 22-151, SHORT TITLE, TO SECTION 22-151.01; BY RENUMBERING SECTION 22-152, CREATION OF STORMWATER DRAINAGE UTILITY, TO SECTION 22-151.02, BY RENUMBERING AND AMENDING SECTION 22-153, DEFINITIONS, TO SECTION 22-151.02; BY RENUMBERING AND AMENDING SECTION 22-153, DEFINITIONS, TO SECTION 22-151.03; BY RENUMBERING SECTION 22-154, DUTIES OF THE DIRECTOR, TO SECTION 22-151.04; BY RESERVING SECTIONS 22-152, 22-153, AND 22-154, FOR FUTURE USE; BY CREATING THE FOLLOWING NEW SECTIONS, SECTION 22-151.05, STORMWATER SYSTEMS, SECTION 22-151.06, PRIVATE FACILITIES, SECTION 22-151.07, RULES AND REGULATIONS, SECTION 22-151.08, RIGHT OF ENTRY FOR SURVEY, EXAMINATION AND INSPECTION, SECTION 22-151.09, ENFORCEMENT; LIENS; FINES AND EMERGENCY ABATEMENT, AND SECTION 22-151.10, FLOODING; LIABILITY; BY PROVIDING FOR SEVERABILITY; BY PROVIDING FOR CONFLICTING ORDINANCES; AND BY PROVIDING FOR AN EFFECTIVE DATE.

**Commissioner Partington moved; seconded by Commissioner Gillooly, for approval of Ordinance No. 2010-41, on first reading, as read by title only.**

Commissioner Kelley expressed objection to using the words, "could cause," "might," "may," rather than "shall" or "will" because it implied the possibility of subjective decision making.

Mayor Costello explained the ordinance allowed the City to inspect stormwater drainage on privately maintained property, take necessary actions to insure proper drainage, and lien the property owner.

Commissioner Gillooly stated it was important to notify the homeowners' associations and property owners that their obligation to maintain stormwater drainage was not negated, but that the City could, if necessary, take action and lien the property.

Assistant City Manager MacLeod explained that education would be a large part of the process.

Call Vote:	Commissioner Gillooly	Yes
	Commissioner Kent	Yes
	Commissioner Kelley	Yes
	Commissioner Partington	Yes
Carried.	Mayor Costello	Yes

Item #10C – Firefighters' Pension Trust Fund

ORDINANCE NO. 2010-42

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, AMENDING ARTICLE III, FIREFIGHTERS' PENSION TRUST FUND, OF CHAPTER 16, PENSIONS AND RETIREMENT, OF THE CODE OF ORDINANCES; AMENDING SECTION 16-45, BENEFIT AMOUNTS AND ELIGIBILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.

**Commissioner Kent moved; seconded by Commissioner Partington, for reducing the multiplier to 3.28%.**

Joe King, IAFF President, stated he had reviewed the memo and recommendation and had worked with the Finance Director McGuire to correct the language. He stated the main concern was the \$20,000 shift in cost, and the Pension Board agreed with his view that it was related to the multiplier. He pointed out the \$20,000 was an issue whether the ordinance was approved or not. He asked the Commission to consider letting IAFF pay the shortfall, per the intent of the language.

Commissioner Gillooly stated there was no guarantee that the City would not have additional costs to the City, even though IAFF paid the shortfall.

The Finance Director stated the \$20,000 would have to be paid by the City either way, whether the multiplier was reduced to 3.28 or whether the IAFF was permitted to buy up to 3.37. She explained the buy up figure of \$29,050 was an actuarial number with certain assumption involved, and there was no guarantee of future impact on the City, which would not be a large impact, but the Commission needed to be aware of the possibility. She stated an actuarial number was a best guess estimate, not actual costs; it could be more, or it could be less.

Commissioner Gillooly stated an 8% return was unrealistic.

Ms. McGuire stated the last 20 year average was 7.5% return.

Mayor Costello explained the issue before the Commission was to reduce the multiplier to 3.28%, not the issue of a buy up.

