

1 **MINUTES OF THE REGULAR MEETING** of the City Council of the City of Orange City,
2 Florida, held on Tuesday, October 10, 2006, at 7:00 p.m. in Council Chambers, 201 N. Holly Avenue,
3 Orange City.

4
5 **CALL TO ORDER**

6
7 The Meeting was called to order at 7:00 p.m. by Mayor Erwin and roll call was taken.

8
9 **ROLL CALL**

10
11 **PRESENT:** Mayor Albert T. Erwin; Vice-Mayor Chuck Abell, Council Members Anthony R.
12 Yebba, Jeff H. Allebach, Donald C. Sherrill; City Manager John. J. McCue; City
13 Attorney William Reischmann; City Clerk Deborah Renner

14
15 **ABSENT:** Council Members Joelle R. DeVane, Jim Mahoney

16
17 The Invocation was given by Council Member Sherrill followed by the Pledge of Allegiance.

18
19 Mayor Erwin recognized Vice Mayor Abell who requested an opportunity to speak.

20
21 Vice Mayor Abell read the following statement (a copy of which is attached and becomes a
22 permanent part of these minutes) into the record: "Please accept this letter as my request to resign my
23 position as Vice Mayor. I take this position due to some real commitments that I need to take at this
24 time. I thank the Council for their faith in me to hold this job and I hope that I will be in a position in
25 the future to serve again. Thank you."

26
27 **Vice Mayor Abell moved to nominate Tony Yebba as Vice Mayor**
28 **for the remainder of the term, seconded by Council Member**
29 **Sherrill. There being no further nominations, the motion passed**
30 **by unanimous 5/0 voice vote of the Council.**

31
32 Council Member Yebba indicated that he would take his oath of office tomorrow in the City Clerk's
33 office.

34
35 Mayor Erwin requested to move Discussion and Action Item 6-D to be heard first as Item 6-A. There
36 being no objections, the agenda was adjusted accordingly.

37
38 **1. PRESENTATIONS:** None at this time

39
40 **2. CITIZENS COMMENTS:** None at this time.

41
42 **3. CONSENT AGENDA:** None at this time

43
44 **4. ORDINANCES – FIRST READING:**

45
46 **A. ORDINANCE NO. 283:** An Ordinance of the City of Orange City, Florida;
47 amending Chapter 2. Administration, Article IV. Code Enforcement, by

1 amending Division 1, Section 2-135, Subsections (j) and (l) to provide for the
2 right to request an additional hearing; containing codification and repealer
3 provisions, a severability clause and providing for an effective date.
4

5 **Council Member Allebach moved to adopt Ordinance No. 283 on**
6 **first reading, seconded by Vice Mayor Abell.**
7

8 The City Attorney recalled that the code was modified several years ago to provide for code
9 enforcement through a Hearing Officer. Mr. Reischmann stated that since that time, case law has
10 been established requiring that a violator be provided with due process to request a second hearing if
11 the violator disputes the amount of time that they were held in violation, and accordingly, the amount
12 of fine that was imposed. He advised that this change would bring the City's code into compliance
13 with the law.
14

15 **Motion passed by unanimous 5/0 roll call vote of the Council.**
16

17 **5. PUBLIC HEARINGS/ORDINANCES – SECOND & FINAL READING:** None at this
18 time
19

20 **6. RESOLUTIONS:** None at this time
21

22 **7. DISCUSSION AND ACTION:**
23

24 A. Gateway Center for the Arts
25

26 Mayor Erwin stated that the DeBary Art League (DAL) has been trying to establish a facility on the
27 border of Orange City and DeBary to offer activities in media arts and to promote cultural awareness
28 in Volusia County. The DAL has been raising funds for the project and hope to break ground in the
29 fall to be completed some time in 2007. Mayor Erwin noted that the DAL has participated in a
30 number of City activities such as the Black Bear Festival. Mayor Erwin expressed his support for the
31 DAL project and his hope that the Council would feel the same by taking positive action on their
32 request.
33

34 Bernie Senez, 225 White Dove Avenue, came forward and expressed his support for the Gateway
35 Center for the Arts. He noted that the proposed project is 18,000 square feet at a cost of \$3.3 million.

