

**ORMOND BEACH CITY COMMISSION MEETING  
HELD AT CITY HALL COMMISSION CHAMBERS**

**May 21, 2008                      7:00 p.m.**

Present were: Mayor Fred Costello, Lori Gillooly, Troy Kent, Ed Kelley, and Bill Partington, City Manager Isaac Turner, Assistant City Manager Ted MacLeod, City Attorney Randal Hayes, and City Clerk Veronica Patterson.

**A G E N D A**

- 1) Meeting call to order by Mayor Costello.
- 2) Invocation by Rabbi David Kane, Congregation Bnai Torah.
- 3) Pledge of Allegiance.
- 4) **AUDIENCE REMARKS:**
- 5) **APPROVAL OF THE MINUTES** of the May 6, 2008, meeting.
- 6) **INTERGOVERNMENTAL REPORTS:**
  - A) Metropolitan Planning Organization
  - B) Volusia Council of Governments
  - C) Water Authority of Volusia
- 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. 2008-104 pursuant to Section 2-258(a), City of Ormond Beach Code of Ordinances, declaring the real property located at 84 Black Hickory Way to be a continued serious threat to the public health, safety and welfare; authorizing the City to make all reasonable repairs required to bring the property into compliance; authorizing the reasonable cost of said repairs to be charged against the violator. (Estimated to be less than \$100)
  - B) Resolution No. 2008-105 renewing the 2007 maintenance agreement between the City and Bristol, Inc., regarding equipment that allows for the remote control and monitoring of various wells, lift stations and operations at the water and wastewater treatment plants; authorizing an increase in compensation to be paid to Bristol, Inc.; accepting Bristol's \$200,000 limitation of liability and self insurance. (Annual cost of \$8,068)
  - C) Resolution No. 2008-106 authorizing a five percent increase in compensation to be paid to the Volusia County Sheriff's Office for the provision of fire dispatch services provided pursuant to an agreement between the City of Ormond Beach, the Volusia County Sheriff's Office, and the County of Volusia. (\$5,000)
  - D) Resolution No. 2008-107 authorizing a five percent increase in compensation to be paid to the Volusia County Sheriff's Office for the provision of police dispatch services provided pursuant to an agreement between the City of Ormond Beach, the Volusia County Sheriff's Office, and the County of Volusia. (\$18,585)
  - E) Proposal for the operation of the Performing Arts Center.

DISPOSITION: Approve as recommended in City Manager memorandum dated May 15, 2008.
  - F) Proposal for the operation of the Gymnastics Center.

DISPOSITION: Approve as recommended in City Manager memorandum dated May 15, 2008.
  - G) Proposal for the operation of The Casements.

DISPOSITION: Approve as recommended in City Manager memorandum dated May 15, 2008.

H) FY 2007-2008 budget results for the General Fund and the Water/Wastewater Fund.

DISPOSITION: Approve as recommended in City Manager memorandum dated May 15, 2008.

8) **PUBLIC HEARINGS:**

- A) Ordinance No. 2008-03 amending the zoning map of the City of Ormond Beach by rezoning a 2.8 acre parcel of real property located at 950 North Highway US1 from B-8 (Commercial) with a Planned Business Development Overlay to PBD (Planned Business Development); approving the execution and issuance of the Third Amended Development Order regarding the “River Grille” restaurant; authorizing live performers under specific conditions; ratifying and affirming the previous Development Order and establishing conditions therefor. (Second Reading)
- B) Ordinance No. 2008-24 amending Paragraph C, Official Zoning Map, of Section 2-01, Establishment of Zoning Districts and Official Zoning Map, of Article I, Establishment of Zoning Districts and Official Zoning Map, of Chapter 2, District and General Regulations, of the *Land Development Code* by amending the official zoning map to rezone certain real property totaling 0.768 acres located at 1110 John Anderson Drive from Volusia County R-3 (Urban Single-Family Residential) to Ormond Beach R-2 (Single-Family Low Density); authorizing revision of the official zoning map. (First and Only Reading)

9) **FIRST READING OF ORDINANCES:**

- A) Ordinance No. 2008-17 amending Subsection A, Zoning Map, of Section 2-03, Official Zoning Map and Zoning District, of Article I, Establishment of Zoning Districts and Official Zoning Map, of the *Land Development Code*, by amending the Official Zoning Map to rezone certain real property totaling 0.126 acres located at 245 Palm Place from B-4 (General Commercial) to NP (Neighborhood Preservation); authorizing revision of the official zoning map.
- B) Ordinance No. 2008-25 relative to school concurrency by amending the following chapters of the City of Ormond Beach *Land Development Code*: Chapter 1, General Administration, Article III, Definitions and Acronyms, Section 1-22, Definition of Terms and Words, by amending and adding various definitions, by amending Chapter 1, General Administration, Article V, Concurrency Management, Sections 1-29, Purpose and Intent, through 1-32, Criteria for Determining Capacity.
- C) Ordinance No. 2008-26 amending Section 7.01, Maximum Height Limits, of Article VII, Building Height Limits and Restrictions, of the Charter of the City of Ormond Beach, Florida, establishing an exception for multi-family and non-residential buildings taller than seventy-five (75) feet that existed on November 14, 2006, and development orders that received final development approval before November 14, 2006, for the construction of multi-family and non-residential buildings over seventy-five (75) feet in height; allowing those buildings to be maintained, repaired, constructed and reconstructed; protecting vested rights of landowners; providing for and calling a Special Referendum Election of the registered electors of the City of Ormond Beach, Florida, to be held November 4, 2008.

10) **RESOLUTIONS:**

- A) State Revolving Fund Loan – Adoption of the 2007 Wastewater Facility Plan and Capital Finance Plan:
  - 1) Resolution No. 2008-108 approving a Wastewater Facility Plan (2007) relating to the Florida Department of Environmental Protection State Revolving Fund Loan Program; providing for the implementation of various wastewater system expansion and improvement projects, including collection, treatment, and reclaimed water distribution systems, and Wastewater Treatment Plant expansion.
  - 2) Resolution No. 2008-109 approving a Capital Financing Plan pertaining to the Florida Department of Environmental Protection State Revolving Fund Loan Program for funding of various improvements to the Wastewater Treatment Plant, including wastewater collection, treatment, and reclaimed water distribution system projects; authorizing the execution of all documents pertaining to the approval and certification of the plan. (\$11,778,000 at 2.7%)

- B) Resolution No. 2008-110 authorizing the sole source procurement of professional services from the Council on Aging of Volusia County, Inc., for management and operation of the Ormond Beach Senior Center; accepting the Council on Aging of Volusia County's non-rated Workers' Compensation insurer; accepting the Council on Aging of Volusia County, Inc.'s, certificates of insurance which require forty-five (45) days prior written notice of cancellation, non-renewal or change and ten (10) days prior written notice of cancellation or non-renewal due to non-payment of premium; authorizing the execution of an agreement and payment therefor. (\$30,000 annual contribution to Council on Aging; estimated \$61,500 reduction in subsidy)
- C) Resolution No. 2008-111 supporting the Central Florida Commuter Rail Project.

11) **DISCUSSION ITEMS:**

- A) Request for approval of an electronic message center sign at Destination Daytona.
- B) Reconsideration of the tennis center agreement.
- C) Update on other proposed budget reductions for FY 2008-2009.
  - 1) Fiscal Year 2008-2009 position reductions.
  - 2) Update on the proposed early retirement plan.
- D) Update on the municipal airport.

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

13) **CLOSE THE MEETING.**

Item #1 - Call to Order

Mayor Costello called the meeting to order at 7:00 p.m.

Mayor Costello introduced those on the dais and Fire Chief Barry Baker, who was greeting citizens coming into the meeting.

Item #2 - Invocation

Mr. Isaac Turner, City Manager, gave the invocation.

Item #3 - Pledge of Allegiance

Mayor Costello led in the Pledge of Allegiance.

Moving an Agenda Item

Mayor Costello advised due to the number of people present to discuss Item #11(B), without objection from the Commission, he would hear Item #11(B) after the Consent Agenda items and before the public hearings. He explained that normally the Commission would not allow input from the audience on discussion items; however, since the Commission may take action, he will rule that audience comments may be heard on this item tonight.

Item #4 - Audience Remarks

Mayor Costello noted there were no cards from anyone wishing to offer comments.

Item #5 - Approval of Minutes

Mayor Costello advised the minutes of the May 6, 2008, meeting had been sent to the Commissioners for review and asked if there were any corrections, additions, or omissions.

Mayor Costello stated that the minutes were approved as submitted.

Item #6(A) – Metropolitan Planning Organization

Mayor Costello reported the Metropolitan Planning Organization (MPO) has not met since the City Commission last met.

Item #6(B) – Volusia Council of Governments

Mayor Costello reported the Smart Growth Committee of the Volusia Council of Governments (VCOG) has met, and he has been keeping the Commission updated. He advised he was serving on the Volusia County Association for Responsible Development (VCARD), and they were working on green development standards to present to the County Council after which each City would decide whether they wish to adopt those green standards. Mayor Costello reported VCOG was asked to respond to the *News-Journal* position on the Taxation Budget Reform Commission recommendations.

Item #6(C) - Water Authority of Volusia

Mayor Costello advised that Commissioner Kelley would provide the WAV report when he arrives.

Item #7 - Consent Agenda

Mayor Costello advised that the action proposed for each item on the Consent Agenda was so stated on the agenda. He asked if any member of the Commission had questions or wished to discuss any one or more of the items separately.

