

**COUNTY COUNCIL ACTION LIST
JUNE 17, 2004**

1. Accepted fire report. (Item 1)	J. Burnsed
2. APPROVED retirements of Margaret Mitchell and Richard Nunn. (Item 2)	M. Lary
3. APPROVED County Council minutes (with revisions) of the July 17, 2003 - Regular Session. (Item 3)	M. Rigsby
4. APPROVED County Council minutes (with revisions) of the May 6, 2004 - Regular Session. (Item 4)	M. Rigsby
5. ADOPTED Resolution No. 2004-116 vacating a portion of un-opened Powell Avenue lying within the subdivision of Midway Park in the DeLand area. [James Skalko and Immanuel Reformed Presbyterian Church, Petitioners] (Item 5)	G. Brinton S. Whittaker
6. ADOPTED Resolution No. 2004-117 vacating a portion of the plat of Midway Park, containing 7 acres, in Map Book 7, Page 91, in the DeLand area. [Immanuel Reformed Presbyterian Church, Petitioner] (Item 6)	G. Brinton S. Whittaker
7. ADOPTED Resolution No. 2004-118 abandoning/vacating a portion of the 15th Addition to DeLeon Springs Heights, Map Book 10, Page 62, containing 5 acres; and request to accept the prescriptive right of way quit claim deed and right of way easement for Reynolds Road, and accept the two drainage and utility easements. [Stanley and Diane Venturini, Petitioners] (Item 7)	G. Brinton S. Whittaker
8. CONTINUED TO JULY 22, 2004 @ 9:10 a.m., Ordinance No. 2004-06 amending the County Comprehensive Plan Text to conform with the Stipulated Agreement between the County of Volusia and the Department of Community Affairs, Hartland and Cattle, Inc., and Plum Creek Timber Company (DOAH Case No. 03-3656GM). (Item 8)	M. Rigsby
9. ADOPTED Ordinance 2004-07, with minor text amendment, amending Chapter 38 of the Volusia County Code of Ordinances regarding court costs. (Item 9)	R. Pennebaker S. Whittaker
10. ADOPTED Ordinance 2004-08, amending Chapter 20 of the Volusia County Code of Ordinances regarding the Beach Code. (Item 10)	K. Sweat S. Whittaker
11. APPROVED the Tourist Development Council (TDC) recommended Ocean Center expansion project scope; authorized to move forward with the project as presented; authorized the County Manager to execute the Memorandum of Understanding (MOU) with the City of Daytona Beach related to parking as presented; and authorized the Financial Advisor and Bond Counsel to begin drafting the bond documents. (Item 11)	M. Greeson R. Hamilton C. Weaver
12. APPROVED the proposed Part A of the contract with Hardin/Peck, JV, to provide pre-construction services for the construction of the expansion of the Ocean Center, as presented. [\$340,000.00] (Item 12)	R. Hamilton
13. UPHELD RECOMMENDATION OF THE PLANNING AND LAND DEVELOPMENT REGULATION COMMISSION AND THE ZONING STAFF TO APPROVE Zoning Case Z-04-037, application of John W. Hannah, Lake Helen Partners, LLC, Owner, requesting a rezoning from the A-1 (Prime Agriculture) zoning classification to the A-2 (Rural Agriculture) zoning classification. Resolution No. 2004-119. (Item 13)	M. Robinson S. Whittaker