36 He stated that he felt the project would enhance the southerly entrance to the City. Mr. Senez stated,
37 "I think it would be a big asset to Orange City." He said that he would appreciate Council's support
38 of this project.
39

40 Council Member Sherrill said that he felt this project would be a duplication of the current
41 Partnership Center project and that he could not justify committing another \$100,000 toward this
42 project. Council Member Sherrill noted other financial commitments the City has recently
43 undertaken or that may be on the horizon such as the major changes in fire services. He advised that
44 any money committed to this project would have to be taken from the City's reserves. Council
45 Member Sherrill stated, "I just think it's coming at the wrong time for this." He noted that the City
46 has recently undertaken major renovations to the exterior of City Hall and when that is finished, work
47 will have to be done on the interior. Council Member Sherrill stated, "I just think the City cannot

1 afford to take on a \$100,000 investment at this time, as good as the project is and I would like to see
2 it go forward. But then again, I can't see enhancing another project when we're going to be doing the
3 same thing."
4

5 Mr. Senez questioned whether there would actually be a conflict between the Partnership Center and
6 the Gateway Center for the Arts. Mayor Erwin responded that there would be similar program
7 offerings. Mr. Senez expressed his confidence that the DAL project would move forward even
8 without support from the City, but stated, "It would have been nice for Orange City if they had an
9 opportunity to be part of it."
10

11 Council Member Sherrill reiterated that he would support the project if not for the commitment the
12 City has already made to the Partnership Center.
13

14 Linda White, West Volusia Chamber of Commerce, came forward and stated that the Chamber fully
15 supports the cultural arts projects going on in the region. In regard to duplication of services, she
16 expressed that the DAL project probably will have some "niches" that won't be covered in the
17 Partnership Center. Ms. White advised that the Chamber of Commerce just received personal pledges
18 of \$48,000 for the Partnership Center from the Chamber Board.
19

20 Joe Johnson, President, Florida Hospital Fish Memorial, came forward and expressed his support for
21 creating a cultural center in the area. He stated, "I just want to share my support for culture, for art,
22 to try to create something in the community which allows for the kids, for creative expression. To the
23 degree that there is a niche that won't be filled with the other cooperative center, it would be very
24 helpful, I think, to have more culture and more opportunities for learning within the community."
25

26 Sandra Wilson, DeBary Art League, came forward and noted that it was the DAL's gathering of the
27 Mayors a number of years ago which began the process for the Partnership Center. She noted that the
28 focus of the DAL is families and children. Ms. Wilson noted a number of activities that the League
29 has participated in with the City. She said that their project will be family-oriented and will be quite
30 different from the Partnership Center. Ms. Wilson advised the DAL project has a number of grant
31 and corporate sponsors.
32

33 Romane Casteel, 760 Oak Terrace, came forward and said that the Gateway Center is about children.
34 She stated, "We spend money on everything, but we forget about our children. And look at the
35 competition we have – television, the movies, computers. We need, all of us, to be thinking about
36 what we can do for our children to make things better." Ms. Casteel stated that it is a statistical fact
37 that children who participate in art and music classes perform better on their SAT tests. She noted
38 that the first programs to be cut in schools are the arts. She expressed her opinion that there is not a
39 conflict between the Gateway Center and the Partnership Center.
40

41 Lorie Majchrzak, 883 Crittendon Avenue, came forward and said that she has been following the
42 progress of the Partnership Center, but that she favors any supplement to the programming which
43 may be available at that facility. She expressed her hope that these two facilities would provide
44 opportunities for her children to be involved in the arts. Ms. Majchrzak noted that a great deal of
45 money is available for sports programs and said that she felt there should also be a commitment to the
46 arts.
47

1 Vice Mayor Abell stated that he has been a supporter of the Art League, but that he is also in favor of
2 keeping the City's budget balanced. He reiterated that the City currently has a number of major
3 financial commitments and he expressed his concern that the City stay fiscally sound. The Vice
4 Mayor said that a \$100,000 donation may be too much and suggested that Council direct the City
5 Manager to review the budget and make a recommendation as to an amount the City could donate to
6 the DAL project. He cautioned against spending so much money that the City would be forced to cut
7 services.