Mayor Costello stated that he was asked to pull Items No. 7(E) and 7(G) for discussion.

Commissioner Kent requested removing Item Nos. 7(C) and 7(D) for discussion.

**Commissioner Partington moved, seconded by Commissioner Gillooly, for approval of the Consent Agenda, minus Item Nos. 7(C), 7(D), 7(E) and 7(G).**

Call Vote:	Commissioner Gillooly	yes
	Commissioner Kent	yes
	Commissioner Partington	yes
Carried.	Mayor Costello	yes

Item #7(C) – Fire Dispatch Services

RESOLUTION NO. 2008-106

A RESOLUTION AUTHORIZING A FIVE PERCENT INCREASE IN COMPENSATION TO BE PAID TO THE VOLUSIA COUNTY SHERIFF'S OFFICE FOR THE PROVISION OF FIRE DISPATCH SERVICES PROVIDED PURSUANT TO AN AGREEMENT BETWEEN THE CITY OF ORMOND BEACH, THE VOLUSIA COUNTY SHERIFF'S OFFICE, AND THE COUNTY OF VOLUSIA.; AND SETTING FORTH AN EFFECTIVE DATE.

**Commissioner Partington moved, seconded by Commissioner Gillooly, to approve Resolution No. 2008-106, as read by title only.**

Commissioner Kent requested an explanation as to why this \$23,585 increase was necessary.

Police Chief Michael Longfellow stated the contract indicated that cost could increase up to 5% this year based on the Sheriff's office cost. He reported the Sheriff's office increased personnel 5.25% this year.

Mayor Costello stated costs actually increased 18.5% overall, but the individual communications officers increased 5.25%. He stated the health insurance and pension costs were a factor in the increase.

Commissioner Gillooly stated health insurance was the highest amount at 10%.

Mayor Costello stated that when Ormond Beach and other cities were brought in, employees were added. He noted at some time in the future there would be a prorated charge based on the calls. Mayor Costello pointed out this would still save the City six figures each year, and the officers' survey responses were outstanding.

Commissioner Kent reported he had more comfort after hearing this explanation, but the 5% increase was requested immediately, which seemed to be a warning.

Mr. Turner stated staff should have provided more detail, but he assured the Commission the City was still saving money, and the quality of the service was even better than anticipated. He noted the City would soon be obtaining the report writing software that would allow information from an officer in the field to go directly into the system, saving the City several hundreds of thousands of dollars.

Call Vote:	Commissioner Kent	yes
	Commissioner Partington	yes
	Commissioner Gillooly	yes
Carried.	Mayor Costello	yes

Item #7(D) – Police Dispatch Services

RESOLUTION NO. 2008-107

A RESOLUTION AUTHORIZING A FIVE PERCENT INCREASE IN COMPENSATION TO BE PAID TO THE VOLUSIA COUNTY SHERIFF'S OFFICE FOR THE PROVISION OF POLICE DISPATCH SERVICES PROVIDED PURSUANT TO AN AGREEMENT BETWEEN THE CITY OF ORMOND BEACH, THE VOLUSIA COUNTY SHERIFF'S OFFICE, AND THE COUNTY OF VOLUSIA; AND SETTING FORTH AN EFFECTIVE DATE.

**Commissioner Kent moved, seconded by Commissioner Partington, to approve Resolution No. 2008-107, as read by title only.**

Call Vote:	Commissioner Partington	yes
	Commissioner Gillooly	yes
	Commissioner Kent	yes
Carried.	Mayor Costello	yes

Item #7(E) – Operation of the Performing Arts Center

Mayor Costello explained the Performing Arts Center was projected to save \$120,000, gymnastics \$66,000, The Casements \$130,000, and the Senior Center \$61,500; and depending on what would be done with the tennis facility, it would be saving \$111,942, totaling \$489,442. He noted due to the tax reform, money must be found in various places. Mayor Costello pointed out last year's cuts did not impact the residents to a great extent, but additional cuts were needed this year, and the easy cuts have already been made.

Mr. Turner stated he heard a myriad of explanations as to what people believed would occur relative to the Leisure Services contracts, and not many were accurate. He noted Mr. Abee and his staff took it as a challenge to reduce costs while providing a high level and high quality of services. Mr. Turner advised the facilities' doors would not be closed. He explained proposals were sought to perform the same level of service, or close to that same level of service, at a less expensive cost. Mr. Turner pointed out since 71% of the costs were personnel, personnel had to be affected. He reported he appreciated the kind comments relative to staff members; however, costs must be cut, and more cuts for tax reform would probably be needed next year as well.

Mayor Costello stated Mr. Abee was doing an outstanding job. He explained in fiscal year 2004/05, \$480,000 was cut out of employee costs; in 2005/06 \$270,000 was cut; in 2006/07 \$172,000 was cut; in 2007/08 \$1,252,000 was cut; and in 2008/09 \$301,000 were Leisure Services reductions and \$586,000 were non-Leisure Services personnel. Mayor Costello stated the City was doing everything possible to give the residents significant tax relief without cutting important programs that are valuable to everyone.

Mr. David Abee, Leisure Services Director, reported staff has been examining the budget for years trying to reduce the budget while maintaining the quality of life for the residents. He reported the Budget Advisory Board provided recommendations to reduce the Leisure Services operations, and request for proposals (RFP) were sent for gymnastics, the Performing Arts Center, the tennis center, The Casements, and the Senior Center. Mr. Abee reported while this was very difficult for staff, he appreciate the opportunity to examine these items to make cuts to reduce the budget.

Mr. Alan Burton, 915 Oceanshore Boulevard, stated there was no reference to the bond issue in the late 1980s for the Performing Arts Center and Senior Center. He questioned what the bond issue authorized the City to do and what management and operation issues were contained upon passage of the referendum approved by the voters of Ormond Beach. Mr. Burton urged

the Commission to review the relationship between the bonding authority and the proposed public policy action as any part of a staff analysis.

Mayor Costello stated unless the City Attorney informed the Commission their actions were not legal, he would assume the actions to be legal. He reported the City would be reorganizing the management of the entities, but not removing them.

Mr. Turner stated these were responses to RFPs, and they would be included in the proposed budget.

**Commissioner Partington moved, seconded by Commissioner Kent, to approve the implementation of the Leisure Services proposal as presented in the May 15, 2008, staff report.**

Commissioner Gillooly stated the key was that the Commission was mandated by the people to find ways to cut taxes; and while they do not want to cut programs, the Commission must find ways to narrow the gap between what was being spent on the programs and what the programs were bringing in to insure the programs can continue. She noted volunteers were and will continue to be relied upon now more than they were previously.

Mayor Costello stated the Commission was aware the Performing Arts Center was a great asset, and these changes have no relation to the value the Commission has for the Performing Arts Center. He urged trying to find private donors and volunteers to help facilitate the programs.

Call Vote:	Commissioner Gillooly	yes
	Commissioner Kent	yes
	Commissioner Partington	yes
Carried.	Mayor Costello	yes

Item #7(G) – Operation of The Casements

**Commissioner Partington moved, seconded by Commissioner Kent, to approve the proposed operation of The Casements as presented in the May 15, 2008, staff report.**

Mr. Robert Akam, 26 Silver Fox Trail, first vice-president of The Casements Guild, stated the guild members understood what the Commission does for The Casements and the budget difficulties facing the City. He reported each Commission member received an e-mail addressing the guild's concerns, and he provided the City Clerk a copy for the record. Mr. Akam advised The Casements will not have a favorable future with less than two full-time employees. He pointed out various qualities are possessed by different people, which exponentially increase their value; and these employees' value cannot be matched without identical traits of dedication, imagination, enthusiasm, and an extreme sense of teamwork for a common cause, and these traits do not usually accompany bumping rights. Mr. Akam urged the Commission to keep those who do the work rather than those who make the work. He advised the guild supported the possibility that some services may need to have increased charges, and he formally asked Guild members to offer to volunteer at The Casements office to help with the administrative work.

Mayor Costello noted people work with The Casements purely for the love of culture and Ormond Beach, not for money.

Mr. Akam stated there were 65 active full-time members and 10 honorary members.

Mr. Alan Burton, 915 Oceanshore Boulevard, advised he did not see a recommendation from the Recreation Advisory Board in the report. He stated the Recreation Advisory Board did not have a board member representing The Casements or the tennis center, and he urged the Commission consider including members to the board from these groups. Mr. Burton suggested including any advisory board recommendation as part of any manager memorandum as a public policy.

Mayor Costello stated the Quality of Life Advisory Board was more involved in The Casements issues as opposed to the Recreation Advisory Board; however, whenever anyone believes an item to come before the Commission should have board input, he urged them to e-mail him at [costello@ormondbeach.org](mailto:costello@ormondbeach.org).

Mr. Turner stated that both the Recreation Advisory Board and the Quality of Life Advisory Board heard this proposal and provided recommendations, which were included in Item 11(C).

Ms. Maggie Sacks, 215 Ormwood Drive, stated she was speaking as a citizen rather than as Ormond Main Street Director. She advised The Casement's staff was extremely helpful, and she considered it impossible to get the work done with less staff when more was needed. Ms. Sacks reported, hopefully, this additional staff could be accomplished with volunteers.

