

**COUNTY COUNCIL ACTION LIST
OCTOBER 21, 2004**

<p>1. APPROVED Salute to Our Employee Troops Day - October 21, 2004 – In recognition of County employees who served in Operation Iraqi Freedom and Operation Gulf Winds in 2003 and 2004. (Item 1)</p>	<p style="text-align: center;">M. Dorn</p>
<p>2. APPROVED Robert L. Brewer, Equipment Operator III with Solid Waste, retires October 28, 2004 after more than 26 years of dedicated service to Volusia County Government. (Item 2)</p>	<p style="text-align: center;">M. Lary</p>
<p>3. APPROVED County Council minutes of the May 20, 2004 - Regular Session (Item 3)</p>	<p style="text-align: center;">M. Rigsby</p>
<p>4. APPROVED to execute the Hurricane Charley Disaster Relief Funding Agreement (FEMA-1539-DR-FL); request to apply for and receive disaster relief funding; and ADOPTED Budget Resolution 2004-198 providing for the appropriation of \$16.0 million in federal, state and local funding for estimated storm damages to include the transfer of \$800,000.00 from General Fund, Emergency Reserves as Volusia County's 5% cost share requirement. The General Fund Emergency Reserve balance after this transfer is \$9,293,966.00. [\$16,000,000.00: 90% federal/10% shared state-local applicant] (Item 4)</p>	<p style="text-align: center;">J. Ryan S. Whittaker</p>
<p>5. ACCEPTED Storm Reports (Item 5)</p>	<p style="text-align: center;">J. Ryan</p>
<p>6. WITHDRAWN Variance Appeal A-04-103, request for consideration of William Ross, Attorney for Southeast Builders, Contract Purchaser, Michael Sokol, Owner to UPHOLD the decision of the PLDRC for DENIAL of a variance to waive Section 600.01, to separate Lot 12 from Lot 13, Block 1, Section C, Silver Sands subdivision and a variance for a 6.9 foot north side yard setback in lieu of the required 11.9 foot setback (for combined 20 foot side yard setbacks) for an existing single family dwelling on Lot 13, Block 1, Section C, Silver Sands subdivision, on R-4W (Urban Single-Family Residential/Indian River Lagoon SWIM Overlay Zone) zoned property. (Item 6)</p>	<p style="text-align: center;">M. Robinson</p>
<p>7. UPHELD THE RECOMMENDATION OF THE PLANNING AND LAND DEVELOPMENT REGULATION COMMISSION AND THE ZONING STAFF TO APPROVE Zoning Case Z-04-094, Raymond Lee Owner, requesting a change in zoning classification from the B-4 (General Commercial) zoning classification to the A-3 (Transitional Agricultural) zoning classification. Resolution No. 2004-199. (Item 7)</p>	<p style="text-align: center;">M. Robinson S. Whittaker</p>
<p>8. UPHELD THE RECOMMENDATION OF THE PLANNING AND LAND DEVELOPMENT REGULATION COMMISSION TO APPROVE Zoning Case Z-04-057, Teresa Webb, Owner, requesting a rezoning from MH-4 (Rural Mobile Home) zoning classification to A-3 (Transitional Agriculture) zoning classification. Resolution No. 2004-200. (Item 8)</p>	<p style="text-align: center;">M. Robinson S. Whittaker</p>
<p>9. UPHELD THE RECOMMENDATION OF THE PLANNING AND LAND DEVELOPMENT REGULATION COMMISSION TO DENY Zoning Case Z-04-095, Darren Elkind, Attorney for Owners, Stephen Brooks, Catherine and Christopher Phelps, Amy Sue Louwsma, Robert Bickel, Edward Confrancesco, Jr., and Bobby and Betty Hass, Owners, requesting a change of classification from the A-2 (Rural Agricultural) zoning classification to the RE (Rural Estate) zoning classification. (Item 9)</p>	<p style="text-align: center;">S. Ashley</p>

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<p>10. UPHELD THE RECOMMENDATION OF THE PLANNING AND LAND DEVELOPMENT REGULATION COMMISSION AND THE ZONING STAFF TO APPROVE Special Exception Case S-04-090 with one condition, Lawrence and Emily Drumb, requesting a Special Exception for a garage apartment, on A-3 (Transitional Agriculture) zoned property. (Item 10)</p>	<p style="text-align: center;">M. Robinson</p>
