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Transcription Only

November 10, 2020

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>> Good morning. It's 9:29. If anyone is here wanting to speak during public comments we will begin that at 9:30. See the clerk and fill out your card and you'll be given your time to speak. And if you prefer to speak about anything, you can speak then. If you prefer to speak on an item that's on the agenda and you do not want to wait for that, you also can speak to that item at this time. Or you can stay and speak during -- when the item is called.

(Standing by)

>> Good morning it is 9:30 and we'll begin the pup participation portion of today's agenda. And thank those of you who are here and participating and telling us what's on your mind. We will not address your concerns, questions and inputs from the die I say. But any of you who need additional information, we will make sure that you get that. The card that I have to speak, I only have one and that's from Suzanne Scheiber, Suzanne. State your name and address for the record.

>> Suzanne Scheiber, 548 Sandy Oaks Boulevard. Good morning. I'm here to discuss a beneficial project to protect the Ormond Scenic Loop. On October 22nd Natalie Pilipszack and I met with Parker Mynchenberg concerning the Plantation Oaks development he. Was gracious enough to accept our request. We asked for the 175 foot buffer to be placed in a conservation easement and he agreed to this.

He has already contacted the City of Ormond Beach Planning Board director Steven Spraker concerning the buffer to take action. In addition we asked if he is willing to sell the 76 lots along the buffer for conservation land and he agreed.

We are here to discuss the possibilities of the County and the City of Ormond Beach working together for applying for grants, partners, and considering funds for purchasing this land to protect the Ormond Scenic Loop. A grant is currently open for application through FCT. Volusia Forever was just voted for renewal as you all know. The petition currently has 61,000 signatures expressing a strong interest in protecting the Ormond Scenic Loop. Mr. Mynchenberg is a willing seller and has been very cooperative in working with us.

The County and the City of Ormond Beach have an opportunity to work together to protect the Loop. And we all benefit from a scenic byways resource being protected. The solutions are achievable. The conversation with Mr. Mynchenberg was productive and we can move forward to protect one of Volusia County's most pristine areas, the Ormond Scenic Loop and Trail. We want to thank Parker Mynchenberg for his collaboration. And we look forward to hearing from you to work with the City of Ormond Beach. Thank you.

>> Thank you, Suzanne, is there anyone else? I only have the one card. That's all you have? Okay. At this point we will see you back here at 10:00 o'clock. When we will begin the meeting on this 11/10/2020.

(Standing by).

>> Good morning, we will begin the meeting and call it to order in just about five minutes. So just to give you a heads-up.

(Standing by).

This is your less than two minute warning. Less than two minutes to kick off.

We are now down to less than one minute. If you can find your assorted safety seats, and now we are past the one minute. It is 10 AM. And we will call the November 10, 2020 meeting of the Volusia County Council to order at this time.

At this time we have Reverend Gary Giovanni from Riverbank community church will lead the application followed by the pledge. I will ask the Council if you'll stand with me.

>> May we pray, I grace us heavily father, what a privilege it is to be here this morning in the chamber. Thank you Father for your grace and your mercy. Thank you for your mighty power. Thank you Lord, for always being in control, and in charge.

Lord, I special want to put a blessing on these people this morning who are serving in our government. Sometimes it's quite challenging for them, I know.

Lord we pray that you grant them wisdom, grant them courage, honesty, humility, and guide and direct every one of their thoughts as they engage in what is before them this morning.

Thank you for them, thank you for the sacrifices they make to be here, and give their time. We pray all this in the name of Jesus our Lord and saviour, amen.

>> I pledge allegiance to the flag of the unitive states of America. And to the Republic for which it stands, one nation under God. In liberty and justice for all.

>> Thank you so much. You can come down the line, still, Pastor. Just to shake hands. Thank you so much.

>> Run the gauntlet. Do an air fist.

>> While we are getting situated, I've given the application the indication is open to all, if the leader of your faith would like to do so, they can contact Melissa Greene our deputy clerk and she will make sure that happens. With that being said, can we have the roll call please?

>> Doctor Larry? Ms post? Wheeler? Ms Denise? Ms Girtman? Mr Johnson? Mr Kelly?

>> Let the record show that there is a quorum present, I will leave the motion for a member on the dais that Miss Girtman is participating virtually due to extraordinary circumstances involving physical disability during this time.

Posted by Lowery, second by with her. The motion passes 6-0. You are legal to vote and participate, Miss Girtman.

>> Thank you.

>> We are following the order from the state. We will move now to the consent agenda peer does anyone want to comment on any item?

>> I would just like to request that we move item H the minutes, to the next meeting. I need a chance to check on something. So, it was brought to my attention.

>> You want to? We will need a motion to move it to the next item then. Motion to move item H by Denys, second by post, to Tuesday the 17th? Any objection? None, the motion is unanimous. Any other item, does anyone wish to comment?

If not, I will retain a motion –

>> I moved to consent agenda with item H.

>> Second, Girtman.

>> We approve the consent agenda absent item H any objection to the motion? No object, the motion passes unanimously. Now we move to one of the funnest we get to do due to the work by a couple people.

>> Item 2 is the presentation of the loving cup to the city of DeBerry, regarding the census program for it I would like to introduce committee information's Pat Cuban and Mr Rockwell.

>> Good morning. We here to talk about the census, and as you know it's been a crazy year. The coronavirus not only affected lives and livelihoods, it also slowed down the census.

And through quite a few curveballs, but we got through it. And of course, it was very important that we participate in the census, because the results determine how much federal funding we will get for the next 10 years.

And it will also help us to determine our redistricting which will be a really big factor next year, and our attorney friend Carol is going to be heading that one up.

And back in August 2019, we formed a complete Count committee. We thought we were going to be done by April 1. But no, we were not. It just ended a couple weeks ago.

Barb Girtman and Billy Wheeler step forward to be our cochairs, and they were very invigorating and the committee members were very enthused under their leadership. We had nearly hundred people on our committee.

They represented every municipality, the schools, many colleges, the chambers, all the chambers and social service agencies. We had people from all walks of life on our committee.

And they helped us to reach out to residents, and encourage them to complete their forms. These are the subcommittee chairs. You might recognize a few faces there. Top row is county staff, there is Brian and I, Karen Polson headed the libraries, Allen Hill was in charge of IT and GIS.

Taylor (Name) is from (unknown term), Natalie Smith Wells is from the Daytona Beach Housing Authority. Next row we have Kelly Schultz with the schools, DJ (Name) from the early learning coalition, Cameron from the Daytona chamber.

(Name), I forgot her last name? From the Volusia Chamber of Commerce. There is Kathy Webb, who is a former U.S. Navy employee. Victor Goodin, a pastor. On the bottom row we have the first two ladies are with the migrant farm worker Association, which was very critical this time around.

Antonia and (Name) him and we have Jane from the United Way. And we lodged an ambitious marketing and communication program, with some billboards, newspaper ads, radio, some TV, and a lots of social media and digital media.

We made a special effort to reach out to the Hispanic community. That was a hard sell this year, because they were all concerned about the citizenship question, which did not actually appear.

And we did quite well, and 2010 our self response rate was 62.8%, this year we got up to 66.7. Which is very good, I was a little worried about how this was going to turn out, but the extra time really helped us out.

And we had a friendly competition among the municipalities to see who would win, would have the highest self response rate, and we had a horse race theme. And, the winner is the city of DeBery.

(Applause)

>> You have to come on down now. Here are the results by city, DeBary had 78.4% of their residents complete the forms on their own. And that was the highest in the state. Ormond Beach and Altona tied for place, and then Port Orange came in.

I put them down as third. Because I don't know if that's a horse races do it, but that's how I did it. We have Phyllis today, and she let the city's efforts, and they also had an ambitious plan to reach out to the residents, they used digital signs, banners, signs on lampposts, public speaking engagements.

And they reached out to their HOA's, not before we present the loving cup, do you have any questions? OK, great! Let's get on with it. Why don't you go stand over there.

>> Ms Girtman we will just pretend that you are here with your twin.

>> We should have a cutout.

>> We should have a cutout, you're right.

>> Next meeting! (Laughs)

>> OK, you got photos to your right. Photos to your left. OK.

>> We want an official photo with the County Council standing up behind. Can we do that? That's good.

>> We might have to get up high.

>> Yeah.

>> We gotta keep our social distance.

>> I'm not breathing.

>> Three, two, one.

>> Thank you so much!

>> Mayor, would you like to say a few words about the sentence?

>> Yes, I want to give a special thanks to our vice mayor who headed up the effort for city and also the city staff who stepped up as well as the rest of the Council to try and make this a priority for our city. To invest in the banners and other things that we needed to trigger a good response rate.

And we are so proud that it worked out. Even against great odds. With social distancing, and virus flareups, and delays, and uncertain futures for dates. And so, we are very grateful for our citizens stepping up and being counted.

And we take special pride that we have received the loving cup for our efforts. Thank you so much.

>> Thank you very much. Congratulations, I just want to say –

(Applause)

>> A special thanks to the B and B girls, the birthday girls as well, we found out this past week that they both share the same birthday. They did a great job. Before I made the appointment, I talked with Jody Alexander who was the sole chairperson of the 2010 census.

And I said what would you think if I tried to divide it? She said that would make it a lot easier. So I took her suggestion and asked Ms Gartman if she would service a cochair for the West, and Ms Wheeler for the East, and they will both tell you that neither one whatever wanted to have done all of it.

What they were able to accomplish by splitting it, by dividing this, that it made them much better participation, and much easier in the chairperson that did it. In 2030, I guess it would be the next one. Whoever is here may want to think about the same thing.

Ms Girtman would like to say something.

>> I just wanted DeBary to know that I never had any doubt that they would be number one. (Laughs) I knew the Westside would win, no competition! But, it's all good.

Thank you, and thank you for all the efforts that everybody put out.

>> Miss Wheeler?

>> I wanted to say that all the ballots aren't in, I don't know if the Westside really one. (Laughs) Staff, I just can't thank you enough, Pat and Brian. You guys were with us every step of the way, and helping us, and coming up with creative ideas.

DeBary congratulations, but congratulations to all of the cities, that I think all of them improve. It was quite an endeavour, but hopefully we hit the magic numbers that we can get that 500,000 limit over.

And receive the funds that we deserve. Thank you so much staff, thank you, thank you very much.

>> I wanted to point out that two of the top three cities were in my district. Just saying.

>> That could've been left unsaid. Just saying. George?

>> Just to echo, like to thank everyone involved, and I wanted to give a little special thank you to Ryan and Pat, who did a great job under some difficult circumstances. When there was presentations, meetings, materials, articles, Pat really did a (unknown term) job putting every thing together. And I appreciate everything you done.

And Pat was involved with the 2010 census. And I'm going to announce right now that she will be in charge of the 2030 census as well. (Laughs)

>> I don't think you can decline that, Pat.

>> The favourite event was the (unknown term) parade.

>> Without will move to item number three. This is participation agreements for the supervisor election. George?

>> Both these agreements, I want to talk about them both, and we can vote on them separately. I think Miss Lewis is here to speak on her item. These items I will just say, for general overview, the agreements are divided into five areas.

One is the fleet maintenance and acquisition of any vehicles. The second is facilities which is how they will continue to occupy and maintain the existing facilities. The next section is employee benefits.

They will be continue to use our HR department. Self-insurance is the fourth area, that will remain part of the risk pool. They will not be required to purchase outside insurance, and the last section is financial and IT, and other smaller services.

They will continue to use our financial management system, and we will be paying their invoices and procurement services, and we will maintain and replace their computers. This is a very good agreement, again, we are a leader in this.

The other counties will be following suit in the years to come. But, I think they will be coming here to see how it is done, we've done a great job staff, and I have to give a big shout out to Janine Jennings who led the efforts and actually looks like she is having trouble walking now after going through the war of doing – I'm just kidding on that.

This is for the betterment of all citizens, so we have some efficiency as we work together. Again, great job to everybody. With that, I do think Miss Lewis wanted to speak, and she is an item 3, supervisor election agreement.

>> Good morning numbers of the Council and the public. I just wanted to say thank you, especially to Janine, because she did work hard on this. Not that there was a lot to do, because if it's not broke it doesn't need to be fixed.

We have a great relationship with the County, the supervisor's office, and I will get into a little bit more detail, but I can't thank her enough and Mr Recktenwald and even the department for pulling this altogether and making it work well for us also.

Because I didn't want anyone to see any change it would be a seamless transition, employees, everything is going to continue as is. And that's what we want. We want everything to be a smooth transition.

So, I think you for that. That does bring me – I asked Mr Recktenwald if I could have a few minutes, and some of you heard this yesterday, but as I said yesterday, it bears repeating repeatedly.

What I year, 2020 has been. We've had three elections this year, and our first election in March is when the pandemic started. We lost three polling locations, the weekend before the election. We survived that.

The governor came down with an executive order that allowed schools to be used, we took advantage of that. In the schools could not be more welcoming. I cannot give enough kudos to them for the way they welcomed all of our clerks, poll workers, even the campaigners.

I just had an email this morning that there are still signs out there. (Laughs) So, we will be going out today to pick up signs, however, that comes with the territory, and they do understand that. But then we get to the general election.

And what a record we've had. We had an almost 78% turnout, 77.7, I was hoping for 80, but is still a record. We had over 82 percent vote before election day. We know that over hundred and 75,000 vote by mail ballots, we had over 12,000 vote in person and early voting in 14 days.

And then we had election day which finished it off. It was smooth. There may be a little hick up here and there, but some people think we could've done better, there's always room for improvement. But overall, Volusia was not in the news, the state of Florida is not in the news.

And that is wonderful. All the attorneys that are here watching us, I'm sure are watching other states now, because a left and we have not seen them again. And that brings me to my thank yous.

As I said yesterday, I am an emotional person, you see me get upset, or not upset but I get emotional when they start talking about how great people are. The first person is Mr Recktenwald, because he gives us what we need to make this happen. From the employees, to the supplies, to even some money when we needed it last minute for all these vote by mail that we had, that we did not anticipate when we compiled our budget.

So, thank you. Really. You and your staff are just wonderful, I can't say enough. And the staff that came over after they worked all day here, came over to help us, and they worked on weekends. Kudos to them, really.

Because they do not have to. But they want to do, and that's what makes me feel good is that they wanted to help with this process. Second, is a canvassing Board. Myself, Judge Kelly, and Mr Bruneau, I think you all for appointing him to represent you on the canvassing Board.

Because he enjoys it, he loves it, and I'm so happy and bless his heart the number of hours that he had to put in for no pay. (Laughs) Is a testament to his heart that he has for this community.

And Judge Kelly, who has been our canvassing Board chaired for years, and I hope for years to come, because if any of the other judges have anything to say he will be in that seat for as long as he has a judge.

They would rather go to the jail and sit with us. (Laughs) Third to our county attorney, Mr Dyer. I think you for assigning – I'm sure Charles was supposed to be there more (Laughs) But a special thank you for letting Stacy Manning be there every time we met.

Every minute, every day that the canvassing Board met, he was there. And we used him. (Laughs) we called on him for questions. It was a very comforting to know - attorneys from across the country came to watch this process. So thank you, Stacy.

Fourth, to our poll workers. It's a long day. And after people have waited in line there sometimes they're not in the best mood by the time they get into check-in. But overall, it was a great election, and they hung in there, and they will do it over and over, as many times as we need them.

I think them. And lastly, is to the election department staff. Because without them, I would not want to do this. They are such a part of this, they believe in this process so much, and ask them to give 15, 16 hours a day. For the last three weeks solid.

We have worked every day, while early voting was going on, but by mail is coming in, it was extraordinary circumstances, and they came through like a champ. So I thank you for giving me this opportunity to thank them publicly, both accounting manager, the attorney, the legal department, our poll workers, and staff.

I think you very much, and I appreciate all that you do.

>> Your hardware, and their hard work was very well shown. And we heard nothing complement from everyone that I heard that voted, about how smooth it went, and you did have a lot of different things to deal with.

But thank you for a great job, well done, and especially thank you for working with the County staff and making this transition seamless. Like you said, it's working great, there may be some tweaking that you want to do as you go along, maybe add some oil here and there, what's not broke you don't need to try and fix.

At this point we will entertain a motion to approve the agreement participation agreement – that motion to approve the agreement this government?

>> It is a motion to approve, but it's also I want to mention how much –

>> Excuse me?

>> – The cost saving that we've been able to accomplish to these agreements and keeping it seamless, so yes, a motion to approve.

>> Motion to approve, Girtman second, anything is Miss Girtman?

>> That's it.

>> No objection to the motion, the motion passes unanimously, thank you. George? You don't have to speak on the item, but if you want to you can.

