

**ORMOND BEACH CITY COMMISSION MEETING
HELD AT CITY HALL COMMISSION CHAMBERS**

July 21, 2009

7:00 p.m.

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

A G E N D A

- 1) Meeting call to order by Mayor Costello.
- 2) Invocation by Father Fred Hovey, St. James Episcopal Church.
- 3) Pledge of Allegiance.
- 4) **PRESENTATIONS:**
 - A) Proclamation honoring students participating in the Campus Outreach Summer Beach project.
 - B) Presentation regarding the Black Bear Byway.
 - C) Florida Power & Light rate increase.
- 5) **ADOPTION OF FY 2009-2010 PROPOSED MILLAGE RATES:** Resolution No. 2009-99 (Option A or B) adopting proposed millage rates for the 2009-2010 fiscal year; establishing the date, time and place for the first public hearing on the proposed millage rates and the tentative budget; directing communication; expressing legislative intent; and setting forth an effective date.
 - A) Resolution No. 2009-99(A) – 3.56900 for General Fund Operations, Facilities Renewal and Replacement, Capital Improvements and Transportation Improvements; 0.09600 for the 2002 Refunded General Obligation Bond Issue and 0.03950 for the 2003 General Obligation Bond Issue, for an overall proposed rate of 3.7045.
 - B) Resolution No. 2009-99(B) - 3.67418 for General Fund Operations, Facilities Renewal and replacement, Capital Improvements and Transportation Improvements; 0.09600 for the 2002 Refunded General Obligation Bond Issue and 0.03950 for the 2003 General Obligation Bond Issue, for an overall proposed rate of 3.80968.
- 6) **AUDIENCE REMARKS:**
- 7) **APPROVAL OF THE MINUTES** of the July 7, 2009, 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. 2009-100 appointing a member to serve on the Leisure Services Advisory Board; setting forth term and conditions of service. (Tim Moore) (Leisure Services Director)
 - B) Resolution No. 2009-101 appointing a member to serve on the Aircraft Noise Abatement Task Force; setting forth term and conditions of service. (Terry Perkins) (Airport Manager)
 - C) Resolution No. 2009-102 approving and consenting to the award of a bid and the execution of a contract between the County of Volusia and Halifax Paving, Inc., regarding the provision of construction services regarding utility installation and road construction on Airport Road from Ocean Pines Drive to the FEC railroad; authorizing payment thereunder. (\$86,510) (Acting City Engineer)
 - D) Resolution No. 2009-103 accepting a bid from Masci Corporation for construction services regarding the Wilmette Avenue 12-inch Forcemain Replacement project under Bid No. 2000-03; authorizing the execution of a contract and payment therefor; rejecting all other bids. (\$53,732.50) (Utilities Manager)
 - E) Appointing a delegate to serve at the Florida League of Cities Annual Conference.

DISPOSITION: Approve as recommended in City Manager

memorandum dated July 16, 2009.

- 9) **PUBLIC HEARING:** Ordinance No. 2009-16 authorizing the execution and issuance of the First Amended Development Order for the “RaceTrac Service Station at Southwest I-95 Complex” Planned Business Development by authorizing modifications to the building and canopy elevation, by authorizing modifications to the approved Greenbelt landscaping plan, by authorizing additional monument signage in exchange for increased landscaping along the western driveway area, authorizing canopy signage on the north side of the canopy; authorizing canopy striping around the entire canopy; ratifying and affirming the development order approved by Ordinance No. 2008-16; establishing conditions and expiration of approval. (Second Reading) (Planning Director)
- 10) **FIRST READING OF ORDINANCES:**
- A) Ordinance No. 2009-25 amending Chapter 2, District and General Regulations, Article III, General Regulations, Section 2-50, Accessory Uses, of the *Land Development Code* by amending Subsection U, Outdoor Activities, to establish procedures for outdoor sales and activities. (Planning Director)
- B) Ordinance No. 2009-26 amending Chapter 2, District and General Regulations, of Article IV, Conditional and Special Exception Regulations, Section 2-57, Criteria for Review of Special Conditional and Special Exception, Subsection F, Farmers’ Markets, of the City of Ormond Beach *Land Development Code* to broaden the products permitted to be sold at a farmers’ market. (Planning Director)
- 11) **RESOLUTION** No. 2009-104 authorizing the execution of a Retail Water and Wastewater Service Agreement for the Hunter’s Ridge development in Flagler County between the City and Flagler County. (Public Works Director)
- 12) **DISCUSSION ITEMS:**
- A) Extension of the Solid Waste Collection and Disposal contract with Waste Management of Florida, Inc.
- B) Water Authority of Volusia update on regionalization.
- 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 7:02 p.m.

