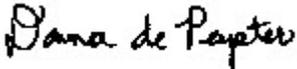
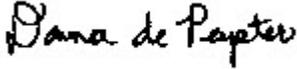


| | | | | | | | |
|---|----------------------|-------------------------------------|-------------------------------|--|--------------------------|---|----|
| Date: 06/05/2018 | | AGENDA ITEM | | | | Item: R | |
| <input type="checkbox"/> Ordinance | | <input type="checkbox"/> Resolution | | <input type="checkbox"/> Budget Resolution | | <input checked="" type="checkbox"/> Other | |
| County Goals | | | | | | | |
| <input type="checkbox"/> | Thriving Communities | <input type="checkbox"/> | Economic & Financial Vitality | <input type="checkbox"/> | Excellence in Government | <input checked="" type="checkbox"/> | NA |
| Department: Leadership | | | | | | | |
| Division: Leadership | | | | | | | |
| Subject: Minutes of April 17, 2018, and May 1, 2018, county council meetings. | | | | | | | |
| Donna de Peyster Director Finance  Department Approval Division Approval | | | | Legal Daniel D. Eckert County Attorney Director Legal Department  Approved as to Form and Legality | | County Manager's Office Donna de Peyster Deputy County Manager  | |
| Council Action: | | | | | | | |
| Modification: | | | | | | | |
| Account Number(s): NA | | | | | | | |
| Total Item Budget: NA | | | | | | | |
| Staff Contact(s): Marcy Zimmerman | | | | Phone: 386 736 5920 | | Ext. 12398 | |
| Summary/Highlights: Attached are the minutes of the April 17, 2018, and May 1, 2018, county council meetings. | | | | | | | |
| Recommended Motion: Approval. | | | | | | | |



County Council of Volusia County, Florida
MINUTES
April 17, 2018

| COUNCIL MEMBERS: | | STAFF: | |
|-------------------------|---------------------|---------------------------|------------------------------|
| Ed Kelley | County Chair | James T. Dinneen | County Manager |
| Joyce Cusack | At-Large | Daniel D. Eckert | County Attorney |
| Pat Patterson | District 1 | George Recktenwald | Deputy County Manager |
| Billie Wheeler | District 2 | Donna de Peyster | Deputy County Manager |
| Deborah A. Denys | District 3 | Marcy A. Zimmerman | Deputy Clerk |
| Heather Post | District 4 | Kathie Kardos | Recording Secretary |
| Dr. Fred Lowry | District 5 | Sue Hilson | Administrative Aide |

Public participation is encouraged on matters on the agenda. If you desire to be recognized by the Chair, please fill out a request form and present it to one of the staff members present in the Council Chambers. This will allow the County Chair to provide ample time for those desiring to be heard.

Public participation on items not on the agenda can be presented to the County Chair and other Council Members attending, along with County staff representatives at 9:30 a.m. prior to the regular session of the Council meeting that begins at 10:00 a.m. If the matter cannot be resolved at that time, it will be presented to the County Council for determination regarding placing the matter on a future agenda. Public participation will also be heard at the end of the Council meeting.

Public comment on issues on the agenda or public participation shall be limited to 3 minutes.

Public hearings and time-certain matters may be heard later, but not sooner, than the designated time.

If any person decides to appeal a decision made by the County Council with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings including all testimony and evidence upon which the appeal is to be based. To that end, such person will want to ensure that a verbatim record of the proceedings is made.

| | |
|---|--|
|  | We respectfully request that all electronic devices are set for no audible notification. |
|  | Electronic Information! County Council agendas, minutes and live audio of meetings are available on the internet: http://www.volusia.org/government/ |
|  | The Volusia County Council Chambers is a Wi-Fi Zone. |
|  | Notice Under The Americans With Disabilities Act (Title II) - - - SEE NEXT PAGE |



County Council of Volusia County, Florida
MINUTES
April 17, 2018



NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT (TITLE II)

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the County of Volusia ("County") will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

County does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title I of the ADA.

County will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in County programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

The ADA does not require the County to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

County will make such reasonable modification to policies and programs for qualified persons with disabilities to ensure they have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in County offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of County, should contact the office of the County's ADA Title II Coordinator, Mr. George Baker, at (386) 248-1760 as soon as possible but no later than 2 business days before the scheduled event or meeting. This paragraph shall likewise apply to written requests by a physically handicapped person needing a special accommodation to attend a public meeting in accordance with section 286.26, Florida Statutes.

Complaints that a program, service, or activity of County is not accessible to persons with disabilities should be directed to the County in accordance with the County of Volusia Grievance Procedure under the Americans with Disabilities Act (Title II). A copy of the procedure may be obtained by contacting the office of the County's ADA Coordinator, (386) 248-1760.

County will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

Assisted listening system receivers are available for the hearing impaired, and can be obtained from the Deputy Clerk by calling the County Manager's Office at 386-736-5920.



County Council of Volusia County, Florida
MINUTES
April 17, 2018

TITLE VI - NONDISCRIMINATION POLICY

Volusia County values diversity and welcomes input from all interested parties, regardless of cultural identity, background or income level. Moreover, Volusia County believes that the best programs and services result from careful consideration of the needs of all of its communities and when those communities are involved in the public policy and governmental services decision making process. Thus, Volusia County does not tolerate discrimination in any of its various programs, services, or activities. Pursuant to Title VI of the Civil Rights Act of 1964 and other federal and state authorities, Volusia County will not exclude from participation in, deny the benefits of, or subject to discrimination anyone on the grounds of race, color, national origin, sex, age, disability, religion, income or family status.

In accordance with the foregoing, Volusia County has established a discrimination complaint procedure and will take prompt and reasonable action to investigate and eliminate discrimination when found. Any person who believes that he or she has been subjected to discrimination based upon race, color, national origin, sex, religion, age, disability, family or income status in any of Volusia County's programs, services, or activities may file a complaint with the Volusia County Title VI Nondiscrimination Coordinator:

**Cindy Finney
Title VI Coordinator
County of Volusia
123 W. Indiana Avenue, DeLand, FL 32720
Email: cfinney@volusia.org
Phone: (386) 736-5951
Fax: (386) 740-5149
Hearing Impaired: 711 (Florida Relay) / (800)-955-8771 (Florida Relay for TTY Users)**



County Council of Volusia County, Florida
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April 17, 2018

PUBLIC PARTICIPATION - 9:30 a.m.

Sharon Leboffe, as the Blue Spring Alliance Ambassador and Volusia Water Alliance Festival Coordinator, invited everyone to the Water Festival in downtown Deland on April 28, 2018. She described its message and goals and gave details of the event. A flyer was passed out to the Council Members.

Bob Chew congratulated the Council on its Reasonable Assurance Plan for the Mosquito Lagoon. He said that aerial surveys of the seagrass did not accurately reflect its condition. The plan didn't address ammonia as much as other nutrients and if it had, there would be a higher priority for removal of existing septic systems. The County should require a special use permit for any new septic systems within the watershed. He gave details on the use of introducing sea water into the lagoon with one way gravity fed culverts and was in support of funding for engineering reports.

Council Member Denys said she would provide the Indian River Lagoon Council's annual report to both Ms. LeBoffe and Mr. Chew after public participation. Council Member Patterson said that he and Mr. Chew belonged to the same fly fishing club and the group was committed to helping the Indian River Lagoon and Mosquito Lagoon.

James Milton Hunt had a provided a flyer and a copy of a petition from prior years on preserving the Lighthouse Point Park to the Council Members. He was opposed to spending money for destruction of the preservation area, parking and expansion of the Marine Science Center. He suggested the Marine Science Center be moved to the Ocean Center.

CALL TO ORDER 10:00 a.m.

The Frank T. Bruno, Jr. County Council Chambers, Room 204, Thomas C. Kelly Administration Center, 123 West Indiana Avenue, DeLand, Volusia County, Florida.

INVOCATION

By: Pastor Don Jagers, Life Point Community Church, DeLand

PLEDGE OF ALLEGIANCE

Led by the county chair.

ROLL CALL

All Council Members were present.

COMMENTS ON CONSENT ITEMS

County Manager Dinneen had comments on Items D & Q. Later, Council Member Post said she had questions on Item U.



County Council of Volusia County, Florida
MINUTES
 April 17, 2018

PULL CONSENT AGENDA ITEMS

If discussion is desired by any member of the council, that item must be removed from the consent agenda and considered separately. All other matters included under the consent agenda will be approved by one motion. Citizens with concerns should address those concerns by filling out a public participation slip and giving it to the deputy clerk prior to consent agenda items being pulled.

| | |
|---------------------------------|----------|
| Council Member Denys | 0 |
| Council Member Lowry | 0 |
| Council Member Patterson | 0 |
| Council Member Post | 0 |
| Council Member Wheeler | 0 |
| Council Member Cusack | 0 |
| Chair Kelley | 0 |

Council Member Patterson moved to APPROVE the CONSENT AGENDA and all actions recommended therein. The motion was seconded by Council Member Lowry and CARRIED 7-0.

Item 01 consent agenda

AVIATION AND ECONOMIC RESOURCES

-Airport Services

A.

FILE NUMBER 5523

Contract renewal with Better Barricades, Inc., New Smyrna Beach, for airfield marking and painting, 15-B-38PW.

Estimated annual expenditure: \$50,000

Rick Karl (386) 248-8030 x18319 Karen Feaster (386) 248-8030 x18304

This Item was approved at the time the CONSENT AGENDA was approved.



County Council of Volusia County, Florida
MINUTES
April 17, 2018

BUSINESS SERVICES

-Central Services

B.

FILE NUMBER 5527

Contract with A.M. Weigel Construction, Inc., for construction management/general contracting services for air handler replacement at the S. James Foxman Justice Center, part B, 17-SQ-127SR, C-1626.

Expenditure: \$738,886

Rhonda Orr (386) 822-5738 x15738 George Baker (386) 254-1595 x11850

This Item was approved at the time the CONSENT AGENDA was approved.

C.

FILE NUMBER 5545

Contract renewals with Mansfield Oil Company; Glover Oil Company; and Gentry Oil, DeLand, for bulk fuel, 14-B-72VO.

Estimated annual expenditure: \$6,277,030

Rhonda Orr (386) 822-5738 x17038 Dona Butler (386) 943-7029 x12893

George Baker (386) 254-1595 x11850

This Item was approved at the time the CONSENT AGENDA was approved.

COMMUNITY SERVICES

-Community Assistance

D.

FILE NUMBER 5542

Modification to the Emergency Home Energy Assistance for the Elderly Program contract.

Increase due to modification/extension: \$12,860

Master Plan Goals: Thriving Communities

Dona Butler (386) 943-7029 x12893 Clayton Jackson (386) 736-5956 x12980

Carmen Hall, Operations Manager, Community Services Department, gave comments on the modification to the Emergency Home Energy Assistance for the Elderly Program (EHEAP) contract. The program provided heating and cooling assistance to elderly residents and therefore helped prevent homelessness. It was anticipated this would assist 324 elderly residents.



County Council of Volusia County, Florida
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This Item was approved at the time the CONSENT AGENDA was approved. Budget Resolution No. 2018-38, entitled as follows and on file in its entirety with the records of the County Council, was duly ADOPTED.

BUDGET RESOLUTION NO. 2018-38

RESOLUTION OF THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2017-18 BUDGET, CHANGING THE ESTIMATED TOTAL REVENUES, SURPLUS AND EXPENDITURES AND PROVIDING AN EFFECTIVE DATE.

