

COUNTY COUNCIL ACTION LIST
January 19, 2006

1. ACCEPTED presentation by Nancy Chrisman, Intergovernmental Coordinator for the St. John's River Water Management District, of a celebration check for the Tributary E Stormwater Park (Item 1)	
2. APPROVED revised Minutes from the County Council – Regular Session held September 23, 2004. (Item 2)	M. Zimmerman
3. APPROVED County Council Minutes from the Joint Meeting with the City of Orange City held March 14, 2005. (Item 3)	M. Zimmerman
4. ADOPTED Resolution No. 2006-09 abandoning/vacating two seven-foot wide drainage, maintenance and utility easements in the plat of Augustine Oaks recorded in Map Book 42, Page 5. [H. Stephen and Sharon L. Burdette, Petitioners] (Item 4)	J. Enfiner
5. NO CHANGE on review process for Special Exceptions. Staff to draft an ordinance requiring that zoning changes must be consistent with the Comprehensive Plan designation for the intended use of the property to be rezoned. (Item 5)	M. Robinson M. Brennan
6. ACCEPTED withdrawal by Ty Harris, Attorney for Owner, Volusia Materials, to APPEAL the Zoning Enforcement Official's interpretation of the exempt status of the excavation when done in conjunction with a Florida Department of Transportation funded beach re-nourishment project. The property is located on the west side of Marsh Road, approximately 1,600 feet from its intersection with Carter Road, near the City of DeLand. (Item 6)	M. Robinson
7. APPROVED Zoning Case Z-05-121 – Application of Darren Elkind, Attorney for Southland Homes Corporation, Owner, requesting a rezoning from the A-1 (Prime Agriculture) zoning classification to the A-2 (Rural Agriculture) and A-4 (Transitional Agriculture) zoning classifications. The property is located on the north side of Highland Park Road at its intersection with Audubon Avenue, adjacent to the CSX rail line, in the community of Glenwood; ± 10.26 acres; and request to adopt Resolution No. 2006-10 (Item 7)	M. Robinson
8. APPROVED Zoning Case Z-05-159 – Application of John and Trisha Bray, Owners, requesting a rezoning from the A-3(1) (Transitional Agriculture/Low Impact Urban) zoning classification to the RR(1) (Rural Residential/Low Impact Urban) zoning classification. The property is located the west side of South Glencoe Road, approximately three miles south from its intersection with State Road 44, south of the Waterford Lakes RPUd and south of the City of New Smyrna Beach; ± 2.64 acres; and request to adopt Resolution No. 2006-11. (Item 8)	M. Robinson
9. APPROVED Zoning Case Z-05-168 – Application of Zahn Engineering, Inc., Agent for Capers Development, LLC, Owner, requesting a rezoning from the R-4 (Urban Single-Family Residential) zoning classification to the R-6 (Urban Two-Family Residential) zoning classification. The property is located on the south side of Flomich Street Extension, approximately 800 feet west from its intersection with Derbyshire Road, between the Cities of Daytona Beach and Holly Hill; ± 6.28 acres; and request to adopt Resolution No. 2006-12. (Item 9)	M. Robinson

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<p>10. APPROVED Zoning Case Z-05-139 – Application of Albert Pell, Owner, requesting a rezoning from the R-4 (Urban Single-Family Residential) and B-5 (Heavy Commercial) zoning classifications to the B-5 (Heavy Commercial) zoning classification. The property is located on the west side of State Road 415, approximately 1000 feet south from its intersection with Doyle Road. It adjoins to the north property line of the County Road and Bridge Facility, in the community of Osteen; ± 6.5 acres; and request to adopt Resolution No. 2006-13. (Item 10)</p>	<p style="text-align: center;">S. Ashley</p>
<p>11. APPROVED Zoning Case Z-05-155 – Application of Larry and Karen Pridgeon and Dale and Jeannie Strickland, Owners, requesting a rezoning from the C (Conservation) zoning classification to the A-1 (Prime Agriculture) zoning classification. The property is located on the south side of an unnamed easement approximately 2000 feet west from its intersection with Tilly Bryd Road, near the Lake George conservation area, west of the community of Seville; ± 20 acres; and request to adopt Resolution No. 2006-14. (Item 11)</p>	<p style="text-align: center;">S. Ashley</p>
