

**COUNTY COUNCIL ACTION LIST
MAY 20, 2004**

1.	APPROVED proclamations for "Karen Greer Day" - May 20, 2004; and "Emergency Medical Services Week" - May 16-22, 2004. (Item 1)	M. Dorn
2.	ACCEPTED Fire Report. (Item 2)	
3.	ACCEPTED Citizen's Academy Graduation. (Item 3)	D. DeMarsh
4.	ACCEPTED Legislative Update. (Item 4)	D. DeMarsh
5.	APPROVED retirements of Ursula Reidinger, School Crossing Guard and George Tulner, Fleet Management. (Item 5)	M. Lary
6.	APPROVED County Council minutes from the Budget Workshop, held April 27, 2004. (Item 6)	M. Rigsby
7.	APPROVED County Council minutes from the Joint Workshop with the City of DeLand, held April 29, 2004. (Item 7)	M. Rigsby
8.	DENIED abandonment of a portion of the plat and portions of two platted (unopened) road rights of way at Hyde Street and Murdock Street of "Map of Seville", as recorded in Map Book 22, Pages 142 through 145 inclusive, containing approximately 4.59 acres, to divide the property into lots. [Edward and Shirley Sams, Petitioner] (Item 8)	G. Brinton S. Whittaker
9.	ADOPTED Resolution No. 2004-95 abandoning/vacating a portion of the plat and a portion of an unopened platted road right of way of "Map of DeLeon Springs Company's Subdivision of DeLeon Springs", MB 12, Page 49, containing approximately 10 acres, to build a home. [William and Nancy Jett, Petitioners] (Item 9)	G. Brinton S. Whittaker
10.	ADOPTED Resolution No. 2004-96 abandoning/vacating a portion of National Gardens, Map Book 10, Page 250, in the Ormond Beach area, containing 9 acres to develop a residential condominium called MBA Business Center and Gardens at Addison. [Lore L. Bledsoe, Trustee of the Lore L. Bledsoe Revocable Trust, Petitioner]. (Item 10)	G. Brinton S. Whittaker
11.	ADOPTED Resolution No. 2004-97 abandoning/vacating a 15-foot wide alleyway in West Highlands Subdivision in the Orange City area, for the purpose of building a house and swimming pool. [Lawrence W. Ramsey, Petitioner]. (Item 11)	G. Brinton S. Whittaker
12.	ADOPTED Ordinance 2004-04, adopting the Small Scale Comprehensive Plan Amendment CPMA-01-004, Michael & Debra Bindschadler, Applicants. The property fronts on Spring Garden Ranch Road and is located on the east side of East Avenue. The property is near the Spring Garden Ranch complex situated in the community of DeLeon Springs. (Item 12)	M. Beamer S. Whittaker
13.	ADOPTED Ordinance No. 2004-05, Waterwise Ordinance. (Item 13)	S. Kintner T. Carey S. Whittaker
14.	DENIED appeal of Baranski-U-Haul-Five Sac to reverse the decision of the PLDRC and approve Variance Case V-03-130 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 14)	S. Ashley

