

**COUNTY COUNCIL ACTION LIST
SEPTEMBER 22, 2005**

1. APPROVED Proclamations for Dr. John G. Shedd Day - September 22, 2005 (Item 1)	M. Dorn
2. APPROVED Proclamations for Walk to School Day - October 5, 2005 (Item 1A)	M. Dorn
3. APPROVED Minutes from the County Council luncheon with the Area Chambers held August 4, 2005. (Item 2)	M. Rigsby
4. APPROVED Minutes from the County Council Budget Workshop held May 16, 2005, with revisions on page 3-5 changing \$1000 to \$100,000. (Item 3)	M. Rigsby
5. ACCEPTED FDOT presentation regarding Senate Bill 360 Growth Management and Transportation Regional Incentive Program (TRIP). (Item 4)	B. Holness
6. ADOPTED Resolution No. 2005-180 vacating a portion of an unnamed, un-opened 50-foot wide right of way as shown on the plat of Caleb McKeel's Subdivision, Map Book 1, Page 158 (50 feet by 992 feet for a total of 49,600 square feet) [F.A. (Alex) Ford Jr., attorney for Donaldson's Ornamentals, Inc., Petitioner] (Item 5)	J. Enfinger
7. ADOPTED Resolution No. 2005-181 abandoning a portion of a drainage and utility easement located on Lot 29, Pelican Dunes Subdivision, Map Book 44, Page 186 in the Ormond Beach area. [William R. Cimmerer and Terry L. Cimmerer, Petitioners] (Item 6)	J. Enfinger
8. ADOPTED Resolution No. 2005-182 vacating a 15-foot alleyway between Lots 1 through 6, and Lots 41 through 46, Block 35, West Highlands Subdivision. [Russel and Laurie McElmurry, Sonja Riter and Matt Carter, Petitioners] (Item 7)	J. Enfinger
9. ADOPTED Resolution No. 2005-183 vacating two utility easements, a right of way easement and a drainage retention easement located in the proposed plat of Glen Abbey Unit 5. [Timothy J. O'Neil, Petitioner] (Item 8)	J. Enfinger
10. UPHELD PLANNING AND LAND DEVELOPMENT REGULATION COMMISSION RECOMMENDATION OF APPROVAL to approve Z-05-102 – Application of Ralph and Barbara Foley, Owners, requesting a rezoning from the R-6C (Urban Two-Family Residential / Thoroughfare Overlay Zone) and B-4C (General Commercial / Thoroughfare Overlay Zone) zoning classifications to the B-4C (General Commercial / Thoroughfare Overlay Zone) zoning classification; ADOPTED Resolution No. 2005-184 (Item 9)	S. Ashley
11. CONTINUED PUD-05-090 – Application of Javier Omana, Agent for Owner, Mar-les, Inc., requesting a rezoning from the R-4 (Urban Single-Family Residential) zoning classification to the Kepler Oaks RPUD (Residential Planned Unit Development) zoning classification to November 17, 2005 at 10am. (Item 10)	M. Robinson

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<p>12. UPHELD the recommendation of APPROVAL by the PLANNING AND LAND DEVELOPMENT REGULATION COMMISSION as outlined on page 2 of the agenda item regarding Special Exception Case. S-04-096 - Application of Basyle Tchividjian, Attorney for Owner, Ronald Luznar, requesting a special exception for temporary campsites for three days before, during and after any regular scheduled racing event at the Daytona International Speedway for Biketoberfest, Bike Week and Speedweeks 2005-2007 on A-1 (Prime Agriculture) zoned property with the standard conditions listed. (Item 11)</p>	<p style="text-align: center;">M. Robinson</p>
<p>13. UPHELD PLANNING AND LAND DEVELOPMENT REGULATION COMMISSION RECOMMENDATION OF APPROVAL, subject to the three recommended conditions as listed in the Staff Report, regarding Special Exception Case. S-05-098 - Application of Ernest Hafner Jr., Owner, requesting a special exception for a farm worker living facility on A-1 (Prime Agriculture) zoned property. (Item 12)</p>	<p style="text-align: center;">M. Robinson</p>
<p>14. UPHELD the recommendation of APPROVAL by the Planning and Land Development Regulation Commission regarding Special Exception Case S-05-097- Application of Donald E. and Patricia Dance-Wirt, Owners, requesting a special exception for a garage apartment on FR(4) (Forestry Resource/Union Camp) and RC (Resource Corridor) zoned property. (Item 13)</p>	<p style="text-align: center;">M. Robinson</p>
