



**CITY COUNCIL OF ORANGE CITY**

**TUESDAY, February 10, 2009**

**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**  
**Chester Murray, Interim City Manager**  
**Deborah J. Renner, City Clerk**

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**CALL TO ORDER**

**ROLL CALL**

**INVOCATION** Pastor Josue Rodriguez, Family of the Kings Ministry Church

**PLEDGE OF ALLEGIANCE**

**1. ABSENCES**

Shall the absence of Council Member Donald Sandford on January 27, 2009 be excused?

**2. PRESENTATIONS/PROCLAMATIONS:**

**3. CITIZEN COMMENTS:**

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

**4. 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.

**5. ORDINANCES - FIRST READING:** None at this time

**A. ORDINANCE NO. 365:** An ordinance of the City of Orange City, Florida; amending Section 8.3 of the City's Land Development Code, said section being the Official Zoning Map of the City of Orange City, Florida; said amendment changing the zoning classification of the GEL Corporation property, consisting of approximately 33.8 acres of property generally located within the northeast quadrant of Rhode Island Avenue and Leavitt Avenue; from its present zoning classification of (I-2) Heavy Industrial to (I-PUD) Industrial Planned Unit Development; containing a repealer provision, a severability clause and providing for an effective date.

**B. ORDINANCE NO. 376:** An ordinance of the City of Orange City, Florida, transmitting and adopting an administrative amendment to the City of Orange City Comprehensive Plan for the purpose of amending the Capital Improvements Element to update and revise the text including the Five-Year Capital Improvement Program; providing for conflict and severability and providing for an effective date.

**SPECIAL PUBLIC HEARING:**

- C. **ORDINANCE NO. 378:** An ordinance of the City of Orange City, Florida, transmitting and adopting an amendment to the City of Orange City Comprehensive Plan pursuant to the stipulated settlement agreement that provides for remedial amendments to Comprehensive Plan amendment Ordinance No. 315; providing for conflict and severability and providing for an effective date.
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**6. PUBLIC HEARINGS/ORDINANCES – SECOND & FINAL READING:**

- A. **ORDINANCE NO. 377:** An ordinance of the City Council of the City of Orange City, Florida, authorizing the borrowing of money in an amount not to exceed seven hundred fifty thousand dollars for the purpose of financing a portion of the City’s costs of certain road and utility improvements within the Sparkman Ridge Residential Planned Unit Development project; and providing an effective date.

**7. RESOLUTIONS:**

**SPECIAL PUBLIC HEARING:**

- A. **RESOLUTION NO. 526-09:** A resolution of the City Council of the City of Orange City, Florida, approving a stipulated settlement agreement related to comprehensive plan amendment Ordinance No. 315 and comprehensive Plan Remedial Amendment Ordinance No. 378; repealing all resolutions or parts of resolutions in conflict herewith; and providing for an effective date.
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- B. **RESOLUTION NO. 527-09:** A resolution of the City of Orange City, Florida, approving a Supplemental Developer’s Agreement between the City of Orange City, Florida and Sparkman LLC, Developers of Sparkman Ridge Subdivision R-PUD; repealing all resolutions in conflict herewith; and providing for an effective date.

- C. **RESOLUTION NO. 528-09:** A resolution of the City Council of the City of Orange City, Florida, authorizing a loan from Branch Banking and Trust Company in an aggregate principal amount equal to \$750,000 for the purpose of financing a portion of the City’s costs of certain onsite and offsite road and utility improvements benefitting the Sparkman Ridge Residential Planned Unit Development; authorizing the execution and delivery of a loan agreement and acceptance of the Bank’s commitment; authorizing the execution and delivery of a City of Orange City, Florida Special Assessment Revenue Note, Series 2009 to evidence the City’s obligation under the loan agreement, such note to be a limited obligation of the City payable from non-ad valorem special assessment revenues and, to the extent such non-ad valorem revenues are insufficient, from legally available non-ad valorem revenues budgeted and appropriated by the City; providing for the rights and securities of the owner of the note; designating the note as a bank qualified tax-exempt obligation within the meaning of the Internal Revenue Code; making certain other covenants and agreements in connection therewith; and providing for an effective date.

- D. **RESOLUTION NO. 529-09:** A resolution of the City of Orange City, Volusia County, Florida supporting Volusia County School District's recommendations for legislative action on school funding; providing an effective date.

**8. DISCUSSION AND ACTION:**

- A. Lien Reduction
- B. Engineering Services Award

**9. NEW BUSINESS:**

**10. REPORTS:**

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

**11. APPROVAL OF MINUTES:** January 27, 2009 Regular Meeting

**12. COUNCIL COMMENTS**

**13. ADJOURN**

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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.