Mr. John Jones, 1 John Anderson Drive, current president of The Casements Camera Club, stated the Camera Club has shows twice a year at The Casements and uses the Riverbridge Gardens facility for their meetings. He advised the club has had no increase in fees in 10 years, and he, and he believed others, would accept increases in user fees rather than cuts.

Mayor Costello stated this proposal includes increasing fees and adjusting personnel.

Commissioner Gillooly stated under the direction of Ms. Siobhan Daly, The Casements has seen a tremendous increase in the programs, and the quality has been exceptional; and with all of the improvements, usage would increase to an even greater extent. She noted these programs bring visitors and dollars to the community. Commissioner Gillooly pointed out the Main Street district was a Community Redevelopment Area (CRA) and Tax Increment Financing (TIF) money may be better used in that area; therefore, she suggested holding off on staffing until more was known regarding how TIF funding may be utilized. She urged moving forward with this proposal as recommended by staff with the understanding that the TIF funding would be researched to determine if it could help save this staff position.

Mayor Costello summarized that Commissioner Gillooly was supporting this tonight before the budget was adopted, and TIF funding would be examined to determine the possibility of using it to keep some personnel. He advised everyone was committed to continuing to make The Casements the center of cultural aspects of the community. Mayor Costello noted the Guild members set example of volunteerism for everyone.

Call Vote:	Commissioner Gillooly	yes
	Commissioner Kent	yes
	Commissioner Kelley	yes
	Commissioner Partington	yes
Carried.	Mayor Costello	yes

Item #11(B) – Reconsideration of the Tennis Center Agreement

Mayor Costello explained if he would receive a motion and second to reconsider the tennis center agreement, he would allow people to explain why they believe the Commission should reconsider this decision.

**Commissioner Partington moved, seconded by Commissioner Gillooly, to reconsider the tennis center agreement.**

Mayor Costello advised that 23 people have provided cards to speak on this issue, and all are encouraged to speak; but it would also be appropriate to indicate agreement with a previous speaker to save time. He reported he would call each name and provide each an opportunity to speak should they wish to do so.

Ms. Rita Press, 875 Wilmette Avenue, thanked Mayor Costello for moving this item up on the agenda. She stated she was united with others who wanted the Ormond Beach Tennis Center to remain open, such as the members of the Ormond Tennis Center, many people who play tennis, people who do not play tennis but love Ormond Beach, business owners who derive benefit from its existence, and those who believe the tennis center was an important ingredient to the functioning of a vibrant downtown and the quality of life of the City. Ms. Press reported she was a member of the Trails Racquet Club and one of the hundreds of residents who play league tennis at the Ormond Tennis Center. She pointed out tennis was a lifetime sport with residents of all ages participating in tennis, and Ormond Beach's hard courts allow seniors to play tennis who would otherwise not be able to play. Ms. Press reported Ormond Beach taxpayers' invested heavily in creating this award-winning facility. She noted the Smart Growth philosophy extols the necessity of having attractions to bring people to the downtown. Ms. Press stated by virtue of its location, the tennis center attracts tourists from all over Volusia County and beyond. She explained the Commission had some misconception about the course and user ratio numbers. She noted there was also a misconception of where these hundreds of tennis players would go if the tennis facility were to close. Ms. Press noted it was a shame the fee was not raised in the past 12 years. She stated the synergy should not be measured only in Ormond membership and should be measured by the Ormond businesses that benefit from its location. Ms. Press noted the benefits extend to the downtown and beyond into the entire City.

She advised St. James students use the facility and are not counted in the membership. Ms. Press reported realtors tout this asset to prospective buyers for homes and businesses. She advised Mr. Heatwole's proposal offers the Commission the opportunity to keep the facility open and functioning at a negligible cost. Ms. Press stated she understood the financial bind the Florida's legislature's mandates and the passing of Proposition One has placed on cities, but it would be shortsighted in the City's quest to save money to close a facility that has the potential to go from being "in the red" to producing a revenue for the City. She asked the Commission to keep the Ormond Beach Tennis Center open.

Mayor Costello reported he was ready to accept Mr. Heatwole's proposal, but he was also willing to try to find out what kind of proposals the City could get for that parcel if the City were to move the facility elsewhere. He noted he did not believe such a proposal would occur, but he did believe it was important to do this due diligence. Mayor Costello advised he was not in favor of closing the facility, but was in favor of finding out if there was a better use, and he would provide plenty of notice should that decision be made. He tasked the tennis players to see if they could help the City raise money so the City would not have to invest the \$100,000.

Commissioner Partington stated he would vote to reconsider this proposal. He noted he was pleased so many people were out tonight and passionate about this asset. Commissioner Partington stated he received 60 e-mails and 10 to 15 phone calls.

Commissioner Kent stated it was exciting to note the revenue stream that would be coming to the businesses and the age and the great physical condition of the tennis players. He asked if there were any updates on the utilities issue mentioned at the last meeting.

Mr. Abee stated there were 1,800 square feet on the first floor and Mr. Heatwole's area was 675 square feet. He noted the lighting was under a grandfathered cost, reducing the rate. Mr. Abee reported the total cost per square feet was \$75 per month or \$900 per year. Mr. Abee noted the two parking lots have pole light generating electricity charged to the City and that cost was \$312 per year; and backing those funds out, the cost for Mr. Heatwole was \$512 annually.

Commissioner Kent stated positive changes can be made when people speak as a group. He noted he did not need more information.

Commissioner Gillooly reported because of the Sunshine Law the Commission may not speak to other Commission members and must discuss these issues in a public forum. She stated she was much more comfortable that the Commission had actual figures to consider. Commissioner Gillooly noted Ms. Press mentioned the savings to the City and the possibility of the City making money. She stated beyond this vote, the Commission would need more clarification regarding the proposal. Commissioner Gillooly noted she was advised it would take 90 days to be provided with a business plan. Commissioner Gillooly stated to realize the opportunity to have a successful business with no down payment and an existing clientele, a business plan was necessary. She noted this does not have a proven process other than Mr. Heatwole's extensive experience. Commissioner Gillooly advised she received e-mails and phone calls, and many issues were brought to light not originally known. She pointed out the dollars from the tournaments do not come back to the City or the tennis center. Commissioner Gillooly noted, through the tennis association, the City could possibly bring dollars into the City.

Mayor Costello summarized Commissioner Gillooly favored reconsidering the issue, having a business plan, and letting the players continue playing.

Commissioner Kelley advised he was not concerned with a business plan. He noted if the Commission decided to reconsider and then accepted the contract, the contract could not be substantially changed or altered since it went out as an RFP. Commissioner Kelley advised that after signing the contract, the City cannot generate additional revenue without going out for another RFP with a caveat that any revenue received from tournaments would come back to the City.

Commissioner Kelley noted people do not understand the travesty the legislature placed on cities. He noted Ormond Beach's portion of the tax bill was very reasonable. Commissioner Kelley pointed out everyone agreed the tennis center was a great asset to the City, attracting people to the downtown. He stated he favored the reconsideration.

Mayor Costello stated the Commission must balance the cost of the tennis center subsidy in conjunction with the entire budget. He advised he would honor the agreement that Mr. Heatwole worked out that would benefit him and the tennis facility; however, when the



contract comes up for renewal, if a wonderful offer would be made, the Commission would consider the offer.

Ms. Mary LaStarza, 30 Forest View Way, stated she was a member of the Trails Racquet Club, not the Ormond Beach Tennis Center. She stated 756 women and 427 men were in the Greater Volusia Tennis League and of the 1,183 people, there were 215 teams at 26 facilities with 16 teams being from the Ormond Tennis Center.

Ms. Linda Kalaydjian, 784 Peninsula Drive, asked the tennis center not be privatized. She noted if a private entity can make money, the City could keep control of it and make money. Ms. Kalaydjian advised the clay courts are very special, particularly for older players.

Mr. Frank Peburn, 9 Pheasant Lane, questioned what the \$200,000 figure was that was mentioned. He stated it was indicated the City would still be subsidizing the \$100,000.

Mayor Costello stated the \$200,000 figure was the net amount.

Ms. Kelly McGuire, Budget Director, stated the total cost was \$194,000; net of the revenue the City actually subsidizes was \$140,000, and with this proposal, the City would be subsidizing \$17,770 minus any changes in the electrical charges.

Commissioner Kelley noted these were substantially lower than the figures provided earlier.

Mr. Turner stated the component not being discussed tonight was the component of the repairs to the MacDonald House, which was included in the numbers previously provided.

Ms. Linda Powell, 47 Tomoka Meadows Boulevard, stated people and services can be cut and brought back in better financial times; but if a facility is cut, it cannot be brought back.

Commissioner Gillooly stated with this privatization, the City would still retain ownership of the facility and the land.

Mr. Alan Burton, 915 Oceanshore Boulevard, stated the City Manager memo does not address the critical issue of level of service. He noted the Park and Recreation Master Plan was approved in 2005, and the Commission approved a tennis court standard of 0.54 tennis courts per thousand in population. Mr. Burton reported concurrent level of service was vitally important, and to reduce the number of tennis courts may place the City in a position incongruent with the Comprehensive Plan, the use of the Recreation Impact Fees, and the issuing of building permits.

Mayor Costello stated some Commission members were considering if this was the most appropriate place for the tennis courts, but no one was considering closing the tennis courts without replacing them.

Ms. Mary Ann Jones, 1 John Anderson Drive, reported many people come from surrounding cities, and other "snowbirds" are planning their retirement around this facility.