>> Their agreement follows the exact point that I made earlier.

>> I am Maryellen with the property of (unknown term)'s office. Larry was coming up, he got to the door, realized he didn't have his mask. And he just had hip replacement surgery, and it was a long way to temporary from the property (unknown term)'s office.

He couldn't see making the trip back and forth. (Laughs) So, I'm here in his stead. We also would like to thank the County manager, Mike, all of you, and all of the department heads for helping us with this transition.

It truly has been seamless, thank you Janine, we've gotten so much more that we ever anticipated that we needed. Bank accounts, a new federal ID number, things that you would never think of when you are separating like this.

But thanks to Janine, Mr Recktenwald, Suzanne, Mike, everyone has just been so helpful and so kind and understanding with us. We thank you all.

>> Without I will entertain a motion to approve participation agreements for the office of property appraisals.

>> Motion to approve, Wheeler .

>> No objections, the motion passes unanimously. We will move now to item 5. John? I don't see John. I see the other John.

>> Good morning, Chairman, council members. Today we are here requesting approval of the Seminole County contract so that we can reconstruct a lot of our signals, and our capital improvement program.

On the east side, we typically use this contract to convert our signals which are concrete stream poles to massed arms comment on the west side we typically convert what we call the diagonal signals where the guys would have to work in the middle the intersection to a box configuration for safety.

We have over (unknown term) contract works with the local agencies in Central Florida, so we have a list of dead items. So when we do the design we know exactly what the cost is. Three contractors won this award, Chinchor Electric, The New Florida Industrial Electric, Inc, so we can pick and choose the best cost so we have a tax savings to our customers. Typically we use this contract to rebuild two to four signals a year, which is around $1 million, and then we use any excess to up upgrade the overhead and stuff like that, or if we have emergency repair where we need to put a wood pole in temporarily, we use this contract for. With that, if there are any questions. If not, I recommend approval.
>> Ms Post.
>> Second, Wheeler.
>> Mr Johnson made a motion it approve, Ms Post second.
>> As we're updating these signals, does that include -- I had someone asking if that included the updates for emergency response and getting the lights to change. Is that included in this?
>> Correct. All the new signals we're getting emergency pre-emption.
>> Excellent. Thank you so much.
>> Any other discussion? Any objection to the motion? Hearing none, the motion passes unanimous. Thank you, John.
We'll move now to item 6. Karen Feaster.
>> Good morning. Karen Feaster, airport director. This is to request approval of a contract with P&S Paving, for the airport parking lot improvements. It will be short term, long term, ready car area and cat Lena drive, which runs in front of the airport. They were the lowest responsible bidder.
>> Is there a motion?
>> Move approval.
>> Motion is approved, post, seconded by Wheeler. Any discussion? Any objection to the motion? Hearing no objection, the motion passed unanimous and we'll move to item 7. This is a public hearing. I see Clay Ervin approaching. That's generally the case.
>> Good morning, director of growth and resource management. The council will indulge, we would like to address item 7 and 8 at the same time. These are pertaining to, first of all, item 7 is an amendment to our future land use map. It is a large large-scale amendment because it's over 10 acres by .19 acres so it meets the criteria so we'll have to go through review at Florida Department of Economic Opportunity and the Volusia growth management commission. It went forward to our planning and land development commission. With a recommendation of approval for both the amendment which we'll change the land use from agricultural resource to rural, as well as the rezoning which would change it from A1 prime agriculture to A 2, rural agriculture. As we stated it's a 10-acre track on theies side of US US 17 near the town of Pierson three quarter miles south of the town boundaries. They're seeking the rezoning so they can give it to their grandchildren. There was a public hearing someone who spoke against it and the vote is coming to you with a 6 to 1 recommendation for approval approval. Member Steve costa recommended denial because of a concern with the reduction in the size of the parcel, ability to provide well and septic on the site. Again, five acres is a large enough tract. Anything an acre or greater is automatically authorized to have a well and septic. Again, staff saw the concerns he had, but it is still generally consistent with our comprehensive plan, still consistent with our zoning ordinances and the ability to divide this into two five acre tracts will not result in any kind of detrimental impact to the adjoining properties and consistent with our plan. It's coming to you both of these with a recommendation of approval from your staff and from your Planning and Land Development Regulation Commission. If there are any questions for staff, we are available.

>> Can we put that up on the screen, put the map on the screen, pertaining to this item.

>> Yes, ma'am. On the screen is 7-26 through 2969 agenda packet, shows a Jeaniene Jennings Jenningsized location map, an aerial. The current land use and the proposed land use.

>> So we're not changing an impact to any of the arterial connecto, roadways and transit systems.

>> Nomi. The net impact would be an increase of traffic by approximately 10 trips on a daily basis, one trip in the AM or PM peak.

>> My concern was for emergency vehicles and access sometimes when we start subdividing these the concern is getting emergency vehicles down there and getting access to other properties or cutting off access. So there's no impact there at all. And we also know when it leaves us it's still going to the DEO and VGMC. So the layers and the process is working. Then I will move approval of ordinance 21-2021-1 on the comprehensive plan future land designation of 10.9-acre property located on the east side of US highway 17 from AG resource.

>> Second, Johnson.

>> Second Girtman. And we have Ms Justin Trudeau Justin Trudeau Ms Judith parks. She does not want

to speak? Any other discussion? Any objection to the motion? Hearing no objection, the motion passes unanimous and we'll move to item 8, which is -- Clay has covered that, right, Clay? No-one wishing to speak we'll open the public hearing on item 10 and I will close the public hearing portion. This is a request to basically rezone the divided property we just discussed. Is there a motion?

>> Motion to approve, Girtman.

>> Second, Wheeler.

>> Any discussion? Any objection to the motion? Hearing no objection, that motion passes unanimous, so

7ling 8 are done and approved. Thank you for being here. We'll now move to item 9. This is a public