<p>12. APPROVED Zoning Case Z-05-162 – Application of Albert Cook, Agent for Willie Mae Howard, Owner, requesting a rezoning from the B-4 (General Commercial) and R-4 (Urban Single-Family Residential) zoning classifications to the A-3 (Transitional Agriculture) zoning classification. The property is located on the west side of U.S. Highway 17 approximately 70 feet south of its intersection with Raulerson Road in the community of Seville; ± 3 acres; and request to adopt Resolution No. 2006-15. (Item 12)</p>	<p style="text-align: center;">S. Ashley</p>
<p>13. APPROVED Zoning Case Z-05-164 – Application of Tom and Glenda Kangas, Owners, requesting a rezoning from the R-4 (Urban Single-Family Residential) and B-4 (General Commercial) zoning classifications to the B-4 (General Commercial) zoning classification. The property is located on the southeast corner of State Road 415 and Railroad Avenue in the community of Osteen; ± 1.3 acres; and request to adopt Resolution No. 2006-16. (Item 13)</p>	<p style="text-align: center;">S. Ashley</p>
<p>14. APPROVED Zoning Case Z-05-055 – Application of Alex Ford, Attorney for Owners, Samuel and Carole Johnson, Owners, requesting a rezoning from the RRC (Rural Residential/Thoroughfare Overlay Zone), A-3C (Transitional Agriculture/Thoroughfare Overlay Zone), and A-3 (Transitional Agriculture) zoning classifications to the A-3C (Transitional Agriculture/Thoroughfare Overlay Zone) zoning classification. The property is located on the east side of North Spring Garden Avenue ± 30 feet south of its intersection with Glen Royal Terrace, north of the City of DeLand; ± 1.79 acres; and request to adopt Resolution No. 2006-17. (Item 14)</p>	<p style="text-align: center;">S. Ashley</p>
<p>15. APPROVED Zoning Case Z-05-109 – Amended application of B. Wemple, Agent for David B. and Carol B. Wemple, and William and Carol W. Wemple, Owners, requesting a rezoning from the A-4 (Transitional Agriculture) zoning classification to the A-3 (Transitional Agriculture) zoning classification. The property is located on the north side of Mooneyham Drive, approximately 1,400 feet southwest from its intersection with Williams Road adjacent to the City of New Smyrna Beach; ± 3.46 acres; and request to adopt Resolution No. 2006-18. (Item 15)</p>	<p style="text-align: center;">M. Robinson</p>

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<p>16. UPHELD recommendation of PLDRC for DENIAL of Zoning Case Z-05-153 – Application of Keith Coffin, Owner, requesting a rezoning from the R-4 (Urban Single-Family Residential) and RC (Resource Corridor) zoning classifications to the R-5 (Urban Single-Family Residential) and RC (Resource Corridor) zoning classifications. The property is located on the east and west sides of S.R. A1A (Ocean Shore Boulevard), approximately 164 ft. north from its intersection with Bass Drive in the community of Ormond by the Sea, north of the City of Ormond Beach; ± 3 acres. (Item 16)</p>	<p style="text-align: center;">M. Robinson</p>
<p>17. APPROVED (with conditions) Zoning Case S-05-163 - Application of Mark Hall, Attorney for Vietnam Vets Motorcycle Club SE Properties, Inc., Owner, requesting a special exception for temporary campsites for three days before, during and three days after any regularly scheduled racing event at the Daytona Beach International Speedway for Speedweeks, Biketoberfest, the Pepsi 400, and Bike Week, on A-1 (Prime Agriculture) and FR (Forestry Resource) zoned property for a time period of five years beginning Bike Week 2006 through Biketoberfest 2010. The property is located on the west side of Menton Road, approximately 600 feet from its intersection with North County Road 3, north of the Town of Pierson; ± 8.72 acres. (Item 17)</p>	<p style="text-align: center;">S. Ashley</p>
<p>18. DENIED Zoning Case S-05-170 - Application of Benjamin Butera, Agent for Mark and Susan Tomlinson, Owners, requesting a special exception for a Single-Family Dwelling on B-8 (Tourist) zoned property. The property is located on the north side of Ocean Drive, approximately 66 ft. east from its intersection with Ocean Shore Boulevard (State Road A1A) in the community of Ormond by the Sea; ± 5,263 sq. ft. (Item 18)</p>	<p style="text-align: center;">S. Ashley</p>
