

Volusia County Council Meeting – December 3, 2024

>> Welcome to the Volusia County Council meeting. We will begin in five minutes. Welcome to the Volusia County Council meeting. The meeting will begin in two minutes.

>> If everyone would like to find a seat and we can get started in 60 seconds.

>> CHAIR BROWER: Okay. We will get started. We have a full house here and an overflow section downstairs. We are trying to see how many people are here to speak and how many are here to honor veterans. We will get started since it is 9:04. We will start with an invocation. And then the Pledge of Allegiance. Pastor is not here?

>> Correct. They have not checked in with me yet.

>> If it is 9:04 I would assume that means, in just a second I will ask you to stand for brief moment of silence and then we will go into the Pledge of Allegiance. Thank you. Thank you. I pledge allegiance to the flag of the United States of America. And to the republic for which it stands, one nation, under God, indivisible, with liberty and justice for all. Kristin would you call the role please?

>> COUNCIL MEMBER REINHART: Here.

>> COUNCIL MEMBER ROBINS: Here.

>> COUNCIL MEMBER SANTIAGO: Here.

>> COUNCIL MEMBER DEMPSEY: Here.

>> COUNCIL MEMBER JOHANSSON: Here.

>> VICE CHAIR KENT: Here.

>> CHAIR BROWER: Here. We do have a quorum and a full house. We have a lot of veterans

here. It is an honor to have you in our chambers. Every one of us thanks you for your service to our country. We talked about not making you sit here until midnight for your item. We have a few requests to speak. I am going to let the public speak. Because all of you have served to protect our First Amendment rights to come and address our government even if it is a grievance. There is just a few. We will start with that. And then you are pretty close to the top for your item. As I call your name, if you would come up to the podium, there is a button. We need to make sure that you have a microphone close to your mouth so that everyone can hear you. And so that it is broadcast. People all over the world will hear you. We have three minutes to talk about anything that pertains to the county. I will stick to that time so that we can give everyone a chance to speech. First we have Debbie crick Forrester. Just say where you are from in the county. Not your full address for safety reasons.

>> Good morning. I am Debbie Forrester. We are a grassroots, Volusia County nonprofit. Benefiting military veterans, their families, and the community. We have our ninth annual Mormon strong adopt a veteran for Christmas program. This takes place on the 15th. The members of the community can fill a stocking at the veterans nursing home or donate \$20. We will fill the stocking for them. The people that fill the stockings can sing Christmas carols house to house. It is very heartfelt. Our second phase our second convoy to North Carolina benefiting those whose lives were affected by hurricane Helene. If anyone wants to donate items such as blankets, camping supplies, propane tanks, jackets with hoods etc. or if they want to be a part of the caravan, you can contact me at Mormon strong. Thank you for all that you do for veterans. These are my people. I'm so thankful that they are here today. Thank you for taking care of them.

>> Thank you. David Hill. You will be followed by Reverend Anthony.

>> Thank you for letting me speak here today. I live on Miller Road. I am part of the Miller Lake flooding in Orange city. I wanted to ask the county why are you allowing 200 gallons a minute, 12,000 gallons an hour, 2 million gallons a week to flow into Miller Lake. I don't understand why you are allowing this. This is coming off of the Royal Oaks professional center parking lot. They have an exfiltration system which is a pipeline for this groundwater. This parking lot is below the level adjacent to it. The storm drain that the county approved in 2017 to carry the water from the Royal Oaks professional system is supposed to be for surface water. The surface has not seen water in a little over seven weeks. This storm drain continues to train. And that was not the intent. It was for surface water. The stories that you will hear from the public officials are that this water is natural flowing. There's nothing natural about digging trenches in the ground, filling them full of gravel, sending it across the road. That is what's happening to us. The permit that the county approved with St. John's water management has multiple remedies to stop this. Nobody will do anything about it. This permit can be rejected and modified. The tools that we have can allow this to stop. And it needs to stop. If you don't stop this rain, Shady Lane and Miller Road are going to disappear. It's happening right now

before your eyes. This takes our capacity away to handle the storm of that. Somebody, please do something. We are taking Orange city water, groundwater from the city of Orange through our Lake. You approved this system without asking 50 other owners surrounding. We have five lots. You approved the system and allow it to happen. Now you need to fix it. Do not let anyone tell you that this is normal. It is man-made.

>> CHAIR BROWER: Thank you. Reverend Anthony Starnes. He will be followed by Mel Hines. Could someone help him with the microphone?

>> Good morning. First I want to thank you for pledging allegiance. Then I want to tell you I am Reverend Anthony Starnes of Daytona Beach. That is where I come from. First I need to speak about your problems. Because I have come to help you. This past Sunday, [AUDIO UNCLEAR] someone needs to do something about it. Channel 2 news did a broadcast right after the election where this library had more than anybody in the county in central Florida.

>> Thank you for coming in. We appreciate it. Mel will be followed by Catherine Levinson.

>> My name is Mel. I have been a resident since 1974. And served on the very first MSD board in those states. I have been blessed to have 30 acres of land in Lake Dupont. I have never experienced flooding until after Jan and 2022. I had three feet of water in my barn which had to be totally rebuilt. I could not begin until March of 2023 because the waters would not proceed. Now with Milton I am blessed in that I only have six inches of water. My problem is everybody's problem. It is flooding. And it has to be addressed. More than that, it has to be solved. I personally believe that the St. Johns River water management District is holding every city hostage. Yesterday I was informed that the third gate that was built from a grant from Governor Bush would be closed. There is three gates in that levy. We have to petition to have those three gates opened to be able to have these lakes lowered to accommodate the volume of water that comes from the raining season as well as hurricanes. I don't know if you've ever gotten together with government officials, but you need to be aware that in a study recently presented, all of these cities reside in the Lake Teresa water basin. In your water from the land flows through that natural flow into the lakes. And out through the drainage system. If those gates are not controlled by our cities, we have a major problem. Because we are being held hostage by the St. Johns River water management authority. I encourage all of you to go against this government entity and ask them to release the controls of the gate so that the flooding that we are experiencing can at least be addressed immediately. I thank you for your time.

>> Catherine Levinson? You will be followed by Alec.

>> Good morning. Thank you for listening. I am Catherine Levinson. I live in Miller Lake. It was Miller pond and now it is Miller Lake. I want to thank a couple people. I want to thank the city of Barrie. The problem is that the water is still coming in at a rate of no matter how much they pump from us, the water is still rising. We have gone down 7 and a half inches which is ridiculous. There is another word that not just you guys are saying. It's called natural flow. This is from the dictionary. Natural flow has multiple meanings. But with water it means the amount of water that flows naturally without human interaction. It is a seamless and organic progression. It allows this to easily flow. That is great. Natural flow is organic. Not through pipes or drainage systems. It means natural the way that God wanted it to be. So in our area it would sit and stare. But no. It is going right to Miller Lake. The whole southwestern part flows into us. Every day the water is rising. We have only had one person lose their home completely. And hurricane season next year is scary. The water went up and it just keeps coming. We were complacent and we did not notice it until it was 10 feet from her backdoors. When I moved into that house it was 150 feet from my back door. I had to put 25 loads of dirt in my back property. But here comes next year. Now what? We have to stop the train that is training into our Lake. It has to stop. That is not natural flow. This is not by God. FEMA came out and they will not cover any of us. So you're being told by our government that it is a man-made problem. Mr. Santiago came in he saw all of it. I wish that our district person would come out to sea. To show that this is not enough. When you hear natural flow realized that that is not normal. And it's not right. Thank you.

>> Thank you. Alec? It will be followed by John Nicholson in the last speaker will be Christine.

>> And state versus Gonzales 2006, they stopped his vehicle due to a bouncing tire. When he demanded that he retained his driver's license which involved a corrupt deputy pulling me on suspicious activity. The Raleigh police served an unconstitutional welfare check with a no knock warrant two days after the fact. It was not until January 15th that the Raleigh detective had a documented history of corruption. He had no probable cause when he came into my house. The whole federal case should be thrown out. He committed state and federal perjury and charged me with communicating an alleged threat which was neither of those. They served an unconstitutional sneak warrant. He also wrote up those eight items to be searched and seized after the fact. Because he did not know the particular items to be searched and seized. A word affidavit needs to find this necessary for probable cause which is determined to be false being knowing and recklessly done. In the United States Supreme Court, it says that we must interpret the language that Congress chose to debate on public issues that can be robust and open. The language of the political arena is abusive and inexact. And Eloise versus United States, this must apply to these alleged crimes. I was politically targeted by Obama and Alex Jones who fraudulently stole \$7000 from me for an appeal of my 2014 federal conviction. John Pierce clearly violated the unfair business and trade practice. Anytime Alex Jones wants to fight, you are a dancing Jew.

>> John Nicholson followed by Christine week.

>> A couple of things. Apparently to me, most of the problems that you hear are the ability of developers to basically save their development from planning by raising the ground underneath their homes. By doing so, it creates problems for everybody else. I am asking you to seriously consider looking at the idea of raising development. Rather than raising the homes themselves. If you raise the demand, this is the third woman who you've heard coming and say I've had to hold in all this soil. If we let the developers know in advance that we are seriously considering the idea that they cannot do it in the future. They can plan secondly, about a year and half ago, I asked for a meeting on reefs to save our beach frontage. It really hurts our economy and the homeowners themselves. I am asking what are we going to have that meeting. I think we need to buy these reefs and sooner rather than later I have mentioned widening the bridge west of I-95. When I talked to Heather post she said it would take 10 years to go through the system to widen the bridge for those people. It has been 10 years and it is still not done. If it takes that long, it will take equally as long for ISP. It will need to be widened. Lastly, what ever happened to the housing or hospital districts? They held back money and we see them again. At some point, we may want to consider consolidating the hospital districts. Let's consider consolidating these districts into one and save the taxpayers money. Thank you.

>> Thank you. Christine week followed by Mary Neal who is the new last speaker.

>> Okay. Good morning. I would like to apologize for being here today. Unfortunately mother nature decided to derail our plans. I am here representing save our voting rights. We are a local nonprofit group who is fighting to keep silver Glenn spring run access to all boating and vessels. Our mission is clear. We are fighting to keep this for everyone to ensure that conservation remains under local control. The people who live, work, and vote here should be in control of our waterways. We should not allow outside organizations to control this. Unfortunately WC has been tasked with enforcing our spring protection zone. FW sees role has its limitations. They have not yet provided a full 360 degrees view of the potential impacts of this law has. Decisions are being made without considering the economic ripple effects for our communities. Compounding issues is the lack of data. This is why people have started advocating for comprehensive research on our habitats. They are actively addressing the issues and misconceptions around. Highlighting the broader impacts on communities and economics. Both groups recognize that the real challenges lie in for storing and reserving the ecological balance. Not enclosing unnecessary things. The town of Pearson has put a letter together which is in your pocket. They have asked for your support on our mission. Marion County Commissioner. And Parks and Recreation directors are all on board. And the newly Richard gentry who is also a longtime resident. Together we are working together to address County ordinances. Tomorrow we will be having a meeting with Marion and Lake County for

future ordinances. In the next week we have a meeting with FW C. our goal is we would like to have a united front from all three counties to say that we would like to keep this in our county next week.

>> Thank you.

>> Mary Neal? It's.

>> Is very Neal. I have lived there for 51 years. It never flooded until Ian. I do appreciate all that you have done to correct our problems. I know that it is a numerous just sitting in this meeting to hear all that you have to deal with. I just learned recently that Mr. Robbins is our Commissioner. I don't know who that is. Thank you for what you have done. I have heard of some of the things that you have been doing to help. I lived in the home for 51 years. I was hoping it would be the first and last time that it got flooded. I lived there for 49 years before he even end up flooded 20 inches. I did what I could to prevent it. And I am in a very dire situation as most everyone is. I just wanted to know what you could do to possibly help us. Those of us who got flooded. Homes have been built up around me and land has been raised up behind me. I am in a low area. There are five homes around me that water was in their yard but it didn't get into their homes. I live about three lots away from Turnbull Creek. This is where I feel that most of the water comes from. My son has watched the direction and that is where it comes into our driveway. The creek runs from north to south and enters into Rose Bay. The city dredged out the south side of the creek which runs under 44. They did not dredge the north side from 44 to jungle Road. And north of 44 is County. This is what I would like to see done. I believe that it would help me greatly and help our area from flooding again. If there's anything else that could be done, maybe ditches dug, I would appreciate it if you could tell me if there was anything else that I could do. And that is my case. I appreciate anything that you could do to help.

>> Thank you very much. Are you not bringing me another one? Okay. All right. Thank you everyone for your participation. That will take us to item 1. approval of the agenda. Can I get promotion.

>> Motion to approve.

>> We have the motion to approve the agenda as is by Councilman Johansson with a second by Councilman Reinhart. All those in favor say Aye.

>> Aye.

>> All opposed? The agenda is approved. Consent agenda. Does anyone have items that they would like to pull for discussion or a boat? Danny Robbins?

>> Yes. I would like to talk about it and she.

>> Item G for discussion. Anyone else?

>> A first and second. A motion to approve. Let me get this second. The second was by Jake.

>> Yes, Sir. seconded by Councilman Johansson. In Denny, you wanted to speak also?

>> Denny would you modify this to pull it for a separate boat? Could we pull this one for chair?

>> Consent agenda will be voted on as is with excluding item G which is no pulled for a vote. Did I hear someone else down there? I will call for the vote on every item except for G. all in favor of approving the consent agenda say Aye.

>> Aye.

>> Any opposed? The agenda is approved seven – zero except for item G.

>> Good morning. I just had a couple of quick questions. If you could briefly explain this agenda item. I see the process. I just had a couple questions about how in-depth we are going to go when it comes to purchasing?

>> Sure. I am barbecuing. Item G is similar to an item that came to you for fleet maintenance about a year ago. A notebook business solution has been coming into agencies and setting up their parts shop where we ran our parts shop internally previously. Their solution is that they have access to any type of parts or contracts for a lot less expense than we currently spend on parts. The savings is where they could pull them from all over the country in an instant and other areas that they have business solutions. It makes it a little bit more convenient and

efficient for us. Obviously, it is well inventoried we are getting one invoice a month. Whereas right now we process hundreds of month from different vendors for the same parts.

>> Thank you. I just want to say that I love know about. And the ability for small businesses to get involved. My question is I speak to truckers and trucking companies and maintenance people. No but it's very convenient and they have their own network. I wanted to know if we have ever looked into Amazon or any other ways to do this. When I was running internationals I found out that I could get these cabin filters or fuel filters. Some of these parts are coming from overseas. They all have the same part numbers. There is a ton of interchangeability. Especially the buses. They make parts for a broad range of equipment that can be used. But it is still way cheaper than going to Napa. Especially with the services that Amazon offers. I we ever done a cost comparison or is it just a logistical nightmare to do that?

>> Janine Jennings. We have done this before. Before we went down this road with fleets, we looked at the above for two years. We also did a cost analysis of the competitive bids for parts which were numerous. We had probably 50 – 100 different invoices coming. We did not hurt all these businesses. We gave them the list. They worked out the same kinds of relationships that we have. Typically at a lower price. Even though now runs a lot of parts that you will see on the shelves, it is the parts that we have always had on the shelves. Something else that you have to understand is that there is a lots of by American clauses. So, we had to go back and make sure that they were complying with by America for a lot of the parts. That is also why when we went out rolling out leak, we did not put them out until he knew that this was going to work. In one year with fleet, we paid less. Our efficiency is remarkable. We have been able to increase the productivity on the vehicles that they service. Inventory is cleaner and we are not covering a lot of parts that have been discontinued. That is why we decided to take it over. As far as some of the concerns we were think about how would we hurt local vendors or start paying more it just has not been the case. They have gone out and worked the same relationships.

>> Did I hear you say that it is 100 percent American made?

>> Some of the parts have clauses. Anything that we received, we have to have. There are several by American parts that we have to have.

>> You can obviously know the feeling in this. From personal experience when I go to make a hydraulic line in a glow when out with the machine, I can go to Napa in the hydraulic line might be \$200. I can go to Barry and it will be 100. Because the same materials come off of the same shipping container. I do know there are cost savings. I don't know if we could perhaps drill it down and be more selective.

>> That is what took the biggest poker time. We handed them a list. I think with fleet we gave them 500 items to price where we were. Since then, they have gone back and renegotiated to bring the price further down. So we did.

>> You did say the parts on the shelves. But we have about availability just like a car dealership would, correct? Do we operate our own inventory system or is that something that we got through them as well?

>> We run it through Napa. They bring their systems. The nice thing, I can also speak to hurricanes. If we needed something for the Sheriff's Department we may have had to open up a Napa store to get a part. And they do it for us.

>> You did say from what we've seen in the past year, there is already significant savings that we have seen?

>> Yes. Just purely off of parts alone in less than a year. \$230,000 In savings.

>> Councilmember Robin, motion to approve item G.

>> I have a motion to approve the item G. the second is by Councilman David Teja though. Any other questions or discussion? All in favor say Aye.

>> Aye.

>> Any opposed? The motion carries seven – zero. And that takes us to item 3. the proclamation to be presented by Councilman Jake Johansson.

>> Truman, from the side I would like to go down with my fellow veterans. Let's see if the dog barks at him!

>> Thank you guys for coming today. In being part of this. It is special. November was truly a special month for Veterans Day. We dragged their feet a little bit for obvious reasons. We have people who have done some wonderful work for us. We want to recognize all of them as well.

Whereas Volusia County owners generations of America's veterans and patriots who have withstood the front lines of freedom and kept the light of liberty shining bright around the world just as they have kept the ultimate fate in our nation, we must keep ultimate faith in them. Where as Volusia has a large highly decorated population who deserve our deepest appreciation and support and were as we demonstrate our commitment to those who transition from the military by assisting all former and current members of the US Armed Forces, their spouses, independence for ensuring plans for compensation, vocational training, and other benefits. Where as we commend Robert Watson upon his retirement. This retired US Marine has been a veterans service officer for 30 years. Including the past seven years as Director of Volusia County veterans services. And whereas the support from the County Council administration, Mr. Watson led a division with honor and integrity and developed a world-class training program to increase the number of veterans services officers and brought together many community services allowing Volusia County to enhance services with a greater number of veterans. And whereas our veterans are the steel spine of this nation and our families are the courageous heart. Because they also serve and sacrifice so much for our country. Where as we respect and recognize the contributions that our veterans and their families caregivers and survivors have made to the cause of peace and freedom around the world. Therefore, we the County Council do hereby proclaim December third, 2024 as veterans appreciation day. We can call upon all residents to honor the contributions of our veterans and their families. Ladies and gentlemen, veterans, thank you so much for everything. We appreciate it.

>> Thank you Mr. Johansen. Today, we are not only here to honor the 76,000 veterans here, we also wanted to recognize our director Bob Watson who did not want something separate because he is such a humble servant. We cannot let him get out of here without wondering him. He is a man who has truly given his life in the service of this country. He has been with us for eight years. Seven of which he has served as our director. He has dedicated his entire career veterans. He served 21 years in the Marine Corps and continued his career to serve those as a veteran services officer for the Alabama Department of veterans prior to coming here. When he got here, he did some amazing work. He came to the county and worked extensively with leaders throughout the county. To help identify the needs of local veterans and bring solutions to those needs. This has resulted in a huge increase in the number of veterans that our office assists. Before he took over in 2017, we assisted 8670 local veterans. Last year under his leadership, the number was at 17,000 veterans. It has more than doubled with what we were able to do. He has worked with state legislators to just approve legislation for veterans. And he is the go to expert in our county. I want to thank you. You have been a consummate professional and the go to person for me. I just wanted to take that moment to thank you publicly. I am honored to have been able to work with you.

[APPLAUSE]

Bob is a man of few words. But he wanted to say something today. I cannot think of anyone else who deserves it more! Go ahead!

>> Thank you. I have been in this council chamber for the last seven years and I have seen a

lot of negative come toward you. I want to take an opportunity to thank you. I want to thank all of you. You guys set the policy. He set the direction for management. Without you and your support, none of these things would have been possible for this county. I've had the opportunity to speak about this many times. These guys can tell you that I say that we are blessed to live in the most veteran friendly state and in the most veteran friendly County. And I truly appreciate you guys so much. I could not have accomplished anything without the help of this county management team. CUNY manager and Deputy County manager, you guys are amazing. I have been blessed to have four incredible bosses from Donna Butler to Brad to Suzanne. Thank you all so much for everything that you have done. I would like to end this by saying what all the veterans in the room please stand? And then if it is possible, would you all have your seats. I would like for just the ones that are here today have supported us who are not veterans themselves but they have poured into the lives of these veterans over and over again. I think you. And I see several of you. We've got a couple people that need to stand up and we need to give them a round of applause as well. I know you are veteran. But you need to stand as well. You are here because you have supported us. I just want to say thank you.

[APPLAUSE]

Thank you gentlemen. I really appreciate this. I cannot tell you how much this job has been to me. It has never been a job. But it is the best job in the world. Thank you.

[APPLAUSE]

's.

>> First can we get the veteran services officers?

>> I have worked with them in different numbers. In Lake Charles. They are incredible.

>> All veterans take a big step to your left. I see you all now! Ready? Okay. One more. Okay. Now if you'll take a seat and allow the others to come forward. Bob, you stay! Okay. You guys take steps that way. Oh, yes! You do it! This is nice! Okay, I see you! Ready? When were. Okay! How about the general comes on down now! Okay! This is nice. County Counsel, a big step that way! Okay! We're good now. Ready? When were. Okay. Now you guys sit down and all the veterans come on!

>> Let's get a few people to stand up front. Try to squish in there. Continue to come up front just to make sure we don't block anyone? This is good! I see everyone! One more. Good! Thank you! And for our veterans, we can go back to the historic Courthouse and go celebrate Bob's point we will exit over here to my left.

>> Before all the veterans leave, there are a couple of councilman that would like to say something to you.

>> Bob, I don't know if you remember.

>> Everyone turn your attention.

>> Bob, you and I talked about a year ago. There is a book that was published and I believe it with the CEO in 2000. It really hit me hard. My grandmother was in ICU and I saw these books. There were books for the veterans and hopefully you got one. I gave out all that I had. This is a compilation of all of the following World War II veterans killed in action from Volusia County. I don't know if you knew this. There are 21 streets around the hospital that are named after veterans who were killed unfortunately. This is a list of all of those people as well as 68 total who were killed in action. This commemorates all of their lives and ask about it. I had our assistance. All of them. Bob, I know I promised you in. So I wanted to make sure that you had it. It is pretty impactful when you realize how the east side honored all of our vets. I hope that you enjoy it. And thank you for what you've done for country. Ask thank you.

>> CHAIR BROWER: Okay. Before we move on I would like to ask the council for a motion and a second. Not only to approve the item that we just did, but to affirm the honor and the respect that all of these veterans that are in this room in half. Can I get a motion.

>> Motion to approve proclamation.

>> Second.

>> We have a motion to approve the proclamation by Councilmember Johansson and a second by Councilman Santiago. All in favor say Aye.

>> Aye.

>> Thank you once again sir. This takes us to item 4. the appointment of Frank Bruno as a substitute member of the canvassing Board for 2025 special election. We have vacated congressional seat of Mr. waltz.

>> Members of Council, due to the resignation of Congressman waltz who is joining the

president's cabinet, a special election has been called. In short order, the primary is January 28th. The general election date would be April first. In the past, council has approved former chair Frank Bruno to be a substitute chair. As well as a judge who wants to address you on this request. She approached me as soon as the dates were announced and asked for us to start this process and have Mr. Bruno covered in this election cycle. Mr. Bruno has been kind enough to volunteer for this role. Basically, any of you could sit in that role, but Mr. Bruno has served in the role. We serve to provide legal services. But let me tell you. The operation that Ms. Lewis has is a smooth one. And the fact that it is not in the news is a testament to the hard work that they do. As soon as something goes wrong, you see that you will immediately be in the news. Florida has the best election system in the country. The board is here for many days including Saturdays to do their job quietly and intelligently. Really, it should be commended for all the time that they take to do so. So Ms. Lewis is here. I will stop talking because I think she is ready.

>> Welcome to the supervisor of election.

>> Thank you. I appreciate you putting this on the agenda so quickly since we just heard of this last week and we have a special election coming up. There could be a primary which is set for January 28th, 2025. If it does not require that, then it will become the general election. Unless there is only one person who runs. It is quickly qualifying for this seat which begins this Friday at 8:00 a.m.. ballots are to be out in the mail December 13th for our overseas voters. The 19th for those domestic. It is a quick turnaround. The canvassing board will start. I'm trying not to start at Christmas. But we have to see how many requests we will have on file. We will meet twice if not three times a week if this is needed. And we do have a 10 day overseas time. Which is required. We are looking at 12 – 15 days for the one election and the same if we have to go to April. Since it was so close after the general election, I am asking if you would like to volunteer your time. If Mr. Bruno could be appointed to the canvassing Board, he does bring a balance party wise to our canvassing board as well.

>> And what we would do if you we approved the appointment would be a Circuit Court judge making the appointment which has happened in the past?

>> Yes.

>> With their just be one day for the election? No early voting?

>> There is early voting. Early voting is required. A minimum of eight days. It is a full election.

>> Seven locations?

>> No. We only have to happen in the geographical area. So we will have three sites.

>> I would like a motion to entertain it.

>> Motion to approve Frank Bruno.

>> We have a motion to approve Frank Bruno to the canvassing Board and a second by Councilman Johansson. Any other questions or discussions? All in favor say Aye.

>> Aye.

>> Any opposed? The motion carries a seven – zero.

>> May have about two more minutes?

>> Email.

>> This is a wonderful thing. One of the best things as being able to give a certificate of election to those who come out as the winners of each election. I do have three of them. Mr. Brower, Mr. Reinhart, and Mr. Kent.

>> We are doing pictures right?

>> You do have my autograph on them! Thank you very much.

>> Thank you.

>> Okay. Frank Bruno is approved. That brings us to item 5. the report on stormwater utility

and direction for future non-ad valorem assessments. It is not coming! Oh! There it goes! It just takes a moment.