Ms. McGuire stated the ordinance as written per the Pension Board recommendation was to allow the buy up to 3.37% and pay the difference. She explained that should the Commission desire not to approve the ordinance, then a motion to solidify the reduction to 3.28% was necessary.

Commissioner Kent stated he was confused due to the fact that the staff recommendation was for denial and requested the language be clearer to avoid confusion.

City Manager Shanahan suggested in the future, two versions of the ordinance would be presented for Commission review; one with the Pension Board recommendation and one with the staff recommendation.

Commissioner Gillooly asked Mr. King, as President of the IAFF, if the union had the same understanding as was presented.

Mr. King stated the union was of the same understanding, but had asked the Finance Director should the \$29,500 not be sufficient, if the difference would be added to the current shortfall, and they determined it could not be answered at this time. He stated he believed it would.

City Manager Shanahan stated the reason this was before the Commission was because of what had happened last year.

Mr. King clarified the state was not allowing the IAFF to pay for a past shortfall.

City Manager Shanahan stated there were no guarantees what the Division of Retirement was going to do, which was the reason for the current position, because of the lack of control with the state.

Mr. King agreed with Ms. Shanahan and stated last year the City and IAFF were in agreement that IAFF would pay the \$35,000 shortfall, when the state would not agree.

City Manager Shanahan explained that although everyone thought there was an understanding with the state last year on this issue, the Division of Retirement would not allow the City to use their share of the state money until this issue was resolved, and would not allow IAFF to use the extra benefit money to clear up the \$20,000.

Mayor Costello explained there were two issues before the Commission, which might need to be separated; reducing the multiplier to 3.28% and the buy up to 3.37%.

Commissioner Gillooly stated the issue was ambiguous to the detriment of both sides, and she asked the IAFF to help the City lobby Tallahassee to allow the use of the state money.

Mayor Costello stated there was a motion and second before the Commission for approval of Ordinance No. 2010-42.

Commissioner Partington clarified that his second was to Commissioner Kent's motion, which he thought was to solidify the reduction of the multiplier to 3.28%, not for approval of Ordinance No. 2010-42.

Commissioner Kent agreed with Commissioner Partington's assessment.

City Attorney Randy Hayes stated a motion for discussion purposes was needed, and then any motions to amend would be entertained.

Mayor Costello suggested amending the language of Ordinance No. 2010-42.

City Manager Shanahan offered that the correction should start with the removal of the underlined portion which was at the bottom of the first page of Ordinance No. 2010-42.

Mayor Costello suggested striking, "Pursuant to this subsection, since the state premium tax money was less than three hundred sixty-four thousand five hundred and twelve dollars (\$364,512.00) in calendar year 2009, a proportional reduction in the benefit accrual rate is required; therefore, effective January 1, 2010, the prospective benefit accrual rate is three and twenty-eight hundredths (3.28) percent.

City Manager Shanahan stated all of the underlined language starting with, "Pursuant to this subsection" should be removed and add the language, "The benefit is reduced to three and twenty-eight hundredths (3.28) percent beginning January 1, 2010 through December 31, 2010."

The City Attorney stated there was a motion and second for approval of Ordinance No. 2010-42, as read by title, on the floor.

Commissioner Kent withdrew his motion.

Mayor Costello stated there was no motion on the floor, and he asked the City Manager to read the suggested amendment to the Ordinance No. 2010-42.

**Commissioner Partington moved; seconded by Commissioner Kent, for approval of Ordinance No. 2010-42, as read by title only.**

**Commissioner Partington moved; seconded by Commissioner Kent, to amend Ordinance No. 2010-42, by striking the language, "Pursuant to this subsection, since the state premium tax money was less than three-hundred sixty-four thousand five hundred and twelve dollars (\$364,512.00) in calendar year 2009, a proportional reduction in the benefit accrual rate is required; therefore, effective January 1, 2010, the prospective benefit accrual rate is three and twenty-eight hundredths (3.28) percent, increased to three and thirty-seven hundredths (3.37) percent beginning January 1, 2010 through December 31, 2010, with such increase to be funded as elected by the Board using twenty-nine thousand five hundred and fifty dollars (\$29,550.00) in excess state premium tax contributions reserve" and adding the language, "The benefit is reduced to three and**

**twenty-eight hundredths (3.28) percent beginning January 1, 2010 through December 31, 2010.”**

Mayor Costello called for the vote on the amendment.