<p>15. APPROVED Task Assignment No. 10 to Reynolds, Smith & Hills, Inc. of Jacksonville, Florida, for construction administration and resident project representative services for the reconstruction of Taxiway "N" at the Daytona Beach International Airport. [\$106,300.00: Funded 100% with FAA grant funds] (Item 14)</p>	<p style="text-align: center;">A. Smith</p>
<p>16. APPROVED Task Assignment No. 8 to Reynolds, Smith & Hills, Inc. of Jacksonville, Florida, for construction administration and resident project representative services for the Marking & Lighting Improvements Project at the Daytona Beach International Airport. [\$58,700.00: FAA 95%, FDOT 2.5%, DBIA 2.5%] (Item 15)</p>	<p style="text-align: center;">A. Smith</p>
<p>17. APPROVED Change Order No. 1 to Task Assignment No. 3 to the contract with The LPA Group, Inc. of Orlando, Florida, for architectural, engineering and aviation planning services to provide supplemental construction administration services for the construction of an Airfield Perimeter Road – Phase I, at the Daytona Beach International Airport (DBIA). [\$45,920.00: FAA 90%, FDOT 5%, DBIA 5%] (Item 16)</p>	<p style="text-align: center;">A. Smith</p>
<p>18. APPROVED Change Order No. 1 to Task Assignment No. 5 to the contract with The LPA Group, Inc. of Orlando for architectural, engineering and aviation planning services for the Airfield Perimeter Road - Phase II Construction Project at the Daytona Beach International Airport (DBIA). [\$57,830.00: FAA 95%, FDOT 2.5%, DBIA 2.5%] (Item 17)</p>	<p style="text-align: center;">G. Saalfeld</p>
<p>19. APPROVED Change Order No. 1 to Task Assignment No. 6 to the contract with The LPA Group, Inc. of Orlando, Florida, for architectural, engineering and aviation planning services for the Airfield Perimeter Road - Phase II Construction Project at the Daytona Beach International Airport (DBIA). [\$34,885.00: FAA 95%, FDOT 2.5%, DBIA 2.5%] (Item 18)</p>	<p style="text-align: center;">A. Smith</p>

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<p>20. APPROVED Change Order No. 1 to Task Assignment No. 7 to the contract with The LPA Group, Inc. of Orlando for architectural, engineering and aviation planning services for the Airfield Perimeter Road - Phase I Construction Project at the Daytona Beach International Airport (DBIA). [\$146,510.00: FAA 90%, FDOT 5%, DBIA 5%] (Item 19)</p>	<p style="text-align: center;">A. Smith</p>
<p>21. APPROVED the amendments to the FY 2003/2004 and 2004/2005 Consolidated Plans and authorize the Community Services Director, or his designee, to submit related grant documents to the U.S. Department of Housing and Urban Development and amend all subrecipient agreements. (Item 20)</p>	<p style="text-align: center;">D. Phillips</p>
<p>22. APPROVED the ranking of the Selection Committee and authorize staff to negotiate an agreement with the number one ranked firm, Florida Architects of Orlando, Florida, to provide professional architectural and engineering services for a new 7,000 square foot Head Start facility in Enterprise - RSQ 03-SQ-119LB. (Item 21)</p>	<p style="text-align: center;">D. Phillips</p>
<p>23. APPROVED to award Bid No. 05-B-212PW to the lowest responsive, responsible bidder, Charles Coleman, Inc., Orange City, Florida, for the rehabilitation of a single-family home at 2322 Milton Land in DeLand, Florida. (Item 22)</p>	<p style="text-align: center;">R. Williams</p>
<p>24. APPROVED Dade Behring, Inc. as a single source provider and approve the purchase of supplies and chemicals used to perform urinalysis testing by the Court's Drug Testing Lab. [\$225,000.00] (Item 23)</p>	<p style="text-align: center;">P. Davey</p>
<p>25. ADOPT Resolution No. 2005-190, authorizing the submission of an application to the State's Qualified Target Industrial Tax Refund Program (QTI) on behalf of Brunswick Corporation's Saltwater Boat Group and approve a local financial match, for the establishment of a new divisional headquarters for its administration, sales, research and development unit. [Local Match: \$80,000.00] (Item 24)</p>	<p style="text-align: center;">R. Michael</p>