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<p>15. UPHELD THE RECOMMENDATION OF THE PLANNING AND LAND DEVELOPMENT REGULATION COMMISSION AND THE ZONING STAFF to APPROVE Zoning Case Z-04-019, application of Thomas Biro, Owner, requesting a rezoning from the A-2/C(5) Rural Agriculture, Thoroughfare Overlay Zone/Highridge) zoning classification to the B-9/C(5) (General Office, Thoroughfare Overlay Zone/Highridge) zoning classification. Resolution No. 2004-98. (Item 15)</p>	<p>M. Robinson S. Whittaker</p>
<p>16. UPHELD THE RECOMMENDATION OF THE PLANNING AND LAND DEVELOPMENT REGULATION COMMISSION AND THE ZONING STAFF to APPROVE WITH AMENDMENTS (as listed in the agenda item) Zoning Case PUD-03-115, application of Christopher Wickersham, Attorney for Lawrence Phillips, Owner, requesting a Rezoning from the MH-4/C (Rural Mobile Home/Thoroughfare Overlay Zone) zoning classification to the BPUDC (Business Planned Unit Development/Thoroughfare Overlay Zone) zoning classification. Resolution No. 2004-99. (Item 16)</p>	<p>M. Robinson S. Whittaker</p>
<p>17. UPHELD THE RECOMMENDATION OF THE PLANNING AND LAND DEVELOPMENT REGULATION COMMISSION AND THE ZONING STAFF TO APPROVE WITH MODIFICATIONS (some listed in the agenda item and some added at Council) Zoning Case PUD-04-030, Application of James Morris, Attorney for Having Fun, LLC, Having Fun II, LLC, and Love's Travel Stop & Country Stores, Inc., Owner, requesting a rezoning from the B-6 (Highway Interchange Commercial) zoning classification to the BPUD (Business Planned Unit Development) zoning classification. Resolution No. 2004-100. (Item 17)</p>	<p>S. Ashley S. Whittaker</p>
<p>18. UPHELD THE RECOMMENDATION OF THE PLANNING AND LAND DEVELOPMENT REGULATION COMMISSION AND THE ZONING STAFF TO APPROVE WITH 10 CONDITIONS (listed in the agenda item), Special Exception S-04-026, with ten conditions, application of Bruce Barber applicant for Florida Power & Light Company, Owner, requesting a Special Exception on R-4 (Urban Single-family Residential) zoned property for an unmanned electrical substation and a waiver of Section 808.02, Landscaped Buffer Area, for a 20-foot wide landscape buffer (in lieu of the required 50 foot wide landscape buffer) along the east property line. The Council also approved a waiver to not require the installation of two parking spaces on the subject property. (Item 18)</p>	<p>M. Robinson</p>
<p>19. UPHELD THE RECOMMENDATION OF THE PLANNING AND LAND DEVELOPMENT REGULATION COMMISSION AND THE ZONING STAFF TO APPROVE Special Exception S-04-029, for a single family dwelling on B-8 (Tourist Commercial) zoned property. (Item 19)</p>	<p>M. Robinson</p>
<p>20. CONTINUED TO 6/17/04 @ 10:30 A.M., Special Exception S-03-135, Application of Jim Davis, Agent for William E. Loucks, Trustee, Land Trust #4840, Owner, requesting a Special Exception for a nonexempt excavation on A-1 (Prime Agriculture) zoned property. (Item 20)</p>	<p>M. Robinson M. Rigsby</p>

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<p>21. UPHELD THE RECOMMENDATION OF THE PLANNING AND LAND DEVELOPMENT REGULATION COMMISSION AND DENIED Special Exception S-04-025, application of Todd Stefaniak, Owner, requesting a Special Exception for a fixed wing aircraft landing field on FR (Forestry Resource) zoned property. (Item 21)</p>	<p style="text-align: center;">M. Robinson</p>
<p>22. APPROVED Supplement #1 to FDOT grant #FM409451 - Innovative Financing, which defines the funds and fiscal years of availability, clarifies when an invoice for reimbursement can be submitted, and revises the project description and responsibilities and the assurances to reflect current DOT policy and procedures regarding payment on the terminal bonds as part of the "Innovative Financing" project; and authorized the Chair and County Manager to execute the Certification Letter. (Item 22)</p>	<p style="text-align: center;">A. Smith</p>
<p>23. APPROVED the proposed Task Assignment No. 3 to the contract with The LPA Group, Inc. for Architectural, Engineering and Aviation Planning Services to provide construction administration services, which shall include customary civil, structural, mechanical, and electrical engineering services, for the construction of an airfield perimeter road at the Daytona Beach International Airport (DBIA). [\$145,698.00] (Item 23)</p>	<p style="text-align: center;">A. Smith</p>
<p>24. APPROVED the Airline Use Agreement with Delta Air Lines for five (5) years, beginning October 19, 2002 and ending October 18, 2007; and authorized the Chair to execute the agreement. Delta Air Lines has continued on a month-to-month basis since its expiration in October 2002. (Item 24)</p>	<p style="text-align: center;">S. Cooke</p>
<p>25. APPROVED the Contract Amendment and purchase of services from Diebold Election Systems, Inc. for the annual license fees and extended warranty services for the Accu-Vote Ballot Tabulators and the Vote Tally System (VTS) Software Product, as presented. (Item 25)</p>	<p style="text-align: center;">D. Lowe</p>
<p>26. APPROVED the annual maintenance contract for geographic information system (GIS) software with ESRI, Redlands, CA; and authorized the Purchasing Director to approve annual renewals for two years based upon the recommendation from the Information Technology Director. [\$41,018.72] (Item 26)</p>	<p style="text-align: center;">E. Whitehead</p>
<p>27. APPROVED settlement of Ernest and Gloria Virgilio v. County of Volusia in the amount of \$132,000.00 plus payment of costs. [\$132,000.00] (Item 27)</p>	<p style="text-align: center;">G. Minter</p>
<p>28. APPROVED termination of the contract with Kone, Inc., effective May 20, 2004, for elevator inspection and maintenance as presented. (Item 28)</p>	<p style="text-align: center;">C. Olson</p>
<p>29. APPROVED recommendation of the Selection Committee for engineering services for the design of multi-use trails in the County, and authorized staff to negotiate basic contract agreements with the following five (5) firms, for a period of three (3) years: -Horizon Engineering Group, Orlando; -BHR, Jacksonville; -Reynolds, Smith & Hills, Orlando; -GTC Engineering Corporation, Orlando; and R-A-M Professional Group, Jacksonville. RSQ-04-SQ-80BL. (Item 29)</p>	<p style="text-align: center;">J. Harper</p>