Call Vote:	Commissioner Kent	yes
	Commissioner Kelley	yes
	Commissioner Partington	yes
	Commissioner Gillooly	yes
Carried.	Mayor Costello	yes

Mayor Costello called for the vote on the main motion as amended.

Call Vote:	Commissioner Kelley	Yes
	Commissioner Partington	Yes
	Commissioner Gillooly	Yes
	Commissioner Kent	Yes
Carried.	Mayor Costello	Yes

Mayor Costello suggested a letter be sent explaining the Commission was hesitant to allow buy-ups, even when the IAFF has graciously agreed with the Commission that the IAFF will pay for any shortfall, based on the state disallowing the agreement between the City and the IAFF in the past.

Commissioner Kent stated the taxpayers got burned last year because the state would not allow the use of reserve funds, in spite of the agreement between the City and the IAFF, which was bothersome.

Mayor Costello stated the IAFF has been fantastic on this issue, and IAFF had not been the problem.

City Manager Shanahan stated the letter would be sent, but it was unlikely a reply would be received before the second reading of the ordinance.

Commissioner Kelley mentioned that at the Florida League of Cities conference, Dean Cannon, House Speaker Designate, spoke to the gathering, and he suggested contacting him, as well as Florida Senator Mike Haridopolos, regarding concerns with 175, 185, or TABR.

Item #11A – General Obligation Bond Election Results

RESOLUTION NO. 2010-129

A RESOLUTION AFFIRMING THE CERTIFICATION OF THE VOLUSIA COUNTY CANVASSING BOARD REGARDING THE RESULTS OF THE GENERAL OBLIGATION BOND ELECTION HELD IN THE CITY OF ORMOND BEACH, FLORIDA, ON TUESDAY, AUGUST 24, 2010; DECLARING THE RESULTS OF SAID ELECTION; AND SETTING FORTH AN EFFECTIVE DATE.

**Commissioner Kent moved; seconded by Commissioner Kent, for approval of Resolution No. 2010-129, as read by title only.**

Call Vote:	Commissioner Partington	Yes
	Commissioner Gillooly	Yes
	Commissioner Kent	Yes
	Commissioner Kelley	Yes
Carried.	Mayor Costello	Yes

Mayor Costello stated it had been a long road, but now Ormond Beach would have a beachfront park with off-beach parking, funded through a partnership with Volusia County brought about by the cooperation of multiple factions.

Item #11B – Property Grant for Affordable Housing Project

RESOLUTION NO. 2010-130

A RESOLUTION OF SUPPORT REGARDING THE AUTHORIZATION AND COMMITMENT OF THE SUM OF \$150,000.00 AS A GRANT FOR PROPERTY LOCATED AT 765 WEST GRANADA BOULEVARD FOR AN AFFORDABLE HOUSING PROJECT TO BE DEVELOPED AND CONSTRUCTED IN THE CITY OF ORMOND BEACH BY BENEFICIAL COMMUNITIES, LLC; PROVIDING

LEGISLATIVE FINDINGS; ESTABLISHING TERMS AND CONDITIONS; AND SETTING FORTH AN EFFECTIVE DATE.

**Commissioner Partington moved; seconded by Commissioner Gillooly, for approval of Resolution No. 2010-130, as read by title only.**

Commissioner Gillooly stated this was an economic development investment in the community which would put people back to work.

Call Vote:	Commissioner Gillooly	Yes
	Commissioner Kent	Yes
	Commissioner Kelley	Yes
	Commissioner Partington	Yes
Carried.	Mayor Costello	Yes

Item #11C – Interlocal Service Boundary Agreement Act

RESOLUTION NO. 2010-131

A RESOLUTION OF THE ORMOND BEACH CITY COMMISSION, PURSUANT TO CHAPTER 171, PART II, FLORIDA STATUTES, THE INTERLOCAL SERVICE BOUNDARY AGREEMENT ACT, INITIATING THE PROCESS PROVIDED FOR THEREUNDER FOR THE PURPOSE OF ADDRESSING THE ISSUES MORE PARTICULARLY SET FORTH THEREIN; PROVIDING FOR TRANSMISSION; AND SETTING FORTH AN EFFECTIVE DATE.