E.

FILE NUMBER 5556

Assignment and assumption of agreement with Alavon Direct Cremation Services, to Estes Funeral Options, LLC, South Daytona, for indigent burial and cremation.

Expenditure: \$100,000

Dona Butler (386) 943-7029 x12893 Clay Jackson (386) 736-5956 x12980

This Item was approved at the time the CONSENT AGENDA was approved.

-Parks, Recreation and Culture

F.

FILE NUMBER 5485

Contract renewal with Aaron Pest Control, DeLand, for athletic field fertilization, 16-B-38KT.

Estimated annual expenditure: \$137,598

Dona Butler (386) 943-7029 x12893 Tim Baylie (386) 736-5953 x12636

This Item was approved at the time the CONSENT AGENDA was approved.

G.

FILE NUMBER 5552

Relay For Life special event at Gemini Springs Park, on April 21, 2018.

Dona Butler (386) 943-7029 x12893 Tim Baylie (386) 736-5953 x12636

This Item was approved at the time the CONSENT AGENDA was approved.



County Council of Volusia County, Florida
MINUTES
April 17, 2018

FINANCE

-Human Resources

H.

FILE NUMBER 5553

Settlement of litigation: Cedric Davis v. County, Case No. 2017-10266-CIDL.

Settlement amount: \$13,500

Kevin Bledsoe (386) 736-5950 x12111

This Item was approved at the time the CONSENT AGENDA was approved.

I.

FILE NUMBER 5557

Settlement of liability claim of Pablo and Maria Juarez.

Settlement amount: \$165,000

Francis Carroll (386) 736-5950 x12764 Charles Spencer (386) 736-5963 x12884

Ruth O'Steen (386) 736-5963 x12634

This Item was approved at the time the CONSENT AGENDA was approved.

J.

FILE NUMBER 5555

Assignment and assumption of agreement with Infinity Staffing Solutions, LLC, d/b/a Lyneer Staffing Solutions to Lyneer Staffing Solutions, LLC, for leased and temporary employment services from 14-B-165RF.

Expenditure: \$2,400,000

Donna de Peyster (386) 736-5933 x12691 Tom Motes (386) 736-5951 x12821

This Item was approved at the time the CONSENT AGENDA was approved.

GROWTH AND RESOURCE MANAGEMENT

-Environmental Management

K.

FILE NUMBER 5531

Contract with Volusia Turtle Patrol, Inc., for sea turtle nesting monitoring services, C-1658.

Expenditure: \$27,500

Clay Ervin (386) 822-5013 x12000 Ginger Adair (386) 736-5927 x12059

This Item was approved at the time the CONSENT AGENDA was approved.



County Council of Volusia County, Florida
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April 17, 2018

-Planning and Development Services

L.

FILE NUMBER 5537

Final plat for the Plantation Bay Section 1D-V, Unit 4, subdivision, west of I-95, within the Plantation Bay development, in the Ormond Beach area.

Master Plan Goals: Thriving Communities

Clay Ervin (386) 736-5959 x12000 Palmer Panton (386) 736-5959 x12736

John Thomson (386) 736-5942 x15520

This Item was approved at the time the CONSENT AGENDA was approved.

M.

FILE NUMBER 5551

Agreement for assignment from CSDC Systems, Inc., and assumption by CDDC, Inc., of AMANDA software annual maintenance; and for renewal with CSDC, Inc., RFP 04-P-76DW.

Annual expenditure: \$137,483

Clay Ervin (386) 822-5013 x12000 Mike Nelson (386) 822-5013 x12083

This Item was approved at the time the CONSENT AGENDA was approved.

LEADERSHIP

-Community Information

N.

FILE NUMBER 5569

Proclamations to be presented outside county council chambers.

- Telecommunicators Week – April 8 to 14, 2018.
- Whisperwood Veterans Plaza Day – April 28, 2018.
- Guillain-Barre Syndrome Month – May 2018.
- Relay for Life Day of West Volusia – April 21, 2018.
- Rotary 5K River Run Day – April 22, 2018.

Joanne Magley (386) 822-5062 x12689 Pat Kuehn (386) 822-5062 x12934

This Item was approved at the time the CONSENT AGENDA was approved.



County Council of Volusia County, Florida
MINUTES
April 17, 2018

O.

NO AGENDA ITEM/SEE ATTACHED
Resolution honoring Oretha Bell.
Joanne Magley (386) 822-5062 x12689

This Item was approved at the time the CONSENT AGENDA was approved. Resolution No. 2018-39, entitled as follows and on file in its entirety with the records of the County Council, was duly ADOPTED.

RESOLUTION NO. 2018-39

A RESOLUTION OF THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, EXPRESSING SINCERE CONDOLENCES ON THE PASSING OF ORETHA WYCHE BELL; AND PROVIDING AN EFFECTIVE DATE.

-Leadership

P.

FILE NUMBER 5563
Housing Finance Authority of Volusia County forgiveness of loan indebtedness by Habitat for Humanity of Greater Volusia County, Inc., and Southeast Volusia Habitat for Humanity, Inc.
Daniel Eckert (386) 736-5950 x12940

This Item was approved at the time the CONSENT AGENDA was approved.

Q.

FILE NUMBER 5559
Budget resolution -Transportation improvements cost allocation agreement with the City of Daytona Beach and developer, Tomoka Pointe Housing, LP, addressing impacts of apartment complex in Tomoka Town Center Phase II, Daytona Beach.
Revenue: \$546,472 (Developer contribution toward Williamson Boulevard improvements)
Master Plan Goals: Thriving Communities; Excellence in Government
George Recktenwald (386) 736-5920 Jamie Seaman (386) 736-5950

County Manager Dinneen made opening comments. Tadd Kasbeer, Interim County Engineer, gave the staff report on the proportionate fair-share agreement between the City of Daytona Beach and the developer at Tomoka Pointe. The County would receive funds as part of the proportionate fair-share cost towards the Williamson Boulevard improvements, the section between LPGA and Strickland Range Road.



County Council of Volusia County, Florida
MINUTES
April 17, 2018

The infrastructure funding mechanism referred to as “pipelining” was a process that would be used with this project.

This Item was approved at the time the CONSENT AGENDA was approved. Budget Resolution No. 2018-40, entitled as follows and on file in its entirety with the records of the County Council, was duly ADOPTED.

BUDGET RESOLUTION NO. 2018-40

RESOLUTION OF THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2017-18 BUDGET, CHANGING THE ESTIMATED TOTAL REVENUES, SURPLUS AND EXPENDITURES AND PROVIDING AN EFFECTIVE DATE.

R.

FILE NUMBER 5564

Minutes of March 20, 2018, county council meeting.

Marcy Zimmerman (386) 736-5920 x12398

This Item was approved at the time the CONSENT AGENDA was approved.

S.

NO AGENDA ITEM/SEE ATTACHED

Sponsorship – Council on Aging 14th Annual Glenn & Connie Ritchey Community Service Award Banquet, on May 11, 2018.

Sponsorship amount: \$2,500

James T. Dinneen (386) 736 5920

This Item was approved at the time the CONSENT AGENDA was approved.

S.1

NO AGENDA ITEM/SEE ATTACHED

Sponsorship – Volusia/Flagler PACE’s Signature: Event “Believing in Girls” Breakfast, on June 1, 2018.

Sponsorship amount: \$2,500

James T. Dinneen (386) 736 5920

This Item was approved at the time the CONSENT AGENDA was approved.



County Council of Volusia County, Florida
MINUTES
April 17, 2018

OCEAN CENTER

-Administration

T.

FILE NUMBER 5540

Contract task assignment to A/R/C Associates, Inc., for roof repairs at the Ocean Center, 15-SQ-19SR, PC-2390, TA 17.

Expenditure: \$103,605

Don Poor (386) 254-4500 x24510

This Item was approved at the time the CONSENT AGENDA was approved.

Item T.1

FILE NUMBER 5478

Budget resolution - Agreement for Daytona Beach Racing and Recreational Facilities District for grant to conduct Learn to Swim Program; budget resolution appropriating grant proceeds; and donation of equipment to City of Daytona Beach.

Expenditure: \$45,909 (from grant funds)

Terry Sanders (386) 740-5120 x12904 Raymond Manchester (386) 239-6414 xx20330

This Item was approved at the time the CONSENT AGENDA was approved. Budget Resolution No. 2018-41, entitled as follows and on file in its entirety with the records of the County Council, was duly ADOPTED.

BUDGET RESOLUTION NO. 2018-41
RESOLUTION OF THE COUNTY COUNCIL OF VOLUSIA
COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2017-
18 BUDGET, CHANGING THE ESTIMATED TOTAL
REVENUES, SURPLUS AND EXPENDITURES AND
PROVIDING AN EFFECTIVE DATE.

PUBLIC PROTECTION

-Corrections

U.

FILE NUMBER 5469

Contract amendment with S and S Management Group, LLC, for security guard services, 14-B-192RF.

Expenditure (not to exceed): \$404,477

Terry Sanders (386) 740-5120 x16620 Mark Flowers (386) 254-1515 x13505

In response to Council Member Post's questions on the contract amendment, Deputy County Manager Recktenwald said that security guard services were utilized to take low risk inmates to medical or hospital



County Council of Volusia County, Florida
MINUTES
April 17, 2018

appointments instead of correction officers. This would eliminated some of the mandatory overtime. There were eight to nine officers being used for those purposes daily.

This Item was approved at the time the CONSENT AGENDA was approved.

-Medical Examiner

V.

FILE NUMBER 5538

Budget resolution - Acceptance of Paul Coverdell Grant; and appropriation of grant funds for the Medical Examiner's office.

Expenditure: \$2,450 (**using U.S. Department of Justice grant funds**)

Master Plan Goals: Economic & Financial Vitality

Terry Sanders (386) 740-5120 x12904 Sara Zydowicz (386) 258-4060 x11115

This Item was approved at the time the CONSENT AGENDA was approved. Budget Resolution No. 2018-42, entitled as follows and on file in its entirety with the records of the County Council, was duly ADOPTED.

BUDGET RESOLUTION NO. 2018-42

RESOLUTION OF THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2017-18 BUDGET, CHANGING THE ESTIMATED TOTAL REVENUES, SURPLUS AND EXPENDITURES AND PROVIDING AN EFFECTIVE DATE.

W.

FILE NUMBER 5539

Agreement renewal with Dr. Marie Hansen for forensic pathology services, as needed.

Estimated annual expenditure: \$100,000

Terry Sanders (386) 740-5120 x16620 Sara Zydowicz (386) 258-4060 x11126

This Item was approved at the time the CONSENT AGENDA was approved.



County Council of Volusia County, Florida
MINUTES
April 17, 2018

PUBLIC WORKS

-Road and Bridge

X.

FILE NUMBER 5491

Agreement renewals with Triple D Equipment, Inc., DeLand; and South Daytona Tractor and Mower, South Daytona, for small engine parts and service, 14-B-23VO.

Estimated annual expenditure: \$110,000

John Angiulli (386) 736-5965 x12712 Judy Grim (386) 822-6422

This Item was approved at the time the CONSENT AGENDA was approved.

Y.

FILE NUMBER 5493

Agreement renewals with Osburn Associates; and Universal Signs and Accessories, for traffic sign materials, 14-B-16RF.

Estimated annual expenditure: \$160,000

John Angiulli (386) 736-5965 x12712 Judy Grim (386) 822-6422

This Item was approved at the time the CONSENT AGENDA was approved.