Mayor Costello explained that sales taxes generated in the downtown do not come to Ormond Beach. He agreed people using the courts come to the downtown and patronize the stores and restaurants, helping them become successful; but it does not benefit the City financially. Mayor Costello pointed out whether a business or home is occupied or not, property taxes are still paid. He advised he would support this for its quality of life, not for its financial benefits; however, the Commission must make cuts somewhere. Mayor Costello noted he announced to the Commission that each current Commission member would probably not be here in two years because people do not want programs cut, and others would be unhappy that their taxes were not cut enough; but the Commission would balance these factors the best way they can.

Commissioner Gillooly agreed the sales taxes go to the State, but some of that money does trickle back to the City. She reported those businesses that the tennis members' support help provide jobs and keeps the businesses open so they can pay taxes. Commissioner Gillooly stated these intangibles are difficult to measure, but this is vital to the downtown.

Ms. Maggie Sacks, 215 Ormwood Drive, speaking as Director of Ormond Main Street, reported she received a response from four of the Main Street Board members. She noted two board members favored moving the tennis center in that it would be more advantageous to have a better use for the land, and two board members favored keeping the tennis center.

Mayor Costello stated the Budget Advisory Board unanimously recommended closing the tennis center.

Ms. Carol Jacobs, 10 Sandpiper Lane, explained tennis has great health benefits, and good health was worth more than money.

Mayor Costello noted many residents have indicated they would be willing to pay more in City taxes to keep their quality of life.

Mr. Tim Scheiber, 548 Shady Oaks Boulevard, stated he was in favor of keeping the tennis center.

Ms. Stephanie Mason-Teague, 170 Orchard Lane, stated replacing the tennis center with a business would not necessarily provide a greater tax benefit for the City.

Mayor Costello explained a new business would bring in funds through property taxes, but sales taxes from those using the facility would not go to the City. He stated if a business is vacant it would impact the residents relative to quality of life and their feeling about the community, but the property taxes from the vacant business still would be paid while the sales taxes go to the State. Mayor Costello advised this was not merely about tennis, but the tax structure for local government. He reported to get more money, the Commission must raise taxes, lower services, or generate additional property taxes in new development.

Commissioner Kelley stated the City would take in \$9 million in ad valorem property taxes, and it takes just under \$15 million to fund police and fire. He reported he believed what the City wants for their quality of life should be up to the individual and what they would be willing to pay in property tax, rather than decided at the State level. Commissioner Kelley advised the City must make up to \$2 million in addition to the \$9 million it takes in this year.

Commissioner Gillooly stated overall what the City spends in tax dollars for leisure services was \$3,700,000 and only \$700,000 was being raised in user fees, and another way to increase revenue was to increase the user fees. She thanked everyone for their cooperation to help the Commission make sure it can continue these programs.

Mayor Costello stated cities receive money from sales tax based on population, not on the amount of sales tax generated. He noted the City gets franchise fee money and taxes on utilities, but the money the City can generate locally was property taxes. Mayor Costello advised the community can decide what level of amenities it wants and then fund them.

Call Vote on the Reconsideration:	Commissioner Kent	yes
	Commissioner Kelley	yes
	Commissioner Partington	yes
	Commissioner Gillooly	yes
Carried.	Mayor Costello	yes

RESOLUTION NO. 2008-103

A RESOLUTION ACCEPTING A BID FROM GARY HEATWOLE REGARDING PROFESSIONAL SERVICES TO MANAGE AND OPERATE THE ORMOND BEACH TENNIS CENTER; AUTHORIZING THE EXECUTION OF AN AGREEMENT AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

**Commissioner Partington moved, seconded by Commissioner Kelley, to approve Resolution No. 2008-103, as read by title only.**

Call Vote:	Commissioner Kelley	yes
	Commissioner Partington	yes
	Commissioner Gillooly	yes
	Commissioner Kent	yes
Carried.	Mayor Costello	yes

Mayor Costello called for a short break at 8:42 p.m. He reconvened the meeting at 8:48 p.m.

Item #10(B) – Management and Operation of the Ormond Beach Senior Center

RESOLUTION NO. 2008-110

A RESOLUTION AUTHORIZING THE SOLE SOURCE PROCUREMENT OF PROFESSIONAL SERVICES FROM THE COUNCIL ON AGING OF VOLUSIA COUNTY, INC., FOR MANAGEMENT AND OPERATION OF THE ORMOND BEACH SENIOR CENTER; ACCEPTING THE COUNCIL ON AGING OF VOLUSIA COUNTY'S NON-RATED WORKERS' COMPENSATION INSURER; ACCEPTING THE COUNCIL ON AGING OF VOLUSIA COUNTY, INC.'S, CERTIFICATES OF INSURANCE WHICH REQUIRE FORTY-FIVE (45) DAYS PRIOR WRITTEN NOTICE OF CANCELLATION, NON-RENEWAL OR CHANGE AND TEN (10) DAYS PRIOR WRITTEN NOTICE OF CANCELLATION OR NON-RENEWAL DUE TO NON-PAYMENT OF PREMIUM; AUTHORIZING THE EXECUTION OF AN AGREEMENT AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

**Commissioner Kelley moved, seconded by Commissioner Partington, to approve Resolution No. 2008-110, as read by title only.**

Ms. Gayle Camputaro, 160 North Beach Street, Executive Director, Council on Aging, thanked the Commission in this time of tax reform for trying to consider the safety and welfare of Ormond Beach citizens. She offered to answer any questions.

Ms. Elizabeth Robinson, 31 Lake Park Circle, stated some senior citizens can not walk or drive; therefore, not many were present tonight. She reported many questions asked at the meeting at the Senior Center were not answered, but the report indicated the City would be saving \$61,500. Ms. Robinson stated the City was firing people making less than the \$30,000 and the subsidy given to the Council on Aging was \$30,000. She pointed out the Senior Center was the only recreation, exercise, and outlet for some seniors, and people without a great deal of funds rely on the Senior Center. Ms. Robinson stated at the beginning of the year money is allotted to each department for various projects, but at the end of the year money has been found; therefore, she was certain the City could find \$61,500 in the budget to cover this cost to keep the Senior Center running.

Mayor Costello stated he was elated the Council on Aging was taking over the Senior Center; and if the seniors were not satisfied, he was certain the Commission would hear about it, and adjustments could be made.

Commissioner Gillooly stated she appreciated Ms. Robinson's advocacy for the seniors, but pointed out that Ormond Beach was very attuned to its seniors. She noted the Council on Aging was an organization of exemplary service as they run the Meals on Wheels program for Volusia County. Commissioner Gillooly stated this offers the City the opportunity to insure the City can continue these needed services while not impeding the quality of life for the seniors who have to pay tax bills. She noted she could not find a better partner for the City to insure the seniors were treated well.

Commissioner Kelley concurred with Commissioner Gillooly.

Mr. Turner reported Mr. Abee arranged a meeting at the Senior Center with a number of staff members and a representative of the Council on Aging where the seniors had an opportunity to express concerns regarding the changes, and the Council on Aging was very responsive.

Call Vote:	Commissioner Partington	yes
	Commissioner Gillooly	yes
	Commissioner Kent	yes
	Commissioner Kelley	yes
Carried.	Mayor Costello	yes

Item #8(A) – “River Grille” Restaurant

ORDINANCE NO. 2008-03

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF ORMOND BEACH BY REZONING A 2.8 ACRE PARCEL OF REAL PROPERTY LOCATED AT 950 NORTH HIGHWAY US1 FROM B-8 (COMMERCIAL) WITH A PLANNED BUSINESS

DEVELOPMENT OVERLAY TO PBD (PLANNED BUSINESS DEVELOPMENT); APPROVING THE EXECUTION AND ISSUANCE OF THE THIRD AMENDED DEVELOPMENT ORDER REGARDING THE “RIVER GRILLE” RESTAURANT; AUTHORIZING LIVE PERFORMERS UNDER SPECIFIC CONDITIONS; RATIFYING AND AFFIRMING THE PREVIOUS DEVELOPMENT ORDER AND ESTABLISHING CONDITIONS THEREFOR; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Ray Blastic, 212 Riverbluff Drive, reported at a previous City Commission meeting he expressed opposition to allowing live entertainment on the River Grille's deck. He stated on April 23, 2008, he was invited to and attended a sound test. Mr. Blastic advised the music, crowd, and wind determined the distance and level of the noise. He reported the music was soft, the crowd was loud, and winds were blowing from the north northwest at five to ten miles per hour. Mr. Blastic advised the plastic curtains were down on the northwest side of the deck. He stated live outdoor music was not allowed in a Class A restaurant, but the Commission may grant an exception; however, approving this without reason puts in a question of the relativity of the ordinance and invites others to make similar applications. Mr. Blastic explained the owner offered to voluntarily cease all outdoor entertainment if any complaints were made; however, noise must be verified by a Neighborhood Improvement Officer or the Police Department. He reported on April 11, 2002, the Commission approved construction with the provision that there should be no outdoor music in any form; on September 1, 2004 the Commission allowed recorded music outdoors, with no live music on the outside deck; and now the owner again wants an amendment to allow live outdoor music. Mr. Blastic noted the owner accepted and agreed to abide by these provisions; therefore, he remained opposed to the Commission granting this permission and asked for denial.

