



**CITY OF ORMOND BEACH
CITY COMMISSION MEETING**

SEPTEMBER 21, 2010

7:00 PM

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PURSUANT TO SECTION 286.0105, 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.

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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 IN WRITING, OR MAY CALL 677-0311 FOR INFORMATION REGARDING AVAILABLE AIDS AND SERVICES. LISTENING DEVICE AVAILABLE FOR HEARING IMPAIRED.
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***ACTION REPORT***

- 1) Meeting call to order by Mayor Costello.
- 2) Invocation by Father Bill Zamborsky, Prince of Peace Catholic Church.
- 3) Pledge of Allegiance.
- 4) ***SECOND PUBLIC HEARING - FY 2010-2011 PROPOSED MILLAGE RATES AND BUDGET:***
  - A) Resolution No. 2010-110 establishing the final millage rates to be levied for Fiscal Year 2010-2011; directing certification; expressing legislative intent. (3.6536 operating millage rate; debt service millage rates of 0.1100 and 0.0460) **APPROVED**
  - B) Second 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) **APPROVED ON SECOND READING**
- 5) ***AUDIENCE REMARKS:***
- 6) ***APPROVAL OF THE MINUTES*** of the September 7, 2010, 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. 2010-133 authorizing the execution of a service agreement between the City and the Ormond Memorial Art Museum; authorizing the expenditure of funding. (\$43,640) (Leisure Services Director) **APPROVED**

- B) Resolution No. 2010-134 authorizing the execution of an agreement between the City and Council on Aging of Volusia County, Inc., for the use of a site at the Senior Center for a nutrition program. (\$2,400 annually) (Leisure Services Director) **APPROVED**
- C) Resolution No. 2010-135 authorizing the execution of an engagement letter between the City and Douglas S. Bell, of Pennington, Moore, Wilkinson, Bell & Dunbar, P.A., regarding legislative lobbying services for the 2011 Florida legislative session. (\$31,000) (Economic Development Director) **APPROVED**
- D) Resolution No. 2010-136 authorizing execution of an agreement between the City and the Volusia Transportation Planning Organization in support of planning and funding of Volusia County transportation system projects; authorizing the expenditure of funding. (\$3,675) (Planning Director) **APPROVED**
- E) Resolution No. 2010-137 authorizing the execution of a service contract between the City and the Ormond Beach Chamber of Commerce. (\$26,970) (Economic Development Director) **APPROVED**
- F) Resolution No. 2010-138 rescinding the acceptance of the bid from CWB Contractors, Inc., regarding the South Distribution Water Main Phase II Project, under Bid No. 2010-08; rescinding the previous rejection by Resolution No. 2010-87 of Hazen Construction, Inc.'s bid; accepting the bid from Hazen Construction, LLC, for the construction services; authorizing the execution of a contract with Hazen Construction, LLC, and payment therefor. (Acting City Engineer) **APPROVED**
- G) Resolution No. 2010-139 authorizing the execution of a Cooperative Economic Development Agreement between the City and Team Volusia Economic Development Corporation. (\$25,000) (Economic Development Director)
- H) Debris removal and disposal agreements:
- 1) Resolution No. 2010-140 renewing an agreement between the City of Ormond Beach and DRC Emergency Services, LLC, regarding emergency debris removal, reduction and disposal services. (Public Works Operations Manager) **APPROVED**
  - 2) Resolution No. 2010-141 renewing an agreement between the City of Ormond Beach and Phillips & Jordan, Inc., regarding emergency debris removal, reduction and disposal services. (Public Works Operations Manager) **APPROVED**
  - 3) Resolution No. 2010-142 renewing an agreement between the City of Ormond Beach and Storm Reconstruction Services, Inc., regarding emergency debris removal, reduction and disposal services. (Public Works Operations Manager) **APPROVED**
- I) Resolution No. 2010-143 approving a cost-of-living increase in the rate paid by the City to Flair Service, Inc., for HVAC services. (\$500 annually) (Leisure Services Director) **APPROVED**