hearing and we'll open the public hearing, close the public hearing for item 8.
>> Agenda 8 is an 11.29-acre parcel -- I'm sorry. 9. Pardon me. Comprehensive plan amendment 1496 Doyle Road in the Deltona area. On the screen are pages 9-32 through 9-36 of your agenda packet. This indicates the location of the property, the aerial of the property, the current land use designation which is urban low intensity and the proposed plan amendment to commercial. The subject property is an existing development known as the Broberg PUD. This is an older PUD that went through the process and was rezoned to PU PUD from a non-commercial land use or excuse me zoning. Because within the urban low intensity land use category, you can have non-residential uses. It's been in this situation for a while, and staff was approached by the property owner and a developer to look to see what could be developed on the subject property, specifically the request was for approximately 85,000 square feet of warehouse self-storage buildings. Staff indicated that the size of that building is not generally consistent with the urban low intensity. Again, the existing PUD was authorized for 35,000 square feet of retail commercial uses, including everything from personal services, restaurants, those types of things. But 85,000 square feet is again approaching that limit and as such would require an amendment to our future land use map. We were not in favor of recommending approval unless the landowner and applicant made very, very specific restrictions on the use of the property, not just through the PUD zoning, which can be amended, but also through the comprehensive plan. And included in your packet and included in the ordinance there's specific language and I'm reading from page 9-18, where it identifies what are the very specific restrictions on the use of this land. So as you can see, it talks about the maximum size of the self-storage facility, the maximum number of daily trips that could be there, and then it talks about how many acres of natural vegetation area and the buffering that is required. So these are additional requirements in the comprehensive plan that are not otherwise seen with other types of developments that are being approved by PUD. The reason why we restricted it is because once you give somebody a commercial land use it does give them a great deal of opportunity to change to potentially even more intensive uses in this area. Why is 85,000 square feet of self-storage warehouse such a magic issue? When we were looking at the overall impact, yes, the size of the buildings are greater than what is currently authorized. But the intensity of use, the number of visitors, the intensity of type of uses, are greatly reduced when you deal with self-storage warehouse. So we again made very, very specific changes into the comp plan to ensure that even if this developer does not follow through with their plan, anyone who subsequently comes along would have to abide with these restrictions or go through this same process. I want to clarify, this is an amendment to the comprehensive plan. As we stated in item 7, this is a large-scale amendment because it's dealing with policies. That means it has to go to the Florida Department of Economic Opportunity for review, the Volusia growth management commission as large scale and has to go through your planning land development commission and ultimately winds up in front of you because you're the final terse of policy here in -- arbiters here in Volusia County. If these are the only conditions that would allow it to occur this way. This item 9 is pertaining to the comprehensive plan. Item 10 is where we drill down into more of the details details. This is an amendment of the existing planned unit development agreement. This is an agreement where the property owner and the county have stated what can be developed on there, under what conditions and there's a conceptual plan that is associated with that. If we can go to agenda item 10 real quick so I can get to that. Agenda item 10 again same maps you would see with the comprehensive plan amendment. These are on pages 1061 through 1064 of your agenda packet and the last two are basically showing the zoning class classification request. This talks about the history behind what was allowed under the previous resolutions in 1998 and 2000. Now what we're seeing is the proposed amendment would strike those and put in 85,000 square feet of climate controlled self-storage and outside storage. This gives you an idea of on the left side of the screen, the original development proposal. What you see here is a typical commercial development. It's an in-line set of stores, access coming in, parking associated with it, the buffering, trees and those things. On page 1021 is the proposed plan, and it does show approximately 50,000 square feet of more building area. There is no if, ands or buts about it. It is definitely increasing the amount of building area on the property. That is one of the main concerns we've heard from the residents. As you can see, this one also includes buffering. There were additional requirements requested by the commission in regard to limitations of hours of operation being able to ensure that noise didn't cover or go over and basically interfere with everyone's peaceful enjoyment of their own property. Going back, as you can look on page 1062 and the corresponding aerial from the comprehensive plan amendment, this is an area that has extensive residential development immediately north and south, but the adjacent properties are dealing with larger lot residential developments. There is a school site to the east or to the right side of the screen. Again, your staff is concerned about potential impacts onto adjoining property. We understand residential folks, especially in this area, are concerned about the chipping away of some of the rural neighborhoods and the character of the area. That is why we made very clear in order for this to even go forward, they had to make additional efforts to restrict the use, maintain buffering, maintain native vegetation, where there are areas that may be thinned out from natural vegetation they would have to come back and replant that with additional material to shore that up. So it's coming forward to you with a recommendation of approval from both your staff and your Planning and Land Development Regulation Commission. The commission made a recommendation of 5 to 2 for both the comprehensive plan amendment and the rezoning to PUD. In both of those situations, Ms Van Dam and Mr Bender both identified they had some concerns because of the neighbors. They were worried that the neighbors were not going to be able to enjoy their property and they felt this was going to be too intensive of a development on the property and they felt it was important to respect the neighbors' wishes and honor the original PUD.
If there are any questions on either item, I'll be glad to answer them.
>> Let's start the questions on item 10 for right now. The first question to simply state they're asking to amend the comp plan to allow for an 85,000-square-foot self-storage facility as opposed to what was designed as a strip center, for lack of a better word. Correct?
>> Yes, sir. The land use change would be from urban low intensity to commercial with very specific restrictions on the use that could occur on that property.
>> OK. Ms Post?
>> I think with a number of the things you said, Clay, extensive residential development in the area, we're moving from urban low density to commercial commercial, also you talked about once you give someone this land use change it really opens the door to greater commercial. When we started out with urban low density and now we're opening the door to greater commercial in the area, I think that's a major change to the comp plan. I think these are the kinds of discussions I've been having meetings with staff about specific things within my district but also around the county where we need to be discussing how we're individually going back and it seems like we individual individually keep changing and chipping away at different things and we need to look at things a little more holistically. The fact that it wasn't agreed to wholeheartedly, the fact that we do have concerns from residents, I'm not OK with the individual piecemealing of this comp plan at this time, so my response would be a negative.
>> I do have to clarify. The applicant is here.
>> I understand that.
>> Also, item 10, because it is a rezoning, you would need to be able to identify any ex parte communications that may have occurred between the council members and anyone from the public, any other pertinent information that you may have had, so if you visited the sites, those types of things, we do need to have that in the official record. As we go through, please identify that.
>> I need to convey that ex parte. I met with the neighbors. I met with the enterprise preservation group and different ones. I'm hesitant on this myself. I know at first we were told we had a letter from the enterprise people of approval and that was not true. In fact, I believe the enterprise people sent a letter against that. Is that correct? Did the enterprise preservation society -- I think we got a letter saying they were against this.
>> If we're going to discuss this, I'd like to get this on the record.
>> I'm letting you you know I talked to the attorney and some of the residents.
>> If we can get a motion to discuss it, then we can discuss it negatively or positively. Before we take public comment, so the public knows what they will be addressing.
>> Motion to discuss.
>> Girtman, motion to discuss. Seconded by Lowry. With that, we will do public comment. The first person is Darren Elkind. You are the attorney for the applicant.
>> Yes, sir. Your 3:00 doesn't start.
>> Madam clerk, are you able to upload the PowerPoint? Thank you. Good morning. 142 east New York avenue. I have a presentation that's concise that I'll go through with you this morning that will talk about this project and specifically why it's a good project. But I feel compelled for somebody who has been practicing law in this community for 25 years and who when I tell you -- I don't come before you very often, but when I say something, it's true. I don't take a lot of land development projects for private clients, but when this client was referred to me I looked at it and said that makes good sense from a planning perspective. The first thing I did after meeting with staff to look at what the technical requirements were, I told them I've had an office in Deltona for two-plus years, I know the enterprise preservation society in the overlay area. I don't know them, but I know the existence. And staff rightly said before you go further, check with the preservation society. My client contacted them. I got them the contact information. He spoke with the president. They scheduled a meeting for December 23 of 2019. When I advised Ms Elkind I was going to go to the meeting she said you will not be going to that, so I didn't personally attend that, but I certainly got an update. I have a couple of folks here who will tell you that. Mr Sear could report how the meeting went. And the report I got is that they were supportive of it. They were very supportive. The realtor said can I get that in writing from you because they were supportive. They talked about it. We knew that at least one neighbor opposed the project, right next-door neighbour. I reported it to at the PLDRC meeting that they went to the enterprise preservation society and that they were not supportive of the project, they don't take positions as they tell me, but that they taut it looked good. I'm paraphrasing that. That's what I reported. We let them know. We let the society know or my client did when the PLDRC meeting was she didn't show up to oppose it. Afterwards the neighbors got with them and they have now said -- taken a different position on and that's the letter you got. I'm going to talk about that more, but I want to get to the relevant issues, which is this PowerPoint. This is the site. You've got Deltona to the north, you have the subdivision across the street to the south. You've got the forest lake to the east, paradise lakes to the east east. Immediately adjacent and you're going to hear from the neighbors today, I'm sure -- are some large lot development. But this is not out in a rural part of -- this is the last vestige, like a pocket of rural development along Doyle Road. If you go -- you can't see it well on here but if you were to pull up a Google map you would see the blue line is Saxon boulevard. There is a gas station on the corner, pizza take-out. The other way there's a car lot, church, suburban-type small lot development. This is not putting this thing out in the middle of the country. These are some neighbors who understandably probably don't want anything next to them. I get that. They might think if you keep the existing commercial it hasn't developed in all these years and it's not going to develop, especially with everything going on. But let me just make the point that if you take a step back and look at it and counsel member post I agree wholeheartedly with your comments. You don't chip away. You have a plan and work the plan. It may make sense to look holistic holistically, but if you look at this area I think it's important to note we're not out in the middle of the country. We're in a developed area. I'm going to show you in a moment, but this will look a lot nicer than some of the existing developmental along that corridor. This is an overlay. This is the site Buonocoreed in that green dotted line. This is the site plan from the existing BPUD. This is the existing zoning document for this site. 35,000 square feet of basically neighborhood retail uses. I won't read you the whole list, but art dance modeling and music school, specialty retail sales, bakeries, basher, beauty shops, shoe repair shops, financial institutions, general offices, hardware stores, laundry, pharmacy, and restaurants excluding those situated in a single use free-standing structure and I think they exclude drive drive-throughs. I don't think you can have a drive-through. Staff can correct me if I'm wrong. From a purely planning perspective, this is one of those project and this is why your staff has recommended approval with the constraints in the comprehensive plan that has less traffic than what's approved now. It absolutely produces less noise than what is approved now. It produces less odor. Restaurants by their nature create odor. It allows hours of operations that would be much longer than what we have proposed. While the square footage of what we propose is bigger, the impact on the community at large large, and I think we have to look at the community at large, not just the next-door neighbours, is smaller, is less, less intense. It just is. I've tried to think of some silly analogies of things that are bigger but much less intense. Would you rather live next to a McDonald's or a church? The church will be bigger, but the McDonald's will drive you crazy. Just because it has more square feet, it's storage space. It's less intense square footage. This is an overlay of ours. This is -- the green is green open space. Some of it can tell is where the retention areas are and you can see the natural preservation area, a wider setback from the building to the existing property. -- excuse me -- to the neighbor to the east. That's oriented. West is up, east is down. It has a small view corridor to Doyle Road. And it is -- when my client first proposed this and we came to the PLDRC meeting, they were proposing to be able to expand because from an engineering perspective they could get more square footage on that site of storage. But through the staff review process and the build process the client agreed to the to expand into the eastern area, the green. They were fully willing to limit it to what you see there. A few other things. There's a host of things they agreed to in terms of operations. No businesses can be operated out of these units. The only outside storage would be vehicles or boats. They agreed to a wrought iron type fence. A host of issues. They have said yes to everything that the county and the PLDRC asked for. This is an important point I want to make. I read the minutes and I realize they're not the official minutes at this point, but your clerk does a thorough job so I'm confident it accurately recorded what was said at the PLDRC meeting. My memory I won't rely on. The two members, at least one of them, said when I first look at the staff report I thought it was a no brain, until I heard neighbors complaining and now I'm not sure. If every project is decided based upon what is good for an immediately adjacent neighbor and not what's good for the community as a whole, as the county, then we're not doing a good job. We have to follow what the professionals recommend from a planning perspective. I personally would not have taken a project if it didn't make good sense to me. I don't frankly need the work. Let me show you a little more about the project specifically. If I sound -- (inaudible) -- overall site plan. One story. This is a street view. That would be from Doyle Road. When they came, Florida vernacular (inaudible) when they met.
>> Please make sure speak where they can pick the minutes up. You turn away, I'm sure they can't hear it.
>> They may not want to. This was a developer who knows what they're doing. They developed these around the southeast and they were thoughtful. They knew what the area required. I am told, I wasn't there on the 23rd, that some of the folks thanked them specifically for -- that's in my memo notes, thanked them for thinking to design in that fashion. We have some in other places here in west Volusia that have a modern design that look nice but the modern design fits in. This is just another location. The cell tower is not something we're installing. That exists today, by the way. It is a fairly narrow view corridor going down Doyle Road. I would submit to you, some of you have, that if you drive down Doyle Road in that area this will look a good bit nicer than some of the existing development that's there now. And there's some very nice-looking development. I'm going to ask the developer to get up and talk to you about the need for this in a minute. But you don't care, but on a personal level I'm upset because I told folks at a PLDRC meeting that I would not have this guy spend his money if they said this is a terrible project project, terrible idea. I want to -- and so after the PLDRC meeting, they said get with the neighbors, please please. One of the neighbors was here who had contacted the developer in February. He thought the B PUD was revocable, could never be changed, and we attempted to do that. We scheduled a meeting. He had updated the society on what changes were mandated by the PLDRC, and because the PLDRC asked us to we reached out to the neighbors, one neighbor, in fairness, and with scheduled a meeting. Enterprise preservation society was nice enough to offer their facilities. It doesn't matter for your purposes, but this is what we're dealing with and I've thought about skipping it but after hearing the comments at the beginning about the representations, I want you to read this. If you'll indulge me, I'll read it to you. I've deleted a lot of the identifying email addresses and the people that were copied and so forth. But this is from the neighbor who showed up at the PLDRC meeting who we heard from first to my client, the developer. While I know that P and Z mandated that you meet with us we feel it's a waste of your time to do so. This was a Monday. We simply do not want the project there and have been meeting with quite a few local and adjacent residents including council members who firmly agree with us. While it seemed at the meeting you had approval from EPS we in fact have a letter that clearly sides with us and is being presented to County Council staff as I type this. We have notified council that if passed we would immediately file an injunction, yes we have hired an attorney to represent us, against the council to halt the project. I hope you can appreciate our position but simply feel you coming down would be a waste of your time and money and you would not be faced with a friendly and cooperative crowd.
I mention that only because we have done -- this developer - not my money -- has done everything that the county staff -- good a neighbor as they can possibly be. We went -- I personally attended the meeting. I should have introduced the project planner. The three of us met with the only person that was there there, Ekedd Sullivan from the preservation society. And we were told they don't take an official position on anything but this is what I was told to me, that they don't have any review authority, don't take -- didn't take an official position as of September 24. And that their job really is to support the neighbors. And I get that. But with all due respect I think your job is to support the entire county and this is a good planning decision. It's not going to make the neighbors happy. I understand that. This is a develop developer from Georgia, so you're probably not going to see him again. But this is one where I ask you in good faith and conscience to make a good planning decision. I'm going to ask Harry to get up and -- one more thing. I hate to get off on this tangent but with this EPS business. I called Mr Sayer when I got the letter. Staff sent it to me. And I said what's that? Weren't you at the meeting? I wasn't there. Tell me what's going on. This is my personality. I confront things. And he said, well, we didn't know there was an agreement in place. This B PUD agreement. There was a deal because -- and if you read the letter from him, it doesn't -- I didn't read it to say that the project was bad. They certainly didn't report when my client went to him they thought there were some real problems. I assume they knew it was commercial and not agricultural zoning on the property. I would think that would be the first concern, what do you have there now. But we didn't know there was a deal in place. If you read their letter, it ends with a deal is a deal. Well, I didn't represent the property owner. I don't know what anybody said to anybody. But it's a zoning and they're not irrevocable and your staff will tell you that.
>> Before you pass the gavel, Clay, I have a question before we move to in my opinion, basically what he's going to ask Mr -- to speak to, what would be on item 10 if item 9 passes.
>> Correct.
>> I would like for him to withhold that comment. It's not relative depending on where this one goes.
>> There's a comprehensive plan is item 9. That has to be decided before we can proceed to item 10. If item 9 is denied, then item 10 cannot proceed.
>> You wanted to speak to item 10.
>> No, sir.
>> You've exceeded your brief explanation to us.
>> I'll say this for the record, if I may. This legislative hearing, that Mr S was about to get up and explain to you the need for this in the community.
>> Let me ask Mike: Generally when an item wants to be addressed, it would be relative to that item and he can speak to -- he wants to speak to the specific design, we see what they're asking for, there's a change, is relevant to speak to this at this time?
>> Mr Chair, the conditions in item 9 restrict the -- property to a specific use that of an 85,000-square-foot self-storage facility. That is the legislative decision before this council. So anything pertaining to the policy decision of whether or not to restrict the property to only this particular land use, the council can hear and make its policy decisions based on the applicant. Now, the details of the PUD are not too relevant, but the request is the applicant wants to change the underlying land use from urban low intensity to --
>> I think we all understand, 35,000 strip center to an 85,000-square-foot self-storage unit which as he explained is less use than the other. But I didn't want him to get into the building site and everything like that at this time because we wouldn't approve that. You have the right to go ahead and address that.
>> It will be limited to the demand for this in the community.
>> I'll try to make it quick. I spent all day every day scouring the southeast for these donut holes where there is no self-storage and they are very rare. You've got almost 50,000 people and that is growing quickly in a three mile ring and almost zero storage except for the life storage facility on the very edge of that ring. It's striking to me how desperately this area needs this. You look a couple miles north to the center of Deltona proper. There's nowhere that I could get this done. I've looked up and down Doyle Road very hard. This shortage would normally suggest that you could justify hundreds of thousands of square feet of new self-storage development here, thousands of units. This is just a fraction of that. This is a pretty average sized facility. Many Deltona residents, as many of you know, are not allowed to store boats, RVs, et cetera in their driveways or yards. Self-storage is getting expenseive in this area. Over $210 a month for a 10 by 15, 190 for a 10 by 10. Not enough is being built. The self- self-storage is 90 per cent occupied. Your modern-day self-storage customer doesn't want to be driving to an industrial area to get this done. They demand convenience. They want these locations to be out among the rooftops. It's not an industrial use. There's 15,000 cars a day, retail in both directions. I locate sites near retail on busy roads. I just wanted to mention this is a half a million-square-foot property and the percentage of it that I am developing relative to what other storage developers have done in every direction of this site is significantly lower.
>> Is that it?
>> Yes, sir.
>> I appreciate your comments. I mis misunderstood what you were going to try to do, and counsel, I'll allow you after all the public has spoken to address any concerns that may come up by the public.
>> Thank you.
>> Mildred piper? You'll pass? You wrote a nice book here. I appreciated reading it. Let the record show that Mildred piper passed. Gary Burton?
>> Good morning. It's still morning. I live at 410 tequila trail. Immediately adjacent to the east of the property. Most of what Mr Elkind said is pretty true. What I would diverge from is the fact that when they originally approached EPS they did not go through the specific requirements and noteations in the B PUD. That is the reason why they got a sort of approval that he spoke of and why we have a letter of disapproval because we went through item by item the elements that are in the existing B PUD that I negotiated with Mr Broberg, who is still the property owner. I have a list and there are some residents here today, of over 25 residents that are immediately adjacent, directly across the street, et cetera. The fact of where this property is at, there is indeed two commercial properties. One is Kelley's auto. The other is the sons of Italy. They've been there before any of those houses were you there, any of them. This is a pocket that, if this project is allowed to go through, will literally, they may bring back vegetation vegetation, et cetera, but 35,000 square feet of retail requires vegetated islands, other things. The layout on the site is speculative for that. And we would agree with 35,000 square feet of retail, restricted for the B PUD. The types of things that can and do happen, as was spoken to, I believe Mr Williams Williams, virtual, head of city of Orlando fire department haz-mat. A lot of his runs were on these facilities, things that were being stored, things that were being done, and how is it policed? I don't want to police it. It's well off the road. Who is going to police it? The sheriff's department? So bottom line is the adjacent residents and proximity residents agree 100 per cent with the original B PUD that was agreed to, hundred per cent. So it may be someone's opinion that a restaurant owner or one thing or another. Look at the restrictions in the B PUD. There's not a single resident that disagrees with those parameters that are listed. We all vehemently disagree with more than doubling, almost tripling the size and the use, which essentially goes to almost a light industrial. Thank you so much.
>> Thank you. Bob sayer?
>> I'm a 33-year resident of enterprise and the enterprise preservation society vice-chairman and I was at the meeting in December. They came in, gave us a nice presentation, we didn't think really it had enough buffer, but we thought if the neighbors are going to be OK with this, we could probably live with it. And that's kind of how we left it except we told the attorney or whoever came in and met with us, have you met with the neighbors yet? Well, no, we haven't. I said, well, if they're OK with it, then we can -- this is probably something we can work with. Well, lo and behold, Mark Masiner, chair for three years and works for Mr Burton, called me up a couple of days later and said did you all know there was an existing B PUD on this property? No, that never came up. He said said, yeah, it's less square footage, the neighbors can live with it. It's stuff like doctors' offices and accountants' offices, low intensity, where at 6:00 or 6:00 in most cases, not the cases of a restaurant, people go home.there's not much noise and we're objecting with that stuff and it was negotiated about 15 years ago. Enterprise reservation society is just an advisory for it. We don't have any powers of enforcement or anything like that. When they come to us and want our opinion, we'll give it to them. Turns out that all the neighbors were against the B PUD change. When I said in my letter to this gentleman that just spoke, a deal is a deal, that's the way everybody in EPS feels about these B PUDs or PUDs that get negotiated and five, ten years later someone wants to offer them 10,000 more dollars or whatever it is and they say oh, let's just change it. As far as we're concerned, a deal is a deal. Any questions? questions?thanks for your time.
>> OK. Thank you. I think that's all we have from the public that wish to speak. Is there anyone else from the public that filled a card out that may want to speak on that? I'll go to did I see Denys next. Did you want to say something else?
>> Briefly. There was a comment about who's going to police this. I'm not sure I understood the nature of the comment, but really through the staff and PLDRC review process, the PD has proposed and as before you has very specific limitations. It's on page 10 of 15 of the agenda item, page 8 of 14 of the PD, limits of hours of operation, limits -- some storage facilities will have maker space or development space where people can actually do work. I know there was a math tutor in a facility I just rented space in. They limited all that. There's no sales, no business operations.
>> They can't manufacture in those little facilities, right?
>> Absolutely not. Very specific in this P PD, not only can they not manufacture, they can't have a little business where they sell things, have people coming and going. The only thing that can be sold, storage boxes and tape, professionally run facility. In terms of policing as was discussed at great listening at the PLDRC, it's gated, secured, you have to have an access code to get in. The security of it we're not going to rely -- there is no -- I'll let you look at your own information for calls for service. You don't get a lot of calls at storage facilities.
>> Thank you. Ms Denys.
>> Can we put the slide back up of the proposed organic with the green space.
>> I will close the public hearing with that last comment. Ms Denys.
>> The one that has -- actually shows the green space on it.
>> That will be their presentation.
>> It's probably item 9.
>> The one at the very bottom.
>> Keep going. You're almost there.
>> Again, keep going. Next one. Two more. You passed it. Back up. We all see it on the smaller screen. Keep going. There you are. That's it. That's the green space.
>> Is this the proposed.
>> Yes.
>> OK. You lost it. Who's doing that? There you go. The gremlin.
>> OK. So I'm looking at the green space here. What's the percentage of green space to the build-out? What are we looking at here?
>> Almost 50 per cent.
>> Yeah, it's got to be. Do we know what that is? If you don't have it, that's OK. If it's not a known quantity, that's OK. I'm doing a plus and minus column as I'm listening, and I'm reading reading, going through the comments. This is one of those situations that if it doesn't pass you're going to get what you want, which is going to be commercial space access 24 hours, current zoning. Clay, please correct me if I'm wrong, but currently, the current zoning is it can be 24 hours commercial.
>> There is commercial, I believe there is an hours of operation limitation. But yes, they could have type A restaurant.
>> 24 hours. And 24 hours would be trips generated would be lights for safety, would be multiple other indicators to support and protect those commercial entities. So if you ever go through a drive-through or any of those commercial properties, they have lights everywhere and access. So I'm looking at the green space, and currently, if it's developed as it currently stands, commercial. It will encourage increased trips, more traffic for sure, 24 hours, versus what's proposed will be a 50 per cent reduction in time from 7 am to 10 pm in use. So you've cut access 50 per cent. You've cut it 50 per cent. You'll have less noise, less traffic, less impact and it's a known quantity, versus going in the future and who knows what will come in there -- could come in there during existing zoning for commercial. So this is one of those cases that, if it doesn't pass, the citizens will get -- I don't think they're going to be happy with the final outcome of what -- it doesn't even have to come before us. Is that true, Clay? The current zoning won't even come before council. It can just happen.
>> Correct. If the County Council determines this amendment is not consistent and votes it down the PUD is automatically withdrawn because it cannot be consistent with our comprehensive plan and the existing PUD will still be in place.
>> Right. It stands. So I find it interesting -- it's confusing, I understand that. We don't want change. Well, OK. If you keep what you've got, you you're not going to like the end product ten years ago. You're going to want a do-over. Mr Chair, I'd like to hear where the rest of the council is on this, especially the district members and those that represent this area. I really need to know where council is with all this information. Thank you.
>> Anyone else? Ms Post?
>> Am I the last one that wants to give comment?
>> You were up. You had already spoken to the issue.
>> I understand fully what you're doing, but what I'm saying, Mr Chair, is that if any other council members that are relative to the district specifically would like to talk before me, I would leave it open to them.
>> I'll run the meeting, thank you.
>> OK. Sorry, other council members. I'll go ahead and speak.
>> I already asked if anybody else wants to speak. Is it the maker of the motion want to speak, Ms Girtman?
>> I will. Thank you. I have the same concerns. I want to be considerate of the residents. I think when you have the 35,000 square feet that the community agreed to, you have resources in the area that's accessible to that community. And not that the storage isn't beneficial, but it's 85,000 square feet versus 35. And if that's a resident -- a residential area, I do think that has an impact. Yes, less impact, but if you look at most storage facilities, they have big lights. They have a lot of visibility that can also impact that area. So I think there's a benefit to having a small business center where you can get your close proximity of local resources that are needed, and I would think that's why the 35,000 square feet was approved by the community and still acceptable to the community. Because on that end of Doyle, there isn't a lot of commercial business access. Based on what's being represented, I would probably not support it at this time.
>> OK. I'll go ahead and make a comment, then. Ms piper, who is a real estate broker, has this property listed for about 35 years for sale with a commercial sign advertising it for use and has had no bites. I think sometimes things change. Demand for what a piece of property could attract someone to do something with changes with the situation. So she has said that it's been advertised as a shopping center, many warehouses, sewer and water plants -- anyway, she made a good argument and I know Ms Girtman understands real estate, she knows that sometimes things will change. I personally -- and I know I'm not there and I'm trying to put myself in the situation of a neighbor -- I know because I've seen these things in other areas where you've not taken what was there and maybe since it's not been for sale, maybe nothing will ever be there. That might be better than having something that could be there. But assuming that I would have to put up with the strip center, I would much rather have a planned storage center like this for traffic and everything else. You look at the nice ones we have around the area, not necessarily there because there's not one there. You have the one in DeBary, the reference was 90 per cent occupied. In the areas we drive around, we have friends who build them all the time. They're popping up everywhere, off of Williamson Williamson, across from the development out there, Tang Tangier. Any time there are rooftops there will be a demand for this. Deltona will not allow for storage of boats and so forth. People need a place to store things. I would much rather have this than another storage center. We'll go to Mr Johnson.
>> I'm like you. If I live there, I'd rather have this. But we work with the people. It's a good project. There's no doubt about that. But like I said, we work for the people. The people in this neighborhood don't -- I'm not sure. I don't want to hear someone next year wanting to put a 35,000 square foot building, same people say we don't want that. Just because one thing is turned down. That's a lot of times what happens. We hadn't seen public support for this and that's a problem. I'll have to go against it. Once again I'm not sure I'm doing the right thing in the long run for the people. But the people of the neighborhood are the ones who will have to live with whatever is there.
>> Ms Wheeler.
>> Thank you, Mr Chair. I kind of agree with everybody on this, both sides and all that. It's unfortunate that someone has a piece of property that finally someone wants to develop. But that's not necessarily why we're here. And we are here to listen to the community. These self-storage places come up everywhere. It certainly looks great, but I'm thinking about the community that has to watch the great big trucks come in to unload their stuff to put in the facility and each one of those little storage things. I think at this point I would have to be in disagreement with this.
>> Ms Post?
>> Thank you. Certainly I just wanted to convey I'm absolutely not trying to run the meeting. Just trying to be respectful of other council members as well. Thank you for the time. No need to get up. I highly respect you as an attorney, absolutely. A number of the things you brought up today I certainly listened to. I didn't meet with anybody on this issue except for staff. It's not in my district. And there was over 150 pages of documents. I can tell you that I thoroughly went through the 150 pages of documents. But in doing that, even before listening to everyone today, and I came to this meeting with a very open mind mind. I wanted to hear from everybody above and beyond beyond the 150-some-odd documents and get a good feel and make the decision today and not have it already predisposed. But there was some mentions as to if we don't agree to this, we can -- this could turn out to be anything in the future. We could really "what if" every development to death. If we don't agree to everything, then it could one day be something else. I think we can all agree to that. But that's really not the specifics of what I think that we're here to really vote on today. The landowner, I think you have very good intent. I certainly don't think that you're trying to do anything harmful to the area. But the homeowners have an agreement and we have that agreement in place. Even though it was 15 years ago, the whole point is you've got people who live out there, who live and abide by -- they've their homes under this agreement. When we talk about the fact that one or two or three or 15 neighbors may not be happy with a certain thing coming into the area, I have to tell you, I really take homage to that. When a person invests in a house, they're not investing in just a house. They're investing in a home, in a place to live in Volusia County, and that is their entire life. So so it really is important what the residents think and even though we do have to look at things on a broad scale as to what would be good for the community, I think it's very important that we listen to the message of the residents in the area as well. I do see several things where the residents are not happy with it. I also see the enterprise preservation society information. Again, with buffering and limitations and all of these things that we put in place, I think the final point is it is a change to the agreement that is currently in place with the residents who live out there. And if the residents do not want this agreement to change, then I think we really have to listen to that. It's not a negative against a storage facility specifically; it's just specifically that we need to listen to the people. So I wanted you to know that I have absolutely listened to everything today, but I'm still going to have to vote no.
>> OK. In this instance we know what options could be. The ones already permitted by the B PUD. So there's where you get your big trucks, your traffic. I think oftentimes people are against things because they're against it, period, and whatever comes later, after this, we have no control if they want to put the McDonald's in or whatever they want to put in, they can put in, they're a permitted use. I see this personally as a better use of the property for all the people out there, and they don't see it that way. So we'll let the vote decide where it goes and the owner of the property will have to try to find another use for it. Because I can count to five for sure. Usually I only need to count to four. We'll do a roll call vote if you would.
>> Mr Chair, just for clarity's sake. We had a motion made for discussion. I just want to clarify.
>> The motion for discussion puts it on for approval.
>> OK.
>> For discussion. We didn't put it on the floor to vote against it. We put it on the floor to discuss it, to go forward. So a vote for yes would be for approval. A vote for no would be for denial of the --
>> Comprehensive plan amendment vote, it would be better for the record to ensure that we have clarity as to what the motion is going to be for. Therefore, if the motion is, could we get clarity that it's a motion to approve and there is a second so we have that on the record?
>> Ms Girtman, would you reflect that your motion for discussion was for approval? You can still vote against it. The maker of the second, the same.
>> OK. Yes, I agree that it was a motion to approve for discussion.
>> OK.
>> To allow discussion.
>> And the maker of the second was -- who made the second?
>> Ms Post, did you make the second?
>> I don't think so.
>> Lowry was the second.
>> It was Fred.
>> It was me.
>> Fred. I knew we'd get to the answer eventually. So the motion was for discussion for approval, we heard all the comments, had it been for denial we probably wouldn't have heard much of anything anything. With that call the vote.
>> Dr Lowry.
>> No.
>> Ms Post?
>> No.
>> Ms Wheeler?
>> No.
>> Ms denys.
>> No.
>> Ms Girtman.
>> No.
>> Mr Johnson.
>> No.
>> Mr Kelley --
>> I'm not going to fall on the sword for this. I'll go no too, even though I think the other plan would be better and I think in time the neighbors will find that out. I'm just predicting.
>> And for clarity on item 10, which is an amendment to the Broberg B PUD business plan unit development, because the county council did not approve the proposed amendment to allow for commercial use, the proposed amendment is not consistent with the comprehensive plan and staff is recommending denial. As such, it cannot proceed forward. Is that correct?
>> Go through the process of the public hearing, Clay Mike?
>> I agree. I don't believe Mr El kind kindobjects to that interpretation.
>> Absolutely not.
>> For item 10 we don't have to hear it? Do you want us to vote on item 10? Clay?
>> For protection of the record to ensure that we have a thorough public hearing and a public record because this was a duly noticed as a rezoning, it would be appreciated from staff if you could have a motion, a second and formal action based on the determination that the proposed amendment is not consistent with the comprehensive plan.
>> Mr Johnson made that motion. Mr Lowry seconded that motion. We had someone who wished to speak on that, which was Gary. Gary Giovanni Gare Gary Burton?
>> I spoke earlier.
>> Denied. That's the motion because it can't go forward without 9 going forward. OK. Any discussion? Close the public hearing. Any objection to the motion? The motion passes unanimous. Thank you you, Clay and Mike for getting us through this.
We'll go to item 11, another public hearing.
>> Good morning, Clay Ervin, director of growth and resource management. This is a relatively straightforward request. The owners of the property have a property that's got a zoning of B 7. It's not necessarily consistent with the comprehensive plan. This is a historical site. This was previously a restaurant down in the edge water area known as pack woods. The property owner now wants to get rid of the B 7 commercial marina zoning that would allow for that type of use and allow for the entire property to go to R 3, which would be consistent with the comprehensive plan and allow for the use of the property as residential purposes. It's coming forward to you with a recommendation of approval from staff and from your planning and land development regulation commission. There were no comments forwarded to staff or held at the public hearing at the planning and land development regulation meeting. If there are any questions I'd be glad to answer them.
>> We'll open the public hearing. I have one person who is waiting anxiously. Ms denys. He's going to speak if necessary, I think.
>> Quickly, Michael Woods, north woodland on behalf of the applicant. I want to bring to your attention we've often talked before about vacant property next door to you and complaining about what comes in the future. This client owns the property next door, they've acquired this property to create a buffer against future development and this is just cleaning it up. This is to de-escalate and return it back to all single family for the area. I'm happy to answer any questions.
>> Thank you, Mr Chair. I want to make the motion to approve because based on the last one this is a buffer against development. I am going to move approval to rezone the two acres of the 12.11-acre property at 268 -- from commercial B 7 to single family resident R 3.
>> Motion made by denys, seconded by Wheeler. We'll close the public hearing. Any discussion? Any objection to the motion? Hearing no objection, the motion passes unanimous.
And with that we will not move to item 12 unless you think we can get through it. With that, we will recess until 1:00 for lunch and we'll see you all back here at 1:00. Volusia County.

