

**COUNTY COUNCIL ACTION LIST
OCTOBER 16, 2003**

1. Proclaiming November 2003 as, "THE MONTH OF THE FAMILY" and Proclaiming October 5-12, 2003, as "FIRE PREVENTION WEEK" in Volusia County. (Item 1)	M. Dorn
2. APPROVED \$100,000 for 2003 (in addition to the previously approved \$500,000) and \$600,000 annually for 2004, 2005, and 2006 as an exceptional ECHO grant for the Lively Arts Center. (Item 2)	M. Beamer
3. CONTINUED TO November 6, 2003 @ 10:15 a.m., Appeal Case #A-03-167, James S. Morris, Attorney, Historic Holdings, Inc., Owner, to appeal the Zoning Enforcement Official's determination that 4505 Van Kleek Avenue, New Smyrna Beach is an illegal, nonconforming use duplex (two family dwelling) on an R-4(W) (single family residential) zoned property. (Item 3)	M. Robinson
4. UPHELD THE RECOMMENDATION OF THE PLANNING AND LAND DEVELOPMENT REGULATION COMMISSION AND THE ZONING STAFF TO APPROVE Zoning Case <u>Z-03-095</u> - Application of James Morris, Attorney; Lance T. Lenart, Owner, requesting a Rezoning from the B-4 (General Commercial) and RC (Resource Corridor) zoning classifications to the R-8 (Urban Multi-Family Residential) and RC (Resource Corridor) zoning classifications. Resolution No. 2003-194. (Item 4)	M. Robinson S. Whittaker
5. UPHELD THE RECOMMENDATION OF THE PLANNING AND LAND DEVELOPMENT REGULATION COMMISSION AND THE ZONING STAFF TO APPROVE Zoning Case <u>Z-03-101</u> - Application of Tom Burbank for Zev Cohen & Associates, Inc., Engineers; A.S.D. Properties Mgmt., Inc., Agent; Albert & Rae Ann Mulligan, Owners, requesting a Rezoning from the MH-5 (Urban Mobile Home), MH-7(1) (Mobile Home Park / Low Impact Urban), and RC (Resource Corridor) zoning classifications to the MH-1 (Mobile Home Park), MH-7(1) (Mobile Home Park / Low Impact Urban), and RC (Resource Corridor) zoning classifications. Resolution No. 2003- 195. (Item 5)	M. Robinson S. Whittaker
6. UPHELD THE RECOMMENDATION OF THE PLANNING AND LAND DEVELOPMENT REGULATION COMMISSION TO APPROVE Zoning Case <u>Z-03-026</u> - Application of James Morris, Attorney; Robert Farnell, Owner, requesting a Rezoning from the A-1 (Prime Agriculture) zoning classification to the A-3 (Transitional Agriculture) zoning classification. Resolution No. 2003- 196 (Item 6)	M. Robinson S. Whittaker
7. UPHELD THE RECOMMENDATION OF THE PLANNING AND LAND DEVELOPMENT REGULATION COMMISSION AND THE ZONING STAFF TO DENY Zoning Case <u>Z-03-090</u> - Application of Otto Weiner, Owner, requesting a Rezoning from the A-2 (Rural Agriculture) and RC (Resource Corridor) zoning classifications to the A-4 (Transitional Agriculture) and RC (Resource Corridor) zoning classifications. (Item 7)	M. Robinson
8. CONTINUED to November 6, 2003 @ 9:45 a.m., request for rehearing of Zoning Case PUD-03-075/Concord Wilshire-Laurel Park Development (filed by attorney Mark A. Watts), in accordance with Section 1105.99, Rehearing and Administrative Res Judicata, of Zoning Ordinance 80-8, as amended. (Item 8)	S. Ashley

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<p>9. UPHELD THE RECOMMENDATION OF THE PLANNING AND LAND DEVELOPMENT REGULATION COMMISSION AND THE ZONING STAFF TO DENY Appeal Case #A-03-118, Jim Ferullo for Delco Oil, Inc., Agent, Stephen DeLuca, Owner, appealing the decision of the Planning and Land Development Regulation Commission (PLDRC) and requesting approval of Variance Case V-03-086, variance to Section 806.02 of the Zoning Ordinance and allow an existing fence (6 ft. high in lieu of the 4 ft. maximum allowed) to remain in the front yards on W. Haven Avenue, S. Clara Avenue and Nelson Avenue on MH-5 (Urban Mobile Home) zoned property. (Item 9)</p>	<p style="text-align: center;">S. Ashley</p>