8
9 Council Member Allebach agreed with the Vice Mayor, noting that the City has committed \$3 million
10 to the Partnership Center while DeBary only committed \$1 million.

11
12 Council Member Yebba noted that he is a member of the Partnership Center Operating Committee
13 and that he is "extremely excited" about that project. He said that he felt there was some duplication
14 of services with the DAL project and said that he could, perhaps, in light of the City's commitment to
15 the Partnership Center, support a donation of a lesser amount than the \$100,000 they requested.

16
17 Council Member Sherrill said that the City has supported children through its parks programs. He
18 noted that the children of West Volusia currently have to travel to Daytona Beach to the Ocean
19 Center to hold their high school graduations. Once the Partnership Center is completed, they will be
20 able to have graduation there. Council Member Sherrill stated, "We might not be able to participate
21 in your particular project, but it's not to say that we wouldn't like to see it be successful."

22
23 Mayor Erwin read a written statement (a copy of which is attached and becomes a permanent part of
24 these minutes) from Council Member Mahoney on this matter into the record as follows: "I
25 apologize for being unable to attend tonight's meeting. Please consider these thoughts as you
26 evaluate DeBary Art League's request for support. I am a proponent of the DeBary Art League. My
27 concern regarding the League's request for an irrevocable pledge by the City of Orange City in the
28 amount of \$100,000 is strictly financial and solely in response to our current outstanding financial
29 commitments to the Partnership Center. Recall our pledge from earlier this year for an additional
30 \$1,500,000. We all expect the Chamber to be successful in its fundraising efforts. However, the
31 possibility exists that Orange City may be called upon to honor this second pledge, resulting in total
32 expenditures of \$3,000,000. At this time I cannot support an irrevocable pledge of \$100,000.
33 However, rather than deny the League's request outright, I prefer that we defer action until the
34 success of the Chamber's fund-raising efforts can be quantified, offer a contingent pledge, or consider
35 pledging a significantly reduced amount."

36
37 Mayor Erwin advised that he, too, has concern for the City's financial position, and that he is well
38 aware of the financial commitments the City has made. However, he said that he does not view the
39 DAL project as competition with the Partnership Center and he highly endorses it.

40
41 Mayor Erwin passed the gavel to Vice Mayor Abell.

42
43 **Mayor Erwin moved that the City contribute \$100,000 to the**
44 **capital campaign for the Gateway Center for the Arts, spread**
45 **over a four-year period. Motion died for lack of a second.**
46

47 Vice Mayor Abell returned the gavel to Mayor Erwin.

1
2 **Council Member Allebach moved to donate \$25,000 to the**
3 **project and to revisit the matter again next year, seconded by**
4 **Vice Mayor Abell.**
5

6 Council Member Yebba asked the City Manager where he would find the money in the budget for
7 this donation. Mr. McCue responded that there are statutory procedures which must be followed to
8 make a donation of this type and asked that Mr. Reischmann review them for the Council.
9

10 Mr. Reischmann said that the funds that were contributed to the Partnership Center went to a
11 governmental entity, while the donation currently under consideration would be to a private entity.
12 He advised that several Attorney General opinions were rendered recently that said that contributions
13 could be made to a private entity for a public purpose. However, it is incumbent upon the
14 governmental agency to make the necessary legislative findings to establish that the donation is for a
15 public purpose. He said that this is normally done by a resolution. Mr. Reischmann stated, "I'm just
16 talking about the formalities here." He expressed his opinion that it would be legally necessary and
17 appropriate to return the matter in a resolution so that if there was a legal challenge, the City could
18 show that it has complied with the law. In addition, there is a requirement for the City to enter into
19 some type of agreement between the City and the Art League to ensure that the established public
20 purposes are protected.
21

