

**COUNTY COUNCIL ACTION LIST  
SEPTEMBER 23, 2004**

<p>1. <b>CONTINUED TO A LATER DATE</b>, presentation by Penny Currie, a volunteer with the Holly Hill Police Department's Police Explorer program, will present the reserve national champion Explorer youths to the County Council. (Item 1)</p>	<p style="text-align: center;"><b>M. Dorn</b></p>
<p>2. <b>DENIED</b> abandoning/vacating 30 feet of an 80-foot wide, open right of way, known as John Anderson Drive, lying within the subdivision of Oceanside Estates, Map Book 27, Page 41 (Ormond Beach area), to renovate the existing house, pave the circular gravel driveway that now lies within the right of way, and save a large magnolia tree within the existing right of way. [Larry and Carol Hershey, Petitioners] (Item 2)</p>	<p style="text-align: center;"><b>G. Brinton</b></p>
<p>3. <b>DENIED</b> consideration of Mary D. Hansen, Attorney for, Ronald Luznar, Owner, to <b>APPEAL</b> the interpretation of the definition of "Tent" by the Zoning Official. The property is located on the northeast corner of the Tomoka Farms Road/Pioneer Trail intersection (a/k/a Cabbage Patch). (Item 3)</p>	<p style="text-align: center;"><b>M. Robinson</b></p>
<p>4. <b>DENIED</b> consideration of C. Allen Watts, Attorney for Marcia Kropp, to <b>APPEAL</b> the decision made by the Planning and Land Development Regulation Commission at its meeting on June 8, 2004 regarding Variance Case V-04-058. The property is located at the northwest corner of the intersection of Lake Winnemissett Drive and Orange Street adjacent to Lake Winnemissett, north of the City of DeLand. (Item 4)</p>	<p style="text-align: center;"><b>M. Robinson</b></p>
<p>5. <b>DENIED</b> rehearing of S-04-050 by C. Allen Watts, Attorney for Marcia Kropp, Aggrieved Party. The original application was from Mary Koenig, Agent for Owner, Daniel Parker and Bernadette Britz-Parker, Owners, requesting a special exception for a private school on R-3 (Urban Single-Family Residential) zoned property and a waiver to Section 817 (d) (2) of Ordinance 80-3, as amended, to permit grass parking spaces. (Item 5)</p>	<p style="text-align: center;"><b>M. Robinson</b></p>
<p>6. <b>UPHELD THE RECOMMENDATION OF THE PLANNING AND LAND DEVELOPMENT REGULATION COMMISSION AND THE ZONING STAFF TO APPROVE</b> Zoning Case Z-04-075, Application of Leticia Averion, Applicant, Island Lake Development Corporation, Owner, requesting a rezoning from the A-1 (Prime Agriculture) zoning classification to the RA (Rural Agriculture Estate) and A-2 (Transitional Agriculture) zoning classifications. Res. No. 2004-184. (Item 6)</p>	<p style="text-align: center;"><b>M. Robinson S. Whittaker</b></p>
<p>7. <b>UPHELD THE RECOMMENDATION OF THE PLANNING AND LAND DEVELOPMENT REGULATION COMMISSION AND THE ZONING STAFF TO APPROVE</b> Special Exception Case S-04-085 with four (4) conditions, Application of Grace Baptist Church of Greater Daytona, Inc., Owner, requesting a special exception to expand an existing House of Worship and a waiver to Section 817.00 (d)(2) to allow grassed parking on A-2 (Rural Agriculture) zoned property. (Item 7)</p>	<p style="text-align: center;"><b>M. Robinson</b></p>
<p>8. <b>CONTINUED to 10/21/04 @ 10:30 a.m.</b>, S-04-073 - Application of Creekside Missionary Alliance of The Christian Missionary Alliance, Contract Purchaser, Shawn Hoffman, Owner, requesting a special exception for a House of Worship property and a waiver to Section 817.00 (d) (2) of the Zoning Ordinance to allow grass parking on A-1</p>	<p style="text-align: center;"><b>M. Rigsby</b></p>

