



**CITY OF ORMOND BEACH
CITY COMMISSION MEETING**

OCTOBER 20, 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.
- 3) Pledge of Allegiance.
- 4) **AUDIENCE REMARKS:**
- 5) **APPROVAL OF THE MINUTES** of the October 6, 2009, meeting.
- 6) **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. 2009-173 authorizing the execution of a lease agreement between the City of Ormond Beach and Prosperity Bank for the use of office space as a Police Department substation. (\$1 Annually) (Police Chief) **APPROVED**
 - B) Resolution No. 2009-174 authorizing and ratifying the execution of a distribution letter between the City and the County of Volusia regarding funding assistance for a "Tutors R Us" program and the South Ormond Neighborhood Center; authorizing the execution of all documents incidental thereto, including any contract necessary for the City to accept the grant award. (Federal Edward Byrne Memorial Justice Assistance Grant Program - \$15,075 funding). (Grants Coordinator) **APPROVED**
 - C) Resolution No. 2009-175 accepting the proposal of Penn Credit Corporation regarding debt collection services; authorizing the execution of an agreement and payment therefore; rejecting all other proposals. (Finance Director) **APPROVED**

- D) Resolution No. 2009-176 of the City of Ormond Beach, Florida, supporting actions by the Florida Department of Environmental Protection and the Environmental Regulation Commission to consider reasonable, science-based amendments to the designated uses and classification system of surface water bodies while protecting the quality of Florida's waters. (Utility Manager) **APPROVED**
- E) Resolution No. 2009-177 authorizing the acceptance of a public utility easement deed from Odyssey (IX) DP II, LLC, owners of the Ormond Mall located at 1248 Ocean Shore Boulevard, Ormond Beach, Florida (Parcel ID #3234-11-01-0120). (Utility Manager) **APPROVED**
- F) Resolution No. 2009-178 authorizing additional improvements for the Wastewater Treatment Plant Rehabilitation Project. (\$33,171.97) (Utilities Manager) **APPROVED**
- G) St. Johns River Water Management District conservation program. (Utilities Manager) **APPROVED**

DISPOSITION: Approve as recommended in City Manager memorandum dated October 15, 2009.

- 7) **PUBLIC HEARING:** Ordinance No. 2009-37 authorizing the execution and issuance of the Fifth Amended Development Order for the "Wal-Mart Supercenter" Planned Business Development to allow a waiver of 89 parking spaces for internal parking lot improvements; establishing conditions and expiration of approval. **APPROVED ON FIRST READING**

8) **FIRST READING OF ORDINANCES:**

- A) Ordinance No. 2009-38 deleting Section 2-216, Development Review Board, of Article VI, Boards, Commissions, Committees and Other Agencies, of Chapter 2, Administration; of the Code of Ordinances; amending Section 2-217 Historic Landmark Preservation Boards, of Article VI, Boards, Commissions, Committees and Other Agencies, of Chapter 2, Administration, of the Code of Ordinances by deleting current provisions and adding a reference to the Land Development Code. **APPROVED ON FIRST READING**

B) Advisory board terms of office:

- 1) Ordinance No. 2009-39 amending Chapter 2, Administration, Article VI, Boards, Commissions, Committees and Other Agencies, of the Code of Ordinances, Section 2-214, Human Resources Board, by amending terms of office of members. **APPROVED ON FIRST READING**
- 2) Ordinance No. 2009-40 amending Chapter 2, Administration, Article VI, Boards, Commissions, Committees and Other Agencies, of the Code of Ordinances, Section 2-218, Neighborhood Improvement Advisory Board, by amending terms of office of members. **APPROVED ON FIRST READING**

- 3) Ordinance No. 2009-41 amending Chapter 2, Administration, Article VI, Boards, Commissions, Committees and Other Agencies, of the Code of Ordinances, Section 2-220, Aviation Advisory Board, by amending terms of office of members. **APPROVED ON FIRST READING**
- 4) Ordinance No. 2009-42 amending Chapter 2, Administration, Article VI, Boards, Commissions, Committees and Other Agencies, of the Code of Ordinances, Section 2-221, Leisure Services Advisory Board, by amending terms of office of members. **APPROVED ON FIRST READING**
- 5) Ordinance No. 2009-43 amending Chapter 2, Administration, Article VI, Boards, Commissions, Committees and Other Agencies, of the Code of Ordinances, Section 2-223, Citizens' Law Enforcement Advisory Board, by amending terms of office of members. **APPROVED ON FIRST READING**
- 6) Ordinance No. 2009-44 amending Chapter 2, Administration, Article VI, Boards, Commissions, Committees and Other Agencies, of the Code of Ordinances, Section 2-224, Quality of Life Advisory Board, by amending terms of office of members. **APPROVED ON FIRST READING**
- 7) Ordinance No. 2009-45 amending Chapter 2, Administration, Article VI, Boards, Commissions, Committees and Other Agencies, of the Code of Ordinances, Section 2-225, Environmental Advisory Board, by amending terms of office of members. **APPROVED ON FIRST READING**
- 8) Ordinance No. 2009-46 amending Chapter 2, Administration, Article VI, Boards, Commissions, Committees and Other Agencies, of the Code of Ordinances, Section 2-226, Budget Advisory Board, by amending terms of office of members. **APPROVED ON FIRST READING**
- 9) Ordinance No. 2009-47 amending Chapter 2, Administration, Article VI, Boards, Commissions, Committees and Other Agencies, of the Code of Ordinances, Section 2-227, Goodwill Ambassador Program, by amending terms of office of members. **APPROVED ON FIRST READING**
- 10) Ordinance No. 2009-48 amending Chapter 1, General Administration, Article II, Administration and Enforcement, of the Land Development Code, Section 1-15, Planning Board, by amending terms of office of members. **APPROVED ON FIRST READING**
- 11) Ordinance No. 2009-49 amending Chapter 1, General Administration, Article II, Administration and Enforcement, of the Land Development Code, Section 1-16, Board of Adjustment and Appeals, by amending terms of office of members. **APPROVED ON FIRST READING**
- 12) Ordinance No. 2009-50 amending Chapter 1, General Administration, Article II, Administration and Enforcement, of the Land Development Code, Section 1-17, Historic Landmark Preservation Board, by amending terms of office of members. **APPROVED ON FIRST READING**

- C) Ordinance No. 2009-51 repealing Section 2-209, Sunset Review of Boards and Committees, of Division 1, Generally, of Article VI, Boards, Commissions, Committees and Other Agencies, of Chapter 2, Administration, of the Code of Ordinances of the City of Ormond Beach. **APPROVED ON FIRST READING**
- D) Ordinance No. 2009-52 amending of the City of Ormond Beach, Florida, amending Article V, Stormwater Drainage Utility, of Chapter 22, Water and Sewers, of the Code of Ordinances; amending Section 22-153, Definitions; amending Section 22-158, Utility Fee Established; changing title to Section 22-159, to "Stormwater Pollution Prevention," and amending Section 22-159; Amending Section 22-160, Stormwater Management Fund; amending Section 22-161, Stormwater Drainage Utility Fee Collection; adopting provisions providing for administration and establishing terms and conditions thereof; providing for enforcement; providing for severability; providing for conflicting ordinances; and providing for an effective date. **APPROVED ON FIRST READING**
- 9) **DISCUSSION ITEM:** Acquisition of downtown parking lot at 190 Coquina Court. **Discussion resulted in the decision not to purchase or lease the property at this time.**
- 10) **REPORTS, SUGGESTIONS, REQUESTS:** Mayor, City Commission, City Manager, City Attorney.
- 11) **CLOSE THE MEETING.**