Item #2 – Invocation

The invocation was given by Father Fred Hovey, St. James Episcopal Church.

Item #3 – Pledge of Allegiance

Mayor Costello led the Pledge of Allegiance.

Item #4(A) – Proclamation Honoring the Campus Outreach Summer Beach Project

Mayor Costello explained the Campus Outreach Summer Beach Project was an interdenominational campus ministry from campuses in Georgia who came June 1 through July 30 to better the quality of life in the community by working different jobs and volunteer services. The mayor reported the students worked tirelessly at various City facilities for a total of 2,400 hours, which even at minimum wage would have been valued at \$17,304 to the City. Mayor Costello read the proclamation.

Robert Carolin stated these young adults were the most inspiring and motivating group who brought up staff morale; working with them was a true joy, and they never complained.

Item #4(B) – Presentation Regarding the Black Bear Byway

Tony Erlich explained the slides he presented of the Black Bear Scenic Byway, which traversed Marion, Lake, Putnam and Volusia County along SR40 for 126 miles. Mr. Erlich stated there

were cultural, historic, archaeological, recreational, natural and scenic resources on the Byway. He invited the public to a ribbon cutting ceremony planned for October 24, 2009, at Camp Ocala on SR19 about four miles south of SR40 with free food and lake activities for the children.

Item #4(C) – Florida Power & Light Rate Increase

Bob Coleman, 28 Iroquois Trail, explained Florida Power & Light (FPL) Group was parent company for FPL Utility and Nexair Energy Resources, which produces wind power and solar power. He explained the FPL Utility base rate was the only portion of the charges that were adjustable, and there had been no base rate increase since 1985, even though since then, inflation increased 100%. He explained FP&L needed additional funds to invest in new power plants, which would be cleaner and more efficient using the newest technology which was 40% more efficient with 97% fewer emissions. He stated since 2003, FPL saved \$3 billion in fuel cost, which were direct costs to the consumers. Mr. Coleman discussed the various methods of power generation FPL Utility was pursuing, such as thermo, solar and nuclear. He stated FPL was the least expensive of all the Florida utility companies at \$109 per 1,000 Kwh. He stated FPL needed a rate increase to invest in efficient methods that would ultimately decrease fuel consumption and, therefore, decrease the cost to the consumer. He asked the City to join in the Florida League of Cities support of FPL's rate increase, which would actually reduce the base rate to \$104 per Kwh because of fuel efficiency.

Item #5(A) & 5(B) – Adoption of FY 2009-2010 Millage Rates

RESOLUTION NO. 2009-99(A)

A RESOLUTION ADOPTING PROPOSED MILLAGE RATES FOR THE 2009-2010 FISCAL YEAR; ESTABLISHING THE DATE, TIME AND PLACE FOR THE FIRST PUBLIC HEARING ON THE PROPOSED MILLAGE RATES AND THE TENTATIVE BUDGET; DIRECTING COMMUNICATION; EXPRESSING LEGISLATIVE INTENT; AND SETTING FORTH AN EFFECTIVE DATE.

RESOLUTION NO. 2009-99(B)

A RESOLUTION ADOPTING PROPOSED MILLAGE RATES FOR THE 2009-2010 FISCAL YEAR; ESTABLISHING THE DATE, TIME AND PLACE FOR THE FIRST PUBLIC HEARING ON THE PROPOSED MILLAGE RATES AND THE TENTATIVE BUDGET; DIRECTING COMMUNICATION; EXPRESSING LEGISLATIVE INTENT; AND SETTING FOR AN EFFECTIVE DATE.