Good afternoon. We will begin the meeting in about 1 minute. We will begin the meeting in about 1 minute. It will be 1 o'clock.

Good afternoon. It is 1 o'clock. Those of you that are here we are going to go reVenus convene the November 10th council meeting. We will move to November 1. Clay you're up

>> Clay director of resource and management. This is a unique situation we are facing today. Several years ago the city of Delta and Volusia County entered into a joint planning agreement commonly referred to as a JPA for approximately 3900 acres. Where portions are in the city. Portions are in the unincorporated county areas. So that we could master plan an area known as Osteen. This is the Osteen local plan. The Osteen local plan came out of a history of concern from the existing residents who were enjoying more rural type of lifestyle. And the efforts from the city of Deltona to expand and -- you know address growing precious. So the city, the residents and the county joined together to come up for this Osteen local plan. It envisioned that there was a development to occur that acknowledged that some form of development occurred specifically along the State route 415 to the corridor. Whole idea behind it was to put in place development standards so that those who were existing out there knew what to expect. And then all of those who had property knew what rights they had as well. In that, the city and the county both came up with land use categories that they both mutely approved. These addressed everything from commercialvillages, mixed usevillages and transitional residential, et cetera. Which you saw in one comp plan for the see you saw in the other comp plan for the county. Critical to that was a mixture of residential and nonresidential uses. The concern that had been identified by the city through the planning process was the need for a future expansion of their commercial base to address their demand from the residential base. Those who lived out in this Osteen understand that but they wanted specific control over where that was and how it was developed. One of the things that came out of the joint planning agreement was that there was supposed to be like a check and balance, for lack of a better term.
If a city amendment to the area within the Osteen local plan bass was proposed it could not be adopted until the county approved it and vice versa. That was a specific enjoyment and joint planning agreement. Unfortunately there weren't criteria added to it. There wasn't discussion as to how to determine compatibility or consistency with a proposed amendment. So basically what are you heard was city, you approve -- if you approve of a proposed amendment the county has to approve.
It county if you propose an amendment, the city has to approve it. But nothing beyond that. What we have today is a ask for an amendment that pertains to about 130 acres that is immediately west of State road 415 north of the estate. The city sent a preliminary discussion back to staff.
And we did it back in June that is included in your attachment to this item.
In that we identified a concern because the proposed amendment reduces the intensity of nonresidential development by approximately 539,000 square feet.
And reduces the amount of residential development by approximately 50 units.

It is teamed up with a separate amendment to the west which is outside of the Osteen local plan for a residential development capped out at 555 units.

The concern identified by county staff was, first of all you are eliminating nonresidential. So one of the critical things is that the Osteen local plan was supposed to propagate a neo-traditional development. Something like celebration. And so how are you going to address that? And you don't have now this mixture that is required.

The land uses that were proposed to be changed consisted of the Osteen commercial village, and mixed use village. And on the screen right now these are from your staff report. And what it shows is that within the Osteen commercial village there is a minimum residential of eight units per acre and maximum of 12 units per acre. And floor area ratio. Just make sure everyone understands. If I have an acre of planned and I see a floor area ratio of 2.5, Ma appliances I, that means can I have a square foot of 10,000 feet so if you have nonresidential development you can have an area ratio of .25 minimum or a maximum of .5. There was a ratio that was required by this plan for this particular land use. So therefore you had to have 80% nonresidential and 20% residential.

The mixed use village has a very similar type of standards. The residential density is approximately laugh to three quarters of half to three quarters under the commercial village. Those are the two that are existing. Those are the ones that the property owner wants to eliminate and replace with a transitional residential.

That is just a residential setting with only 4 units per acre and no commercial. Again, your staff identified some significant concerns with eliminating this and the potential for a traditional development. We identified those concerns to the city staff. Their response is also included in your packet. I will allow them to speak on.
That but basically they said we acknowledge the intent. However we have to also acknowledge market conditions. So therefore we are not necessarily abandoning this nonresidential component. We are just going to shift it elsewhere within the city of Deltona's portion of the Osteen local plant. They also went on to discuss various standards in regards to demand for housing, et cetera, et cetera.

As I said staff has to look at what is the net impact of the proposed amendment? And this particular sheet is drawn from the information contained in both the staff report that is included from the city in your agenda packet and our agenda sheet. And what you see is that over the 130 acres there are notes that will restrict the availability of residential investment and eliminates all 589,676 square feet of nonresidential.

The reason why I bring this up is that -- because we had no criteria in our join planning agreement, staff worked with the county attorney's office and tried to come up with -- what do we evaluate this upon? How do we address this? And in that, what we identified is that there are specific standards that the Florida department economic opportunity looks at in regards to impact on state resources. Service this urban sprawl. Et cetera. We also have the criteria which were shown in your staff report that pertained to the Volusia growth management position. Their overall impact analysis is looking at whether or not a county resource such as our roadways, water, sewer, storm water, et cetera. Are being negatively impacted because of this development. Because you saw that it was a net decrease in the theoretical maximum. That is where your staff has to land on it. I do have to clarify that this is not a quasi judicial action. This is a legislative action. The county council had the right to take in the information you are going to hear from your staff, the public, the applicant, everything that you have heard. And make a policy determination on your own behalf.

You are not obligated to have to follow the analysis that your staff has provided to you. This is more of a guidance to you. But ultimately it's up to you to make a determination as to whether or not this amendment is generally consistent and combatable with the Osteen local plant or it's not.

We are basically obligated by the joint planning agreement to provide written approval of a proposed amendment. If you feel that it is not consistent and it is not combatable with the Osteen local plan, then we would need to send a letter to the city of Deltona and VGMC identifying those concerns.

This is my quick presentation to kind of frame the discussion. I know that there representatives of the land owner. And from the city here to speak to you about it. If there's any questions from your staff we will be glad to answer them.

>> Okay. Thank you, clay. As I mentioned this is a public hearing and we have received the staff report. Clay. If you could just one more things up there. The decrease in the housing units and the elimination of 589,000 square feet of residential. The or not units that would have been understood the or not agreement. The original residential that would be allowed were 380. Is that correct?

>> 308, yes, sir.
>> The Chair: And the proposed land use for the 130 acres is 329 with nonresidential?

>> Correct, sir.
>> Okay. Thank you.

Mark watts? I Watts? I saw you earlier. There you are.
>> Good afternoon. afternoon. For the record, I'm Mark Watts I'm from the planning -- I'm here on behalf the Osteen group --
>> The Chair: Would you prefer to go second? I will talk to you.
>> I always defer to the government. So your call, Mr. Chairman.
>> The Chair: Ron, would you want to go first? We will do that. I took the way the cards came to me.
And I appreciate you bringing that to my attention. Thank you.
>> Chair, county council. Good afternoon. My name is Ron Paradise and for the record I am the interim city manager and planning director for planning development services, city of Deltona. I'm going to try to stay within that 3-minute window. But I may bust out a little bit. If that's okay. Chair you're fine. The clock has not started on you.
>> Thank you. I will try to be brief. Your staff did an overview and I will try not to be redundant. Today we are discussing a land use request for approximately 130 acres, located within the joint planning area for Osteen. Something the city and the county worked on in the late -- and was adopted by both parties in 200 the. Proposals to change Osteen commercial village and mixed use village to transuse residential. I want to make clear, reiterate that we are not asking this 10-acre parcel be removed from the Osteen JPA. We still want to maintain the integrity of the JPA. All of this land use know men clay know nomenclature is associated with the land-use JPA. As you all know, the city can't change without permission from the county council. And this basically requires the high level of intergovernal coordination. And with that being said I would like to thank you all for hearing us today. I want to thank your staff. Planning and traffic engineering, to say the least, for working with us. It's been a wonderful experience. And it's been a very productive exercise in intergovernal coordination. On October 1th this year the city government did transmit this amendment to the Florida department of economic opportunity. And the Volusia growth management commission for review. Now to give a status of that. Obviously the city cannot adopt until permission is granted by the county council. Right now the Volusia County management position has taken the position -- at least its staff has, that they have A.I. lot of A.I. lot of confidence in this robust governmental transition. We have not gotten word back for the economic opportunity. We may receive that here later on this week. But the agencies that we are dealing with have raised no Octobers, F-.. GEP. The management district.
>> The Chair: Ron, I guess Ms. Denys has a question on BGMC or something.
>> Yes --
>> The Chair: Let him get through the presentation.