Mr. Ric Goss, Planning Director, reported two actions were before the Commission: a rezoning and an amendment to a Planned Business Development (PBD). He stated prior to 2004 the City used overlays for a PBD over the existing zoning designation, but that practice was eliminated and a PBD created as an actual zoning designation. Mr. Goss reported it was not true that if the conditions were changed all other zoning districts for planned business would be affected. He clarified it was not true that no outdoor music was permitted, because it was permitted by special exception or amendment to the PBD. Mr. Goss stated a noise assessment was performed on April 23, and the music generated decibels in the high 80's on the eastern portion of the deck. He reported at the western portion of the deck, it dropped to the low 80's; at the stormwater it was in the 70's; and in the parking lot it was in the 60s. Mr. Goss pointed out that when no music was playing, the decibels were in the 60s due to the noise from US1. He reported there was a wind, but the music was not being heard over distance beyond the railroad tracks or even in the parking lot. Mr. Goss explained the Commission could deny the application based upon the perceived noise issues, approve the applicant's request as submitted, or approve staff's recommendation, which was for two performers only on the eastern portion of the deck. He advised staff saw no reason why the noise would affect the residents on the other side of the railroad tracks; however, staff did hear complaints regarding the airport and other issues.

Mr. Ed Schwarz, co-owner of the River Grille Restaurant, thanked the Commission for allowing he and his partner to come to the Commission regarding this issue and allowing the sound test. He reported this test was well attended by citizens, the Commission, staff, and the police. Mr. Schwarz stated the results were that two performers on the deck did not create a nuisance. He noted the tests were conclusive with winds from the northeast going down river into the Tomoka Oaks Subdivision. Mr. Schwarz reported their goals in running the River Grille would not change. He advised the restaurant lends itself to outside entertainment; they have been responsive; and they have been accepted by the City. Mr. Schwarz noted the music would only be on the east side with only two live performers, and they would adhere to all of the other stipulations as well.

Ms. Pat Behnke, 15 Malayan Sun Bear Path, stated music could be faintly heard at the edge of the River Grille property, but not in the community. She reported the weather was not ideal for the test, but the wind was coming down the river, and it would have carried the sound. Ms. Behnke stated a violation would occur if the noise level was 65 decibels or greater at the point of complaint, and the people in the community have control in that police would come to their home to measure the noise. She pointed out there have been no complaints in four years, which speaks well for the River Grille. Ms. Behnke advised the music at the test was turned up louder than it would normal be played, and it could not be heard; therefore, she urged the Commission to look at this request favorably.

Mr. Victor Lohman, 31 Pebble Beach Drive, reported there was no noise past the restaurant's property. He noted at the previous sound test, music could be heard since the music was on the west side. Mr. Lohman stated he was beginning to accept the possibility noise could not be heard, and he could accept the music until he spoke to an owner who would not promise that the music would be kept on the east side. He requested, if the Commission passed this tonight, to make it mandatory that the music only be played on the east side of the deck.

Mr. Ken Balch, 105 Grizzly Berar Path, noted agreement with Ms. Behnke.

Mr. Ken Schroeder, 168 Bear Foot Trail, recommended favoring Amendment 8A. He stated the music at the River Grille has been quiet and entertaining.

**Commissioner Kelley moved, seconded by Commissioner Gillooly, to approve Ordinance No. 2008-03, with the staff recommendation, on second reading, as read by title only.**

Mr. Hayes recommended page three of the development order under item number 11 read: "the live performers shall be required to be located at the easternmost area of the outdoor deck, and the music shall be projected toward the northeast, toward US1, and away from the residential areas to the west."

Mayor Costello stated the staff recommendation included verbiage similar to that which Mr. Hayes indicated.

Mr. Hayes explained the development order was passed on first reading in February and did not include staff's recommendation; therefore, the amendment regarding the staff recommendation must be added.

**Mayor Costello clarified the motion and second included the verbiage articulated by Mr. Hayes.**

Mayor Costello stated if this passes, the onus was on the owners that if this were to become a burden to the residents, the owners would lose the privilege, since the residents could call the Police Department and they would take a decibel reading without the River Grille knowing they had been called.

Commissioner Partington stated he attended the sound test, and he would support this since the music could not be heard in the community.

Commissioner Kent stated he was at an earlier sound test when the music was on the western portion of the property, and the sound could be heard. He reported he has consistently opposed River Grille's requests in order to protect the residents, but he did not hear the music at the latest sound test when located on the east side of the deck with all of the speakers to the northeast. Commissioner Kent requested the owners stipulate that the music would be on the east side of the deck only, with all of the speakers to the northeast.

Mr. Hayes clarified this was an amendment to the ordinance taking the discretion away from the restaurant owner and making it a requirement.

Commissioner Kent questioned, why on the previous sound test, the music was on the west side of the deck.

Mr. Raymond Barshay, co-owner of the River Grille Restaurant, assured the Commission the music would only be on the east and was always intended to be on the east. He noted in the previous sound test the music was placed on the west side simply to place the music in the worst possible location, but it was never actually intended to be on the west side.

Commissioner Kelley reported he was at the sound test, but not in any group in an attempt to avoid any possibility of a Sunshine Law violation.

Mayor Costello stated he and Commissioner Gillooly were on the deck of the River Grille Restaurant but did not discuss the sound in any form.

Call Vote:	Commissioner Gillooly	yes
	Commissioner Kent	yes
	Commissioner Kelley	yes
	Commissioner Partington	yes
Carried.	Mayor Costello	yes

Mr. Turner stated if anyone had a complaint, they were to call the Police Department at 676-3508.

Hearing no objection, Mayor Costello closed the public hearing on Item #8(A).

Item #8(B) – 1110 John Anderson Drive

ORDINANCE NO. 2008-24

AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF ARTICLE I, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF THE *LAND DEVELOPMENT CODE* BY AMENDING THE OFFICIAL ZONING MAP TO REZONE CERTAIN REAL PROPERTY TOTALING 0.768 ACRES LOCATED AT 1110 JOHN ANDERSON DRIVE FROM VOLUSIA COUNTY R-3 (URBAN SINGLE-FAMILY RESIDENTIAL) TO ORMOND BEACH R-2 (SINGLE-FAMILY LOW DENSITY); AUTHORIZING REVISION OF THE OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

**Commissioner Kelley moved, seconded by Commissioner Partington, to approve Ordinance No. 2008-24, on the first and only reading, as read by title only.**

Call Vote:	Commissioner Kent	yes
	Commissioner Kelley	yes
	Commissioner Partington	yes
	Commissioner Gillooly	yes
Carried.	Mayor Costello	yes

Hearing no objection, Mayor Costello closed the public hearing on Item #8(B).

Item #9(A) – 245 Palm Place

ORDINANCE NO. 2008-17

AN ORDINANCE AMENDING SUBSECTION A, ZONING MAP, OF SECTION 2-03, OFFICIAL ZONING MAP AND ZONING DISTRICT, OF ARTICLE I, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF THE *LAND DEVELOPMENT CODE*, BY AMENDING THE OFFICIAL ZONING MAP TO REZONE CERTAIN REAL PROPERTY TOTALING 0.126 ACRES LOCATED AT 245 PALM PLACE FROM B-4 (GENERAL COMMERCIAL) TO NP (NEIGHBORHOOD PRESERVATION); AUTHORIZING REVISION OF THE OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

**Commissioner Kelley moved, seconded by Commissioner Partington, to approve Ordinance No. 2008-17, on first reading, as read by title only.**

Call Vote:	Commissioner Kelley	yes
	Commissioner Partington	yes
	Commissioner Gillooly	yes
	Commissioner Kent	yes
Carried.	Mayor Costello	yes

Item #9(B) – School Concurrency

ORDINANCE NO. 2008-25

AN ORDINANCE RELATIVE TO SCHOOL CONCURRENCY BY AMENDING THE FOLLOWING CHAPTERS OF THE CITY OF ORMOND BEACH *LAND DEVELOPMENT CODE*: CHAPTER 1, GENERAL ADMINISTRATION, ARTICLE III, DEFINITIONS AND ACRONYMS, SECTION 1-22, DEFINITION OF TERMS AND

WORDS, BY AMENDING AND ADDING VARIOUS DEFINITIONS, BY AMENDING CHAPTER 1, GENERAL ADMINISTRATION, ARTICLE V, CONCURRENCY MANAGEMENT, SECTIONS 1-29, PURPOSE AND INTENT, THROUGH 1-32, CRITERIA FOR DETERMINING CAPACITY; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

**Commissioner Kelley moved, seconded by Commissioner Gillooly, to approve Ordinance No. 2008-25, on first reading, as read by title only.**

Call Vote:	Commissioner Partington	yes
	Commissioner Gillooly	yes
	Commissioner Kent	yes
	Commissioner Kelley	yes
Carried.	Mayor Costello	yes

Item #9(C) – Calling a Special Referendum Election Relative to Building Height Limits

