



CITY OF ORMOND BEACH CITY COMMISSION MEETING

JULY 7, 2009

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.

A G E N D A

- 1) Meeting call to order by Mayor Costello.
- 2) Invocation by Reverend Doug Hautz, Alliance Community Church.
- 3) Pledge of Allegiance.
- 4) **PRESENTATIONS:**
 - A) Employee-of-the-quarter award to Edward Ray Back, Stormwater Maintenance.
 - B) Certificates of Appreciation to the members of the Development Review Board.
- 5) **AUDIENCE REMARKS:**
- 6) **APPROVAL OF THE MINUTES** of the June 16, 2009, 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. 2009-86 accepting a proposal from Camp, Dresser & McKee, Inc., for engineering services regarding a Stormwater Flooding Investigation Study; authorizing the execution of a Work Authorization and payment therefor. (Not to exceed \$49,690) (Acting City Engineer) **APPROVED**
 - B) Resolution No. 2009-87 accepting a proposal from Camp, Dresser & McKee, Inc., for engineering services regarding the preparation of grant applications for funding from FEMA; authorizing the execution of a Work Authorization and payment therefor. (Not to exceed \$48,100) (Acting City Engineer) **APPROVED**

- C) Resolution No. 2009-88 authorizing the execution of Change Order Number Two (2) to that contract awarded to Meadors Construction Company, Inc., regarding the Reuse System Storage and Pumping Facility project, by increasing the contract price by \$6,818; by increasing the contract time by 53 days. (\$3,092,078 total contract price; 391 total contract days) (Acting City Engineer) **APPROVED**
- D) Resolution No. 2009-89 authorizing the execution of a contract between the City of Ormond Beach and Hall Construction Company, Inc., regarding the construction of a Fire Sprinkler System at the Senior Center. (Not to exceed \$110,975) (Acting City Engineer) **APPROVED**
- E) Resolution No. 2009-90 authorizing the execution of a Unity of Title Agreement unifying parcels of real property owned by the City of Ormond Beach, said parcels being located at 500 and 501 North Orchard Street, Ormond Beach, Volusia County, Florida. (Planning Director) **APPROVED**
- F) Resolution No. 2009-91 authorizing the execution of a Water, Sewer and Annexation Agreement between the City and Daytona Land Development, LLC, a Florida limited liability company, for property located at 1175 North US Highway 1, Ormond Beach, Volusia County, Florida; providing for recordation. (Planning Director) **APPROVED**
- G) Resolution No. 2009-92 authorizing the execution of an Animal Housing Agreement between the City and Flagler Humane Society, Inc. (Police Chief) **APPROVED**
- H) Resolution No. 2009-93 authorizing the submittal of an on-line grant application in the amount of \$10,890 to the U.S. Department of Justice, Office of Justice Programs, under the Edward Byrne Justice Assistance Grant Program; authorizing the execution of all documents incidental thereto, including any contract necessary for the City to accept the grant award. (Ticket Writer Technology) (Police Chief) **APPROVED**
- I) Resolution No. 2009-94 authorizing the execution of a Lease Agreement between the City and Sunrise Aviation, Inc., regarding a fuel farm at the Ormond Beach Municipal Airport. (Airport Manager) **APPROVED**
- J) Reclaimed water refund policy. **APPROVED**

DISPOSITION: Approve as recommended in City Manager memorandum dated July 2, 2009.

- 8) **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, and denying canopy signage and canopy striping; ratifying and affirming the development order approved by Ordinance No. 2008-16; establishing conditions and expiration of approval. (First Reading) (Planning Director) **APPROVED ON FIRST READING**

9) **SECOND READING OF ORDINANCE** No. 2009-22 amending Chapter 22, Article II, Division 2, Sections 22-85 through 110, of the Code of Ordinances of the City of Ormond Beach, Florida, by adopting provisions regarding uniform requirements for direct and indirect contributions to the wastewater collection and treatment system; providing for administration, permits and enforcement penalties. (Utilities Manager) **APPROVED ON SECOND READING**

10) **FIRST READING OF ORDINANCES:**

A) Ordinance No. 2009-23 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; amending Section 16-47, Disability. (Multiplier) **PULLED FROM AGENDA**

B) Ordinance No. 2009-24 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; amending Section 16-47 Disability. (Early Retirement) **PULLED FROM AGENDA**

11) **RESOLUTIONS:**

A) Contract with Brown & Brown of Florida, Inc.

1) Resolution No. 2009-95(A) authorizing the approval execution of a contract with Brown & Brown of Florida, Inc., regarding employee benefits consulting services under City of Daytona Beach RFP Number 1108-1650. (Not-to-exceed \$75,000) (Acting Human Resources Director) **DENIED**

2) Resolution No. 2009-95(B) authorizing the approval and execution of a contract with Brown & Brown of Florida, Inc., regarding an employee benefits agent of record under City of Edgewater RFQ Number 07-OGS-05. (Acting Human Resources Director) **APPROVED**

B) Resolution No. 2009-96 authorizing the submittal of an on-line grant application to the U.S. Department of Homeland Security, under the American Recovery and Reinvestment Act, Assistance to Firefighters grant program for funding assistance regarding the construction of a new fire station 94; authorizing the execution of all documents incidental thereto. (\$1.5 million) (Acting Fire Chief) **APPROVED**

C) River Bend Golf Course:

1) Resolution No. 2009-97 authorizing the execution of an amended and restated Ground Lease Agreement between the City and River Bend Management Group of Florida, LLC. (City Attorney) **APPROVED**

2) Resolution No. 2009-98 authorizing the execution of a settlement agreement between the City and Harold Layman and River Bend Management Group of Florida, LLC. (City Attorney) **APPROVED**

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

13) **CLOSE THE MEETING.**