<p>11. UPHELD THE RECOMMENDATION OF THE PLANNING AND LAND DEVELOPMENT REGULATION COMMISSION AND THE ZONING STAFF TO APPROVE Special Exception S-04-073 with seven conditions, Creekside Missionary Alliance of The Christian Missionary Alliance, Contract Purchaser, Shawn Hoffman, Owner, requesting a special exception for a House of Worship and a waiver to Section 817.00 (d) (2) of the Zoning Ordinance to allow grass parking on A-1 (Prime Agriculture) zoned property. (Item 11)</p>	<p style="text-align: center;">M. Robinson</p>
<p>12. CONTINUED to December 2, 2004 @ 10:00 a.m., Special Exception S-04-087, Mark Watts Applicant, George L. Southworth, Owner, requesting a Special Exception for a Permanent Concrete Batch Plant on proposed I-2 / RC (Heavy Industrial / Resource Corridor) zoned property. (Item 12)</p>	<p style="text-align: center;">M. Robinson</p>
<p>13. APPROVED proposed Task Assignment No. 5 to the contract with The LPA Group, Inc. of Orlando, Florida, for architectural, engineering and aviation planning services which includes performing resident project representative (RPR) services and quality assurance testing for the Airfield Perimeter Road - Phase II Construction Project, Project No. 5101-C, at the Daytona Beach International Airport (DBIA). [\$248,900.00: Funding for this project is provided as follows: 95% FAA, 2.5% FDOT and 2.5% Airport funds] (Item 13)</p>	<p style="text-align: center;">G. Saalfield</p>
<p>14. APPROVED the Consolidated Lease Agreement and Extension between the County of Volusia and Sheltair Daytona Beach, LLC, for a thirty-year term upon completion of approximately \$3,500,000.00 of new construction and reinvestment in existing facilities; and request to authorize the chair to execute the agreements (Item 14)</p>	<p style="text-align: center;">S. Cooke</p>
<p>15. WITHDRAWN BY STAFF, request to approve a Lease Agreement with Oceanside One, Ltd. to construct a 120-room Marriott Residence Inn Hotel on Parcel 1B at the Daytona Beach International Airport. (Item 15)</p>	<p style="text-align: center;">D. McGee</p>
<p>16. APPROVED additional Hurricane Relief Funds; and ADOPTED Revised Budget Resolution 2004-208. [+\$129,144.00] (Item 16)</p>	<p style="text-align: center;">R. Williams S. Whittaker</p>
<p>17. APPROVED to cancel the contract between the County of Volusia and George Rada, Inc. of Mount Dora, Florida, for the construction of a single family home at 932 South Clara Avenue, DeLand (Item 17)</p>	<p style="text-align: center;">R. Williams C. Olson</p>
<p>18. APPROVED the Core Contract between the State of Florida, Department of Health, and the County of Volusia, for the period from October 1, 2004 through September 30, 2005. [2004-2005 contribution of \$2,693,303.00 towards the annual operation] (Item 18)</p>	<p style="text-align: center;">H. Rodenberg</p>
<p>19. APPROVED proposed Change Order No. 1 to Amendment No. 2 to the contract with E. C. Kenyon, for the demolition of the old Courthouse Annex and the construction of a new parking lot adjacent to the Historic Courthouse. [\$598,701.00] (Item 19)</p>	<p style="text-align: center;">F. Schwenck</p>

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<p>20. APPROVED the proposed retrofit plan for Volusia County Branch Jail and the Corrections Facility; AUTHORIZED the Council Chair and County Manager to sign the FPL Supplemental Agreement #1; APPROVED Resolution No. 2004-201 authorizing the borrowing of up to \$2,655,000.00; ADOPTED Budget Resolution No. 2004-202; ADOPTED IRS Resolution No. 2004-203; and authorized the Council Chair and County Manager to sign all related financing documents. [\$2,755,318.00: cost of the project, less rebates, is \$2,654,613.00; debt service payments of approximately \$100,318.00 for FY 2004-2005 (Item 20)</p>	<p style="text-align: center;">F. Schwenck</p>