-Solid Waste

Z.

FILE NUMBER 5549

Agreement renewal with Hagan Holding Company d/b/a HOWCO Environmental Services for pickup and disposal of oils, fluids, and filters, 15-B-21JRD.

Estimated annual expenditure: \$90,000

John Angiulli (386) 736-5965 x12712 Regina Montgomery (386) 943-7889 x13603

This Item was approved at the time the CONSENT AGENDA was approved.

AA.

FILE NUMBER 5543

Renewal and amendment of property lease with the Daytona Beach Radio Control Association for 10 +/- acres on southeast portion of Tomoka Farms Road Landfill property.

Annual revenue \$3,000

John Angiulli (386) 736-5965 x12712 Regina Montgomery (386) 947-2952 x21347

This Item was approved at the time the CONSENT AGENDA was approved.



County Council of Volusia County, Florida
MINUTES
April 17, 2018

-Water Resources and Utilities

BB.

FILE NUMBER 5558

Joint project agreement for cost share with City of DeLand and Orange City for aquifer performance testing.

Estimated expenditure: \$200,000

Master Plan Goals: Excellence in Government

John Angiulli (386) 736-5965 x12712 Mike Ulrich (386) 943-7027 x12724

This Item was approved at the time the CONSENT AGENDA was approved.

--END CONSENT AGENDA--

**PRESENTATIONS / AWARDS / REPORTS /
PROCLAMATIONS / RETIREMENTS, etc.**

(May be heard anytime throughout County Council as time permits)

Council Member Denys requested a moment of personal privilege. The Council had received a copy of an email from County Manager Dinneen that was sent by Volusia County School Board member Carl Persis, regarding a grant-in-aid of \$2 million for the next year to safeguard Volusia County schools. She would like County Manager Dinneen to come back with further details today on how this could be done. For her, the caveat was that it could not affect rollback or the go to zero plan. She would bring this subject up during her comment time. Mr. Dinneen said that the County had an arrangement where the County and the School Board shared costs on the school resource officers. That arrangement was not being requested to be changed. Council Members Patterson and Lowry as former teachers were in support. Mr. Dinneen said he would look into what funding could be redirected and he would be prepared to discuss it during the Council comment time.



County Council of Volusia County, Florida
MINUTES
April 17, 2018

PUBLIC HEARINGS

10:05 a.m.

Item 02

FILE NUMBER 5492

Order of Business:

Open Public Hearing

Staff Report

Public Participation

Close Public Hearing

Council Discussion/Action

Ordinance 2018-10 amending the code of ordinances regarding affordable housing advisory committee.

Master Plan Goals: Thriving Communities

Dona Butler (386) 943-7029 x12893 Carmen Hall (386) 943-7029 x12044

Diana Phillips (386) 736-5955 x12958

Carmen Hall, Operations Manager, Community Services Department, gave the staff report on amending the County Code of Ordinances for the Affordable Housing Advisory Committee. This was required for the State Housing Initiatives Partnership (SHIP) funding. The State of Florida recently modified the SHIP Act which provided the guidelines for the Affordable Housing Advisory Committee. This amended the membership from eleven to eight members, and provided flexibility in selecting membership types.

Public Participation

None.

April 17, 2017 being the date for public hearing and there being no objection, Council Member Patterson moved to ADOPT Ordinance No. 2018-10, entitled as follows and on file in its entirety with the records of the County Council. Pursuant to Council Member Lowry seconding the motion, it was duly ADOPTED 7-0.

ORDINANCE 2018-10

AN ORDINANCE OF THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, AMENDING ARTICLE II OF CHAPTER 102 OF THE CODE OF ORDINANCES OF THE COUNTY OF VOLUSIA, TO REVISE MEMBERSHIP, APPOINTMENT, AND MEETING REQUIREMENTS FOR THE VOLUSIA COUNTY AFFORDABLE HOUSING ADVISORY COMMITTEE; CLARIFY STATUTORY REFERENCES AND PROVIDE FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.



County Council of Volusia County, Florida
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April 17, 2018

PRESENTATIONS

Item 03

FILE NUMBER 5428

Capital project schedule quarterly update.

Master Plan Goals: Economic & Financial Vitality

George Recktenwald (386) 822-5060 x15060

Deputy County Manager George Recktenwald, gave the quarterly update of the Capital Project Schedule (CPS), and pages 03-4 and 03-5 of the Agenda Item were displayed on the overhead screens. He reviewed specific projects. Projects would be winding down over the next three fiscal years. There were \$290 million worth of capital projects that utilized contractors in the Central Florida area which supported the economy. The project criteria for the Williamson Boulevard project, from LPGA Boulevard to Strickland Range Road in Daytona, was displayed on the overhead screens. In response to Chair Kelley's question on a traffic signal at Strickland Range Road, Tadd Kasbeer, Interim County Engineer, said that the southern section was currently being updated and staff would begin programming the design for the second section. There would be a study for the necessity of a signal at this location. There was further discussion.

Item 04

FILE NUMBER 5535

Dynamic master plan quarterly update.

Master Plan Goals: Excellence in Government

James Dinneen (386) 740-5133 x15133 Marilyn Ford (386) 822-5060 x11057

Marilyn Ford gave the 2018 first quarter, Dynamic Master Plan (DMP) update using an overhead PowerPoint presentation. There had been 18 matrices updated to reflect accomplishments; 11 divisions had revised matrices, nine added new strategies, five reworded language and five deleted strategies. She gave a summary of accomplishments. Council Member Denys brought attention to page 04-11, the Aviation and Economic Resources page, and under objectives, the business property matrix. The page was displayed on the overhead screen and she read the matrix and goals and said that she would discuss this later during the Southwest Activity Center Agenda Item.

Item 05

NO AGENDA ITEM / List to follow

Community events update.

Joanne Magley (386) 822-5062

Joanne Magley, Director of the Community Information Division, gave an update of the most recent upcoming events list. There had been five new events added which were highlighted and the list was displayed on the overhead screens.



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OTHER BUSINESS

Item 05A

NO AGENDA ITEM/SEE ATTACHED

Reaffirmation of Resolution 2016-169 opposing Florida Department of Transportation's relocation of a truck service plaza from Seminole County to Volusia County.

John Booker (386) 736-5902 x15160

John Booker, Government Affairs, gave the staff report on the Council's reaffirmation of the resolution in opposition to the relocation of a truck service plaza from Seminole County to Volusia County. Prior Council's had signed and adopted resolutions in opposition. County Manager Dinneen said there were four Council Members on the Council when this was previously passed. This would be a reaffirmation of that resolution.

Council Member Patterson moved for APPROVAL as recommended. Council Member Denys seconded the motion. There was further discussion and comments in opposition to a truck service plaza in Volusia County.

Council Member Patterson moved for APPROVAL as recommended, and after Council Member Denys seconded the motion, it CARRIED 7-0. Resolution No. 2018-43, entitled as follows and on file in its entirety with the records of the Volusia County Council, was duly ADOPTED 7-0.

RESOLUTION NO. 2018-43

A RESOLUTION OF THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, OPPOSING A TRUCK SERVICE PLAZA ON THE INTERSTATE 4 CORRIDOR WITHIN VOLUSIA COUNTY; PROVIDING AN EFFECTIVE DATE.



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PUBLIC HEARINGS / ZONING / SPECIAL EXCEPTIONS

10:25 a.m.

Item 06

FILE NUMBER 5532

Order of Business:

Open Public Hearing

Staff Report

Public Participation

Close Public Hearing

Council Discussion/Action

Case A-18-032, appeal of zoning enforcement official determination that use of farmworker living facility must cease should agricultural use of premises be discontinued at 5910 Lake Winona Road, DeLeon Springs.

Applicant: Darren Elkind, attorney for owner Joyce Ann Schuman Trust.

Master Plan Goals: Excellence in Government

Clay Ervin (386) 822-5013 x12000 Palmer Panton (386) 736-5959 x12736

Scott Ashley (386) 736-5959 x12014

Clay Ervin, Director of the Growth and Resource Management Department, gave the staff report on an appeal that pertained to how staff had reviewed a 1988 special exception that was approved for an 80 acre parcel of land. He gave history of the criteria on the farm worker living units and displayed page 06-09 of the Agenda Item that reflected the approval from 1988, and condition number four that required that there be agricultural pursuit actively being utilized on the property for the special exception. The owner requested a zoning verification letter from staff in 2017 pertaining to a one acre tract created in 2009 and requested that the living units continue on that property. County staff noted several concerns. An aerial map, page 06-24 and the future land use map, page 06-27 were displayed on the overhead screens. He described the criteria on the comprehensive plan policy and zoning classification. Staff recommended that the owner come back and fix the subdivision plat to a ten acre tract that was consistent with the land use and the zoning and incorporate the one acre tract that had the multifamily unit with an additional nine acres of property for agricultural use and then it would be consistent with the 1988 special exception. If the owners were granted the appeal, the concern staff had was an inconsistency with the comprehensive plan, zoning and the 1988 special exception. An alternative would be for the owners to work with the County to combine the property to meet the ten acre minimum.

Public Participation

Darren Elkind, Attorney for applicant, gave background on the owners and property. There were eight residential units that the owners had paid property taxes on as residential units for years. There were no



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longer farming operations on the property. He understood the issue of combining the property to a minimum of a ten acre parcel.

Dan Hucks was in support of removing the special exception requirement. In 1988 there had been a tremendous farming industry in the area which had changed. The residential units had been used for low income housing for citizens working in Volusia County and over \$7,000. annually had been paid in property taxes.

After discussion, Council Member Patterson moved for APPROVAL of the appeal request. Council Member Lowry seconded the motion for discussion. Mr. Ervin corrected the record, and said that there were density restrictions in the special exception criteria and the ten acres would not necessarily allow for eight units, but staff was willing to do so in this situation because of the existing special exception. There was further discussion on a shortage of living quarters in the area, uniqueness of the case, effect of recent hurricanes on agriculture, and setting a precedence. Deputy County Attorney Jamie Seaman clarified that for the owners to have a legal conforming lot, they would have to go through the process to combine the property. All the Council was being asked was to remove the special exception requirement, they will not keep this as a one acre lot. Mr. Elkind noted that in the application, it was understood that the one acre had to be combined for a total of ten acres. There was Council discussion. Ms. Seaman said that Senior Zoning Manager, Scott Ashley's original zoning determination was that if it was combined with the others to be a full ten acres, it would be fine. Mr. Ashley couldn't waive the requirement in the special exception as a zoning enforcement official, only the Council could do that. After discussion, Ms. Seaman further clarified that there were residential uses in agricultural zoning. If the appeal was granted, the case would not come back to the Council, it would follow the land development code and go to Palmer Panton, Director of the Planning and Development Services Division, to recombine the property back to a ten acre parcel.

After further discussion, Council Member Patterson MOVED the previous question. Council Member Denys seconded the motion. Chair Kelley requested a verbal roll call vote. Council Members Denys, Lowry, Patterson and Post were in support. Council Members Wheeler, Cusack and Chair Kelley were in opposition. The motion failed 4-3 as a two thirds vote was required. Chair Kelley then asked if the Council Members were ready to vote on the motion and there was consensus. A verbal vote was taken on the motion to grant the appeal. Council Members Denys, Lowry, Patterson, and Post were in support. Council Members Wheeler, Cusack and Chair Kelley were opposed. The motion CARRIED 4-3.



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10:30 a.m.

