

**COUNTY COUNCIL ACTION LIST
MARCH 18, 2004**

1. APPROVED retirements of Leon L. Dowdee, Reserve Deputy with the Sheriff's Office, Ronald P. Emerson, Reserve Deputy with the Sheriff's Office and Jess W. Cupp, Deputy Sergeant with the Sheriff's Office. (Item 1)	M. Lary
2. APPROVED Minutes with revisions from the January 22, 2004 Council Meeting and (Item 2)	M. Rigsby
3. APPROVED revised Minutes from the January 29, 2004 Goal Setting Workshop. (Item 3)	M. Rigsby
4. ADOPTED Resolution 2004-44, abandoning the subject portion of the plat of Leona Park Subdivision, Map Book 9, Page 84, in the DeLeon Springs area, containing 2.3 acres. [Petitioner: Michael A. Barr] (Item 4)	J. Enfinger S. Whittaker
5. ADOPTED Resolution 2004-45, abandoning the subject portion of the plat of Kalamazoo Subdivision, Map Book 5, Page 50, in the Osteen area, containing 44.5 acres. [Petitioner: the County of Volusia] (Item 5)	J. Enfinger S. Whittaker
6. APPROVED to designate \$185,000.00 of Inlet & Port District Funds as initial year funding assistance for habitat and water quality restoration projects related to the Halifax and Indian River Estuaries. [\$185,000.00] Council requested quarterly reports. (Item PA1)	J. Nolin
7. APPROVED the Boat Facility Siting component of the Volusia County Manatee Protection Plan and its transmission to the Florida Fish and Wildlife Conservation Commission and the United States Fish and Wildlife Service for review and final approval regarding the Manatee Protection Plan – Phase II. (Item 6)	S. Kintner
8. CONTINUED TO MAY 20, 2004 @ 9:45 a.m., V-03-130/Baranski-U-Haul-Five Sac APPEAL of the decision of the PLDRC to DENY a Variance to allow a maximum sign height of 16 feet in lieu of the required 8 feet for a ground sign in the U-Haul BPUD. (Item 7)	M. Robinson M. Rigsby
9. UPHELD RECOMMENDATION OF PLANNING AND LAND DEVELOPMENT REGULATION COMMISSION AND THE ZONING STAFF TO APPROVE Zoning Case Z-04-008, Application of Robert McGuire, Owner, requesting a Rezoning from the RC (Resource Corridor) and FR (Forestry Resource) zoning classifications to the A-2 (Rural Agriculture) zoning classification. Resolution No. 2004-46. (Item 8)	M. Robinson S. Whittaker
10. UPHELD RECOMMENDATION OF PLANNING AND LAND DEVELOPMENT REGULATION COMMISSION AND THE ZONING STAFF TO APPROVE Zoning Case Z-04-010, Mark & Merry Weaver, Owner, requesting a Rezoning from the A-2 (Rural Agriculture) zoning classification to the RA (Rural Agricultural Estate) zoning classification). Resolution No. 2004-47. (Item 9)	M. Robinson S. Whittaker
11. UPHELD RECOMMENDATION OF PLANNING AND LAND DEVELOPMENT REGULATION COMMISSION AND THE ZONING STAFF TO APPROVE Zoning Case Z-04-012, Application of Ron Pursley, Owner, requesting a rezoning from the R-4 (Urban Single Family Residential) zoning classification to the R-6 (Urban Two-Family Residential) zoning classification. Resolution No. 2004-48 (Item 10)	M. Robinson S. Whittaker

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<p>12. UPHELD RECOMMENDATION OF THE ZONING STAFF TO APPROVE WITH MODIFICATIONS and the applicant's voluntary conditions (excluding the addition of a gate), Zoning Case PUD-03-139, Application of Berry Walker, Jr., for Berry's Ridge, Owner, requesting a rezoning from the A-2 (Rural Agriculture) and B 2 (Neighborhood Commercial) zoning classifications to the RPUD (Residential Planned Unit Development) zoning classification. Resolution No. 2004-49 (Item 11)</p>	<p>M. Robinson S. Whittaker</p>
<p>13. UPHELD RECOMMENDATION OF PLANNING AND LAND DEVELOPMENT REGULATION COMMISSION AND THE ZONING STAFF TO APPROVE WITH AMENDMENTS, Zoning Case BPUD-03-125, excluding the language in Section L. regarding lighting. This is the application of Douglas and Barbara Fiano, Applicants, Wyman Atkins, Trustee Owner requesting a BPUD/C requesting a rezoning from the B-4/C (General Commercial/Thoroughfare Overlay Zone) and MH-4/C (Rural Mobile Home/Thoroughfare Overlay Zone) zoning classifications to the BPUD/C (Business Planned Unit Development/Thoroughfare Overlay Zone) zoning classification. Resolution No. 2004-50 (Item 12)</p>	<p>M. Robinson S. Whittaker</p>