Mayor Costello stated the overall net budget decreased by over \$18 million, which included no salary increases for staff, no increase for health insurance because employees would pay the increased cost of health insurance, 13 positions eliminated, a 10% solid waste increase, a 2% increase in the water rate, and \$4.4 million for the Hand Avenue project. He stated the General Fund, where the property taxes go to pay operating expenses such as Fire and Police, in 2007/08 was \$27.8 million; in 2008/09 it was \$28.2 million; and in 2009/10, the proposed budget will be \$26.2 million for the General Fund. He stated property tax revenue was anticipated to be \$8.89 million in 2009/10, down from \$9.3 million in 2007/08. He stated the debt service as a percent of non-capital expenditures in 1999 was 10.34%, and now it is 6%.

Greg Arvakian, 161 Heritage Circle, stated the Commission could have done better, and he would have preferred a 10% reduction to CDM (Camp Dresser and McKee, Inc.) and other issues. He stated he wanted the lower millage rate.

Mayor Costello stated he was asking for a motion on the option that included the extra \$298,000 due to the indication from the Commission at the budget workshop. He stated the \$298,000 would allow for bonding of approximately \$3.5 million in projects such as the purchase of beachfront property, a possible new fire station, or stormwater improvements. He explained the money would be designated specifically for this purpose.

Mayor Costello stated he was open for a motion and a second to adopt a proposed operating millage rate of 3.67418 and a debt service millage rate of 0.09606 and 0.03950.

Commissioner Kelley moved, seconded by Commissioner Kent, approving Resolution No. 2009-99(B), as read by title only.

Commissioner Gillooly stated she supported Option A, but agreed that Option B allowed funds for bonding issues such as stormwater improvements, although she did not agree there was a desire by the public for purchasing beachfront property. She stated a new survey would point out there was a cost associated with the purchase of beachfront property and would determine the desire of the citizens. She asked, regarding the \$298,000 difference between the options, if the funds would be set aside, and what would happen if the money was not used.

Mayor Costello stated this year the funds would go to fund balance if not used, but it would be in the millage rate next year for the Commission to decide whether or not to keep it separate or use it for operating expenses.

City Manager Shanahan explained the funds could be reallocated if not used and would not be designated specifically for beachfront property.

Commissioner Kelley stated that answered his question; the money was not specifically designated for beachfront parking. He stated that working with other communities on stormwater might possibly solve a lot of the City's alternative water supply where the City might use some of that money. He pointed out Option B would be a \$1.00 a year difference per \$100,000.

Finance Director Kelly McGuire stated the difference between the two rates was \$10.00, but the rate of 3.8 would be, literally, pennies per \$100,000, or about \$.34 per \$1,000.

Commissioner Partington praised the efforts of staff, the citizens and the Budget Advisory Board. He stated the process went a lot smoother this year, with a lot of input from the citizens through the town hall meetings.

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

Mayor Costello stated the tentative operating millage rate was set at 3.67418 which was 6.46% less than the rollback millage rate.

Item #6 – Audience Remarks

Fluoridation

Jim Schultz, 117 Harvard Drive, spoke to the article in the newspaper regarding the affects of smog on IQ of unborn children and the affects of fluoridation.

Item #7 – Approval of the Minutes

Mayor Costello advised the minutes of the July 7, 2009, meeting had been sent to the Commission for review and asked for any corrections, additions, or omissions. The Mayor stated the minutes were approved as printed without objection.

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.

Mayor Costello stated there was a request to pull Item #8(B) for discussion.

Commissioner Kelley moved, seconded by Commissioner Partington, to approve the Consent Agenda, absent Item #8(B).

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

Item #8(B) – Appointment to the Aircraft Noise Abatement Task Force

RESOLUTION NO. 2009-101
 A RESOLUTION APPOINTING A MEMBER TO SERVE ON THE AIRCRAFT NOISE ABATEMENT TASK FORCE; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kelley moved, seconded by Commissioner Gillooly, to approve Resolution No. 2009-101, as read by title only.

Lou Lumaghi, 1 Cliffside Drive, stated the issue of the north/south runway had not come up at any of the Aircraft Noise Abatement Task Force meetings.

Mayor Costello explained the issue tonight was whether to appoint Mr. Perkins or not.