22 **Both the motion maker and seconder withdrew their motion and**
23 **second.**
24

25 **Council Member Allebach moved to direct staff to prepare a**
26 **resolution donating \$25,000 to the DeBary Art League, seconded**
27 **by Vice Mayor Abell.**
28

29 Council Member Yebba noted that the donation would have to be taken from the City's reserves. Mr.
30 McCue concurred and advised that a budget amendment would be required.
31

32 Council Member Yebba asked that the Art League include information in their next presentation
33 regarding how their programming would benefit a group other than children.
34

35 Mayor Erwin noted that the City has made similar unplanned expenses and that over the course of the
36 year, the money has become available from within the budget. Mr. McCue responded that the
37 donation will have a negative impact on the fund balance in any case. Mayor Erwin responded that
38 he felt that was taking a "negative approach." He stated, "We've done other things in the past over
39 the years and not presented it in that fashion. I think we're taking a negative approach and I had
40 hoped that we wouldn't." Mr. McCue responded, "That's a financial approach, cost—benefit only.
41 Not negative."
42

43 **Motion passed by unanimous 5/0 voice vote of the Council.**

44 Ms. Wilson came forward and thanked the Council.
45

46 B. Award of Contract for Residential Solid Waste Disposal
47

1 Mr. McCue noted that the responses have come in for the provision of residential solid waste disposal
2 for the City. He advised that Waste Management's bid was \$30.55 per month per residential
3 customer and Waste Pro submitted a bid of \$26.80 per month per customer. Mr. McCue noted that
4 there have been previous discussions regarding billing for garbage service on the tax bills. He said
5 that during those discussions, concerns had been raised that citizens could lose their homes for
6 non-payment of their garbage bills.

7
8 BEGIN TAPE 1-B

9
10 He said that staff has confirmed that this would be the case, therefore, a decision was made not to
11 include this as an option in the bid.

12
13 Mr. McCue noted that the difference between the two bids amounts to about \$45 per year and said
14 that both as a resident of the City and as City Manager, he has been pleased with the service provided
15 by Waste Management. He said that his recommendation is that the City continue to contract with
16 Waste Management for residential solid waste disposal services.

17
18 Council Member Sherrill concurred with Mr. McCue's recommendation, remarking positively on the
19 services that has been received from Waste Management. He said that he believed the citizens were
20 expecting an increase in cost for this service and that they wanted to maintain the twice weekly
21 service level.

22
23 Council Member Yebba suggested that the 2/1/1/ (twice weekly household waste, once weekly
24 recycling and yard waste) service level be revisited in an effort to reduce the amount of the cost
25 increase. He also suggested the possibility of granting exclusive commercial franchise rights in an
26 effort to reduce costs further. Council Member Yebba said that he has no complaints with Waste
27 Management and that they "do a good job."

28
29 In response to a question from Council Member Allebach, Mr. McCue said that the proposed rates
30 would not fluctuate in response to fuel costs. He noted that, while the franchise agreement does allow
31 Waste Management to return to Council to request such increases, there is no obligation on the City
32 to grant them.

33
34 Mr. McCue advised that staff was suggesting that the addition of an exclusive commercial franchise
35 agreement to the provider who was granted the bid tonight could be used to perhaps lower the rates
36 somewhat. He said that tonight's recommendation from Council will only demand the negotiation of
37 a franchise agreement with a specific service provider. That agreement will then return to Council in
38 the form of an ordinance. It would be during this negotiation that the possibility of an exclusive
39 commercial franchise would be discussed.