<p>14. UPHELD RECOMMENDATION OF PLANNING AND LAND DEVELOPMENT REGULATION COMMISSION (PLDRC) AND THE ZONING STAFF TO APPROVE WITH 18 CONDITIONS as proposed by the PLDRC, to Special Exception Case S-03-084, Application of Walton Kinney for Kinney Brothers, Inc., requesting a Special Exception for an excavation on A-1 (Prime Agriculture) zoned property. The property is located on the south side of C.R. 305 approximately 4,250 ft. from the Volusia/Flagler County line, in the community of Seville; Parent parcel of ± 107.3 acres of rural land with a mix of farm, timber, pasture (± 1 acre) and environmentally sensitive areas. (Item 13)</p>	<p>M. Robinson</p>
<p>15. UPHELD RECOMMENDATION OF PLANNING AND LAND DEVELOPMENT REGULATION COMMISSION AND THE ZONING STAFF TO APPROVE WITH 17 CONDITIONS, Special Exception Case S-03-104, Application of Walton Kinney for Kinney Brothers, Inc., requesting a Special Exception for a material recovery facility (MRF) on A-1 (Prime Agriculture) zoned property. The property is on the south side of C. R. 305 approximately 4,250 ft. from the Volusia/Flagler County line, in the community of Seville; Parent parcel of ± 107.3 acres of rural land with a mix of farm, timber, pasture and (± 1 acre) environmentally sensitive areas. (Item 14)</p>	<p>M. Robinson</p>
<p>16. UPHELD RECOMMENDATION OF PLANNING AND LAND DEVELOPMENT REGULATION COMMISSION AND THE ZONING STAFF TO APPROVE WITH 3 CONDITIONS, with a revision to Condition #1 (striking the first part of the first sentence), Special Exception Case S-04-015, Application of Frank Luznar, Owner, requesting a Special Exception for a veterinary clinic on A-1/C (Prime Agriculture/Thoroughfare Overlay Zone) zoned property. (Item 15)</p>	<p>M. Robinson</p>

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<p>17. UPHELD RECOMMENDATION OF PLANNING AND LAND DEVELOPMENT REGULATION COMMISSION AND THE ZONING STAFF TO APPROVE WITH 15 CONDITIONS, striking the last sentence of Condition #1, Special Exception Case S-04-018, Application of James Morris, Attorney; Berrien Becks, Owner requesting a Special Exception for a temporary campsite for 3 days before, during, and 3 days after regularly scheduling racing events at the Daytona International Speedway for Bikeweek and Biketoberfest for 5 years (March 2004 through October 2010) on A-2 (Rural Agriculture) zoned property. (Item 16)</p>	<p style="text-align: center;">M. Robinson</p>
<p>18. UPHELD RECOMMENDATION OF PLANNING AND LAND DEVELOPMENT REGULATION COMMISSION TO APPROVE Special Exception Case S-03-137, Application of Richard & Joyce Nix, requesting a Special Exception for a garage apartment on A-4 (Transitional Agriculture) zoned property. (Item 17)</p>	<p style="text-align: center;">M. Robinson</p>
<p>19. UPHELD RECOMMENDATION OF PLANNING AND LAND DEVELOPMENT REGULATION COMMISSION TO APPROVE WITH 17 CONDITIONS and APPROVED to waiving the requirements of the 125 ft. setback on the north line, Special Exception Case S-04-006, Application of Glenn Storch, Attorney for Robert Hart, requesting a Special Exception for material recovery facility (MRF) on A-1 (Prime Agriculture) and RC (Resource Corridor) zoned property, for an initial five year time period with option to renew the Special Exception for additional five year time periods provided the applicant has continued to comply with all approved terms and conditions of the Special Exception for operation of the proposed MRF. (Item 18)</p>	<p style="text-align: center;">M. Robinson</p>
<p>20. APPROVED the amendments to the FY 2000/01, 2001/02, 2002/03, and 2003/04 Consolidated Plan for the purpose of amending the Community Development Block Grant (CDBG) Program and request to authorize the Community Services Director, or designee, to submit related grant documents to the U.S. Department of Housing and Urban Development and amend all subrecipient agreements as necessary. (Item 19)</p>	<p style="text-align: center;">J. Angiulli</p>