Mr. Lumaghi stated that this issue was something Mr. Perkins needed to be aware of as a condition of his service.

Mayor Costello suggested Mr. Lumaghi email the Mayor with his concern, and the Mayor would see that Mr. Perkins received the information.

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

Item #9 – Amended Development Order for the “RaceTrac Service Station

ORDINANCE NO. 2009-16
 AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF A FIRST AMENDED DEVELOPMENT ORDER FOR “RACETRAC SERVICE STATION AT SOUTHWEST I-95 COMPLEX” PLANNED BUSINESS DEVELOPMENT; AUTHORIZING MODIFICATIONS TO THE BUILDING AND CANOPY ELEVATION; AUTHORIZING MODIFICATIONS TO THE APPROVED GREENBELT LANDSCAPING PLAN; AUTHORIZING ADDITIONAL MONUMENT SIGNAGE IN EXCHANGE FOR INCREASED LANDSCAPING ALONG THE WESTERN DRIVEWAY AREA; AUTHORIZING CANOPY SIGNAGE ON THE NORTH SIDE OF THE CANOPY; AUTHORIZING CANOPY STRIPING AROUND THE ENTIRE CANOPY; RATIFYING AND AFFIRMING THE DEVELOPMENT ORDER APPROVED BY ORDINANCE 2008-16; ESTABLISHING CONDITIONS AND EXPIRATION OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

Michael Woods, Cobb Cole, 351 E. New York Avenue, DeLand, stated he had a new fly-by presentation that included the changes, and the applicant desired using a crepe myrtle tree rather than a live oak on the western drive in the greenbelt area.

Mayor Costello stated the record would include the crepe myrtle tree.

Commissioner Kelley moved, seconded by Commissioner Kent, for approval of Ordinance No. 2009-16, on second reading, as read by title only.

Call Vote:	Commissioner Partington	yes
	Commissioner Gillooly	no
	Commissioner Kent	yes
	Commissioner Kelley	yes
Carried.	Mayor Costello	yes

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

Item #10(A) – Procedures for Outdoor Sales and Activities

ORDINANCE NO. 2009-25

AN ORDINANCE AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATION, ARTICLE III, GENERAL REGULATIONS, SECTION 2-50, ACCESSORY USES, OF THE *LAND DEVELOPMENT CODE* BY AMENDING SUBSECTION U, OUTDOOR ACTIVITIES, TO ESTABLISH PROCEDURES FOR OUTDOOR SALES AND ACTIVITIES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kelley moved, seconded by Commissioner Partington, for approval of Ordinance No. 2009-25, on first reading, as read by title only.

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

Item #10(B) – Broaden the Products Permitted For Sale at a Farmer's Market

ORDINANCE NO. 2009-26

AN ORDINANCE AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF ARTICLE IV, CONDITIONAL AND SPECIAL EXCEPTION REGULATIONS, SECTION 2-57, CRITERIA FOR REVIEW OF SPECIAL CONDITIONAL AND SPECIAL EXCEPTION, SUBSECTION F, FARMERS' MARKETS, OF THE CITY OF ORMOND BEACH *LAND DEVELOPMENT CODE* TO BROADEN THE PRODUCTS PERMITTED TO BE SOLD AT A FARMERS' MARKET REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Partington moved, seconded by Commissioner Kent, to approve Ordinance No. 2009-26, on first reading, as read by title only.

Ryck Hundredmack, 502 South Beach Street, stated he was Promotion Committee Chairman for MainStreet, which heartedly supported the idea. He explained the farmers' market planned to open on the first of October and open every Thursday thereafter, with hours from 8:00 a.m. to 1:00 p.m. He stated initially there would be thirty vendors, and twenty vendors were already committed. He stated vendors would sell fish, agriculture, and horticultural products only. He stated that MainStreet was to purchase identical tents for all the vendors for a classy, uniform appearance; and a Market Manager would operate the market and handle maintenance.

Bill Partington, Sr., 1248 Fernway Dr, spoke in support of the farmers' market and all the work the committee did.

Commissioner Kent stated he was excited about the farmer' market and supported the idea but was disappointed that it was only on Thursday because he worked on Thursdays.