<p>21. APPROVED to award a contract to the lowest, responsive and responsible bidder, Coleman Builders of Volusia County, Port Orange, Florida, to construct an affordable home for an approved applicant on County-owned land; and APPROVED to transfer title of parcel #3 to the approved home buyer, upon proper execution and close of the home sale. [\$89,685.00 Bid No. 04-B-62BB / Affordable Single Family Housing -Parcel #3 (Item 21)</p>	<p style="text-align: center;">R. Williams</p>
<p>22. WITHDRAWN BY STAFF, request to approve and award an initial three-year agreement to IBM Corporation, Orlando, Florida, for computer equipment maintenance. [\$192,000.00, annually] Bid No. 04-B-266DW (Item 22)</p>	<p style="text-align: center;">E. Whitehead</p>
<p>23. APPROVED to award a contract for the purchase of asphaltic concrete and removal of existing surface by milling for maintenance and emergency repairs, to the following companies listed below, for one (1) year, with four (4) subsequent one (1)-year renewals, permissible upon mutual written agreement, and when applicable, upon approval of County Council. [\$150,000.00 Bid No. 04-B-262JG (Item 23)</p>	<p style="text-align: center;">G. Recktenwald</p>
<p>24. APPROVED to award Contract No. 1120 to Canaveral Construction Company, Titusville, Florida, for the Dune Walkover Program, which consists of repair, replacement, or renovation of dune walkovers in the following 7 locations, for the total bid amount of \$213,600.00, to include the Alt. 1 unit price of \$3.00 for each hurricane anchor needed for this project, as presented and to amend the scope of work to cover emergency repairs needed as a result of damage caused by the hurricanes, for the same unit cost [\$1,173,600.00: \$213,600.00 for the General Fund-Leisure Services; \$1,500,000.00 from Hurricane Damages FEMA]. Bid No. 04-B-260LB (Item 24)</p>	<p style="text-align: center;">J. Harper</p>
<p>25. APPROVED to award bid to the lowest, responsive, responsible bidder, L-J Construction Company of Central Florida, Polk City, Florida, for the construction of a 5-foot wide sidewalk on the north side and south side, respectively, of the following roads: LPGA Boulevard (Center Street to State Avenue) in Holly Hill, and Commonwealth Boulevard (FEC Railroad Track to Ridgewood Avenue) in Port Orange, under Contract No. 1119. [\$133,348.00] Bid No. 04-B-258LB (Item 25)</p>	<p style="text-align: center;">G. Brinton</p>
<p>26. APPROVED to authorize staff to negotiate a contract with Sonitrol of Florida East Coast, Cocoa Beach, Florida, the top ranked firm, for a Building Access Control System, immediately securing five County facilities, with the option to purchase additional systems, and bring</p>	<p style="text-align: center;">F. Schwenck</p>

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<p>the final contract back to Council for approval. RFP No. 04-P-207JG (Item 26)</p>	
<p>27. ADOPTED Budget Resolution 2004-204 appropriating funds regarding the third renewal of the SJRWMD Indian River Lagoon Water Quality and Atmospheric Deposition Assessment Project. The renewal extends the contract through September 30, 2005. [\$24,690.00] (Item 27)</p>	<p>S. Kintner T. Carey S. Whittaker</p>
<p>28. APPROVED Task Assignment No. 6 to Ecological Associates, Inc. of Jensen Beach, Florida, for the monitoring of piping plovers in support of the South Jetty Extension project. [\$36,620.00 (Item 28)</p>	<p>S. Kintner</p>