<p>21. APPROVED to reaffirm the following members to the delegation to the Human Services Advisory Board: Pat Taylor, Toreatha Wood and Leslie Pearce. (Item 20)</p>	<p style="text-align: center;">G. Fordham</p>
<p>22. ADOPTED Budget Resolution 2004-51, authorizing the transfer of \$267,000.00 from General Fund to the VOTRAN budget and appropriation of \$6,591.00 from Mid Florida Community Services for the purchase of three vehicles; APPROVED the purchase order with Blue Bird Inc. for \$247,026.00; and APPROVED a proposed operating contract between VOTRAN and Head Start. [\$273,591.00] (Item 21)</p>	<p style="text-align: center;">K. Fischer S. Whittaker</p>
<p>23. APPROVED the Supervisor of Elections' request to contract with The News-Journal to print and distribute an Election Preparedness Guide tabloid, using funds disbursed by the State to the Elections Department for voter education purposes. [\$27,150.00] (Item 22)</p>	<p style="text-align: center;">D. Lowe</p>
<p>24. ADOPTED Budget Resolution 2004-55, amending the FY 2002-03 budget as required for the fiscal year close-out adjustments. (Item 23)</p>	<p style="text-align: center;">D. Krueger S. Whittaker</p>

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<p>25. APPROVED a Lease for 4,000 square feet of office space, at the rate of \$13.47 per square foot per year, for an initial term of five (5) years with the option to renew for an additional five (5) years, in the building located at 2742-A Enterprise Road, Orange City, Florida, for the office of the Property Appraiser, effective April 1, 2004, as presented. [\$53,880.00 annually] (Item 24)</p>	<p style="text-align: center;">M. Gilreath C. Natali</p>
<p>26. APPROVED to award a one-year purchase agreement to M/A-COM with two one-year renewable options for the 800 MHz Trunked Radio FX Software Maintenance Program, and authorize the Purchasing Director to approve annual renewals for two years based on the recommendation of the Information Technology Director. [\$76,000.00 annually] (Item 25)</p>	<p style="text-align: center;">B. Clausen</p>
<p>27. APPROVED to award the mulch portion of the Invitation to Bid to the following lowest, responsive and responsible vendors: ABC Express - Zones 1 and 4; Servello & Sons - Zone 2; and JEM Enterprises - Zone 3 & 5, for an initial term to coincide with the existing lawn maintenance contracts, with two one-year renewals contingent upon Council approval. [\$55,093.80 annually] Bid No. 03-B-166 BB PW. (Item 26)</p>	<p style="text-align: center;">P. Wilsky</p>
<p>28. APPROVED to award the bid for commissary services for the Department of Corrections to the highest responsive and responsible bidder, Trinity Service Group, Inc., Oldsmar, Florida, for a period of three (3) years, renewable for two (2) additional one (1) year periods contingent upon Council approval. [Revenue: \$165,140.00] Bid No. 04-B-27JJ (Item 27)</p>	<p style="text-align: center;">K. Hickey</p>
<p>29. APPROVED to award the bid for the construction of Phase I of the perimeter service road at the Daytona International Airport (Contract No. 1092) to the lowest, responsive and responsible bidder, Halifax Paving, Inc., Ormond Beach, Florida, as presented. [\$1,933,424.87] Bid No. 04-B-22LB (Item 28)</p>	<p style="text-align: center;">D. McGee</p>
<p>30. APPROVED to award contracts to the following lowest responsive and responsible bidders: Parcel #1 - RSB Homes, Inc. - \$84,502.00 and Parcel #7 - Coleman Builders, Inc. - 86,300.00; to construct an affordable home for an approved applicant on County owned land; and APPROVED transfer of title of lots #1 and #7 to approved home buyers upon proper execution and close of home sale. Bid No. 04-B-55 BB (Item 29)</p>	<p style="text-align: center;">R. Williams S. Anderson</p>