<p>19. DENIED Zoning Case S-05-157 - Application of David Strawn, Agent for David Strawn Land, Inc., Owner, requesting a special exception for temporary campsites for three days before, during and three days after any regularly scheduled racing event at the Daytona Beach international Speedway for Speedweeks, Biketoberfest, the Pepsi 400, and Bike Week on A-1 (Prime Agriculture) zoned property for a time period of three years beginning Bike Week 2006 through Biketoberfest 2008, on A-1 (Prime Agriculture) zoned property. The property is located on the east side of Lake Winona Road, approximately 3,000 feet south from its intersection with Clifton Road near the community of DeLeon Springs; ± 52 acres. (Item 19)</p>	<p style="text-align: center;">M. Robinson</p>
<p>20. APPROVED (with modified conditions) Zoning Case S-05-056 - Application of Alex Ford, Attorney for Samuel and Carole Johnson, Owners, requesting a special exception for processing, packaging, storage, retail or wholesale sales of agricultural products not raised on the premises on proposed A-3C (Transitional Agriculture/Thoroughfare Overlay Zone) zoned property. The property is located on the east side of north Spring Garden Avenue, ± 30 feet south of its intersection with Glen Royal Terrace, north of the City of DeLand; ± 1.79 acres. (Item 20)</p>	<p style="text-align: center;">S. Ashley</p>
<p>21. APPROVED (with conditions) Zoning Case S-05-169 - Application of Zahn Engineering, Inc., Agent for Capers Development, LLC, Owner, requesting a special exception for a multifamily standard or manufactured dwellings on the proposed R-6 (Urban Two-Family Residential) zoned property. The property is located on the south side of Flomich Avenue, approximately 800 feet west from its intersection with Derbyshire Road, between the Cities of Daytona Beach and Holly Hill; ± 6.28 acres. (Item 21)</p>	<p style="text-align: center;">M. Robinson</p>

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<p>22. CONTINUED to March 16, 2006 at 10:00 a.m. request for rehearing of Zoning Case PUD-04-107 – Application of Glenn Storch, Attorney for Owner, Nancy Lordi, Owner, requesting a rezoning from the A-1W (Prime Agriculture/Indian River Lagoon Surface Water Improvements & Management) zoning classification to IPUDW (Industrial Planned Unit Development/Indian River Lagoon Surface Water Improvements & Management) zoning classification. (Item 22)</p>	<p>S. Ashley</p>
<p>23. APPROVED Change Order No. 1 to Task Assignment No. 2, Project No. P-5211-A to the contract with LPA Group, Inc. for additional on-call engineering services when and as directed by the Director of Airport and Port Services. [\$25,000.00] (Item 23)</p>	<p>D. McGee A. Smith</p>
<p>24. APPROVED Com-Net Software Specialists, Inc. as a single source provider for the Daytona Beach International Airport's flight information display system and authorize staff to negotiate a contract with Com-Net. The final contract will be brought back to Council for approval. (Item 24)</p>	<p>D. McGee A. Smith</p>
<p>25. APPROVED Task Assignment No. 11 to the firm of Reynolds, Smith & Hills of Jacksonville, Florida, for the development of a design criteria package for the installation of Runway 25R Nav aids at the Daytona Beach International Airport. [\$84,500.00] (Item 25)</p>	<p>D. McGee A. Smith</p>
<p>26. APPROVED award of Bid No. 06-B-05PW to the lowest responsive and responsible bidder, Merrick Services, Inc., of Edgewater, Florida, for the construction of a single-family home at 1965 Columbia Street, Seville, Florida. [\$99,600.00] (Item 26)</p>	<p>R. Williams</p>
<p>27. APPROVED ward Bid No. 06-B-17PW to Merrick Services, Inc., of Edgewater, Florida, for the construction of a single-family home at 434 North Myrtle Avenue, New Smyrna Beach, Florida. [\$73,438.00] (Item 27)</p>	<p>R. Williams</p>
<p>28. APPROVED the amendments to the FY 2003/2004, 2004/2005 and 2005/2006 Consolidated Plans; 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, as necessary. (Item 28)</p>	<p>D. Phillips</p>
<p>29. APPROVED the Bill & Melinda Gates Foundation grant to assist the library in meeting disadvantaged communities' public access computer hardware and software needs, and ADOPTED Budget Resolution No. 2006-19 appropriating the FY 2005-06 grant. [\$64,500.00] (Item 29)</p>	<p>M. Knievel</p>
<p>30. AUTHORIZED the direct purchase of an EVAPCO Model "AT" galvanized steel induced draft counter flow cooling tower to replace the damaged cooling tower at the Volusia County Branch Jail, from Carroll Air Systems, the factory authorized representative. [\$66,450.00] (Item 30)</p>	<p>F. Schwenck</p>