Item 07

FILE NUMBER 5508

Order of Business:

Open Public Hearing

Staff Report

Public Participation

Close Public Hearing

Council Discussion/Action

Case S-17-054, special exception for temporary campsites on Prime Agriculture (A-1) and Resource Corridor (RC) zoned property located at 554 and 560 County Road 415, New Smyrna Beach.

Applicant: James Morris, attorney for owners Ronnie Williams, Sr., Ronnie Williams, Jr., and House of Gold & Diamonds Wholesale, Inc.

Clay Ervin (386) 822-5013 x12000 Palmer Panton (386) 736-5959 x12736

Scott Ashley (386) 736-5959 x12014

Clay Ervin, Director of the Growth and Resource Management Department, gave the staff report on a special exception for temporary campsites. This was originally approved in 2001, and was associated with the major special events; Speedweeks, July 4th races, Bike week and Biketoberfest. The applicant requested an expansion of the area by 14 acres to a total of 66 acres and an increase in campsites from 250 to 400 during those events. Staff recommended approval. The Planning and Land Development Regulation Commission (PLDRC) heard the case at its March 15, 2018 hearing and it was forwarded to the Council with a recommendation of approval, subject to staff recommended conditions listed in the Agenda Item. Since the approval, County staff had received one email in opposition.

Public Participation

James Morris, representing the owners, displayed an aerial map, page 07-35 and a zoning classification map, page 07-36 of the Agenda Item, on the overhead screens. His clients had a record of performance consistent with all the conditions of the previous approval and were in agreement to the conditions in the current staff report. He referred to Attorney Robert Doan's letter, and responded in detail to the objections listed.

Attorney **Robert Doan**, with Cobb Cole, represented Trail Land Trust, said it was undisputed that the owners exceeded the current permit in place. The notice was proper. He displayed photographs of tents and recreational vehicles on the property on the overhead screens and noted that those were outside of the window for camping for the four designated special events. The current exemption goes through the end of the year. He requested to continue this application until November.

Mr. Morris said that the nature of the complaint today was something that should be filed with code compliance. The site plan process was not a short process and Mr. Collins and Mr. Doan have the ability



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to participate in that to make sure they were satisfied with the review and if not they could appeal that determination.

After Council discussion, Council Member Denys moved for APPROVAL, including the conditions listed by staff in the Agenda Item. Council Member Patterson seconded the motion which CARRIED 7-0.

Chair Kelley announced a recess for lunch until 1:30 p.m.

LUNCH

Chair Kelley requested Item 19 be heard prior to Item 8 and there was Council consensus.

Item 08

FILE NUMBER 5511

Order of Business:

Open Public Hearing

Staff Report

Public Participation

Close Public Hearing

Council Discussion/Action

Case S-18-022, special exception for a day care center on a 10.92-acre, Urban Single-Family Residential (R-4) zoned property located at 1401 West New York Avenue, DeLand.

Applicant: John A. Powers, agent for owner First Christian Church of DeLand.

Master Plan Goals: Thriving Communities

Clay Ervin (386) 822-5013 x12000 Palmer Panton (386) 736-5959 x12736

Scott Ashley (386) 736-5959 x12014

Clay Ervin, Director of the Growth and Resource Management Department, gave the staff report on the special exception application to expand a day care center at the First Christian Church of DeLand. An existing special exemption allowed them to operate a day care center limited to 40 children and the request was to expand it for up to 100 children. An aerial map of the property, page 08-25 was displayed on the overhead screens. County staff reviewed the request for compliance to the comprehensive plan, land development and zoning. The Planning and Land Development Regulation Commission (PLDRC) heard the case at its March 15, 2018 hearing and it was forwarded to the Council with a recommendation



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of approval.

Public Participation

None.

Council Member Patterson moved for APPROVAL, with the staff recommended conditions attached to the Agenda Item. Council Member Lowry seconded the motion, which CARRIED 7-0.

Item 09

FILE NUMBER 5449

Order of Business:

Open Public Hearing

Staff Report

Public Participation

Close Public Hearing

Council Discussion/Action

Case Z-18-007, administrative rezoning from A-1E classification to A-4E classification of 28 acres located on the north side of Enterprise Osteen Road, adjacent to the City of Deltona; adoption of resolution.

Applicant: County of Volusia.

Master Plan Goals: Thriving Communities; Excellence in Government

Clay Ervin (386) 822-5013 x12000 Palmer Panton (386) 736-5959 x12736

Susan Jackson (386) 736-5959 x12010

Clay Ervin, Director of the Growth and Resource Management Department, said this was the second and final reading of an administrative rezoning of 28 acres that consisted of 11 parcels. This was part of the recommendation that came to the Council in October 2017 to address some deficiencies in the County's zoning and land development process. The parcels were otherwise non-conforming.

Public Participation

None.

Council Member Denys moved for APPROVAL as recommended, and after Council Member Wheeler seconded the motion, it CARRIED 7-0. Resolution No. 2018-44, entitled as follows and on file in its entirety



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with the records of the Volusia County Council, was duly ADOPTED 7-0.

RESOLUTION NO.2018-44

A RESOLUTION OF THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, AMENDING THE OFFICIAL ZONING MAP OF VOLUSIA COUNTY, FLORIDA, BY CHANGING THE ZONING CLASSIFICATION OF CERTAIN HEREIN DESCRIBED PROPERTY FROM A-1E TO A-4E; PROVIDING AN EFFECTIVE DATE.

Item 10

FILE NUMBER 5509

Order of Business:

Open Public Hearing

Staff Report

Public Participation

Close Public Hearing

Council Discussion/Action

Case CPA-18-005, Ordinance 2018-09 transmittal hearing for large-scale future land use map amendment from Agriculture Resource (AR) designation to Rural (R) designation on 12.21 acres located at 4145 State Road 11, DeLand.

Applicant: Mark Watts, attorney for owners Michael and Beverly Evans.

Master Plan Goals: Economic & Financial Vitality; Thriving Communities; Excellence in Government

Clay Ervin (386) 822-5013 x12000 Palmer Panton (386) 736-5959 x12736

Susan Jackson (386) 736-5959 x12010

Clay Ervin, Director of the Growth and Resource Management Department, gave the staff report and addressed Items 10 and 11 at the same time as they were comparable applications. The first item pertained to the changing of the future land use map. The current future land use map, page 10-27 and the proposed future land use map, page 10-28 of the Agenda Item were displayed on the overhead screens. The owners requested an amendment to the zoning and land use to subdivide the property. A zoning classification map, page 11-18 of Agenda Item 11 was displayed. This would allow for a compatible land use pattern and still be consistent with the comprehensive plan, and allow for zoning that would be consistent with that land use designation. The Planning and Land Development Regulation Commission (PLDRC) heard both cases at its March 15, 2018 hearing and both were forwarded to the Council with a recommendation of approval. These were two separate Items and two separate motions were required, first for the land use and then the zoning Item. Because it was a large scale land use map



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amendment it would be transmitted to the Department of Economic Opportunity (DEO) for state review and to the Volusia County Growth Management Commission (VGMC) for certification.

Public Participation

None.

Council Member Patterson moved for APPROVAL as recommended, and to authorize transmittal to the Department of Economic Opportunity (DEO) for review and Volusia Growth Management Commission (VGMC) for certification. Council Member Lowry seconded the motion, which CARRIED 7-0.

Item 11

FILE NUMBER 5510

Order of Business:

Open Public Hearing

Staff Report

Public Participation

Close Public Hearing

Council Discussion/Action

Case Z-18-027, rezoning of +/- 12.21-acres from Prime Agriculture (A-1) classification to Transitional Agriculture (A-4) classification located at 4145 State Road 11, DeLand; adoption of resolution.

Applicant: Mark Watts, attorney for owners Michael and Beverly Evans.

Master Plan Goals: Economic & Financial Vitality; Thriving Communities; Excellence in Government

Clay Ervin (386) 822-5013 x12000 Palmer Panton (386) 736-5959 x12736

Susan Jackson (386) 736-5959 x12010

Clay Ervin, Director of the Growth and Resource Management Department, included the staff report on this Item under Item 10. There was no further discussion.

Public Participation

None.

Council Member Patterson moved for APPROVAL as recommended, and after Council Member Wheeler seconded the motion, it CARRIED 7-0. Resolution No. 2018-45, entitled as follows and on file in its entirety



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with the records of the Volusia County Council, was duly ADOPTED 7-0.

RESOLUTION NO. 2018-45

A RESOLUTION OF THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, AMENDING THE OFFICIAL ZONING MAP OF VOLUSIA COUNTY, FLORIDA, BY CHANGING THE ZONING CLASSIFICATION OF CERTAIN HEREIN DESCRIBED PROPERTY FROM A-1 TO A-4; PROVIDING AN EFFECTIVE DATE.

Item 12

FILE NUMBER 5513

Order of Business:

Open Public Hearing

Staff Report

Public Participation

Close Public Hearing

Council Discussion/Action

Case Z-18-019, administrative rezoning from R-4 to R-5 of approximately 33 acres located on Ridgewood Avenue and Cordova Avenue, north and south of Plaza Grande Avenue, near the cities of Ormond Beach and Holly Hill.

Applicant: County of Volusia.

Master Plan Goals: Thriving Communities; Excellence in Government

Clay Ervin (386) 822-5013 x12000 Palmer Panton (386) 736-5959 x12736

Susan Jackson (386) 736-5959 x12010

Clay Ervin, Director of the Growth and Resource Management Department, gave the staff report. This was the first of two public hearings to process an administrative rezoning of 33 acres between Ormond Beach, to the north and Holly Hill, to the south. The area was made up of various parcels and lots that did not necessarily comply with the R-4 zoning. This was part of the amendments that were brought to the Council in October 2017, and recommended for staff to proceed with the changes. The zoning classification map, page 12-12 and aerial map, page 12-15 of the Agenda Item were displayed on the overhead screens. Notices had been sent to all property owners. The Planning and Land Development Regulation Commission (PLDRC) heard the case at its March 15, 2018 hearing and it was forwarded to



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the Council with a recommendation of approval. A second public hearing was required and he requested that, with the Council's approval, the second public hearing be set for May 15, 2018 at 10:30 a.m.

Public Participation

None.

Council Member Post moved for APPROVAL as recommended, and to set the second public hearing for May 15, 2018 at 10:30 a.m. Council Member Wheeler seconded the motion, which CARRIED 7-0.

Item 13

FILE NUMBER 5512

Order of Business:

Open Public Hearing

Staff Report

Public Participation

Close Public Hearing

Council Discussion/Action

Case Z-18-028, rezoning of 1.8 acres from Rural Residential (RR) and Rural Agriculture (A-2) classifications to Rural Residential (RR) classification located at 2120 Mitchell Lane, Port Orange; adoption of resolution.

Applicant: Sean Black, owner.

Master Plan Goals: Thriving Communities; Excellence in Government

Clay Ervin (386) 822-5013 x12000 Palmer Panton (386) 736-5959 x12736

Scott Ashley (386) 736-5959 x12014

Clay Ervin, Director of the Growth and Resource Management Department, gave the staff report on the rezoning request for 2120 Mitchell Lane, Port Orange. The request area location map, page 13-16, an aerial map, page 13-17 and a zoning classification map 13-18, were displayed on the overhead screens.

Public Participation

None.

Council Member Wheeler moved for APPROVAL as recommended, and after Council Member Lowry seconded the motion, it CARRIED 7-0. Resolution No. 2018-46, entitled as follows and on file in its entirety



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with the records of the Volusia County Council, was duly ADOPTED 7-0.