<p>26. APPROVED contract agreement with the State of Florida – Office of Tourism, Trade and Economic Development as a sub-grant recipient of a U.S. Economic Development Administration Grant that enables the County to receive an infrastructure award for the DeLand Crossings Park, authorize the County Chair or County Manager to execute required documents, and ADOPTED Budget Resolution No. 2005-185 amending the FY 2004-05 Budget by changing the estimated total of revenues and expenditures. [\$504,000.00] (Item 25)</p>	<p style="text-align: center;">R. Michael</p>
<p>27. APPROVED authorization to complete the negotiations of the lease terms with Charles Wayne Properties for office space for the Public Defender's Office, after approval by the Legal Department and the Lessor, and authorize the County Chair and County Manager to sign all related documents. [\$124,785.00 for FY 05/06] (Item 26)</p>	<p style="text-align: center;">F. Schwenck</p>
<p>28. APPROVED the renewal of the contract for Novell NetWare and Novell GroupWise license maintenance to Software House International of Somerset, New Jersey, for a term of one year based on State Contract Number 252-009-02-1. [\$36,459.64] (Item 27)</p>	<p style="text-align: center;">E. Whitehead</p>

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29. APPROVED the second-year renewal option with Shared Technologies, Inc., for the period of September 24, 2005 to September 23, 2006, for preventative and repair maintenance services for the County's ROLM telephone equipment. [\$162,769.44] (Item 28)	B. Clausen
30. APPROVED the FY 2005-06 contracts for municipal services with the City of DeBary and authorize the County Chair and County Manager to execute the documents. (Item 29)	D. Krueger
31. APPROVED the 2005 tax roll to be extended for the mailing of the 2005 tax bills. (Item 30)	D. Krueger
32. APPROVED FY 2005-06 contracts for municipal services with the City of Deltona and authorize the County Chair and County Manager to execute the documents. (Item 31)	D. Krueger
33. APPROVED of the renewal of the commercial insurance policies for fiscal year 2005-06. [\$1,616,957.00] (Item 32)	M. Lary
34. APPROVED Bid No. 02-B-194TK for the first-year renewals of the price agreements with Buchanan Electric, Inc. and Economy Electric Company for emergency electrical services to various County departments. [\$395,000.00] (Item 33)	P. Wilsky
35. APPROVED the Daytona Beach News-Journal's rate schedule, for the term of October 1, 2005 through September 30, 2006, for legal classified advertisements. [\$250,000.00] (Item 34)	C. Olson
36. APPROVED a one year interlocal agreement between the County of Volusia and the Volusia County School Board for copy services and authorize the issuance of a Price Agreement for the period October 1, 2005 to September 30, 2006. [\$65,000.00] (Item 35)	F. Lowe/B. Ervin
37. APPROVED to delay the collection of the 2006 beach concession fees, without late payment penalties, authorization to reset the collection dates to 50% of the fees to be paid by April 30, 2006 and the other 50% to be paid by July 31, 2006, and authorization payments already received. [\$406,000.00] (Item 36)	B. Kane
38. ADOPT Resolution No. 2005-191 amending Chapter 22, Section 22-1 of the Volusia County Code of Ordinances, to allow contractor's credits on permit fees when using the services of a private provider and to add a fee for examination sponsorship. (Item 37)	D. Vancini
39. APPROVED the drainage easement on a small portion of the Doris Leeper Spruce Creek Preserve, to assist the City of Port Orange with the flooding problems within the Cambridge Canal Drainage Basin. (Item 38)	D. Weaver
40. APPROVED a one-year extension of Price Agreement No. 8247 with Lord & Lasker, Inc. of Ormond Beach, Florida, for advertising and marketing services. (Item 39)	D. Byron
41. APPROVED the FY 2005-06 expenditure with the sole-source firm of Lamar Outdoor Advertising, for billboards needed by various departments, pending approval of the FY 2005-06 budget, by the County Council. [\$71,524.00] (Item 40)	D. Byron