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<p>30. APPROVED the proposed Task Assignment No. 15, Project No. 5214-B, to the contract with Bellomo-Herbert and Company, Inc. of Orlando to provide Architectural, Engineering and Landscape Architectural Services for the relocation of the Strickland Shooting Range to a site on Indian Lake Road in Daytona Beach, Florida; and ADOPTED Budget Resolution 2004-105. [\$106,200.00]. (Item 30)</p>	<p style="text-align: center;">J. Harper S. Whittaker</p>
<p>31. APPROVED to award bid for John Deere and Tiger-Tractor Drawn Mower Parts to Triple D Equipment of DeLand Florida, for a period of three (3) years, renewable for two (2) additional one (1) year periods, contingent upon Council approval. [\$25,000.00]. Bid 04-B-122JJ (Item 31)</p>	<p style="text-align: center;">D. Crocker</p>
<p>32. WITHDRAWN BY STAFF, bid for additional building supplies to the following companies, for an initial three (3) year period with two (2) one-year renewals, permissible with Council approval: Lowe's Home Centers, Mooreville, NC; Southern Lock & Supply, Largo, FL; and Miller Bearings, Daytona Beach, FL. Bid 04-B-26-PW [\$24,000.00] (Item 32)</p>	<p style="text-align: center;">P. Wilsky</p>
<p>33. APPROVED to award bid for Automated External Defibrillators for the Department of Public Protection, Emergency Medical Services Division, to ZOLL Medical Corporation of Chelmsford, Massachusetts, the lowest responsive and responsible bidder, for a one (1) year period, with two (2) subsequent one (1) year renewals permissible with approval of County Council. [\$40,680.00] Bid 04-B-121JG (Item 33)</p>	<p style="text-align: center;">M. Zavadsky</p>
<p>34. APPROVED to award bid to the lowest responsive and responsible bidders, Harbor Branch of Ft. Pierce for Water & Utilities, and ELAB Inc. of Ormond Beach for Solid Waste, for an initial term of three years, with two (2) one-year renewals, permissible upon mutual written consent of both parties and with Council approval, regarding collection and analysis for monitoring wells and utility sites. [\$192,500.00] Bid 04-B-71 BB (Item 34)</p>	<p style="text-align: center;">T. May J. Grusauskas</p>
<p>35. APPROVED to award a contract to the lowest responsive and responsible bidder, Malibu Construction Co., Inc. of Daytona Beach, to construct an affordable home for an approved applicant on County-owned land; and APPROVED to transfer title of parcel #5 to the approved home buyer, upon proper execution and close of the home sale. Bid 04-B-57 BB (Item 35)</p>	<p style="text-align: center;">R. Williams</p>
<p>36. APPROVED to utilize Seminole County's contract with Central Florida Environment, Longwood, Florida, to purchase concrete from an additional FDOT certified vendor. The initial term shall be for the remainder of the Seminole County contract period (August 23, 2005), with an option to renew for two (2) additional one-year periods, contingent upon contract renewal by Seminole County and approval by Council. [\$30,000.00] (Item 36)</p>	<p style="text-align: center;">G. Recktenwald</p>
<p>37. APPROVED the extension of the contract with Manatron, Inc. for the tax manager software system, for the period from May 11, 2004 through December 31, 2004, or until a new contract has been negotiated and brought back to Council for approval, whichever event occurs first. [\$64,500.00] (Item 37)</p>	<p style="text-align: center;">B. Kane</p>