ORDINANCE NO. 2008-26

AN ORDINANCE AMENDING SECTION 7.01, MAXIMUM HEIGHT LIMITS, OF ARTICLE VII, BUILDING HEIGHT LIMITS AND RESTRICTIONS, OF THE CHARTER OF THE CITY OF ORMOND BEACH, FLORIDA, ESTABLISHING AN EXCEPTION FOR MULTI-FAMILY AND NON-RESIDENTIAL BUILDINGS TALLER THAN SEVENTY-FIVE (75) FEET THAT EXISTED ON NOVEMBER 14, 2006, AND DEVELOPMENT ORDERS THAT RECEIVED FINAL DEVELOPMENT APPROVAL BEFORE NOVEMBER 14, 2006, FOR THE CONSTRUCTION OF MULTI-FAMILY AND NON-RESIDENTIAL BUILDINGS OVER SEVENTY-FIVE (75) FEET IN HEIGHT; ALLOWING THOSE BUILDINGS TO BE MAINTAINED, REPAIRED, CONSTRUCTED AND RECONSTRUCTED; PROTECTING VESTED RIGHTS OF LANDOWNERS; PROVIDING FOR AND CALLING A SPECIAL REFERENDUM ELECTION OF THE REGISTERED ELECTORS OF THE CITY OF ORMOND BEACH, FLORIDA, TO BE HELD NOVEMBER 4, 2008; PROVIDING FOR SEVERABILITY; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

**Commissioner Kelley moved, seconded by Commissioner Kent, to approve Ordinance No. 2008-26, on first reading, as read by title only.**

Mr. Philip Maroney, 117 Atwood Lane, thanked the Commission for their response on this request. He reported he hoped this proposed amendment would be on the November ballot, and all of those involved in the original charter amendment could come together and see the benefit for the citizens who could be impacted in the event of a catastrophe. Mr. Maroney noted this would allow people to retain the value of their homes, and they would have the opportunity to rebuild in the event of a catastrophe. He noted assuming this does make it to the ballot, he urged everyone to get the word out and build a consensus educating people to the specifics of the amendment.

Ms. Lucille Bornmann, 6 Windsor Drive, stated the people voiced their opinions at the election that they wanted to keep their quality of life and not have tall buildings. She pointed out cities with tall buildings have gotten into financial trouble. Ms. Bornmann reported only two buildings in Ormond Beach exceed the height limit. She questioned why the City was pushing for what developers want when it was not what the people want.

Mayor Costello explained the amendment being considered and asked if Ms. Bornmann was indicating that she wanted the people living in the Heritage not be able to rebuild their home if it was destroyed in a hurricane in that this was what was before the Commission at this time. He clarified that if this was not passed, people would not be able to rebuild, and the residents would lose their homes.

Ms. Bornmann reported if there were a national catastrophe, people would be allowed to do many things.

Mayor Costello explained if this were not passed people would absolutely not be able to rebuild. He reported this was only about current residences.

Ms. Bornmann stated she believed the strategy was to be able to have another vote allowing developers to come in and build over 75 feet when the people have already spoken.

Mayor Costello clarified this had nothing to do with developers.

Commissioner Kent urged Ms. Bornmann to speak to him so he could fully explain why he would support this. He stated he and Ms. Bornmann were successful in keeping the low-rise character of Ormond Beach, but the Board of Realtors and Mr. Maroney made a great point that if someone lived in a structure over 75 feet and something catastrophic did happen, they would lose their home; and he wanted to be known as a Commission member who was known for caring for people's homes and allowing them to rebuild. Commissioner Kent stated the development order for the Royal Floridian addition would be 74.9 feet and the elevator shaft and cupola would bring the building to 84.9 feet. He noted he could accept that in order to protect everyone else who lived in a building over 75 feet, noting there were not many in Ormond Beach. Commissioner Kent advised there may only be two buildings where people were living above 75 feet, but there were more than two with elevator shafts, architectural features, and antenna over 75 feet. He reported he considered this to be the right thing to do for Ormond Beach.

Commissioner Gillooly thanked Mr. Maroney and the Area Association of Realtors for helping the Commission move this issue forward. She noted people may be under the impression that despite the height limit the people who own structures above 75 feet were protected, but legally they would not be protected in a natural disaster; therefore, this was vital to protect taxpaying residents who have invested in this community.

Commissioner Kelley advised he concurred with Commissioner Kent.

Mayor Costello asked how the landowner would know they need to claim the entitlement to the exemption. He stated the City should not be responsible to notify everyone or that a resident might not know they should have sought the entitlement and lose the exemption.

Mr. Hayes stated every citizen was presumed to know the law; however, that was not necessarily true. He advised the City does not know what buildings are over 75 feet; therefore, the onus was on the property owner to come forward. Mr. Hayes reported there was a timeline that encourages homeowners to meet a deadline; however, if someone missed the deadline and came in late, the City would still process the application. He stated the City would not notify all of the property owners.

Mayor Costello reported he wanted the property owners to prove that as of the specified date the building was over 75 feet, but that proof should not be needed by a certain date.

Mr. Hayes stated this was designed to encourage people to come in by a certain date, but they can come in later. He noted the reason for this was to avoid damage claims in a lawsuit.

Call Vote:	Commissioner Gillooly	yes
	Commissioner Kent	yes
	Commissioner Kelley	yes
	Commissioner Partington	yes
Carried.	Mayor Costello	yes

Item #10(A)(1) – Implementation of Wastewater System Expansion and Improvement Projects

RESOLUTION NO. 2008-108

A RESOLUTION APPROVING A WASTEWATER FACILITY PLAN (2007) RELATING TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION STATE REVOLVING FUND LOAN PROGRAM; PROVIDING FOR THE IMPLEMENTATION OF VARIOUS WASTEWATER SYSTEM EXPANSION AND IMPROVEMENT PROJECTS, INCLUDING COLLECTION, TREATMENT, AND RECLAIMED WATER DISTRIBUTION SYSTEMS, AND WASTEWATER TREATMENT PLANT EXPANSION; AND SETTING FORTH AN EFFECTIVE DATE.

**Commissioner Partington moved, seconded by Commissioner Kent, to approve Resolution No. 2008-108, as read by title only.**



Call Vote:	Commissioner Kent	yes
	Commissioner Kelley	yes
	Commissioner Partington	yes
	Commissioner Gillooly	yes
Carried.	Mayor Costello	yes

Item #10(A)(2) – Funding of Various Improvements to the Wastewater Treatment Plant

RESOLUTION NO. 2008-109

A RESOLUTION APPROVING A CAPITAL FINANCING PLAN PERTAINING TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION STATE REVOLVING FUND LOAN PROGRAM FOR FUNDING OF VARIOUS IMPROVEMENTS TO THE WASTEWATER TREATMENT PLANT, INCLUDING WASTEWATER COLLECTION, TREATMENT, AND RECLAIMED WATER DISTRIBUTION SYSTEM PROJECTS; AUTHORIZING THE EXECUTION OF ALL DOCUMENTS PERTAINING TO THE APPROVAL AND CERTIFICATION OF THE PLAN; AND SETTING FORTH AN EFFECTIVE DATE.

**Commissioner Kelley moved, seconded by Commissioner Kent, to approve Resolution No. 2008-109, as read by title only.**

Commissioner Gillooly stated the Commission spent hours discussing a \$17,000 subsidy, and this was for over \$11 million; but there was a difference between what must be spent for important infrastructure and what was wanted for the City. She stated that tax dollars must be used for what was best for all citizens.

Mayor Costello stated this issue was studied, and the City had no choice. He advised in that this was a capital financing plan, he would like the Commission to consider placing other unfunded items in a financing plan for next year that could be funded with the resident's involvement. Mayor Costello questioned if the City could obtain a \$20 million line of credit for 20 years for 85 residents of Twin Rivers at \$12,600 each, 198 residents of Tomoka View/Tanglewood at \$13,345 each, 61 residents of Broadwater at \$19,885 each, 506 residents of Hidden Hills at \$8,171 each, 413 residents of Tomoka Estates at \$12,389, 233 residents of Pine Run at \$20,399, 24 residents of Bonita at \$4,229 each, 40 residents of Magnolia and Oak at \$7,995, and 10 residents of Mirror Lake at \$13,209, totaling \$19,442,609. He noted he wanted a plan where if the residents understood and were willing, they would pay one twentieth of this amount on their tax bill so the infrastructure could be extended to the people who need it. Mayor Costello pointed out there were people currently interested in this in certain areas, and they should be assured that the City would not make or lose any money to provide the infrastructure. He reported he would be willing to use the City's line of credit to fund this project.

Mr. Turner stated the City had the opportunity for special assessment districts and folks have declined to take advantage of that opportunity. He pointed out the City had a master plan that identified over \$100,000 of improvements. Mr. Turner noted staff would provide an answer to Mayor Costello's question.

Call Vote:	Commissioner Kelley	yes
	Commissioner Partington	yes
	Commissioner Gillooly	yes
	Commissioner Kent	yes
Carried.	Mayor Costello	yes

Item #10(C) – Supporting the Central Florida Commuter Rail Project

RESOLUTION NO. 2008-111

A RESOLUTION SUPPORTING THE CENTRAL FLORIDA COMMUTER RAIL PROJECT; AND SETTING FORTH AN EFFECTIVE DATE.

**Commissioner Kelley moved, seconded by Commissioner Partington, to approve Resolution No. 2008-111, as read by title only.**

Mayor Costello stated he spoke about the commuter rail and Ormond Crossings with the legislature in Washington yesterday. He noted there were discussions of a plan to extend access to the commuter rail to the east side of Volusia County.

Call Vote:	Commissioner Partington	yes
	Commissioner Gillooly	yes
	Commissioner Kent	yes
	Commissioner Kelley	yes
Carried.	Mayor Costello	yes

Item #11(A) – Electronic Message Center Sign at Destination Daytona

Mayor Costello reported staff has recommended denial of the application. He noted the County has entered into an agreement to follow City codes, but there were many of these signs on US1 that are being allowed; therefore, the question was whether this sign should be allowed since there were others.

