



CITY OF ORMOND BEACH CITY COMMISSION MEETING

SEPTEMBER 7, 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 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) **APPROVED**
  - 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) **APPROVED ON FIRST READING**
- 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) **APPROVED**
- 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). **APPROVED**
- 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. **APPROVED**
- 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) **APPROVED**
- 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) **APPROVED**
- 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) **APPROVED**
- 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) **APPROVED**
  - 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) **APPROVED**
- 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) **APPROVED**
- 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) **APPROVED**
- 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) **APPROVED**

- 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) **APPROVED**
- 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) **APPROVED**
- 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) **APPROVED**
- 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) **APPROVED**
- 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) **APPROVED**
  - 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) **APPROVED**
- P) Community Development Block Grant subrecipient agreement amendments. **APPROVED**

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

- Q) Completion of a railing project at the Nova Community Center skatecourt. **APPROVED**

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) **APPROVED ON FIRST 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. (Planning Director) **APPROVED ON FIRST 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, 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. (MacDonald's Property) (First Reading) **APPROVED ON 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) **APPROVED ON FIRST 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 FIRST 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 FIRST READING AS AMENDED TO REDUCE THE BENEFIT TO 3.28 BEGINNING JAN. 1, 2010 THROUGH DEC. 31, 2010.**

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) **APPROVED**
- 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) **APPROVED**
- 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. **APPROVED**
- 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. **APPROVED**

- 12) **STAFF ACTION ITEM:** Request by Volusia County for a determination by the City Commission regarding emergency transport services.  
**A letter will be sent to Volusia County informing them of the Commission's desire to assess the Fire Services study being done by the Civic League before making a determination regarding the transport issue.**

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

- 14) **CLOSE THE MEETING.**