>> Good morning. The agenda item before you today is something that we were directed to bring back after we discussed the stormwater utility assessment in the spring. I'm just going to run through a few slides to talk about the history of the utility itself since it has been a minute since we discussed it. Back in 05, excuse me. The screen is going out. The Council set a maximum utility rate of eight dollars per month and set the actual rate at six dollars per month. Since that was established, we have gone through some efficiency studies to look at drainage and maintenance. Part of that is we created pockets of drainage with different divisions throughout public works and consolidated into the drainage task team. That was our maintenance crew for all of us throughout the county. We had an update on our study. The bottom line is we were accomplishing more work with less equipment. And with essentially the same number of employees. However, in 2023, we came for this council because we were showing a budget deficit. In relation to stormwater funding and how we were finding our maintenance activities as well as regulatory compliance. This council adjusted the assessment up to \$0.50 per month. And then last spring the Council raised it to the full eight dollars which is the current maximum utility fee aloud. So, let's talk level of service. Part of your packet includes the report on stormwater utility fee assessment. We have different levels of service that we strive to provide based on different aspects of the program. One of the things that we were lacking which was noticed in the report was program management. Which was how we go about doing our series of studies that are done initially. A lot of those studies needed updating which we have talked about extensively within our last meeting and as well as capital projects. Our maintenance level service was based on service B which is a mixture of routine and inspection base. A lot of the stuff that we do his routine inspections, cleanings and things of the sort. We do not replace pipes every 15 years. We have a camera truck and if it needs replacement, we replace it. That is the level of service B where we do a lot of things routine. We talked a little bit about program management. Areas that needed updating. This was part of the impetus for raising the fee. So that we could knock off two of these studies per year. We have been fortunate and have recommended the funding from the program for studies. Then we have a fifth that we will work with the city of Edgewater if the Council approves the priority list. Next up, this is something that is really been expanded since 06. We have a permit that we have to maintain which allows us to use the stormwater. This county is blessed with many bodies of water. Likes, springs, and quite a few of those have been established as total maximum daily loading rates because they have been packed with nutrients. Some of these have been moved forward to the base management action plan stage. And we have to maintain our regulatory compliance with this. And of course we have the mosquito Lagoon reasonable insurance plan. One thing is our regulatory compliance was at a level of service and we planned on keeping it at that level. Up next is operation and maintenance. We improved from the initial study back in 04 to the one that we did last year to a level service B which is the routine maintenance as well as inspection base repairs. We have increased our employees at just over 2.75. We have essentially been doing more work with roughly the same amount of people because we have improved our efficiency. As with everything, cost increases. Just to

maintain this current level of service in maintain the stormwater system that we have in the ground. That is part of the reason why we saw a deficit forecast. This is one of the areas where we strongly suggest that we increase funding. Included in your packet was a list of stormwater capital projects that we have done in the last five years were allocated to do moving forward. There is roughly \$20 million in projects over the last five years. Over this time, the revenue was averaging \$5 million. So we're doing \$20 million on four years worth of revenue. Now, we have not allocated that much money to capital. We have been successful at leveraging this money to maintain grant funds. You will see many of these projects, whether flood or water quality related were significantly helped by grant funds. That is how we have managed to do several of our capital projects. We leverage that money by going out and getting grants. The report from back in the spring recommended to go from level service D two level service B at just over \$2 million to fully fund the CIP. This is a summary of what I have talked about. Basically, what we are looking at is to meet the recommendations of the report. To go from a total program cost of \$5.8 million to just over \$9 million. What we are requesting today is direction. Right now we are at the maximum rate that can be charged without going to a public meeting. If we were to increase that rate then we would have to send out letters to every unincorporated area. This breakdown chart gives you the amount of revenue that we would get with the traditional dollar increase up to 12 and two dollar implements for 14 and 16. The report recommended to go from \$12 per month. If you wanted to go to level service a that it would go to \$16. What we need is direction from council on moving forward with setting a public meeting to let everyone know the intent of raising the maximum cap of utility. It does not mean that we immediately go to \$16. Whatever the Council may decide, you do not lock yourself into future increments. All this does is such a cap. The second thing that we are looking for approval on is the priority list for our watershed study. We talked about this extensively. We will need to update some of these studies. We sat down and looked at which studies needed to be updated. Perhaps there was not a comprehensive study time. Also what areas have been impacted by the recent storms. We took all of this into account. We are recommending Spruce Creek, Little Hawk Creek and Edgewater. We have requested funding through the transformer 386 money which was what the Council had decided for adjusting the priority. The Edgewater study is moving forward with a stormwater master plan which encompasses the entire city. Also they will be looking at a couple of mosquito control canal assets. We feel that it is appropriate to have a seat at their table. We would like to use some of the money to work with them on what would lead to these projects. The key thing is looking at these watersheds and recommending a series of projects that could be stormwater conveyance projects, pump projects, acquisition projects and we are looking at projects not just in the tens of millions of dollars. The millions of dollars. Part of this increase is the stormwater utility was being done in the past. I will go forward with that as well. We can finish discussing. We will start with all questions. Ask when you mentioned Edgewater you mentioned a study or program. I suspect that many cities are probably considering the same thing to do some type of study. Is there any thought process to being more efficient with these studies if we went at this from a regional or countywide approach? I hate to create another organization. But for lack of better term I will say a work group with the county in the cities to perhaps come up with one county study which incorporates participation monetarily and planning. We don't know what we don't know. To come up with a full plan to get everyone engaged. Otherwise we are hiring all these consultants. Is there a

thought process to this?

>> First off, the roundtable was setting all of this up. These are studied by basins. A lot of times, these basins cross municipal lines. The way they get studied is my basin. It does take partnerships like we are talking about with Edgewater. The county would have to be involved in almost every city study in some form. We usually have some sort of asset canal or ditch that goes in. The cities use those assets. That is another aspect to it. Especially on the east side where we have controls that were done through the years. They started using the as outfalls for their developments in the various cities. There was some question on the maintenance of those. We do maintain them. But the stormwater utility is met for the unincorporated. But gets into another question. There money is spent to keep canals operating for the flow required to reduce mosquitoes. Not necessarily for what you might want to control a flood.

>> I think we will be working with the cities and with the basins. The basin does not really affect the other basin. That is a big thing. The cities can do master plans. The funding site is important. We can only really use these on stormwater assets.

>> Know the \$9 million is going out. A lot of it is going to the cities. They are up and running and will be involved. I believe the team that was set up with the roundtable will be a centralized repository where they come together and share the information that you are talking about. We do studies in the cities use our information and vice versa. They are all of watershed-based.

>> Let me explain my thought process a little bit more. I get how we used to do it. I wonder if we can do it differently. Often times, in times like we are going through right now, the county gets blamed for a lot of stuff when it happens. It almost always falls here certainly. What I envision happening with playing out the same old way, there will be 40 or 50 studies going on throughout the county. City studies and our studies. It seems like an awful inefficient way to spend those tax dollars. I don't know if there is any firm capable. What about one really good firm that has the capabilities of handling this for the whole company. We would have to participate monetarily. I understand that we have the stormwater fund. All of these cities have healthy emergency reserves. We are in unprecedented times. I don't want to do things like we have always done it. The people who make that money are all those with the engineering firms. I am reluctant to do this today. But until he know we have more information. This report that you did, we have seen it. But a lot of this spells out what we've done in the past. I would say to the Council, I want a different approach. I want a different approach. Doing business as usual has not worked. And I think it is inefficient for taxpayers money to be spent. Now is the time to strike to get the cities to be more involved. I think we should go after the legislator. Somebody got the message to him. We need to fund a countywide include everyone study. I know that these were questions. The plan that you presented here was to bring this to level a correct?

>> The recommendation from the study of the level of service breach. Which would be \$12. Just to reiterate we need to move forward to set a meeting with the cop. It would not raise anything or even the cop. We can have a lot more questions and things like that.

>> If we could consider regional approaches if there are opportunities for regional stormwater sheds. We have a lot of land that we purchased and set aside that could potentially serve as regional watersheds. I don't know what it would cost or how it would work. We are well aware. Stormwater knows no boundaries. We already had discussions with some of the cities. We will not study the entire ridge. We will dive in and do some sub studies and look at the areas that have been impacted by the flooding. We met with the city. We are trying not to overlap. We are having those discussions and we are not reinventing something twice. A lot of these projects will be joint projects. We have done joint projects. The mosquito Lagoon insurance plan is a perfect example of a regional. It involved several cities and the County. But it involved all of those agencies working together to come up with a plan. In the series of projects that each agency brought to the table to reduce the nutrient loading in the lagoon. We have been very successful at getting them. We can do these regional type studies that lead to projects where they are joint with the cities. I think they will be the most successful ones to come out of this. There is not a city that experienced flooding that does not involve a company asset. We will have to work together.

>> On your list of studies I think there was 22 of them. I apologize. 16. What would it cost to do them all today?

>> We are anywhere from three – \$500,000. If you took 16 and multiplied it by 400,000 and we would get to that number. Ryan can do quicker than I can. And remember that when we do these studies, there will be a series of projects that will have some big price tags.

>> The idea that I pitched to do a joint venture stormwater study, is that be on the possibility of competing with these firms?

>> My recommendation is I would probably say that you should split up some of the areas. Don't give it all to one fund. It's a big thing to tackle. I definitely think you could split it up and do it regionally. The Eastside and Westside are two very different projects. You could pick some larger regions in group some of these together. I definitely think that would work.

>> I think it would be more efficient as well with not having to hire 15 firms. Thank you Mr. chair. Towards the end of this, I make that suggestion Mr. chair.

>> We will continue on with questions. I am assuming that staff knows that the slides on her monitors keep disappearing. It has been happening all morning.

>> There's a technical issue and we were trying to get through this item before we rebooted it. Thank you. Councilman Johansson?

>> COUNCIL MEMBER JOHANSSON: I will hold for comments.

>> CHAIR BROWER: Okay. Councilmember Robbins?

>> COUNCIL MEMBER ROBINS: Thank you chair. I know we gave you incremental increases. But I do see a pattern here. And it is a tax like anything. Is there any other funding source? How do we get this money off of the backs of the taxpayers? Is there other funding authorities or anything else that we can grab to take some of this burden off. We are putting 100 percent on the taxpayers.

>> The stormwater utility is a non-ad valorem assessment. It is the same as the garbage collection fee. There are multiple other funding options. I do not want to mince words. The money that we generate but never cover the projects that will come out of these studies. The money would have to be leveraged to get grant funding. Whether it is from the state or from FEMA. That is one funding source. There are other funding sources. There is a stormwater district who establishes millage. But again, these are all taxes. The only other funding source that you could see that would not be solely based on the residence would be a sales tax.

>> I am not suggesting that. Do we have an idea? Which one would be more beneficial to our residents?

>> About is a loaded question. If something would have to talk more about.

>> It's an honest question. We had to bury come up and they did a shotgun approach. 30 something million dollars and they solved all the flooding.

>> They raised their stormwater utility fee significantly. And they leveraged that money using

hazard mitigation grants from the feds. The 75 – 25 percent match. A lot of thought funding for their system which even had some acquisitions was how they funded their system.

>> Their system was basically connecting together before they became a city. They upgraded and replaced pumps and then sent them out to a large borrow pit. And that is basically their system. And again, they leveraged their utility. I want to interject here. There are grants and there are opportunities for capital projects. There is not a lot of opportunity for maintenance. Everything I just talked about has to be maintained. Pumps and pipes is constant maintenance. Even the pollens themselves. The pollens are supposed to be trained downed and scraped. But it is an expensive endeavor also to maintain. That's where the utility comes in. It is the constant source to maintain what you already have. Then trying to get some of it to leverage grants from outside sources like the federal government. That is the plan basically to try and move forward. But you will see a huge amount of projects. And that is where the partnering in the efficiency really will have to come in. Because that is where the major part of your expense will be with how we maintain and build it.

>> Thank you.

>> If we did go the route of raising the fees, would we be able to ever throttle it back?

>> It would be at counsel's discretion. You are not locking in the future council by setting a maximum. If you set the maximum at 12, it is at eight right now. You could go up and dollar increments and go back down if we end up having a surplus or we are successful in getting grants. It's definitely a possibility. All this meeting does is set the cap at which we can raise it.

>> I tend to agree with David a little bit. A lot of us have been here for a while now. We know where several of these issues are at. We can see which homes historically flooded. We do not have to be Einstein's brother to know where our issues are. To do a study or do a study or do a study. Can we use some past studies to identify or chipped off some of these other things that we have not been able to without spending tons of money and reason all these fees to accomplish stuff that we arty know. These studies need to be updated based on recent storms. Last century, we had to storms of 11+ inches of rain. We have had for in the first quarter of this century. We can save money by doing an update. And you are 100 percent right. I can almost tell you if we look at a 15 inch rainstorm, I could tell you what's going to happen. What the studies do is they come up with a solution that does not harm someone else. At the end of the day, unless you acquire property and demolish it, if you move water from one basin to another, you are putting water in the location where it did not naturally flow. You are putting water in an area that did not naturally exist. At the end of the day, do no harm is one of the most important things that we have to focus on. If you are talking about pumping to a borrow pit, they have a

pump that goes to the river. Guess what, when the river stage is up to a flood stage and you have people on stone island, they will let you pump to the river. At the facts. We can talk about that but it comes under the do not harm if you are adding to an already flooding situation.

>> Knowing what we arty know and knowing that there is no kind of money that will solve the natural disaster, it is unrealistic to think that there will be an infrastructure that can handle 30 inches of rain. What I'm saying is we already know 90 percent of what needs to be done. I don't see the value or the immediate update on a lot of these issues have been around for 100 years. And several of them are title related. I just want to make sure that like David said, we are not just throwing money.

>> VICE CHAIR KENT: Thank you German. I would say watch out. Councilmember Robbins is making some common sense down there. We know where the problems are. So why spend all of this money on consultants when we have some of the best consultants coming in here and telling us listen, I lived on the pond I know I live on the lake. We have a lovely woman coming in pleading for help. We had a gentleman from Deltona to the same. We know the issues are not in Midtown. Thank you German for the latitude. I had to pat Danny on the back because I really agree. Councilman Santiago, why can't it be more efficient, cheaper, even if we did do some of these studies like you said, and have a regional approach into it with one person? With one firm? It's like it's too much. Or the county is too big. I think it would be more efficient and cheaper. And I do think it's something that we should consider here today. We are basically doing what you said which is the same old thing that has been done and nothing changes. Instead of 20 firms, we are down to 12. What has it done? Just something to think about. I have other comments later.

>> You could definitely do it with one firm. You would still want to break it up because if you look at the entire County, you are doing areas at a certain time. Time is of the essence. If you receive, the larger the area that you study the longer that it will take. Even if you went with one firm, there will be different areas that prioritize areas the flip. Just a couple questions on page 13. When we talk about the drainage task force. Then on page 15 there is another number for personnel. Almost \$5 million. It is the drainage task force included?

>> This is one division. They have 54-ish. 54 people dedicated to stormwater. The other maintenance folks have to do with transportation and gas tax.

>> So how many are funded by this?

>> A total of 54. I just want to ask a couple questions about data.

>> The number was 52 back and 2009.

>> Is it enough?

>> What I would say is if the desire is to maintain the current level of service which is routine plus inspection and I would say it is enough. However, the cost of the same employees goes up every year. And that is really what we are bumping up against. Salary increase and health insurance increase is going up.

>> As you add infrastructure you have to add people to maintain it. So it will go up more than just the cost. We work hard to be efficient. We have studied it and worked on it. We have a high end equipment and high-tech equipment. I think it's one of the reasons why they settled on a B level. Because you kind of do a combination of inspection and routine. Through the use of technology you can get great looks at a good portion of our underground infrastructure. And build a work program around that.

>> If we start adding pump stations, like right now we have one pump station. These pumps better work. The rain starts and the guy who works at the pump station is not the same other guy. I got a call from Deberry and sat down one of our utilities guys who worked for the sewer pump station and they were able to get it fixed. At the infrastructure, 100 percent. To answer your question directly, at the current level of service as a start adding the structure, we would need to maintain and on people for that level of service. The maintenance operation costs come out of the stormwater utility. It is difficult to get grant funding for these costs.

>> On page 17, it says since 2004, since the 2004 evaluation, the county has developed a full inventory with associated information which is routinely maintained and up to date with information. Is that information available to the public?

>> It can be. It is our mapping system. Every piece of infrastructure, it's not just stormwater. Every piece of infrastructure is located on one of these systems. And tied to our asset management. So we can click on a stormwater inlet or retention pond and pull up every single work order for the past 10+ years since we implemented and I can tell you exactly what has been done to it. How much it cost, who worked on it and what worked on it. As a forward facing? No.

>> Is available to the Council?

>> Absolutely. I would be happy to sit down with any of you and show you how it works. I could do it on my desktop in my office. It has truly been one of the greatest tools that we have used to become efficient. If I get a question from the public or from one of you asking about the last time you clean the ditch was, I was talking to the Pelican Bay HOA and she asked me about it. And I said it was cleaned in June of this year. They were around when the system was implemented.

>> This was a big investment. That is a way to be efficient. We have come out of the dark ages a couple of decades ago.

>> Every management uses it from stormwater pipes to evacuations.

>> On page 35 and 36 there is another database mentioned. Or data that is stored with all of the watershed studies. It is not available to council or the public?

>> We provided that to you I believe earlier in the year. It was every watershed study that we had done. And it included this map right there showing all of the studies.

>> How about to the public?

>> We can definitely put them online and make it available.

>> I think it would be helpful.

>> Could you pull up page 42. Let's see if I can scan on my screen. Could you make it any bigger?

>> Tell us exactly what we are looking at. Water is not attaining standards in our county.

>> These are areas in the state. It is based on the ribbons. Some of them have been grouped together in one overall.

>> There is a lot.

>> One thing that you have to remember is that we are surrounded on all three sides by a river or an ocean and we have a lot of natural bodies of water. Some of them are impaired for nutrients and some of them are impaired for other items. So, there are areas where there are base management action plans where we have allocated a certain amount of nutrient reductions that we have to meet. I have seen a lot of folks as recent as the last storms ask about why we're focused on water quality. We have a regulatory obligation to focus on this. There was a segment that we convened with the other cities to focus on water quality. So, we have obligations to meet with state requirements. And it is part of our regulatory requirements that are included in the utility report when we talk about some of the things that we have to spend money on. We are all concerned about flooding. But you, I think you confirmed this. During storms, we are moving water as fast as we can to the Halifax or the St. Johns River instead of letting people's homes. When you move water that quickly, there is no time to let nutrients settle out. We are not storing it anywhere. There is no alternative. We have to move it fast which contributes to the map that we are looking at here.

>> It does. But when it comes to stormwater and nutrients, typically we refer to it as the first flush. Think about a road that had not received rain for a couple of weeks. There is a buildup of nutrients in the first inch or so flushes into the system. That is the treatment that you try to hate. That being said, you are right. When it comes to a flooding situation, when you try to filter it and removed the nutrients there never impeding flow.

>> What the page and I on? Page 18. It talks about money. Several Councilman had brought it up. We need to increase funding by \$0.02 million in addition to the current expenditures. How are the new developments that are raised up that we see? At least I see water being displaced to the neighborhoods around them. How are they contributing to the storm water? Once the houses are sold, if it's unincorporated they pay into the stormwater fee. How are these developments contributing?

>> I would have to look at it. You have some developments built in certain areas. Some of these areas were already contributing to lower flow areas. If there is a specific location, I would be happy to look at it. But as far as new development, obviously if it is development within the county that leads to additional infrastructure that we have to maintain, it can lead to an increased cost in operation. If it is in the city or privately maintained, then it would not impact us.

>> Are there any impact fees?

>> No not currently. The one caveat is anything that a development builds, they build it and they pay for it. If there is a Broda project that is funded through impact fees like a widening and there is increased stormwater need, the infrastructure would be used.

>> Is it legal to have a countywide impact fee for new developments for stormwater?

>> It would only be able to do this for capital improvements. These are kind of targeting regional stormwater facilities. Most of the internal stormwater within the development is constructed and maintained by HOA's. You are really just talking about any public stormwater that is not associated with the road. There are typically other ways to pay for it. Such things as the storm water utilities. If you do a stormwater impact fee, you will take into account the other sources of funding. I will have to research that. That is why it is not very common. There are better ways to handle stormwater. You can really only spend it on a particular type of public stormwater facility.

>> There are always two sides to stormwater. Then there is nutrient treatment. There exists the possibility. There would still be some that got discharged. There is new rulemaking that says meeting certain developments. There may be stormwater impact fees from nutrient basis. We will talk a lot about money this morning. One last question on page 38. If I can get to it. Page 38 talks about construction site runoff control. And it is really discussing violations that happen during construction. Who is responsible? What I'm going to end up going back to when we are debating this is Mr. Santiago's point about necessity to work together with the cities. Who is, is it St. Johns water management District that is in charge of checking on construction sites? That they are not dumping or pumping water into lakes?

>> Let me answer your question if you have well points in the ground and you are pumping, you are required under the federal and PDS, then you can file this with the DEP. There's a whole set of criteria that you need to follow. You need to go out and inspect the site and you can see turbidity barriers or inlets with silt pipe around it. It's all to prevent sediment and nutrients from escaping a construction site. That is regulated by the state on behalf of the federal government. That being said, most municipalities I'm sure have ordinances that require you to adhere to the standards. It would be the responsibility of the DEP. If someone reports a violation for them to come out and take a look since they are the ultimate regulatory agency. It is also on the city or the county. Wherever the construction site exists to regularly look at these. Making sure that they are adhering to it. When you do a large construction you have to submit these plans as part of your permit and alive.

>> On page 38 it says that for this element of the programs, staff is responsible for reviewing construction site plans and providing erosion control. That is your staff?

>> It depends on where construction is occurring. If it is development related than it could be under resource management. But either way the construction occurs in the county, we are responsible for inspecting it and making sure they are in compliance.

>> So, in the land or whatever city, their staff is responsible for this?

>> I would say yes.

>> This is another reason why we need to work together. I met with St. Johns water management at Lake when the Messiah which was a crystal clear lake and now you cannot see two inches under the water and the banks are filled with dead bass because of the water being pumped out legally from a site under construction. Is it St. Johns? They were surprised and angry with what they saw. Trying to find out if it is the responsibility, the city of the land or the city?

>> From pollution standpoint, that would be the DEP. If the large amounts of water and that would be on the district. If you are pumping large amounts of water as part of construction, you are required to get a permit if it exceeds a certain volume.

>> All right. There are three names on the board. Any questions? You still have a question, go ahead Councilman Robbins?

>> Countywide we have a list of projects that have been previously on the.

>> We have projects that have been identified. Not necessarily because of funding. But because of reasons that need those projects impossible or difficult to build. Even from where they are located or cost-benefit. But as of right now, we have a list of water quality projects tied to some of our bigger projects. I will say, prior to, we have not had any major flooding events since 09. And we did do flooding projects related to those events. Typically, what you see is after these storms, each is so different. And it shows where we need to look at a little closer. I would anticipate significant projects developing for what we have seen.

>> There will always be new projects. What I am drilling down on is have we completed everything that we were supposed to complete everything that was already identified? The problems are not going away. I don't want us to get ahead of our skis. I have a lot that I will say here during this statement. That is it for now.

>> Councilman Santiago?

>> From a systems perspective, during this last event, did any of our County systems fail?

>> One thing you have to remember is the event that we had, there is not a stormwater system in the ground that is designed for that kind of water. If you are in a closed basin we look for 11 inches of rain. If you are in an open basin we look at eight – nine. We got rain upwards of 18 – 20 inches. To say that the system failed in an event that it was not designed for, I would be hesitant to say that. If you are someone who got flooded and I would argue that I can understand why they feel that the system has failed. From an engineering standpoint, when the system is exposed to that level of storm event that was not designed for, it's difficult to say.

>> I don't know if you could answer this question, but do we know how much is assessed countywide for stormwater fees? If you don't, it's fine. I'm talking about all the cities. What is the dollar amount the taxpayers pay?

>> In the report it shows the monthly charge in the cities. It does not give you an aggregate total. But we could do the math and get it for you. There is basically X amount of properties with who ever paying a stormwater being. We just add up the revenue from the storm water utilities to get you the aggregate number.

>> Is there any County that you are aware of that manages stormwater? Being the sole entity?

>> Not off the top of my head, no. It would probably be a county with very few cities.

>> And asking these questions because we cannot leave any stones unturned. We talk about our environmental standards. I think it came up in the last council meeting as well. Where the charter gives us latitude in how we dictate that development should be done. In our charter specifically, this could be a legal question. With environmental standards, the bridge be made? That stormwater and flooding in the effects of it could be bridged as an environmental question?

>> Stormwater is one of the minimum environmental standards. Typically if I can remember correctly, it is for a certain type of development you have to get the stormwater permit. It sets the standard at the state level which is the 25 hour swarm event. We were talking about design standards. In a closed basin we set our minimum two 100 years. The design for 100 years.

>> And that is under environmental standards?

>> Yes.

>> And council has implemented this. So one of the divisions is stormwater management. And we can change them.

>> Okay. That gives us the legal authority to make some changes?

>> Yes. It is a set standard. Disabilities would have to change their ordinances.

>> I see Clay rubbing his hands.

>> That is part of the topics that will be covered tomorrow. Looking at both of the chapter 15 in chapter 72 standards trying to come up with some updates for concerns from a technical standpoint.

>> When you spoke a few minutes ago he said something that caught my ear. I think you gave it as a guesstimate. When these studies come through, the studies that we are talking about, I know some of my colleagues I've been meaning to clarify this. Do these studies also recommend solutions to us?

>> You can look at the typography and say that things fled. The solutions are wordy but the water? Does it make sense to construct a pump system? Will it cost millions of dollars when you could buy three homes and turn them into a stormwater pond and then you eliminated the particular issue. Because, the reality is the flooding at these locations is not each individual location. Each location requires different things.

>> So, we know where the problem areas are.

>> The studies are solutions. They are typically pre-engineering. Giving us an idea of before they spend the time and the effort to do a pump system, they will look at two or three solutions and try to come up with what the best and most cost-effective solution is. I believe this will be the case just based on our experience in the past. They will come up with some solutions that say the solution is to buy the houses. Because to maintain a pump system in a certain closed basin when you have three houses and there, the idea would be that you would buy the houses before you do that. And it would also look towards the permit solution. Are you dewatering the wetland? There is a Tennessee after the storm. We cannot stand the water. When all of that stuff is dried up, that it is a balance between, take wetlands for instance. You cannot dry up wetlands. If you are in the business of moving water, you would love to pump until it's totally dry. But St. John's who is a regulatory agency will say no. Because you have to maintain and take it down and get to a wetland level. Stormwater management is stormwater management. Not elimination. It's how we have to manage the water. Don't just send it out as fast as possible and put pollution into these bodies.

>> There is a belief after these events but if you build something or you have a piece of property that you cannot put any of your water on another property. And that is not true. You have to meet the pre-post that we talked about. Whatever the amount of water that goes in there, you cannot increase it. But they don't want you decreasing it either. Downstream there could be a wetland. Any think about out West with water rights. You can't restrict the flow on properties with lower elevation.

>> I have seen people in this chamber upset about why there like dried up.

>> That's what we were mentioning earlier. There are people having issue with the lakefront areas.

