



**CITY OF ORMOND BEACH
CITY COMMISSION MEETING**

DECEMBER 15, 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 Rabbi Jerry Miller, Beth Judah Messianic Congregation.
- 3) Pledge of Allegiance.

- 4) **PRESENTATIONS:** Volusia Council of Governments.

- 5) **AUDIENCE REMARKS:**

- 6) **APPROVAL OF THE MINUTES** of the December 1, 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. 2009-205 authorizing the execution of an Event Specific Operational Assistance Mutual Aid Agreement with the City of Daytona Beach, the Volusia County Sheriff's Office, and participating agencies. (Police Chief) **APPROVED**

 - B) Resolution No. 2009-206 accepting the bid of AAA Fence Company of Daytona Beach, Inc., regarding the Southwest Quad Perimeter Fencing project at the Ormond Beach Municipal Airport; authorizing the execution of an agreement and payment therefore; rejecting all other bids. (100% FDOT grant - \$28,490) (Airport Manager) **APPROVED**

 - C) Resolution No. 2009-207 accepting the proposal of Wilbur Smith Associates, Inc., regarding the preparation of an Energy Strategy and Plan (RFP 2009-20); authorizing

the execution of an agreement; rejecting all other proposals. (100% Energy Efficiency and Conservation Strategy Block Grant - \$48,900) (Planning Director) **APPROVED**

D) Resolution No. 2009-208 authorizing the submittal of a grant application to the Florida Department of Homeland Security under the Staffing Adequate Fire and Emergency Response (SAFER) grant program for assistance relative to funding two firefighter positions; authorizing the execution of all documents incidental thereto, including any contract necessary for the City to accept the grant award. (\$112,000 maximum funding) (Fire Chief / Grants Coordinator) **APPROVED**

E) Letter of Support for the Halifax Heritage Byway Corridor Advocacy Group.

DISPOSITION: Approve as recommended in City Manager memorandum dated December 10, 2009. **APPROVED**

F) Proposed Amendment to the Daytona Chamber of Commerce (Business Development Partnership) service contract.

DISPOSITION: Approve as recommended by City Manager Memorandum dated December 10, 2009. **APPROVED**

G) Community Development Block Grant (CDBG) – FY 2009-2010.

DISPOSITION: Approve as recommended in City Manager memorandum dated December 10, 2009. **APPROVED**

8) **PUBLIC HEARINGS:**

A) Resolution No. 2009-209 of the City Commission of the City of Ormond Beach, Florida, declaring an intent to amend the Comprehensive Plan based upon recommendations contained in the final Evaluation and Appraisal Report; authorizing transmittal. (Planning Director) **APPROVED**

B) Resolution No. 2009-210 authorizing the execution of a nonexclusive franchise agreement between the City and Sunshine Recycling, Inc., regarding the collection of construction and demolition debris. (Public Works Operations Manager) **APPROVED**

9) **SECOND READING OF ORDINANCES:**

A) Ordinance No. 2009-58 of the City of Ormond Beach, Florida, making determinations regarding the height of an existing building and the proposed building located at 51 South Atlantic Avenue, known as the Royal Floridian Condominium, and 53 South Atlantic Avenue, known as the Royal Floridian South Condominium, granting certain vested rights relative thereto. (Planning Director) **APPROVED ON SECOND READING**

- B) Ordinance No. 2009-59 of the City of Ormond Beach, Florida, making determinations regarding the height of an existing 95 unit building located at 89 South Atlantic Avenue, known as 89 Oceanfront Condominiums, granting certain vested rights relative thereto. (Planning Director) **APPROVED ON SECOND READING**
- C) Ordinance No. 2009-60 of the City of Ormond Beach, Florida, making determinations regarding the height of an existing 21 unit building located at 99 South Atlantic Avenue (Parcel No. 4214-28-00-2500), known as Oceanside 99 Condominium; granting certain vested rights relative thereto. (Planning Director) **APPROVED ON SECOND READING**
- D) Ordinance No. 2009-61 of the City of Ormond Beach, Florida, making determinations regarding the height of an existing 53 unit building located at 111 South Atlantic Avenue, known as Atlantis Condominium; granting certain vested rights relative thereto. (Planning Director) **APPROVED ON SECOND READING**
- E) Ordinance No. 2009-62 of the City of Ormond Beach, Florida, making determinations regarding the height of an existing 56 unit building located at 395 South Atlantic Avenue, known as Tidesfall Condominium; granting certain vested rights relative thereto. (Planning Director) **APPROVED ON SECOND READING**
- F) Ordinance No. 2009-63 of the City of Ormond Beach, Florida, making determinations regarding the height of two existing buildings containing 42 units located at 591 South Atlantic Avenue, known as Tropic Sun Towers Condominium; granting certain vested rights relative thereto. (Planning Director) **APPROVED ON SECOND READING**
- G) Ordinance No. 2009-64 of the City of Ormond Beach, Florida, making determinations regarding the height of an existing 104 unit building located at 759 South Atlantic Avenue, known as Georgian Inn Beach Club; granting certain vested rights relative thereto. (Planning Director) **APPROVED ON SECOND READING**
- H) Ordinance No. 2009-65 of the City of Ormond Beach, Florida, making determinations regarding the height of an existing 27 unit building located at 901 South Atlantic Avenue, known as Aliki Atrium Condominium; granting certain vested rights relative thereto. (Planning Director) **APPROVED ON SECOND READING**
- I) Ordinance No. 2009-66 of the City of Ormond Beach, Florida, making determinations regarding the height of an existing 156 unit building located at One John Anderson Drive, known as the Ormond Heritage Condominium; granting certain vested rights relative thereto. (Planning Director) **APPROVED ON SECOND READING**
- J) Ordinance No. 2009-67 of the City of Ormond Beach, Florida, making determinations regarding the height of an existing building located at 875 Sterthaus Drive (Parcel No. 4241-01-05-0070), and formerly known as the Ormond Memorial Hospital; granting certain vested rights relative thereto. **APPROVED ON SECOND READING**

10) **FIRST READING OF ORDINANCE** No. 2009-68 amending Division 3, Purchasing, of Article IX, Financial Matters, of Chapter 2, Administration, of the Code of Ordinances, by

creating Section 2-304, Local Vendor Preference Program; providing conditions and exemptions therefrom. (Finance Director) **APPROVED ON FIRST READING**

11) ***DISCUSSION ITEMS:***

- A) Timing of the annexation of a Volusia County project known as Imperial Foam located at 2360 Old Tomoka Road. (Planning Director)

The Commission directed staff to work with the developer to attempt to resolve any issues to clear the way for annexation.

- B) Aircraft Noise Abatement Task Force Report and Recommendations. (Airport Manager) (Audience members will be allowed to speak.)

The Commission accepted the Task Force Report and Recommendations.

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

13) ***CLOSE THE MEETING.***