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<p>14. UPHELD RECOMMENDATION OF THE PLANNING AND LAND DEVELOPMENT REGULATION COMMISSION AND THE ZONING STAFF TO DENY Zoning Case Z-04-033, application of Kurt Darlington, Agent for Owners, Kimchan Maharaj and Nazia Atiq, Owners, requesting a rezoning from the RA (Rural Agricultural Estate) zoning classification to the RR (Rural Residential) zoning classification. (Item 14)</p>	<p>M. Robinson S. Whittaker</p>
<p>15. UPHELD RECOMMENDATION OF THE PLANNING AND LAND DEVELOPMENT REGULATION COMMISSION AND THE ZONING STAFF TO APPROVE Special Exception Case S-04-040, application of Joseph Kohler, Owner, requesting a Special Exception for a single family standard or manufactured dwelling on B-8 (Tourist Commercial) zoned property. (Item 15)</p>	<p>M. Robinson</p>
<p>16. UPHELD RECOMMENDATION OF THE PLANNING AND LAND DEVELOPMENT REGULATION COMMISSION AND THE ZONING STAFF TO APPROVE Special Exception Case S-04-043, with 15 conditions, application of Jim Morris, Attorney, representing Frank Luznar, Applicant, Luznar Family Enterprises and Watermelon Farms, Inc., Owners, requesting a Special Exception for a temporary campground for 3 days before, during, and 3 days after any regularly scheduled racing event at the Daytona International Speedway for Speedweeks, Bikeweek, the Pepsi 400, and Biketoberfest events for a period of 7 years, 2005 through 2011, on A-2 (Rural Agriculture) zoned property. (Item 16)</p>	<p>M. Robinson</p>
<p>17. UPHELD RECOMMENDATION OF THE PLANNING AND LAND DEVELOPMENT REGULATION COMMISSION AND THE ZONING STAFF TO APPROVE Special Exception Case S-04-038, with conditions, application of Jim Morris, Attorney, representing Frank Luznar, Applicant, Luznar Family Enterprises and Watermelon Farms, Inc., Owners, requesting a Special Exception for a temporary campground for 3 days before, during, and 3 days after any regularly scheduled racing event at the Daytona International Speedway for Speedweeks, Bikeweek, the Pepsi 400, and Biketoberfest events for a period of 7 years, 2005 through 2011, on A-2 (Rural Agricultural) zoned property; and request to increase the number of campsites at this temporary campground location from 105 to 250. (Item 17)</p>	<p>M. Robinson</p>
<p>18. APPROVED with eighteen (18) conditions and the applicant's request of 1 foot vertical to 2 foot horizontal side slopes below a depth two feet below the seasonal dry water elevation, application of Jim Davis, Agent for William E. Loucks, Trustee, Land Trust #4840, Owner, for a Special Exception for a nonexempt excavation on A-1 (Prime Agriculture) zoned property. (Item 17A)</p>	<p>M. Robinson</p>
<p>19. APPROVED the five-year Commercial Lease Agreement, beginning June 1, 2004, and ending May 31, 2009, with Daytona International Speedway, L.L.C., for 6.662 acres of land, to be used as a wet retention area; and authorized the Council Chair and other County representatives to execute said Lease. (Item 18)</p>	<p>S. Cooke</p>

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<p>20. APPROVED acceptance of the aid if/when granted, Daytona Beach International Airport's applications for Federal and State grants for the following projects: Innovative Financing; Replacement of an ARFF Vehicle; Design and Rehabilitation of West End of Taxiway November; Emergency/Security/Information System; Federal Aviation Regulation (FAR) 139 Compliance Issues; Design and Construction of Instrument Landing System (ILS) for Runway 5R; Design and Construction to Strengthen Taxiway Echo; Construction of Perimeter Road, Phases 2 and 3; ADOPTED Budget Resolution No. 2004-120. (Item 19)</p>	<p style="text-align: center;">A. Smith S. Whittaker</p>
<p>21. APPROVED the proposed Task Assignment No. 3 to the contract with Environmental Consulting & Technology (ECT) of New Smyrna Beach to provide coastal engineering services for the Ponce Inlet Side Channel Dredging Project. [\$40,850.00] (Item 20)</p>	<p style="text-align: center;">J. Nolin</p>
<p>22. APPROVED the amendments to the FY 2002/03 and 2003/04 Consolidated Plan regarding the Community Development Block Grant (CDBG) Program; and authorized 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 21)</p>	<p style="text-align: center;">J. Angiulli</p>
<p>23. APPROVED the amendment to the FY 2001/2002 Consolidated Plan regarding the HOME Investment Partnership Program Project; and authorized the Community Services Director or designee to process the related grant documentation to the U. S. Department of Housing and Urban Development. (Item 22)</p>	<p style="text-align: center;">J. Angiulli</p>
<p>24. APPROVED the use of Section 16.1 (a) of the purchasing ordinance, waiving the formal bid process, for the purchase of library materials, books, tapes, etc. with the vendors below, as presented; APPROVED Baker and Taylor as a single source provider; APPROVED contracts for all of the following companies: The Gale Group; Books on Tape; Brodart Company; Baker and Taylor Information and Entertainment Services for a term of three (3) years with two (2) one (1)-year options to renew, to meet the requirement of the Library and to assure continued services to the users of the Library. [\$1,337,000.00] (Item 23)</p>	<p style="text-align: center;">M. Knievel</p>
<p>25. APPROVED the settlement agreement to completely resolve the worker's compensation claim of former employee Brenda Chennault. [\$20,000.00] (Item 24)</p>	<p style="text-align: center;">N. Jones</p>
<p>26. APPROVED the settlement agreement to completely resolve the claim filed by Brian Boice against the Volusia County Sheriff's Office. [\$15,000.00, including attorney's fees and costs] (Item 25)</p>	<p style="text-align: center;">N. Jones F. Catapano</p>
<p>27. APPROVED ratification of the collective bargaining agreement between Teamsters Local No. 385, (a certified bargaining unit for deputies, corporals and sergeants) and the County of Volusia, for a two-year period from October 1, 2003 through September 30, 2005. (Item 26)</p>	<p style="text-align: center;">M. Lary</p>