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<p>38. APPROVED the "Stipulated Settlement Agreement" between the County, Department of Community Affairs, and two private parties, in the administrative hearing styled Hartland & Cattle, Inc. v. Department of Community Affairs, DOAH Case No. 03-3656GM, resolving a portion of a challenge to an amendment of the County's Comprehensive Plan. (Item 38)</p>	<p style="text-align: center;">M Beamer</p>
<p>39. ADOPTED Budget Resolution No. 2004-101, adding \$5,000 given to Environmental Management from the Florida Inland Navigation District (F.I.N.D.) for the 16th Annual Halifax/Indian River Cleanup. [\$5,000.00] (Item 39)</p>	<p style="text-align: center;">M. Leigh S. Whittaker</p>
<p>40. APPROVED Memorandum of Understanding with U.S. Fish & Wildlife Service and Volusia County School Board regarding the restoration of Lyonia Preserve Phase II & III for the restoration of the remaining 247 acres of the Lyonia Preserve; and DIRECTED staff to forward the Memorandum of Understanding to the School Board for approval. (Item 40)</p>	<p style="text-align: center;">R. Sleister</p>
<p>41. ADOPTED Resolution No. 2004-102 urging the State's Acquisition and Restoration Council to maintain the current designation of the Indian River Lagoon Blueway as a "Group A" Florida Forever project. (Item 41)</p>	<p style="text-align: center;">B. Gardner S. Whittaker</p>
<p>42. APPROVED a planning grant that will connect local projects into a network of culturally and economically important recreational trails and river access points regarding the American Heritage River Initiative; and ADOPTED Resolution No. 2004-103. (Item 42)</p>	<p style="text-align: center;">J. Harper S. Whittaker</p>
<p>43. APPROVED the removal of identified historic trees to preserve and stabilize the coquina masonry at the New Smyrna Sugar Mill Ruins. [\$7,000.00] (Item 43)</p>	<p style="text-align: center;">N. Maddox</p>
<p>44. APPROVED the disbursement of the FDOT Highway Safety Grant, to continue with educating the public about the proper use of child safety car seats and provide for the issuance of approximately 600 car seats, train and recertify car seat technicians, and printing to provide educational material for the public; ADOPTED Resolution 2004-104; AUTHORIZED staff to make necessary purchases in accordance with the Volusia County Purchasing Ordinance. [\$72,820.00] (Item 44)</p>	<p style="text-align: center;">S. Plummer S. Whittaker</p>
<p>45. APPROVED to award the Enterprise Road widening project from Deltona Boulevard to Saxon Boulevard to the lowest responsive, responsible bidder, Gibbs & Register, Inc., Winter Garden, Florida, as presented. [\$4,834,000.00] Bid No. 03-B-231LB, Contract No. 1088 (Item 45)</p>	<p style="text-align: center;">G. Brinton</p>
<p>46. APPROVED to purchase body armor from SRT Supply of St. Petersburg, Florida, and Harrison Uniforms of Orlando, Florida, for PACA body armor for certified law enforcement officers in the Sheriff's Office, in compliance with the State of Florida contract #680-850-03-1. [\$50,000.00] (Item 46)</p>	<p style="text-align: center;">L. Bounds</p>
<p>47. APPROVED request of Reverend Carl Brinkley, Pastor of the Mt. Zion AME Church, located at 935 South Adelle Avenue, to rename a portion of Julia Avenue, between West Beresford Avenue and Mathis Avenue, to Walter Sanders Lane. (Item 47)</p>	<p style="text-align: center;">B. Greiff</p>

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<p>48. APPROVED the FY 2004-05 contract for police dispatch services for the City of DeLand as set forth with compensation to be received; AUTHORIZED the adjustment of leave accrual rates for employees acquired through dispatch contracts; AUTHORIZED the expenditure of undedicated Sheriff's Office capital monies to purchase dispatch consoles from the City of DeLand; and APPROVED to allocate 14 Telecommunicator and 4 Telecom Supervisor positions to account 001-400-3000 effective September 1, 2004. [\$296,643.00] (Item 48)</p>	<p>L. Bounds T. Sanders</p>
<p>49. APPROVED to award a contract for Solid Waste & Recycling Collection Services and Facilities Recycling Services for a period of seven (7) years, utilizing the cart option with new equipment, renewable for one (1) additional seven (7) year period, contingent upon Council approval, to the lowest responsive and responsible bidder, Waste Management Inc. of Florida; and authorized the County Manager to execute and sign the contract after it is reviewed by Legal. [\$3,217,123.00] Bid 03-B-171 BB (Item 49)</p>	<p>J. Grusauskas</p>
<p>50. APPROVED to endorse the smart growth initiative implementation plan presented by Ms. Crotty and move forward regarding the committee makeup and membership. APPROVED to remove urban growth boundaries in the 04-02 Comprehensive Plan Amendments Cycle. APPROVED pursuing joint planning agreements with cities that are interested in participating. (Item 50)</p>	<p>M. Beamer</p>
<p>51. APPROVED to maintain existing language and requirements on the ECHO application. APPROVED Daytona Beach Community College (DBCC) as eligible to apply for ECHO grants and directed ECHO Board to review those organizations that fit similar criteria as DBCC. APPROVED new trails language. (Item 51)</p>	<p>M. Hodge</p>
<p>52. CONTINUED to June 3, 2004, Dist. #2 appointment to the Cultural Council of Volusia County to replace Terry White for the remainder of his 2-year term to expire March 31, 2005. (Item 52)</p>	<p>M. Rigsby</p>
<p>53. APPROVED to engage Larry Smith regarding Haskell Peck controversy, to exceed \$25,000.00. (D. Eckert – Staff Time)</p>	<p>D. Eckert</p>