42. APPROVED the settlement agreement between the City of Port Orange and County of Volusia regarding Phase I of the waterline extension along a portion of Taylor Road, and grant the City of Port Orange use permit number 031125021. (Item 41)	R. Karl

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43. APPROVED settlement of <i>Louis and Evelyn Pabon v. County of Volusia</i> , Circuit Court Case No: 2002-11535-CIDL. [\$27,500.00] (Item 42)	M. Minter
44. APPROVED the contract with Nodarse & Associates of Ormond Beach, Florida, for threshold inspection and testing services for the expansion of the Ocean Center. [\$175,000.00] (Item 43)	R. Hamilton
45. APPROVED RSQ 05-SQ-39BL - the ranking determined by the Selection Committee and authorize staff to commence negotiations with the number one ranked firm, CRA Architects of Tallahassee, Florida, for the design of an expansion of the Volusia County Branch Jail. All contracts will be brought back for Council approval. (Item 44)	T. Moore
46. APPROVED the assignment of writing the Comprehensive Emergency Management Plan, to Emergency Resource Planning & Management, as a single source provider, for continuity and standardization of Emergency Planning throughout the County. [\$61,000.00] (Item 45)	J. Ryan
47. ADOPTED Resolution No. 2005-186 approving disbursement of FY 2005/2006 EMS County Grant Trust Fund dollars in accordance with the recommendations from the EMS Trust Fund Advisory Board, and adopt Budget Resolution No. 2005-187 authorizing the expenditure of funds, and request to authorize the Purchasing Director to award the contract(s) for the purchase of the recommended items. [\$127,415.00] (Item 46)	M. Zavadsky
48. APPROVED the renewal of the emergency ambulance transport agreement with the Emergency Medical Foundation, Inc. d/b/a EVAC Ambulance for a five-year period from October 1, 2005 through September 30, 2010. (Item 47)	M. Zavadsky
49. APPROVED the FY 2005/2006 budget for the Emergency Medical Foundation, Inc., set the published ambulance rates, allow the Foundation to negotiate rates for inter-county, non-emergency, non-covered ambulance transports, and provide a \$800,000.00 subsidy from the County to the Foundation. [\$800,000.00] (Item 48)	M. Zavadsky
50. APPROVED the renewal and addendum to the Assistant Medical Director Service Agreement for the period of October 1, 2005 through September 30, 2006, and approve the amendment to the Assistant Medical Director Service Agreement for the period of October 1, 2005 through September 30, 2006. [\$30,000.00] (Item 49)	M. Zavadsky
51. APPROVED the renewal of the fire protection and emergency medical services agreement with the City of South Daytona, at the increased base contract amount, for the contract period of October 1, 2005 through September 30, 2006. [\$55,073.00] (Item 50)	J. Tauber
52. WITHDRAWN BY STAFF Request to approve the U.S. Department of the Interior, Fish and Wildlife Service-Rural Fire Assistance Grant Modification, authorize the County Manager or her designee to execute the documents for this grant, adopt Budget Resolution 2005-___ appropriating funds, and authorize the Purchasing Director to award the purchase of equipment and associated items per County Purchasing Policies and Procedures. [\$3,300.00] (Item 51)	J. Burnsed

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<p>53. APPROVED Bid No. 05-B-180DW to AIT Laboratories of Indianapolis, Indiana, for postmortem toxicology services for a term of three years with an option to renew for two additional one-year terms, contingent upon Council approval, and request to approve the cancellation of Price Agreement #8269 with Miami-Dade Medical Examiner that was awarded in May 2003 due to the increase in its rates. [\$105,000.00] (Item 52)</p>	<p style="text-align: center;">T. Beaver</p>
<p>54. APPROVED the amended Emergency Relief Program Agreement and authorization for the County Chair to execute and ADOPT Budget Resolution No. 2005-188 appropriating State Department of Transportation funds for the Howland Boulevard sinkhole repair. [\$3,260,000.00] (Item 53)</p>	<p style="text-align: center;">D. Bradley</p>