>> I need to you clarify. You went to the VGMC and the DEO before council? Is that the normal?

>> No, we had transmitted the materials to DEO and VGMC. It's under review now. According to the Osteen JPA we cannot adopt. We transmitted but we have not adopted --
>> I understood but you made the comment that they were confident in the process.

>> The staff is recommending that the VGMC basically defer to the intergovernal coordination association --
>> Well, that's the natural flow charted. So you are flowing me off a little bit. Because if you are remembering to the process, we in the middle of it, so...

>> Yes, that is true.
>> Okay I will hold the rest of my questions.
>> I don't mean to confuse.
>> The Chair: There's a lot of moving parts to this. And we are just a part of the five parts.
>> Again we are talking 130 acres here. We have talked -- you probably all heard there were concerns about traffic. Concerns about the project being too dense. Compatibility questions. 130 acres, just to get a context about 37 acres of it is open water. And that is associated with a lake known locally as Little Lake. The site has 1200 feet of enterprise on Osteen road.
And it has no frontage on State Road 415 but it will have a connection since owners do own land on State Road 415. The city's amendment includes a tax change that limits the density to 329 single family family dwelling units. Some of you may all know, I've been in the planning gig here locally for a long time. My gray hair and kind of executive muscle here suggests that's probably true. I did work for the county for about 17 years before working for the city at Dell toe.
That and Deltona. And I want to provide a little history from the zoning and land use entitlement perspective. I will take you all back to 1980.

80-8 which is a code for Volusia County was adopted by the county. And basically from 1980 to 1994, the mid-90s was properly rezoned R4 in open water. R4 is a residential zone and has a minimum lot size of 7500 square feet. And it has -- you know if you count that, that's about 5.8 units per acre. The density, 1980 to the mid-1990s, 382 units.

The next event with regard to land use entitlement was the adoption of the county conference 90-10 as amended. Here the county designated a portion to the site urban medium intensity. And a portion of it rural on the future land use. Open water remained open water. This was done in the formulation of the future land use map for the comprehensive plan in the late 1980s. More specifically 19789. I happen to remember -- 1989. I happen to remember watching the senior planners when I was just a young man in my 20s go through and make these recommendations to allocate an urban land use designation on these properties that we are discussing here. On this property we are discussing here. I kind of have a vision of my wife's 1910s hair and her -- 1980s hair and her shoulder pads and so forth. Sol of you remember the 80s right. But the density of the urban medium intensities. 8-4.1 dwelling units per acre. Basically in 1980 had an entitlement of 369 units. County increased density entitlements again in the mid-90s and until 1996. Again the rural area changed to urban low intensity. Earmarked for urban development. This is the height at the point in the 1990s, this property was entitled for a maximum of 445 units.

From a zoning perspective, the zoning wasn't as dense as what was allowed by the land use. We had R4 and RR zone. And the units there we were told, were about 285. But they still had entitlements to come in and request this body to rezone, to achieve more density. 2009, Osteen local plan. Major leap in land use intensity and density. This property was designated under the Osteen local planning agreement. Osteen commercial village and mixed use village. Your staff explained that there was a neo-traditional expectation. But realistically, when you start to look at the numbers, we are talking a little under 600,000 square feet of nonresidential development allocation afforded to this property. Just for some perspective, your friendly local super Walmart center is about 250,000 square feet. The residential density was 338.

At the present, the city and the applicant are requesting the density to something that is reminiscent of the 1980s.

And into the 1990s. Here we have seen a progression incrementally of land use intensity going up and up and up. And here we are anticipating in front of the county council asking for a reduction of intensity and. In this particular case, folks, less is more.

And less can be achieved without any -- how shall I say, problematic legal entanglements or other extreme measures. Less density. There's less traffic. Less impact. I would be happy to field any questions you all may have with regard to this.

>> The Chair: I see no questions so we will let mark followup. And I will let both of you know in advance once we close public park you still will be given opportunity for rebuttal, if you want to call it that.
>> Thank you, and again for the record, Mark Watts from 231, from the land acquisition group. I'm not going to go into quite as much history. I do want to give you just a little bit of background. Our clients purchased the property in about 2002, at the time the land use on the property was urban medium and urban low intensity. They have own the property the entire time the Osteen joint planning agreement in 2008. The plan was adopted in 2009. Since 2002 our clients have marketed the property for sale for -- you know the development of the property. They are rate estate investors. They bought the property as an investment to eventually see it developed I have a couple of thing I will walk through to put it in context for you. Bring it up. And hopefully the little thing here works. This I thought was just worthwhile to bring out. This was the statement of intent in your Osteen local area plan. In your comprehensive plan in the exact text is also in the city's plan. From a planning perspective, the recognition that 415 corridor is being suitable for urban use is being dated back to the comp plan. I think we heard Ron give you a very dealed history on that. The intent here -- and I will talk a little bit about the JPA and how our amendment -- we see it at this time fitting in with the local plan. I think you heard discussion about the idea that probably we have to look at the Osteen local plan. We have to look at whether or not when we adopted it -- you know 11 or 12 years ago, if there is too much included in it. And I will stand here and tell you. I told the plans board and the commission. I think it pro are probably was too intense. There is a lot morale indicated than realistically you will see developed there. But I think the proposal we have before you is an important proposal to help move along the development of that core area that you will see when we looking at the map. But I think it's important to recognize that since the 1990s we have recognized in your comp plan that existed on this property prior to the GPA recognized that more intense residential and urban-style development in a certain area of Osteen is going to occur based on our planning. So just to give you an overview -- if you can see up here. I don't know -- you can't see my -- right along here.Ify get it. There's 415. You have 415. Along here and up and over. So the property that our clients own is here. And they actually own all the way up and include this area as well. But we are not asking to revise the land use on that. We are asking to keep intact the existing land use plan that is on that portion of the property. So if I can do the right buttons here. Clear or eraser?

>> Clear.

>> Hold it and be patient. There we go. This is an overview of the entire map. So if you look at the property again, we are right here is the property in question. The orange and white striped area is the portion of it that's the Osteen commercial village, and in the pink is the mixed use village.

Zooming in just to give you a little bit better look at that in view of how it fits on the overall property. If you look at this area here, this is the portion that our client owns that we are leaving in that mixed commercial classification that the Osteen commercial village provides. So I won't go into a whole lot of detail on these. Because are you already seen them in the staff report but ultimately what we have discovered in 18 years of trying to market the property and the last 12 years of trying to market it under the local area plan is that the densities and intensities that are required are more than we can convince the market is marketable on the property. So if you look at the orange and white striped area we have to hit -- it's 8 to 1 units in acre but 8 is the minute -- 8 to 12 units. But 8 is the minimum. The FAR, .25 is a minimum mum. You have to hit .25. 20% residential and 80% commercial in this striped area. In the pink area, the mixed use area, you also have minimums. So we have a minimum density that has to be achieved of four units an acre. Maximum of 8. I'm sorry there is no minimum commercial intensity here. But there's a maximum of .35, again in this area you've got the mix. 70%. So this is all just pink area here. 70% residential. 30% of that commercial. Under the existing on practice.
That's what we are asking to get rid of.
It that's what we are asking to amend away from. Instead -- see if I can get it to clear. Let me put this in context. I included this in here because I wanted to you see -- again here is the property we are talking about.

From a density and intensity standpoint from the things around it. In the county's comprehensive plan outside of the GPA. Urban low intensity. .2 units in acre to 4 units in acre and urban medium. 4 to 8 units an acre. Again we are looking at 4 here and that's consistent with what you've got through that whole area right there. Like John Madden up here.
OK so that is what it looks like on the map. You look at the overall GPA and you have residential. Just to give you a little bit of background, I want to thank the county stuff about the amount of work we put into this. We met in July 2018 to start our application and we have been working since then and on a regular basis trying to go through the steps to make sure we can answer the questions, and they have been patient. We appreciate the recommendation from the county, for the request we have before you.

Transitional residential is a lot more like your lower urban. It has residential, at 40 acres. We have a PED that has not moved forward, the land approved and some not been approved. The mixed use village, it has a minimum of 40 acres, the thing that precipitated this application was (inaudible). We have to amend going forward.

Just to review the background of transitional residential. Maximum units per acre. One unit per 10 from a residential standpoint. The thing that strikes me and justifies this change and perhaps justifies you looking at it in more detail is that they have been some other changes.

With their local plan, they will read about that eventually. It will intersect with Doyle Road. Instead of having these three key intersections, this commercial core, the main one is going to be here. So from that basis, if you look at that green colour, that 40 acres of transitional residential, you have it all here. We are asking to amend it here. This is your urban... So what you get is a compact court with commercial mixed-use in the centre and supporting residential around.

From a planning standpoint we think that makes a lot of sense. Not only will we have the existing plan, boarding around us but the GPA is focused on it. Think about where we are standing right now. We are in downtown which is public the best examples we have in the county of a traditional pattern here it is just traditional. We have a core mixed-use area here. There is residential above a lot of it, offices up and down the boulevard on adjacent sidestreets was not I live for blocks away. I live in this green area, right? The density around that call where people walk in that town and participate in that time, any urban context. I think this is in keeping with the overall plan and can intent. Recognising that there is a little bit more intensity than included in the previous one. What we are asking to remove from our clients property, from a commercial intensity standpoint. We want to include 590000 ft² of commercial.