<p>10. CONTINUED TO 11/13/03 @ 10:30 a.m. Special Exception Case <u>S-03-098</u> - Application of James Kerby and Kathy Curtis, Owners, requesting a Special Exception for a boarding kennel, dog training, and crematory on RA (Rural Agricultural Estate) and RC (Resource Corridor) zoned property. (Item 10)</p>	<p style="text-align: center;">M. Robinson</p>
<p>11. APPROVED confirmation of the appointment of David T. Griffis as the Volusia County Extension Director. (Item 11)</p>	<p style="text-align: center;">R. Williams</p>
<p>12. APPROVED to lease office space for joint use by the Veteran's Services Division and Human Services Activity, located at 2765 Rebecca Lane, Orange City, for a one-year term with two (2) additional one (1) year renewals. [\$22,050.00 per year] (Item 12)</p>	<p style="text-align: center;">R. Williams</p>
<p>13. APPROVED the board membership of the Workforce Development Board of Flagler and Volusia Counties, Inc., as presented. (Item 13)</p>	<p style="text-align: center;">R. Fraser R. Williams</p>
<p>14. APPROVED the modifications to the FY 2002/2003 Community Development Block Grant (CDBG) and HOME Investment Partnership Program (HOME) budgets and ADOPTED Budget Resolution No. 2003-190, authorizing the funds. [\$183,832.00] (Item 14)</p>	<p style="text-align: center;">J. Angiulli S. Whittaker</p>
<p>15. ADOPTED Budget Resolution No. 2003-197, modifying the FY 2003-04 operating budget in the amount of \$31,594,548; authorizing budget transfers to the Parks Capital Fund in the amount of \$630,061; and appropriating \$259,500 in fund balance carryover in the Computer Replacement Internal Service fund. (Item 15)</p>	<p style="text-align: center;">D. Krueger S. Whittaker</p>
<p>16. APPROVED Award Bid #03-B-213JG, to the lowest responsive and responsible bidder, Dunn Corporation, Daytona Beach, for maintenance/repair of overhead doors, for a three (3) year period, with an option to renew for two (2) additional one-year periods with Council approval. [\$90,000.00] (Item 16)</p>	<p style="text-align: center;">C. Olsen</p>
<p>17. APPROVED the addition of Coastal Technology Corporation to the list of firms approved to provide coastal engineering services. (Item 17)</p>	<p style="text-align: center;">C. Olsen</p>
<p>18. APPROVED Change Order No. 1 to Task Assignment No. 30 in the amount of \$64,213.00 to the contract with CPH Engineers, Inc. for additional engineering services required to design the widening of Josephine Street (10th Street), between Tatum Boulevard and Myrtle Avenue. [\$351,434.77 – New Total Project Cost] (Item 18)</p>	<p style="text-align: center;">T. Morrissey</p>

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<p>19. APPROVED to award Bid #03-B-196DW to the lowest responsive and responsible bidder, Encore Group, St. Petersburg, FL for employee leasing services at the restaurant at Daytona Beach International Airport, for a term of three-years with the option to renew for two additional years with recommendation from the airport staff and approval of County Council. [\$416,000.00 – Fee of 18.85% of payroll or approx. \$80,000.00] (Item 19)</p>	<p style="text-align: center;">D. McGee</p>
<p>20. APPROVED to award Bid #03-B-192JG to the lowest responsive and responsible bidders: Georgia Pipe, Duluth, GA; Ferguson Waterworks, Orlando, FL; and ISCO Industries, Mulberry, FL for materials and services for construction of the east cell at the landfill and generate collections systems at Tomoka Farms Landfill, for a three-year period with the option to renew for two additional one-year periods with Council approval. [\$312,000.00]. (Item 20)</p>	<p style="text-align: center;">J. Grusauskas</p>