<p>31. APPROVED staff to negotiate with the top ranked firm. AVAIL Technologies, Inc., State College, PA, for hardware and software intended to enhance the operations of VOTRAN's current services, and bring back the final contract to Council for approval. RFP No. 03-P-169DW (Item 30)</p>	<p style="text-align: center;">K. Fischer</p>
<p>32. APPROVED to award contract to AIDS Coalition of Volusia/Flagler County in accordance with RFP 03-P-226 BB, for the special needs housing project targeting low to very-low income persons living with HIV/AIDS; and authorized the Community Services Director to execute all required contracts and amendments thereto. [\$200,000.00 - Home Program Grant Funds] 03-P-226 BB (Item 31)</p>	<p style="text-align: center;">J. Angiulli</p>

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<p>33. ADOPTED the Interlocal Agreements for the City of Orange City and City of Daytona Beach for the collection of road and school impact fees for developments within each City's jurisdiction, and authorized the execution of each agreement. (Item 32)</p>	<p style="text-align: center;">R. Yates</p>
<p>34. ADOPTED Resolution No. 2004-52, declaring Parcel No. 7017-17-00-0143 as surplus property; request for approval of the transfer of the parcel to the City of DeLand; and authorized the Council Chair and County Manager to execute a County Deed transferring the property, pursuant to Florida Statute 125.38. The Property is a 45-foot by 155-foot parcel located on South Orange Avenue with an assessed value of \$5,303.00. (Item 33)</p>	<p style="text-align: center;">D. Weaver W. Gardner S. Whittaker</p>
<p>35. APPROVED the submittal of the grant application to F.I.N.D. Waterways Assistance Program regarding the Smyrna Dunes Environmental Education Park; APPROVED the Chair to execute the Resolution for Assistance; APPROVED to allow Leisure Services to execute a project Agreement with F.I.N.D.; APPROVED Council to accept the grant award and administer the funds, and ADOPTED Budget Resolution 2004-53. [\$60,000.00: \$30,000.00 - F.I.N.D. Waterways Assistance Program Fund; \$30,000.00 - Park Capital Improvement Fund] (Item 34)</p>	<p style="text-align: center;">J. Harper S. Whittaker</p>
<p>36. APPROVED the submittal of the grant application to F.I.N.D. Waterways Assistance Program regarding the Lighthouse Point Environmental Education Park; APPROVED the Chair to execute the Resolution for Assistance; APPROVED to allow Leisure Services to execute a project Agreement with F.I.N.D.; APPROVED Council to accept the grant award and administer the funds, and ADOPTED Budget Resolution 2004-56. [\$260,000.00: \$130,000.00 - F.I.N.D. Waterways Assistance Program Fund; \$130,000.00 - Park Capital Improvement Fund] (Item 35)</p>	<p style="text-align: center;">J. Harper S. Whittaker</p>
<p>37. APPROVED the purchase of a portion of Tax Parcels 7450-01-00-0130 and 7450-01-00-0132, comprising Lots 10 and 11, of the proposed Nocatee Subdivision in Edgewater, in accordance with the Right of Way Purchase Agreement, for the future widening of 10th Street, Project-5061, Edgewater/New Smyrna Area. [\$81,000.00] (Item 36)</p>	<p style="text-align: center;">G. Brinton</p>
<p>38. APPROVED a Sole Source Price Agreement for one (1) year with Clarke Mosquito Control Products Inc, Kissimmee Florida, for the purchase of ABATE 5% pellets for larviciding. [\$100,665.00] (Item 37)</p>	<p style="text-align: center;">J. Stewart</p>
<p>39. APPROVED a Contract with Quentin L. Hampton Associates, Inc. for Engineering Services for the construction of ground storage facilities and liquid chlorine conversion for the Southwest Regional Wastewater Treatment Plant, Project No. P-5195, as presented. [\$83,100.00] (Item 38)</p>	<p style="text-align: center;">G. Marwick</p>
<p>40. APPROVED Change Order No. 1 to Task Assignment No. 33 to the contract with CPH Engineers, Inc., for utility engineering services to perform additional research, redesign plans, and transfer updated information to the Construction Plans for the Saxon Boulevard - Enterprise Road Utility Improvements and Widening Project in Orange City. [\$16,480.00] (Item 39)</p>	<p style="text-align: center;">G. Marwick</p>