I think that is an awful lot of intensity for the you don't normally see that with intensity but in here make sense. With that, I am happy to answer any questions you may have. If you look at your staff report, the last criteria, if you have a JPA, two runs point of view, when you are looking at that method and there is a JPA and how that says this has to proceed. We are here because they JPA says we have to come here. Hopefully that answers your question. With that I am happy to answer any other questions.
>> The Chair: Before we go forward to public comments, may we make a motion?
>> Sure, I will make a motion and a question. I make a motion to approve the city of Deltona for the plan for commercial village, for a transitional residential.
>> I second.
>> I second, Wheeler.
>> Just a question, I believe when we were talking about this, one of the issues when this was first put into place, when it was finalised. There are some major impacts to the plan that had happened since this was formulated in 2009. Right? One of the things that is changing is the road alignment which have been pointed out to. If you could put the map of the road. Those alignments will be shifting. There is a major shifting already happening within this agreement. That is impacting it.
>> You have already approved which has this alignment in it. That is correct.
>> My point is, that static was created in 2009 but since then there have been other impacts and processes that have been happening in it, around it, through its that are going to change it.
>> It had not been intended, if it had been intended, there would not be a amendment process with the JPA and your agreement clearly counterpoint that there is a process... through the check and balance. The city encounter work to approve this area.
>> We are actually... There will be less commercial develop and queue
>> It reduces the overall commercial intensity. Now the question remains and I think it is corresponding to your staff and city staff, and your backup materials for the two preserve the overall intent, the city has indicated that we will relocate that. It is probably closer to that new intersection. To use the bland reference (inaudible). The other question is do we need to relocate that? And that is the bigger policy issue.
>> The current JPA, the way it is currently written, we could put some Walmarts out there. Is that correct?
>> He made the sky collision at a prior hearing but there are six super Walmart at than (unknown term) provide from a commercial standpoint.
>> In a way would we be, I don't want to misinterpret this, I don't know the words to use to make sure it is not misinterpreted but it will happen anyway, as we have seen. Are we in a way preserving or insulating a residential impact? Protecting that area if we take out some of that commercial, high-density commercial and replace it? Even lower density in the program?
>> You a going to need residential. Any site Selector for business will tell you that you have to have residential in the surrounding area to generate commercial use. This is for the future, this is for commercial. What we see is that you have not seen that element happen here in the last years when this development happened. Two months are required at the minimum to make this happen. For the last 18 years they have been trying to market it. It doesn't mean the principal elements of the JPA are not reserved. That is compact, near traditional when you have that mixed commercial in the centre. What we are proposing to you here is to do just that but to do it in a more realistic scale.
>> Thank you.
>> I just wanted to ask, looking at the bigger picture because I am afraid we are doing a piece over here, piece over there, that is my concern. With the JPA, it is 12 years old, is it working as it should be or should it be amended?
>> If you talk to any land attorney, you need to look at this now. I have been coordinating with your staff for two or three years. I think it will be at least 18 month process to go through it. We would ask to be able to approve this and wholeheartedly say we support. We have other property that is affected by it.
>> Do you think we need to re-evaluate that?
>> I do feel that this JPA needs to be looked at again. On the other hand we can't hold this request hostage, if you will, to that re-evaluation. That re-evaluation needs to be done in a thoughtful manner and it is going to take time. We need to have a good planning product that will be the end result.
>> Do you feel the same way?
>> Yes, we have looked at it and it has to be tweaked. Does it have to be looked at because we see concerns from property owners and landowners? Yes.
>> My question is, how likely is that we view to change the recommendation for this community for this proposal?
>> Who is that to?
>> Anybody who needs to come to the table to take a fresh look at this so I think it is a reasonable question to everyone. This proposal for this residential area, the best proposal considering what the vision is for that area.
>> Under the current vision for the mixed-use and type of development with the existing land use, it is exactly what you want. The question is, is this the appropriate location for that? In what we have heard from residents that surround this area, it may not be. Property owners are seeing the interest is not necessarily there. The question we have to work through it is those who have monetary interest in the land and value and those who have a community resource interest. Where do we land between those two? What is the ultimate outcome? For me to sit there and say you have 100% support, given the fact it is so controversial right now indicate that we won't be able to get 100% agreement on whatever we propose out there. It is going to take a lead in process to come up with something, that is mutually less objective or by both parties.
>> OK, thank you.
>> To add my comments, I have put this backup. These are the existing counties in the vicinity outside of the JPA. Focusing on the commercial court and that it is in this area. You have the urban low intensity and is definitely in line with the transitional residential take with the JPA. This is the direction I would see the JPA going in, to get it up and moving again and to look at it more broadly.
>> For the record I have talked to Mr (unknown term) and Brenda. I have also had emails come in for it. We know times change and things change but the original Osteen plan was put in place to kind of reserved the rural way of life for these people who have been out there for many, many years. It is being encroached upon. My concern is we do this, what kind of steppingstone is it going to be until we get control of it? Then we lose what was originally done. We need a plan to have something that is suitable to work out between the owner of these properties and the residents in that area before we get any further with it. Because once this is done, there is no un-doing it. I am afraid that once we take this step we have basically destroyed Osteen and whatever it may be. I think we need to slow down, look at it and reviewed this plan to make sure it is done in a fashion that when we have finished it, we have some suitability for all.
>> What I can offer you, with the existing landowner here, I think that you really have a landowner coming here... We think the overall vision and it can be specific with that future vision where there is less intensity. I will say from a investment standpoint, once you have invested in the road, so a system underwater. The investment in this future is there from a investment standpoint. I think it is consistent with that direction with this particular change.
>> Let me way into this, in 1980 when this was allowed, whatever it was called, R4, anybody in the last 40 years should have known that is what could have been. You taking something and making it less than what it was. Eliminating all of the commercial. The movement of commercial and industrial, it is the same reason. 75% of we want it to be commercial. There is no demand for it. They are eliminating it, putting less residential in this area that was planned for, 40 years ago, it could have had 500 unit or whatever. What was a total, you gave me a total number but it was almost 800 units that could have been in 1980.
>> It was 380.
>> I don't think the people who came in the last 40 years can come in and say, I didn't know that. It has already gone to this and what we are being asked to do is focus, why would we object to something that Deltona wants? They have passed it and have asked us to allow it to move forward on this particular part. There are over 3008 because, I believe, in this area. 3500 acres so taking 500 acres of that is developing a part two less density, less usage and residential only so that the other bits can come out later. It may not be for two years and it would take two years to do a tour to renew of this. In the meantime, we have to be looking at the less compared to what it was. I will go to Miss Post.
>> I hear mention of what could have occurred 40 years ago, holy crap! That long ago. That is no longer the case. Really instead of saying, I am sure in 1900 you could have not planned to do anything in the area, as long as you built a outhouse, you could do whatever you wanted. I not looking at the 40 years ago, I am looking at where we are now in trying to make a judgement based on that. I keep hearing that we could come in and build Walmarts and the large commercial spaces. I do see that in here having gone through the paperwork that has been provided. When you are looking at the overall sense of the commercial village and the mixed-use village, it is really combining the residential and commercial uses. That seems to be the intent of the JPA. Not necessarily building the Walmart and that type of stuff but combining uses. When I hear less is more, we have the ability now to build less homes for less residential space, it is still very different to me. Less is more because there is a huge difference in building a strip mall where you have townhomes up top and a little bit of commercial space at the bottom, as opposed to building a number of residential neighbourhoods. It is different to me. So less is sometimes more and I don't think that has been laid out well in this discussion. The last agreement, I keep hearing rural, low intensity and Council of men. (Laughs) It really is a rural area and putting a neighbourhood in a rural area does change things. I would think this needs to be looked at again and we definitely need to be coming to the table and planning with the city of Deltona. For me, less is more and less is different. I am tabling it and holding off on it until we can look at the JPA.
>> I am kind of hitting there. The less is more, that for sure alters the understanding. This was a plan from 2008 and things do change. I certainly think that whatever decision is made today, we do need to go back and get the locals involved in all of this, to plan efficiently for future needs. I think that is going to be imperative to do that. I am seeing this fitting within the plan and in my concept of this, this would work within all of that. My concern is taking the bite for the whole. I want to see the big picture. That is where my concern is right now. I am all for less is more.
>> We appreciate that. We are maintaining that mixed use concept, we think that is more appropriate. That requires both residential and commercial in that area but in general what we think we pose here is a transition to rural area, as with the rest of the plan that keeps in mind. This area is intended as to transition. We tried to and purposely kept land-use classification in the JPA because we wanted to preserve that intent, mixed-use, transitional, transitional to residential, to rural areas that are on the edge of it. It is simply, as a landowner who has to precipitate and get these conversations going, it takes two years to get to a hearing and then saying, we are going to take another two years. I think we are consistent with the overall discussion.
>> I need to ex parte with city staff, some of the residents and I want to make that clear. Sometimes less is less and sometimes we see that as well. It was mentioned that the JPA... Everybody agrees that the JPA has to be looked over. We took 18 months, could be be quicker than that if we set our minds on it?
>> If you look back to the history, to get local planning, it was a (inaudible) amount of time. There is also some budgetary considerations as well. We had a local plant back in the late 2000s. We are talking hundreds and thousands of dollars to facilitate this planning effort. Right now the city's planning budget, I can't speak for Mr Irving's budget but the budgetary activities...
>> I am taking this as a no! I am struggling between two things. It doesn't severely violate the JPA. But it isn't as a super drastic change but at the same time, it would be nice to not make an exception and then six months from now, a property owner down the road will want to amend it for them. We can then not decide to not consider that.
>> We approve the but we are going to hold the line until a valuation is taken. We have this process for this purpose but we have to consider this before we consider any other amendments. You are certainly within your purview.
>> I am still struggling why approving 329 houses as opposed to 50 or 60, and then evaluating a Walmart means less means more? I have 2020 vision and there is absolutely no way. There is no way in this case that in this situation less can be more. I would really like for us not to say that. You are entitled to your own opinion but not your own set of facts. If you build less, it is less. It is not more. You can have a two-year study and by the time you return to its two years later, it can be out of date. Things change. You could for stem to say, we are going to go-ahead and build the whole thing. More is more! We will build the four Walmarts.
>> You could have the commercial stages but never get to it.
>> Everybody get a boat and I understand that. Hearing less is more, I am just not seeing that. I think everybody has had a chance to speak. Miss post?
>> I wanted to let you know that I talked to a number of people as well. Gwenda, Wanda, on this issue. Looking forward to see that the sky is blue!
>> And Iama letting people know that I didn't talk to Mark or anyone.
>> I did want to disclose ex parte communications between resident and attorney.
>> I also spoke to Wanda, Barb, Glenda and Mark.
>> I had a conversation with Mr Watts.
>> Everybody has exchange the ex parte. I got an email but did not respond. I did not have any information. That is what I did. John Nicholson?
>> With the idea that you are not going to discuss item 9, my first comment is, does the county council under its commitment to residents? You voted that way. These are the rules and regulations we are going to follow. This is a little bit different because it gives you the option. It appears you are not understanding that there are two, less is more. You have 50 less homes. You are using Walmart, I am using strip malls. That would be 15 strip malls in this location which are also not going to be there. The whole idea was the rural area. So 15 strip malls is a heck of a lot of land. 50 homes is a heck of a lot of land. Looking at the agreements, the people who live there, they want the open space and this gives them that. Rather than delaying this, say that you're putting (unknown term) after this. So that nobody can say we weren't allowed to do this because you allowed somebody else. You previously denied, what I would not have done. I understand the agreement. What was going in there was better for the resident than the strip more. It was less intrusive. You end up with a building that is large but you don't ever really see it, and you never really bothered by it. This case is different. I am asking you to look at it with a open mind. You are allowed to do this whereas I believe with the other one you are not. They want openness, they want rural. 15 strip malls is not rural and 50 homes is not rural. Give us the best of both worlds. Thank you.
>> Vicky?
>> Vicky Paul, (unknown term). Most of you were not involved in the joint planning agreement in the Osteen plan. Since they play a significant part in the proposed land change, I am planning to give you a brief history in the events that led up to this. There was hundreds of acres of land in the Osteen area, at the request of residents, the county challenged these annexations was the legal challenge to these annexations, the (unknown term) and (unknown term) was dropped because it was confirmed that Deltona would refrain from adhering to (unknown term). The city crossed rule for 15. The county challenge these annexations and November 19, the first conference meeting was held between staff members, the city and counsel. It was a public meeting and we have the tape. We Head recent, assistant County Manager and Mike Dyer, assistant county attorney. It was bought up no less than 8 times in the course of the meeting. Is what has brought about the need for conflict resolution in the first place. In a subsequent meeting when they tried to get the city to agree to planning, county staff stated that they might be willing to recommend to county cancer that they dropped their legal challenge for the properties for site for 15 if the city sat down with local council and local stakeholders to plan for a larger designated area. That is what ultimately happened. They dropped the challenge for the East side annexation for exchange for planning for a larger area. The residents of Osteen, the JPA and local plan came at a high cost. The annexation of 1000 acres of property in Osteen. This is why the resident fell so bly about this and are asking for you to support them now and vote no on this proposed plan change. From the very beginning not knowing how the area under hole was to develop, was what the resident put their trust in. I ask that you stop any piecemeal planning at this point and please consider reevaluating the JPA as a whole and not one piece of property at the time. Thank you.
>> Thank you Vicky. Stephen Booth?
>> My name is Stephen Booth, I live at (unknown term) Boulevard. Anki for allowing me to speak. If you look at the picture right there, that is my unit. I bought it in January 2016. It is 40 feet long, and I have 40 feet before I get to the water. That is my backyard. This is September of this year. My backyard is 1 foot. That is what I have left. The water in Lake little - you can go to picture three. This is Eagle point North, everything is underwater. The perpetration for Osteen were filed in the office of secondary state in October 1977. I go further than everybody here, 43 years. The park is a all the park with 278 units. We pay taxes. Our park was built with the code in place at the time. Three sides of our park are encircled by a little like. There is a buildup of almost 3 feet. With a planned building of our immediate northside and a future Westside, we become the low spat in the neighbourhood. At least Lake Little right now has the ability to expand with water in or direction. With a planned development that is no longer possible, pushing future high water on us. Little Lake has no drainage ports. Please take a look at the Daytona News article by Mark Johnson. I have that in here. If the planned development goes as schedule without any relief of the water in Little Lake, you are signing our death warrant. I am not a engineer or scientist but this will not work for us. Retention plans are not the answer. We will be in the lowest spot in the neighbourhood. Thank you.
>> Janice?
>> Good afternoon counter members. I have lived at my address for 27 years. I spent quite a bit of time on the future land uses in this property and surrounding properties, I would ask you look at the current development you can see on my image there. The development pattern of the surrounding lands are either large locked residential, agricultural, resource or conservation. It has been the development pattern for many years and nearly 500 acres of the ranch located just south of this property was placed into conservation in Florida at the end of 2018. It has also been pointed out that the density will At 23 units. Since this property is 40% open water, wetlands are within the flood land, I would ask you to consider what 328 unit placed on primarily (inaudible) lot will look like. This is not why envisioned for the local Osteen community. If this change is made, it would open the request for additional changes to the plan. I not only attended the JPA meeting. I knocked on the doors of my neighbourhood with the petition to change for dwelling unit per acre to 1 dwelling unit per acre. With any plan, the Osteen plan is a dynamic proposal and should change with community expectations. My expectations with the property in the local area, our plan should be considered as a whole, as they were presented to the residents, with the JPA allowing piecemeal changes making the JPA a necessity in the first place. I signed the 822+ petitions that have been made to record to date, as have my neighbours. I am asking you to deny the request change, until this area can be looked at as a whole. Thank you.
>> Thank you. You practiced that more than once! I will go with Glenda. It looked like a C instead of a G. Off you go.
>> That was adopted in September 2008. In the meeting on August 19 was a motion made and approved for the recommendation of the now for this proposed change. The board suggested that the motion must contain the language, in addition, recommend any day now, the board recommended that the city work with the county to re-evaluate the JPA. The language was then added to the motion with recommendation for the now. It was also noted that members of the (unknown term) was an intrusion of urban density in a rural neighbourhood and did not meet the spirit of the JPA that was originally agreed upon. At the city commission meeting on October 5, they approved the amendment. We had over 80 residents speak in our opposition saying this won't be delayed so that the JPA could be re-evaluated. We also submitted over 800 petitions. They have numerous pipes on site going down (unknown term) which is much more desirable than enterprisewide. It is very much like Marsh Road, it is very winding. It is a beautiful road with acreage. Less is more and I say that because no matter what their zoning is, if you go down Enterprise Road, you will not find a subdivision. Anyway, the people of enterprise and Osteen have good rapport with the county. You are the only representation we have and we are grateful for that representation. The citizens of Enterprise and Osteen are asking for your help of denial. The commercial, mixed-use village is being changed under this amendment which is not in accordance with the JPA. It was agreed upon on a full area for top if we don't stop this now, when will we stop it? In order to address the current and future needs of this city and the expectations of the residents even if it requires extensive planning and resources.
>> Well done. You didn't seem nervous at all, even with your name being called wrong. I hope I don't mess this up. I am going to say Bob. Is there more than one Bob out there? I think that is because I repeated it.
>> I am Bob, I am a 33 year resident of Enterprise. I am a 14 year board member and some of you may be seeing, why is somebody from enterprise coming here worrying about Osteen and what happens there. APS was formed because Deltona was picking away at our borders and we didn't want to die a death by a thousand cuts. We turned them down flat and said this is not appropriate. If given time, they were hoping to find an organisation for conservation. What does the landowner do? They presented a plan to Deltona. This pleased by this and with the help of our council members at the time. A model for public service, as far as we can send. We formed our own area plan that was approved by us and the county, as well as the (unknown term) district. Finally, we were protected! We formed a separate political action group called (unknown term). At the end we prevailed and is now a beautiful Formby Park. I would say that turned out well. Now again, Deltona wants to put a development in a pristine area which derails a (inaudible) which was previously booked by conservation Florida. It opens up Pandora's box and causes as inappropriate future development towards the West. Until the developers are knocking on the door of little enterprise. I can hear the argument now full stop the county worked averse to change amendment in Osteen. It needs to be changed order to accommodate our growth. Including eagles nest and protected birds and traffic.
>> Thank you, Bob. Thank you, Bob. Have a good day, Bob. Thank you, Bob. Wanda Van Damme? Not related to Jean-Claude.
>>I am Wanda Van Damme. I moved into the county 30 years ago looking for a rural community simmer to the one I grew up in. Approximately 820 fellow residents took the time to sign and turn in petitions to record their concern. We have the petitions with us today and each of us who are speaking are speaking in opposition and also in behalf of the folks who signed this petition. As pointed out, there is a long history behind this plan. I was involved in the JPA process, as much as a resident can be. It was our number one priority, from the beginning process to the end. If commercial development is no longer the number one priority, it has the potential to affect over 580 acres of land in the planned area. We need to sit down with them, the city, and review how much and where the nine residential development will go and ensure those areas that are targeted for development are handled in the appropriate manner. Throughout this process residents agreed that we did not want to encourage strip type development or cookie-cutter development after subdivision. We do not believe that these changes requested are appropriate or consistent with the plan. This is not what we envisioned throughout the entire planning process. If we are going to deviate from this plan, we need to what that is going to entail. We are being asked to throughout the plan for one property owner, for one project full stop without having a clear picture as to how this will affect the wider area. We do know it will begin a domino effect, eroding the plan, parcel by parcel. It is unrealistic that you can do this for one property owner and not give the same request for a similar outcome. He said at the very first resolution meeting in 2005, 'I want to include a larger area because if we just look at just apart, rather than a whole, we are setting ourselves up for more dispute. We are going to go through the same exercise down the road over another piece of property.' I appreciate your time and consideration. I respectfully ask that you wrote denial on this proposed land use plan. Let's review, gain a better understanding of what the involved parties want the plan to look like. Once it is done, it is done.
>> Janet?
>> I am former Commissioner Janet. I have lived in Altona for 34 years. I am a former farmer from Western New York, across breeder, those type of things was I have always liked living in those rural, country areas. When we came together in 2005 to 2010, working in the strengthening area. We worked long and hard to respect everybody's needs and come up with a plan, to the best of our ability. Yet, here we go again! I was not proud of Daytona at the time and I and not proud again. It has to be considered as a whole and it can't be done piecemeal. We understood it was to be considered as a whole going into the future. So now I'm asking you to protect the intent of the JPA again. We undoubtedly realise it will be a process. The protection from the citizens and (inaudible) jointly. I think you can sink your teeth into this pretty good. We know now that this area is part of the Lake Heritage corner. It also contains part of the trail system to which Florida has been become known. It was booming before and it will boom again once this COVID stuff is over again. I realised it has changed over the past 10 years but these things have to be looked together as a whole. We need to consider the history, the flavour, the culture. And you were so helpful in protecting enterprise. I was one of those who fought so hard for enterprise and it wasn't until you got involved that we got it. The same with the joint planning in Osteen. You know all of the facts, I don't have to reiterate them. But please, help the citizens preserve historical enterprise at Osteen. Help us preserve the historical culture. They have their own ZIP Code, they are a place. They are a historical place and we are counting on you to help with the preservation and change it with the Osteen citizens in mind. Thank you.
>> Thank you Mr chair and councilman. I am sitting back there and having flashbacks and having better scholars. As one of the architects of this JPA. I know very well the struggles that was happening with the council, within the city at the time. It was very difficult so that is why I was supportive of the efforts and the litigation that was happening. In hearing some of the comments today, there is some truth but there are some comments left out of it. When we were looking at this area, we were looking at a commercial future, to diversify our tax base. Daytona struggles with the commercial activity which puts the burden of the taxes on the homeowner. We see this as our future expansion and some people may not like it. That was the plan. We also knew that in order to support that we had to have as a denture around it. We see, time and time here, when people invest in commercial property and invest their hard earned dollars, they want to make sure there are consumers to come into their stores. It was always a commercial of the two, never only one. I sit here and struggle because I believe wholeheartedly that if you had before you to have the current process, zoning and current densities, the same folks would be objecting to what you have today. I am sensitive to that but we need to take the emotion aside of it out and look at it from a perspective of this particular request, it is consistent with the surrounding areas and units was we are not doing crazy expansion. It hurts me a little bit but with the city of Daytona to find other areas of the JPA, to satisfy and keep the whole concept of what we were looking at. It is important to note that Daytona invested almost $90 million in water and sewer infrastructure after this plan was adopted because we had the hope of commercial development to help lower the impact of sewer. If you follow Daytona's news, the water and sewer rates, they are struggling for they can't pay their bills. That has always been part of the vision. To add more customers onto that system. That vote was part of the future. I think holistically it consist with the area, Daytona as a willing partner. With you all who have agreed to the project. The JPA process is working I do agree that the future needs to be looked at because investment in that area are struggling to I will be helping in anyway I can for the future but this particular project is over two years in the making. I think it's the right thing to do.
>>

>>OK. For the first time I saw the layout. I'm not assuming that I should be assuming that is the proposed layout, it's not a mobile home park situation, is it?

>>That is the layout. It's not the current one. What is a residential subdivision.

>>That is the only when we saw.

>>We are not here talking about the zoning. It looks like it's from our traffic study. It looks like the plan that was in place the timer traffic study was done. I think it has been updated since then.

>>That surprised me to see that.

>>Actually was going to make a point about that.

>>With that we will close the public hearing portion. Counsel, here we are. Work, you have semi-closing comments?