<p>21. APPROVED to award Bid No. 03-197LB to the lowest responsive and responsible bidder, Built Rite Construction of Central Florida, DeLand, FL for the construction of a 5-foot wide sidewalk on the South side of Howland Blvd. from Hillview Circle to Providence Blvd. and on the North side of Howland Blvd. from Austin Avenue to Center Road in Deltona. [\$55,227.80] (Item 21)</p>	<p style="text-align: center;">S. Martin</p>
<p>22. APPROVED to award Bid No. 03-B-209LB to the lowest responsive and responsible bidder, Built Rite Construction of Central Florida, DeLand, FL for the construction of two 5-foot wide sidewalks on Old Daytona Road, DeLand (Marsh Rd. to Kepler Rd.) and Iris Drive (Volusia Ave. to Junior St.) in Orange City. [\$75,211.50] (Item 22)</p>	<p style="text-align: center;">S. Martin</p>
<p>23. APPROVED to issue a purchase order for \$112,000 to PRIDE Digital Information Services for imaging of Growth and Resource Management's archived documents. [\$112,000.00] (Item 23)</p>	<p style="text-align: center;">P. Flomerfelt</p>
<p>24. APPROVED request from the City of South Daytona for an additional \$7,500.00 from the Tree Replacement Trust Account to assist in the landscaping of Big Tree Road and ADOPTED Budget Resolution No. 2003-191, appropriating the funds. [\$7,500.00] (Item 24)</p>	<p style="text-align: center;">S. Kintner S. Whittaker</p>
<p>25. APPROVED the acquisition of 1,724 acres (LeFils property) Conservation Easement at a Volusia Forever participation rate of 29.35% of the purchase price and 25% of the buyer's closing costs and authorized execution of a Joint Participation Agreement with the St. Johns River Water Management District (SJRWMD). [\$1,707,750.00] (Item 25)</p>	<p style="text-align: center;">D. Weaver</p>
<p>26. APPROVED the terms and conditions of the agreements for sale and purchase of property owned by Daniel P.S. Paul, comprising of 65 acres +/-, located within the boundaries of the Doris Leeper Spruce Creek Preserve and authorized staff to proceed with the closing. [\$360,640.00] (Item 26)</p>	<p style="text-align: center;">D. Weaver</p>
<p>27. APPROVED agreement for sale and purchase of property (Garrity and Ashley), approximately 15 acres, located along the westerly right-of-way of John Anderson Drive and the eastern shore of the Intracoastal Waterway (Halifax River), and authorized staff to proceed with the closing. [\$433,737.00] (Item 27)</p>	<p style="text-align: center;">D. Weaver</p>

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28. APPROVED the Volusia Forever Group A and B List as submitted and APPROVED staff to begin the acquisition process on the Group A properties. (Item 28)	D. Weaver
29. ADOPTED Resolution No. 2003-192, declaring Tax Parcel Number 6336-01-00-2580 as surplus property, approval of the transfer of the parcel to the City of New Smyrna Beach and authorized the Council Chair and County Manager to execute County deeds transferring the property, pursuant to Florida Statute 125.38. (Item 29)	W. Gardner
30. WITHDRAWN agreement with the City of Edgewater, for sale and purchase of the 60-acre waterfront property, formerly known as the Marine Commerce Park, located in Edgewater, Florida and authorized staff to proceed with closing. [\$3,055,000.00] (Item 30)	D. Weaver
31. APPROVED contract with TEI Engineers and Planners for the preparation of corridor managements plans for the designated "Ormond Loop Corridor" Scenic Road. [\$64,920.00] (Item 31)	M. Beamer