Mr. Dave Hood, 801 Westlake, part owner of Destination Daytona, reported safety of access to Destination Daytona was an issue of concern during special events because of the lack of signs showing directions to the property. He stated this sign would do a great deal to enhance the safety of the access to Destination Daytona during special events. Mr. Hood advised that Destination Daytona consisted of over 250,000 square feet with over 18 merchants who have businesses; and due to the sign limitation, the merchants do not have the opportunity to have signs for their businesses. He pointed out there were similar signs on US1, and this was the only place where there was a Business Planned Unit Development (BPUD) at an interstate.

Commissioner Kelley stated he believed these signs were allowed in Volusia County. He noted it was easier to see a sign representing one item than numerous items, and he believed it looked cleaner.

Commissioner Partington stated this type of sign seemed appropriate at this location and solved the issues Mr. Hood discussed, but he could not think of another place in Ormond Beach where he could support such a sign.

Commissioner Gillooly reported she concurred that it was a cleaner, neater look, and it had the added benefit of helping the traffic flow.

Commissioner Kent advised he also agreed with the Commission’s assessment. He noted the existing sign was confusing, and the proposed sign was better. Commissioner Kent thanked the Planning Director for his recommendation for denial and noted he understood why he had to give it, although he did not agree with the staff recommendation.

Mayor Costello stated he spent five hours with former Mayor Hood at the Mayor’s Golf Tournament on Friday, and former Mayor Hood never asked, and he never indicated, how he would vote. He reported he was not as opposed to the changeable billboards as he thought he would be and could support this tonight.

**Commissioner Kelley moved, seconded by Commissioner Partington, to approve the electronic message center sign request at Destination Daytona.**

Call Vote:	Commissioner Gillooly	yes
	Commissioner Kent	yes
	Commissioner Kelley	yes
	Commissioner Partington	yes
Carried.	Mayor Costello	yes

Item #11(C)(1) – Fiscal Year 2008-2009 Position Reductions

Mr. Turner reported staff was making progress in achieving the \$1.5 million reduction but was still substantially short. He advised approval would occur during the budget process; therefore, he was not asking for approval at this point. Mr. Turner commended staff’s efforts thus far and reported they have been very open-minded and doing a good job.

Mayor Costello advised that Ms. Mason-Teague and Ms. Elliott had requested to speak on this issue, and they were welcome to do so. He stated they may also wish to speak when the budget comes back to the Commission.

Ms. Stephanie Mason-Teague, 70 Orchard Lane, stated she and Ms. Elliott would like to be informed when meetings would be held relative to positions, and if they would be permitted to speak at that time. She explained there was only one full-time gardener at the Ormond Museum and Gardens and the proposal was to do away with that position and have the City only mow the grass and blow the sidewalks. Ms. Mason-Teague stated the gardens would become overgrown in a couple of months, and it would no longer be a place for weddings, school groups, and tours. She noted one of the reasons people move to Ormond Beach was the facilities such as the Casements, the tennis center, and the Ormond Museum and Gardens. She urged the City to keep this position as it was very important.

Ms. Vanessa Elliott, 329 Golf Boulevard, Daytona Beach, advised she has been employed at the Ormond Museum and Gardens for the past 11 years where she had the privilege to work with Ms. Janet VanWicklen, who was an incredible gardener and does much more than take care of the grounds. She stated Ms. VanWicklen cannot be replaced.

Mayor Costello stated the Commission encourages the community to raise funds so the City can have a level of service higher than can be paid for through taxes. He directed Mr. Turner to continue with his plan to achieve that \$1.5 million savings, and as each line item is discussed in the budget meetings, the Commission could speak on any specific positions should they wish to do so.

Commissioner Kelley stated Mr. Doug Thomas and Mr. Rick Boehm expressed concern regarding positions, but they were unable to attend tonight. He noted he had specific concerns and believed the City was missing out on other savings that make other cuts unnecessary. Commissioner Kelley explained he did not have the opportunity to examine the organizational chart, and he questioned if the right people were being kept in the right positions. Commissioner Kelley reported the City must have adequate personnel to do the job.

Mayor Costello stated the Commission could discuss Commissioner Kelley's specific concerns tonight, or Commissioner Kelley could speak to Mr. Turner about the concerns and it could be brought back to the Commission.

Commissioner Kelley stated there were savings in the early retirement that could provide the needed savings as well as the tax reductions that are being sought. He questioned the structure such as having two recreation managers; and the one that would be removed had the most people involved, while the one that would remain had less. Commissioner Kelley stated The Casements and Performing Arts Center would be changed, yet the recreational manager on the cultural side would be kept where there were less people to supervise.

Mr. Turner stated he could speak to the Commission specifically about staffing, possibly at the June 4 meeting. He explained Mr. Abee advised him he was more comfortable taking on the duties he previously held as recreation manager and keeping the cultural manager, which was an area in which he was not as familiar and could use the support. Mr. Turner reported department directors provided proposals and discussed the rationale with him in meetings, other than for one decision where he made a decision which was not supported by the department director. He explained the major component of the June 4 meeting was the fire issue; and if there was not time, this issue could be discussed as a part of other discussions this summer.

Commissioner Kelley stated he believed the cultural aspects would require less supervision; but if Mr. Abee would be more comfortable to take on his new responsibility and his former responsibilities it may offer an adequate solution.

Mr. Turner stated Mr. Abee may make some shifts. He reported the City was still \$300,000 to \$400,000 short at this point.

Commissioner Gillooly stated Commissioner Kelley made some excellent points, and a workshop would provide the opportunity for the Commission to ask questions, which would give the entire Commission more information relative to the rationale behind the staff decisions.

Mayor Costello requested the Commission individually speak to Mr. Turner to address these issues prior to the meeting so he would be prepared to provide the information at the June 4 meeting.

Commissioner Kent stated after listening to the speakers comments relative to the City's gardener, he could better understand that the work she has done has made the gardens a beautiful place, and it would not look the same if it was just mowed, edged, and blown. He advised the Ames House property was beautiful, but it can be mowed, edged, and blown and

look good, while the gardens at the museum would not. Commissioner Kent reported the City must save money, but he urged everyone to be creative.

Commissioner Kelley stated this same discussion was made 13 years ago relative to the gardens and would probably come to the same results. He noted at that time the City contracted out the maintenance of the medians, saving millions of dollars over the years; but this position was kept.

Mr. Turner stated this affected people's careers, and decisions were not taken lightly. He reported on each position people will be impacted; people are dedicated; and each provided services where they develop relationships with the public. Mr. Turner explained he has tried to protect the Commission from getting lobbied about individuals; and if this was not the will of the Commission, he encouraged them to inform him it was not. He stated staff has committed to the Commission they would try to improve services through this stressful process.

Mayor Costello advised he would be comfortable discussing this issue in greater detail on June 4. He noted he would allow speakers at the beginning of that meeting.

Mr. Turner noted a full agenda was scheduled. He stated staff would contact Ms. Mason-Teague and Ms. Elliott to let them know what would be on the June 4 agenda, and if not at the June 4 meeting, staff would select another date and make certain the speakers and the Commission would be informed.

Commissioner Kelley advised he had thoughts on the early retirement plan for the Fire Department, and he wanted to make certain there would be adequate time to hear from the public and fully discuss the issue amongst the Commission.

Mr. Turner advised he believed the Commission should discuss the fire staffing in that it has a major impact on the budget. He noted the Commission has seen the proposed Leisure Services fees, and staff was looking for the Commission's final input on that issue; however, this could be moved to the third item on the agenda or not have it on the agenda and have staffing discussions as the second item.

#### Item #11(C)(2) – Update on the Proposed Early Retirement Plan

Mr. Turner advised he was hoping the early retirement issue could be discussed and resolved this evening although the Fire component would be a separate issue.

Mayor Costello summarized the Commission would discuss the fire issue first on the June 4 meeting, then staffing and early retirement, and if there was adequate time remaining the Leisure Services fees would be discussed.

Commissioner Kelley requested hearing audience remarks on each item as they are being addressed.

Mayor Costello asked the Commission members who had ideas on positions or the early retirement plan to review them with Mr. Turner prior to the meeting so he could be prepared.

Commissioner Partington stated he would meet with Chief Baker if it would help expedite the meeting, and he encouraged his fellow Commission members do so if their schedules would permit it.

Mr. Turner advised staff would provide the statistical information the Commission requested relative to the fire issue, but he would also have an expert available and people in the field set up demonstrations rather than have a lecture.

Commissioner Kelley noted what he was seeking was just the facts, and he wanted time to study them prior to the meeting.

Mr. Turner explained he was trying to bring what he thought would be helpful to five Commission members and the public.

#### Item #11(D) – Update on the Municipal Airport

Mayor Costello stated he was ready to proceed with Runway Drive and the Parcel C preparation and partnership with FDOT for \$180,000.

Mr. Turner stated half of the funds would come from the Sanitation fund and half from FDOT. He advised Mr. Tom Lipps, Support Services Director, and Mr. Joe Mannarino, Economic Development Director, have forged a partnership to promote this as an airport property and economic development property, which has worked incredibly well. Mr. Turner noted there have been successes to have this property play more of a role in the tax base and lease revenues as well as overall economic development, but staff needed to know if the Commission would accept a grant, which would appear at the first meeting in June.