RESOLUTION NO. 2018-46

A RESOLUTION OF THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, AMENDING THE OFFICIAL ZONING MAP OF VOLUSIA COUNTY, FLORIDA, BY CHANGING THE ZONING CLASSIFICATION OF CERTAIN HEREIN DESCRIBED PROPERTY FROM RR AND A-2 TO RR; PROVIDING AN EFFECTIVE DATE.

Item 14

FILE NUMBER 5515

Order of Business:

Open Public Hearing

Staff Report

Public Participation

Close Public Hearing

Council Discussion/Action

CPA-18-004, Ordinance 2018-07 transmittal hearing for amendment to comprehensive plan capital improvements element.

Master Plan Goals: Excellence in Government

Clay Ervin (386) 822-5013 x12000 Palmer Panton (386) 736-5959 x12736

Susan Jackson (386) 736-5959 x12010

Clay Ervin, Director of the Growth and Resource Management Department, gave the staff report. This was a transmittal hearing of the administrative amendment to the adopted comprehensive plan, specifically to the capital improvements element. The Florida Statutes had changed dramatically since 2010 and this was to update the capital improvements element to make sure it was consistent with the requirements of Florida Statutes, Chapter 163. This removed unnecessary policies and would make it consistent with the County's Dynamic Master Plan and the Capital Improvement Program. The Planning and Land Development Regulation Commission (PLDRC) heard this application at its March 15, 2018 hearing and found it consistent with the comprehensive plan and it was forwarded to the Council with a recommendation of approval.

Public Participation

None.

After comments, Council Member Denys moved for APPROVAL as recommended. Council Member Wheeler seconded the motion, which CARRIED 7-0.



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Item 15

FILE NUMBER 5526

Order of Business:

Open Public Hearing

Staff Report

Public Participation

Close Public Hearing

Council Discussion/Action

Abandonment of Interstate 4/State Road 472 Activity Center Areawide Development of Regional Impact; adoption of resolution.

Applicant: County of Volusia.

Master Plan Goals: Thriving Communities; Excellence in Government

Clay Ervin (386) 822-5013 x12000 Palmer Panton (386) 736-5959 x12736

Susan Jackson (386) 736-5959 x12010

Clay Ervin, Director of the Growth and Resource Management Department, asked to address Items 15, 16, 17, 18, at the same time as all Items pertained to the same property. He clarified that if the Council chose to adopt or approve the Items, that they be approved in the following order; Item 16, 17, 18 with Item 15 the last Item. A variety of administrative actions were involved that were tied to the Southwest Activity Center. He provided history of the existing development of regional impact (DRI), and the Council's direction in 2015 to go forward with the abandonment. The subject property location map, page 15-136 of Agenda Item 15, a proposed future land use map, page 16-58 of Agenda Item 16, and the proposed zoning map, page 18-50 of Agenda Item 18, were displayed on the overhead screens. He explained the process and criteria for the abandonment of the DRI which included additional items listed on page 15-2 of Agenda Item 15. All state agencies associated with the comprehensive plan amendment were notified as part of the process, as well as local governments, and the Volusia Growth Management Commission (VGMC). A concern was identified through the VGMC process and raised by the City of Orange City, about the distribution of vested trips assigned by the comprehensive plan, how were they allocated, and monitoring and managing the concurrency aspects. Additional language was agreed on and was contained in the supplemental document to Item 16 which was explained and displayed on the overhead screens. One property owner had concerns on the language sent out because it did not reference the specific term of "net eternal trips" and making sure there was accountability for those developed portions. Mr. Ervin said that Attorney **Alex Ford** had identified those concerns to him and Deputy County Attorney Jamie Seaman yesterday, and there was a solution acceptable to the County staff, the City of Orange City and the property owners.

Public Participation

None.



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Prior to the vote, Council Member Denys discussed the Southeast Activity Center as an immediate need. She would like to direct the County Manager and staff to come back with suggestions. Chair Kelley noted this was out of order and the Item at hand should be completed first. Ms. Denys said she would bring this back under her Council comment time.

After the motions and approvals for Items 16, 17, and 18, Council Member Patterson moved for APPROVAL as recommended, and after Council Member Wheeler seconded the motion, it CARRIED 7-0. Resolution No. 2018-48, entitled as follows and on file in its entirety with the records of the Volusia County Council, was duly ADOPTED 7-0.

RESOLUTION NO. 2018-48

A RESOLUTION OF THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, ABANDONING THE INTERSTATE 4/STATE ROAD 472 ACTIVITY CENTER AREAWIDE DEVELOPMENT OF REGIONAL IMPACT; PROVIDING FOR FINDINGS OF FACT AND CONCLUSIONS OF LAW; PROVIDING FOR CONDITIONS FOR ABANDONMENT; PROVIDING FOR RECORDING; PROVIDING FOR AN EFFECTIVE DATE.

Item 16

FILE NUMBER 5528

Order of Business:

Open Public Hearing

Staff Report

Public Participation

Close Public Hearing

Council Discussion/Action

Case CPA-18-001, Ordinance 2018-03 adopting an administrative large scale comprehensive plan amendment to the Southwest Activity Center Local Plan text and map.

Applicant: County of Volusia.

Master Plan Goals: Thriving Communities; Excellence in Government

Clay Ervin (386) 822-5013 x12000 Palmer Panton (386) 736-5959 x12736

Susan Jackson (386) 736-5959 x12010

See supplemental document for memo and errata sheet for changes to the ordinance.

Clay Ervin, Director of the Growth and Resource Management Department, included the staff report on this Item under Item 15.



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Public Participation

Attorney **Alex Ford**, representing the Ford family and associated entities, provided copies to the Council of two clarifications, with a revision of the supplemental document. The revisions were highlighted in red text and displayed on the overhead screens. In several places external trips or vested or daily trips were referenced and he clarified and substituted the term “net external vested trips”. A second change was in the last line, in red text, where the language was changed from “pro-rata share based on acreage” to “a pro-rata share to the remaining acreage”.

Chair Kelley noted that the amended language had been reviewed by Deputy County Attorney Seaman. Mr. Ervin said it was consistent with the original intent of what staff and the City of Orange City had worked through. After discussion, Council Member Patterson moved for APPROVAL as recommended, including the staff supplemental language to policy SW 1.0.3 and the additional language presented at the Council meeting by Alex Ford. Council Member Wheeler seconded the motion, which CARRIED 7-0.

April 17, 2018 being the date for public hearing and there being no objection, Council Member Patterson moved to ADOPT Ordinance No. 2018-03, entitled as follows and on file in its entirety with the records of the County Council. Pursuant to Council Member Wheeler seconding the motion, it was duly ADOPTED 7-0.

ORDINANCE 2018-03

AN ORDINANCE OF THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, AMENDING THE VOLUSIA COUNTY COMPREHENSIVE PLAN, BY AMENDING CHAPTER 1, FUTURE LAND USE ELEMENT, MATRIX FOR CONSISTENT ZONING CLASSIFICATION FOR SOUTHWEST ACTIVITY CENTER ZONING CLASSIFICATIONS, AND AMENDING THE GOALS, OBJECTIVES AND POLICIES OF THE SOUTHWEST ACTIVITY CENTER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.



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Item 17

FILE NUMBER 5529

Order of Business:

Open Public Hearing

Staff Report

Public Participation

Close Public Hearing

Council Discussion/Action

Ordinance 2018-04, adopting new zoning classifications for the Southwest Activity Center Local Plan.

Master Plan Goals: Thriving Communities; Excellence in Government

Clay Ervin (386) 822-5013 x12000 Palmer Panton (386) 736-5959 x12736

Susan Jackson (386) 736-5959 x12010

Clay Ervin, Director of the Growth and Resource Management Department, included the staff report on this Item under Item 15. There was no further discussion.

Public Participation

None.

April 17, 2018 being the date for public hearing and there being no objection, Council Member Patterson moved to ADOPT Ordinance No. 2018-04, entitled as follows and on file in its entirety with the records of the County Council. Pursuant to Council Member Cusack seconding the motion, it was duly ADOPTED 7-0.

ORDINANCE 2018-04

AN ORDINANCE OF THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA AMENDING THE CODE OF ORDINANCES OF THE COUNTY OF VOLUSIA, BY AMENDING CHAPTER 72, ARTICLE I, DEFINITIONS, DEFINING MANUFACTURING AND ASSEMBLY, LIGHT; AMENDING ARTICLE CHAPTER 72, ARTICLE II, ZONING, ESTABLISHING THE SOUTHWEST ACTIVITY CENTER COMMERCE ZONING DISTRICT AND THE SOUTHWEST ACTIVITY CENTER COMMUNITY ZONING DISTRICT; AMENDING CHAPTER 72, ARTICLE IV, DIVISION 5, ESTABLISHING DEVELOPMENT STANDARDS FOR SOUTHWEST ACTIVITY CENTER ZONING CLASSIFICATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.



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Item 18

FILE NUMBER 5530

Order of Business:

Open Public Hearing

Staff Report

Public Participation

Close Public Hearing

Council Discussion/Action

Case Z-18-017, administrative rezoning of the Southwest Activity Center Local Plan Area from the current eight classifications to two new classifications; adoption of resolution.

Applicant: County of Volusia.

Master Plan Goals: Thriving Communities; Excellence in Government

Clay Ervin (386) 822-5013 x12000 Palmer Panton (386) 736-5959 x12736

Susan Jackson (386) 736-5959 x12010

Clay Ervin, Director of the Growth and Resource Management Department, included the staff report on this Item under Item 15. There was no further discussion.

Public Participation

None.

Council Member Patterson moved for APPROVAL as recommended, and after Council Member Lowry seconded the motion, it CARRIED 7-0. Resolution No. 2018-47, entitled as follows and on file in its entirety with the records of the Volusia County Council, was duly ADOPTED 7-0.

RESOLUTION NO. 2018-47

A RESOLUTION OF THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, AMENDING THE OFFICIAL ZONING MAP OF VOLUSIA COUNTY, FLORIDA, BY CHANGING THE ZONING CLASSIFICATION OF CERTAIN HEREIN DESCRIBED PROPERTY FROM R-4(2), R-4C(2), A-1(2), A-1C(2), I-1C(2), A-3(2) AND A-3C(2) TO SWC AND SWR; PROVIDING AND EFFECTIVE DATE.



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OTHER BUSINESS

Item 19

FILE NUMBER 5522

2018 Pan American Masters Championship open water swimming event.

Expenditure: \$15,000

Master Plan Goals: Excellence in Government

Mark Swanson (386) 740-5120 x12900 Terry Sanders (386) 740-5120 x12904

Chair Kelley requested this Item be heard prior to Item 8 and there was Council consensus. Mark Swanson, Deputy Director of the Public Protection Department, gave the staff report and said that the Central Florida YMCA would partner with the USA Masters Swimming to host the 2018 Pan American Masters Championships. He listed the swimming events that would be held from July 25-August 12, 2018 at the YMCA Aquatic Center in Orlando. The open water portion of the event would be held in Daytona Beach on August 4- 5, 2018, with 700 to 1,000 athletes competing in the open swim. The Beach Safety Ocean Rescue Division had earmarked \$15,000.00 to be paid to the Central Florida YMCA to fund specific items for the race. The staff recommended approval. He introduced the current Vice President of aquatics with the Central Florida YMCA, **Rowdy Gaines**, a three -time Olympic gold medalist, world record holder and Olympic swimming commentator, and **Casey Taker**, Co-founder of the Open Water Planet event. Ms. Taker used an overhead PowerPoint presentation that provided details on the event. This was an international event and slides were displayed on the marketing research, demographics, the open water weekend schedule, social media, event destination and destination branding. Mr. Gaines gave background on the city selection and said this would be the largest swim meet ever in the United States, with 4,000-5,000 competitors expected at the Aquatic Center. Efforts were being made to push all those swimmers to stay and enjoy the weekend at Daytona Beach. Ms. Taker noted they were working on a lifeguard skills series and an open water series after this event, which would go the entire northeast span of Florida. County Manager Dinneen said this was what the County was trying to accomplish for both professional and amateur sports. This was a small amount in funding for the return on investment.

