



REGULAR CITY COUNCIL MEETING

6:30 PM – COUNCIL CHAMBERS – CITY HALL

NOVEMBER 14, 2023

AGENDA

ALL CITIZENS DESIRING TO ADDRESS THE PORT ORANGE CITY COUNCIL DURING PUBLIC PARTICIPATION SHOULD COMPLETE THE FORM WHICH IS LOCATED ON THE STANDS OUTSIDE THE COUNCIL CHAMBERS. AFTER COMPLETING THE FORM, PRESENT IT TO THE CITY CLERK.

A. OPENING

1. Invocation by Pastor Kari Niedermaier of All Saints Lutheran Church
2. Pledge of Allegiance
3. Roll Call

B. PROCLAMATIONS

4. Small Business Saturday

C. CONSENT AGENDA

5. Public Comments on Consent Agenda Items Only
6. Agenda Approval
7. Approval of Minutes
  - a. November 7, 2023 - Regular City Council Meeting
8. Bid Awards and Contract Items
  - a. Ratification of Task Authorization No. 3 to Meeks Plumbing, Inc. for emergency pumping services rendered during rain event on September 30, 2023
  - b. Approval of Change Order No. 1 to the Engineers Joint Contract Document (EJCDC) Agreement CA7442 (ITB 21-09) with U.S. Water Services Corporation as it relates to the Herbert and Nova Master Lift Station Improvements
  - c. Approval of Extension No. 2 of the Animal Services and Trap Neuter Release (TNR) Agreement with Halifax Humane Society (HHS)
  - d. Approval of Amendment No. 1 to Task Authorization No. 9 with Pegasus Engineering, LLC for grant application development for the FEMA Flood

Mitigation Assistance (FMA) Application for the Acquisition and Demolition of Flood-Prone Homes

- e. Sixth Addendum to the Wholesale Service Agreement for Wastewater services to Daytona Beach Shores

- 9. Resolution No. 23-26 - Establishing and Adopting Water, Wastewater, Reclaimed and Other Miscellaneous Utility Fees
- 10. Resolution No. 23-60 - Budget Amendment - FY2022 - 2023 Final Year End True-Up
- 11. Resolution No. 23-61 - Capital Encumbrance and Project Balance Roll forward Budget Amendment for Fiscal Year 2023-2024
- 12. Resolution No. 23-64 - FEMA Flood Mitigation Assistance (FMA) Application to Request Funds to Acquire and Demolish 7 Homes

D. PUBLIC PARTICIPATION (Non-Agenda – 20 minutes)

E. COUNCIL COMMENTS

- 13. Comments/Concerns from Council Members

F. SPECIAL REPORTS

- 14. Overview of Florida Fish & Wildlife Commission (FWC) Derelict Boat Removal Program

G. BOARD APPOINTMENTS, INTERVIEWS, AND REPORTS

- 15. Environmental Advisory Board Report

H. PUBLIC HEARING

- 16. First Reading - Ordinance No. 2023-11 - Amending Chapter 2 Administration - Finance - Payments for Utilities
- 17. First Reading - Ordinance No. 2023-16 - Land Development Code Amendment/Chapter 21 - Update to City Impact Fees (Case No. DCAM-23-0001)
- 18. First Reading - Ordinance No. 2023-17 - Second Amendment to Restated First Amendment to the Master Development Agreement for Nova Depot Planned Commercial Development
- 19. First Reading - Ordinance No. 2023-18 - Land Development Code Amendment/Chapters 2, 3, 9, and 10 - Code Clean-Up Amendment (CASE NO.: DCAM-23-0002)

I. ADDITIONAL ITEMS

- 20. City Attorney
- 21. City Manager

## J. COUNCIL COMMITTEE REPORTS

### 22. City Council Committee Reports

- a. First Step Shelter - Mayor Donald Burnette
- b. Roundtable of Elected Officials - Mayor Donald Burnette
- c. Port Orange/South Daytona Chamber of Commerce - Mayor Donald Burnette
- d. Arthaus - Vice Mayor Reed Foley

## K. ADJOURNMENT

**NOTICES** – PURSUANT TO SECTION 286.0105 OF THE FLORIDA STATUTES, IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE CITY COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT THIS PUBLIC MEETING OR HEARING, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT, FOR SUCH PURPOSE, SUCH PERSON 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. THE CITY DOES NOT PREPARE OR PROVIDE SUCH A RECORD.