>> You hit it right on the head. It is a fight about balance. The reason that St. John's is saying close the gate is because there was a lawsuit. From people saying I don't want my leg being dried up. I enjoyed my leg and I am drawing it up to get capacity for people who don't even live here. So that is the balancing act of stormwater and water management.

>> Back to my first question. You said once these projects and studies are complete, it could be in the hundreds of millions of dollars. My final question is to our finance guy. One of my colleagues was alluding to sources of revenue to help pay for this thing. What would a

halfpenny sales tax bring to the county over 10 – 20 year period?

>> The economic and demographic research office see what the penny would levy and divided in half. If you take the number of what the list today and multiply it by 10 years, because our costs would also inflate. The total that I have over 10 years would be 646 million of which 393 million would be for the counties. Of course it can be negotiated.

>> If the county entertained it it would still be the taxpayer's decision correct?

>> The local government has to be approved by the voters in general election.

>> So that's something that we would do laterally.

>> That is all for now Mr. chair. Just waiting for comments.

>> I did have one.

>> You alluded to the cost. County manager said it best. That being said, you talked about buying properties and having willing sellers correct?

>> Correct. We strive to be willing sellers. If I may make one point. We just approved \$8 million and studies from the counties in the cities that came from the money. Not from the stormwater utility. When we initially came to this counsel, we were looking at doing two studies per year. We are at a point now or we can do five in the first year. To answer your question, yes.

>> You cannot just parcel this, this, and this. There is maintenance involved as well. I was not familiar with the fact that after so many years they had to scrape the ponds. I know there is a reason. But please educate me.

>> A dry pond relies completely on percolation. And a wet pond has the same thing.

>> Where do you put that water?

>> You dewatering it and hopefully put in a place that doesn't affect other folks. When it comes to pumping, we are extremely careful.

>> I do know that it is a concern. Some of the flooding that is occurring over there, where do this in the letter? The purpose of the study will hopefully find a solution.

>> And remember, you look at it when it is dry. And you say oh, we can put water there. What we have learned is a lot of these areas built up. We had to get very creative on where we put water. If you construct a multibillion-dollar pump station and pump water to a location and then all of a sudden the rainstorm hits and it's full, guess what, you will not run those pumps.

>> This year we saw our capacity being used up even before the storm. Because you had unusual weather and high water tables before the storm even came. Often the rains start coming in June. Late May/June. And then by September, a lot of our capacity is used. It is one thing when they hit early and everything is dry. Then they hit the end of the wet season and a lot of our capacity has been used.

>> I did have this question earlier and I kind of went back and forth. We talked about nutrient repair when the water is tested. What is the primary cause of that? Is it from pesticides? What is the primary?

>> Fertilizer. Septic systems. Stormwater runoff that takes fertilizer.

>> Septic systems are pretty easy. You convert it to a sewer plant with advanced treatment that removes the nutrients. Stormwater is actually a far cheaper alternative for nutrient removal. We have constructed stormwater treatment systems which are technology wise, cutting-edge. This was developed at UCF. It removes the nitrogen from the stormwater and converts it to nitrogen gas. There is a chemical process where the water has to pass through sand and then the media drains out. We have two of these systems up and running as part of the insurance plan. They are getting very good results.

>> Does this work for canals that feed into larger bodies of water?

>> They are actually treating canals. We were removing a portion of it for the loading

requirements that we have allocated in the reasonable assurance plan.

>> Lastly, the spider machine is cool! Great job on that. That is all. Thank you Jerry.

>> Thank you. Any other questions? Councilman Johansson, you have been waiting a long time.

>> We have all hit on her favorite prong of this problem. It's obviously a multipronged problem. We had maintenance in some areas. We have capital projects where we do these studies and we come up with capital projects and we do not adequately fund to get them done. Or we wait to leverage grant funding. We have development that everyone tries to pennant on being mean. I think it's just one of the issues. And then we have the stormwater plan which was the non-plan. And I am not talking about the Catholics. I think moving forward we need to address this holistically. I say that from counsel's perspective as well as the public's perspective. We cannot hang the hat on one particular prong. It is a multipronged approach. The sooner that we can get on board, this sooner things like alternative options and referendum votes become valid. If we are hung on impact fees then we will not cut enough to fix the problem. We will not get there. We will not get hundreds of millions of dollars. So we have to come up with a multipronged approach. I have been talking with the round table chairs. I mentioned at the last roundtable meeting. When I am helping them with the plan. To come up with a subcommittee that is effective. That is agile and can get the job done and get 16 cities and St. John's and any other stakeholder together. To work through these issues. I think it can be done. But it takes somebody that wants to work together. Not one that is parochial and not one that says we are not doing it that way. We have to agree to work together. We talked a little bit about the nutrient loading. I believe that DEP just strengthened the obligation of new development with their changes which were pretty tough on new development. I am not saying that it is not the problem. But they are now under heavier thumb. So we need to concentrate from our part in making sure that new development follows those rules. Which I think St. John's will do a good job of. And I think we also need to work hard to work on the other stuff. The stuff that we put in our grass, the fertilizer, everything that runs off. How do we do that? With the low impact development, better stormwater. Not filling up our front and back yards when there is a ditch. Things that filter these things before they get to the rivers. All of these areas will eventually go away and become bigger hatches. I don't know. I think we need to leverage some extra organizations. There are people out there who are flood experts. There are people outside even though we have enough on the state. We need to leverage these people as part of this committee. Everyone wants to help. And a lot of people do it for minimal or no money. But I think we need to do that. One of the things that I think is important for this body is that we are not going to solve millions of dollars of these problems alone. And we will not do it without money. We have to come to this realization that it's going to cost. If we want to get rid of something, I don't care. It will take money. Thank you.

>> Thank you Councilman Robbins.

>> COUNCIL MEMBER ROBINS: Counsel, at this point. I think charging extra fees and adding attacks at this point would be taking easy Street. I do not think we are there yet. If we rewind a little bit, we brought up several months ago that we assigned a workshop. We were also trying to establish a road fund. Much needed for our infrastructure. We raised impact fees already. The public wanted us to do that. Garbage increases, utility increases, tipping fees at the landfills. The public is dealing with food price increases, insurance is astronomical. Take your fees and inflation is the highest that it has been in 40 years. Every aspect of our lives is getting more expensive. Counsel, I think we should exhaust our resources on projects that we have already identified and a sign that whatever funds that we do have. We just approved for an additional 50 million in stormwater locations. On top of the probably 60 – 100 that we already approved. Let's think about using these first on the projects that we have already identified in studies where we already know the problem. Let's keep our rates where they are at. Once they are used to, then come back and reevaluate this. If we need to update the study, let's do it. I think we need to keep the taxpayers money in our pockets.

>> I agree with you. I was going to go down the path where I am not yet at the point of going to the next step on this. To approve this potential increase. Mainly, along with what you alluded to, we just don't have the answers. There are a lot of question marks. I do like what you said about existing projects. I made a note. Let me back up for a second. The answer to this will come in a few months. When we have a better idea of what we want to tackle. Then looking at all the sources of potential revenue that we may have. Whatever comes out once we have better data. I know that the studies will take longer than that. But I think we will have a better picture than we do today. That being said, I would like council to direct staff to look at what other existing projects we can get done better shovel ready. And prepare an appropriations request for this upcoming session. They are up there now. I am trying to recall when the deadline for the appropriations submittal is. It is early in the process. I will guesstimate that it is about three – four weeks away from when members of the legislature can submit their appropriations requests. I would like to have our staff target those. But together a matching proposal because the legislature always looks at skin in the game. And submit that to our lobbying team to see what we can get. I don't want to miss this session. Let's strike while this is hot.

>> I second that.

>> David Santiago makes a motion. We may have several of these. To appeal to the legislature for funding.

>> Existing stormwater projects that are identified by our County administration to make a request to the legislator for this legislative session.

>> Councilman Robbins, you seconded that. Let's take a pause and debate the question.

>>.

>> You went through the last few things and put together a project list that went out with the money. And also the money that we have used. What we were trying to accomplish today was get the utility direction to come back with a stairstep approach. If you recall, we are not asking for all of the money at once. We are asking more or less to keep up with the maintenance of these systems that we are maintaining today. That is the approach. It was time to go after money for it. As we have explained, fortunately in the world that we live in you have to have money to go get money. Almost all grants require matches. And that was what we were hoping to achieve. If it is the desire to wait until we have more information than that is fine. I can assure you it is coming. It will be a lot of money because it is a lot of projects. As far as today, we just wanted to get ourselves into a position to handle these things.

>> I think you reminded us that we approved this at last meeting how much was that?

>> 60 million and some change. We funded a lot of the projects that we had in the queue preaching in in Milton.

>> Guess. Four years.

>> And that's the thing. We're always thinking years out. We are getting these ready to go when they are actually predated.

>> The one thing that I will say is that we are going to have a project recommendation for the Taylor Road situation. You're probably looking at eight – \$12 million for that project. My plan was to try to use the left over transformer 386 money.

>> I want to try and get creative here. I realize that we approved the 60 million. But I'm pretty sure we haven't spent it. Is that fair?

>> We have not.

>> So the possibility is there to make a change. What I am suggesting is if we approved it will make up numbers. If it was the \$20 million project that we approved, perhaps we as a council modify what we did two weeks ago, reduce one or two of the projects with the funding request with funding approval per project. Go to the legislature for matching dollars in the savings that we have from the change that we make, we put it to fund those other studies. Right away. What we pitch is that we have 50 percent in projects that are shovel ready. We will spend money to finish off studies and yes, there is a risk in that. The legislature is only in session for three more months.

>> How many studies are you looking to fund? We have all five gone right now.

>> I want to fund 16.

>> The nova canal I would not fund because the Army core is doing that when.

>> Than 15.

>> Every single one of these will generate a list of projects.

>> I know you want to get started. But I don't know if my colleagues realize where I am going with this. If we modify what we did recently, how many projects were in there? I cannot remember.

>> I believe there was 12.

>> Two were Volusia County and the remainder were municipalities.

>> Let's say we take the two that were Volusia County. The idea that I am floating out here I thought we modify them to \$5 million each. Then we have \$10 million to play with. We take the remaining 10 million and allocated to something else and go to the legislator for the next 2 and a

half month time. And then say we've set aside \$5 million for each of these projects. Give us 5 million to help finish this construction. If the 2 and a half month delay for the potential to get \$10 million. I think I'm willing to take that gamble. We have a great team and a great legislative body. And we just hired some new folks. And we have some friends in leadership. I would be willing to take the risk. That is what I'm talking about with going back and changing.

>> Just for clarity, the two projects total 13.8 million together. So we could potentially ask for half of that which would save both County dollars and other dollars.

>> Yes. Which we could reallocate two different dollars. I don't think the weight will be drastic. But there are millions of dollars that we can still use. I don't know if anybody likes my idea. But that was what I thought of.

>> George, your name was still up there.

>> We can definitely go back and pull some. And make the appropriation request. We were working under the let's get stuff done in a hurry. But let's put some of the money and tried to squeeze more out of it.

>> I am in the let's get stuff done in a hurry camp. I don't understand why we cannot do both. We pass this expenditure for projects that we have and some of them are in the cities. We get blamed for things here. These are extremely important for different municipalities. You have called for us to work together. I think we go with the plan that we had. Because there is a sense of urgency. But that we still make an appeal to the legislature for grants. I think we should add it to our list today.

>> I see why you are going there I don't necessarily disagree. Understanding the process, they typically like the shovel ready projects. They don't like to say here's a blanket 20 million do what you want. That hardly ever happens. We have a plan in place and we submit those right now for potential funding. I get it that we want to get it done as soon as possible. But we also have to be money smart. We have to get more done. I'm looking at it from that perspective. The legislature is in session for 2 and a half more months. And we will know probably in two months or less if it's even in play as a potential funding source. Just trying to get the maximum bang for our buck. And we have to be strategic.

>> I feel like we gave our word to the cities that we would do these projects.

>> Just the county ones. That is it.

>> We will leave the cities alone and we will look at ours.

>> Don Dempsey?

>> Okay. Do we have any idea when federal money may be coming down from Milton?

>> We do not. It is usually six months – one year after the storm.

>> And we have not picked over the entire 50 million that was going back into our infrastructure:? Okay. All right. That is all.

>> Mr. chair, one last thing. The reason for bringing it up now is because we are in a time crunch.

>> Correct. But they are in committee weeks right now. This is when the appropriations requests are all submitted. There is a date that is set by the speaker and the Senate. And I do not know that date for this year. And if you do not get in that window, then you will not get the money.

>> Don, you are still up. You are done counseling Romans.

>> I am on the same track with Mr. Santiago. I'm still hung up on seeing what projects we have already identified in the past. Before we go and approve any increases to what we are already increasing. Because, if we pay these groups to go out and do the same studies, those issues that were previously identified will not go away. We will be paying them to research staff that we have already identified. That doesn't take, it doesn't take those problems to come on the table. If we can somehow drill down on what we already know, and fund them, I think we will be better off.

>> Anyone else on the motion on the floor?

>> Just from an emotional appeal, I cannot guarantee it with 100 percent certainty. If the legislature knew what happened from the west to the east, and if we put a request for matching funds to save in EMS facility, I think it would be a tough one to say no to. That is just me gambling. I think we are on safe ground to potentially double our money.

>> George, when will these projects be started? What do we lose with waiting two months?

>> We are good. We are in that right now. We will be fine with that. What I was going to say is that we will proceed as much as possible. There is time for seeing what happens. We have put in before, trying to get money on projects like these. But say with EMS for instance you don't gotta and you don't want to use it. It's a project that we have to get done. It would be something that I would come to you in the budget for more coming out of the general fund. We do have options. I think we keep the options going and keep searching for money to leverage as much as we can. It's not an issue that will not slow us up.

>> Councilman Dempsey?

>> COUNCIL MEMBER DEMPSEY: I was against putting this. I will second when it comes to the EMS building to roll the dice and trust your knowledge. I think this may pay off better.

>> Councilman Robinson seconded it. Now we got one third.

>> Anyone else on this motion?

>> I don't think we need a roll call to send these to the legislature. You did not have it? Okay. All in favor say Aye.

>> Aye.

>> Any opposed? One stab at funding. Let's go back to item 5. and see what else anyone needs or would like to talk about.

>> If it pleases the Council, we would need confirmation of the approval of the priority list on the

studies.

>> Okay. Councilman Santiago.

>> I moved to approve the priority list of the study and to delay the fee increase approval.

>> The second Johansson.

>> CHAIR BROWER: We have a motion to approve the priority list on the studies and to delay increasing the fees time that certain or open ended?

>> The next few months that we have all of these meetings will kind of determine when we put it back on. I don't know if I have time certain.

>> Why don't you let us bring it back at a later date once we review and start getting a list of the actual projects coming out of the engineering studies?

>> That works for me.

>> And just to clarify that is not to raise the fees but to raise the cop?

>> Yes. You would have the option to raise and lower the fees.

>> Okay. There is a motion on the floor. Any discussion on it? Well, I guess I will start. I am a no on this. I am feeling a sense of urgency. And I assume that everyone up here is as well. We look at the maps that we are shown of the water quality problems. Everybody in Volusia County is affected by water quality. Part of that, and then the other problem we have we have people who have lost their homes because of flooding. I want to go to a level a. I think urgency points to that. I understand that the problem is funding with level A. honestly, when I look at the water quality issues that were shown to us, I don't remember what map it was. But everyone remembers seeing it. When we look at the amount of flooding that we had after storms, we are getting flooding now in normal rainfalls. For me, there is a huge sense of urgency that we have to do something now. The studies that we are looking at, we will approve that list. I hope even if this fails we need to approve this list. We have seen people talk about studies with people

rolling their eyes. The studies lead to action. They lead to what we need to do to take care of the studies. If we look back, there is another one of them. Some are 30 years old. We have redirected water. I think these studies are incredibly important. And we need to move ahead with them and get the projects that are required. Councilman Santiago, you are right that the County and the cities have to work together. I am not beating this drum today. But that is exactly why I brought up the idea of a moratorium. When I look at this urgency, the first thing that we can do is stop doing what we're doing now that is causing flooding. Work together with the cities and make sure that their minimal standards are adequate. Look at our standards and make sure that they are adequate. I think you asked the question of can 202.4 require us in the cities to work together? And the answer is yes. That is the entire purpose of the moratorium. To get everyone a chance to look at this together. We have to work with the cities. When I looked at the funding issue, it's almost impossible to consider the amount of money but it will take just to cover where we are now. To repair problems and to improve stormwater systems from around the county. As we continue to do the same kind of development, we are adding to that. For me, I think this is such an urgent issue. That we need to look at our entire budget and cut the budget where we need to so that we can put more water into the stormwater systems. I think that it should be our priority this year. Where can we take money out of our \$1.3 billion budget and put it into this most urgent need that we have. It honestly should be a top priority to fund this. When I look at the figures on page 51, let me get to it very quickly. On page 51 it is from 2023. But the figures for buying land which we know that we will have to do to store water, \$150,000 a year. Mosquito Lagoon, \$40,000 to repair. These numbers are wholly inadequate. I am concerned as to what why you and your staff are not sounding the alarm more that we have the serious issues here with water quality. You know the issues that we have with water storage. Where they put the water, and I hear you talk about it all the time. We have to buy land or we have to buy property. I am not feeling that sense of urgency. I think we need to make this our top priority for the year ahead. Before we come to another hurricane season and before we come to our storms this winter and flood more homes. I'm not talking about flooding front and back yards. But flooding homes to where they are a total loss. We have gotten to the point where we relate that to 100 year storm event or a 500 year storm event. It is not just to those. We have a serious flooding problem. We need to stop making it worse. We need to stop the drain and fill and raise up sites to be developed and displace all the water to the neighbors around us. It is immoral and it is what we are doing. We need to stop. We need a totally different kind of approach. A different look at development. Stop raising the land and the homes.

>> David Santiago?

>> Mr. chair, I don't think anyone is not taking this seriously. I think they're taking it very seriously. I certainly speak for myself. The motion is not to say do not look into this. Because we can bring this up at any time. The discussion is around we don't know what we don't know me. A minute ago I made a motion to change to projects and bring them back because we have other projects that we are ready to spend money on. Even if we approve this today, we don't

have a project to spend it on tomorrow or the day after that. That is impactful to what you are saying. This motion is only a template to say let's continue to get more information and find out the total dollars and total projects and come at it from a holistic approach. Approving this today will not change the flooding situation for the folks that are out there. We need to come at this. We need to come out it tactically. And it includes how we fund it. The motion and play is not to say no. The motion and play is to say let's wait until we get more information and come out it's Mark. Then execute. It's not unknown. I will leave it there. Thank you Mr. chair.

>> I am trying to process everything that was said. What I do not like is this false confidence or manufacture confidence or manufacture narrative. I am getting a belly full of us being told that we don't do anything. I could get Mr. Bartlett appear and we could read off a thousand projects that we have done in our last four years. It has been a top priority. And there's one thing that has not been. In four years I have not heard a singular budget cut coming from the the finger of the dais. What I am getting at is we have to, if we are going to say we want unity and working together, please stop with the narrative of us versus them and creating further division when we should be keeping our eye on the ball and telling the public exactly what we are doing. We are doing a damn good job. We direct staff and they do what we say. Money does not grow on trees. How will we get it? How do we address flooding? What cuts do we make? What is our number 1 source for expenditures through our budget? Public safety. We want a full rollback. Every year. Please don't keep doing that to us. It is not the way to solve this issue.

>> This will not fix itself. If we want to solve this we truly have to keep our eye on the ball. And keep working. Thank you.

>> I'm sorry that you decided to take it there once again. What I said was not an accusation about anyone here. It is an appeal it is not a false sense that I know more than you. I have heard that people from the public have gone and looked at places that are flooded and we do know. We know what is causing it. To say that we are just looking past it. The way that we are developing with the drain infill development is causing flooding. That is not deniable. The people sitting in this room will tell you. They have watched development go up around it in hot water in their homes. My appeal is what we do not kick down the road that the County manager and his staff have come to us and said we need more money for this. We will ask the legislature for a little bit of money I think we need to look at our own budget and make cuts where we need to. For you to say it has never been offered from the center of the dais is false. I remember when Heather posed my very first year in office. You were one of the Councilmembers who said stop. We cannot keep cutting. And we can. Because we have to. We cannot keep squeezing money out of our constituents between mortgage payments, county taxes, city taxes, school board taxes, we cannot take anymore. Let's use the money that we have and make this a priority and put the money into stormwater. And we will go through a process of budget season. Which we have been doing every year. It needs to be our priority. And we need to send the message to the County manager and his staff that we need bare-

bones budgets. They can bring potential cuts to us and we will have to do the hard work of picking them. We can bring up our own. We need to look at everything. Public safety, we have always held harmless. They are doing a lot with a little. Some public safety goes up millions every year. I think at some point we need to look at that and talk about the rate of increase needing to slow. Everything else, we need to look at and see where we can cut in order to solve a problem that is affecting everybody in our county. I'm not telling anybody up here that you are not taking this seriously. I am saying to avoid talking about funding today, the county has asked us to look at bringing in more money. We have looked at these numbers from 22 – 23. They have not gone up. There is not enough money to do the things that we need to do and we have not taken the steps to stop making it worse. So that's what we need to do. That is my urgency for the ride.

>> Chair, I agree with you and many senses. But just in the last few statements, we cannot squeeze the money out of our taxpayers. We are asking to raise fees when we have not completed things that we have already identified. Projects that are already in the queue when we have exhausted federal and state money. We have not exhausted going to state legislature. There is a lot of back-and-forth here. And I'm trying to be as respectful as possible. But if flooding was such an issue, we could have had \$600,000 last meeting that this council voted for when we approved the arts program. I can go down a list of other approvals that we do every year. When I hear this stuff and the public hears this, it gives them the false sense of reality to what actually is happening and being voted on on this dais. Thank you.

>> Okay. Anybody else? No motions on the floor?

>> The motion on the floor is to approve the list of studies and then delay increasing the fees.

>> Does anyone else want to speak to that?

>> Was there also the second motion? About delaying the EMS building?

>> We already voted on that.

>> It is already delayed.

>> The motion on the floor is to approve this slate of studies. In delaying or increasing any fees until we get more information. I will vote no. I am not comfortable. We should be really digging

in this morning on where do we find money to do this? We do not have enough money right now to take care of the things that we need to take care of to prevent flooding and repair flooding to buy property.

>> We have already had two debates including you can leave out?

>> I didn't use my five minutes on the second debate.

>> And pretty lenient with everybody. If someone has a question after questions are over and give everyone up here a chance to talk.

>> Mr. chair, you are repeating yourself. Add something new to the argument. But repeating what you just said is just wasting their time and hours. Vice chair Kent?

>> VICE CHAIR KENT: First opportunity to speak on this topic. Counsel, I will tell you. For me you're barking up the wrong tree. To come and ask our residents to pay more because I disagree with staff. It is a tax. But at the same time, it cannot be a better time to come and ask to increase these fees because of what we just witnessed. That weighs heavily on me as well. Determine, I understand where you're coming from with not wanting to approve this personally because you want to do more. I will say publicly, I as well want to do more. But not until we exhaust Santiago's idea. I am on board staff and George. The guy that gets appear and screams a little bit about we need to be doing incremental increases which has not been happening and then we hammer people with a big increase. We can argue if it is a tax or not. But in my mind it is a tax. That weighs heavily on me. Especially when they make these decisions. As I know it does with all of you. But Sherman, I am with you. I am not saying no that we do not have to make a change in the fee structure. I think that we do unfortunately. We have to do something for our residents. Mr. Johansen said it. It is going to take money. And he is right. I am there with the chairman. But not until we exhaust but Mr. Santiago said which is why I vote for this motion. David, you bring a skill set because you spent eight years in the legislature. It is a great thing for you to bring the experience to this dais. I think you are right. Even if you are not right, nothing ventured nothing gained. But I think you're going to be right. I think it's a good thing for us. I think we can come back in a short order and make adjustments where needed. I would be shocked if it was not a seven – zero vote for the increase. I could be wrong. But I think that this council gets it. We are the leaders of this county. We set the tone for the cities. And our residents are rightfully demanding help. And that is something that we can and should do. But we cannot do it recklessly. We have to have all of the information and make the best decisions which is why we are having a special meeting. So I will support it.

>> I do not see anybody else on the board. Chris, would you call the role? The motion on the table is to approve the slate of studies to be done which will lead to action items, projects, and then delay increasing stormwater fees.

>> COUNCIL MEMBER REINHART: Yes.

>> COUNCIL MEMBER ROBINS:

>> COUNCIL MEMBER SANTIAGO: Yes.

>> COUNCIL MEMBER DEMPSEY: Yes.

>> COUNCIL MEMBER JOHANSSON: Yes.

>> VICE CHAIR KENT: Yes.

>> CHAIR BROWER: No. Motion carries six – one. You are here for item 6?

>> No sir. Just a part of item 5. Mr. Kent to have requested to be briefed within 30 days of a plan for the situation with the canals after the storm. Real quick. Volusia currently we have a difficult situation. The screenshot there is the being 19 canal permit from the state Board of Health from 1962. The bottom line on these mosquito control canals as they were designed to train an area with a small amount of water over a long time period. So, you have heard us speak about this. The funding for these canals is for the mosquito control district. Over the past four years we averaged \$700,000 which gets transferred from the mosquito fund to the drainage folks. We up that amount in his recent budget to \$800,000. We talked about the level of service. Some things are routine and some things are inspection based. We can do routine maintenance and vegetation control and inspect these regularly. We also inspect these routinely.

>> German, can I jump in quickly? I want to know about Grover branch. I hear that everything is inspected. But Grover branch has trees older than me.

>> This is not maintained by the county. It's a natural tributary.

>> The answers why there is trees older than me.

>> I have an answer to that question. Quickly, we do our own maintenance. We have short-term and long-term stuff that we do. Things that we take care of post-storm. This has been an issue in the past after storms. You get a window that and you get down trees. So what do we do to fix it?

>> German, can I jump in. We have dream green chairwoman here who has talked about the water goats but I will publicly say, it's a great thing. That's debris out of the canals. I think you and your group for doing that. It makes me think about other things getting in the canals. We have human junk. Thank you for the trip to twice. I won't do it again.

>> The fact that it is not a county maintained canal leads to difficulty in funding. We have been successful in the past after the storm events, they make money available for the cleaning of these types of waterways. We have used this money to clean non-county maintained waterways. It has been my experience that this has become available and we hope that they become available again. In the past, they fund 100 percent of the work. When we have been approved for the projects, they have funded them completely. We go out and identify these waterways and submit them. We also have a new funding source which can also create some projects and they can find it. The one caveat is that it is private property. We have to go in and get easements. Generally speaking it's not a problem. But it is a hurdle that we have to go through. Groover branch is on our radar. There are some other waterways that we are keeping an eye on. As soon as the money becomes available, and we look at it. I went through this with Matthew and hopefully we can get it again.