<p>29. APPROVED the Special Use Authorization for the 2005 Alligator Enduro off-road motorcycle event, which is a one-day event to be held on March 10, 2005. The Daytona Dirt Riders Association requests access to the tracts from January 24, 2005, through March 13, 2005, to allow course layout and cleanup (Item 29)</p>	<p>D. Weaver R. Sleister</p>
<p>30. APPROVED a partial release of the lien on property located at 862 North Summit Avenue, Lake Helen, Florida and owned by Glen C. Olson, to enable the Florida Department of Transportation's expansion of the Lake Helen interchange at State Road 400/CR4139 in Lake Helen; ADOPTED Resolution 2004-205; and APPROVED the Chair and County representatives to execute the Quit Claim Deed relinquishing any interest in and to that certain property described in said deed (Item 30)</p>	<p>D. Weaver S. Whittaker</p>
<p>31. APPROVED to release the Subdivision Maintenance Agreement and guaranty; request for the County to agree to maintain the dedicated public improvements; and APPROVED turning over any other appropriate improvements to the Halifax Plantation Homeowners' Association for the maintenance for Halifax Plantation Unit II, Section N-1. This development consists of 45 lots on 20.257 acres and is located in the Halifax Plantation PUD, east of I-95 and north of Ormond Beach. Central water and sewer are provided by Volusia County Utilities (Item 31)</p>	<p>P. Panton</p>
<p>32. APPROVED to grant a Development Order approving the application for a Final Plat and approval of the required Maintenance Agreement and any necessary Performance Agreement for the Halifax Plantation Unit II, Section K subdivision, subject to resolution of conditions 1 through 3 as set forth. This development is located in the Halifax Plantation PUD, north of Ormond Beach, east of I-95, and consists of 53 lots on 44.91 acres Final Plat Application 04-S-FPL-0658 (Item 32)</p>	<p>P. Panton</p>
<p>33. APPROVED to accept settlement with Florida Water Services Corp.; and authorized staff to seek Court approval of such settlement issues related to rates and allocation of \$100,000.00 in proceeds. [+\$100,000.00] (Item 33)</p>	<p>M. Minter G. Marwick</p>
<p>34. APPROVED settlement of litigation case Andrew Stewart v. County of Volusia, for the amount of \$12,000.00 for lost wages, interest thereon, attorney's fees and costs, plus mediation costs in the amount of \$1,100.00. [\$13,100.00] (Item 34)</p>	<p>M. Minter</p>
<p>35. APPROVED proposed Task Assignment No. 3 to Thompson, Ventulett, Stainback and Associates, Inc., Architects (TVS) of Atlanta, to provide architectural and engineering services for the Ocean</p>	<p>R. Hamilton</p>

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Center Expansion, Phase III, which include final design and construction phase services; and APPROVED the revision to Task Assignment No. 2. [\$3,247,981.00] (Item 35)	
36. APPROVED proposed Task Assignment No. 2 to the firm of Hawkins & Hall, Architects, for Project No. P-5295, design, preparation of construction documents, and construction phase services for the construction of the North Peninsula Fire Station No. 14, located at 1716 Atlantic Avenue in the Ormond Beach area. [\$78,000.00] (Item 36)	F. Pocica
37. APPROVED the renewal of the fire protection and rescue services agreement with the City of South Daytona, for an increase of 3.00%, which is greater than the increase in the CPI of 2.99%, for the contract period of October 1, 2004 through September 30, 2005. [\$53,349.48] (Item 37)	J. Tauber