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41. APPROVED Task Assignment No. 6 to the contract with Quentin L. Hampton Associates, Inc., for Utility Engineering Services to provide Mapping Services of the Volusia County Utilities in the Halifax Plantation Service Area. [\$33,238.00] (Item 40)	G. Marwick
42. APPROVED the final project costs and final assessment roll for the Hazelwood River Road Special Assessment District for water lines in the unincorporated area south of Edgewater, and request to execute the attached Notice of Special Assessment Lien. (Item 41)	G. Marwick
43. APPROVED Sheriff's Office to apply for and accept a Florida Department of Transportation (FDOT) Aggressive Driving Prevention Grant; AUTHORIZED the Purchasing Director to purchase specified capital items pursuant to County Purchasing ordinance; ADOPTED Budget Resolution 2004-54. [\$199,864.00] (Item 42)	L. Bounds S. Whittaker
44. APPROVED to transmit Comprehensive Plan Amendment Cycle 04-1, Item #1-#14, with the exception of Item #12, Future Land Use Element Plan Map Amendments; Comprehensive Plan Map Amendments; Future Land Use Element Text Amendments; and Transportation Element Amendments to Thoroughfare Maps, Tables and Figures, to the Florida Department of Community Affairs regarding the following fourteen (14) items: Item 1 4-1 [CPA-03-2-9-25-1] (Plum Creek); Item 2 04-1[CPA-03-2-3-28-2] (Spruce Creek Preserve Additions); Item 3 CPA-04-1-9-25-1 (Iron Bend Trail); Item 4 CPA-04-1-9-25-2 (Lake George Road); Item 5 CPA-04-1-9-25-3 (Pine Island Area); Item 6 CPA-04-1-9-25-4 (Lafayette Landings Drive); Item 7 CPA-04-1-9-25-5 (Heart Island Extension); Item 8 CPA-04-1-9-26-7 (Cole/Whitehouse); Item 9 Amendment to Policy 1.1.4.3; Item 10 Amendment to Section E. LOCAL PLANS; Item 11 Amendment for Rhode Island Road; Item 12 Amendment for Fort Florida Road; Item 13 Amendment for Josephine St./10th St. and Item 14 Amendment to Table 2-1. (Item 43)	M. Beamer
45. APPROVED to waive \$2,500.00 (half of the charges) from City of Daytona Beach from early 1980 CETA Program and provide clean hands for the purposes of the ECHO Grant Program. (Item 44)	M. Greeson
46. APPROVED the awards as recommended by the ECHO Advisory Board (Attachment 2) with the exception of the removal of the skateboard park and the ECHO Award Agreement (Sample Agreement - Attachment 7) Balance Carryover Adjustment; and ADOPTED Budget Resolution No.2004-57, amending the FY 2003-04 budget by \$41,725. [\$4,012,716.00] (Item 45)	M. Hodge S. Whittaker
47. NO Legislative Update given. (No Item)	D. DeMarsh
48. APPOINTED Walt Rubin (J. Jaynes nom.) to the Animal Control Board to replace the vacant position for the remainder of the 2-year term to expire March 31, 2005. (Item 47)	B. Wilson
49. REAPPOINTED Neil Samuels (J. Jaynes nom.) and REAPPOINTED Glen Smith (J. Jaynes nom.) to the Health Facilities Authority for another 4-year term to expire April 15, 2008. (Item 48)	S. Whittaker
50. REAPPOINTED Darlene Yordon (F. Bruno nom.) and REAPPOINTED Jim Bazemore (F. Bruno nom.) to the Tourist Development Council for another 4-year term to expire March 31, 2008. (Item 49)	R. Hamilton

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51. ASSIGNED Joie Alexander to the Inmate Food Services Selection Committee; ASSIGNED Pat Northey to the Professional Engineering Services for the Design of Multi-Use Trails; ASSIGNED Joe Jaynes to the Professional Traffic Engineering and Transportation Planning Services and ASSIGNED F. Bruno to the Testing and Threshold Inspection Services for the Ocean Center Expansion Project. (Council Time)	C. Olson
52. ADOPTED Resolution No. 2004-58, Supporting continued public access to the beach through beach driving. (Item 49A)	M. Greeson S. Whittaker
53. ADOPTED Resolution No. 2004-59, Supporting naming the I-4 bridge, <u>The St. John's River Memorial Bridge</u>. (Council Time)	