<p>55. APPROVED the purchase of Parcel 106 regarding the realignment of DeBary Avenue in the Enterprise/Deltona area, Project 4351-2, in accordance with the Right of Way Purchase Agreement. [\$205,188.00] (Item 54)</p>	<p style="text-align: center;">G. Brinton</p>
<p>56. APPROVED to award the construction of a mast arm signal at the intersection of Airport Road and South Williamson Boulevard to Chinchor Electric, Inc. of Enterprise, Florida, based on a previously approved price agreement. [\$166,698.06] (Item 55)</p>	<p style="text-align: center;">B. Brinton</p>
<p>57. APPROVED Bid No. 05-B-151LB to P & S Paving of Daytona Beach, Florida, for the construction of paved shoulders along Bellevue Avenue in Daytona Beach from Williamson Boulevard to Clyde Morris Boulevard. [\$692,876.24: FDOT LAP Safety Funding = \$416,332.00] (Item 56)</p>	<p style="text-align: center;">G. Brinton</p>
<p>58. APPROVED Bid No. 05-B-162LB to P & S Paving of Daytona Beach, Florida, for the construction of paved shoulders along Kepler Road in DeLand from south of U.S. 92 to S.R. 44, a distance of approximately two miles. [\$827,961.94: FDOT LAP Safety Funding = \$217,061.00] (Item 57)</p>	<p style="text-align: center;">G. Brinton</p>
<p>59. APPROVED Task Assignment No. 1 to the contract with Ghyabi and Associates for engineering services for the four-lane widening of Howland Boulevard from Courtland Boulevard to north of S.R. 415. [\$655,285.00] (Item 58)</p>	<p style="text-align: center;">G. Brinton</p>
<p>60. APPROVED Task Assignment No. 2 to the contract with Bowyer-Singleton and Associates for engineering services for the widening of Tymber Creek Road from S.R. 40 to Airport Road. [\$646,927.00] (Item 59)</p>	<p style="text-align: center;">G. Brinton</p>
<p>61. APPROVED Change Order No. 2 to Task Assignment No. 9 to the contract with Brindley Pieters and Associates, Inc. for the four-lane widening of Williamson Boulevard from Dunn Avenue to Hand Avenue. [\$79,304.00] (Item 60)</p>	<p style="text-align: center;">G. Brinton</p>
<p>62. APPROVED the partial purchase of tax parcel #8011-08-30-0222 owned by David L. Vadala, for the extension of Rhode Island Avenue from the proposed Westside Parkway to U.S. 17-92 in Orange City, in accordance with the Right of Way Purchase Agreement. [\$285,000.00] (Item 61)</p>	<p style="text-align: center;">G. Brinton</p>

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<p>63. APPROVED Bid No. 05-B-214LB for Contract No. 1169 regarding the Cairns Way and Williamson Boulevard turn lanes, to Halifax Paving, Inc. of Ormond Beach, Florida. [\$613,516.75: State Grant Funds = \$323,535.00; County's portion for Bond Funded Road Program = \$179,048.00; balance paid by Economic Development and reimbursed by Ocean Design] (Item 61A)</p>	<p>G. Brinton R. Michael</p>
<p>64. APPROVED increase the current price agreement with Jarex, Inc., from \$19,000.00 to \$25,149.00 to cover the additional material needed as part of the construction on six erosion control projects caused by Hurricane Charley. [\$25,149.00] (Item 62)</p>	<p>J. Stewart</p>
<p>65. APPROVED the annual agreement with Volusia County School Board and Volusia County Mosquito Control for stormwater facility maintenance. (Item 63)</p>	<p>J. Stewart</p>
<p>66. APPROVED Bid No. 05-B-123JG to award an emergency price agreement to Land Enterprises Inc., Sanford, Florida, 10,000 cubic yards of shell material to replenish Road and Bridge's supply of shell material. [\$60,000.00] (Item 64)</p>	<p>G. Recktenwald</p>
<p>67. APPROVED RSQ No. 05-SQ-176RB approve the recommendation of the Selection Committee and authorize staff to negotiate basic contract agreements with each of the following four firms, for a period of three years, to provide professional hydrogeological and environmental consulting services for Utilities, Growth and Resource Management, and Airport Services: Andreyev Engineering, Inc. of Sanford, Florida, Earth Tech, Inc. of Orlando, Florida, Environmental Consulting & Technology, Inc. of New Smyrna Beach, Florida, Old Florida Conservation, Inc. of New Smyrna Beach, Florida (Item 65)</p>	<p>G. Marwick D. McGee M. Beamer</p>