>> Mr. Kent?

>> VICE CHAIR KENT: One of the things that I really admire about you is you come to the table with solutions to the problems. Counsel, I would say I wish I knew your districts as well as I knew mine. I do not know your districts as well as mine. I would recommend that you get those to stop ASAP. We talk about Groover branch being 20 – 30 feet wide. Is that type of scope that the county can also make it whiter so that the water flows better?

>> That gets into a different level.

>> When it hasn't been touched in 40 years it is a natural waterway. Anytime you go to touch it it falls into a situation. As far as these projects, anything related to the storm can be fixed. I know everyone is ready for the break. I also see people who have been sitting here for item number 6. let's see if we can get through that before we take a break.

>> Mr. chair, I think item 6 will take some time.

>> Six and seven will go together. I will leave it up to the Council. I looked out.

>> We also see that Mr. chair.

>> Counsel, what is your chair?

>> Mr. chair, could we compromise and get the hospital out of here and then take a break? I see several people saying that they are willing to do that if council is.

>> I'm sure the people on item 6 would give us the thumb of the two. So you want to do item 10?

>> I think 678 and nine are allowing time to go.

>> I move that we take a 30 minute break.

>> Is there a second on Mr. Santiago's motion? We have a motion by David Santiago to take a break and a second by Councilman Robbins. All in favor say Aye.

>> Aye.

>> Any opposed? The motion carries five – two. Welcome to the Volusia County Council meeting. The meeting will begin in two minutes.

>> CHAIR BROWER: Okay. If everyone would like to grab a seat, we will begin again with item

6. ordinance 2024 – 24 small-scale comprehensive plan amendment at 1400 Jacobs Road. If you wish to speak on this item, just fill out a yellow form over there and give it to the clerk. Item 6 is important. If it failed, then we do not go to item 7 which is a quasijudicial hearing. It is important for everyone involved. Go ahead.

>> Good afternoon. As the church is represented, this is a legislative action by the Council. Staff would like to present items six and seven at the same time. They will require two separate votes because six is legislative and seven is quasijudicial. Before then we would need to have ex parte communications. Before you is a 25 acre request to amend future land use. The future land use is adopted as part of the comprehensive plan and provides an identification of what you can do with your property. This is a residential designation. We have a world which allows for one unit. This application in the rezoning totals 35 acres. 10 of those acres have the designation. There are however the 15 acres, excuse me 25 acres which are seeking a designation from rural to urban low intensity which would take it from the one unit per acre designation to the four unit per acre designation. The property is south of US 92. It is adjacent to industrial land. It is at the corner of Jacobs Road and is across from the existing racetrack below it. It is adjacent to Lake Linley in the city boundary of Deland. There is residential to the west. This is also reflecting the ownership of the lake, of these parcels is going to that lake. Here is the current future land use. And what they are seeking is to have a uniform land use across it. The request is for 25.05 acres. It does increase the maximum development on the property. Because of the increase in potential density. There is a companion rezoning which limits the development to 90 duplex units on 35 foot wide lots for each individual unit. I will get into that plan shortly. This particular application went forward with an approval from the staff. And it comes to you from the planning recommendation for approval which is five – one. There is still a vacant seat on there. When staff looked at this, we were looking at the overall area and density and availability of utilities. Jen, if you could, I wanted to include some of these documents in the staff report. One of the requests that we had several years ago was to try and identify not just up close, but from a macro level. This gives you framing of your staffs thoughts. You can see that what we are seeing is a continuation of the low density residential which is four units per acre along the west side of Jacobs Road. On the east side there are portions of it further to the east which are parts of West Highlands. We are currently working with the property owner to acquire that under conservation programs. When staff saw this request and saw that there were utilities still available from the city of Deland did indicated that they do have capacity to serve this project. We recommended approval and went to the regulation commission. There was not public outreach. Since then, this item was continued in September. The applicant did reach out to adjacent property owners and held a meeting with property owners on the west side. If we could go on to the PowerPoint for item number 7? So that we can address the rezoning. Again, what the chair stated was correct. If the comprehensive plan amendment is not approved, then you cannot prove item 7 because it would not be consistent. Item 7 is rezoning from our four 83 two PED standards. Here is the development plan as shown. What you have are 90 duplex units. 45 total buildings constructed over approximately 18 acres. The remaining 17 will be utilized for storm water conservation. This plan reflects that we have buffers around the perimeter. Unfortunately this is north to the left and south to the

right. You have a conservation area at the east end. Then you have a stormwater pond and a perimeter buffer another pond servicing at the north. What will happen is there are no parcels on the lake. But you do have Duplex units. That is coming to you from the organization. The applicant is here to address any kinds of questions that you may have.

>> CHAIR BROWER: Okay, thank you. Mark? I think we do have 10 members of the public who want to speak. We will let you make your presentation then probably go to the public and go to the Council. Unless the Council has questions for you directly?

>> I was going to say good morning. But good afternoon. Mark Watts 231 North Woodland Boulevard. I appreciate the opportunity to be here with you. First off, I want to make a slight correction. The item number 6 which is the land use. There are three total parcels included in the application in front of you. The parcel that has the split between ULI and rural is 25.05 acres. The portion of it that we are asking to take from rural is 14.58 acres. It is not the full 25.05. If you look at what is up there, it shows that the southern parcel has the lines between them. It is not the full 25 acres. It is 14.5 acres and that is on your staff report on item 6 page 5. I want to walk you through a presentation on this and then open up for any questions. We were here in September talking about this preliminarily. We had some folks who showed up who had not quite been here. We wanted to give them an opportunity to talk to the neighbors and give them background on what our request was. I'm sure they will categorize that as they get up and speak. I looked at it as the principal concerns tend to be stormwater and flooding. Some of these safety issues along Jacobs Road and we have density and compatibility. I will walk you through the overall as Clay presented. It looks like the whole property is very important. And it takes into account some things that you as a Council and County staff are working on as well. If our clicker here is working. Am I pointing in the wrong direction? There we go. I put this together sometime ago. One of the things that I think is interesting. Particularly in things like this where there is property that has the original land use and zoning since the plan was adopted back in the 90s. things change over time. I was instructed to go back and look at what the progression has been in this area. We showed you the zoom out of the urban development patterns. I wanted to go back a little bit and see where it started. This is 1952. The property that we are here looking at is on the right hand side of the screen. We have orange groves on that property. If you know the citrus industry, one thing about oranges is that they grow in Sandy and dry soil. You will hopefully notice that the layout of the lots and clustering of the development corresponds with these areas where you see these historic photos. 1984 when you are just walking through the progression of these things, you can kind of see on the bottom left a couple of roads that are being called in. Which is the first portion of the orange groves that began to convert to residential. It is about 11.72 acres with 45 lots. This is a copy of the plat. I wanted to show you the density because I think it relates to where we come in with our proposal in front of you today. Something else that I will mention briefly is this progression of things gives you a good opportunity to see the progression of storm water. In these 1984 and 1988 plats, you have the initial developments coming in on the southwest quadrant of the lake. There is no dedicated storm water ponds in these neighborhoods because it was not part of the

requirements. The traditional drainage pattern was down to the lake. Phase 2 is 68 lots on 22 acres. 3.08 units per acre. Combine density is about 3.34 units per acre. 1999, the next development started to come along which is Waterford Lakes. It is two phases. The first phase on 87.9 acres. These actually go to the center of the lake. About 2.19 units per acre when you include this. Phase 2, 42 lots on 19.25 acres including the submerged land with the law of ownership. Interestingly, in our discussion of the evolution of stormwater standards, the two bases cover 60 acres total. There is a 1.5 acre stormwater pond that is in the middle of that development. That is the development pattern that has progressed on the western side of the lake. If you look at the combined 242 lots, you are the breaker with the density. That brings us to the proposal that you have before you this morning. If you look at this, this is our plan. I will talk more about this in a minute. North is to the left and South is to the right. The boundary that is on the current map, let's see if I can cut under here. It lands about right there more or less. That line to the south is the rural portion. Then the balance to that is the existing ULI. All right. Hold it. There we go. There is the future land use map. It shows you a portion of the southern lot that has the split ULI. We are asking you to take the rural into ULI. This provides for four units per acre. The southern portion of this property is aware we have floodplain and wetland areas. So, when you amend from ULI to rural you do not move into wetlands and things of that type. So it increases at eight units per acre. It is a relatively minor change even though there is a number of acreage involved in the requests. One of the other things that we looked at in coming up with this design is some of the stuff that you are asking us to look at with your LOI be standards. You effectively do not have a close spacing. This is where we have existing outfalls the go to the East under or across Jacobs Road which connects to the old Jacobs dairy property. We have tried to position and design the site to respect where that water is and design the stormwater system to correspond. The other thing, this also ties into some of the discussion that you have had as a Council. We also tried to look at what the long-term planning is for this area. This is a piece of property that we have been here talking about before. In the context of what you have talked about, you talked about real boundaries. What the Deland 2050 plan says that we do not want to spread out to the edges of our utility areas. We want to concentrate our density inside a certain boundary which we have talked about these as a line. The flipside is when you do these boundaries you also have to accommodate future growth. So what the plan has said is essentially the lighter areas is where they don't want to increase densities. The darker colored orange located over here is where they are saying they want to increase to to accommodate future growth. Initially, this would have been an enclave issue but we annexed it into the city. So we kept the application. Okay. Coming back to the overall site plan, mentions density and total number of units. Something you think is important is we have spent a lot of time talking to your staff. Clustering development and approaching development in different ways with existing topography respect how the stormwater system works. There are things going on with the County and cities. I wanted to point out a few things that this plan accomplishes. Going back to where the orange groves were with the historic development. It corresponds with where the lots have been laid out. 35 acres is roughly the site. We have about nine point three acres that are staying in conservation or floodplain preservation. Were kind of the undeveloped portions. We have another 6.3 acres on top of that. Then we have an additional 6.3 acres of storm water. If you look at those numbers, between 45 and 62.5 percent, if you include the stormwater ponds, 62.5 percent state undeveloped or impervious if you will.

The additional thing that we have proposed that the wetland areas to the south is not impacted. So that you would have a proprietary interest. It was interesting to look at the things that you are incentivizing in your pending manual. Looking how it corresponds. Increased open space, preservation of floodplain and wetlands. Maintaining existing topography or how the water flow traditionally. Clustering the footprint of development. Those are all things that are in your matrix to be incentivized. The other thing that I wanted to mention was if you look back or think back to what I showed you earlier, there are lawns that go down to the shoreline. You will notice that the week that we play this out stays in common ownership. It stays in unified control rather than being parceled out. The lakefront is common area. These are all important features for us to point out. I wanted to point this out for you. One of the reasons why I particularly like this and why this is something that staff likes his proximity to the airport. The airport is a major employment driver. This is located at our airport. This is an opportunity to provide convenient housing in close proximity. I will show you a couple of these pictures in a minute. I had a guy went to go grab lunch at his house and he lives on an existing home on site. We are adjacent to an industrial area. Which also provides good transition. We have intelligent tech which is beverages across the street as well. We are located south of 92 and this is the wetland stormwater connection when we talk about the original layout. To the south, we have the wetland areas and here is an image of that. Since we continued in September, Milton occurred. I went out to the site and this is the Monday after Milton came through. I wanted to get a sense of where the water was and how the property weathered the storm. This is where the development was proposed to be concentrated. You can see that this is all high and dry. Also we are going to be in proposing to do our mitigation plantings so that we can provide property owners across the lake. That is something that we talk to neighbors about. If you make a motion to approve this I would ask you to include the standard in there as well. Looking to the north this is the context of where the development is located. It is still in a cleared condition from when this was a functioning Orange Grove. Looking around to the south, you can see the area that we are in. You can see the wetland very clearly defined. Were that floodplain area is. If you see the standing water that is on either road is where you have the culvert crossing. It probably needs to be improved. I know that you are working on acquiring the property across the street. There are some good opportunities for you to work with public works staff. This is right after Milton. You can see we do have standing water. We recognize that this needs to be preserved. Shoreline, as part of our common area that we are trying to keep with common ownership. This is on the higher Central Ridge of the overall site. I think I covered everything I wanted to. Our clients unfortunately are in another meeting. But we do have a project engineer for the extent that you have questions. We heard stormwater traffic and density. I will tell you that my kids went to this high school. Kids walk from the high school to the racetrack at lunch. There needs to be sidewalks and safety improvements. We are not asking for special treatment. Your process requires us to provide all of these things. And we are fully prepared to work with your staff into that moving forward. One of the things that I went and looked at was because I have looked at the traffic here. I wanted to look at houses helped with the roadway. That actually did not qualify nor meet the thousand trip threshold at this point in time. We were roughly 636 daily trips is what would be generated at this magnitude. I wanted to look at it in the context of where this is. Based on the current numbers that you have on your website, I think you have 2022 and 2023 counts out there. The current daily trips are between Plymouth and

92. It's about 7800. It's a level of service C. the total data capacity is. We are well within the level of service that we have established for the roadway. You are currently at 705. Just so we had these numbers. We have 42 trips in the a.m. and 51 in the peak. We understand the concerns that everyone has about stormwater and flooding and everything else. We think that the proposal that has been given to you with the amount of open space, we have 6.3 acres. We have oversized these standards at about 6.3 acres. With that I will stop and see if you have any questions.

>> Let's do questions only for Mark right now. Councilman Santiago?

>> COUNCIL MEMBER SANTIAGO: You mentioned that this is in an open basin. I think towards the end of this you said something about the stormwater making it larger than what we normally require. The closed basin is typically 100. Open basin is 50.

>> Our ponds are sized based on the hundred year standard. Our rate of discharge remains. There are larger ponds to accommodate more. And what is the reason for that on the discharge?

>> The discharge goes into the wetland system. Frankly, the more that you added, the larger the scouts. We end up at seven or eight or nine acres. We tried to strike a balance to provide additional volume in area.

>> You also mentioned something about topography. Are you saying that the topography is staying the same?

>> It would not stay the same. The areas where the floodplain is where water currently goes. If you think about the floodplain and you add more dirt on top of that, the water already flows down. So, the only area where we come in to add Phil is in the areas of the floodplain area. We are maintaining the flow of water to that wetlands system to the north and southeast. We did look at if we changed because of the stormwater standards that we have, still you have.

>> You also mentioned L ID. are there any LAD standards?

>> They have not been adopted yet. This is going through that process. We went through and looked through what the standards were that we are proposing. You have a matrix in this manual that works its way through the approval process. Preserving floodplain and

landscaping. Maintaining the lakefront and clustering or subdivision. These are all portions designed manually that continue with incentives.

>> I think there is more opportunities when we are in the subdivision review process. If you go through this, you have the ability to do things like rain gardens for your landscape buffers. Which would otherwise prohibit using buffer areas for stormwater facilities. You could do things like rain waters in these buffers. I think it's something that could be worth working with your staff on. Moving from the zoning to the design phase.

>> Those concepts that you mentioned is that something that you're going to consider?

>> Yes. I anticipate between this point and when we get into full subdivision design. We will be reviewing and approving it. We stipulate to adding additional stormwater systems moving forward.

>> One question per staff. In follow-up to the questioning. I think he alluded to that because we have not fully adopted it that it is incentive standards. And that it may be in conflict. We talked about this before with allowing certain areas to be considered for conservation in lieu of some LID standards. That is it for now Mr. chair.

>> COUNCIL MEMBER ROBINS: Thank you chair. What kind of guarantees. I know the process is hard to guarantee things. But we all know that there is some issues that need to be addressed out there some that you have mentioned already. What kind of guarantees can we give folks in this area? Some reassurance that there will be any negative impact that is resulting from this?

>> One of the things that we are not at its best. For example what we have simply said with stormwater is that we will abide by your rules. We are not attempting to invest in what your current rules are. Should we adopt additional standards we will have to abide by whatever standards these are. If you wanted to incorporate for example, I mentioned that we had capacity for volume based on your loss.

>> This may be a better question for you Clay. During this process what can we expect for road improvements, sidewalk, and stormwater?

>> Anytime you have a project that comes in and is developing on a county thoroughfare, you

look for sidewalks in proximity to schools. We look for turn lanes. There is a requirement for turn lanes with left hand turns and peak hours. Those types of things will be there so that you do not have people backing into lanes. They help minimize impact inflow on Jacobs Road. In regards to what Mark was talking about. We'll take advantage of whatever we can to mingle with the stormwater from Jacobs Road as long as we know that it can be properly maintained.

>> The reason I ask this is because like many others, I am a visual guide. This sounds good. But it does kind of get people continuing on. Is there any way that we could make a slide showing projected improvements of an area with the sidewalks in place and the road improvements. That way it gives us a better idea of what we can expect but also saying hey, there will be some improvements? We do not always know all of them. We would like to show what we expect these to be. We do place common right-of-way dedication.

>> This would also give everybody else a better idea of what to expect. As a contingency for the residents, there's not a whole lot that we can do when a property is owned a certain way. That kind of puts us up against the wall to honor that. When it comes to additional things we have to change zoning, I think that's where we could possibly do things a little bit different. What I am getting at is can we break this down? Is it unorthodox to break this down and see what kinds of improvements there could be with the first phase of the project. And what is already zoned for? Then we can make it contingent upon approving a second. Does that make sense?

>> I think I am tracking what you're saying. I think we could maintain that other bite.

>> I think it's difficult when you deal with land use. From a practical standpoint, here you have the property owner to sell it to someone who is my client. And typically, the decision to move forward with the acquisition is based on knowing that you have something that can be defined. To get into the specifics on what are the improvements and things of that nature, we can certainly do that. We are certainly more than happy to do those things. That would be adding additional details so that you know that the code requires it. That is required. The code is required to put in sidewalks. Access related improvements. All of it is required by your code. What it currently says is that we will abide by your code.

>> Thank you.

>> I was just seeing if you were awake! I accidentally pressed my button. Sorry about that.

>> VICE CHAIR KENT: Thank you for the overview. It made me think of, I have questions. It made me think of two of my favorite movies. Back to the future and Hot Tub Time Machine where they both got to go back in time. That 84 picture of the orange groves, man, I love that. It reminded me of the phrase that we had. Because the water pipes froze and we lost all of our beautiful orange groves. That being said, that I see 35 foot lots?

>> Yes. The proposal is for duplexes. It is 70 feet combined for the two units. That is a consistent standard. I thought maybe you're worried about being able to shake your neighbor's hand. Why the extra eight units?

>> Here it is based on the pro forma of the business. The business model for the development.

>> Is that lawyer term for more money for the developer? What did that just mean?

>> Is a combination of things. A combination of making your business model work. It's an aspect of me talking to you about how we approach things like defining where you want to go. If you look back to the amount and you look back to the policy decisions for this area, that policy is increased density here.

>> I think you did a masterful job of this. I vote no on almost all projects that come before me. I am just saying you do a masterful job. He mentioned that the culvert was needing some assistance. What is the property owners solution to solving that problem?

>> Is not a problem that we have created. But it is one that if we are in the roadway, we could do a lot of things with your staff. We know that there is a culvert that needs to be improved. We can collaborate with your staff to make sure that it is being done at the same time. Often times we see road projects getting done and things of that nature where it ends up being a collaboration because we are doing work to help the county and residents. One of the things that is tied in their.

>> Unless question is if you have the number of high school students from the gas station, by the way, sometimes on my way to the beach I stopped by the crustacean and fill up. Whose responsibility do you think it is for that sidewalk to be there?

>> The school district but the school there.

>> The school has been there since 1964. My grandfather was part of who designed the original campus. I don't think we had those regulations in place at the time. Frankly it was a difficult area at the time. The sidewalk would have gone through. But there is a need for it now.

>> The chairman, that is all I have, thank you.

>> She is the owner?

>> Know she is the attorney.

>> You mentioned that this is an open basin which also makes it a prime area to store water. It overflows like a lot of the places that we have left to try and store stormwater. It just ends up flowing and overwhelming someone else. Would you be agreeable to asking your client if they would consider selling this property to Volusia forever and letting us make it a stormwater Park? Not a park with swing sets. A park where we actually store water and could have trails with a lot of wildlife. It could be a very interesting place. And it would help everything to the west of there all the way to Orange Camp Road. It would be a great public service. Not quite as much money. But Volusia forever would have to buy it at market value.

>> My client is the contract purchaser. I don't have any way of knowing this. They are under contract with our client to sell the property and suspect that the answer is not an option.

>> Would you ask them anyway?

>> I could certainly ask them. But right now they have a contract.

>> Has there been any core drilling start on this property?

>> There have been some initial drilling stone. I can get Ricardo to come up if you would like. And where did the report go?

>> Ricardo is our civil engineer. I am with the consulting firm. When we get a little bit further along with the review. The Geotech document will be submitted along with calculations with

plans and construction details.

>> I think at this stage we typically need to know if the arms are in the right direction. Your regulations require that we do three zoning and land-use agreement.

>> Where do those reports go? What do you do with them?

>> They go to the client into the county.

>> So you have done some and you will do more.

>> If we need more along the road alignment, it will be done. At this time, we are not so far along with the engineering review. What we have so far is more along the lines of where does the stormwater pond go. Are those reports part of our information?

>> No sir. All it is is at the conceptual stage. What you are hearing in regards to future would be the development plan and preliminary plat. That is where we would review what we have prepared and identify if we need additional issues addressed as part of that stormwater as well as going through this. St. John's requires something and they must come vice versa.

>> I'm wondering if anyone on the council would be willing to make a motion to table this until we get the information from Mark if the property owner would be willing to sell this to Volusia forever.

>> Motion to table what the church is stated.

>> I will second that.

>> We have a motion to table until I get further information. A motion by vice chair Kent. A second by Councilman Reinhart. Questions on the motion?

>> I want to hear from staff first.

>> Let me just interject if I could. We can speak to the continuance. But we cannot discuss purchasing property from an applicant we are here sitting in zoning capacity.

>> My motion Mr. Turney I will withdraw the one piece about purchasing.

>> Is that we will hold off until we get more information is not okay with the second or?

>> Mike, the better for you?

>> Thank you sir.

>> I would like to hear from staff Mr. chair.

>> I want to make sure that we are getting the information. What it sounds like you are asking for is based on this conceptual plan to basically do a stormwater analysis and verify that the method of conveyance and all of the other methods of addressing stormwater are addressed in the analysis. And that it complies with ours and St. John's. We may not necessarily be able to get approval. But they will not be able to give you final approval. Is that what your staff is looking for?

>> Staff or counsel?

>> Staff has to review it. I want to make sure so that way we don't miss something.

>> It answers those questions. It's just a point where we don't want to get it wrong for either side.

>> I want to make sure that if this is the motion that you pass that we understand what the expectation is. I know we have some specific things that have been referenced with the development agreement. I think we are certainly agreeable to that. Typically, it is an engineering effort under your regulations. There is a permit that was approved previously on site. There is a lot of data that we can pull from and provide your staff. The conceptual permit is different rather than a fully designed stormwater system.

>> Commentary: Councilman Santiago?

>> COUNCIL MEMBER SANTIAGO: I think the information is good. I think if the information is being requested with a standard of does it meet state and county law and engineering principles, if the true intent is to look at it from that perspective, then I am absolutely okay supporting that. When information comes back for us, we should accept it for what it is. I just want to make sure that we are doing that. I am impressed with the fact that you can accept ID standards. Those are standards that the chairman and many of us have said are part of our solution. I was hoping to, during the time of hearing this to hear what you can currently do. If you do not cut this, you still have other land that you could develop a lower density and you probably don't have all of these attachments that you have to legally do. I might correct?

>> Currently have a three zoning a majority of the property. Then you can got to one half acre lots. You also have a lot of exemptions with things like the wetland ordinance when you are in the agricultural zone. Again, it's from the 90s back when it was in Orange Grove. I do think it is time to update it.

>> From that perspective I would be interested to see.

>> About 25 given the open acreage. Michael, thank you for chiming in. We can't just say we will buy it from you. That is illegal.

>> One more thing Mr. chair. This is subject to a shock clock. 180 days for council to make a decision. Provided one waiver working through the system. For the hearing, whenever that comes.

>> Just so everyone understands, the shot clock is another way of saying that it is a deadline.

>> Councilman Dempsey?

>> The studies that we funded with the transform 386 many, any idea when I will be done?

>> We will have to look and see exactly which base and we are talking about.

>> This is part of the little cover. We can see which ones are in the Deland area. Several are a top priority. This is the same one that has the Taylor road.

>> It would be at least six months.

>> At least.

>> Okay. Thank you.

>> Councilman Robbins?

>> Is this something within the board's purview? I like the idea of having the stormwater design earlier in the process. Can we have that as part of this presentation?

>> Is a policy decision of how we implement our plan. I have worked for cities and private developers. Other places where you provide greater detail. I have worked in others where a bubble plan would be sufficient. But the determination of the Council based on the way that code is written. We do not require conceptual engineering other than what is broadly needed for an advanced bubble plan. If the Council wants us to start including additional information as part of the rezoning, we can work with that in our code.

>> I think upfront it would be a smarter idea. But I can wait.

>> Would you bring that immediately following this as a motion? Anyone else want to speak to the motion on the floor? To table until we get the watershed studies. These may bump up against the 180 day.

>> Can I ask confirmation on the watershed study? I think particularly if we are not in a basin worth studying. I think it makes sense to coordinate with your staff to have enough information to advise you about the watershed or about the conceptual permit.

>> From the top of my head, it was not.

>> The Taylor road study that is ongoing is not looking at this area. If you are asking about future studies, it could be at least six months to a year.

>> Okay.

>> Any other questions on the debate?

>> German, if you don't mind, I appreciate you wanting to wait until the end. I think part of a good council is a group that can react quickly to problems in the community. I think what you just did and what you just brought up about having staff make the changes and bring it up front is more visible not only for us and helps us with our decision-making, I think it helps the applicant. And it would certainly help the residents that live nearby. If you wanted to do it after this vote, I would second the motion. I just don't want us to run over our 6 and a half hour limit and you not get a chance for it.

>> I forgot about that 6 and a half hour limit.

>> We could clarify what we are asking for.

>> Mr. Kent, will you restate your motion?

>> I will ask you to restate what you wanted to hear. You did not talk about the watershed study stuff. If you add that, I will yank it. We.

>> I wanted to talk about all the information that we need. There is conceptual stormwater which is what we said.

>> So that we have the information that we need to approve this or not.

>> Mr. chair, I am sorry. Are we all clear about what information we will be providing to council and could we accomplish it within the time period?