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	<b>(Prime Agriculture) zoned property. (Item 8)</b>	
9.	<b>UPHELD THE RECOMMENDATION OF THE PLANNING AND LAND DEVELOPMENT REGULATION COMMISSION AND THE ZONING STAFF TO APPROVE with 2 conditions, Special Exception Case S-04-082 - Application of James Devine, Agent for Owner; Zeljko and Sherill Nizic, Owners, requesting a special exception for a Mobile Home Dwelling on RC (Resource Corridor) zoned property. (Item 9)</b>	<b>M. Robinson</b>
10.	<b>UPHELD THE RECOMMENDATION OF THE PLANNING AND LAND DEVELOPMENT REGULATION COMMISSION AND THE ZONING STAFF TO APPROVE with 5 conditions, Special Exception Case S-04-068 - Application of F.A. "Alex" Ford Jr., Attorney for 45th Street Realty, Owner, requesting a Special Exception to amend and expand an existing special exception for a railroad siding (S-01-031) to allow additional improvements. (Item 10)</b>	<b>M. Robinson</b>
11.	<b>UPHELD THE RECOMMENDATION OF THE PLANNING AND LAND DEVELOPMENT REGULATION COMMISSION AND THE ZONING STAFF TO APPROVE with 1 condition, Special Exception Case S-04-081 - Application of Frank Walker Evans, Owner, requesting a special exception for a single-family dwelling on B-8 (Tourist) zoned property. (Item 11)</b>	<b>M. Robinson</b>
12.	<b>WITHDRAWN 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 authorized the chair to execute the agreements. (Item 12)</b>	<b>S. Cooke</b>
13.	<b>APPROVED proposed Task Assignment No. 5 to the contract with Taylor Engineering, Inc., of Jacksonville, Florida, for coastal engineering services, including providing data collection and review, borrow site design and excavation impacts, engineering design of beach restoration, environmental characterization and environmental impact statement, permitting and application, and coordination services for the Ponce de Leon Inlet Federal Navigation Project, Project No. 4957-B. [\$677,721.87] (Item 13)</b>	<b>J. Nolin</b>
14.	<b>ADOPTED Resolution 2004-186, reflecting the County's continued support, local sponsorship and cost-share assurance for the State of Florida Beach Erosion Control Program--New Smyrna Beach/Bethune Beach Restoration Project. (Item 14)</b>	<b>J. Nolin S. Whittaker</b>
15.	<b>APPROVED to convey permanent drainage ditch easements within the Isleboro Subdivision, to the City of New Smyrna Beach, to preserve the integrity of the ditch and allow the City crews the ability to maintain and repair the ditch. (Item 15)</b>	<b>R. Williams</b>
16.	<b>APPROVED to amend the contract with C.E.D. Holding, amending the loan terms for the Spanish Trace Affordable Housing Apartment Complex, for a 2% (APR) SHIP loan with interest only, paid yearly, with a balloon payment of principal due on June 15, 2036. [\$300,000.00] (Item 16)</b>	<b>R. Williams</b>
17.	<b>APPROVED the execution of contracts between the County and twenty-three (23) approved contractors, to build new affordable housing, through the State Housing Initiatives Partnership (SHIP) Program, in Volusia County; and authorized the County Manager, or</b>	<b>R. Williams</b>

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her designee, to sign all contract documents. [\$875,639.00 (Item 17)	
18. APPROVED the amendments to the FY 2002/2003 and 2003/2004 Community Development Block Grant (CDBG) Program Consolidated Plans in order to bring the projected use of funds into consistency with current project cost estimates, and to amend the activities per requests received from the participating municipalities; 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 18)	R. Williams
19. APPROVED the execution of contracts between the County, and, thirty-six (36) approved lenders and real estate sales firms, for the existing Affordable Housing Program; and authorized the County Manager, or her designee, to sign all contract documents. Funding for this program is provided through the State Housing Initiatives Partnership (SHIP) Program and the Federal HOME Investment Partnership Grant funds. [\$756,673.00] (Item 19)	R. Williams
20. APPROVED SHIP Funds for homeowner insurance deductibles, increase the existing home sales price from \$102,980.00 to \$108,400.00, and waive existing payback and lien requirements of the Affordable Housing Policy, as a result of Hurricanes Charley and Frances. [\$500,000.00] (Item 19A)	R. Williams
21. APPROVED to accept Hurricane Relief Funds and authorize the County Manager and the Council Chair to sign Budget Resolution 2004-185. Governor Jeb Bush has established the Florida Hurricane Relief Fund (formally Hurricane Charley Relief Fund) to assist communities. [\$75,450.00] (Item 19AA)	R. Williams S. Whittaker
22. APPROVED the agreement with BI, Inc. for Electronic Home Detention Monitoring Equipment consisting of eighteen (18) Homeguard EM units, at a cost of \$1.77 per unit per day, and seven (7) spare Homeguard units for which there is no charge unless they are being used, for a period of three (3) years, at an estimated three-year cost of \$82,170.00 or annual cost of \$27,390.00; authorized the renewal of the existing agreement with BI, Inc. for Juris Monitors at the existing pricing, for a period of three years, at an estimated three-year cost of \$69,000.00 or annual cost of \$23,000.00; authorized the Purchasing Director to issue Price Agreements for these services for the term of October 1, 2004 through September 30, 2007; and authorized the Council Chair and County Manager to sign the agreements with BI, Inc. [\$50,390.00 annually] (Item 20)	P. Davey
23. APPROVED to extend the current Banking Services contract with Wachovia Bank for a maximum of sixty (60) days, to facilitate the negotiation of a new contract with Bank of America. (Item 21)	C. Weaver
24. APPROVED contracts for municipal services and law enforcement services for FY 2004-05, with the City of DeBary, and authorized the Chair and County Manager to execute the documents. (Item 22)	D. Krueger
25. APPROVED contracts for municipal services and law enforcement services for FY 2004-05, with the City of Deltona, and authorized the Chair and County Manager to execute the documents. (Item 23)	D. Krueger
26. APPROVED to cancel the current contract for Parcel #5 with Malibu	R. Williams