Mayor Costello reiterated he was ready to front the \$180,000 City share to obtain the grant for Runway Drive and Parcel C preparation.

Commissioner Gillooly stated she spoke to her appointee on the Aviation Advisory Board and learned the board was very excited about the opportunities coming from this grant.

Commissioner Kent commended Mr. Lipps and Mr. Mannarino for the good job on the report.

Mr. Turner noted without objection this would be on the next agenda.

#### Item #12 – Reports, Suggestions, Requests

##### Public Notice Signs in Residential Subdivisions

Commissioner Kelley stated public notice signs in residential subdivision were four feet by four feet. He noted he believed these large signs were for larger commercial properties, but he considered them too large for residential subdivisions. Commissioner Kelley requested this issue be revisited with possible alternatives.

##### Hinson Middle School Class Presentation

Commissioner Kelley stated the Hinson Middle School class presentation was very good, but he was disappointed in the misinformation they were provided such as the \$75 fee for a trash bin and indicating the City was not doing certain things that they were actually doing. He questioned if the students came to the City to ask what the City was doing prior to doing their project. Commissioner Kelley advised he did not wish to discourage the students' enthusiasm, but they should have been provided with the proper information.

##### Item #6(C) - Water Authority of Volusia

Commissioner Kelley advised Water Authority of Volusia (WAV) had a meeting this morning and would be making various recommendations, a great deal of which related to reclaimed water, considering the new water restriction regulations proposed by the St. Johns River Water Management District. He noted WAV would probably object to the recommendations in that it was making it easier to use potable water than reclaimed water. Commissioner Kelley explained the reclaimed water could not be used except under certain conditions, and whatever was left must be stored or dumped when there was no money to build any more storage tanks and it can not be dumped in the river. He advised he believed WAV would make a turn-around in this next year in their efforts of conservation, bringing everyone together, and attaining measurable results.

##### Signs for Public Hearings

Commissioner Partington questioned when the signs should be taken down after the public hearings. He urged a seven or ten-day time limit be included since he has seen signs remain two months past the hearing date. Commissioner Partington noted he favored the larger signs for commercial properties and smaller signs for residential properties.

##### Washington, D.C. Fly-in

Commissioner Partington thanked Assistant City Manager/Public Works Director Ted MacLeod, Mayor Costello, Commissioner Kent, his father, and the other Ormond Beach representatives who went to the fly-in in Washington, D.C. He noted he had intended to go, but became ill and was unable to go. Commissioner Partington reported on his previous visit he asked each senatorial and congressional office what was the most important thing the City could do to be effective in an effort to pursue Ormond Crossings, and each replied it was most effective to have people in Washington personally explaining the issues two to three times a year during funding times. He assured everyone that this was a very cost-effective method of lobbying for Ormond Beach needs.

Commissioner Gillooly advised she completely agreed with the importance of lobbying and recommended making another trip in perhaps six months. She thanked those who went for taking the time and effort to represent the City.

#### Senior Center

Commissioner Gillooly stated she hoped in time Ms. Robinson would see the efforts and professionalism of the Council on Aging. She noted after the item was completed, Ms. Camputaro spoke directly with Ms. Robinson and gave her a card.

#### Budget Advisory Board

Commissioner Gillooly stated the Budget Advisory Board made recommendations that were discussed tonight, but she wanted to emphasize that the board was made up of fellow citizens. She thanked staff, particularly Ms. McGuire for facilitating the meeting, and the Budget Advisory Board for the recent workshop. Commissioner Gillooly noted she was pleased the board members advised they believed their service was tangible and hands-on.

#### Memorial Day Celebration

Commissioner Gillooly stated she looked forward to the City's annual Memorial Day celebration at 9 a.m. at the City Hall Plaza on Monday.

#### Fourth of July Celebration

Commissioner Gillooly advised she was pleased the City was receiving some interest from the business community to help support the Fourth of July celebration.

#### Washington D.C. Trip

Commissioner Kent stated he was disappointed that the only time Congressman Mica received a complaint it came from an Ormond Beach citizen questioning why the Commission was making the trip to Washington. He pointed out this trip was no vacation and was an intense day of discussions, networking, and building relationships. Commissioner Kent advised by going to Washington the legislators have an opportunity to know the City's representatives just as when Ormond Beach residents come to his "Coffee with the Commissioner." He explained he left his home at 3:45 a.m., took a personal day from work at his expense, missed his son's first day of swim lessons, missed his daughter's last softball playoff game, returned home at 1:15 a.m. the following day, went to work the next day, and was now attending a late meeting tonight. He noted this not stated as a complaint, but to clarify that this was certainly not a pleasure trip.

Commissioner Kent advised discussions regarded commuter rail, \$6 million in funding the design of the interchange for Ormond Crossings with over 10,382 jobs at stake, and gas and food prices. He stated he spoke directly to Senator Nelson about very important issues; and whenever he votes on issues affecting Ormond Beach, he now has a face in his mind, which he would not have had Ormond Beach representatives not gone to Washington. Commissioner Kent reported Commissioner Partington's father gave Congressman Mica a shirt stating 'I Love Ormond Beach' and was an ambassador for Ormond Beach. He reported Mr. MacLeod drove from the airport late after a long hard day. Commissioner Kent advised the delegation had almost four hours with Congressman Mica, and they met with many other congressmen and congresswomen. He stated he was proud to be a part of this delegation, and Ormond Beach would reap many rewards from the trip. Commissioner Kent advised Ormond Beach was trying to be conservative; but when he went again, he wanted to stay overnight because the trip was too exhausting.

Mr. Turner thanked the delegation for going on the trip and agreed the members should be well rested and not overtaxed by the trip. He stated it was helpful for the Congressmen to meet Ormond Beach representatives and for the Commission to meet the people who it would need to support Ormond Beach since it was asking for tens of millions of dollars in a multi-year process. Mr. Turner reported these trips build relationships to share Ormond Beach's vision in order to gain resources to make the project happen.

#### Budget

Mr. Turner commended Mr. Abee and the Leisure Services staff as well as the other staff members for cutting back, which was very challenging. He thanked the participants with the budget forum, particularly Ms. McGuire, Finance Director Paul Lane, Mr. Lipps, Human Resources Director Ms. Lorenda Volker, and Mr. MacLeod for the facilitation; staff for the materials and analysis; and the City Commission who has handled the public discourse of this issue better than any other he has worked with. Mr. Turner stated the Commission listens to the people and kept to the vision while demonstrating flexibility. He reported the Commission would allow staff the resources to do an outstanding job in a different manner. Mr. Turner expressed appreciation for the Commission's willingness to discuss issues with an open mind. He commended Mayor Costello for doing an outstanding job this evening.

#### Reuse System

Mr. MacLeod stated the reuse system would probably be down until Friday. He reported staff had to do unusually strenuous maintenances of the sewer system in the past few days.

Municipal Airport

Mayor Costello requested the estimated cost to connect to Pineland Trail.

Doug Thomas

Mayor Costello stated he also received a message to call Mr. Doug Thomas, but he did not have the opportunity to return his call yet.

Budget Cuts

Mayor Costello commended staff for the cuts they presented, which were difficult.

Tonight's Meeting

Mayor Costello stated he tried to keep this meeting casual and friendly; but if a Commission member believed he was being too casual, they should let him know.

"Go Vote" Initiative

Mayor Costello requested the Commission consider if they would like staff to compile the pros and cons of the "Go Vote" initiative in that people have asked his opinion on the issue, and he would prefer the Commission have a set Commission position on the issue. He stated he would want something on the City's website that was approved by the Commission. Mayor Costello noted he was not advocating a mail-out with the utility bill or spending any money at this time.

Commissioner Kelley reported he had been receiving complaints, particularly about inaccurate information people have been receiving. He stated he believed it was incumbent upon the Commission to let people know that the information being put out was not accurate.

Commissioner Kent noted he would approve staff providing information.

Commissioner Gillooly reported the Commission should present something with a uniform answer for clarification of the issue.

Commissioner Partington concurred with the other Commission comments.

Washington D.C. Trip

Mayor Costello thanked Commissioner Kent for his comments. He stated the legislature recommended the City apply for the design as well as the building of the interchange, with a five to six-year period to complete the project. Mayor Costello advised the legislature indicated that the six-year reauthorization funding plan was being discussed now; and if it was not done now, there would be a minimum of six years before it would be discussed again. He noted Volusia County Chairman Frank Bruno attended and attested there were no objections from the County.

Commissioner Kent stated the legislature was surprised Ormond Beach had everything prepared, such as State and County support and an environmental study.

Mayor Costello stated he believed Ormond Beach was well received. He advised that the delegation made a point the interchange was failing now, and without the interchange, the City would not be able to realize the anticipated jobs and smart growth. Mayor Costello stated there were discussions about commuter rail where a park-and-ride would allow people to park at I-4 and I-95 and take the VOTRAN bus to the commuter rail, which would benefit Ormond Beach residents. He noted they also suggested an alternative analysis and new ways to go from DeLand to the east coast. Mayor Costello advised Ormond Beach received enthusiastic support for both the commuter rail and Ormond Crossings.

Item #13 - Close the Meeting

The meeting was adjourned at 11:26 p.m.

APPROVED: \_\_\_\_\_ June 3, 2008

BY: \_\_\_\_\_  
Fred Costello, Mayor

ATTEST:

\_\_\_\_\_  
Veronica Patterson, City Clerk