>>Just a couple of comments real quick Mr. Chairman. I wanted to talk first about COVID states and the flooding issues. I think that is important. Those issues exist no matter what. Those are present issues. That existing development was I think 1977 was the year that was referenced when the articles of incorporation were filed. The storm water regulations that existed at that time in the way you designed and accommodated stormwater are much different than they are today. We have in the context of the PUD and some of the more technical aspects that are coming down the road. We met with the Board of Directors of COVID states and we actually toward the property on golf carts and took measurements with the 2004 flooding from the hurricane went within the community. Had our surveyors pick up that elevation and determine that's the base flood elevation we are going to use for property so we know we are exceeding what would otherwise be required in the base elevation same way. That is not something relevant in the discussion today but I want you to know that the real issue. I think there issues the city and County need to work on beyond that to provide relief. We may have ways to help with that as we were forward with the development of our property. The flooding issue is a real one. I think we all need to work as a community to figure out how to fix it.

I want to make two more points really. With regard to the comments about piecemeal planning. You adopted a JPA, the city adopted a JPA. That and its body in its text provides an amendment process. A contemplative from the beginning that it needed to be, I think the phrase has been used here today, a dynamic plan. A plan that can evolve and change as you see what happens with the market and how the market responds what is in the plan with the elements are. What we have done is put together an amendment is the plan allows and work through with your staff and the city staff to gain not only staff recommendations of approval but approval from the city commission standpoint to move forward with the particular application. We think it is consistent with the overall intent that there be a compact neo-traditional development pattern there. We think the residential is necessary to support the urban core in the mixed-use core that is going to need to shift North based on what other planning has occurred with the road alignment. We think all of that is proceeding as contemplated by the existing JPA. On the basis we would ask for your support.

Beyond that we do agree. I think there's more intensity here than should be. I think the city and County need to work down and work through that. I think the comment was made you have a land owner who is precipitating the conversation that we ask you not hold hostage during that process. Mr. Chairman, you made reference to the map that was shown up there. I want you to think about that map and think about the fact that the existing requirements require that map to be more intense than what was shown on your screen.

We have to have all of that plus in additional, I think it was 50 residential units, +5089 ft.² of commercial on that piece of property of the existing plan. When you think about that map and you look at the map that was shown do you think about that in the context that the current plan requires. With that, you know, I have met with Wanda involved a couple times. We've had good conversations with the folks out there. I do agree and I think our client support it, the city supported in the planning board in Deltona supported looking at the JPA in a broader context about how to move forward from here. We have property in the JPA no matter what that is not subject to this application. So we will be with you in that conversation. We would ask you not to hold this particular thing hostage because we are not triggering a policy discussion so with that I am happy to answer any final questions. Otherwise I will sit down and listen to your discussions.

>>I think you made a very good point in that you came to us today with the 3500 acres and say this is what we are going to do with all 3500 acres. 300 homes here, 500 there. 600,000 of commercial here, 600 of industrial here. And we want you to approve this today. First of all you're not going to find anybody with deep enough pockets to do that. It was designed and created to be not piecemeal but phased. Piecemeal is sounding like it's something dirty and nasty. I look at this is something that is being phased in and so it's not just all at once. If you announce there's going to be just like they did with (unknown term) this can be 10,000 homes or with another development. We are going to put 10,000 homes out there in the next two years. Everyone would go ballistic. Here you are asking to put in less homes, less density on the commercial and industrial.

So to get some commercial you're not saying you doing away with it. You are saying you're going to reallocate those feet, square footage is, for commercial and another section of the JPA. So to me, again I have said it, it's not piecemeal, it's based in. It cannot be any other way but based in. With that we have a motion. Any further discussion?

>>I have the motion repeated?

>>The motion was to approve the city of Deltona comprehensive plan amendment commercial village and mixed use village center to transitional residential of 130 acres.

>>I would like to amend the motion is only second to include a moratorium on any other development out there into the JPA is reviewed and approved.

>>Michael Dyer is beeping his red button.

>>Thank you Mr. Chair and members of council. Just to clarify the joint planning agreement requires either the city or the County to get written approval of the other before and amendment to the Osteen. Local plan can take effect so the original motion on the floor if that were to fail it will be the equivalent of a denial because written approval was not granted by this counsel. This is a legislative decision so I would say moratorium is not required unlike with the quasi-judicial process there's an expectation for you to act on it. So that is something you would like us to report back to you on, we could. But I don't think moratorium respectively would be the appropriate vehicle for future action on these. What I'm hearing is at least potentially some interest in looking at the local plan with the city for possible amendments which we heard could take some time.

I just wanted to clarify if the motion were to remain on amended that if it were to fail it would be the equivalent of a denial.

>>OK. So I can't do that basically is what you're saying?

>>I would recommend we not characterize it as a moratorium because we are here in the legislative capacity with competency plans.

>>Is very different way we could do that, accomplish that?

>>Did you want to speak before me?

>>What you could do as part of this is provide direction to the county staff there would be no more process of any amendments within the local plan and both governments were able to satisfactorily resolve the concerns that were identified year.

>>OK. I would like to do that.

>>Motion made by Lowry. That's not an amendment to this. After the vote you can do that. You can't do it prior to the vote. I think everyone of you knows what you're going to do after the boat. I think that is pretty obvious. Ms. Girtman are you raising your hand?

>>Is is an opportunity to ask a question?

>>Sure.

>>It could be Marc – my question is about the dollars that they say it will cost to do a review. They were talking hundreds of thousands of dollars. So should we approve this and say however we need a review then because of the dollars that it's going to take to do that there is no opportunity because again we are saying we have issues with funding it. So I am having a concern with how do we get the JPA reviewed with no funding? Or can we…

>>I think that was the city of Deltona expressed concerns over that. George said if we have to review it he will find the money.

>>If he will find the money, what do we find the money prior to approving this?

>>It will take two years to complete, at least from start to finish.

>>OK. All right. Thank you.

>>I think two years is conservative. OK we have the question. There is no second. There is no motion to amend it. Do you want to call the boat please? (Roll Call Vote) Ms Denys - yes. Ms. Girtman – no. Mr. Johnson – no.

>>Mr. Kelly... I'm going to fall on my sword on this one because this is the absolute right thing to do. It's not hurting anyone. Motion fails. Marc, thank you. Ron, thank you. (Applause)

>>Good afternoon my name is Jessica Wintour. On the coastal programs director. We are here to talk about the state of Florida environmental protection Ponce de Leon Inlet management plan. State law requires that the Florida Department of environmental protection develop and adopt an inlet management plan for improved inlets like Ponce de Leon Inlet. Inlet management plans or documents that describe strategies in order to mitigate beach erosion caused by improved inlets on adjacent beaches. Volusia County acts as a local sponsor for the Ponce de Leon Inlet and assist all not only the Corps of Engineers but also the state with development and implementation of Inlet management plans. June 27, 2017, the County Council approved a grant agreement with the Florida Department of environmental protection to update the pumps daily on settlement budget. That was the basis for the Inlet management plan which was just updated by the FTE P.

Some of the management Plan strategies the came out of the plan... The good news is that we will be in your three. We will do the third comprehensive beach and in the survey next summer. We are already enacting this. We are doing this. We started is a best management practice for being coastal and beach managers. The inlet management plan specifically requests we do this in the area of influence which is from tornado Avenue to 10th Avenue in New Smyrna Beach. We been doing a countywide. It also bypasses 50,000 yd.³ of inlet and waterway channels into adjacent beaches annually. Any bypassing in excess of 60,000 yd.³ counts towards credit in future years with a large dredging project we had last year with the Corps of Engineers were prejudged until 2027.

The inlet management plan requires 40,000 yd.³ be placed in the north of the inlet and 20,000 yd.³ be placed south of the inlet due to current erosion. We will have to do a re-permitting of the north of the inlet nearshore disposal area. It expired in 1996, I believe, and it will have to be expanded to go all the way up to tornado a Avenue. We will discuss that a little bit more. The 1987 inlet management plan which predates the one just updated a call for 43,000 so it's an increase in dredge quality -- quantity they are required annually. It also recommends that repairs be made to the Ponce de Leon Inlet jetty to pre-Matthew conditions. The good news is the Army Corps of Engineers through the federally authorized funding at a 100% caused is doing repairs to the north jetty. They are currently procuring rather large rock out of Georgia that they will real down to Deland and then transfer over to the reef yard and put on a barge but on the jetty. That will most likely happen next spring and summer which is when you will see it. It will be a cool project if you can get some eyes on the sand and see that happen.

>>You say the rocks are coming from Georgia? We better count them, not them.

>>Yes, sir. The final strategy is that we should seek congressional reauthorization for the South jetty extension project to keep this in the improvement option available. This was included in the 1997 inlet judgment plan as well as a structural modification that would reduce the transfer of sand into the inlet.

What an inlet management plan does is once it is adopted and enacted by the plate -- state of Florida it opens up funding partners and opportunities for Volusia County's waterways, adjacent beaches in inlet. The state of Florida environmental protection has a couple funding grants available but you have to have a strategy and an adopted inlet management plan in order to be eligible to apply for these grants. They also supply technical management, support and they manage every inch of beach along Florida's coastline including the Gulf as well. The U.S. Army of corps of engineers is a huge player in this game. They manage the jetties, they dredge the inlet there are federal sponsor for the inlet and they are responsible for the navigation of the federal channel. They also assist with inlet permitting and technical support. And then you also have the Florida inland navigation district. Their partners as well because if you think about where the sand goes it goes in inlet and then wears a go into your intracoastal waterway. They have a vested interest in having a well-managed inlet and adjacent beaches.

And just to summarize and show you a really good visual this is what we are talking about with regards to the inlet. You have a South nearshore dredging disposal area that we used this past summer only created the wonderful wedge at Sapphire and then the location of the proposed North nearshore dredge spoil area that will be similar in the 8-10 foot contour and put it nearshore so naturally the same comes on the beach and turns into dunes and you also do not impact any nesting turtle habitat during nesting season and you can maintain beach driving the entire time you doing this. That is all happening in that management plan. You have any questions?

>>Looks like a plan. Are you ready to go to item 14?

>>Yes.

>>Item 14 is a request for the funding beach assistance program for the engineering, design and permitting of a North Beach nearshore sand placement area described in the updated Ponce de Leon in the management plan. We discussed in the previous agenda item that one of the recommendations were in that management strategy in the inlet management plan was to have a North Inlet disposal area. We currently do not have a permitted North Inlet disposal area. Because it's referenced as a strategy in the inlet management plan it makes it eligible for grant funding participation at 50% with the state DEP's beach in the management and funding program and as a requirement of application for this program we need to have a resolution from counsel that should we be awarded a grant that the Council would provide the 50% match towards the grant. Ms. Post?

>>So we need a motion for approval of the resolution, correct?

>>Yes.

>>Move approval of the resolution.

>>Motion made by post, seconded by Lowry to approve the funding assistance program for engineering design and permitting of North Beach nearshore insane placement area prescribed -- described in the updated Ponce de Leon Inlet management plan which we saw in 13. Any discussion?

>>Yes. I just wanted to point out and I wanted to thank you just go for all of the monies that you continue to seek out and find for our beaches. Greatly appreciate it. I love that are local match was much less than the actual amount.

>>If I can clarify we have not been awarded yet. It still part of the application.

>>But the fact that you are looking for these things and that you are seeking out this information is fantastic. It's desperately needed. Great job.

>>Thanks.

>>OK. That was not an objection to the motion. Any objection to the motion? Hearing no objection the motion passes unanimous we will move to item 15 and this is the… Don't need one for this one. He just made the motion to extend the 35th anniversary, 35th extension of the emergency order. At least I don't think we are going to need dinner tonight. I was wrong about that. Thank goodness. Second by Lowry to extend the 35th local emergency related China virus. Any discussion? Any objection to that motion? Hearing no objections that motion passes unanimous. Now we will get the coronavirus update. The Suzanne show.

>>Yes, sir. We have our normal presentation format. ... Followed by community services.

>>Just to give you a quick update on where we are as of this afternoon in Florida there are 852,174 cases, 70,248 deaths. And Volusia County there is 13,828 cases and 833 deaths. About 11% of those with the cases total are coming from long-term care facilities and just over half of the deaths are coming from long-term care facilities. In the past couple weeks you can see we have been going out. We have been averaging about 90 new cases a day for the past couple of weeks so that puts us about where we were to compare in about the middle of June. That is kind of where we are right now in the county but we are still just fine for hospital bed space. So hospital beds overall as of this morning is 31% capacity and then – or available capacity and ICU beds are still at about 30% available capacity. We did not struggle with that. We still have about 70 people currently hospitalized with COVID in the county as of yesterday.

If we move on to the next you can see how the positivity rate is increasing and has been steadily increasing for the past few weeks. We are now over the 5% positivity rate that we would like to stay below. And they match pretty much with the state and most of the country with regard to that. A couple of little updates with regard to testing. The testing site at the fairgrounds did close down but before they did they did do 10,525 test. And even now today since November 2 when the testing opened up at New Smyrna Beach city gym site there is been over 2000 tests and that is PCR in antigen testing has been done there so far. Public protection did transition out of the ocean center for supplies. We did get quite a few of our final kind of orders and we do have several – a lot of supplies on reserve for first responders should we need into the future. Any questions, I'm happy to answer them.

>>Just one. Are the number of tests remaining constant or are they dropping as well?

>>Know what, I cannot tell you off the top of my head right now. I will have to go back and take a look at that. I will say really in the past since the testing started at the city gym there's been over 300 tests per day which is still pretty steady. But I cannot tell you really off the top of my head. I'm sorry about that.

>>If you could find those numbers handily, if you could drop us an email or something on the…

>>Actually. I might actually have. It does kind of ebb and flow but I would say maybe it has gone down if we look at two weeks, you know, the past two weeks. Maybe the last week and went down a little bit.

>>As the numbers go down the positivity rate goes up?

>>It can influence as we talked about before. Sure. Sure.

>>Holly Smith communications manager in government liaison for Volusia County. The number of testing has bounced around by day anywhere from 1700 to 600 a day. The positivity rate – today the 14 day positivity rate is close to 7% and that has been with using a consistent testing positive case number. So that is not a reflection on the number of tests because it has averaged out over 14 days.

>>The Chair recognizes Ms. Girtman.

>>Thank you. My question is the test that people are being tested because they have either been notified or they have symptoms, and these aren't people coming out to be tested for potential community spread, so I would think the numbers are fluctuating, but it is to validate exposure or to deal with someone who is having symptoms, correct?

>> So when the Florida Department of health gets the total number of tests, the tests are coming from the state testing site, which is now in Smyrna Beach, the one that the doctor mentioned, and that can be people who just want to know if they have it, or if they are symptomatic or have had an exposure. The department of health is also doing testing, those are people who have had an exposure and can call to just be tested. We test the high-risk people. Those people who have been in quarantine or have had a close contact. This can be pre-op testing, it can be anybody who goes into an urgent care or any other place that tests are being provided. Also, there are facilities that have rapid antigen tests now, and they also are required by the state to report those results to us as well, so testing is coming from everywhere. They could be used as a screening tool, but those rapid tests are not designed for that. Their results are not consistent when they are used in that manner. They are supposed to be used for people who are symptomatic. The tester coming from a broad swath of people.

>> Thank you.

>> Next, or is that it?

>> Community service followed by economic developing. Good afternoon, Donna Butler, community services Director. We continue to accept applications for the rent mortgage program. Right now we are averaging about nine mortgage applications per business day, and about 45 original applications per day. We received over 8615 applications, 6000 of those have been approved, and 1300 of those are essentially under review. So, to date we have expended $16.6 million. When we started this, we didn't really think we would have numbers that high, but approximately $900,000 are approved for the expenditure this week. $3.7 million are needed to serve the current applications, and approximately $1.4 million remains, which could help 467 additional households. Food bags continue, and will continue until the end of the year. A total of 81,461 have been distributed, we aren't seeing a huge drop, it is slowing down some from the initial push, we are still keeping Ocean Centre busy with our food bag distributional. 228,000 masks have been distributed through (unknown term). They were giving a large number's, but now they are giving to a piece. We got a comment from a staff member's neighbour who commented that he did not have transportation to get to work, and didn't have money to be buying masks, so he really opportune appreciated the opportunity to be given the mask when he got on the bus. His employer gives him a mask when he is working, but he doesn't get to use that outside of work. He was very appreciative of that additional upgrade that was made. Finally, our nonprofit assistance, 184 applications received, 172 of those were eligible for assistance. $524,000 has been paid by United Way. There are six pending approval, and you can see that there were 150 nonprofits, the smaller nonprofits that have 25 employees and 16 have more than that. We continue to do good work on your behalf.

>> Ms post has a question.