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<p>28. APPROVED the proposed Change Order No. 1 (Final) to Contract No. 1079 for the Sea Bird Sanctuary to the firm of Canaveral Construction Company, for the addition of 82 days to the contract time and an increase of \$61,972.29, resulting in a new total contract price of \$413,322.29. [\$61,972.29] Bid No. 03-B-150LB. (Item 27)</p>	<p style="text-align: center;">J. Crisp</p>
<p>29. APPROVED to award invitation to bid for temporary staff and leasing services to various firms, for fiscal 2002/2003, as presented, for an initial term of three (3) years, with two one-year renewals, permissible upon mutual written agreement and Council approval. [\$1,500,000.00] Bid No. 04-B-49 BB (Item 28)</p>	<p style="text-align: center;">B. Bishop</p>
<p>30. APPROVED to award invitation to bid printing and processing of sample ballots to Advanced Xerographics Imaging Systems Inc, Orlando Florida, per the terms and conditions of the bid document; and APPROVED transfer from General Fund Contingency to the Elections Department in the amount of \$72,000.00. <u>Bid No. 04-B-197FL</u> (Item 29)</p>	<p style="text-align: center;">D. Lowe</p>
<p>31. 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 No. 4 to the approved home buyer, upon proper execution and close of home sale. Bid No. 04-B-58BB (Item 30)</p>	<p style="text-align: center;">R. Williams</p>
<p>32. APPROVED amending the FY 2003-04 budget for the costs associated with the payment of attorneys appointed by the Court to represent indigent parents in Juvenile Dependency proceedings. [\$150,000.00] (Item 31)</p>	<p style="text-align: center;">P. Davey</p>
<p>33. ADOPTED Resolution No. 2004-121, creating an appropriate fee schedule to recoup costs incurred by the Volusia County Health Department as a result of the adoption of the Waterwise Ordinance. (Item 32)</p>	<p style="text-align: center;">S. Kintner S. Whittaker</p>
<p>34. APPROVED request of Robert J. Courteaux to grant a Development Order approving the application for a Final Plat and APPROVED the required Maintenance Agreement and any necessary Performance Agreement for the Springleaf Unit II subdivision subject to resolution of conditions. (Item 33)</p>	<p style="text-align: center;">P. Panton</p>
<p>35. APPROVED a public hearing date of August 5, 2004 @ 9:18 a.m., for consideration of the City of Orange City Fire Department's application for renewal of a Certificate of Public Convenience and Necessity (COPCN) for advanced life support, non-transport emergency medical services. (Item 34)</p>	<p style="text-align: center;">M. Zavadsky M. Rigsby</p>
<p>36. APPROVED to enter into an indemnification agreement with Indigo Development, Inc. relating to the newly constructed Tomoka Farms Road extension, from north of Ringhaver to south of the Auto Mall; ADOPTED Resolution 2004-122 accepting the deed conveying the right of way; and authorized that the deed and resolution be recorded with the Clerk of the Court. (Item 35)</p>	<p style="text-align: center;">G. Brinton S. Whittaker</p>