<p>31. APPROVED a two year lease extension for the parking area located at 121 West Wisconsin Avenue in DeLand, Florida, with First States Investors 5000A, LLC, and authorize the County Chair to sign the agreement. [\$40,800.00 for two years] (Item 31)</p>	<p>F. Schwenck</p>
<p>32. APPROVED a one-year renewal of Price Agreements for Automotive Paint and Bodywork Services with Celico Auto Body of Bunnell, Florida and DeLand Collision of DeLand, Florida. [\$175,000.00] (Item 32)</p>	<p>G. Baker</p>
<p>33. APPROVED a contract for a term of five-years to Public Financial Management, Inc. of Orlando, Florida, to provide consulting services and assist, as necessary, and with any proposed financing or investment strategies. (Item 33)</p>	<p>C. Weaver</p>

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<p>34. APPROVED Bid No. 06-B-60SR to Anixter, Inc. of Orlando, Florida, for communications equipment - cables and materials, for a period of three years from February 1, 2006 to January 31, 2009, with an option for two annual renewals, contingent upon County Council approval and authorize the Director of Purchasing and Contracts to issue a Price Agreement. (item 34)</p>	<p>D. Olson S. Resto</p>
<p>35. ADOPTED Budget Resolution No. 2006-20 appropriating the Volusia ECHO fund unobligated fund balance carryover revenue from FY 2004-05 to future ECHO programs. [\$306,459.00] (Item 35)</p>	<p>M. Hodge</p>
<p>36. APPROVED proposed Agreements for Sale and Purchase of property on the west side of AIA across from Sun Splash Park; authorize staff to proceed with closing; and ADOPTED Budget Resolution No. 2006-21 transferring \$75,000.00 from the General Fund Reserve for Fund Balance to the Beach Capital Fund. [\$147,889.00] (Item 36)</p>	<p>D. Weaver Bill Gardner</p>
<p>37. APPROVED Change Order No. 1 to Task Assignment No. 2 to Reynolds, Smith & Hills, Inc. of Orlando, Florida, for additional engineering services for the preliminary design of Spring to Spring Trail - Phase 7, Grand Avenue & Minnesota Avenue to Ponce DeLeon Springs State Park, Project No. P-5226-A. [\$21,899.00] (Item 37)</p>	<p>J. Harper</p>
<p>38. APPROVED Task Assignment No. 1 to the contract with GAI Consultants, Inc. of Orlando, Florida, for Professional Planning Services Designation Application and Corridor Management Plan (CMP) in accordance with the Florida Scenic Highways Program Manual (FSHPM) for the Historic Ormond-by-the-Sea Corridor Advocacy Group (CAG) project. [\$30,000.00] (Item 38)</p>	<p>B. Dyer</p>
<p>39. APPROVED Task Assignment No. 2 to the contract with GAI Consultants, Inc. of Orlando, Florida, for professional planning services for an eligibility application and re-format the existing Corridor Management Plan (CMP) in accordance with the Florida Scenic Highways Program Manual (FSHPM), for the Ormond Beach Scenic Loop project. [\$38,000.00] (Item 39)</p>	<p>B. Dyer</p>
<p>40. APPROVED a Development Order approving the application for a Final Plat and approval of the required Maintenance Agreement and any necessary Performance Agreement for the Halifax Plantation Unit II, Section N-2 subdivision, subject to resolution of conditions 1 through 4, as set forth. (Item 40)</p>	<p>P. Panton</p>
<p>41. APPROVED the settlement agreement to completely resolve the workers' compensation claim of former employee, Daniel J. Carroll, Jr. [\$138,750.00, including the guideline attorney's fees] (Item 41)</p>	<p>N. Jones M. Lary</p>
<p>42. APPROVED the settlement in <i>Joshua Hemmerlein v. County of Volusia</i>. [\$50,000.00] (Item 42)</p>	<p>N. Jones M. Lary</p>
<p>43. APPROVED an easement for Progress Energy across the west end of the County parking lot behind the old Elections building to extend lines to the new City of DeLand municipal complex on New York Avenue. (Item 43)</p>	<p>J. Seaman</p>
<p>44. APPROVED request from the Ocean Deck Restaurant to approve the 2006 Ocean Deck Event Calendar as it pertains to the waiver of alcoholic beverages only, at the following seven events, as requested: February 10-20 Race Week, March 4-27 Bike Week / Spring Break, April 14-16 Easter Beach Run, April 21-23 Ocean Deck Anniversary Party, May 9-15 Dayton to Daytona Beach Bash, June 29 - July 5 4th of July Holiday/NASCAR Race, December 31-January 1 New Year's Weekend. (Item 44)</p>	<p>K. Sweat</p>