40
41 Mayor Erwin noted that the City has never had an exclusive commercial franchise agreement before.
42 He suggested advertising another bid to include commercial service. Mr. McCue stated, "What
43 you're talking about is rebidding this. If we don't accept these bids tonight, we have to rebid it again
44 and go through the process. We're fast running out of time." He advised that it could be done if
45 Council so desires, but that it would be "cutting it very short in the timeframes."

46
47 Council Member Yebba noted that Waste Management included an alternate bid for once a week

1 service in their proposal, but Waste Pro's alternate once weekly bid includes County tax billing. He
2 said this makes it difficult to compare the two bids. Council Member Yebba stated that based on the
3 prices, he was favoring the once-weekly service level.
4

5 Mr. McCue stated that the cost would be between \$22 and \$25 for once weekly pickups, and that it
6 would likely be closer to \$25. He said this amounts to about \$45 per year for a once-weekly pickup.
7 Council Member Sherrill noted that the citizens had made it clear that they favor twice-weekly
8 pickups.
9

10 Considerable discussion ensued as to whether it would be necessary to rebid the service in order to
11 enter into negotiations based on a combined exclusive residential and commercial franchise
12 agreement. Mr. McCue maintained that a rebid would be required by the City's code, as well as
13 would be "good business practice." Mayor Erwin disagreed that service would be discontinued at the
14 end of the current agreement if a new franchise was not in place. Mr. McCue responded that it would
15 be up to the current vendor to decide whether they wished to continue the service without a contract.
16

17 Vice Mayor Abell noted that Council was engaging in more discussion on this matter than took place
18 during the entire budget adoption process.
19

20 Ruth Blue, 447 N. Oak, came forward and noted that she currently pays \$40 quarterly for garbage
21 service. She asked, "Now you're saying you're dealing with monthly. Why don't you say three
22 months, that's \$150. Am I correct? So you would be raising it \$110 for a quarter?" Council
23 Member Yebba responded that the increase would be about \$90.
24

25 Mr. McCue responded that there is no question that the bill is going up significantly. Ms. Blue stated,
26 "\$110 for a quarter is a lot of money." Council Member Yebba stated that it would be an additional
27 \$50 per quarter.
28

29 Mayor Erwin noted that the increase is considerable and suggested that a comparison of rates in other
30 cities be conducted. Mr. McCue responded that is a "near impossible spreadsheet to put together."
31 He explained that discussions regarding solid waste have been ongoing for months. He said that he
32 had warned Council that if they required the service to be put out for public bid, the cost would be
33 higher than the original negotiated amount with Waste Management, and that is what happened. He
34 stated, "If we go out again, I'm going to let you know tonight, again, it's going to come in higher."
35 Mayor Erwin asked what would be the advantage of including the commercial service if the cost
36 would be higher? Mr. McCue responded that if the bid is awarded tonight, the residential rate would
37 be reduced based on discussions he has had, however, if the service is rebid completely, it will be
38 higher.
39

40 Mayor Erwin noted that Waste Management already has 95% of the commercial service in the City.
41 Mr. McCue stated, "Close to it, but not all of it. There'll be a reduction, I know that for a fact. I just
42 can't tell you what it is because they have to get the award and be able to calculate it." Mayor Erwin
43 stated, "I feel we're being put in a box." Mr. McCue stated that the contract had been put out to bid
44 and two responses were received. He said that the contract could only be bid so many times.
45

46 Mr. Reischmann advised that he has not had an opportunity to review all of the City's commercial
47 garbage franchise agreements. He advised that prior to issuing an exclusive commercial franchise

1 agreement to a vendor, he would like to do that to ensure that the City was not infringing on any
2 contractual rights that currently exist. Mr. McCue responded, "There are none, it's a permit. It's a
3 non-exclusive franchise. Nobody has any guaranteed right to anything." He said that if Council's
4 direction tonight is to award a contract, that provides the opportunity to review the commercial
5 franchise to be brought back for consideration at a later date and as a result, reduce the residential
6 rates. He said that if negotiations for an exclusive franchise did not result in a reduction of the
7 residential rates, staff would not recommend an exclusive franchise agreement.