Commissioner Kelley stated he was concerned about the sale of local fish due to the possible conflict with Hull's Fish Market on Granada; in addition, he was concerned that problems with

smell or fish remains. He stated the staff memo stated that coastal communities usually had fish, but Flagler and Daytona do not have fish at their farmers’ markets.

Ric Goss, Planning Director, stated his research of farmers’ markets based on agriculture and coastal communities determined they had fish, although Daytona does not. He assured the Commission that if a problem arose with odor or remains there was a manager on premises to deal with it.

Commissioner Gillooly stated MainStreet wanted the farmers’ market to be a way for local merchants to showcase their products, such as Hull’s Fish Market.

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

Item #11 – Retail Water and Wastewater Service Agreement for Hunter’s Ridge

RESOLUTION NO. 2009-104
 A RESOLUTION AUTHORIZING THE EXECUTION OF A RETAIL WATER AND WASTEWATER SERVICE AGREEMENT FOR THE HUNTER’S RIDGE DEVELOPMENT IN FLAGLER COUNTY BETWEEN THE CITY AND FLAGLER COUNTY; SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kelley moved, Commissioner Partington seconded, for approval of Resolution No. 2009-104, 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(A) – Extension of the Solid Waste Collection and Disposal Contract

Mayor Costello stated he supported a ten percent increase, but for a 5 years period.

Assistant City Manager Ted MacLeod explained the contract was for a two-year extension, and Waste Management had stated they could not commit to a 5-year extension due to the uncertainties of the current economic times.

Mayor Costello stated the City had a five year agreement without the ten percent increase that could be pursued. He stated the email did give Waste Management sufficient notice. The Mayor stated he did not want to play hardball, and he wanted to give Waste Management the ten percent increase for a great job, but he was not ready to accept a two year extension instead of a five year extension. He stated the options were: the current contract could be fought out in the courts; accept the request for a ten percent increase with a two year contract, or direct staff to negotiate a ten percent increase to the current five year contract.

Commissioner Kelley suggested a two-year extension at ten percent with an additional three years at another ten percent, if they could justify an increase. He stated Waste Management had done a remarkable job, and he did not feel the courts were the way to resolve the issue. He pointed out Waste Management provided hundreds of thousands of dollars worth of trash containers, which the City did not have.

Commissioner Partington agreed with the Mayor for a ten percent increase for five years. He suggested Waste Management could come back to the Commission later with another increase request should there be extraordinary expenses.

Commissioner Kent stated Waste Management had done a great job. He stated he understood their concerns regarding the next five years, and he would hate to lose them as a vendor. He expressed he agree to ten percent for two years.

Commissioner Gillooly stated all of her involvement with Waste Management had been wonderful, and she wanted to state for the record that the memo did not mention the 5.5% increase in 2008. She stated staff notified Waste Management well in advance of the deadline in December. She stated she supported a ten percent increase for a five year contract.

John McGrath, 113 White Ibis, Daytona Beach, stated the contract was bilateral; therefore, the City could not decide this on their own, and the contract required mutual consent for any changes.

The City Attorney disagreed with that assessment.

Mr. McGrath stated that, obviously, that issue needed to be resolved because Waste Management considered it a bilateral agreement, and by mutual consent, Waste Management would extend. He stated under current terms and conditions, the City notifying Waste Management as to changes was not according to the contract, in their opinion.

Mayor Costello stated the City was very pleased with Waste Management and wanted them to get the ten percent increase but wanted it for five years. He suggested the City Attorney, Waste Management and their attorneys meet to resolve the issue.

Mr. McGrath stated he was willing to discuss a possible resolution.

The City Attorney stated he would look at the contract again regarding whether it was a unilateral or bilateral contract. He stated he would be willing to meet with Waste Management to negotiate a solution.

Mayor Costello stated should it be determined the contract was bilateral, he was not opposed to a two year contract; but if it was unilateral, he wanted to give Waste Management the ten percent increase for a five year contract.

Mr. MacLeod pointed out the current contract expired October 1, and should the current contract be allowed to expire, the City would need to send out a RFP for another vendor; therefore, the issue would be on the next agenda.