Council Member Patterson moved for APPROVAL as recommended. Council Member Post seconded the motion, which CARRIED 7-0.

Item 20

FILE NUMBER 5475

Award of fiscal year 2017-2018 ECHO grants.

Expenditure: **\$2,336,130 (from ECHO funds)**

Master Plan Goals: Economic & Financial Vitality; Thriving Communities; Excellence in Government

Dona Butler (386) 943-7029 x12893 Carmen Hall (386) 943-7029 x12044

See supplemental document for new information.

Carmen Hall, Operation Manager, Community Services Department, gave the staff report on the 2017-2018 Environmental, Cultural, Historic and Outdoor Recreation (ECHO) projects grant recommendations.



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The ECHO Advisory Committee reviewed and found ten applications eligible for award for a total of \$2.3 million. There had been one condition for the City of DeBary, Gateway Park and that condition had been met. The City of Ormond Beach, Sports Complex Field Lighting was denied due to a clean hands issue. ECHO guidelines stated that if any applicant owed the County money, they were not eligible. Staff recommended approval of nine applications for \$1.9 million.

Public Participation

Ormond Beach City Manager, **Joyce Shanahan** took issue with the denial of the grant, which was to install environmentally-friendly light-emitting diode (LED) lighting at the sports complex for one ballfield and three soccer fields. The city received a score of 93.6, which was the second highest score and the ECHO Advisory Committee reviewed and recommended approval of the application. She discussed the clean hands doctrine and noted that municipalities were exempt from property taxes for properties used for public uses. She gave history of the property in question, that was a public golf course, and the leasee operation of the public golf course had been tax exempt since 1994. In 2013 the property appraiser changed the tax status and the City received no notice of that change. The City was not personally responsible for taxes of the leasee. Ormond Beach City Attorney **Randy Hayes** said the City's position was that they did not owe taxes to the County. He gave the history of the tax exempted property in question, which was not the property where the ECHO funds would be use. He explained the interaction between the City and County staff to resolve several issues on the tax exempt status and the legal cases on which the County's determination was made. The use of the property had not changed. The County wanted to collect taxes of \$135,000 from the City for tax allegedly due by a leasee of public property.

In response to Council Member Post's questions, County Attorney Eckert said that the County's position was that the City owed the taxes. After comments, Council Member Wheeler moved for APPROVAL of all ten applications including the City of Ormond Beach, Sports Complex Field Lighting. Council Member Post seconded the motion. In response to Council Member Denys question, County Attorney Eckert gave the legal department's opinion and the case law. There was discussion on approving the project and letting the courts decide if the taxes were owed or not. County Manager Dinneen said that County staff did not have the authority to move this project forward with the taxes owed, the Council was being asked if they wanted to make an exception on the clean hands rule on this case to move the project forward. There was further discussion. Property Appraiser Larry Bartlett gave a review of the property and agreed with the case law. Ms. Denys said it was a good project, scored highly, the Council had the ability to approve it, and the funding was available in ECHO. She supported the project to make an exception, with a clear statement that taxes were owed. Mr. Dinneen clarified, for the record that Mr. Bartlett assessed the taxes and the County Manager's office was in charge of collecting the taxes.

Council Member Wheeler called for the vote. After further discussion there was a verbal roll call vote, with all Council Member (7-0) in support to close the debate. In relation to the motion on the floor for approval of all the ECHO projects including Ormond Beach, Chair Kelley called for a verbal roll call vote. Council Members Denys, Post, Wheeler, Cusack and Chair Kelley were in support. Council Members Lowry and Patterson were opposed. The motion CARRIED 5-2.

Chair Kelley announced a ten minute recess.



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Item 21

FILE NUMBER 5568

Westside Mosquito Control district discussion and direction.

John Angiulli (386) 736-5965 x12712

County Manager Dinneen gave opening comments on the Council's request for discussion and the implications of an expansion of the Eastside Mosquito Control District. The presentation would provide an overview of what was currently being done. For the record, this was just a discussion that the Council would have to provide direction to the staff.

John Angiulli, Director of the Public Works Department, introduced Sue Bartlett, Interim Mosquito Control Director. He gave the staff report using an overhead PowerPoint presentation with slides on the East Volusia Mosquito Control District, integrated pest management services, existing Westside services, and Mosquito Control Division resources. The presentation continued with a potential West Volusia Mosquito Control District, integrated pest management services, and the resources that would be required. A pie chart was displayed that indicated the percent of total taxable value. A list of challenges were displayed and reviewed.

Council Member Patterson referred to page 21-5 of the Agenda Item on the existing Westside services and he confirmed with Mr. Angiulli that the current average annual expenditure was \$150,000. There was \$300,000. allocated from the Municipal Service District Fund (MSD) for those services. Council Member Cusack said with limited complaints, and the current program for the Westside of the County, she did not see any reason to add to the program. There was Council consensus.

Chair Kelley requested to move to Item 22 and there was Council consensus.

PRESENTATION

Item 21A

NO AGENDA ITEM/SEE ATTACHED

Reopening of the Daytona Beach Regional Library and Rachel Robinson play area.

Dona Butler (386) 943-7029 x12893 Lucinda Colee (386) 248-1745 x11212

Tim Baylie (386) 736-5953 x12636

County Manager Dinneen made opening comments. Joanne Magley, Director of the Community Information Division, announced the reopening of the Daytona Beach Regional Library and the new Rachel Robinson play yard on May 5, 2018. Details were provided on the different events that would be held at the library and play yard. She introduced Lucinda Colee, Director of the Library Services Division. The presentation was paused so Council Member Post could make her Council comments before she had to leave the meeting for an event. Ms. Colee resumed the Item with a staff report with an overhead PowerPoint presentation and gave background information on the damage from Hurricane Irma.



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Photographs were displayed of the renovations for the children's and adult areas. The cost for clean-up and recovery was almost \$1.4 million. Tim Baylie, Director of the Parks, Recreation and Culture Division, gave the background information on the joint agreement with the City of Daytona Beach to construct the Rachel Robinson Play Yard that was adjacent to the Daytona Regional Library. Mr. Dinneen added that the play yard was restricted for children and children with parents. Aerial photographs of the library, play yard and playground equipment were displayed on the overhead screens. Mr. Baylie gave an update on the construction status.

NOMINATIONS/APPOINTMENTS

Item 22

FILE NUMBER 5534

Appointment to Southeast Volusia Advertising Authority.

NOMINATIONS/ROTATION ORDER: District 4

(Seven members shall be selected from persons doing business within the Southeast Volusia Convention Development Tax District.) **Not less than three of the members shall be selected from persons doing business in the lodging industry.** No elected official, member of two or more other county boards or commissions, or employee of county government shall be appointed to serve on the authority.

Position: One (from lodging or non-lodging industry) for the remainder of term expiring March 31, 2019.

Applicants:

Regina (Reggie) Hunter (non-lodging industry)

James Vincent Rushing (non-lodging industry)

Marcy Zimmerman (386) 736-5920 x12398

Council Member Post NOMINATED James Vincent Rushing for appointment to the board, and James Vincent Rushing was APPOINTED 7-0.

PUBLIC PARTICIPATION

None.

DISCUSSION OF MATTERS NOT ON AGENDA / REQUESTS

County Manager Dinneen

1. Read a letter that was sent to Chair Kelley from **Frank Bruno** regarding fundraising efforts for two new vans for the Disabled American Veterans Chapter 84, to transport veterans to VA Hospitals in Gainesville, Orlando and Jacksonville. The current vans were donated in 2008 through efforts of the County, cities, business owners and community support. Mr. Bruno was involved in that initial effort. Mr. Kelley said he would make a donation of \$100.00 towards the effort. Mr. Dinneen would provide the Council with the information on what the County donated in 2008. Council Member Cusack moved to



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appoint Frank T. Bruno Jr. to spearhead fundraising efforts for two new vans for the Disabled American Veterans Chapter 84. The motion CARRIED 6-0 with Council Member Post absent.

County Attorney Eckert

None.

Council Member Denys

1. Shared the Indian River Lagoon Council annual report and displayed page 15 of the report on the overhead screens. The top five projects were from Volusia County. She would work with the Executive Director **Dwayne Defreeze** and invite the cities and other organizations together to learn how to qualify for grants for the next funding cycle. Florida Department of Environmental Protection, Deputy Secretary of Ecosystem Restoration, **Drew Bartlett**, thanked Volusia County for its Water Quality Assurance Plan.
2. Said that the beach driving access for 16th Street in New Smyrna Beach was rejected from the citizens and the City of New Smyrna Beach. There was a request from citizens for a dune walkover, with diagonal parking. In response to Ms. Denys question, Deputy County Attorney Seaman said that it may be possible to add a walkover access and some off beach parking in that area. Ms. Denys asked the Council to consider directing staff to look at putting a pedestrian walkover at 16th Street with any additional parking that could be added. County Manager Dinneen said that he could determine the cost, and it would be less than a drivable access improvement. He added that if the County spent the funds and time for a pedestrian walkover and parking, that investment would have to be lived with for a while. Chair Kelley noted that due to turtle season nothing would be able to get done until later this year, and only four to five cars would be able to park there. It may be better to evaluate it towards the end of the year. Mr. Dinneen said that in the interim, he could prepare a concept. Ms. Denys was in agreement to wait until later in the year.
3. Brought up the Southeast Volusia Activity Center. Clay Ervin, Director of the Growth and Resource Management Department, gave an overview of the four activity centers identified when the original comprehensive plan was done in 1990. These were large areas of a variety of land uses that due to location would be naturally inclined to be developed for a variety of commercial uses. Those were the existing Southeast, Southwest, Halifax and Plantation Bay area and he described each of the locations. He detailed the process to create a new area which typically took a year. Ms. Denys explained the need for this as soon as possible and identified the area as being near Oak Hill. There was Council consensus to look at this. County Manager Dinneen said that Mr. Ervin would put together an overview.
4. Said that in reference to the Volusia County School Board and School Resource Officers, she had conversations with Chair **Linda Cuthbert**, and for the record, thought she should have full recognition on being the first asking for assistance. Ms. Denys did not want the funding taken from any other project or for it to jeopardize the County's go to zero plan or rollback for this budget year. Mr. Dinneen clarified that we never find money, it had to be redirected from other things. He was able to show a way to provide the \$2 million, where it would not affect the go to zero or tax cut up to rollback for the School Board's request. The County had a contract, through the Sheriff's Office, with the School Board for resource officers where costs were shared. We were not talking about changing that but to have a grant in aid. If the Council was in agreement, he would have staff work on it. Council Member Cusack thought the request should come from the entire school board. After further discussion, there



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was consensus that it would be more appropriate for the Council to receive an official request from the Volusia County School Board.