>> Can you go back to the rental and mortgage assistance page? I think you said 3.7 million is needed to fulfil the current applications, but we have 1.4 and reserves?

>> 1.4 remains, but we are still taking applications, so we have enough to cover all applications that have been submitted, plus the additional $1.4 million.

>> I think it's that one. Ms post, if I could, 3.7 million is estimated to cover the 320 applications currently under review, so if we count for all the applications that have been filed with us, that is our estimate of expenditures, and then based on the Council allocation of 2.5 million, we have a remainder

>> we do have a remainder allocated.

>> I was like, oh no. Do we have to make sure? I wanted to point out that you did a great story on the guy that got the mask from Bo Tran, but I wanted to tell you that during early voting, I had at least two people that came up and said 'I am trying to get so-and-so here, but they can't get transportation, etc.' I pointed out that they can absolutely get a free mask from Bo Tran, and that was fantastic. We were actually able to get out and vote. So thank you.

>> Good afternoon. Helga Van Eckert economic told element. I want to update you on the small business current grants. As you can see over the past two weeks, the rate of grants coming in have reduced a bit, but we are still receiving grants on a daily basis. Grant applications. Right now, we have expended 8.07 million of the 10 million that goes for the small business grants. We have issued 2667 checks. On the home base business grants, we have also received over the past two weeks. We are close to $700,000 of checks that have been issued. What I wanted to show you was the next slide, which provides a little bit of a different perspective from what we have done. It provides a breakdown of the number of grants that have gone based on the municipalities that the businesses are located in. As you can see, the orange part of the bar is the small business grants, that is the brick and mortar. The 0 to 50 employee brick-and-mortar facilities, and then the blue are the home-based. Those, again, our 25 people or less, but typically those are 1 to 3 employees. It shows the total expended funds as $8.7 million between the two grants. It is a two grant program. You can see, our practitioners have been hard at work with getting the grant force.

>> Great job.

>> Thank you.

>> That's it. I think as we look at this, we should all be thankful that we got in on this early, there are going to be counties that have not expended their funds to help people, and you just think about the people that were helped and know that each of us get confidence from people, emails and they say 'thank you,' or letters, and it makes us feel that we are doing something to people that really needed it during this time. I'm just so thankful that staff was able to do it quickly. Too often people think that things get caught up in a government bureaucracy, but you all got things in and out quickly, so people were taken care of. People didn't lose their homes, didn't lose their rent, so thank you all for that. With that, we will move to Kevin.

>> Good afternoon. Kevin Captain

>> I will bring it up during my...

>> I wouldn't have spoken if no one... I would've waited.

>> Good afternoon. Kevin Captain, community information director. I'm here to talk to a little bit about the events that we have oscillated. First thing is animal services is going to have another free micro-chipping event Saturday, December 5. Along with the event, it is also a grand reopening, and part of that grand reopening is going to be the new painting and design and clean-up of the building on the corner of Tiger Bay and Indian Lake Road. It is animal themes, and as you can see, these are the renderings so far. It is going to be a pretty sharp, very highly visible building, so the team is very excited about that. The next one is light up Volusia, that is the same day. Saturday, December 5. With music and the light ceremony, but low-key. We want to make sure that there is physical distancing, make sure that we encourage bly the wearing of face coverings, and it is going to be a low-key event, but along with light up Volusia, the ocean Centre will host the Nutcracker 2020, the same weekend, with two performances December 5, and one on December 6. A nice culmination for the holidays. Then, we also have the strive to thrive events. Still a little bit in the planning, but for Saturday, December 12, we have a joint event, one is with mosquito control, with fight the bite. It is tire amnesty day, so residents can drop off up to 20 tires, and a solid waste is also doing a residential household hazardous waste and electronics drop-off event. In addition to that, the spring... we are going to do a Springhill community item pickup. Originally it was targeted for unincorporated Volusia households only, but I'm proud to say that we are public works department is working with the city of the lands, and we are going to join forces to be able to do that bulk item pickup in the targeted strive to thrive area. We will have more information on that coming up probably next week. Those are the main things, and we are also talking about the Northeast Public Works facility ribbon-cutting ceremony in December. Any questions?

>> I see no questions. Nice Kevin. With that, we will move to closing comments and...

>> Mr chair, I do have one thing. Under our purchasing ordinance, we had to do an emergency purchasing, if you recall, we had the testing site at the Volusia County Fairgrounds, and we had the opportunity to extend our time out there, and when doing that, we exceeded the manager's authority $75,000 with a total expenditure of $88,002. For the rental fees, electricity, that we used at the Fairground. I just need the Council to be aware that I have reported that to them. And I need a motion to accept.

>>Vote to approve.

>> Seeing as how they already expended it.

>> Any objection? Motion passes unanimous. I have no clue what it was, because I was busy talking.

>> We have two ordinances that we would like to proceed to advertise for December 15 meeting. The first is an additional limitation of new legislation on the makeup of the affordable housing committee to reflect that a member of the Council sits on it, which you have already appointed. The other is to clean up the ordinances to reflect the amendment 10 structure that was started on the fifth. Unless there is an objection,.

>> Any objections? I don't see any objections, so go ahead. The reason I was talking, I didn't have my card, resident John Nicholson, I looked at him and he didn't indicate, and I didn't have a card. He wouldn't miss this opportunity.

>> Very short. About 3 1/2 minutes. John Nicholson. To say that I'm disappointed in Debs is an understatement. I was in Miami when Lebron James decided to leave Miami Heat, and I felt the same way. I consider you Debs the Lebron James of our politicians. You are very knowledgeable, and I'm looking forward to the four of you picking up the slack for what she did, because you did an awful lot. We need people to pick up the slack on Indian River Lagoon, and the space program, there are many things that we should be working on that cannot be dropped. I'm asking you guys to pick up the slack. Secondly, there is a $15 an hour day pass, I do not support it. But it is the law. I'm asking you to find a way of supporting, because Daytona Beach is a very labour-intensive and low-wage area for our hotels and tourists, so that we don't lose our small businesses, find a way to support them since they have to dig out all kinds of funding in addition to the $15, there are other things that they must come up with. If there is a way that you can do to help them, please look for it. Affordable housing, it is very touchy. It appears that I am opposed to Fort about housing. I am not, but Daytona Beach has its fair share of portable housing. 85% of the afford of a housing in the county. We have probably 85 to 90% of all the housing in the county. We really don't need the housing from us. We need it for everyone else. Because, if you look at the affordable housing in Ponds Inlet, it is almost down to zero. There are places in the county that actively no affordable housing. They are not near the core, and we have the jobs. When you think about it, the airport, the malls, the cars, everything is in Daytona Beach. So I'm asking you to pay attention when they come to you, listen carefully. I know you guys really can't help that much, but there are things that you can do, and if there's anything you can do for affordable housing to make a more equitable across-the-board and not just in the city of Daytona Beach. Again, I'm asking you to carefully look at it. Thank you very much.

>> Thank you, John. We will start the closing comments with Ms post.

>> Yes. I have a couple of things. First I wanted to say congratulations to teeth young with Daytona Beach PD, swearing in one of our future council members Danny Robbins. Very good to see Daytona Beach moving in a good direction, so thank you very much. I went over the last couple of weeks, we have been out for a couple of weeks. So, I have quite a few things to go over. I went to Holly Hill School. Holly Hill's school, actually participated in a national every kid votes day. That was very interesting, because all of the schools around the country participated in that, and it was more a way of trying to get the kids to vote who they were going to vote for president, to see how the households were going to vote for president. Maybe to get in idea ahead of time. But it was a very good opportunity for me to talk to fourth and fifth grade students both in the classroom and virtually on the importance of voting. And to talk to them about, only you and God know who you vote for. You shouldn't be boat bullied into voting a certain way. To definitely do your research. That was a really wonderful day to talk to the kids, and the kids were very open. That was good. Yesterday, I had the opportunity to moderate a panel with the head of the White House prevents task force, and the member of the Senate Veterans Affairs committee on strategies for county leaders on veterans mental health. Very, very good panel, so if anyone is interested in that, I can get you the link to it. Or maybe Kevin, if we can post that online, people can access it. I wanted to talk a little bit about the minimum wage. I know I had brought up a while back, so we have got quite a few years to get into $15 an hour, but I had brought up a while back... to have staff pull up the number of the loser county employees who actually – I started with $12 an hour, and then looked at the 15 and under, and was – the reason that was done initially was talking to one or two employees, finding out that they have second jobs. Every cop has two jobs, but above and beyond Public Safety, I was more focused on all of the other Volusia County employees, and was really pleasantly surprised – I wanted to point that out – the little number of a loser County employees that actually made under 12. I was super excited about that. It was basically interns and that kind of structure. So that was wonderful. Then, in looking at the number four $15 an hour or under, there were a few, but not anything that would be terribly mental to the budget in incorporating it certainly over the next few years. Perhaps we can push that forward sooner seeing as how that is the discussion to take care of our employees. Very pleasantly surprised about that as well. The little impacts that that is going to have on our budget. And, Flagler County. We definitely need to discuss that. We have the neighbourhood at the end of rodeo Road, and I brought this up before, but Flagler County has been looking at approving a subdivision right at the Flagler and Volusia County line. The only ingress and egress out there is via rodeo Road. This is only access coming out into Volusia County, so that affects our roadways, our water, our everything out there. As part of the discussion that we have heard a lot of today, it is very rural out there. Flagler is looking at building a larger subdivision right on that line, and having them come out, so a number of the neighbourhood residents out there are not happy and their meeting is next week. I will be attending that as well. We ended up getting the past meeting postponed, and very much looking forward to discussing that the staff as well. The final thing is: election. Some of you may know that we had an election. We don't know who won the presidential, but certainly I'm very excited. An overwhelming number of the voters had their voices heard, and I look forward to continuing to put people before politics in my decisions made, and continuing to represent the people of District 4. I thank you for your support, I think you for your votes, and I am very much looking forward to moving forward. Thank some much.

>> Charles, you want to say some thing.

>> That was user error.

>> Just curious. It was lit up and, fortunately Doctor Lowery was keen eyes over here saw that red light blinking and said that Deputy County Attorney wants to speak. When he wants to speak, we listen.

>> Thank you. Not a whole lot to say. It is been a week since I saw you all, and it has been pretty bombarded with campaigning. I have been at the river to see executive committee meetings I will be the president of the chair next year, as well as their legislative meetings. I am on their legislative meeting. I was at the Indian River Lagoon Council meeting at Sebastian on Friday, which takes all day. Lots of things going there, and I will have minutes for that for everybody to read, but thank you everybody for voting for me. I am in again. Heather and I, and the rest of us all have to do this again in two years, so God willing... thank you everybody for the prayers for my newborn grandson. We are getting there, so I just thank you all very much.

>> Ms Denys.

>> Thank you Mr chair. A couple of quick things. Full first stop I want to congratulate you. For those of you that don't know, our chair Ed Kelley has been appointed by the governor himself to the governor's local efficiency task force, and that is because of his history as a city Commissioner in Ormond Beach, the mayor of Ormond Beach and the chair of Volusia County. I think that bodes well for the state of Florida and for leaders that recognize true leadership. It is nice to know that you will be represent us at the state level. We are hoping for efficiencies. Mr chair thank you for that. If you have been reading social media, and I am aboard member of the Boys and Girls Club, if you have noticed that our good friend and community leader Charlene Greer and Jean Beach was awarded the Billie Jean France humanitarian of the year award, and with that came a check for $100,000 to our local Volusia County Boys and Girls Club. She had been in Phoenix representing us. She was awarded this prestigious award, so what I would like to do, counsel, is due a proclamation. I was going to do this in email, but I think this is big enough for Volusia County, that we need to honour our own true humanitarian of the year and do a proclamation for Charlene Greer day and the humanitarian of the year award from NASCAR and the hundred thousand dollars check distribution to our local Boys and Girls Club, so counsel, if you were all in agreement, let's honour one of our own here big time and all the good work being done here in Volusia County. Is that good? Mr manager, follow-up with you. I would like to present that at a Boys and Girls Club meeting, I will find out when a next one is. I think we have one coming up. With that, that is it. I just want to thank you Mr Nicholson, Lebron James, you kind of raise the bar pretty high with that, but thank you for your kind words. I appreciate it. I love Volusia County, and there is still more, after the first of the year, but I want to thank you so much for that.

>> Ms Girtman.

>> Thank you chair. Thank you for allowing me to be here and understanding, especially as the numbers for COVID-19 continue to go in the wrong direction, you know that that has certainly been a significant concern of mine, and along those lines, I had asked staff to work on flu shots for some of the underserved in Archimedes. I am pleased to hear that that the neighbourhood Centre. Those flu shots will be available, so I appreciate the prompt response on that. Kevin Captain mentioned about the Spring Hill strive to thrive, and those initiatives, and I think we are looking to try to clean up the area with some fresh 2021, get out of 2020 and get into 2021 with a fresh start, so we are looking at clean-up, we are looking at events with police relations to approve police relations and also programming related to health, job training and small-business training that will be at the new Joyce Cusack resource Centre. We are trying to align programs throughout that area focused on the Spring Hill CRA. Lastly, I wanted to congratulate those that were elected or reelected, and let those who were not know how much we value their service. Thank you.

>> Mr Johnson.

>> We have Christmas closing and pretty quick, and this is kind of an unusual year. Every year you have it were some of your own employees will have a little bit of a top time at Christmas. Everybody up here on the dais, Bob haven't had a chance to talk to you, but we were going to all try to chip in and do something for Angel tree. I would like to also challenge folks sitting here in the audience, if they would help out as well. There is nothing worse than Christmas for the have-nots. The people that aren't going to be able to have a good Christmas for their children. That is unacceptable. I challenge each and every one of you to step up to the plate. Marshall with the County manager's office is kind of heading that up, and I just think it is something we all need to think about and do. I would appreciate you all helping out. Thank you.

>> Fred.

>> I just want to say thank you to staff. I agree with what you said earlier with regard to the support that is coming in financially for businesses and everything. We were really on top of that. We got that out to people who needed it, and that should be emphasized more. Thank you staff. Tremendous job. Also, since my motion got shot down earlier, to see if I can get a consensus to direct staff to pursue the JPA renewal or review. With this be the appropriate time to do that?

>> I think to direct them to come back with information on it with projected costs and so forth, and if they bring it back for discussion, at the next meeting I think we could probably work that in as a last-minute thing for the next meeting so that we could address it at the last meeting. Assuming you can get the information.

>> Probably be more if we can go to the December...

>> bring it back is a one-stop shop.

>> In December we can bring back the cost and a plan.

>> And get back on the 15th.

>> That's all I have thank you.

>> A couple of quick things: again, congratulations Ms post, congratulations to (inaudible) I think Barbara Girtman's twin. I was making a little joke. The birthday girls, the birthday twins. Congratulations. I did have a chance to congratulate the incoming chair, Jeff Brower, I spoke with him briefly yesterday. He is energetic and ready to start the work. Deb, thanks for running. You did a great job. Things happen, and take us in different directions, and I am glad I am going to get my direction changed in 51 days. Not that I'm counting, or anything like that, anyway. We do have... I don't know what you would call them, serious intense. These discussions are going to have to be dealt with. We are working as hard as we can with F DOT. It has gone to higher levels and we are doing the best we can with what we have, and that was our goal. Our goal was to delay it coming to... and not spend $100 million between us and the state, and put that off and let the funds be spent wisely somewhere else. Then pick it up, leave it still intact and ready for DeLand at an appropriate time. We will find the funds at that time. That was what we were trying to do, and we have hit a bump in the road and we will do the best we can. I'm sure that most of that won't be worked out until the meeting in January. If that.

>> That would be our first opportunity.

>> Kevin and the workgroup is working behind the scenes to try to come up with some kind of work, to not be that expensive to our residents. Another thing, speaking of money, I think our County manager needs a new vehicle. Jim drove that little bitty thing, George I don't know how you unfold and get out of that thing. Can we not get you a Tahoe or something? You won't say a thing,...

>> I'm fine.

>> It's in the program. All these important people you're having to meet and go out represent the County in a Volkswagen, less than a Volkswagen.

>> I will make sure for meeting someone important, I will borrow someone else's card.

>> Put that in the budget somewhere.

>> Borrow Ed's car.

>> The Sheriff has half a dozen vehicles you could use.

>> We are fine. Thank you. Thank you for the concern about my folded body.

>> I know you've got back issues and need issues, and that is probably from climbing in and out of that thing. Anyway. With that, thank you everyone for a good meeting today. We worked through a lot of difficult situations, and at 330 we will adjourn this one and see you next Tuesday.