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45. APPROVED request from Mr. Ken Botts, manager of the Ocean Deck Restaurant, for the use of "static displays" (automobiles) on the beach in conjunction with several special events he holds on the beach each year. (Item 45)	K. Sweat
46. APPROVED the Pre-Disaster Mitigation Program to continuing the Volusia Prepares for Wind Program; authorized the County Chair to execute; and adopted Budget Resolution No. 2006-22. [\$1,500,000.00] (Item 46)	J. Ryan
47. APPROVED the acceptance and use of Petroleum Cleanup Participation Grant from the Department of Environmental Protection; ADOPTED Budget Resolution No. 2006-23; authorized the Purchasing Director to award the contract and/or purchases of equipment, and associated items per County purchasing requirement; and authorize the County Manager or Acting Designee to execute the documents for this grant. Seventy-five percent (75%) of the cost of the remediation in the amount of \$198,750.00 will be paid by the grant [25% County match; \$66,250.00 from the General Fund] (Item 47)	J. Tauber
48. APPROVED award of Bid No. 05-B-207JG to approve the increased usage of Price Agreement #7316 with Ten-8 Fire Equipment Company of Brandon, Florida, to furnish firefighting equipment and replacement parts. [\$100,000.00] (Item 48)	J. Tauber
49. APPROVED Task Assignment No. 1 to the contract with Woolpert, Inc. of Winter Park, Florida, for professional consulting services for the LiDar Surveys, Digital Topographic Data and Digital Orthophotography project. [\$832,305.00] (Item 49)	J. Gamble
50. APPROVED the purchase of Pond A (a 1.12 acre parcel) in accordance with the Right of Way Purchase Agreement, and approve the Addendum to the Purchase Agreement concerning the construction of a driveway, maintenance and associated easements pertaining to the widening of Williamson Boulevard from Spruce Creek Road to Taylor Road. [\$195,000.00] (Item 50)	G. Brinton
51. APPROVED Task Assignment No. 1 to the contract with P.A.R.A.R.A. Services for the acquisition of Right of Way necessary for improvements to Old Mission Road. [\$162,300.00] (Item 51)	G. Brinton J. Enfinger
52. APPROVED Task Assignment No. 9 with Taylor Engineering, Inc. for final design and permitting for the replacement of an access ramp at 3rd Avenue, New Smyrna Beach. [\$37,780.00] (Item 52)	G. Brinton
53. APPROVED Change Order No. 1 to Purchase Order No. 00002501989 to PRIDE Digital Information Services, for the imaging of Traffic Engineering's documents. [\$30,000.00] (Item 53)	J. Cheney
54. APPROVED purchase of a new traffic signal from Chinchor Electric, Inc. and install same at the intersection of Lake Helen Osteen Road and Catalina Boulevard in Deltona, Florida. [\$69,882.57] (Item 54)	J. Cheney
55. APPROVE Task Assignment No. 16 to the contract with PEC/Professional Engineering Consultants, Inc. of DeLand, Florida, for professional stormwater and environmental engineering services for the Gabordy Canal Stormwater Management Plan Phase 1C – Capital Improvement Plan (CIP) project. [\$49,745.00] (Item 55)	G. Cook
56. APPROVED a one-year sole source award to Stiles-Kem Division of Waukegan, Illinois and authorize the Director of Purchasing and Contracts to issue a Price Agreement for the purchase of Bio-Purge (WD-30000) for water utilities operations. [\$32,000.00] (Item 56)	T. May

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57. APPROVED Task Assignment No. 18 to CPH Engineers of DeLand, Florida, for engineering services for expansion of the Halifax Plantation Wastewater Treatment Plant in Ormond Beach. [\$160,000.00] (Item 57)	G. Marwick
58. APPROVED Evaluation and Appraisal Report (EAR) document and directed staff to continue with the EAR process. (Item 58)	M. Beamer
59. Comprehensive Plan Workshop scheduled for February 23, 2006 at 9:50 a.m.	
60. AUTHORIZED Volusia County contribution of \$5,000.00 toward the employment by Florida Association of Counties of a specialized lobbyist to actively fight potential 2006 pre-emptive legislation that would erode charter county authority as relates to countywide policies on such issues as environmental minimum standards, annexations, land use, etc. (Staff Time)	D. DeMarsh
61. CONCURRED with termination of negotiations on potential lease of Daytona Beach International Airport Parcels 61 and 23, and approved staff seeking alternate bids and use of this property. (Staff Time)	McGee