Council Member Lowry

None.

Council Member Patterson

None.

Council Member Post

1. Earlier in the day, said she would represent the Council and the Florida Association of Counties (FAC) at FAC's 2018 Federal Fly-In in Washington, D.C.
2. Asked for staff to look at having a compilation of information regarding drone uses within the County, to hold data as to who was doing what in relation to drones. Council Member Post moved to have staff look into that. The motion died without a second. Chair Kelley said the Council had already had an updated report on drones. Council Member Denys questioned if a need for this information had been identified. Ms. Post said she would come back to the Council on the issue.
3. Wanted to address the Volusia County's School Board request for funding to safeguard schools. County Manager Dinneen said if the Council was interested, that they would give him direction to bring information forward and it would be voted on the next meeting. She commented on the state coming up with \$400 million from other programs for this issue when funding was needed for schools. She was opposed to spending funds on what she considered a band aid fix.

Council Member Wheeler

None.

Council Member Cusack

1. Asked that the Council be a sponsor of the National Association for the Advancement of Colored People's (NAACP) West and East Volusia annual events in June 2018. There was consensus to add the request to a future Agenda.

Chair Kelley

1. Had been asked to attend the National Association of Counties meeting. There was consensus that Chair Kelley represent the Volusia County Council.



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ADJOURNMENT

There being no further business, the meeting adjourned at 4:39 p.m.

APPROVED
COUNTY COUNCIL
VOLUSIA COUNTY, FLORIDA

BY _____
Ed Kelley, County Chair

ATTEST _____
James T. Dinneen, County Manager



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| COUNCIL MEMBERS: | | STAFF: | |
|-------------------------|--------------|--------------------|-----------------------|
| Ed Kelley | County Chair | James T. Dinneen | County Manager |
| Joyce Cusack | At-Large | Daniel D. Eckert | County Attorney |
| Pat Patterson | District 1 | George Recktenwald | Deputy County Manager |
| Billie Wheeler | District 2 | Donna de Peyster | Deputy County Manager |
| Deborah A. Denys | District 3 | Marcy A. Zimmerman | Deputy Clerk |
| Heather Post | District 4 | Kathie Kardos | Recording Secretary |
| Dr. Fred Lowry | District 5 | Sue Hilson | Administrative Aide |

Public participation is encouraged on matters on the agenda. If you desire to be recognized by the Chair, please fill out a request form and present it to one of the staff members present in the Council Chambers. This will allow the County Chair to provide ample time for those desiring to be heard.

Public participation on items not on the agenda can be presented to the County Chair and other Council Members attending, along with County staff representatives at 9:30 a.m. prior to the regular session of the Council meeting that begins at 10:00 a.m. If the matter cannot be resolved at that time, it will be presented to the County Council for determination regarding placing the matter on a future agenda. Public participation will also be heard at the end of the Council meeting.

Public comment on issues on the agenda or public participation shall be limited to 3 minutes.

Public hearings and time-certain matters may be heard later, but not sooner, than the designated time.

If any person decides to appeal a decision made by the County Council with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings including all testimony and evidence upon which the appeal is to be based. To that end, such person will want to ensure that a verbatim record of the proceedings is made.

| | |
|---|--|
|  | We respectfully request that all electronic devices are set for no audible notification. |
|  | Electronic Information! County Council agendas, minutes and live audio of meetings are available on the internet: http://www.volusia.org/government/ |
|  | The Volusia County Council Chambers is a Wi-Fi Zone. |
|  | Notice Under The Americans With Disabilities Act (Title II) - - - SEE NEXT PAGE |



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NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT (TITLE II)

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the County of Volusia ("County") will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

County does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title I of the ADA.

County will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in County programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

The ADA does not require the County to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

County will make such reasonable modification to policies and programs for qualified persons with disabilities to ensure they have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in County offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of County, should contact the office of the County's ADA Title II Coordinator, Mr. George Baker, at (386) 248-1760 as soon as possible but no later than 2 business days before the scheduled event or meeting. This paragraph shall likewise apply to written requests by a physically handicapped person needing a special accommodation to attend a public meeting in accordance with section 286.26, Florida Statutes.

Complaints that a program, service, or activity of County is not accessible to persons with disabilities should be directed to the County in accordance with the County of Volusia Grievance Procedure under the Americans with Disabilities Act (Title II). A copy of the procedure may be obtained by contacting the office of the County's ADA Coordinator, (386) 248-1760.

County will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

Assisted listening system receivers are available for the hearing impaired, and can be obtained from the Deputy Clerk by calling the County Manager's Office at 386-736-5920.



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TITLE VI - NONDISCRIMINATION POLICY

Volusia County values diversity and welcomes input from all interested parties, regardless of cultural identity, background or income level. Moreover, Volusia County believes that the best programs and services result from careful consideration of the needs of all of its communities and when those communities are involved in the public policy and governmental services decision making process. Thus, Volusia County does not tolerate discrimination in any of its various programs, services, or activities. Pursuant to Title VI of the Civil Rights Act of 1964 and other federal and state authorities, Volusia County will not exclude from participation in, deny the benefits of, or subject to discrimination anyone on the grounds of race, color, national origin, sex, age, disability, religion, income or family status.

In accordance with the foregoing, Volusia County has established a discrimination complaint procedure and will take prompt and reasonable action to investigate and eliminate discrimination when found. Any person who believes that he or she has been subjected to discrimination based upon race, color, national origin, sex, religion, age, disability, family or income status in any of Volusia County's programs, services, or activities may file a complaint with the Volusia County Title VI Nondiscrimination Coordinator:

Cindy Finney
Title VI Coordinator
County of Volusia
123 W. Indiana Avenue, DeLand, FL 32720
Email: cfinney@volusia.org
Phone: (386) 736-5951
Fax: (386) 740-5149
Hearing Impaired: 711 (Florida Relay) / (800)-955-8771 (Florida Relay for TTY Users)



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PUBLIC PARTICIPATION - 9:30 a.m.

None.

CALL TO ORDER 10:00 a.m.

The Frank T. Bruno, Jr. County Council Chambers, Room 204, Thomas C. Kelly Administration Center, 123 West Indiana Avenue, DeLand, Volusia County, Florida.

INVOCATION

By: Dr. Dan Glenn, Senior Pastor, Stetson Baptist Church, DeLand

PLEDGE OF ALLEGIANCE

Led by the county chair.

ROLL CALL

All Council Members were present.

COMMENTS ON CONSENT ITEMS

None.

PULL CONSENT AGENDA ITEMS

If discussion is desired by any member of the council, that item must be removed from the consent agenda and considered separately. All other matters included under the consent agenda will be approved by one motion. Citizens with concerns should address those concerns by filling out a public participation slip and giving it to the deputy clerk prior to consent agenda items being pulled.

| | |
|---------------------------------|----------|
| Council Member Lowry | 0 |
| Council Member Patterson | 0 |
| Council Member Post | 0 |
| Council Member Wheeler | 0 |
| Council Member Cusack | 0 |
| Council Member Denys | K |
| Chair Kelley | 0 |

Council Member Lowry moved to APPROVE the CONSENT AGENDA and all actions recommended therein, as amended to remove Item K for discussion. The motion was seconded by Council Member Post and CARRIED 7-0.



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Item 01 consent agenda

BUSINESS SERVICES

-Central Services

A.

FILE NUMBER 5581

Agreement with AC Hydraulics, Inc., Daytona Beach, for hydraulic parts and service, 18-B-60JRD.

Estimated annual expenditure: \$135,000

Rhonda Orr (386) 822-5738 x15738 George Baker (386) 254-1595 x11850

This Item was approved at the time the CONSENT AGENDA was approved.

B.

FILE NUMBER 5584

Agreements with Celico Auto Body, primary vendor; and Terry Taylor Ford Company, Inc., d/b/a Gary Yeomans Ford Lincoln, Daytona Beach, backup vendor, for collision repair of automobiles and light trucks, 18-B-61JRD.

Estimated annual expenditure: \$125,000

Rhonda Orr (386) 822-5738 x15738 George Baker (386) 254-1595 x11850

This Item was approved at the time the CONSENT AGENDA was approved.

COMMUNITY SERVICES

-Community Assistance

C.

FILE NUMBER 5566

Budget resolution - Appropriation of HOME Investment Partnerships Program funds.

Expenditure: \$200,000 (**from loan payments received under HOME grant funds**)

Master Plan Goals: Thriving Communities

Dona Butler (386) 943-7029 x12893 Carmen Hall (386) 736-5955 x12044

Diana Phillips (386) 736-5955 x12958

This Item was approved at the time the CONSENT AGENDA was approved. Budget Resolution No. 2018-49, entitled as follows and on file in its entirety with the records of the County Council, was duly ADOPTED.



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BUDGET RESOLUTION NO. 2018-49

RESOLUTION OF THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2017-18 BUDGET, CHANGING THE ESTIMATED TOTAL REVENUES, SURPLUS AND EXPENDITURES AND PROVIDING AN EFFECTIVE DATE.

D.

FILE NUMBER 5570

Extension of agreements for housing rehabilitations, 17-SQ-34KW and 17-SQ-35KW.
Dona Butler (386) 943-7029 x12893 Diana Phillips (386) 736-5955 x12958

This Item was approved at the time the CONSENT AGENDA was approved.

E.

FILE NUMBER 5571

Budget resolution - Renewal of agreement with GA Food Service, Inc., 14-B-88PW; and hiring of temporary workers for summer food program countywide.

Expenditure: \$588,575 (from Florida Department of Agriculture & Consumer Services grant funds)

Master Plan Goals: Thriving Communities

Dona Butler (386) 943-7029 x12893 Clayton Jackson (386) 736-5956 x12980

This Item was approved at the time the CONSENT AGENDA was approved. Budget Resolution No. 2018-50, entitled as follows and on file in its entirety with the records of the County Council, was duly ADOPTED.

BUDGET RESOLUTION NO. 2018-50

RESOLUTION OF THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2017-18 BUDGET, CHANGING THE ESTIMATED TOTAL REVENUES, SURPLUS AND EXPENDITURES AND PROVIDING AN EFFECTIVE DATE.

F.

FILE NUMBER 5572

Renewal of agreements with RE/MAX Signature, Daytona Beach Shores, and Weatherspoon Realty, to provide real estate brokerage services, 15-SQ-30JD.

Dona Butler (386) 943-7029 x12893 Diana Phillips (386) 736-5955 x12958

This Item was approved at the time the CONSENT AGENDA was approved.



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-Library Services

G.

FILE NUMBER 5575

Budget resolution - Acceptance of NEA Big Read Grant.

Expenditure: \$30,000 (matching funds grant of \$15,000 from Arts Midwest on behalf of National Endowment for the Arts)

Master Plan Goals: Thriving Communities

Dona Butler (386) 943-7039 x12893 Lucinda Colee (386) 248-1745 x11212

This Item was approved at the time the CONSENT AGENDA was approved. Budget Resolution No. 2018-51, entitled as follows and on file in its entirety with the records of the County Council, was duly ADOPTED.

BUDGET RESOLUTION NO. 2018-51

RESOLUTION OF THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2017-18 BUDGET, CHANGING THE ESTIMATED TOTAL REVENUES, SURPLUS AND EXPENDITURES AND PROVIDING AN EFFECTIVE DATE.

ELECTIONS

-Elections

H.