Item #12(B) – Water Authority of Volusia Update on Regionalization

Commissioner Kelley stated the Executive Board consists of six of the twelve members, but as of September 30, the membership will drop to nine. He stated the conservation and education program, which was a fabulous job and working well, will be handled by someone else next year. He stated he had hoped that being the county-wide enforcement arm for irrigation, would have pulled the members back that left, but the County changed the rules with WAV regarding what would be done. He stated that WAV accomplished a great deal, but the Board will recommend terminating WAV as of September 30. Commissioner Kelley stated something would be brought to the Commission at the first meeting in September for the Commission to officially accept the action.

Mayor Costello asked Commissioner Kelley to provide the accomplishments of WAV to be included in the ordinance to disband WAV.

Commissioner Kelley stated WAV was making the suggestion that Volusia Council of Governments (VCOG) have a separate committee for water because all local governments were members of VCOG. He stated the stormwater/canal projects could possibly pull all the entities together. He stated the sad part of this action was that the residents lost because WAV should have been the sole provider of water in the County, which would have been more efficient with no duplication of services.

Mayor Costello stated he was proud that the City created an independent water plant, but still worked toward a countywide partnership with the other governmental entities.

Commissioner Partington suggested the City's resolution include the City's desire to partner in the future.

Item #13 – Reports, Suggestions, Requests

Budget / Tax Rate

Commissioner Gillooly suggested the accomplishments of the previous year be posted on the website for citizens to see what their tax dollars are getting them. She stated, per her tax bill, she only paid \$.74 a day for the services provided by the City.

Commissioner Kelley stated citizens should not blame Ormond Beach for the increase on their tax bills, but look at the school board rate.

Water at Beach Approach

Commissioner Kent asked about the water used at the beach approach; if it was City water, and if the County paid for that water. He related a story about a citizen being told not to use the water at the beach approach to rinse the sand off his tires. He stated he contacted the County and was told the water wasn't for rinsing cars.

Mayor Costello suggested the City assure that citizens could rinse the sand off their tires at the beach approaches.

Public Works Board

Commissioner Kelley suggested a Public Works Board be formed comprised of local professionals to advise the City regarding all the contracts, specifically contracts for consultants, because the Public Works budget was the largest expenditure for the City.

Guide to Hotels and Motels

The City Manager stated the Guide to Hotels and Motels in Ormond Beach that was at their places was done by Ormond Beach MainStreet; she offered kudos to MainStreet.

Nova Canal Project

The City Manager stated the Nova Canal Project included a Joint Project Agreement for the East Volusia Water Study and would be on the August 18 meeting agenda. She stated the City's share of the cost was \$32,000. She explained that the contract would include language to assure that each entity that participated would have a voice in the project.

Future Agenda Items

City Manager Shanahan stated some future agenda items coming to the Commission were the record management system for police and the police dispatch system, both of which were through the Sheriff's office.

The City Manager stated she and Acting Fire Chief Irby had been meeting with other communities to consider regionalization. She explained the County had a new model for fire service delivery that required a difference in staffing fire stations, so the City needed to resolve details of the closest unit response. She stated the County may eliminate the requirement for that agreement. She stated the fire chiefs are working on the issue, and something would come to the Commission in the future.

Negotiating Engineering Contracts

Mr. MacLeod stated he did not want to leave the audience with the impression some people had on the Engineering contracts; that they were not scrutinized or the negotiating was done by novices. He stated he had almost 40 years experience in negotiating contracts. He explained by the time the Commission received the contracts, they were negotiated by staff engineers who did everything possible to reduce costs, and the contracts were at a good price for the City.

Water

Mayor Costello asked when the City's CUP (Consumptive Use Permit) expired; whereby, Mr. MacLeod explained the CUP was for 20 years, but a periodic update was required and was in progress now. He stated St. Johns River Water District Management had control, and the circumstances could change at anytime.

Mayor Costello explained he asked because he did not know how many communities had a twenty year CUP, and the City had worked very hard to get a twenty year CUP; therefore, he would like to have that information included in the information about WAV to show the City was willing to partner, even though the City did not need to partner.

Item #14 – Close the Meeting

The meeting was adjourned at 9:17 p.m.

APPROVED: August 5, 2009

BY: Fred Costello, Mayor

ATTEST:

Veronica Patterson, City Clerk