>> What I'm hearing is that they want the stormwater analysis that would show all of technical data that we would need to have. In regards to location and size and capability of the stormwater facilities to address the impacts.

>> Correct.

>> That includes soil borings and things of that nature? I think we would estimate six – eight weeks to finalize that work. You mentioned 6.3 acres that we have all set aside.

>> That is based on the detail that we do have. We have not submitted those permits and applications yet.

>> Thank you for the gratification.

>> I think that's a reasonable timeframe.

>> Anyone else to speak on this?

>> He just clarified it. We asked them to do what they were going to do later, first. Chris, would you call the role?

>> You have public participation. The audience, I would give you the option. We have 10 people that would like to speak. You've set your all day. The vote is going to be. Okay. I will call you names. John? Talcott? You have three minutes to tell us what you think about this project. And please correct your last name for me.

>> Mr. Chairman and members of the Council my name is John Talcott. I move down here with my wife 35 years ago. That is where the narrowest point is across the lake. We have built on that. And we own the adjacent property as well. Now, I would like to make a shift to a completely different part of the country. I come from New England and I would like to prepare this to Eastern Massachusetts. I have been a cranberry grower for Ocean Spray for 60 years. This land has ponds, lakes, flatland, sandy soil and it is very similar to this area here. One of the big issues is water. We have a lake there that feeds the cranberry bogs. It is a big issue. What I wanted to mention to you was Plymouth Carver. You have to have water to harvest the

cranberries. You flawed plate flood the bogs. By doing that you bring in lots of water and control it and fled the area totally. Once that is done, you have to have a safe exit. A stream or river. Somewhere for the water to go. You have to make sure it is clean water. The harvest requires a lot of water because you have to have it during that time. Also during the winter months you have to flood the bogs because of frost damage. Why am comparing this is this is so important. I look at Lake Lily were we love and live here. I find that I've never seen it as flooded. I'm very concerned. We get lots of rainwater but we have never seen it so bad. My neighbor stock is underwater and I've never seen it this bad. I am concerned for the future.

>> Thank you. Rebecca Martin?

>> Hello. I'm Rebecca Martin. That was my father who just spoke. I to live there. I have lived here for 28 years. I built a home in Waterford Lakes and have had 2 and a half acres. I phrased horses and chickens. Closer to the frontage. I'm basically year trying to help my parents. My parents have aged and they need help. With situations like this, they have had a ton of flooding. This is not the first time. Milton was bad. Fortunately it did not go into their home. But we know that with future storms and development being built across the way that it was, but it will get worse. My parents are at the lowest point. If you see where I circle, then that is where my parents live. They own both pieces. They are at the lowest place, elevation of the whole subdivision. They are the most impacted. Trying to figure out how to move forward without impacting is hard. They have a seawall. They still have standing water for two months. I have been looking for an attorney trying to oppose this. I am trying to figure out how to appease both sides. We need to talk about how we can work with all of these places. If I could not have a go this way then that would be great. I have been a member of this chamber. I have been a big part of the community and I'm very active here. We did look into purchasing. There was a possibility that we could look into. That was not within our reach so that we could keep it as such. The thing that we are trying to suggest is that maybe we could have a park or something built across the way. That would be wonderful to do something for the community instead of developing. Especially rather than developing duplex homes.

>> Thank you. Charles Saran?

>> Hello. Thank you for hearing me today. The first rule of holes is when you are in one, you have to stop digging. Developments like this, and I am not against development. Developments like this should not go forward. I hope today that we reject the application to change the land use. And to change the zoning. I hope we do not table. We need to put an end to this. Stop at the slippery slope instead of waiting three or six or nine months or even a year to do nips and tucks around the edges. We need to stop it today. As best as we are able. You have heard that the developer is not really willing to go from 90 units to 82. He is not willing to sell the property. Okay, that's fine. I understand. But we stopped today. By rejecting this

application. Think about this. 90 duplexes on this small area. And you want to develop it at the same density as the areas across the lake. Which we all know is to densely developed. So you want to make the same mistake today that we made 40 years ago? We have learned nothing. I beg you to reject this application. And reject it today. Thank you very much.

>> Susan Saran?

>> Hello. Let me put on my glasses so I can see. My name is Susan Saran. We live on Lake Linley. I want to point out that he mentioned that 25 units could be built on the property if the future land use was not changed. So that's 25 units versus 90. Or with the change it could be up to 112. That is 25 units that may or may not be built on slabs. May or may not have paved roads. The 90 units are all going to be on concrete slabs. They will have asphalt roads. Going throughout and it is on the sandy soil. Which is what filters the water today for the lake. And not only that, you have all of the infrastructure going underneath that development of concrete for the sewer and water. For the pipes and the cable television. And the electricity and everything else. More things that make the land impervious. And it is in flood zone A. it is a sensitive environment. And then a surprise. You put up your proposal and you say they will have the share of the common area for those 90 units. And who knows how many people are going to be there who have access to the lake. I did account. But there's 40 or 45 units I will call them that have access to the lake. So this is something that will be tripling the amount of people on a lake that is not that big. I am encouraging you to take this into consideration. I see that on here and says support a solution oriented culture. It's not supporting the environment. It's not supporting the community. It will depress my home value. These little 35 but duplexes. And I will go to the property appraiser asking for a reduction in my property volume which means less dollars. So thank you.

>> Thank you. Jaclyn followed by David Byron.

>> Good afternoon. I am Jaclyn. We have all heard about the flooding. We know you're going to build their ads more runoff. This last storm really inundated all of us. I live to the south of that. I do not have privilege to have any city utilities. I have a septic tank and a drain field that sits on the back of my property. And then I have a well. If the water rises anymore than it did this time that my utilities are nonfunctional. So kind of just puts me out of the loop. The other reason that I wanted to come here without him worried about the landscape. When we bought this piece of property we looked around. We bought in 2009 and I said this is downright beautiful. So we bought the property in both the home and I've enjoyed it ever since. It started with homes around the lakeshore. I did some research because I noticed a big piece of property that they were talking about. It was in Orange Grove at the time. But it was zoned. And I said you know what, we don't own it and someone will buy it. There might be another half dozen homes added to the lakeshore. That is fine. It matches the landscape. But you are

talking about 90 units. Two-story units. And it doesn't match the neighborhood. So I said at the meeting that we had was how can you do that? Now this is outside of the landscape. They told me that it's because you guys in the city want to diversify our properties. I don't want to diversify it. I don't want to look out my back door and see multi family two-story units packed in side-by-side. If that's what I wanted, I would have bought somewhere else that offers me that and I would have paid for it. I don't understand how we can allow them to come in here and change the landscape. I bought my property because I liked what I saw and I did the research and understood that it wasn't going to change that much. I am asking, please. Do not rezone it. Thank you.

>> David Byron. You will be followed by David had.

>> Good afternoon. My name is Dave Byron. I have lived here for 34 years and have been in the area for almost 50. My neighbors have done a very good job presenting some of the major issues that will be presented by this development. I want to say that unequivocally, this is a bad idea. It's about development in the wrong place on the wrong piece of property. This is a contract purchaser. Nothing more than an opportunity for these people to make money. Second of all, I don't want to repeat what my neighbors have said. But I do need to say that in my nearly 50 years of living here I've watched this population go to 600,000 people. I have watched the city of Deland population go from 50,000 people. We do not need to pay for every single vacant property. The quality of life is being deteriorated and materially affected the amount of people that live here. The roads are clogged. The water is flooding off of the subdivisions onto other people's property. I don't care what your experts say. Anyone can tell you that the subdivisions are causing flooding. We do not need a magician to figure this out. We do not need to figure out the more people that we have, the more congestion we will have. This will soon become dysfunctional. This is to the east and it is dysfunctional. Support staff, teachers, etc. the road is already congested. And it will be worse. Turn lanes and sidewalks are necessary. But gentlemen, you want to talk about leadership. It's time for this County to show some leadership for the cities in this county by slowing this train down. You are making the quality of life in this county worse. In the subdivision is certainly something because I live across the street from duplex houses with no buffer. It will impact the quality of our lives. We have a small and pure lake. Please show some backbone. Do what citizens want you to do. Slow the train down and let's get real. By the way, happy holidays!

>> Brandon Perez? You will be followed by Heidi Clark.

>> Good morning County Council members. I appreciate the time. Thank you for bearing through with the rest of us. I'm here to speak on behalf of our family and my home on 1220 Jacobs Road. My house is the green just outside of the black border on the south end of this project. I am directly impacted by this project. One of my neighbors explained the flooding that

she experienced during the latest melting event. Even before with the normal rain that we have back. It has been manageable with the normal rain. Man my wife bought this two acre plot eight months ago. We wanted a bigger piece of property. I have been in this county for 35 years. And I absolutely love it here. With that being said, if this rezoning were to take place in the last two homes on Jacobs Road would literally make us the last single-family home on the road. I know some of these are across the lake. I am literally on the impact side of this thing. I wanted to speak today about what if's and not what did's. What did and does happen on my property is minor flooding with standing water during normal rainy season. Which is not ideal for normal use of my land. But it's manageable. What happened after our latest hurricane was that we were completely inundated by floodwater. Water from the lake came at least 18 – 20 inches coming from a pool deck. At about 16 inches on the south side of the lake. We received 18 inches of water. This is where the potential development is set. I will be impacted by this decision today in a bad way. I joined Charles and saying that we need to make a decision and make it now. Everyone here sits on pins and needles waiting another 90 days or 180 days for different kinds of things. We are looking for answers. We are up to our heads with nerves thinking about what will happen to our property and our families investment if we don't make the right decision. We need to stop the rezoning. Thank you.

>> Heidi Clark? Followed by Barbara.

>> Good afternoon gentlemen. I don't have all of the particulars that were presented here. You have seen the pictures of our lake. It is about an acre. Quite small. I am into the environment which is absolutely gorgeous right now. I cannot even envision two-story buildings across from me. I have all kinds of birds. The lake is clear and I have a kayak and I've been on it numerous times. You can see the turtles. I have a fear that this will cause the lake. We won't see these things and I am afraid that the lake will die. From the runoff as others have said. We are putting concrete everywhere. The water has no place to go. You don't have to be an engineer to know that it would go into the ground and into the sandy soil which it cannot with roads and pavements and black tops. We would like to preserve the pristine areas in our county. This is one of them. I am against rezoning, obviously. I do not want my people to not be able to get the money that they want for their land. Proposing the park is a very good idea. Having the watershed area is an excellent idea. And he would save yourself a lot of money. Please consider this. I thank you for your time. Thank you.

>> Thank you. Barbara? Followed by Deborah.

>> Hello. My name is Barbara and I also live on the lake. I have a problem with the 90 units based on 35 acres when it is not 35 acres of buildable property. It's 23. I think they played with the numbers with the amount of people. We also have water problems. I'm a person who lives next to John. When I bought the property, my doc was two feet out of the water. This morning

the ducks are still swimming on.

>> Deborah Hannon? Followed by Sally Pemberton.

>> Good afternoon. My name is Deborah. I live on 1220 Jacobs Road.

>> Could you make sure the microphone.

>> I live at 1220 Jacobs Road. We are the only family on the road at the moment and our property is adjacent to where they want to rezone. There is a lot of storm water issues. Just on a daily rain. The corner always floods. The storm water runs off the property across the road. It is undermining the pavement. I think adding to that would really be a big problem. At the meeting that we had, he said to retention ponds would be able to hold and sustain this. And I said is your client ready if you're not? He said what happens then and he said it would be on the HOA of the new property owners. If the retention pots did not hold up. Sometimes they lake from underneath which causes flooding. I think adding to the storm water issues and the traffic can be difficult. We make the left to get onto our property and the cars coming from international Speedway are constant. Adding 90 families to an already congested area that they have is a bad idea. I think it would be reckless and not in the best interest of the land. The County Council can say no to this zoning change request and they should.

>> Sally Pemberton? Followed by John Nicholson.

>> Good afternoon. First I would like to say I have been a resident of Lake Lindley for 30 something years. I am a neighbor of Byron and the Talcott's. I live five houses out from the lake. Over the years when repairman would come to do work on the house, the always commented how beautiful the lake was. This is going years back like 30, 40, 50 years. They had stories of fishing in the lake. The lake is small. It is springfed. It is not man-made. It is a jewel. I really encourage you all to consider the impact that this development is planned. What kind of impact it would have on this precious treasure. When we were at the community outreach meeting, it was filled to capacity. And I think there was overflow. I don't think that we are against development. I know development has been a very prominent thing in my life. We are for smart development. Smart development. Not just entering into anything that comes your way. I was struck on item 6. If the zoning change occurs, that it would go to the urban loan intensity and then in item 7 picks up that urban single-family residential. Single-family homes would then be changed to this PUD. And I don't got back transition. We are skipping a step here. I think what came out of our network meeting was that if change has to happen in development has to happen, perhaps the single-family homes on the property, just like this

young couple. They just bought an eight acre property. I don't think it's even been out there to attract buyers. They want to build and most of all, they want to be neighbors on our lake. We have surrendered almost 50 percent of our shoreline already. Think about this. Are we asking her to surrender 100 percent? I don't think our lake can take it. Thank you.

>> Thank you. John Nicholson?

>> I will be the only one supporting this. You are asking for density. You've been asking for density for a long time. I spoke to my neighbors a long time ago with the idea of what is happening and Margaritaville. What we went through in Miami and what we went through here in Daytona Beach is a clear-cut every tree and Bush down to the ground. At four units per acre. Is that better to have four units per acre and if they allow this across the lake, they will be allowed 112 because of the size. They are objecting to two stories. My house is two stories. Are you objecting to everyone who has a two-story home. White is two-story the game changer? Why is it? We have this across the lake and we got 50 percent of it already. Why is there nothing left of it? I like the view. I want you to make a park so that I could always have the view. If you listen to what is being said it is that they do not want change. They don't want what you want. From what I hear you don't want these neighborhoods spreading out throughout the county where the clear-cut everything. Look at these acres across the way. Where is the drainage for all of these homes? Where is the set-aside for the County on all of those houses? What was done years ago. What they're going to create here is for locations for the water to go. Four. You already have the lake. We already have the water retention at the south end. They are worried about where the water will go. I believe there is more attention now. Excuse me. In the future than they have now. This will be better for the neighborhood than what exists now. Right now it's flooding. They're talking about without this the docs are flooding. How can you blame the development if the docs are already flooding? You are saying that what this will do must create worse. I'm not saying it may or may not. I'm giving it a chance to say that the extra drainage, the fewer harms are going to be an advantage not a disadvantage. Thank you.

>> That is the end of public participation on this item. Councilman Robbins? Clay, I had a quick question. Under the current zoning that is by right, what can they build on the property that has not zoning? Minus what has to be changed? What is the number that can be built? 80 something?

>> There are two applications. The first is for the future money not. We're talking right now, as, there is a portion already with a land use of urban low intensity. This allows up to 40 units per acre. We have to look into the comp plan to see which zonings are consistent. This is for the highest intensity which allows for a 75 foot wide lots to be put into this. Based on the theoretical maximum there could be 80 based on the fact that you have 10 acres.

>>.

>> What you see here is 20 acres of urban low intensity. If it was rezoned from a three two are for the area is rural. That is the minimum one unit. And it is correlating with the A3 zoning right there. And that is where you have approximately 15 acres that they are looking to try and change so that they can get the density but they need to do the 90. As I said, call it roughly 82 or so homes that could be built there if the area is rezoned to our fourth. And I would have to go through a public hearing process. They would also have to go through public hearing from County Council.

>> So without going through all of that, what can they build right now?

>> They could come in with one acre lots and exclude wetlands. To say that roughly 35 units, it may be less than that.

>> I wanted to get a good scenario about scenario. Thank you.

>> Excellent question. Any other questions? There is a motion. The main motion on the table is to table this project until the Council gets more information on the final stormwater treatment system in place?

>> I don't think it was that way. We said conceptual.

>> Okay. Conceptual. Okay. Chris would you call the role-plays?

>> COUNCIL MEMBER REINHART: Yes.

>> COUNCIL MEMBER ROBINS: Yes.

>> COUNCIL MEMBER SANTIAGO: Yes.

>> COUNCIL MEMBER DEMPSEY: Yes.

>> COUNCIL MEMBER JOHANSSON: Yes.

>> VICE CHAIR KENT: Yes.

>> CHAIR BROWER: Yes. The item is tabled until we get further information.

>> I appreciate the direction this morning. And thank you for your time today. We will get back with you and your staff.

>> You can stay till the end of the meeting and speak again.

>> Because they did not continue to a specific meeting we will have to go through public notification. We will be posting the property and mailing out notices to adjacent property owners and putting an ad in the news Journal. Mr. Byron, anyone who wants to be contacted, please contact our resource management staff. You will see my name on there. At see. Thank you.

>> Thank you all for coming in. That means we do not do item 7 right now. We will go to item 8. small-scale comprehensive plan.

>> Say motion for item 7 please.

>> We need to say motion to table item 7?

>> Chairman, I will make the motion to table item 7.

>> Second by Johansson. A motion by vice chair Kent to table and the second was by Councilman Johansson. We do have two members of the public that want to speak on item 7. Susan Saran? You were good? And so are you? Okay.

>> Wanted to come to the microphone since we are speaking. The motion on the floor is to table item 7.

>> I would support that. But I would add to what I said before. Your building 45 new dams. I don't think this will have a good effect on the water around the lake. I don't think it's wise. I urge you to reject this proposal. If we had 24 single family homes on these 25 acres, is not what I want, but I could be happier with that. I think everyone lives around the lake feels the same way. Thank you for your time.

>> Thank you. Item 7. any other comments? All in favor of tabling item 7 say Aye.

>> Aye.

>> Any opposed? The item is also tabled. Seven – zero. Which now brings us to item 8.

>> Good afternoon. If council does not mind, I would like to combine eight and nine. They pertain to the same property. Eight is a small-scale amendment and so is mine. What we have is a six acre tract of land which has a land use designation of urban low intensity. It is located on the west side of state run 15 A. there is a commercial parcel between it and state road 15 A. as you can see, it is a trapezoid shaped piece of land which is six acres in size. And is surrounded by commercial and residential development. The request is to take it from four units per acre to eight units per acre. There is a companion rezoning. We can go to item 9's PowerPoint. Okay. Again, going back into the details, here are location maps where we see the current zoning. This is the proposed plan. The applicant will get into more details of what is being requested. There are four buildings, each with 12 units. They are basically an apartment. Totalling 48 units which is theoretical given that it is six acres and the maximum density would be eight units per acre. They went to your staff with recommendation of approval with the planning and development regulation commission. It is within the sewer service area. It does front onto commercial property. We see this as a method of providing transition from commercial into single-family zoning. It went to the PL DRC. It is coming to you with a three – three tie. It is a recommendation in denial of the proposed amendment and the proposed rezoning. As I stated previously, item 8 is a legislative decision. Item 9 is a quasijudicial. It is up to your determination if this is appropriate for the policy. If there are any questions for staff, I would be glad to answer them.

>> I have one question on page 13. Impacts on concurrency. Under storm order. The developer is responsible for designing the storm order management system. The last one says there will be no impact. But what exactly does that mean?

>> They are not trying to maintain pond at this point in time. In other words this is on-site with private developer required.

>> So probably retention ponds?

>> Yes, Sir.

>> Any other questions?

>> We asked if we could disclose any ex parte communications?

>> None for me. No one.

>> I want to say good evening. I'm from Daytona Boulevard Daytona Beach Florida. I'm thankful for the time today. Clay went over the location. This has the comp plan amendment. We will go through the history of site design. Some really cool features but I think this site brings forward. A little bit of background about the developer, I will say their new to the area. Jokingly. They have been here for 55 years. They have a development of Oak Avenue which is prided for its of trees. There were many principles included in that that we are not recommending today. I think we will see that in this design as well. The site location off of the state road 15, you can see it on this map. The commercial corridor continues on here. For most of the areas south, we are backing up to the commercial land used to create this traditional density. The medium density to the lower densities around it. This site is currently ULI. The zoning is our three. Because the are three zoning district allows for 10,000 square-foot lofts. We could get about 25 technically to fit in here. This will allow for 24 single-family lots to be developed within the lot. The initial layout of the site included 24 units of multifamily. Four buildings and five single-family homes to create the transitional pattern that we thought the residents might like. We had to voluntary neighborhood meetings. The first held on April second 2024 and the residents came out and said we hate this plan and they really did not like the single-family residence being included. And they didn't like where our stormwater was included. You can see it's in the front here. And then there is a small pond. Perfect. The key features that they wanted to see was we tried to direct that water to natural areas of the site. To move it towards where the residents wanted. We revise the plan which we showed you in a moment. And brought it back to the neighbors May 16. Before any public hearings. The residents met and we discussed the overall plan. We had no residents attended PL DRC. We have the availability to speak on this item. Which I love public input in the neighborhood iteration and feedback. This really highlights what it can do. You have a site like this in closeness which you can get to infill. Residents come out and say we don't love it and we know

development could happen but here's what we want to see. Typically if you remodel to requests, they won't come out and oppose it. This is the current concept. 412 unit buildings. The retention areas are along the rear. I will show you a color-coded version that I did myself. We have natural preservation along the rear with the first. And we have some really cool principles built in. Included in the concept plan with the requirement already in the tax are the standards met within the site. The use of pavers reduces the impervious footprint with subsurface retention and infiltration to reduce land clearing to meet retention requirements. The natural preservation on-site creates the nutrient uptick that we talked about. This site used to be a commercial for Marie. We are redeveloping here. I'll retention is required in our buffers and there will be tree preservation within the open space. Like we mentioned, this is included in the 25th division plan. Our site is shown in a teal blue circle here. It is within the overlay. It is actually right behind the intersection for a neighborhood mixed use Center. The land is a utility service provider. No issues or terms of capacity with the vision that they had for the site. This is a color-coded rendering. The gray areas are payment. Those are contemplated in large part to be pavers. We can see the building footprints there and then there are three different shades of green. There is the 20 percent common open space. The darker green is where we see the preservation areas. The lighter greens is where there are pointed landscape buffers. Then the blue shows retention areas. This is located on the bit of a ridge. The site is around 62 – 64. In terms of elevation we cope up to 67 feet. This is actually a little bit of a low spot here. When you get to the west, it drops down very rapidly there to about 29. You can tell that this area is links apart from this overall. That is the overall. The proposal here shows the cluster density with utilities provided near the incorporated areas where residents have provided feedback. Where we can really play with the principles that we have been talking about. We do have the developer enter civil engineer here if you have any questions.

>> We need to make a motion.

>> Any questions from the Council? No. I asked my question. David Santiago?

>> COUNCIL MEMBER SANTIAGO: Good job. I moved to approve.

>> Second.

>> We have a motion to approve by Councilman Santiago and a second by Councilman Johansson. Any comments or debate on this?

>> Not so far. It looks like this will pass. You never know until you get the vote. I'd like to vote for it. You have incorporated a lot of things into this. I still want to see all the information that

comes back on the storm water reports. I do not subscribe to the idea that this will not affect our stormwater system. I have not seen a place yet that did not contribute to the water problem. I really do want a moratorium until we figure this out. I also know the neighbors are not complaining. I think you've done a wonderful job in meeting needs. I think they are accepting the inevitable. But there will be development. If you zoom away from this, it does not seem to fit into a neighborhood with large lots. Single-family homes and a quiet street. I think this will create traffic issues on a quiet street. For those reasons I'm going to vote against this. It doesn't look like anyone else wants to speak. Carissa I will ask you to call the role.

>> COUNCIL MEMBER REINHART: Yes.

>> COUNCIL MEMBER ROBINS: Yes.

>> COUNCIL MEMBER SANTIAGO: Yes.

>> COUNCIL MEMBER DEMPSEY: Yes.

>> COUNCIL MEMBER JOHANSSON: Yes speak to yes.

>> CHAIR BROWER: No. The item passes six – one. Which moves us to the second half. Item 9 which is a quasijudicial hearing. We have already declared that there has been no X partake.

>> I would like to make a motion researcher.

>> Moved to approve.

>> Second by Johansson.

>> The motion to approve was made by Councilman Santiago. The second was by Councilman Johansson. If there is no discussion, I will say motion to approve? All those in favor say Aye.

>> Aye.

>> Motion passes six – one. We are ready for item 10. Finding purpose for County of Volusia hospital revenue bonds. Take it away!

>> Good afternoon. Deputy County Attorney. Four years of resolution funding public purpose for authorizing issuance and sale. In an aggregate amount of \$175 million. For the purpose of making a loan to the medical center. The revenue bonds will be used by Halifax to refund outstanding revenue bonds series 2019 and 2022 which were previously issued by the County for the benefit of the medical center to finance the acquisition of the medical facility. After refunding the 2019 in 2022 bonds, the remaining proceeds will be used by the medical center for expansion of the city. In this transaction, the county acts as a conduit issuer. Additionally, the bonds are not a general debt or liability. Prior to the adoption of the resolution to meet the code requirements, the Council must conduct a public hearing for the purpose of receiving public comment with the proposed issuance Florida Hospital bonds for the purpose as stated. If the Council has any questions, bond council is here today as well as the CEO of Halifax. With that, Mr. chair I will turn it back over to you.

>> Do we have any public comments? Questions from counsel?

>> Did you say the CEO of Halifax? I don't see him. Did something change? I was going to say I missed that memo. Mr. Sherman, moved to approve.

>> Santiago makes a motion to approve. And Councilman Johansson makes the second. Questions, all in favor say Aye.

>> Aye.

>> Any opposed? The motion carried seven – zero. Item 11. An appeal to the County Council of the development review committee condition the number of canines housed does not exceed 30.