- J) Resolution No. 2010-144 approving a cost-of-living increase in the rate paid by the City to Economy Electric Company for electrical services. (\$500 annually) (Leisure Services Director) **APPROVED**
- K) Resolution No. 2010-145 approving a cost-of-living increase in the rate paid by the City to Services Rendered, Inc., for janitorial services. (\$1,518 annually) (Leisure Services Director) **APPROVED**
- L) Resolution No. 2010-146 authorizing the approval and execution of an agreement with Chaz Equipment Environmental Services, Inc., regarding sanitary sewer manhole rehabilitation services under Polk County Bid Number 10-071. (Not to exceed \$200,000) (Utilities Manager) **APPROVED**
- M) Resolution No. 2010-147 accepting a bid from Patrick Anthony Technologies for the provision of an open top roll-off container filter, under Bid No. 2010-23; authorizing the execution of a purchase authorization (Requisition 0000007293). (\$33,130) (Utilities Manager) **APPROVED**
- N) Resolution No. 2010-148 authorizing the purchase of various chemicals for the City's water and wastewater treatment plants under a cooperative bid solicited by several local cities; authorizing payment therefor. (Estimated annual cost - \$644,585) (Utilities Manager) **APPROVED**
- O) Resolution No. 2010-149 of the City Commission of the City of Ormond Beach, Florida, declaring the City's official intent to seek reimbursement for certain capital expenditures made and to be made by the City with respect to the acquisition and development of lands on the east side of A1A/Atlantic Avenue in the City of Ormond Beach for a public beachfront park, including preservation of natural areas, dunes, and ocean views, and providing off-beach parking and beach access from the proceeds of tax-exempt debt anticipated to be issued by the City. (Finance Director) **APPROVED**
- P) Resolution No. 2010-150 authorizing the execution of a contract between the City of Ormond Beach and Hall Construction Company, Inc., regarding a joint permit counter for the Planning and Engineering Departments at City Hall. (Not-to-exceed \$66,279) (Acting City Engineer) **APPROVED**
- Q) Resolution No. 2010-151 authorizing the execution of Amendment No. 30 to the Professional Services Agreement between the City of Ormond Beach and Hoyle, Tanner & Associates, Inc., regarding design and construction administration services for the relocation of Taxiway "A" (Alpha) and the renovation of Taxiway "C" (Charlie), and new lighting systems for both taxiways at the Ormond Beach Municipal Airport; authorizing payment therefor. (\$348,600, FAA 95%, FDOT 2.5%, City \$8,715) (Airport Manager) **APPROVED**
- R) Resolution No. 2010-152 authorizing the execution of an Animal Housing Agreement between the City and Flagler Humane Society, Inc. (Police Chief) **APPROVED**

S) Resolution No. 2010-153 accepting a proposal submitted by Brown & Brown of Florida, Inc., for the purchase of Commercial General Liability, Crime, Accidental Death & Dismemberment, Professional Liability, and Tulip (Special Event) insurance coverage; authorizing payment therefor. (\$97,403.71) (Risk Manager) **APPROVED**

T) Accepting a proposal for the renewal of Property, Inland Marine, Crime, Auto Physical Damage, and Workers' Compensation Insurance. **APPROVED**

DISPOSITION: Approve as recommended in City Manager memorandum dated September 16, 2010.

U) General Employees retroactive pay. **APPROVED**

DISPOSITION: Approve as recommended in City Manager memorandum dated September 16, 2010.

8) **PUBLIC HEARINGS:**

A) Resolution No. 2010-154 of the City Commission, individually and acting as the Community Redevelopment Agency for the Central Business District and adjacent areas, authorizing the execution of a service agreement between the City/Agency and Ormond Beach Main Street, Inc., for the promotion of economic, physical and aesthetic redevelopment and maintenance of the Ormond Beach Main Street District. (\$52,000) (Planning Director) **APPROVED**

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. (Second Reading) (Finance Director/Economic Development Director) **APPROVED ON SECOND READING**

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. (Second Reading) (Planning Director) **APPROVED ON SECOND READING**

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; 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) (Second Reading) **APPROVED ON SECOND READING**

- E) Ordinance No. 2010-46 annexing certain real property into the City of Ormond Beach, said property being generally located along the east side of North US Highway 1 approximately 825 feet south of the Interstate 95 ramp and being commonly located at 1545 North US Highway 1; redefining the territorial boundaries of the City of Ormond Beach to include the property; re-designating the boundaries of Zone 1 of the City of Ormond Beach to include the property; providing for transmission; and setting forth an effective date. (First Reading) **APPROVED ON FIRST READING**

9) **SECOND 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) **APPROVED ON SECOND READING**
- 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) **APPROVED ON SECOND READING**
- 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) **APPROVED ON SECOND READING**

- 10) **STAFF ACTION REPORT:** City's participation in efforts to construct additional artificial reefs off the Volusia County shoreline.  
**THE PLANTERS PREVIOUSLY USED ON THE GRANADA STREETScape PROJECT WILL BE SUPPLIED FOR USE.**

- 11) **REPORTS, SUGGESTIONS, REQUESTS:** Mayor, City Commission, City Manager, City Attorney.

- 12) **CLOSE THE MEETING.**