**Commissioner Kelley moved; seconded by Commissioner Partington, for approval of Resolution No. 2010-131, as read by title only.**

Call Vote:	Commissioner Kent	yes
	Commissioner Kelley	yes
	Commissioner Partington	yes
	Commissioner Gillooly	yes
Carried.	Mayor Costello	yes

Item #11D – Water, Sewer and Annexation Agreement with Saddle Jack’s Bar & Grill, Inc.

RESOLUTION NO. 2010-132

A RESOLUTION AUTHORIZING THE EXECUTION OF A WATER, SEWER AND ANNEXATION AGREEMENT BETWEEN THE CITY AND SADDLE JACK’S BAR & GRILL, INC., PROVIDING FOR RECORDATION; AND SETTING FORTH AN EFFECTIVE DATE.

**Commissioner Kelley moved; seconded by Commissioner Partington, for approval of Resolution No. 2010-132, as read by title only.**

Call Vote:	Commissioner Kelley	Yes
	Commissioner Partington	Yes
	Commissioner Gillooly	Yes
	Commissioner Kent	Yes
Carried.	Mayor Costello	Yes

Item #12 – Emergency Transport Services

Mayor Costello discussed the three options presented to the Commission for consideration.

Commissioner Kelley expressed support for keeping it as it was.

Commissioner Partington agreed with Commissioner Kelley.

Commissioner Kent suggested discussion of Option 1 to staff two ambulances on a full time basis, filling the four open positions and an additional six positions, which could provide the City with additional revenue.

Mayor Costello reminded that it would include additional positions and the purchase of equipment.

Fire Chief Skip Irby stated the numbers presented did not include three positions that were already in the budget; the costs presented represented additional expenses.

Commissioner Kent stated the City's standard for response time was five minutes and EVAC's standard was nine minutes, which would be safer for residents because they wouldn't be waiting for transport.

Mayor Costello stated the patient would be receiving treatment while they were waiting for transport.

Commissioner Kent stated the City's personnel would do everything within their ability to care for the patient while they were in distress.

Chief Irby stated the City's personnel would control what was being done. He explained that Volusia County was asking that if they chose to fragment the system by giving each municipality the opportunity to handle transporting patients, would the City want to do that; it did not mean the County would allow municipalities to transport.

Commissioner Kent would rather have the City handle treatment and transport of a patient, rather than wait for the County to arrive to transport the patient.

Chief Irby agreed that it was safer for the patient with fewer transitions in care.

Mayor Costello stated a factor to consider was that the unit was out of service while transporting a patient. He expressed support for Option 2 which allowed the City to transport if EVAC was unavailable, which would cost the City \$20,000 annually. The Mayor stated he would rather have the information from the Civic League report before making a decision.

Chief Irby stated Volusia County was evaluating the contingency transport system, which was why they were asking for input from the cities.

Commissioner Kent asked that with the additional personnel needed for Option 1 if there would be any net revenue to the City.

Chief Irby stated it was anticipated there to be net revenue, but it was unclear what it might be because the numbers had not been determined.

City Manager Shanahan cautioned the Commission that there was a high rate of uncollected revenue involved in transport. She explained that the patient might be uninsured or the patient's insurance or Medicare might be a limited payment that would not cover the full cost of transport. Ms. Shanahan expressed concern that residents might object to paying a transport fee when they were already paying taxes for fire services. She reminded the Commission that personnel would be taken out of service while transporting, plus additional time at the hospital.

Commissioner Gillooly stated the best option would be the consolidation of services regarding fire services and transport to be more cost effective and to provide better service. She stated the issue should be discussed regionally, and she proposed sending a letter to the County stating the City wanted to wait until consolidation of all fire services could be discussed.

City Manager Shanahan stated the costs presented were for only one ambulance, and she did not know how that would impact response time when there was only one ambulance available.

Commissioner Gillooly stated she was not comfortable with each city handling transport individually but would be in favor of overall consolidation.