>> Good afternoon. Director of growth and resource management. Before you today is an appeal being made of the development review to improve recycling. The site plan is included that the staff identifies the committee incorporated on the number of animals that could be held at the facility. A little bit of history on this. This property has been utilized for a while. Unfortunately it was initiated without any approvals from the county. So we had to use with

special exception and structures constructed on the site for building permits. The staff worked with the property owner was providing dog training for police and similar types of military operations and were able to get a special exception approved but was extended in 2017. At that point, we had to utilize code enforcement to identify that they needed to comply. Which was renewed a special exception, get a site plan approved and get building permits after the fact. That was complied with. The applicant came in and got approval of the special exception. In that staff report that was provided to the County Council when you approve the special exception was to identify the applicant's attorney, Mr. Posey and meeting with staff agreed to put a limitation on 30 dogs because it addresses the concerns of the records to the neighborhood. That was incorporated into your staff report. They approved special exception and follow through to get we have worked only got the site plan improved. We were cleared that we were following direction as identified in the staff report that was provided to you for the approval of the special exception which limited the number of dogs to 30. As the chairman of the committee, I can identify with Mr. Posey. This would be where the rub comes into the situation. The gentleman who initiated this business has sold the business. So the new owners of the business are concerned with the fact that the limitation of 30 dogs is not consistent with the business plan that they see and operate on. We understand that we as staff looked at the record built on this property. Given the code enforcement issues. They have chosen to appeal. Here is the location as you can see. Here is the facility itself. Here are the property and facilities down there. Many of these structures have not received building permits. There are impacts that need to be addressed. We need to get this thing into compliance. So that gives us our location and our zoning. Here is the conceptual plan that was part of the special exception. Here is an idea of this. This is something that was identified. The existing single-family homes, to see the closest one from the center of the compound is 380 feet. We went through and identified what was on the record as far as what was identified by our staff. We again improved it subject to conditions that were part of the special exceptions. Unfortunately, there may have been some communication issues. The site plan process is important. We notified the property owner that they need to be in attendance. The current business owner had been part of our technical reviews. They were not present the date that the DRC took final action. They are asking to be removed and that there not be a conditional limit on the operations. They felt that the noise complaints that had been tendered by the neighbors are not competent and substantial evidence. In regards to the noise issues it doesn't factor into our site plan. We are looking at what the requirements are. Are they technically correct or not? If they are, to get approved. If not, they do not. It is a relatively simple thing. We did receive noise complaints from adjacent property owners. All we are focusing on today is a special exception that was improved in 2022. Given the staff report. In the approvals by the Council and how the DRC followed these directions. The other thing that I wanted to point out was if this appeal is not upheld for council feels it's inappropriate, they still have the right to apply for the amendment for special exception where they can go to address this specifically. If there are any questions for staff, I would be more than glad to answer.

>> Although this is an appeal, it is essentially a do over. You can take into account additional evidence. You're not stuck to the record below. You can change whatever you want. You can

change these conditions on the order.

>> And there is a quasijudicial hearing. Is there any X partake?

>> From the property owner.

>> None for me.

>> Two people have talked to the property owner.

>> We will talk about the substance of discussion of property owner. What was discussed?

>> The fact that they had originally been allowed for 30 dogs and they wanted to raise it to 200.

>> Oh. The old property owner.

>> The old. Nothing new. We will have to wait for one more member. I will ask him when he comes back. Do we have a representative of the property owner?

>> He was the one who made the application for the special exception and the site plan because he was the owner of the land at that time. He has since sold the property. Well, not to the property. Sold the business. He still remains that there are tenants on the property.

>> So you have all the background of how we got here today.

>> Yes. Good afternoon members of the Council chair. I appreciate your time today. My name is Joseph. I am an attorney. With me, I do have a representative of southern coast canines which is the business. I also joined by another attorney on our team. It is my job today to tell you why we are here. I realize that you have a lots of discussions in different matters over the course of the morning and afternoon. An appeal about 30 dog limit may not seem like a big deal. But it is a big deal to us. It determines whether or not our business is allowed to continue. I represent the business owner not the property owner. We filed the appeal because it is our opportunity as we saw it to have our voice heard in this matter. Appeals by nature may seem

adversarial. Our goal here is to not be adversarial. But to work with the Council on a solution that works for everyone. We are not asking for no limit. We're asking for a limit that makes sense for what the property is currently billed for which allows us to continue our business moving forward. The business, Southern Coast Canines, is in the business of training dogs for law enforcement and related agencies across the country in the world. In our application, we submitted a list of various customers, many of them local and some of them not. But the fundamental business is training dogs to perform various law enforcement functions. Drug detection, firearm detection and bomb detection. To do that, it takes time. It doesn't happen overnight. Various agencies require different kinds of dogs. The first problem with the limit of 30 is it does not allow the business to maintain enough dogs on site being trained to do and things. For the various law enforcement and other agencies to have the dogs that they need and want. But everyone wants a German Shepherd at night? Different agencies want dogs for different purposes. There has to be a variety trained on site at any given time. I want to clarify that as currently designed, the property has 100 titles. Any representations that the property is only meant to hold 30 or 40 dogs is simply not the case. As built today, there are 100 kennels. We would ask that it be increased in our application. If there is a number in between 30 and 100 that the Council feels is more appropriate, we are certainly happy to have the conversation in the discussion. If the Council feels that more inquiries needed and more discussions with staff in consideration of the site, welcome an opportunity to postpone this matter to get whatever additional studies or information the Council wants to justify an increase in the number. I will briefly explain how we got here. My client purchased the business in 2020. I understand the county has a long history with the site. There were issues with the construction before purchase. We operate the business under a lease agreement with the property owner. When we purchased the property it was our understanding that it was compliant with code. But there were no issues with this. Obviously it's not the case. Recently in September, this final claim was approved to finalize the special exception approval that was granted in 2022. I did have the opportunity personally to attend one of these review meetings. For whatever reason, I was not consistently included in correspondence on the site plan. I was not given an opportunity that I could participate. I understand that staff says it was sent as a notice of the meeting for whatever reason, the message did not get to me. I did not have an opportunity to appear where I would have raised these issues. Not representing the owner, we believe our options to get an amendment or two process limit changed outside of the appeal process. We believe this appeal process is the best way to get this issue before council. To discuss and find a path forward that works for everyone. I did mention in the application or the appeal petition, the only complaint and justification that I am aware of is issues of noise. Historically, there was a neighbor who is no longer there. He complained about noise on several occasions. Throwing in research, the actual sound levels at the neighbors house or below the limit set in code for noise. I'm not aware of another study or effort to determine noise level at the house other than anecdotes from a resident or a neighbor was trying to sell his house. Right? If there is some legitimate true concern about noise, I think it warrants additional investigation. We don't think there's an issue about noise. The way the property is laid out, there is one capital building in between some structures and office buildings. In between the office buildings in the house that can simply not be used. There are other options as far as locating animals on site to reduce potential noise to the property are not just a blanket on number of animals. As far as I know, those options were

never explored. As I said, this site has 100 kennels. 100 individual spaces. We are not asking for any additional structures. There is no redesign of the site required. Nothing we have to do to change anything to accommodate additional animals. It is only that restriction with the addition of approval at this point. No new or additional approvals are required. I will say when we found out about the limit, because when we found out, we have tried to reduce the number of animals on site in an effort to cut closer to the limit. It is difficult and it takes time. We cannot just leave the dog somewhere. We have actively been trying to reduce the number of animals on site in a good faith effort to comply with the restriction. We would like this restriction to be increased to a level that allows our business to survive. We ask for 100. If it falls somewhere in the middle or certainly willing to have that conversation. We do have a few letters of support from organizations. We have a letter from the court Orange Police Department. We have a letter from the Forsyth County Sheriff's office out of Georgia. A letter from the city of Dallas and a letter from the Chattanooga Police Department. All law enforcement organizations who use our services. I do have some time remaining. I would like to reserve it to respond to any questions or comments from members of the public. I'm also happy to answer questions from members of the Council if there is any questions about operations of facility. I would defer to her.

>> Thank you very much. Our chairman had to step out. I'm first on the list. I have a question for you to begin with. Before I do, I just have to tell you I love dogs. I have two of the sweetest. Miss Daisy and batboy Dudley. It's a good thing he's cute. My wife loves him for that. You mentioned that you weren't asking for anything more. There were already kennels therefore 100. I heard you say earlier you started out with winning 200?

>> The application asked for 100.

>> Did you hear 200 dogs?

>> It was always 100. I did not intend to say 200. That is a question I have for you.

>> Have to say I did peek over to see if there was a hidden camera. I was not hearing 2022. What I heard from you, correct me if I'm wrong, I'd already heard one thing wrong. The individual that owns this piece of property bought this number of dogs without the proper approval? Correct? This individual but buildings on this property without permits. So I am not surprised that when he sold it the new owners were like hey, you can have 100 dogs. I've never met the owner. I wouldn't know if they were walking behind me with the dog. To me, right out of the gate, this breaks of inappropriateness. I've heard from the attorney that they have letters from law enforcement. Do you have letters from homes in the vicinity where they are like yes, we want this? This is great. Thank you. Please bring your dogs. Can I address one real

quick? The issue at hand is does the Council believe that the mention of 30 dogs and the staff report that as part of the special exception is binding enough for these to have to abide by that? And if they do, then is it appropriate to appeal it here? You can approve it and hear new evidence to make these decisions. Thank you for keeping me on track. Because pun intended I was straying a little bit off of this. Call me back in. That is all the questions I have for now.

>> Before we go on, were you asked about exportation when you came in?

>> There are letters of support in the file. For the special exception application. We recently heard about other letters of support. Do you want us to go into this in more detail?

>> No thank you. Michael did you have something that you needed to interject?

>> Yes. I had a question. I apologize if I mispronounce this. Just so I understand procedurally where you are, you believe there is no limit on number of dogs under the special exception with the property?

>> I don't have a position on.

>> Let me think how to answer this. The text of the special exception does not contain unlimited. I understand that there is a reference to the staff report. But the way that the staff report and special exception is written, I do not need that as a specific limit. It's a reference to a representation by the applicant.

>> I just ask, what is the staff's position on the number limit under the special exception?

>> It was incorporated as part of the discussions with the attorney representing the landowner. It indicated a restriction based on concerns identified. It was incorporated into the staff report that the property owner had a certain amount of dogs.

>> So you think that the current property does have that amount?

>> Yes.

>> Mr. Chairman, point of order. I would like to make a motion to extend our meeting to 5:00 p.m.?

>> We have a motion and a second. Any questions? All in favor say Aye.

>> Aye.

>> Any opposed? We are extended until 5:45:30? I'm certain. Wrap it up! Councilman Robbins?

>> I was here in 2022 and I got to witness how this came to fruition. Just from the outside looking in, to me, this sounds like a simple matter. This seems like there is a contractual issue and may be the purchaser got cold feet. Let's face it. I could put 300 kennels if that's not what it is for, that it's not legal. I think we understand that you are a smart guy. At the end of the day, it's a weak argument to say there are hundred kennels so we are entitled to 100. But we are willing to take whatever we can get. I don't know if it is the Council's issue if the new purchaser bought it not knowing it was 30? Shame on them for not doing their due diligence. It is my thought process off? I'm just trying to figure this out.

>> The property is still owned by Mr. Heiser and his wife. The business was sold in 2020. The matter is before the Council because the business was not, not by its own doing but was not made part of the final site approval process. Although we did request to participate, we were, I was specifically told if I attended that I was not allowed to speak at one point. Because I was not the landowner. I was not the applicant. There was some exclusion from the review process. Before we got to the final approval.

>> As the attorney, even if you weren't allowed to speak, if there was any doubt of this prior, as the attorney why did you not catch this prior to signing? Why was this not caught beforehand? And why is it now in front of me? Why is it now an issue after your client signed on the dotted line? I do not understand the question to the extent of when we bought the business, there were representations about approvals or about what was and was not allowed.

>> You think that would be pertinent? It would be very valuable? The value of a property having a 30 dogs if it is leased or sold, if the business had the ability to do 100 dogs, the purchase price would be three times what it was sold for. Now we are coming back afterwards and wanting to change the deal. Not only on the seller, on the residence all around it. They're

kind of trying to change it after we've already come to an agreement.

>> Thank you. Good afternoon Council. When you purchase the business from Mr. Heiser, you are operating that it was incorporated into the business in the lease agreement that our client has for the property. To bring it into zoning compliance. That was handled from a contractual perspective. You are here today to try to get the restriction fixed?

>> It makes perfect sense. I think you have a much acre problem on your hands. It's an assumption that they were going to do over 30. But the limit was 30. I personally think you need to get the contractual issue figured out. There is obviously more to this. There's more to this. I just think it has no issue with me. I cannot vote for something because I know there is more to this.

>> I am one of the owners. In reading, I'm sorry if I do not know the names. In reading some of the documents from past meetings, it was our reading of the documents that whenever there was, sometimes it said 30 and sometimes it said 40 dogs. That it was simply a summary of facts as stated by prior meetings. The way that it was stated or the way that we were reading it was such that the property has the capacity to house. There's always the word house that is used to house 30 or 40 dogs depending on the document that we are reading. I've never said that the business is not allowed to house more than for example, it never said that the property is not allowed to have more than that amount. It was more of a statement of this is the number of kennels or this is the number of spots on the property. We did not read it to be a rule. What I am getting at is that the property, you could probably house it if you wanted to have 2000 dogs on there. But it's not what is approved. All these questions from one business owner to another it all needs to be worked out prior to the sale. These are great questions. All these questions and doubts. Just like buying a used car. You asked questions before you sign the documents. It does not seem like that was done. The ball was dropped. I don't know where. But I think it could all be handled outside of the chamber. Are you the new business operator?

>> 09 operator, yes.

>> I am the attorney for the business.

>> Who owns the land?

>> Bill and Peggy Heiser.

>> There was no building permits. Without under their ownership? Has it been cleared up?

>> I think it's part of the site plan. It's supposed to be remedied under the site plan.

>> Where do we stand on code enforcement?

>> They got the final approval. Now they have to get after-the-fact building permits. There are some conservation areas that they need to restore. In some areas that they need to address. Minor issues that still need to be figured out.

>> They are not done yet?

>> They are two thirds of the way through. I got the final site plan. But they still have to close out the building and environmental permits.

>> You have been through this process from the beginning. What brought up to 30 dog limit?

>> It was a discussion that went on prior to this. The issue was again, noise. Anytime you bring a kennel or dog type of activity into a rural area, there is concerns about noise. It was brought up. In the attorney for Mr. Heiser in conversations with staff agreed to a 30 dog limitation to address the concerns that were being brought up in regards to noise and potential impacts of traffic etc. it was a self-imposed restriction that came from the landowner in previous business owner attorney. It was incorporated into your staff report. And that is what was presented to you so that way it was part of the record and identified with what the applicant had self restricted to.

>> So the attorney was well aware of that?

>> He was present at the meeting when we approve the site plan. When we reference the \$30 limitation. He conveyed to us that Mr. Heiser does not have care about whether or not the restriction is lifted. Because he doesn't have the business anymore. He just has the land. Right now, it all goes back to public record. Right now the public record that goes from the 2022 special exception is where we are hung up. That is why I was saying that the appeal here should not be upheld. Because the record clearly shows that there is a limitation of 30 dogs.

What needs to be done as a special exception needs to be amended to allow for numbers that they feel is reasonable and will not have an impact on the properties. Then come back to you for public after that.

>> If I may just respond back the 30 dog limit was not placed on the property until 2022 which was after our client purchased the business. Also to the chairman's point, Mr. Heiser was represented to me outside of this proceeding but he never requested a 30 dog limit. We don't really know where it came from before being his attorney.

>> That is the big question. Where did it come from and why did your clients not know about it? We send out notifications. And they registered for which meeting?

>> Any meeting. Purchase of property owners going through rezoning, then yes. If it is just for the TRS or technical review staff for the development review committee, no. It is an email and a phone call in those kinds of notices.

>> There is nothing in our code that has to follow anything about a certain number of dogs?

>> No sir.

>> Did you say that we could do that today if we wanted to come up with a number between 40 and 100?

>> Yes.

>> Councilman Reinhart?

>> You alluded to the PL DRC. Is there a reason why it didn't go there before coming here?

>> It to go to the PL DRC in 2022.

>> Okay. But not when they wanted to change this?

>> No. This gives you the conceptual conditions and issues that are associated with it. Then they have to complete a final site plan. This is a technical document improved by your review committee. This is myself, Ben Bartlett, and Cyrus.

>> The next question is not a dealbreaker. I just had my curiosity. You mentioned the noise level. You said that it is certainly something that could be done as far as measuring noise level. Is it based on 30 dogs or 100 dogs? Obviously 100 makes more noise than the 30.

>> Right now there are about 60 dogs on site. Within our appeal application, we included a sound reading from a device that measured 42.9 decibels at the neighboring property. Ms. Lupo actually conducted the experiment. That is with the dogs on site. Being as loud as they could possibly make them the only house of the neighbor who was complaining about sound. He sold his house and moved to North Carolina. But with all the dogs on site being as loud as they can possibly be, at 42.9 which is under the threshold in the code for residential quiet hours. I believe it is a 55 decibels limit. All of the places being riled up with the only neighbor complaining being under the code. Based on our little experiment. There is also what we call the alpha kennel. The neighboring houses on one side of the property. There is also kennels between the neighboring house. There is an office building. There are buildings that do not house any animals. We have since cleared out the alpha kennel. There are no dogs that are on the side of the property. We believe it's even gone further to reduce the noise with the 60 dogs that are currently there. We would be willing to explore other options. We do not own the property. There's only so much that we can do. Locating dogs in different areas and doing what we can to keep the noise down is certainly something that we want to do. Just to be clear, the 30 dog limit came after we purchased the property. All were trying to do is save this business.

>> So what you want to do is increase the 30 dog limit? And you just admit that you have 60 dogs on the property right now?

>> Yes, Sir.

>> Okay, thank you.

>> COUNCIL MEMBER SANTIAGO: I want to start with an operational question. Who let the dogs out? Mr. Chairman, I like the line of questioning where you are going with where we are at today. I think we are over complicating this. I do not care about all of these other things. It makes no difference to me. Does this property support or dogs? Can it do it properly? It

sounds like the 30 dog limit was an arbitration number that was made up at some point. The question still comes back to can the property support more dogs? They have been running 60 or more for a while. I do not want to see your business go under. It sounds like you need this to be successful. That is where the chair was going. I can show you if we need to be successful with the business. I do enjoy the fact that you have been accommodating and are willing to be even more accommodating. What can we change the number here or do a special exception here. I would be supportive of doing this. I think you are right. I don't want to sound sensitive I just don't really care about these other things. From what I have seen and read, I think it can. I'm ready to make a motion whenever you are ready to entertain.

>> I will ask the vice chair to write down but David and I agreed on what he just sighed. I not only took a mental note, it was 3:51 PM and that happened.

>> Can we do a proclamation on that?

>> I remember when Bill Heiser left the Sheriff's office. Do you know if Mr. Heiser has historically done this since the mid-90s on the same location?

>> It has been since he purchased the property which was around the year 2000.

>> I have German shepherds and I've always had them. I look to hybrid breeders when I buy them. I know he had a wonderful reputation. Is it at the same capacity over the last 25 – 30 years? I would say at least since 2000 10. Clay, please correct me if any of this is wrong. My understanding is that he would import shepherds from Europe and test their aggressive delay aggression.

>> We don't know nor care where he gets the dog. We just care what's going on. From 2012 is when the original special exception was granted. Because of a code compliance issue. The code compliance issue came because there were complaints. Because we were not a preemptive. We go out based on complaints. It was identified that he was running a commercial kennel and training facility needing a special exception. That was approved in 2012. It lapsed into thousand 17. We have been working with since 2012 to bring this into compliance. We are very glad that there is a business owner that is willing to cooperate with us at the moment. If Mr. Santiago is feeling that it is appropriate to go through it right now rather than dragging it through a special exception process than it is a determination on the Council.

>> Back in 2012 you know how many dogs were there?

>> Back in 2012 up until 2022 we were looking at 40. That was when Mr. Heiser's attorney identified 30. We cannot speak to the exact number. He did have more than 30 or 40 dogs on the site.

>> We never had puppies. But he may have been doing some reading out there.

>> Will they still be German if they were bred here? We are limited on time. Councilman Johansson?

>> Thank you Chairman. I will take my time. It seems as we said, it has been a hot mess. I'm interested in what they said. I say it's arbitrary. I do not like to drag them through the entire DRC process. I don't want them to spend the 50 bucks here and the 200 there. Is there any way that we can fast track that to get our staff to work with it, come up with a number, and talk to the neighbors and come back to us with the recommended number but the business agrees to that is a minimum? If we make a decision here in a day, either the business is going to be upset or Mr. Heiser is going to be upset. Or the neighbors who called me whether they can hear the dogs or not will be upset. I wanted to all be taken care of before we reach a decision

>> Similar to what we did earlier if you want to talk about direct staff to work with for the appellate to come with a more appropriate number.

>> The dogs are not going to go anywhere.

>> I understand where you're coming from. Right now we have three options. You can deny the appeal or they can come back for the special exception process if they choose to do so. You can determine that the limitation is not necessarily a specific condition. That is appropriate to identify whatever number you feel is appropriate. Or you can direct us to have a continuance date certain in either January or February after we have worked with the business owner to come up with an appropriate number and have them hold a neighborhood meeting to address the issues. Those are basically your three options.

>> I'd like to make that motion to go to the second meeting in January.

>> First meeting in February. Let the status quo go as is. Let them work through the site plan

issues and code enforcement issues. And come back to us with a number. That way they don't have to go through the entire process. And oh, by the way, the public can be here if they should so choose to comment. And if they don't, so be it.

>> Second.

>> We have a motion to table this for a second meeting in January. Wow! Am I in the same room? I Councilman Johansson. Second by Councilman Robbins. So let's deal with this before we go on. There is a full board of people who want to talk. Who needs to talk about this?

>> I think it's a good option. If you did not make the motion, I was going to make it or make the motion to limit it to 30. I will say two things about this. I don't know what's going on with this meeting. We have the chairman and Santiago agreeing on things. But there are couple of things learned like shaking my head. Spot run. Treating dogs, I've been fortunate to have a few in my lifetime. We do not train them and reward them for bad behavior. He reward your dogs with good behavior. I'm not pointing fingers or casting blame on the people sitting in front of us. I appreciate your honesty. You're allowed to have 30 and you have 60. But the whole thing is bad behavior from the get-go. Not getting permits and not getting approval and doing whatever you want and saying you don't want 40 dogs you can triple it. What is going on here with Santiago and I. and I'm like 75 dogs? We need to come back to this first meeting in February and let the neighbors come and talk to us. Coming up with something better is appropriate.

>> Councilman Robbins?

>> Is the new business owner available? I am not going to yell at you.

>> I just want to say a couple things. How this was presented to me and where I was coming from was trying to eliminate some of the guesswork out of this. It seems like there was a lot more issues here. I do not want to say that I will consider the change. I just want to make sure that we are here for the right reasons. But there is nothing else headed in this. I was just going based off of my observations as it was presented to me. I do want to support you guys. I support the industry and what it is about. Things happen in the past with permanent staff. I think we can all agree on this. It's good for the county and go for the state. I will do my best to help. I just want to make sure that we stay on track. If there are civil issues that we are not dealing with, I just want to make sure that we deal with it here. I do not know if 75 is the answer. But I do want to give the neighbors the issue before. I do not want my residence to have expected one thing having to uproot. If we can do something to kind of me in the middle of

them I would love to do that.

>> You have 60 dogs.

>> That is the difficulty. That is why we asked that we come up with some other way of figuring out where this is coming from. On any given day we may have a shipment of dogs coming in. All of a sudden we have 20 more dogs and now we have 80 dogs. I saw 25 dogs in the next two weeks. I still don't know where the rule is. I haven't seen it. I haven't seen the rule and I cannot find it. So I need to know what I can comply with. Do you see what I'm saying? It's not clear. The number of dogs, I don't think I'm explaining this well. It depends on what the rule says and what our business is doing on any given day. Right now, the verbiage that I spoke of earlier with what I didn't think was a rule, it just says that our site has enough candles to house up to 30 or 40 dogs depending on the document that I'm looking at. Does this mean the people who come to our site and pay for the classes, as is dogs that are owned by us. I don't know what that means.

>> I hope you didn't make it more complicated.

>> We just wanted to comply.

>> We just want to do what it takes.

>> Are not in favor of tabling this. I think that we have made it too complicated. I think that we could ended today with a number. It is arbitrary. It's why I asked you how many dogs. There were problems in the past with building permits. You did not own the business and you were not there. I'm not going to blame on you. I do not, why I agree with Councilman Santiago is I don't want to put someone out of business. I want to keep you here and I don't want to create a nuisance situation for the neighborhood. I'm still against tabling this. I think we can come to an agreement and Jake, we do have somebody from the public hearing. This was noticed. We have a public person who will call on to speak before we vote on anything. I hope that we can come to resolution today. You made it a little bit more complicated. You might have 60 dogs ported and tomorrow your people bring 10 dogs for your class. And then they go home at the end of the day. Thank you very much. Councilman Santiago?

>> Hopefully I can get an answer to my question on who let the dogs out. Mr. Chairman, on the screen here, the third bullet point says the issue of noise complaints does not factor into the criteria for approval. Can I get a little bit of background on this? Should we not even be

considering it?

>> The noise complaints are handled as thought. Noise complaints. We don't have anything in our final site plan that says are you creating undue noise here? That is why we factor in there.

>> I know the time is running. I don't know if the Council is ready. The motion that is in play puts you in position to work with our staff. I think there is a general feeling to try and help you. The better that you go back with staff is how are these businesses operating? You got a little bit of background. Don't go to index. But this is what they look like and this is what I want to do. What I be ready to make a decision today? I think council would be supportive of waiting.

>> Question from staff. It's also a stay on County code enforcement regarding the number of dogs on site.

>> I am done Mr. chair.

>> Thank you.

>> Mr. Santiago, I can appreciate what you are saying. This is no different than development and some of these projects going in next to each other. The concept behind Mr. Johansson, if it was you or the chair for any of us, if there was going to be a change in doubling or tripling the amount, that would mean more waste produced on the property and possibly a bigger footprint. There were a lot of other things here. To quote Mr. Kent, that you would rather have a seat at the table or put him on the menu without the voice. I think we can come to an amicable number. Taking the wind out of our resident sales and cutting them off, no one likes not to be done. We would not want to do that with a fuel farm or bubbling through these other emotional topics. I don't want to take away the voices. Because I got a lot of complaints initially. I don't want to go through it again.

>> COUNCIL MEMBER REINHART: I think the owner just brought it to us. Is there language that needs to be worked out? In other words you say 75. Does it mean a flat 75 or new shipment of dogs or individuals bringing dogs to the site to be trained? A lot of the language needs to be worked out beforehand. Coming up with an arbitrary number does not solve that. Mr. chair I'm going to call the question. Let's hear from the public. Katie?

