



**CITY OF ORMOND BEACH  
CITY COMMISSION MEETING**

JULY 20, 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 August Sorvillo, St. Mary's Episcopal Church.
- 3) Pledge of Allegiance.
  
- 4) ***ADOPTION OF FY 2010-2011 PROPOSED MILLAGE RATES:*** Resolution No. 2010-89 adopting proposed millage rates for the 2010-2011 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. **APPROVED A MILLAGE RATE OF 3.6536 MILLS.**
  
- 5) ***AUDIENCE REMARKS:***
  
- 6) ***APPROVAL OF THE MINUTES*** of the July 6, 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. 2010-90 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 Special Referendum Election to be held on Tuesday, August 24, 2010; authorizing the execution of a Memorandum of

Understanding for services and materials with the County of Volusia. (City Clerk)

**APPROVED**

- B) Resolution No. 2010-91 authorizing the acceptance of a grant award from the State of Florida, Office of the Attorney General, regarding funding for the City's Victim's Advocate program; authorizing the execution of all documents incidental thereto, including any contract necessary for the City to accept the grant award. (Police Chief/ Grants Coordinator) **APPROVED**
- C) Resolution No. 2010-92 authorizing the execution of an easement in favor of Florida Power & Light Company granting a 20.0 foot wide by 72.94 foot long easement for underground service at the South Ormond Neighborhood Center located at 176 Division Street. (Acting City Engineer) **APPROVED**
- D) Resolution No. 2010-93 authorizing the execution of a quitclaim deed in favor of Polymer Fabrication, Inc., a Florida corporation, transferring any phosphate, metals, minerals and petroleum rights the City may have retained in Lots 50 and 51 (6A and 6B, Tower Circle West) (Parcel ID Nos. 4218-02-00-0500 and 4218-02-00-0510) at the Airport Business Park, Phase II. (Economic Development Director) **APPROVED**
- E) Resolution No. 2010-94 authorizing the execution of a release of the Code Enforcement Board Order for code violations on property located at 113 Arlington Way (Parcel ID 4223-01-01-0040), Ormond Beach, Volusia County, Florida. **APPROVED**
- F) Resolution No. 2010-95 approving a settlement proposal regarding the Workers' Compensation claim of Johnny Bingham; authorizing the execution of a settlement agreement and any and all documents incidental thereto; authorizing payment relative thereto. (City Attorney) **APPROVED**
- G) Resolution No. 2010-96 authorizing the execution of a Liability Release and Waiver regarding Police Department and Fire Department training at 875 Sterthaus Drive (the former Memorial Hospital facility). (Fire Chief) **APPROVED**
- H) Resolution No. 2010-97 authorizing the execution of Change Order Number One (1) to that contract awarded to Masci General Contractors, Inc., regarding the Water Treatment Plant High Service Pump Variable Frequency Drive Conversion Project, by increasing the contract price by \$26,764.40; increasing the contract time by 190 days. (\$313,264.40 total project; 340 total days) (Utilities Manager) **APPROVED**
- I) Energy Efficiency and Conservation Block Grant eligible project list. (Planning Director)

DISPOSITION: Approve as recommended in City Manager memorandum dated July 15, 2010. **APPROVED**

- J) Florida League of Cities voting delegate to the Annual Conference.

DISPOSITION: Approve as recommended in City Manager memorandum dated July 15, 2010. **APPROVED**

K) Establishing guidelines for a volunteer program. (Human Resources Director)

DISPOSITION: Approve as recommended in City Manager memorandum dated July 15, 2010. **APPROVED**

8) **SECOND READING OF ORDINANCES:**

A) Ordinance No. 2010-36 amending Chapter 22, Water and Sewers, of the *Code of Ordinances* of the City of Ormond Beach, by amending Article I, Water, Division 1, Generally, by amending Section 22-19, Definition, and Article II, Sewers, Division 1, Generally, by adding Section 22-69, Definitions; providing definitions. (Finance Director) **APPROVED ON SECOND READING**

B) Ordinance No. 2010-37 relative to unsafe buildings; amending Chapter 8, Buildings and Construction Regulations, Article I, In General, of the City of Ormond Beach *Code of Ordinances*, by naming the previously reserved Section 8-4, "Unsafe Building Abatement" and by adding provisions for closing, repairing, and demolition of unsafe or unfit structures, notices and orders, emergency measures, liens, fines and enforcement, and appeals; by repealing Section 8-4.1, Elimination or Repair of Unsafe Buildings, and reserving said section number for future use. (Chief Building Official) **APPROVED ON SECOND READING**

9) **FIRST READING OF ORDINANCE** No. 2010-38 amending Chapter 8, Buildings and Construction Regulations, Article I, In General, Section 8-10, Application Processing Fees, Paragraph (P), Surface Water Management Plan, of the *Code of Ordinances* of the City of Ormond Beach, Florida, by establishing a fee schedule for offsite compensating storage. (Senior Planner) **APPROVED ON FIRST READING**

10) **RESOLUTIONS:**

A) Resolution No. 2010-98 of the City Commission of the City of Ormond Beach, Florida, authorizing the issuance of: (I) its Water and Sewer Revenue Bond, Series 2010A, in the principal amount of \$20,000,000 for the purpose of financing the construction and acquisition of certain additions, extensions and improvements to the water and sewer system of the City, and (II) its Water and Sewer Revenue Refunding Bond, Series 2010B, in the principal amount of \$2,800,000 for the purpose of currently refunding the City's outstanding Water and Sewer Refunding Revenue Bonds, Series 2000; determining certain details of said bonds; providing for the security of said bonds; awarding the sale of said bonds to the successful proposers for said bonds; appointing a paying agent and registrar for said bonds; authorizing proper officials to do all things deemed necessary in connection with the issuance, sale and delivery of said bonds; and providing an effective date. (Finance Director) **APPROVED**

B) Resolution No. 2010-99 accepting the bid of Brasfield & Gorrie, LLC, regarding construction services for the Wastewater Treatment Plant Rehabilitation and Expansion project, under Bid No. 2010-10; rejecting all other bids; authorizing the execution of a contract and payment thereunder. (\$18,940,000) (Acting City Engineer) **APPROVED**

C) Resolution No. 2010-100 authorizing the execution of a Second Amended Agreement between the City and Camp Dresser & McKee, Inc., regarding the Wastewater Treatment Plant Expansion project. (Not-to-exceed 1,426,401.80) (Acting City Engineer) **APPROVED**

D) Resolution No. 2010-101 approving an option agreement between the City of Ormond Beach and the Trust for Public Land for the purchase, sale and conveyance of that real property commonly located at 839 South Atlantic Avenue in the City of Ormond Beach, Florida; authorizing the execution of a purchase and sale agreement. (City Manager) **APPROVED**

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

12) **CLOSE THE MEETING.**