Chief Irby stated that if the system were fragmented, there would have to be interlocal agreements between the County and the municipalities to be able to provide necessary coverage to fill the voids.

Commissioner Gillooly stated the report stated the primary advantage was the lack of a primary patient care receiving facility, and she inquired if the peninsula hospital was a full service emergency room.

Chief Irby stated the peninsula hospital did not receive trauma patients; they would have to be transported to the new Florida Hospital which was outside the City limits, requiring a longer transport time.

Commissioner Gillooly stated she would consider entertaining the issue of transporting because of the continuity of care and the possibility of saving time since the City personnel were on

scene first, but she stated it was premature to discuss before the Civic League study was completed.

Mayor Costello summarized the Commissioners' positions, and he suggested a letter be sent to the County stating that the Commission could not reach a consensus without further information, and the Commission wanted to wait until the Civic League report was issued and reviewed by the Commission.

City Manager Shanahan clarified that two ambulances were involved in Option 1 and one ambulance was involved in Option 2. She stated the County had requested a response by September 1 because they were holding a workshop on the issue on September 13 and desired some idea if the municipalities would consider contingency transport, emergency medical transport or both.

Commissioner Kelley stated this was a plot by the County to shift the cost of transport to the local governments, but the action would fragment services. He stated he had been a proponent of unification of services, and he stated the citizens of the County would be better serviced with fire services and transport unified. He stated the City Fire Department was not always first on the scene and were not always there waiting. He stated you could not assume that because the City's response time was five minutes, that EVAC would not arrive before nine minutes. He stated that if the City's unit was out of service, the response time would not be five minutes and would put others at risk. He stated the City should wait to see what the County decided, and there would be a better chance of unification of services if a couple of entities were not pushing to get transport.

Mayor Costello stated many favored regionalization or full consolidation of fire services and emergency medical transport services. He stated the Commission had always wanted to consider that issue, but could not come to a consensus regarding transport due to lack of information.

Commissioner Partington and Commissioner Kent agreed.

Mayor Costello stated the Commission wanted to be a partner with an entity that could provide the best service at the least cost.

Chief Irby stated the Commission should consider the contingency transport would cost the City the amount shown in his report, and the Commission should consider if they wanted to spend those dollars for when EVAC was delayed. He stated that if the department already had the equipment, he would suggest the contingency transport option, but the equipment would have to be purchased. The Chief explained the other cities requesting the contingency transport already owned a transport unit.

Mayor Costello stated he was the only one in favor of contingency plan and the purchase of the transport unit.

Commissioner Gillooly stated this was the plan that Chief Irby brought to the Commission about six months ago, and she was the only one in favor at that time.

Mayor Costello clarified that he was ready to support the County's proposal of allowing the cities contingency transport. He stated he would not agree to any other expenses except for one ambulance.

Chief Irby explained that with the one ambulance, four positions already budgeted but vacant would be needed.

Whereby, Mayor Costello stated he would no longer support Option 2.

Commissioner Kelley suggested the Commission wait to see if the County decided to fragment the system by allowing other cities to handle transport.

City Manager Shanahan stated Commissioner Kelley made a good point, because one of the issues would be that if Daytona Beach and Holly Hill chose to transport, it would put the City at a disadvantage in the system. She expressed concern that the system could be totally fragmented, and the costs would not be less than EVAC was currently.

Mayor Costello summarized a letter would be sent to the County stating the Commission could not form a consensus without additional information.