>> Hello everyone. I live right next to this business. One thing that I will point out is why are we

making a permanent decision on this property when they are not there continuously? I will make comments for Christina's words. To me, this is simple. If you want to live next to hundred dogs barking in a kennel or for 30 dogs? I have been pulling my hair out about the number of dogs kept on site in their outdoor kennels. I don't have proof and I can't count how many times that we have reached out to the property owner or on-site staff. We were the naïve ones trying to be neighborly. It became clear that the business did not even want to try. I needed to gather the courage to speak to you today. It's not easy speaking out against her neighbors. Regretfully, I believed all the times that we were told by the business owner or representative of the County or in a few months there turning it into indoor kennels. We were told by someone associated with this property that it was just a lie. I am a fool for believing them. As the new people that reside plead their case to me, I do not and will not believe it and will constantly fight this. Christina here says she wants to work with neighbors. But in her appeal she tried to do some slanderous claim against my husband. Claims with Christina, I'm not saying today to defend my character. I am showing what she is trying to do against my claims. We receive monthly payments from southern coast canine is a kind of appeasement scheme. My husband is a tradesman who occasionally got side work. We have gotten \$2500 payments totaling and \$7500 payments. It was reported as a 1099 on his LLC. The taxes were paid. The best part is, Christina knew that this is what it was. I have emails right here dated June 27 2024 with her understanding of what this was for. On her appeal she claims that it was some sort of appeasement scheme like we were being paid off to be quiet. But she's telling you here today that she's trying to be neighborly. No. All I can say is do you want to live next to hundred dogs? It is horrendous. And they could care less. She lives in Texas and she doesn't care. I left work early Monday to meet her and she didn't show.

>> Thank you. John Nicholson?

>> John Nicholson. I'm not a dog owner. My sisters are. When they bark, they drive me crazy. Not as bad as cats. But they are bad. What I would like to say is I like your idea that the public has a right to know. Neighbors have a right to make a comment. From what I was hearing until a neighbor spoke was that they don't care. Nobody cares anymore. It sounded like she cared. So I would really like to know what the neighbors believe. My aunt raised German shepherds for seeing-eye dogs. I am aware of what it takes. She had to get permission from all the neighbors until she could have the job or the business. It doesn't seem like that happened here. It seems like rewarding breaking the law. I understand he was a policeman. But he felt this kennel in a residential neighborhood. Like it's okay, but we will just fix it. 17 years, it does not take 17 years to comply with our codes. It's in the wrong location illegally. We worked 17 years to get it to work and she should have known that. It's all public record. I am looking at this like the neighbors are not really here to make a comment. She still has not complied. How many more years before he complies and then third, I did not understand if it was 30 dogs or 40 dogs. So I split the difference and did 60. It does not compute for me. I teach math. Between 30 and 40 is not 60. Understand the concepts that you have. Is it porting or visiting. If the dogs come and leave they are not being boarded. If you say 30, it's 30. When you buy the property and

you say oh, I thought it was 40. Okay. Then why do you have 60? There's so much going on here that I would ask you to the leaders and find out what the real truth is here.

>> Okay. I don't see anyone else who wants to talk. Clay, I will ask you if you understand the motion on the table. The motion on the floor is to table this. Are you clear on what you need to bring back?

>> We will work with the business owner to identify what they believe is a reasonable number. There has to be an outreach. To ensure that their copacetic with the request. We will bring it back to you in February to identify where we were.

>> Is that clear?

>> In the code violations are being taken action on?

>> I want to clarify that there are two different issues. There is work without a permit and active noise violations.

>> And they are going through the process?

>> Yes. Clay, you said that the business owner would make sure that the adjacent property owners were copacetic and good. But are we not going to reach out. Do they know that there will be an adjacent hearing on this?

>> Yes.

>> A question that just came up. Now we know that there are outstanding noise complaints. They are noise complaints based on the chapter 15 standards. Sabrina should better explain that.

>> Good afternoon. Sabrina Slack. There are currently two pending criminal noise complaints for violating 5478. With the current property owner. The person operating the business.

>> Verified by the Sheriff's Department? The verified complaint was verified how?

>> These are the audible standards. The ones made by citizens. It was made by the neighbor who sold his house. Because the noise was so loud. It's in a possible standard. I have evidence that has been submitted which would be the BWC reporting's. Was there anybody out there holding a noise meter?

>> These are not the decibel level complaints. These are clearly audible noises of a reportable nature. These are repetitive noises that would annoy or harass a person. There is no requirement for this ordinance.

>> But you have recordings of incessant parking.

>> I do not. It's an animal control standard. What I have is the BWC of the Sheriff's office responding and interviewing the neighbor. So, you can hear the animals in the background.

>> Okay. So the Sheriff's Department did come.

>> The complainant signed an affidavit for nuisance?

>> Yes. To complaints three filed and one pending. We put them on your agenda packet. I did not know if it was the previous owner or this owner.

>> Okay. So we have a motion. We have a call to question. Would you call the role?

>> COUNCIL MEMBER REINHART: Yes.

>> COUNCIL MEMBER ROBINS: Yes.

>> COUNCIL MEMBER SANTIAGO: Yes.

>> COUNCIL MEMBER DEMPSEY: Yes.

>> COUNCIL MEMBER JOHANSSON: Yes.

>> VICE CHAIR KENT: Yes.

>> CHAIR BROWER: Yes. At 4:20 when we are finished with that.

>> I'd like to see if the consult would entertain a motion that I would make to table items number 15, 16, and 17. They don't seem to be time sensitive unless staff objects. In the interest of complying with our time limits for our meetings, I like to roll it over to the next scheduled meeting.

>> Is not a motion?

>> Is there a second on the motion to table 15, 16, and 17?

>> Pardon me, there is a contract.

>> Item 16, the evaluation of the attorney.

>> They're supposed to be an annual review of the contract.

>> Do you think they would mind if we did in January? We could be much friendlier.

>> Contractually is supposed to be in the air.

>> My concern with that is that I think we owe it to them to give them their review as it says before the calendar year is up. I also wanted to talk about compensation as well dependent upon how it goes.

>> I know. But if you look at last year it took an hour and a half. I did not make the motion

to make meetings time certain. We know who made the motions and agreed to it. I am complying with what was put out here. I think we owe it to them. I think they will be okay if we did it in January.

>> We could always extend the meeting for another 30 minutes.

>> We take in our just and comments.

>> So you have a motion on the floor to table 15, 16, and 17 but there is not a second. While she is finding out about that, she is just checking. We are okay. Okay. But you still have a second?

>> Second Johansson.

>> Did you make that before? The motion was made by Councilmember Santiago the second by Councilman Johansson. All in favor of postponing 15, 16, and 17 to the next meeting say Aye.

>> Aye.

>> Any opposed? The motion carries six – one.

>> George, every minute past five, the 10th comes off in my head.

>> Could you clarify who is against the motion?

>> He is the one who made the motion to shorten the meetings without public comment.

>> That's not true. I seconded the motion. I think it was Danny.

>> I should've called it and put it on the agenda so that we could get public feedback. We are wasting time. Item 12. Also a quasijudicial hearing on the rezoning of a property in oceans

shore Boulevard.

>> This went to the PLD receipt with a recommendation from staff. They recommended approval which changes from being 92 are for. It was previously used for doctor's office. It makes perfect sense. If there's any questions about the answer.

>> We have a motion to approve.

>> Second.

>> The second is my Johansson. Is there any exportation to declare? Were you up to speak? Are there any questions for staff?

>> This will be the easiest and quickest hearing you have today. This is a 1956 house which was used as a real estate office. Because of that it has changed. But has been used as a home for this time. I represent the nicest couple that are expecting their first child. They found their house next to her father and then we found out that it's not zoned. This is all were trying to do. We've already got the planning board variances to allow for the house to be reconstructed.

>> We have a motion to approve. Is there any other questions or debate? Motion to approve. All in favor say Aye.

>> Aye.

>> Any opposed? That's the shortest of ever heard you talk! It's the shortest you ever heard us talk as well. Item 13 is a beach special event application of Daytona free ride.

>>.

>> Good afternoon counsel. This of the beach special event. We do have a representative here. An event planned for January 16 through 19th. The reason it is before you today is because they are requesting a reduction in beach access and off beach parking fees. To create a four day pass for \$50.

>> Councilman Kent?

>> VICE CHAIR KENT: I will come out of the gate with us. I hate this.

>> Is this a question?

>> VICE CHAIR KENT: No.

>> How many attendees are you protecting?

>> Between 300 and 350.

>> VICE CHAIR KENT: The numbers I got was between 250 and 300 and then another 300 family members that come to this. I do not have anything against this group. This goes directly against what we do. If you live here, you are accessing your beach at your current property tax. If you do not live here, this is the new rate that we have given you and it is still a steal. It is a deal. If we do this, who is paying for it? It's coming out of the general fund. Our taxpayers will pay for this. And it is not right. The purchasing of the annual pass if they are from out of town is not too much to ask. I looked at this and asked if they were nonprofit. And they were not. I was told they give all of their profits to a cancer group. I don't want to get into their financials. If I have to, I will. How much is a prophet and who gets paid on this? This event alone from what they charge will bring in between 25 and \$30,000. Why should the taxpayers have to carry this on their shoulders? It is not appropriate and here is the next issue. You say yes to this and what happens when bike week comes before us? What happens when race week comes before us? Or other groups who wanted to come before us? Because when I start reading how much they get to church, I'm glad that certain groups want to act like Santa Claus. But don't ask the taxpayers to play Santa Claus. I am drawing a line in the sand. I want this to be successful. I didn't come up with this to just come up with a number out of my head. This structure, the penny pinchers looked at it and said this would bring in \$6 million. Chipping away erodes that. And it makes our taxpayers carry the burden. It is an inappropriate request. I'm disappointed that this is even before us. There was another one that we withdrew. It's almost like this is catching on with wildfire. I was extremely blunt. Who is pushing this? It's almost too ironic that this is all just popping up at the same time. If you can't tell, I'm a hard no on this. For all of the reasons stated above. The company is Daytona free ride. This should not be a free ride on the backs of our taxpayers. Thank you.

>> Are you making motions? I will make a motion to deny.

>> I will second.

>> Okay. Vice chair Kent makes a motion to deny. Deny the appeal for reduced parking and beach access.

>> Questions first?

>> I thought we were done with questions? But I did have one. Before I go to comments. Applicant, applicant here? You said 300 participants? Are the spectators local?

>> There's probably a thousand spectators.

>> So the local folks park for free and in the out-of-town people?

>> I started doing this event in January because there was no January beach parking costs. This is why it has been so successful. Over the last four years it has gone from, I don't know what it was. It was at zero. It was \$10 and 20 and I was 30. Now you are just charging parking. How is that good?

>> It's about time the government pays for everything. You asked me a question. Point of order.

>> Everyone take it down a step here.

>> I think it's over here. My five minute counter? This is local out-of-town and international folks that come here?

>> Yes, Sir.

>> All right that's all I have for now. Thank you very much.

>> Councilman Robbins do you have a question?

>> Well, there is a motion.

>> Have to make sure things. I don't have a specific question. Am I allowed to talk?

>> Yes.

>> I want everyone to take a deep breath. I don't want this to get off the rails. Quickly that is what is happening. When we talk about free rides and people paying their fair share, we have to be realistic and transparent because there is plenty of things in this county that we do. Any government programs for economic development programs with airlines. Which was to be recently approved. HUD, cultural arts. And also the magic numbers. I appreciate Mr. Kent's. He definitely takes the cake in that department. The other side of the story as well is that I think there is roughly 59,000 or maybe even 90,000 tops of people who do use the beach. The use of these beach classes. We approved a number of things. There is a lot of residents that don't use the beach and now have to absorb these costs that are quote no extra charge. We can call it what we want to call it. But it's the same concept quote at no extra charge. We are batting a thousand. And I really like it. I understand that the concept of this. But in terms of economic development as well, of the cause of economic impact, I do support this as well. They have a huge impact on our community. Bike week did not just start with millions of bikers. It started off small and grew into something. Look at the impact. It grew. I don't want these venues or events leaving to go somewhere else. I just want to be careful. Our businesses are still recovering from covid. We need these businesses to get. When it comes to the beach, I don't know if I 100 percent agree with that. If it is going to have a positive impact to create revenue for businesses to put heads in beds, if that's what it takes if you can have my impact on it I will support you.

>> I was looking at your ad from last year. It appears from your advertisement.

>> No. Just to park in the parking lot while we are sleeping or whatever.

>> Just for general trailer parking.

>> What is the fee?

>> What is the fee?

>> I think it was 10 or \$15 per day.

>> Could you get me a list of donations from last year.

>> We had the Roswell Cancer research Institute in Buffalo New York.

>> I have donated a total of \$20,000 to the junior lifeguards. We have and a half of a million-dollar impact on the community. We are not even counting bed and breakfasts for the other hotels. We're just counting what is at hard rock.

>> Thank you.

>> Councilman Johansson?

>> Councilman Johansson.

>> I just wanted to comment. Correct?

>> Yes.

>> First thing, when Mr. Kent said who is pushing this because it's coming up all of a sudden. Is it because January is right around the corner? And everybody is catching on that they need to pay? Is it a timing thing? I assumed it was timing and not all of a sudden it's just happening. Because things are changing here. Or in the new year as people start planning these things. I'm a big fan of heads and pets. I think economic development is very important. At least that's what Bob tells me. There is something to be said for this. But I also have a soft spot for Councilmember Kent. Bottom line, we had an amount of money that we had to make it to make this feasible. As we chip away, we will go for an 18 or a 24 month look back and we will say Troy failed. Were going back to the way it was. Because we are doing stuff like this left and

right. I don't mind if we do this. But it is a slippery slope. And we have to remember stuff like this. If we do have a look back and it's more in the red than we thought which is typically the case. I am conflicted right now. But I will listen to the rest of you and vote accordingly at the end.

>> Not yet. Let's finish this.

>> Mr. Johansen. Again, you bring wisdom to the dais. You are spot on. We had a plan in place. When we go down the slippery slope, you are exactly right. When we look at this and go well, it didn't do what we thought it would. So were going to go back to the way that it was. But we didn't give it a real chance. Just a comment on what Councilman Robbins had to say, we were batting a thousand. I'm not surprised on your stance with this. He fought against it when I brought it up. And you were fully against this. You wanted this to go through this going on top of what they are paying. So this whole idea of listen, you keep it up and we will go somewhere else. I don't respond to fear mongering. I don't want you to put me in a corner. Don't do that. If you could go somewhere else that was better than the premium beach that we offered, you would. Everything has gone up. Everything that you buy, the prices of Ghana. But government, some people think we are supposed to sit back and in my opinion get taken advantage of on the backs of the taxpayers. And here we are. We said right now we are going to have to dig into our general fund to pay for giving a discount with a group that if they live here it doesn't cost them anything extra. It is a bargain still to come and enjoy the speech. They're going to tell me that the 50 extra dollars on your annual pass is a dealbreaker? That is going to make you leave and go to Sturgis? Last I checked, Sturgis does not have the beach. Are you going to go to Miami? Fort Lauderdale? Are you going to pay those prices down there? No. You are not. So the fear mongering does not work with me. We offer a premium service. An hour rate adjustment is nowhere near premium. We still give this away at an incredible bargain. But we need to be true to what we set out to do. And you know what, if down the road we look back in 18 months and it is so obviously successful then we can give these groups a break. But when you get one how do you say yes to the rest? Thank you.

>> Mr. Chairman, I realize you are the last one keyed up. I want to make a motion to extend our meeting to 6:00 p.m. time certain.

>> Can we deal with this one first.

>> We do have one member of the public. I can forgo my comments. John Nicholson?

>> John Nicholson, Daytona Beach site. I hate to believe that there is a point. But Daytona

Beach is an economic engine. Daytona Beach is the economic engine for the county. We have lost through people who thought they were doing good for the city or for the county. Five major events for the beachside. And every time you lose 230,000 or 40,000 or 190,000, these are heads in beds, taxes, and restaurants. These are all kinds of things. 20 years doesn't seem like a lot. But a 20 year event past the stage where it may or may not succeed. It has succeeded. We did not always charge in January. Is this a make or break? Now our hotels give discounts all the time. When they have conventions come in, they bargain how much they will rent the room for. When we have things at restaurants they get discounts. Discounts are always offered. I would hate to lose this. And you will say oh, it doesn't matter if they leave or not. But it does. Spring break brought 235,000 kids to Daytona Beach each year. It doesn't mean that we did not benefit. Everyone benefits when we bring in tourists. Tourists are our advertisements. If they like it here, they tell others. And hopefully the others can help us well. We give discounts all the time. Thank you.

>> Thank you. Your name is just to hold over on here? Okay. The motion is to deny the request for reduction.

>> Yes. This is unusual. But you are the event holder.

>> I apologize for earlier. I understand your point completely about revenue. But, January. Phil is on the beach in January? I am putting a thousand people on the beach in January and you will cut me a break when the ones out there? That's all I want to say. But the one thing that I don't think we are taking into consideration.

>> The motion is to deny.

>> I apologize for getting heated as well. I said you do this and spring break, cheerleading, dance teams, boat races, fishing tournaments. When does it end?

>> The applicant just made an interesting thought asset. Could you tell us what the normal capacity in January is?

>> Typically we do have fewer entries. How many capacity we do have for that is kind of up to the interpreter. It is a hard question because it really is whether it is dependent. I also wanted to note that we asked for request on April third – six date. This could happen in April or January based on application.

>> Do we get a lot more attendees in April? When water is not below 72?

>> Typically surface better in January. The reason I did it was because it was free to get on the beach. And it was a lot less expensive for people to come here and do it.

>> It is hard to nickel and dime with this. I would like to keep this profitable so that we can donate to these charities. I don't take any money from this at all. I do it 100 percent for free. We both work on it.

>> This is not flying a kite chairman. It's jet skis. It's not like they're down at the beach flying a kite. These are people who have real investment in this product here.

>> What we are voting on, the motion is to deny the reduction in beach access fees.

>> COUNCIL MEMBER REINHART: No.

>> COUNCIL MEMBER ROBINS: No.

>> COUNCIL MEMBER SANTIAGO: No.

>> COUNCIL MEMBER DEMPSEY: No.

>> COUNCIL MEMBER JOHANSSON: No.

>> VICE CHAIR KENT: Yes.

>> CHAIR BROWER: Yes. The motion fails five – two.

>> Mr. chair. I'd like to throw an idea out there to approve the request. What is the Council's thought of removing the option if it is an April date? Because the beaches are busier. What changes my mind is the on January. Usually when we are low on capacity we want to fill the

beds. Our people are starting to get to the beach. I don't know if it's something of how the applicant could live with that.

>> I would be fully on board with that. We were going to probably go to early March if you were going to do January. Because everything got pushed back with trying to get this figured out.

>> So your event is still scheduled for January?

>> Yes.

>> I moved to approve the requests only for the January time period.

>> I guess we can do this. We've already voted on improving it. Yes. So we approve the reduction in fee?

>> No. That requires a different motion.

>> It requires a different motion to approve. The denial is not a de facto approval. It requires an affirmative motion.

>> The motion that he made it with a negative motion to deny.

>> I'm trying to make it a positive.

>> Is making a positive motion that it has to be held in January.

>> The request is only for if it happens in January.

>> One other thing because this has to do with beach access fee waivers because it has to be 5/7.

>> This works as setting the fee. It requires a 3/5 vote. You got a second on that motion?

>> Mr. Robinson says that he only complies if the event is held in January. Suzanne, did you have something else?

>> I just wanted to clarify from counsel. The request is a 50 day pass. A four dollar fee for both on beach access which is typically \$30 and off beach parking which is not in \$30. But an extra 20. He is asking \$50 which is usually a one day fee. Since we are modifying the motion.

>> Only if the event happened. If it's in another month, it's what the regular fee is.

>> Thank you. To the applicant with Daytona free ride would you be willing.

>> It looks like it could happen where the constituents are going to be partners. Would you be willing to open up your financials. Share your financials with our legal team so that we can find the charity that you're working with. It's not a local cancer charity. It's one up in New York. Just so we can talk to our constituents and say I've seen the financials. You said nobody is getting paid. 100 percent of the money is being distributed to charities. Would you be willing to do that?

>> Yes, Sir, I would.

>> Would you work with this gentleman to make sure that we get that information?

>> Yes. And we can work with beach safety as well.

>> I would just say I do not have to agree with this. I do not understand this decision from counsel. I feel like this puts us in a really bad spot moving forward. If this is agreed upon, I do not understand, if it's January then we give it to you for the discount. But if it's April then we won't? I don't get this. It's either were all in or we are not. I'm in a be a no on this one.

>> Sir, I was looking at your website and it said that you donated 30,000 last year.

>> It was 43.

>> I see that your sponsorship levels are at 30,000.

>> We don't get any of those. Those are just what we put out there.

>> And then we have a \$10,000 level and \$2500 levels.

>> We are signing up to sponsor this event.

>> It is a very small business. We are not dealing with motocross or something of the sort. It's much much smaller. We take any sponsors we can get. We throw any proposal to see if people bite. Typically they will. People don't like to give out money for these types of events.

>> Who are these sponsors?

>> I can get you numbers.

>> I think you said it was \$100 to register. But your website says it's \$125 to register?

>> You can go in at 100 and then raise money for the charity as well.

>> Maybe I'm leaning one of these moments were trite actually convinced me. I would like to see income brought into the community. But if this is a 20 year event and they are demanding 30,000?

>> We've never gotten that from anyone. It was a hope and a dream kind of number. Like shooting for the moon. Because we look at a lot less.

>> We already had 69 registered entries. At least 70 people signed up for this.

>> It is unprofitable. I would like to look at the books before we waive fees. It's a great thing to have in the community. I think it's wonderful. But I don't know if we should set a precedent with this plan to help the locals with beach access and keeping our taxes down. I don't think you're throwing 30,000 out there. You're saying we've never had a title sponsor in 20 years?

>> We have. But they typically pay about \$3500. We are lucky if they get that. My title sponsor usually helps me run it.

>> Chairman, I would like to make a motion to extend to 6:00 p.m..

>> That's all I had for questions.

>> We have a motion to extend the meeting until what time?

>> 6:00 p.m..

>> It is funny. That is why I am doing it that way. The motion is by Santiago. The second is by Dempsey. Anyone on the board want to speak to that?

>> Johansson?

>> We made a rule where we mismanaged our meeting and our agenda. Here we are breaking the room an hour at a time. We will be here until about 7 o'clock. We have to make an effort to manage ourselves. We have to make an effort to give Carissa questions are questions. Debate is debate. Three minutes is three minutes and five minutes is five minutes. It's not seven minutes or when did they start. We can get these meetings done if we police ourselves a and B if we run the meeting like a business and run them the way that they should be run. It's not a theater. There is no intermissions where people go out and get a wine and come back when the lights go down. This is a business meeting. I have no problem extending it. Or changing from 6 and a half hours to eight. But can we please manage our meetings instead of playing this game. It's ridiculous. Thank you.

>> Okay. We have a motion to extend the meeting until 6:00 p.m.. let's deal with that first. We have a motion and a second. All in favor say Aye.

>> Aye.

>> Any opposed? Motion carries a six – one. Back to the motion to apply the rate reduction if the event is held in January?

>> I will say what I was going to say before. You just said we broke our rules to do this. We broke our rules and said we were going to go one year with the charging out-of-towners to drive and park on her beach. We are now jeopardizing that. I want this event here. I want all the events that we can get. But we just sabotage our own plan because vice chair Kent is correct. Once we do this, every other special event will expect the same thing. Birthday parties and whatever to come to the beach because I'm bringing 50 people. We are sabotaging the plan. I am. I am a no on this.

>> This is a first of its kind under the new parking program which is license plate readers. The applicant is asking for this reduction for event participants. We are interpreting that to mean registered wave writers. We will cut those license plates with this.

>> Can you provide this information so that we can track it properly?

>> That would be perfect.

>> I will be real brief. If we have three no votes then it goes down. I think we run the fence two. I supported the first motion. What opened my eyes was capacity. I think of it as a business from a monetary perspective. If I have the capacity, that's what I mean? Nothing. If I have capacity and I felt it at a discounted rate, and I have made something. That is how airlines operate. Based on demand. That is why I made the motion and the way that I did. I am supportive of the fiscal picture that we are trying to portray here. I was one of the biggest advocates to do that. This helps my cause. I think each one is on its merit and has looked at those things. They will make more money to support my cause. I think others should as well.

>> Mr. Santiago, you know I have all the respect in the world for you. On the beach side, everything is slow in the winter. In January you will give away your stuff at a cheaper rate. You know what you're saying, thank goodness they are here. We are not giving it away. That is not what we do nor how we keep our business viable. They have been coming here for 20 years because it works. In this group that has jet skis are not going to balk at a few extra dollars to get on the beach. Question to you. This has to have a super majority of five?

>> 3/5 votes.

>> That was the county attorney who wants to speak.

>> Mr. Kent, I asked the applicant if you will provide us financials. I do not think it was part of the motion.

>> Okay. Let's restate the motion. This has gotten complicated. We voted on at once and now we vote on it to allow the reduction in fees if the event is held in January.

>> Correct.

>> A no vote cancels the reduction. A yes vote applies it only in June Murray. We call the roll again?

>> COUNCIL MEMBER REINHART: Yes.

>> COUNCIL MEMBER ROBINS: Yes.

>> COUNCIL MEMBER SANTIAGO: Yes.

>> COUNCIL MEMBER DEMPSEY: No.

>> COUNCIL MEMBER JOHANSSON: Yes.

>> VICE CHAIR KENT: No.

>> CHAIR BROWER: No. We do not reach the 3/5.

>> Item fails. No further action required.

>> Item 14. Mr. Booker, the 2025 proposed state legislative priority list.

>> Government affairs for Volusia County. The state's legislative session for 2025 is three months away. Commencing on March fourth. Your delegation will meet on January seventh at the city commission to hear from us. And other business groups before the legislature. This document, assuming that you approve it is used by your lobbying team and provided to our delegation members. It is the blue print. The first section is general statements on our core beliefs such as home rule authority. With statements that we added in regards to our recent flooding issues. We have heard today. The second area contains statements on a variety of subjects. The legislature will likely hear this and take a nap. We will bring several requests. We heard the conversation earlier this morning.

>> I got a frog in my throat. Given the fact that I did find out during the conversation earlier this morning that February 14th is the deadline for appropriation requests to be made and submitted, that we will not burden our delegation members with submitting something on the 13th. Thank you. That is a commitment that none of the staff. I do appreciate those filed. This commitment is our basic blueprint. Its introduction is self-explanatory. The other items are ready for your approval. And deletions. This is your document on how we proceed. During the next legislative session. With that I will take any questions that members of the Council may request.

>> Let's start with questions only. Antioch go?

>> Thank you Mr. chair. On the insurance section, I think the homeowners insurance is with the insurance. It is not getting as much attention. I want to know the Council support for expanding on that. In looking at tort reform. Advocating for tort reform. Principles. That is a very big space. Maybe his our staff and our lobbyist watching for tort reform that we can get against,

>> We can certainly add that. I think it is appropriate for the context of this document.

>> There was some legislation passed in the last session or two. Honestly, each year the things that we monitor and are concerned about our attempts to create the sovereignty. That will have a role.