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<p>Construction, Inc. and award a contract to Willie Wood Construction, Inc., to construct an affordable home for an approved applicant on County owned land; and approved to transfer title of lot #5 to the approved home buyer, upon proper execution and close of the home sale. [\$87,700.00] <u>Bid No. 04-B-57 BB</u> (Item 24)</p>	
<p>27. APPROVED to award bid to the lowest responsive, responsible bidder, Sun Sky Roofing, Vero Beach, Florida, for reroofing of the Emergency Operations Center and the Sheriffs Communications 911 Center, Daytona Beach, Florida, under Contract No. 11124. [\$132,266.00] <u>Bid No. 04-B-239LB</u> (Item 25)</p>	<p>F. Schwenck</p>
<p>28. APPROVED to authorize the first year renewal option with Shared Technologies, Inc., for the period of September 24, 2004 to September 23, 2005, for preventative and repair maintenance services for the County telephone equipment, which includes analog and digital ports, centigram ports, T-1 channels, trunks, ROLM voice mail, and other equipment. [\$162,769.44] (Item 26)</p>	<p>B. Clausen D. Olson</p>
<p>29. APPROVED a one (1) year agreement between the County of Volusia and the Volusia County School Board, for copy services, for the period October 1, 2004, to September 30, 2005. [\$65,000.00] (Item 27)</p>	<p>F. Lowe B. Ervin</p>
<p>30. APPROVED to award bid to Copyco, Inc., d/b/a Toshiba Business Solutions Florida, to provide and maintain digital multifunctional devices on a cost per copy basis, for Level 1, Level 2, and Level 3 machines (as defined in the bid document) for the period of December 1, 2004, to November 30, 2007, with an option for a renewal period of two (2) years, with the approval of the County Council. [\$268,000.00] <u>Bid No. 04-B-195FL</u> (Item 28)</p>	<p>F. Lowe B. Ervin</p>
<p>31. APPROVED to purchase two (2) Pitney Bowes DM 1000 Digital Automatic Mail Machines based on the Pitney Bowes State Contract 600-760-00-1. [\$36,000.00] (Item 29)</p>	<p>F. Schwenck B. Ervin</p>
<p>32. APPROVED the following Emergency Purchase Orders, which were issued as a result of Hurricane Charley: PO #EMC1001: Waste Management, Debris Removal: Not to Exceed \$1,452,500.00. PO #CH1002: Crowder-Gulf Inc., Debris Removal: Not to Exceed \$5,706,250.00. PO #CHPA1015: Hills Fencing, Fence Repair at Various Water Treatment Plants: Estimated at \$60,000.00. PO #CHPA4474D: Belcorp Inc., Woody Debris Grinding: Not to Exceed \$490,000.00. [\$7,708,750.00] (Item 30)</p>	<p>R. Pennebaker</p>
<p>33. APPROVED to authorize staff to enter into lease negotiations with Oceanside One, Ltd., for a Marriott Residence Inn at the Daytona Beach International Airport, and then submit the final lease agreement back to Council for consideration. (Item 30A)</p>	<p>D. McGee</p>
<p>34. APPROVED the amendment to the Interlocal Agreement for Fire/Emergency Medical Services Automatic Aid, Closest Unit First Response, between the City of DeLand and the County of Volusia, as presented; and authorized the Chair and County Manager to execute the documents. [\$95,000.00] (Item 31)</p>	<p>M. Greeson</p>
<p>35. APPROVED the Emergency Medical Foundation, Inc. FY 2004-05 Budget, set the published ambulance rates, allow the Foundation to negotiate rates for inter-county, non-emergency, non-covered</p>	<p>M. Zavadsky</p>