8
9 **Vice Mayor Abell moved to accept the proposal from Waste**
10 **Management for residential solid waste services with a 2/1/1**
11 **weekly service as specified, seconded by Council Member Sherrill**
12 **and passed by unanimous 5/0 voice vote of the Council.**

13
14 Ron Saylor, Dixson Street, came forward and requested to speak on the issue, noting that he had
15 turned in a request form but was not recognized to come forward. Mr. Saylor stated, "The motion is
16 already carried so what I want to say is moot." Mr. Reischmann clarified that the direction from
17 Council was only to prepare an ordinance which would provide opportunity for comment before the
18 contract is awarded. Mr. Saylor said that he is glad that the service will not be billed on his taxes. He
19 further stated that he has had a problem with Waste Management once every quarter. Mr. Saylor
20 discussed some of the issues he has experienced with the trucks doing damage on his street. He
21 indicated that he has not received any resolution to the complaints he has lodged with Waste
22 Management. Mayor Erwin reiterated that no final action has been taken on this matter tonight.

23
24 C. Agreement for Mosquito Control

25
26 Paul Johnson, Public Works Director, came forward and stated that the proposed agreement is an
27 annual issue that comes before the Council. He advised that the agreement is an update of the
28 existing agreement and provides the City with the opportunity to utilize the County's services over
29 the course of the year upon request of the City.

30
31 In response to a question from Mayor Erwin, Mr. Johnson said that the past year has been very dry
32 and as a result, no funds were expended on mosquito spraying. Mr. McCue said that no funds have
33 been spent since the hurricanes of 2004. Mr. Johnson advised that the cost generally runs \$2,000 to
34 \$5,000 per year.

35
36 **Vice Mayor Abell moved to authorize the City Manager to enter**
37 **into an agreement with Volusia County for mosquito control,**
38 **seconded by Council Member Allebach and passed by unanimous**
39 **5/0 voice vote of the Council.**

40
41 D. Contract for Animal Control Services

42
43 Police Chief Jeff Baskoff came forward and stated that the proposed contract is identical to last year's
44 with the exception of an increase in cost of about \$1,500.

45
46 Mayor Erwin said that last year was the first time he did not receive any calls on animal control.
47

1 **Council Member Allebach moved to authorize the City Manager**
2 **to enter into a contract with the SPCA for animal control,**
3 **seconded by Vice Mayor Abell and passed by unanimous 5/0**
4 **voice vote of the Council.**

5
6 **8. REPORTS:**

7
8 A. City Manager

9
10 Mr. McCue stated that staff is planning a grand opening for the new fire station. He said they are
11 exploring options for a cover for the truck. Mr. Johnson indicated that the signage would be up at the
12 end of the week and the gate will be operational tomorrow afternoon.

13
14 Mr. McCue reported that milled asphalt has been put down on Highland Street in response to a
15 complaint from a citizen a couple of weeks ago. He commended the Public Works staff for their
16 work on the guard rail project.

17
18 Chief Baskoff reported that the Police Department conducted a reverse sting operation during which
19 fourteen arrests were made. He said that the citizens in the area were thanking the police for their
20 efforts. A meeting was held last night with residents of Blue Springs Villas during which a
21 “Neighborhood Watch” program was established. Over forty residents of the neighborhood were in
22 attendance at the meeting. The Chief stated, “I believe between the City and the residents that we’re
23 going to make that a better place to live for everyone out there.” Mr. McCue stated, “I’ve been
24 around local government for quite a while in Florida. This is an extremely unique approach to
25 attacking a crime problem such as we have out there in a neighborhood like that.” He said that the
26 jurisdictional task force has been working to find a long-term solution to the crime problems in the
27 area which includes the neighborhood watch programs. Mayor Erwin noted that the City has two
28 officers dedicated to traffic control and he asked whether there was a similar unit for vice control.
29 Mr. McCue said that staff is looking at alternative means to control the problems there. He said that
30 they are finding that the people purchasing the drugs in that area are not Orange City residents. In
31 response to a question from Council Member Sherrill, Mr. McCue stated that with the new program,
32 the owner of the property is being notified and trespass warrants are being issued which will lead to
33 property seizures in the future. In addition, because of the efforts of the police department, property
34 owners are voluntarily coming in to sign trespass warrants. Council Member Allebach commended
35 staff for addressing the recent crime problems in the City and he thanked Chief Baskoff, Mr. McCue
36 and all those involved in the efforts.

