



**CITY COUNCIL OF ORANGE CITY**

**TUESDAY, August 26, 2008**

**7:00 P.M.**

**CITY COUNCIL CHAMBERS, 201 NORTH HOLLY AVENUE**

**AGENDA**

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**Jim Mahoney  
Tom Laputka  
Donald Sandford  
Donald C. Sherrill  
Tom Abraham**

**Jeff H. Allebach, Vice Mayor  
Harley Strickland, Mayor  
William E. Reischmann, City Attorney  
John J. McCue, City Manager  
Deborah J. Renner, City Clerk**

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**CALL TO ORDER**

**ROLL CALL**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**1. PRESENTATIONS:**

**2. CITIZENS COMMENTS:**

Each citizen is asked to complete a speaker request form before the meeting begins.

**3. CONSENT AGENDA:** The order of business for each resolution, ordinance, and discussion/action items will be as follows: 1) Staff report 2) Public participation-please complete speaker request form 3) Council discussion/action.

a. **RESOLUTION NO. 492-08:** A resolution of the City Council of the City of Orange City, Florida opposing Niagara Bottling, LLC's Consumptive Use Permit application submitted to the St. Johns River Water Management District; registering an objection to the issuance of a Consumptive Use Permit to Niagara Bottling, LLC; directing the City Clerk to provide a copy of this resolution to St. Johns River Water Management District; and providing for an effective date.

b. **RESOLUTION NO. 493-08:** A resolution of the City Council of the City of Orange City, Florida, expressing its concerns and opposition to St. Johns River water Management District's proposed amendments to Rule 40C – 2.042 of the Florida Administrative code, and Section 17 of the applicant's handbook; consumptive uses of water, regarding irrigation scheduling and the permitted use of reclaimed water for irrigation; directing the City Clerk to provide a copy of this resolution to St. Johns river Water Management District; and providing for an effective date.

c. **RESOLUTION NO. 494-08:** A resolution of the City of Orange City, Florida, expressing the City's commitment to participate in a process to seek efficiencies in Fire, EMS and related services through interlocal cooperation with the cities and county of Volusia.

d. **RESOLUTION NO. 496-08:** A resolution of the City Council of the

City of Orange City, Florida, relating to the collection and disposal of solid waste in the incorporated areas of Orange City, Florida; approving the assignment of exclusive franchise for the collection and disposal of residential solid waste, yard waste, and curbside recyclable materials (“franchise agreement”); and authorizing the city manager of the City of Orange City, to execute a consent to assignment of the franchise agreement pursuant to section 6 of the franchise agreement; repealing all resolutions in conflict herewith, providing for severability and an effective date.

**4. ORDINANCES - FIRST READING:**

**\*\*\*\*\* SPECIAL PUBLIC HEARING\*\*\*\*\***

- A. **ORDINANCE NO. 357:** An ordinance of the City of Orange City, Florida, adopting the Evaluation and Appraisal report for the Orange City Comprehensive Plan; stating the intent of the Council to amend the Comprehensive Plan based upon recommendations contained in the report; approving the transmittal of the report to the Department of Community Affairs in accordance with Section 163.3191, Florida Statutes; providing a conflicts clause and severability clause and providing an effective date.

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**5. PUBLIC HEARINGS/ORDINANCES – SECOND & FINAL READING:**

- A. **ORDINANCE NO. 330:** An Ordinance of the City Of Orange City, Florida, amending Ordinance 90-05-08, as amended, said ordinance being Orange City’s Comprehensive Plan; transmitting and thereafter adopting an administrative amendment to the City Of Orange City Comprehensive Plan for the purpose of improving the coordination and planning of public school facilities as required by chapter 163, F.S. the amendment consists of revisions to Section 2: the Future Land Use Element; revisions to Section 8: the Intergovernmental Coordination Element; revisions to Section 9: the Capital Improvements Element; revisions that add a new Section 9: Public School Element Goals, Objectives And Policies; and revisions that renumber existing Section 9 To 10, existing Section 10 To 11, existing Section 11 To 12 and existing Section 12 To 13; providing a conflicts clause and severability clause and providing an effective date.

**6. RESOLUTIONS:**

**\*\*\*\*\* SPECIAL PUBLIC HEARING\*\*\*\*\***

- A. **RESOLUTION NO. 495-08:** A resolution of the City of Orange City, Florida, relating to the collection and disposal of solid waste in the City of Orange City, Florida; reimposing solid waste service assessments against assessed property located within the City of Orange City, Florida, for the fiscal year beginning October 1, 2008; approving the rate of assessment; approving the solid waste assessment roll; and providing an effective date.

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**7. DISCUSSION AND ACTION:**

- A. Discuss City Manager
- B. Discuss Draft of Charter Referendum Ordinance (No. 360)

**8. REPORTS:**

- A. City Manager
- B. Mayor/City Council
- C. City Clerk
- D. City Attorney

**9. APPROVAL OF MINUTES:** August 12, 2008 Regular Council Meeting

**10. COUNCIL COMMENTS**

**11. ADJOURNMENT**

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If any person decides to appeal any decision made by the City Council with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (FS 286.0105) Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk at least three (3) working days in advance of the meeting date and time at (386) 775-5403.