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<p>37. APPROVED the County accepting the maintenance of Dunn Avenue between Bill France Boulevard and Clyde Morris Boulevard and contributing to milling and resurfacing at 50% of cost, not to exceed \$40,000.00, with milling and resurfacing to be done by the City of Daytona Beach prior to County acceptance of maintenance. [not-to-exceed \$40,000] (Item 36)</p>	<p style="text-align: center;">G. Brinton</p>
<p>38. APPROVED the contract with the Volusia County School Board, for the period from July 1, 2004 to June 30, 2005, for the purpose of conducting criminal history background checks on School Board volunteers with regular or sensitive access to children. [\$31,639.00] (Item 37)</p>	<p style="text-align: center;">L. Bounds</p>
<p>39. APPROVED the FY 2004-2005 School Resource Deputy Services Agreement, effective July 1, 2004, to June 30, 2005, for School Resource Deputies (SRD) who provide a law enforcement presence on Volusia County's middle and high school campuses, and also serve as counselors, mentors and role models for students. [50/50 split amount \$734,718.00] (Item 38)</p>	<p style="text-align: center;">L. Bounds</p>
<p>40. APPROVED to purchase the Racal Wordnet Series Logging Recorder from Replay Systems, which includes hardware, shipping, installation, from Replay System of Ft. Lauderdale, off SNAPS contract #7252574-2 for the County of Volusia Emergency Management Communications Center using E911 Emergency Telephone System monies. [\$52,734.00] (Item 39)</p>	<p style="text-align: center;">L. Bounds</p>
<p>41. APPROVED agreement between the County of Volusia and DeMatteo Properties, Inc., for the lease of 5,514 square feet of office space for the Sheriff's District III Office, Ormond Beach, located at 999 North Nova Road, at the rate of approximately \$6.74 per square foot per year, for a five (5) year term with the option to renew for an additional five (5) years. [\$37,142.00] (Item 40)</p>	<p style="text-align: center;">L. Bounds</p>
<p>42. APPROVED changes proposed by a Notice of Proposed Change (NOPC); does not represent a substantial deviation regarding the Plantation Bay Development of Regional Impact (DRI); ADOPTED Resolution No. 2004-123, with revisions, amending the Plantation Bay DRI, with conditions. (Item 41)</p>	<p style="text-align: center;">M. Beamer S. Whittaker</p>
<p>43. APPROVED Assignment Lease and Consent to the purchase and the Amended and Restated Lease for the Adventure Landing entertainment complex to William Geary and his partners. (Item 42)</p>	<p style="text-align: center;">F. Gummey R. Hamilton</p>
<p>44. APPROVED staff to prepare Urban Growth Boundary Map and Urban Growth Boundary Text for the Volusia County Comprehensive Plan Amendment Cycle 04-02 and proceed with the listed amendments. (Item 43 – Zoning Workshop)</p>	<p style="text-align: center;">M. Beamer</p>
<p>45. APPROVED to support the Growth Management Initiative and provide financial support of \$35,000. CONTINUED TO 7/8/04, appointments to the Smart Growth Steering Committee. (Item 44)</p>	<p style="text-align: center;">M. Beamer</p>
<p>46. REAPPOINTED Gina Reid (J. Jaynes nom.) to the Industrial Development Authority for another four-year term to expire July 19, 2008. (Item 45)</p>	<p style="text-align: center;">S. Whittaker</p>
<p>47. APPOINTED Christina Shallow (Dist. #2 – F. Bruno appt.) 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 46)</p>	<p style="text-align: center;">S. Whittaker N. Maddox</p>

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48. APPOINTED Pat Northey to the Underwriter's Selection Committee for the Ocean Center expansion. (Council Time)	C. Olson
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