37
38 BEGIN TAPE 2-A

39
40 Council Member Sherrill commended the Public Works staff for their work on the guard rails. He
41 noted that the back sides of the entrance signs were being lettered.

42
43 B. Mayor/City Council

44
45 Mayor Erwin gave an update on the plans for the 125th anniversary celebration. He advised that a
46 contract has been signed for the band and that the final celebration was moved from Sunday to
47 Saturday. Mayor Erwin passed around a sample of the logo the Committee has been working to

1 develop for the event.

2

3 Council Member Yebba reported that the operations committee for the Partnership Center is now
4 ready to develop a business and marketing plan. He listed some of the programs that DBCC is
5 planning to offer at the facility as follows: digital photography, basic photoshop, conversational
6 Spanish, watercolor, drawing, music lessons, real estate and insurance licensing and some college
7 credit courses. In addition, there will be artist displays, musical presentations, lectures and other
8 events.

9

10 Linda White, West Volusia Chamber of Commerce, came forward and showed some renderings of
11 the floor plan and the building and advised that the City could obtain some enlarged copies from
12 Graphic Services. There will be a press release tomorrow announcing that the Board has pledged at
13 100% of the membership and the capital campaign is now going public. Ms. White said that the team
14 will be in the “story-telling” phase for the next few months, with the solicitation phase beginning in
15 January.

16

17 C. City Clerk

18

19 Ms. Renner advised that, historically, Council has cancelled the second meetings of November and
20 December due to the holiday season. She asked Council for their direction as to whether they would
21 like for her to draft a resolution doing so again this year.

22

23 **It was the consensus of Council to cancel the second meetings of**
24 **November and December.**

25

26 D. City Attorney

27

28 Mr. Reischmann reported that he would be meeting later this week with staff to work on the first unit
29 response agreement.

30

31 **9. APPROVAL OF MINUTES:** September 26, 2006 Regular Council Meeting

32

33 **Council Member Allebach moved to approve the minutes of the**
34 **September 26, 2006 Regular Council Meeting, seconded by**
35 **Council Member Yebba and approved by unanimous 4/0 voice**
36 **vote of the Council.**

37

38 (Note: Vice Mayor Abell left the meeting at 8:40 and was not present to vote on acceptance of the
39 minutes.)

40 **10. COUNCIL COMMENTS**

41

42 Council Member Yebba said that he appreciated that Vice Mayor Abell requested him to take over as
43 Vice Mayor. He said that Vice Mayor Abell has done a “fantastic job” as Vice Mayor and expressed
44 his hope that it would be a temporary situation. Council Member Yebba urged all to vote “no” on the
45 County Charter amendments.

46

47 Council Member Allebach clarified that his previous remarks about the funding dedicated to the

1 Partnership Center were not meant to be disparaging about the efforts to raise the money. He said
2 that if the building is as successful as anticipated, plans for enlarging the center will begin soon.
3

4 **11. ADJOURNMENT**

5
6 There being no further business, Mayor Erwin adjourned the meeting at 8:50 p.m.
7

8 **RESPECTFULLY SUBMITTED:**

APPROVED ON

9
10
11 Deborah J. Renner, CMC
12 City Clerk

10/24/06