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<p>ambulance transports, and provide a \$500,000.00 fee from the County to offset the Foundation's cost of providing uncompensated Baker Act patient transports for the cities and the county, and transports of inmates from the County Jail. [\$500,000.00] (Item 32)</p>	
<p>36. APPROVED the purchase of Parcel 113 (a total parcel acquisition including a house), to construct an I-4 Frontage Road, from State Road 472 to County Road 4116 (Orange Camp Road), under Phase I, Project P-4738-1, in the Lake Helen area. [\$222,500.00] (Item 33)</p>	<p>G. Brinton</p>
<p>37. APPROVED to purchase 6.2 wetland mitigation credits from the Colbert-Cameron Mitigation Bank, Sanford, Florida, to satisfy the permitting requirements of the I-4 Frontage Road and the DeBary Avenue (Enterprise Bypass) construction projects. [\$107,980.00] (Item 34)</p>	<p>G. Brinton</p>
<p>38. APPROVED to renew the Interlocal Agreement for provision of municipal services between the County of Volusia and the City of Sanford, for the provision of midge and mosquito control services, for the period from October 2004 through September 2005. (Item 35)</p>	<p>J. Stewart</p>
<p>39. APPROVED expenditure of \$39,460.00 from local law enforcement forfeiture funds for the purchase of two (2) sets of rubber "Bandtracks" from United Defense of Anniston, Alabama, the sole source provider, for the Department's M113 tanks. [\$39,460.00] (Item 36)</p>	<p>L. Bounds</p>
<p>40. APPROVED expenditure of \$39,460.00 from local law enforcement forfeiture funds for the purchase of two (2) sets of rubber "Bandtracks" from United Defense of Anniston, Alabama, the sole source provider, for the Department's M113 tanks. [\$39,460.00] approved execution of the wholesale Wastewater Service Agreement that will allow connection of the Stone Island force main to the Deltona Lakes system. This Agreement shall remain in effect for an initial period of forty (40) years and shall automatically renew for additional a ten (10)-year period thereafter; ADOPTED Budget Resolution 2004-187. [\$425,420.00] (Item 37)</p>	<p>G. Marwick S. Whittaker</p>
<p>41. ACCEPTED Storm Reports. APPROVED to accept grant from The Natural Resource Conservation Service for ditch cleaning. APPROVED that in lieu of allowing out-of-state contractors to acquire a temporary license, Council suspend the restriction of Chapter 22, Division 8, Sec. 22-602 &amp; 22-603, to allow State "Registered" Roofing Contractors to obtain temporary competence licenses in Volusia County. The maximum duration of the temporary competency license not to exceed 180 days from the date of issue. Any incomplete contracts may be completed by the contractor. For the purposes of this motion, an incomplete contract is one which has been awarded to, or entered into by the contractor prior to the expiration of the temporary license. It is further approved that the "registered" roofing contractor be allowed to perform all types of roofing within the scope of his or her license in accordance with F.S. 489.105(e). (Item 38)</p>	<p>J. Stewart M. Beamer</p>
<p>42. ACCEPTED report on Water Authority of Volusia (WAV) activities and discussion of funding. (Item 39)</p>	<p>M.A. Connors</p>
<p>43. ADOPTED Internal Revenue Service Resolution No. 2004-188,</p>	<p>D. Krueger</p>

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<b>authorizing the lease purchase of \$2,296,600 in capital expenditures for FY 2004-05. APPROVED to adopt recommended changes to the FY 2004-05 Tentative Budget totaling \$4,934,784. ADOPTED Millage Rate Resolution No. 2004-189. ADOPTED Appropriations Resolution No. 2004-190 establishing the FY 2004-05 adopted budget totaling \$512,982,437. (Item 40)</b>	<b>S. Whittaker</b>
<b>44. APPROVED Chair to sign letter regarding implementation of the Manatee Protection Plan and forward on to the lobbyists and legislators. (Staff Time – Not an agenda item)</b>	<b>S. Kintner D. Demarsh</b>
<b>45. REAPPOINTED Clifford Wharin (Dist. #2 – F. Bruno nom.) to the Southeast Volusia Advertising Authority for another 2-year term to expire September 30, 2006. (Council Time)</b>	<b>C. Finney</b>