>> I am talking tort reform as it affects our citizens and our consumers. Unless there is any objection, I would like to direct our staff to include things along those lines.

>> Is there a second on that motion?

>> Yes. There is a second from Kent.

>> Other than that, I think the list looks good.

>> Councilman Santiago make a motion and intent second set to include auto insurance and tort reform to the first page, last item of homeowners insurance. Any questions? All in favor say Aye.

>> Aye.

>> Any opposed? That carries a seven – zero. Let me find it. Questions on the transportation index.

>> I like the electric vehicles being on there.

>> Page 9.

>> What do you see on page 9?

>> You asked about the indexing.

>> I see. I have two different page numbers. Seven, eight, and nine. My only question is will it make customer expensive?

>> It would allow the flexibility, yes.

>> So it will likely make customer expensive?

>> All we are asking there is to be included in what the state of Florida does. They index the gas tax. And we do not. Our penny has never grown. We are getting the same revenue if not less because of the electric cars. I'm not is the source that we need to maintain our roads. To a certain extent build them. Pretty soon, we will have a rogue workshop coming. What you will see there is soon we will be looking for other sources to maintain these assets. But the state indexes. So they get the advantage of a growing source when we do not.

>> I do not hear any concerned about it. We talked about this when we talked about storm water. I would like to see an appeal for funding to cover stormwater project costs. You did not feel like that was effective but the legislature as an open ended appeal.

>> I think there is certainly the possibility that the legislature comes out with a big package. I think there will be conversations around that. But what I did earlier today, I thought we needed to be at play for individual requests. I support your concept. Of asking for some kind of blanket. County is affected by this. I support it.

>> That is in your introduction. We try to make that the feature of your introduction on page 4. when we talked about the storms and flooding and coastal support from the state. We can expand on that. I just wanted to bring your information on that one.

>> Duncan is here. I think she's already ready to make the check.

>> So it is in the introduction. It is not one of the listed. If the Council feels like it has the same impact than that is fine. I wanted to be included because we will need money for storm water.

>> One other thing. This came before Council when I asked about opening the beach from here to the boardwalk. But it would eventually have to go to the legislature. It did not make it on here. It was voted down by the Council. The County manager or attorney?

>> Are you talking about the beach driving?

>> Yes.

>> It was not supported for discussion. And then later was requested to be brought back. That is on our target to bring back for discussion in the first quarter or first few months of 2025. It may have happened at the one meeting while you were absent.

>> That would make it too late for this legislative session.

>> Yes it would. I will let John speak to what kind of act standards go with that. You would have to find a bill sponsor. It does not have to be unanimous. But it does need to have a majority on the numbers. It has to be published a certain amount of time prior to delegation. And there is probably a couple of other things that would preclude that. It would be perspective of the late start of session. The session will not end until May. As far as 2025, it would have to wait until 2026.

>> Thank you for the explanation. I cannot make a motion if there's two people that want to speak. If anybody would care to make a motion to put an appeal for stormwater funding is one of these listed items.

>> Mr. chair, I noticed that hurricane Milton was actually our first bullet. It's all about storm water drainage around the hurricane impacts, flood mitigation and asks for both funding as well as streamlining of state processes. Most critical is the hazard mitigation process. We have to go through a process in the states streamlining will be extremely helpful for us to get those dollars. Glad to expand that. But I failed to mention that we have included that as well.

>> We will see what other Councilmembers have going on.

>> I was going to bring back hurricane Milton on page 7. there it is. I think we need to keep in mind that this is a legislative priority. And we will be doing approaches as well. But it does not stop us from getting money. I do not think that 37 million the governor DeSantis brought the check down after Ian, I do not think it's in our legislative priorities. If I was up there as a legislator, I would hope and I would be looking up at all this money before I went and allocated state funds. I think the money is coming from what we have heard from staff and what we have heard from DC. I am convinced that what we have here on page 4 in the intro and what we have here on page 7 in our work with our lobbyists and everybody posted Milton will do the trick. Having said that, adding another bullet. No harm, no foul. I think we have not adequately talked about this in both pages. In the macro and micro sense. Thank you.

>> Councilman Robbins?

>> Thank you. Can we make recommendations to add to this list?

>> Two things. I see it working in other states. The biggest state is Montana. I would like to maybe send up an option for lifetime vehicular tags. They have a great model with several other states. I don't know how the state will like revenue loss. But they have a matrix for lifetime tags. Also, cutting taxes throughout the life or limiting taxes when it comes to resale of boats, vehicles, trailers, there are models out there where the taxation stops at some point. Even on sales. Or is it something is an appetite to have someone explore?

>> We will not know until you make the motion.

>> Counsel, I'd like to add that lifetime tags and using Montana as a model and also the expiration of limiting the amount of taxation on these vehicles after a certain age or point like other states that do it.

>> Lifetime tags and limiting taxes on used vehicles after a certain point in their life. So vehicle after eight or 10 years. It continuously goes down as the age of the vehicle does?

>> This is to add to the priority list. I would request that may be you make this in your final comments and put it on the agenda so that it's come back so that the public can come and speak to it.

>> German, or something that we can handle at this level. This is a state legislative action. Other states are doing it. If no one wants to pick it up then I tried. But I don't know one person that wants to pay more on their sales tax of vehicles or trailers or boats or pay more under tags.

>> I will second that motion. I think that we can deal with it. It's not an ordinance.

>> And I have one more as well.

>> Okay. You heard the motion. Lifetime tags and limiting sales tax on vehicles after some time. What is that time?

>> In Montana and Tennessee it gives them a starting point but other states are doing this. If they can create a model and get support on both sides then it is something to explore. Other places are doing it. And saving the residents a lot of money.

>> Councilman Reinhart has a question.

>> We are only asking about this. All we are doing is voting on the fact of whether or not we are putting this on a piece of paper.

>> Were not saying let's eliminate the tax. It's just on the wish list.

>> We are not and cannot make it a lot. We are saying here Tallahassee, what do you think?

>> At a minimum, it puts it in the thought process.

>> Yes. And I'm good with that.

>> You have enough information to write that item up and put on the list?

>> I'm looking at Mr. Booker. He seems very competent.

>> He has.

>> Can we think about?

>> CHAIR BROWER: Yes. All those in favor say Aye.

>> Aye.

>> All those opposed? Thank you. Council, about a year ago this board had voted six – one on establishing possible usage of Tiger Bay. A portion for outdoor recreation and expanding that thought. I would like for that as well to go up to Tallahassee. It never has made it that far. We got unanimous support here at the local level. It got a little resistance and agency out of Orlando. But, I think I'd like to make the motion to send that up to Tallahassee as well to use other state forests or state recreational areas as a model and bring to the concept here like we voted for our county.

>> It is either Don or myself.

>> You like that? I didn't think you would.

>> Does not take legislative action? I do not know. It would take to take it up as a bill sponsor. If we do not get a sponsor and we cannot get anything done.

>> Unless we put it out there then we would not know. I support you. But at the end of the day, we need a bill sponsor.

>> Okay. The motion is to send to the state legislature to open Tiger Bay for recreational writing portions for outdoor recreation for responsible ATV and off-road usage.

>> It is seconded by Mr. Dempsey. Questions on that?

>> We know that Don likes it. I think I am the only one who opposed it before. Just because there is other locations that we could use. In that state forests. All in favor of the motion say Aye X Aye.

>> Any opposed? The motion carries six – one.

>> Anything else on 14?

>> You have a public participation credit. Subject with the schools.

Because there is a formula is referencing a statewide formula and it is a battle every year

over there.

And ultimately what usually, I have not followed it the last couple of years but usually what ends up happening they do some kind of supplement type of program.

That does not make this 100 percent whole but if they throw a bone at us. I have always been an advocate for fixing that formula. The problem that happened and not an excuse for the problems that happens there are communities get more than 100 percent of what they are supposed to get. And those are usually the communities that have large delegations and are very influential in the legislature.

It is not an easy task I have been on the frontline myself I just wanted to share that.

>> Chairman can I say something real quick?

>> Councilmember Santiago.

>> For the lifetime tax we have currently in the state of Florida a tractor trailer flatbeds and I believe box trailers the 53 footers. We can use that as a model as well.

>> COUNTY CHAIR JEFF BROWER: It looks like he has got it in we are admitting 15 to 17 we will go to participation – is it John Nicholson you want to come up Mr. Nicholson?

>> Okay, of the 16 I have two I would mention one on the east drive were talking about you realize we lost about \$50-\$100,000 on a time we were not get that kind of money. So a reason to give money to get money, secondly we were over optimistic on the six hour term limit, generally during the 9 o'clock meetings we only end at 5 o'clock. So we are not really off that far.

Maybe we should have gone 5 o'clock on and o'clock meeting and 4 o'clock meeting that seems more appropriate.

>> The general target you might make it easier to get through this hour, hour and a half.

>> COUNTY CHAIR JEFF BROWER: Thank you. With that I will close the public participation portion of the meeting and open it up to closing comments by the County manager.

>> GEORGE RECKTENWALD: With that, we will open up in January. With our traditional organization meeting January 9th, I believe it falls this year which is Thursday reminder of that because that is our charter. We will open up with having a workshop that afternoon to go over the goalsetting and we will be working with us again and I am sure we will be reaching out in that meeting. That is all I have.

>> COUNTY CHAIR JEFF BROWER: Thank you, County attorney?

>> Nothing.

>> COUNTY CHAIR JEFF BROWER: County Council Matt Reinhardt.

>> MATT REINHART: John if you did not hear that the point of order, as far as making the timeframe it gives them a chance to say point of order. He interested.

>> Point of order.

>> MATT REINHART: Recently I received a phone call from a concerned citizen with respect to hurricane Milton. He and his wife are in their 80s. He was not complaining for himself as one of the things he witnessed at one of the shelters.

First kudos as far as medical staff, County staff, the Sheriff's office. It seemed like the school he went to every deputy in the county went to it he was appreciative of that.

>> He is well aware that there are special needs shelters. And that the health department, I guess, supplies costs for those shoulders and he is aware of that.

There are a couple of instances where Debbie's brought victims of homes that were flooding and just brought them to that location which was not a special needs shelter for the individual had to be helped to the bathroom. The bathroom itself was on the outside they had to walk through the breezeway. I have already addressed that with the school board to talk to them about it. But one of his concerns is, is it possible, even though we do not supply the books to have a couple available for those emergent situations. Just a question. Not everybody's that has special needs during those times of crisis winds up taken to the correct shelter.

Therefore we have some on hand, just something to think about for those individuals.

>> That really need to be discussed with our emergency management folks, unfortunately they are not here today. So I will bring that up and the EMS partners and look forward.

>> MATT REINHART: I appreciate it I said I would bring it to the attention paid is something I read up not something we need to take a vote on. Tomorrow morning with the assistance of the Volusia Chamber of Commerce we are doing the second EMA job therefore we are identifying inmates that are within – release timeframe of the 30 day threshold. That we are trying to set them up with businesses willing to hire them. It was very successful last time. We had seven businesses several people took advantage of that. Some which received that job when they were released from custody.

I think we have four or five and Walmart is on board some bigger companies are on board. It got a lot of media attention which that only helped the situation.

If you are aware of any businesses we will do this on a quarterly basis, anyone out there take part two Barbara and says she can set you up for future events. That – now the 2024 hurricane season has officially ended, and George we talked about this yet good ideas in respect to sandbags.

We know we saw quite an event take place at the jail traffic was back several miles coming up to John drive to U.S. 24 to pick up sandbags.

George came up with a great idea offering the same back said earlier timeframe, we are usually aware of the storms long before they occur weeks advance notice.

Also the fact we have assets the County that we could offer those sandbags at those locations as well. It is early, it just ended a couple days ago but already start thinking about that. Better to be planned than not.

Better to be planned better to have that discussion now.

I know I was very disappointed our know what grant did not come to fruition. However, I know we just talked about finances and tasking for money, you know, looking for grants and needs to do that. My idea was to have those – I thought it was a good idea it would benefit the growing of mangroves for the IR L. Which would not just help Volusia County but several counties all the way down to Palm Beach County.

I thought it was a win-win but I understand it is extreme and competitive so we did not get that. So do not keep the eye off the ball if opportunities come up in the future for that. It will not just help with mangroves but also helps with ocean native – beach native type plans for Sandy's as we start into that process week. Doing restoration plan. Being able to grant those seats and things of that nature, granted it can take a while to screw grow them. It is not a question of if another storm will happen it is when birds for future events do not want to keep the eye off the ball on that. Other than that I wish to wish everyone a Merry Christmas.

>> COUNTY CHAIR JEFF BROWER: Robins?

>> DANNY ROBINS: Thank you County chair, for not getting the new grant a few years ago we had 100,000 allotted to the coastal budget for shoreline restoration. Do we still have that within that budget?
Off the top of your head?

>> I do not have that off the top of my head we have dozens on doing restoration about to start. I do not know if you are referring to plans on top of that? What he has been working on this two years. I would be willing to support if we could find that money. He did it for me when we were doing tree plantings with the roadside, that was two ears ago.

>> It is what we are planning on doing good.

>> We got an alternative grant for the replanting of the dunes after the sand project print I think the proposal as the correction facility was a little different.

>> It was different we could grow multiple things was not having to outsource it we are growing them ourselves but in addition to the fact.

>> Will have to look at what the cost will be.

>> And funds to replace the grant.

>> We have a location, the water, everything from the old Brickyard was a great spot. Thank you.

>> Thank you.

>> Miss Wake, for those who do not know I want introduce Christina Wake real quick it is something I have been working with her on for a year. She also has been in contact with U.S. forestry service, Marion County, Lake County and Volusia County. In a nutshell what is going on she was only to hit on this three minutes, silver Glen. A portion of Silver Glen, street George borders Volusia Hugo to Lake Marion and overlay and what the F WC computer's appears to be doing where it is having some effects on Volusia County. Is the economic impact, because this overlay targets no mooring, anchoring, or beaching of any vessels whatsoever. Anybody who has been up to asked or knows one thing, they are all boaters then you have people from the fish camps, Little Lake George, half moon on the river. They are coming from Lake George going up there you have Rosie's diners all these moms and pops up there and the state is getting ready to kill us in that area of Volusia County. I know it is out of my district and what not. I go up there the place is near and dear to my heart of Silver Glen.

Council, I will write a letter for my office supporting their initiatives to continue to allow boating. Just like his lot of other laws and studies we see, we see the red snapper, with the grouper, with lobster, other species of snappers where the studies are done. And they leave out so much. In this case but they are not factoring in, and the answer is lot of their own questions on the Lake and Lake George. His that the amount of resident manatees they are using is the degradation of the grasses in the spring run. As a way to shut down boating.

They are not looking at the overpopulation of now once migration roll manatees have now set up shop like they have done in southeast Volusia and the lagoon. And they decimate the grass publishing. Because ultimately some of the things we are doing. At the end of the date they are doing studies up there to prove a quick point. Were grasses that were more prevalent at one point, they planted a lot of them on the shoreline of street George they put a fence around them and they are thriving.

>> Not currently. Not currently what are you looking for support from the Council, Danny? I

move we support a letter from this council supporting Denny's position.

>> Second.

>> DANNY ROBINS: I do not want to buffalo something through but I appreciate you.

>> It is like buying a car. What I was talking about it if we were getting a chance it is close.

>> Just so I am clear on that in the past, with the grass is that when you want here?

>> DANNY ROBINS: One is that meeting coming up?

>> Next Wednesday and Thursday we have the FTC meeting in Lakeland, if anyone has time and wants to come to Lakeland to join me.

>> DANNY ROBINS: Is there anything we have something written out and sent from council by email?

>> We can do that, Mike, we can individually write back to you.

>> The problem is what we call a round robin is a problem we have a a public meeting.

>> What if we vote to approve it now and only put the names on it that said yes?

>> What I am hearing is this council is okay with Mr. Robins writing something by the Council without support.

>> I trust the Council looks the time constraints.

>> DANNY ROBINS: I do not want to put anybody in a position.

>> Any councilmember can cosign it.

>> MATT REINHART: We are better when we are together.

>> We have a deadline that everything happens perfectly in a box. We either like the idea of helping and support to keep boating open at Silver Glen or we do not. And I am for 11 I am okay with your letter. I will put it out it right now I am good with it.

>> You can attach my name I am good with it.

>> Thank you very much.

>> Was their motion and a second?

>> There was a motion I did not hear a second.

>> I know a member.

>> Waiting for the chairman.

>> The motion was by Santiago the second was by Robins?

>> And Mr. Kent seconded the motion.

>> Jake Johansson?

>> JAKE JOHANSSON: Would to it be feasible since Danny is well-versed in the subject. Can you work with Mike Dyer posthaste, come up with a draft. We agree to this tonight it comes up in a draft. Then the chairman since it out, as our chairman which is what his job is. On behalf of all of us it can be cosigned if we all agree tonight. But leave it up – I trust that Danny and Mike Dyer and his crew could come up with words we will all be happy with. If Danny right said I will be good with that too but it would be much better of a couple lawyers but the pause on it for an hour or two. And then allow us to send it out on behalf of council with the chairman.

>> I think the letter can be as simple as council is in support of this organizations position. For F WC expressing concerns for personal boating uses.

>> There is already a format they have they can put that letter on County Council letterhead with every one of us electronic signature.

>> Miss Wake can you send me the templates tonight and I will work on it?

>> Absolutely, I would also like to ask if we can be put on the agenda maybe the first of the year. With Marion County and Lake County we are working on County ordinances and ultimately we would like to have all three counties agree with these ordinance to avoid some of the riffraff issues but keep it in-house.

>> I do want to clarify on that happy to have these discussions but we are ultimately dealing with state agency here. I just do not want to leave the impression there is a lot the County ordinance. We certainly can have discussions quick that is a whole separate situation. Report that will give my situation.

>> Maybe next week.

>> Wednesday and Thursday we are not on the agenda, we will be at the end of Thursday presenting and speaking on behalf of sober. They are a really faster on the end of meeting sometimes I have been out of there at 9 o'clock sometimes 2:30 but Thursday would be the end

of the day meeting.

>> When?

>> I do not know sometimes on Wednesdays they take half of Thursday and do it all Wednesday. So we are in and out, I have literally to several of them and I cannot tell you.

>> A motion and a second ago.

>> We did vote everybody say Aye in support of the letter? Any opposed?

>> Thank you very much.

>> That is pretty much it.

>> Councilmember Santiago?

>> DAVID SANTIAGO: Looking if there is consensus for Daytona, Daytona has been put in with the flooding and the challenge they are having with street John's. Basically I think it is one or two individuals complaining about the lake levels going down for they are in a position for the city to close this that stop the water from flowing into street John. And it was accurately described as this is Lake Theresa basin that pretty much start over here in the land area continues flowing down. Inc. On a prorated areas but we all have skin in the game to continue to drink that down. I fear that if we close that were the water will go down to Daytona for the river but not continue to flood and make it worse for the residents of Daytona in that area and and incorporated Volusia as you go to Lake Helen. My question is if there is consensus to direct staff to find a way to either legally, supportively or find options to support Daytona to keep that weir open in these tests times, what your grade not only Daytona it was brought up today

>> We need to keep it open.

>> Would like it to be specific to this particular basin, or would you like to further discuss with street John's about releasing water? With the drought floods?

>> Is that is a bigger conversation.

>> There are bigger examples like we mentioned today were you have foot water into the river, the same timeframe.

>> George, I think that is another bigger problem. They are preventing other cities for putting water into the river, too. I think with Daytona the unique position they are down to one or two days, maybe three days that has to be shut down but I am supportive of the big picture solution to have street John work with us better. To give assumptions about water in the river. But my request is specific to the Daytona think about whatever legal things to do to support or staff.

>> I would suggest they come back with a resolution.

>> I would recommend you come back with information for council, discussion and give us direction.

>> They have a hearing coming up for what I am being told? A decision this week?

>> I am not aware of it, in Daytona?

>> That does not mean it is not true.

>> What does the resolution do?

>> I do not know, do we get involved in the litigation or the water management district? I do not even know if that is an option.

>> What is a legal term when you joined, I cannot remember I express last night but I cannot remember. The legal term when you join someone in support of their position?

>> Generally what you see are the outputs brief. And slid her group Asian are not party but they are expressing support for it if they are having a hearing next week, I mean we could reach out and find more information I just do not know what support looks like at this point.

>> I know there are so many unanswered.

>> If this passes we could reach out to the city that says what they are and we can look at staff for this option and return to you if we need to.

>> I am satisfied with that. At least reach out to them tomorrow find out what support level we can have. I think we all have skin in the game on that one and others.

>> To reach out to street John's?

>> To reach out to the city of Daytona and see how we can help them.

>> Want to make that call?

>> And if the Council is willing to consider additional support if we bring it back.

>> Thank you, Mr. Chair.

>> Do you want to vote on that?

>> I like the one

>> I think he wants us to vote area we do not have a second for Santiago's idea. A second by Troy Kent, and reaching out to West to communities about keeping the weir open and we can do this, it may be a separate issue. Register the street John's water management district. What his plans are. And an explanation and do not know what we are fighting. We need a lot of answers.

>> My motion was specifically Daytona.

>> Like Troy Kent, you need a second?
All in favor say Aye. And that was it for you councilmember Dempsey you have two minutes.

>> DON DEMPSEY: I just have one thing to say, Thursday as you probably know we have a town hall meeting to address all the flooding issues over here in District one, I believe. Chair Brower is committed to be there we also have clay urban and also assistant city manager Mike is coming from the city of Deland, will be top 30 in chambers. A question and answer session just to give people up-to-date on what the County and city are doing to try to address and that is it.

>> Thank you, that is excellent. Councilman Johansson you may want to make a motion to extend the meeting five minutes.

>> JAKE JOHANSSON: I do not.

>> COUNTY CHAIR JEFF BROWER: Then do not.

>> JAKE JOHANSSON: I think the only thing I want to bring up is February 5th, I believe, is the East Central Florida regional planning Council climate awards part of which Volusia County, I think, but it an application for this year. Looking forward to that, and I will send out the address of where it is. That is all I have tonight.

>> COUNTY CHAIR JEFF BROWER: Thank you, it is 6 o'clock, vice chair Kent would you like to make a motion to extend the meeting however long you think you need?

>> TROY KENT: Chairman, I would, I think it is appropriate everyone and opportunity to comment and mine will be brief. So if need be I will go ahead and make that motion for a maximum of ten minutes. I will need to three.

>> COUNTY CHAIR JEFF BROWER: Then ten minutes is fine.

>> TROY KENT: That is what I said that.

>> COUNTY CHAIR JEFF BROWER: All in favor say Aye?

>> Aye.

>> COUNTY CHAIR JEFF BROWER: Any opposed? Did you get the second? We go to 6:10, go.

>> TROY KENT: Thank you, first I will say Merry Christmas I hope you have a wonderful holiday coming up with her family. And I will say to Mr. Nicholson, and those who were upset about is going over our time limit. I want to remind everyone, and I am not upset with staff. We voted to have one meeting in November and one meeting in December. We are a 1.4 billion machine and we have to turn through this to get the work done for it so I am glad we put a caveat in this new rule we could extend the time if needed and I think it is working. Time will tell. We had one meeting in November 1st in December, I believe one in July and that is okay. A couple of things, the next district dialogue with Councilman Kent, myself will be Monday, January 13, 2025 5:55 P.M. at Bicentennial Park at Ormond by the sea. The dog friendly section of the beach at Ormond Beach has been wildly successful. It has been over a year now and I want to say this month alone volunteers have picked up a half mile stretch, 764.5 pounds of trash on the beach, just incredible.

To Ms. Wake. Who was there I am so glad that save our boating rates came in and we will talk about keeping things positive at Silver gland. Last, but not least for me, is this information we received about the ocean center. Mr. Reinhart, your letter was perfect. You did a great job and I appreciate you're the tourist development Council chairperson and that is also your district you represent. Council, we made several changes of the ocean center but guess what?

They had their best year ever, okay!

That does not escape me. When you look at total events 118 total dependence, 513,000, 16 percent over 2023. 88,000 hotel nights occupied, that is 70 percent over 2023. Melissa talk the revenue for the earned revenue 11 point half-million, 20 percent over 2023. And the food and beverage is up 23 percent at 4.51 billion. Mr Recktenwalder, and Ms. . You are a breath of fresh air at the ocean center we have to put our foot on the gas pedal. You heard this council they all have their favorites but we want more events there, more events for locals. Because guess what?

As they say in old England the proof is in the pudding and it is working. Thank you very much, Merry Christmas everybody.

>> COUNTY CHAIR JEFF BROWER: Thank you, I probably need three minutes as well. I just had two things real quick, one of them is in regard to what Danny brought up about Silver Glen Springs, the guy, the young man in charge of the fencing had reached out to me and would like to come and speak to the Council bit I will talk to him again and see if he is still willing to do that. And then bring it back to council see if you would like to hear from him. We actually talked about – he is worried about manatees overgrazing. He is also worried about them starving to death and eating what is left right in the heart of Silver Glen. So he is sensing and often I talked to him about what we do with cows and leaving a gate between that can be opened to let in rotational graze.. And the native grasses.

One of the reasons it is under a lot of stress right now is because the state hydrologist for Florida has said that as far west as we are Silver Glen Springs we are experiencing salt water intrusion. And those native grass will not survive and there is not a lot we can do about that. We did offer a reason why. When we talk about flooding this is hard to fathom. Maybe it is different now because he made this in the summer. But we are pumping water out of the aquifer so fast they cannot be replenished but that lens of water that is over top of the saltwater that is always there. The saltwater is reduced so much the pressure is not enough to keep the saltwater from rising.

So, one of the issues we talked about we have to deal with with water quality and air quality, and last thing.

Jake, you brought up the way the meetings are run. I think Mr. Kent just responded to it. I think maybe you admonish the whole council maybe it was just me. I think this meeting is run like a business meeting, as important as it is. We have set rules where we ask questions first, then we debate. I give a lot of leeway to that. So, if that is what is causing the overages and I take full responsibility for it.

The reason I do is because I think we are getting better and better at it people have questions first then debate, but I think it is important that if we have a councilmember, it happened tonight several times when someone would hear something Don said or Santiago said in a crazy question. I think it is really important to let them – they always ask. Can I ask another question, I always say yes because that is how I view my responsibility. Is to give each one of you an opportunity to speak and get your questions answered. And to do the business of the Council. I can easily enforce our rules 100 percent and never allow that. Then 25 minute bites of the apple to debate it. I am going to ask everybody to think about that and bring it up the next thing that is what you want to do we can do it. I think we are getting better and better at following those rules. And I think Mr. Kent hit on the head with one meeting this month, and it is really important stuff in here we had to deal with. So, with that I took more than three minutes so I. And just wish everyone a Merry Christmas.