Item #13 - Reports, Suggestions, Requests

Florida League of Cities

Commissioner Kelley stated he brought discs for seminars he could not attend at the Florida League of Cities Conference regarding TABR, pension, and transparency. He stated the Commission would discuss the pension information at a workshop. He reported that 12 cities have already undergone pension reform or changes, such as cities were required by the state to provide 300 hours of overtime a year and a 2.0 multiplier, and the cities were going to a defined contribution. He stated it was important to stay on top of the TABR situation. He reported he attended a seminar presented by the City of Winter Springs Commission on 14 points they do, some of which the City was already doing, but it was very informative. He stated he had concluded the “New Normal” meant a downturn in public government. He stated the City was not alone; every city was experiencing the same issues; but everyone he spoke with who had visited Ormond Beach loved our community. He stated regarding the seminar on building community awareness with parks, art and cultural activities, the City could have written the book. He pointed out one of the unique things he noticed when he was driving around was that people could park and transport all their paraphernalia across A1A to go to the beach, even without a traffic light; and beach enforcement personnel used all terrain golf carts, which seemed more effective and friendly. He reported that Alex Sink and Representative Meeks spoke, but the one who made the biggest impression on him was Representative Dean Cannon, who seemed open and receptive. Commissioner Kelley stated he would get the information to the Commission members.

Movies on the Halifax

Commissioner Partington reported about 150 people enjoyed the Movie on the Halifax. He stated “National Treasure” was the movie, and everyone seemed to be having a great time and a lot of fun.

Commissioner Kent asked that the name of the movie be added to sign on bridge that announced the Movie on the Halifax.

Pop Warner Pep Rally

Commissioner Partington invited everyone to come out Wednesday, September 8 at 5:30 p.m. to see the new press box and support the teams at the Pop Warner annual pep rally for the football players and cheerleaders.

Senior Games

Commissioner Partington stated the Senior Games would be in October, and sponsors or participants could still get involved.

PAL Golf

Commissioner Partington stated the PAL Golf Tournament was November 13 at Riverbend Golf Course and invited everyone to participate.

Property Grant for Affordable Housing Project

Commissioner Gillooly stated the \$150,000 matching contribution by the City to the affordable housing project was important to the project because it was very important for the developer to gain local support to assist in the application process to the housing finance authority of Florida for grant funds. She stated there was tremendous oversight in the grant process, which provided an extra layer of protection for the City and its citizens.

Beachfront Park General Obligation Bond Referendum

Commissioner Gillooly pointed out the initial poll by the Trust for Public Lands was very close to the actual vote, and it was important to take advantage of current real estate property values to acquire a beachfront park.

Commissioner Kent agreed that the vote mirrored the poll results, and he felt it was important to point that out.

Andy Romano

Commissioner Kent related a story about Andy Romano who was born on Christmas Day 1922, moved to Florida as a child in 1941, was a World War II veteran, spent his career as an educator and principal, he was the first lifeguard on the beach, and opened the first beach concession. Commissioner Kent suggested naming the beachfront park the “Andy Romano Beachfront Park in Ormond Beach.”

Mayor Costello expressed his preference of a name like “Ormond Beachfront Park” or simply, “Beachfront Park.” The Mayor suggested resending Parker Mynchenberg’s conceptual drawing to the Commission members.

Upcoming Dates to Note

City Manager Shanahan reported the closing for the land purchase was scheduled for October 24, 2010, and staff was working on an Interlocal agreement with the County. She stated the Planning Board would consider the form based code at the September 9 meeting; the Main Street Board has already reviewed the issue; and the yard parking issue was also scheduled for the Planning Board September 9 meeting. City Manager Shanahan stated the South Ormond gymnasium was closed for renovations, but hoped for completion mid-October. She reminded everyone that the Mayor’s luncheon would be held September 16 at 11:00 a.m. at Oceanside Country Club. She stated the Fire Department would be administering flu shots at Station #91 on beachside from 7:30 a.m. until noon, every Monday, Wednesday and Friday, and 1:00 p.m. until 6:00 p.m. on Tuesdays and Thursdays, at a cost of \$25 per person for anyone over 18 years of age.

Union Negotiations

City Manager Shanahan thanked the PBA, GEA and the IAFF unions for the successful negotiation of the health insurance coverage, as well as resolving some of the issues from last year, and she expressed appreciation for their cooperation.

Foreclosed Gas Station on Granada Boulevard

Mayor Costello requested City Manager Shanahan to investigate possible brown field grants for the purchase of the closed gas station on Granada.

Item #14 – Close the Meeting

The meeting was adjourned at 9:19 p.m.

APPROVED: September 21, 2010

BY: \_\_\_\_\_

Fred Costello, Mayor

ATTEST:

\_\_\_\_\_  
Veronica Patterson, City Clerk