38. APPROVED to purchase Parcel 21 for the road widening and stormwater retention requirements regarding the LPGA Boulevard widening project from Jimmy Ann Drive to Nova Road, in the Holly Hill Area, Project 1180, in accordance with the Right of Way Purchase Agreement. [\$102,000.00] (Item 38)	G. Brinton
39. ADOPTED Budget Resolution No. 2004-206 authorizing the expenditure of grant funds for the I-4 Frontage Road Project, in accordance with the County Incentive Grant Program (CIGP) Agreement approved by Volusia County Council on November 6, 2003. [\$757,750.00] (Item 39)	G. Brinton S. Whittaker
40. APPROVED Emergency Price Agreement with Harty Tractor Service, Inc., to assist in the collection and disposal efforts of the two existing contractors, Crowder-Gulf and Waste Management, for debris removal from Hurricanes Charley, Frances, and Jeanne; and authorized the County Manager to sign the contract. [not to exceed \$1,000,000.00] (Item 40)	G. Recktenwald
41. APPROVED proposed Task Assignment No. 2 to Ghyabi and Associates for signal warrant studies at the intersections of DeBary Avenue at Enterprise Road, and DeBary Avenue at Main Street, and signal design for the intersections of DeBary Avenue at Deltona Boulevard and DeBary Avenue at Providence Boulevard, Project No. P-5296. [\$30,325.00] (Item 41)	J. Cheney
42. APPROVED the annual software support and maintenance agreement with Tiburon, Inc. (Fremont, CA) for the Sheriff's Office Records Management System (RMS) software, for the period October 1, 2004 to September 30, 2005. [\$44,758.00] (Item 42)	L. Bounds
43. APPROVED the expenditure of E-911 monies to purchase hardware and software upgrades from BellSouth Telecommunications of Orlando, Florida, for the VCSO E-911 call center. [\$183,745.00] (Item 43)	L. Bounds
44. APPROVED the appropriation of funds from the FDLE Violent Crime and Drug Control Council, as reimbursement for expenses associated with the June 2004 Joshua Bryant and Lillian Martin body recovery search; and ADOPTED Budget Resolution 2004-207. [+\$65,700.00] (Item 44)	L. Bounds S. Whittaker
45. ADOPTED Revised Ordinance 2004-16 (including PLDRC	M. Robinson

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<p>Recommendation), to facilitate the rebuilding of destroyed homes and to provide for temporary housing until completion of repairs - Post-Disaster Emergency Temporary Housing (Item 45)</p>	<p>S. Whittaker</p>
<p>46. ADOPTED Revised Ordinance 2004-17 (two typo changes), proposed changes to the County Minimum Standards Chapter 50, Article III, "Minimum Standards for Environmental Protection", Division 9, "Beaches and Dunes". (Item 46)</p>	<p>S. Kintner M. Leigh S. Whittaker</p>
<p>47. ADOPTED Ordinance 2004-18, proposed changes to the County Land Development Code Article XV: Environmental Standards for Beach and Dune. (Item 47)</p>	<p>S. Kintner M. Leigh S. Whittaker</p>
<p>48. APPROVED Leisure Services staff and the Beach Policy Advisory Board to seek input on the revised Beach Management Plan from all of the Volusia County cities, prior to final plan approval. (Item 48)</p>	<p>J. Harper</p>
<p>49. ACCEPTED presentation -Economic Development Program Update: a progress review of current projects and activities. (Item 49)</p>	<p>R. Michael</p>
<p>50. ADOPTED Emergency Ordinance 2004-24, prohibiting the sale of alcoholic beverages during the Volusia County Youth Fair and Expo at the Volusia County Fairgrounds during November 4-14, 2004. (Item 50)</p>	<p>F. Gummey S. Whittaker</p>
<p>51. CONTINUED TO A LATER DATE, appointments to the Historic Preservation Board.</p>	<p>S. Whittaker</p>
<p>52. APPROVED staff to attend the November 1, 2004 City of Deltona Commission Meeting to object to City Ordinance #26-2004 (Chalk annexation) and City Ordinance #29-2004 (D Ranch annexation). (Staff Time)</p>	<p>M. Beamer</p>