32. APPROVED the price agreement with Southeast Volusia Humane Society to house stray animals at \$41.00 per animal for a three-day stay, for three (3) years, beginning FY 2004. [\$50,000.00] (Item 32)	B. Wilson
33. APPROVED of the proposed alignment and contract with Dyer, Riddle, Mills and Precourt, Inc. for the engineering, design, permitting, right-of-way and construction of the Rhode Island Avenue Extension, from Veteran's Memorial Parkway to Normandy Boulevard. Project No. P-4904 [\$700,665.69] (Item 33)	S. Martin
34. APPROVED with the revision that Samsula be included and have equal status, contract with Professional Engineering Consultants, Inc., Orlando, for the preparation of the Phase I Roadway Corridor Analysis for County Road 415 from SR 44 to US 92. RSQ 20-SQ-233. [\$66,852.00] (Item 34)	G. Brinton
35. APPROVED the proposed contract with Parker Mynchenberg and Associates, Inc. to design, prepare construction documents and perform permitting for a box culvert to replace the existing bridge on Otter Boulevard, New Smyrna Beach. [\$130,334.89] (Item 35)	T. Morrissey
36. ADOPTED Budget Resolution No. 2003-193, authorizing the Volusia County Sheriff's Office to accept and appropriate \$31,288 in Operation Liberty Shield grant funds into account 728-400-0603-1400. (Item 36)	L. Bounds S. Whittaker
37. APPROVED settlement of eminent domain action for Parcel 5/805 (Nagymihaly), located on Atlantic Avenue in New Smyrna Beach, in the total amount of \$93,750.00, plus statutory attorney's fees in the amount of \$8,002.50 and expert fees not to exceed \$5,000.00 for a total amount of \$106,752.50. [Total Item Budget - \$30,752.50] (Item 37)	G. Minter
38. APPROVED staff to prepare a Road Impact Fee Ordinance with the recommended changes and forward to the Planning and Land Development Regulation Commission for their consideration and consistency determination at their regularly scheduled meeting on November 11, 2003. (Item 38)	J. Cheney R. Yates

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<p>39. APPROVED Hardin, Peck and Associates for Construction Management/General Contract Services for the construction of an expansion of the Ocean Center [RSQ #03-SQ-157BL]. APPROVED staff to commence negotiations with the number one ranked firm. (Item 39)</p>	<p style="text-align: center;">C. Olsen</p>
<p>40. APPOINTED Connie Boivin (Dist. #5 – B. Long nom.) to the West Volusia Tourism Advertising Authority to replace Lynn Kumpf (resigned) for the remainder of her two-year term to expire September 30, 2004. (Item 40)</p>	<p style="text-align: center;">D. DeMarsh</p>
<p>41. APPOINTED Clifford Wharin (A/L-Alexander nom.) to the Southeast Volusia Advertising Authority to replace Eugene Sheldon (resigned) for the remainder of his two-year term to expire September 30, 2004. (Item 41)</p>	<p style="text-align: center;">C. Finney</p>
<p>42. APPROVED to include \$200,000 for the Beresford Trail project and submit \$500,000 with a matching \$500,000 ECHO grant. (Council Time)</p>	<p style="text-align: center;">B. Apgar</p>
<p>43. APPROVED December 26, 2003, closing all non-essential services for the day and crediting employee leave balances to compensate them for not being able to come to work. (Council Time)</p>	<p style="text-align: center;">M. Lary</p>
<p>44. ADOPTED Resolution No. 2003-198, Establishing its support of the inclusion of a Local Sources First Policy in Chapter 373 F.S. And its opposition to any amendment to Florida's Water Resource Policy which allow, encourages, or promotes water transfers beyond County jurisdictions. (Council Time)</p>	<p style="text-align: center;">D. DeMarsh S. Whittaker</p>