<p>68. APPROVED Bid No. 05-B-219PW to authorize the Director of Purchasing and Contracts to issue a price agreement for the remaining four years of the initial 10-year term, based on the remaining term of the Clay County Utility Authority Contract #98/98 A-7, to Sensus Metering Systems of Dallas, Texas, for an automated water reading system. [\$62,286.00] (Item 66)</p>	<p>G. Marwick T. May</p>
<p>69. APPROVED Change Order No. 1 to Task Assignment No. 3 to the contract with CPH Engineers of Sanford, Florida, for additional on-call engineering services. [\$50,000.00] (Item 67)</p>	<p>G. Marwick</p>
<p>70. APPROVED Purchase Order #A22683 to Bell Helicopter/Textron of Dallas, Texas, for payment of the 2,500 hour overhaul, inspection and recertification of Air One helicopter 53504. [\$49,048.30] (Item 68)</p>	<p>L. Bounds</p>
<p>71. APPROVED LETP/SHS grant to purchase a 2006 Freightliner truck and box trailer with decals and striping in the amount of \$110,000 from the Florida Department of Law Enforcement (FDLE); adopt Budget Resolution No. 2005-189 appropriating the funds; and authorize the Purchasing Director to issue purchase orders for a 2006 Freightliner truck and box trailer with decals/striping, pursuant to grant documents and the County of Volusia Purchasing ordinance. [\$110,000.00: 100% Grant Funds] (Item 69)</p>	<p>L. Bounds</p>
<p>72. APPROVED proposed 5-Year Road Program (FY 05/06 through FY 09/10). (Item 70)</p>	<p>G. Brinton</p>

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<p>73. APPROVED the purchase of property known as the Pioneer Trail Reserve, formerly known as Lunsford Brothers Ranch, located at 4383 Pioneer Trail, New Smyrna Beach, Florida, from the Trust for Public Land, with modifications (purchase price \$11,809,008 and acreage is 1,640.14), authorize staff to proceed with closing. [Final Budget modified to \$11,832,787.15] (Item 71)</p>	<p style="text-align: center;">D. Weaver</p>
<p>74. DENIED the appeal of the Final Site Plan requirements for 05-F-FSP-0669 and upheld the action of the Volusia County Development Review Committee to require a conservation easement to encompass the historic trees with sufficient area to provide for future root protection as determined by the County Forester. (Item 72)</p>	<p style="text-align: center;">P. Panton</p>
<p>75. REAPPOINTED Keith A. Bulko to the HOUSING FINANCE AUTHORITY for a 4-year term to expire October 15, 2009 (Item 73)</p>	<p style="text-align: center;">M. Zimmerman</p>
<p>76. APPOINTED Douglas D. Hodson, Theodore R. Ruta, and REAPPOINTED Patty Post-Greatrex , Terry Roberts to the SOUTHEAST VOLUSIA ADVERTISING AUTHORITY for a 2-year term to expire September 30, 2007. (Item 74)</p>	<p style="text-align: center;">M. Zimmerman</p>
<p>77. APPOINTED Bill Budzinski and REAPPOINTED Sharon T. Hughes, David W. Wilson, Lita Handy-Peters to the WEST VOLUSIA TOURISM ADVERTISING AUTHORITY for a 2-year term to expire September 30, 2007(Item 75)</p>	<p style="text-align: center;">M. Zimmerman</p>
<p>78. APPOINTED Charles DeZaruba to serve the balance of John Masiarczyk's 4-year term to expire March 31, 2006, on the TOURIST DEVELOPMENT COUNCIL. (Item 76)</p>	<p style="text-align: center;">M. Zimmerman</p>
<p>79. APPOINTED Council Member Dwight Lewis to the Selection Committee for RSQ 05-SQ-225RB, Land Surveying Services, opens 9/22/05</p>	<p style="text-align: center;">F. Bruno</p>
<p>80. ADOPTED Internal Revenue Service Resolution No. 2005-192, authorizing the lease purchase of \$21,645,349 in capital expenditures for FY 2005-06. APPROVED to adopt recommended changes to the FY 2005-06 Tentative Budget totaling \$5,225,694. ADOPTED Millage Rate Resolution No. 2005-193. ADOPTED Appropriations Resolution No. 2005-194 establishing the FY 2005-06 adopted budget totaling \$580,736,726. (Item 77)</p>	<p style="text-align: center;">D. Krueger</p>