FOR SPECIAL ACCOMMODATIONS, PLEASE NOTIFY THE CITY CLERK'S OFFICE (PHONE: 386-506-5563) AS FAR IN ADVANCE AS POSSIBLE, BUT PREFERABLY WITHIN 2 WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE OR 5 DAYS PRIOR TO THE MEETING OR HEARING DATE.



HELP FOR THE HEARING IMPAIRED IS AVAILABLE THROUGH THE ASSISTIVE LISTENING SYSTEM RECEIVERS CAN BE OBTAINED FROM THE CITY CLERKS' OFFICE.

**IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA)**, IF YOU ARE A PERSON WITH A DISABILITY WHO NEEDS AN ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS PROCEEDING, YOU ARE ENTITLED, AT NO COST TO YOU, THE PROVISION OF CERTAIN ASSISTANCE. PLEASE CONTACT THE CITY CLERK FOR THE CITY OF PORT ORANGE, 1000 CITY CENTER CIRCLE, PORT ORANGE, FLORIDA 32129, TELEPHONE NUMBER 386-506-5563, [CITYCLERK@PORT-ORANGE.ORG](mailto:CITYCLERK@PORT-ORANGE.ORG), AS FAR IN ADVANCE AS POSSIBLE, BUT PREFERABLY WITHIN 2 WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE OR 5 DAYS PRIOR TO THE MEETING OR HEARING DATE. IF YOU ARE HEARING OR VOICE IMPAIRED, CONTACT THE RELAY OPERATOR AT 7-1-1 or 1-800-955-8771.

UPON REQUEST BY A QUALIFIED INDIVIDUAL WITH A DISABILITY, THIS DOCUMENT WILL BE MADE AVAILABLE IN AN ALTERNATE FORMAT. IF YOU NEED TO REQUEST THIS DOCUMENT IN AN ALTERNATE FORMAT, PLEASE CONTACT THE CITY CLERK WHOSE CONTACT INFORMATION IS PROVIDED ABOVE.

ANY INVOCATION THAT IS OFFERED BEFORE THE OFFICIAL START OF THE CITY COUNCIL MEETING SHALL BE THE VOLUNTARY OFFERING OF A PRIVATE PERSON, TO AND FOR THE BENEFIT OF THE CITY COUNCIL. THE VIEWS OR BELIEFS EXPRESSED BY THE INVOCATION SPEAKER HAVE NOT BEEN PREVIOUSLY REVIEWED OR APPROVED BY THE CITY COUNCIL OR THE CITY STAFF, AND THE CITY IS NOT ALLOWED BY LAW TO ENDORSE THE RELIGIOUS BELIEFS OR VIEWS OF THIS, OR ANY OTHER SPEAKER. PERSONS IN ATTENDANCE AT THE CITY COUNCIL MEETING ARE INVITED TO STAND DURING THE OPENING INVOCATION AND PLEDGE OF ALLEGIANCE. HOWEVER, SUCH INVITATION SHALL NOT BE CONSTRUED AS A DEMAND, ORDER, OR ANY OTHER TYPE OF COMMAND. NO PERSON IN ATTENDANCE AT THE MEETING SHALL BE REQUIRED TO PARTICIPATE IN ANY OPENING INVOCATION THAT IS OFFERED. A PERSON MAY EXIT THE CITY COUNCIL CHAMBERS AND RETURN UPON COMPLETION OF THE OPENING INVOCATION IF A PERSON DOES NOT WISH TO PARTICIPATE IN OR WITNESS THE OPENING INVOCATION.