



## CITY OF ORMOND BEACH CITY COMMISSION MEETING

JUNE 16, 2009

ACTION REPORT

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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### A G E N D A

- 1) Meeting call to order by Mayor Costello.
- 2) Invocation.
- 3) Pledge of Allegiance.
- 4) **PRESENTATIONS:** Proclamation in honor of Gregory Berry, National PAL "Male Youth of the Year."
- 5) **AUDIENCE REMARKS:**
- 6) **APPROVAL OF THE MINUTES** of the May 26, 2009, special City Commission meeting and the June 2, 2009, regular City Commission 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. 2009-77 terminating a contract for sale and purchase between the City and Florida Commercenters, LLC, on behalf of Ormond Beach Airport Industrial, LLC, for the conveyance of Lots 3 and 4, Tower Circle Extension, Phase II, Airport Business Park; authorizing the execution of a termination agreement. (Economic Development Director) **APPROVED.**
  - B) Resolution No. 2009-82 authorizing and ratifying the execution of a distribution letter between the City and the County of Volusia regarding funding assistance for a Teen Scene program at the Ormond Beach Middle School; authorizing the execution of all documents incidental thereto, including any contract necessary for the City to accept

the grant award. (Justice Assistance Grant - \$12,307) (Grants Coordinator) **APPROVED.**

- C) FY 2008-2009 budget results for the General Fund and the Water/Wastewater Fund. (Finance Director) **APPROVED.**

DISPOSITION: Approve as recommended in City Manager memorandum dated June 11, 2009.

8) **PUBLIC HEARINGS:**

- A) Resolution No. 2009-79 of the City Commission, also acting as the Community Redevelopment Agency, of the City of Ormond Beach, Florida, authorizing the execution of a Property Improvement Grant Agreement between the Agency and Bart A. Beninati. (73 W. Granada - \$6,075) (Planning Director) **APPROVED.**
- B) Resolution No. 2009-83 authorizing the execution and issuance of a first amended Special Exception Redevelopment Plan Development Order for "Thirty-one on the Boulevard," for that portion of the project located at 43 West Granada Boulevard, said property being within the B-4 (Central Business) zoning district and Downtown Overlay District; ratifying and affirming the Development Order; establishing conditions and expiration date of approval. (Planning Director) **APPROVED.**
- C) 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 located at 1670 West Granada Boulevard, modifying the Development Order. (First Reading) (Planning Director) **(CONTINUED TO JULY 7, 2009 MEETING)**
- D) Ordinance No. 2009-20 adopting certain amendments to the Conservation Element, Coastal Management Element, Cultural Affairs Element, Recreation and Open Space Element, and Intergovernmental Coordination Element of the City of Ormond Beach Comprehensive Plan; providing when such amendments shall take effect. (1<sup>st</sup> Cycle 2009) (Second Reading) (Planning Director) **APPROVED ON SECOND READING.**

- 9) **FIRST 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 FIRST READING.**

10) **RESOLUTIONS:**

- A) Resolution No. 2009-84 a resolution of the City Commission, also acting as the Community Redevelopment Agency, of the City of Ormond Beach, Florida, authorizing execution of a Program Agreement between the Agency and the Ormond Memorial Art

Museum, Inc., regarding a war memorial tribute for Memorial Gardens. (\$50,000)  
(Planning Director) **APPROVED.**

B) Resolution No. 2009-85 appointing a member to serve on the Aircraft Noise Abatement Task Force; establishing terms and conditions of approval. (Airport Manager)  
**APPROVED.**

11) ***DISCUSSION ITEMS:***

A) Real estate brokerage commission program. (Economic Development Director)  
**APPROVED WITH A 5% COMMISSION RATE.**

B) Low flow toilet rebate program. (Finance Director)  
**APPROVED.**

C) ~~SR40 (Granada Boulevard) downtown landscaped medians.~~  
**PULLED FROM AGENDA PRIOR TO MEETING.**

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

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