FILE NUMBER 5561

Agreement with Reads Moving Systems of Florida, for election transportation services, 18-B-50KT.

Estimated annual expenditure: \$25,000

Lisa Lewis (386) 736-5930 x15324

This Item was approved at the time the CONSENT AGENDA was approved.

I.

FILE NUMBER 5562

Agreement for sample ballots with Runbeck Election Services, as primary vendor, and Data Management d/b/a Digital Graphics, as secondary vendor, 18-B-39KT.

Estimated annual expenditure: \$125,000

Lisa Lewis (386) 736-5930 x15324

This Item was approved at the time the CONSENT AGENDA was approved.



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J.

FILE NUMBER 5560

Termination of agreement with H&M Printing Inc., d/b/a Magnolia Press, for ballot printing.
Lisa Lewis (386) 736-5930 x15324

This Item was approved at the time the CONSENT AGENDA was approved.

FINANCE

-Human Resources

K.

FILE NUMBER 5414

Renewal of contract with RobinsonBush, Inc., for health care and benefits consulting, 14-SQ-43BB.
Expenditure: \$122,000
Tom Motes (386) 736-5951 x12821 Terry Sanders (386) 740-5120 x16620
Donna de Peyster (386) 736-5933 x12691

Council Member Denys pulled this Item and said the previous Council had been very involved in the contract for inmate medical services and she did not want this decision to be numbers driven. The most recent contract went to Armor Correctional Health Services and parts of the current contract needed to be reviewed and strengthened. County Manager Dinneen said the Council had the right, under Schedule D, for staff to bring forward to the Council the top three qualified candidates, who would make presentations and the Council would then make a decision. Ms. Denys said this was no reflection on the consultant, who did a great job on the County's health care, however the upcoming medical services bid was complex. She did not want to see Corizon Health bid on it. Mr. Dinneen said there was criteria that would have to be met and he expected there would be a great deal of competition. Council Member Post said that the management side needed to be looked at and she mentioned that 63 percent of the Correction Division's health care budget dealt with mental health and opioid care. Council Member Cusack did not want inmates worse off than when they came into the system. The integrity of health care needed to be maintained and she was in support of RobinsonBush as the consultant and the Council making the decision based on the top three presentations. Deputy County Manager George Recktenwald clarified that the Item before the Council was a renewal of an existing contract, which added consulting, for the upcoming inmate medical services request for proposal (RFP). Mark Flowers, Director of the Corrections Division and his staff were very knowledgeable of the contracts and had gone out to other correctional facilities to evaluate what they were doing as part of this process. Mr. Dinneen said this would start the process and he would bring this forward in the fall.

After discussion, Council Member Post moved for APPROVAL as recommended, with the understanding that staff would come back to the Council with the possible companies to choose from. Council Member Denys seconded the motion, which CARRIED 7-0.



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L.

FILE NUMBER 5589

Settlement of litigation: Magdaleno v. County.

Settlement amount: \$135,000

Larry Smith (386) 736-5990 x12635 Ruth O'Steen (386) 736-5963 x12634

This Item was approved at the time the CONSENT AGENDA was approved.

LEADERSHIP

-Community Information

M.

FILE NUMBER 5602

Proclamations to be presented outside county council chambers.

- Hope Reins Day – April 22, 2018.
- Drug Court Month – May 2018.
- Purple Heart County – May 1, 2018.
- Travel and Tourism Week – May 6 to 12, 2018.
- National Correctional Officer and Employee Week – May 6 to 13, 2018.
- Teacher Appreciation Week – May 7 to 11, 2018.
- Florida Law Enforcement Memorial Day – May 18, 2018.
- Armed Forces Day – May 19, 2018.
- Emergency Medical Services Week – May 20 to 26, 2018.
- Memorial Day Remembrance – May 28, 2018.

Joanne Magley (386) 822-5062 x12689 Pat Kuehn (386) 822-5062 x12934

This Item was approved at the time the CONSENT AGENDA was approved.

-Leadership

N.

FILE NUMBER 5587

Minutes of April 3, 2018, county council meeting.

Barbara Redline (386) 736-5920 x15034

This Item was approved at the time the CONSENT AGENDA was approved.



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O.

NO AGENDA ITEM/See attached

Sponsorship – National Association for the Advancement of Colored People’s 28th Annual Freedom Fund Banquet, hosted by the West Volusia branch of the NAACP, to be held on June 9, 2018.

Sponsorship amount: \$1,500

James T. Dinneen (386) 736-5920

This Item was approved at the time the CONSENT AGENDA was approved.

P.

NO AGENDA ITEM/See attached

Sponsorship – Volusia County-Daytona Beach National Association for the Advancement of Colored People’s 44th Annual Freedom Fund and Awards Banquet, to be held on June 16, 2018.

Sponsorship amount: \$1,400

James T. Dinneen (386) 736-5920

This Item was approved at the time the CONSENT AGENDA was approved.

PUBLIC PROTECTION

-Corrections

Q.

FILE NUMBER 5541

Renewal of agreement with Aramark Correctional Services, LLC, for inmate banking and commissary services, 14-P-61RF.

Estimated annual revenue: \$800,000

Terry Sanders (386) 740-5120 x16620 Mark Flowers (386) 254-1515 x13505

This Item was approved at the time the CONSENT AGENDA was approved.

-Fire Services

R.

FILE NUMBER 5547

Mutual aid agreement with National Aeronautics and Space Administration John F. Kennedy Space Center for fire and rescue services.

Terry Sanders (386) 740-5120 x12904 Jeff Smith (386) 736-5940 x12479

This Item was approved at the time the CONSENT AGENDA was approved.



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PUBLIC WORKS

-Administration

S.

FILE NUMBER 5579

One year renewal of local option gas tax interlocal agreement.

Master Plan Goals: Excellence in Government

John Angiulli (386) 736-5965

This Item was approved at the time the CONSENT AGENDA was approved.

T.

FILE NUMBER 5586

Renewal of contracts with Tetra Tech and Thompson Consulting Services, for disaster management services, 15-P-54JD.

John Angiulli (386) 736-5965 x12712 Arden Fontaine (386) 736-5965 x15621

This Item was approved at the time the CONSENT AGENDA was approved.

-Coastal

U.

FILE NUMBER 5573

Renewal of agreement with All Quality Products, Inc., DeLand, for lumber, 15-B-58AK.

Estimated annual expenditure: \$140,000

John Angiulli (386) 736-9596 x12712 Jessica Winterwerp (386) 248-8072 x20356

This Item was approved at the time the CONSENT AGENDA was approved.

V.

FILE NUMBER 5578

Contract with Saboungi Construction, Inc., for off-beach parking at 650 S. Atlantic Avenue, Ormond Beach, and for an operations building for the coastal and beach safety divisions, 18-B-51IF, C1650.

Expenditure: \$1,785,380

Master Plan Goals: Excellence in Government

John Angiulli (386) 736-5965 x12712 Jessica Winterwerp (386) 248-8072 x20356

See supplemental presentation.

This Item was approved at the time the CONSENT AGENDA was approved.



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-Engineering

W.

FILE NUMBER 5465

Resolutions - Florida Department of Transportation Shared Use Non-motorized (SUN) Trail grant agreement for construction of Spring to Spring Trail segment from near Detroit Terrace to Donald E. Smith Boulevard (Phase 3A) in DeBary.

Expenditure: \$1,620,526 (**from grant funds**)

Master Plan Goals: Economic & Financial Vitality; Thriving Communities

Tadd Kasbeer (386) 736-5967 x15846

See supplemental map.

This Item was approved at the time the CONSENT AGENDA was approved. Resolution No. 2018-52, entitled as follows and on file in its entirety with the records of the County Council, was duly ADOPTED.

RESOLUTION 2018-52

A RESOLUTION OF THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, AUTHORIZING THE COUNTY CHAIR TO SIGN THE SHARED-USE NON-MOTORIZED TRAIL AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE CONSTRUCTION OF A TRAIL FOR THE SPRING TO SPRING PHASE 3A PROJECT FROM THE INTERSECTION OF DONALD SMITH BOULEVARD AND DEBARY PLANTATION ROAD TO THE TRAIL NEAR DETROIT TERRACE IN VOLUSIA COUNTY, FLORIDA.

This Item was approved at the time the CONSENT AGENDA was approved. Budget Resolution No. 2018-53, entitled as follows and on file in its entirety with the records of the County Council, was duly ADOPTED.

BUDGET RESOLUTION NO. 2018-53

RESOLUTION OF THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2017-18 BUDGET, CHANGING THE ESTIMATED TOTAL REVENUES, SURPLUS AND EXPENDITURES AND PROVIDING AN EFFECTIVE DATE.



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X.

FILE NUMBER 5482

Resolutions - Florida Department of Transportation Local Agency Program (LAP) grant agreement for construction of paved shoulders along Doyle Road from Lush Lane to Courtland Boulevard in the Deltona area.

Expenditure: \$1,138,740 (**\$1,035,620 from grant funds**; \$103,120 from Local Option Gas Tax funds)

Master Plan Goals: Economic & Financial Vitality; Thriving Communities

Tadd Kasbeer (386) 736-5967 x15846

This Item was approved at the time the CONSENT AGENDA was approved. Resolution No. 2018-54, entitled as follows and on file in its entirety with the records of the County Council, was duly ADOPTED.

RESOLUTION 2018-54

A RESOLUTION OF THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, AUTHORIZING THE COUNTY CHAIR TO SIGN LOCAL AGENCY PROGRAM (LAP) SUPPLEMENTAL AGREEMENTS WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE CONSTRUCTION OF DOYLE ROAD PAVED SHOULDERS FROM LUSH LANE TO COURTLAND BOULEVARD IN VOLUSIA COUNTY, FLORIDA.

This Item was approved at the time the CONSENT AGENDA was approved. Budget Resolution No. 2018-55, entitled as follows and on file in its entirety with the records of the County Council, was duly ADOPTED.

BUDGET RESOLUTION NO. 2018-55

RESOLUTION OF THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2017-18 BUDGET, CHANGING THE ESTIMATED TOTAL REVENUES, SURPLUS AND EXPENDITURES AND PROVIDING AN EFFECTIVE DATE.

-Mosquito Control

Y.

FILE NUMBER 5582

Termination of task assignment to Redstone Corporation for engineering services, 15-SQ-160SR.

John Angiulli (386) 736-5935 x12712 Suzanne Bartlett (386) 424-2920 x20272

This Item was approved at the time the CONSENT AGENDA was approved.



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-Road and Bridge

Z.

FILE NUMBER 5577

Contract with Gregori Construction, Inc., for Gemini Springs nutrient separating baffle boxes, 18-B-62JD, C-1653.

Expenditure: \$286,450 (**\$213,950 from grant funds**; \$72,500 from stormwater utility fund)

Master Plan Goals: Thriving Communities; Excellence in Government

John Angiulli (386) 736-5965 x12712 Judy Grim (386) 822-6422

This Item was approved at the time the CONSENT AGENDA was approved.

-Water Resources and Utilities

AA.

FILE NUMBER 5574

Renewal of agreement with Denali Water Solutions, LLC, for transport of liquid biosolids, 15-B-72AK.

Estimated annual expenditure: \$120,000

John Angiulli (386) 736-5965 x12712 Michael Ulrich (386) 943-7027 x12712

This Item was approved at the time the CONSENT AGENDA was approved.

BB.

FILE NUMBER 5600

Utility service agreement with Orange Dale Venture, LLC, for utility service to 370 single family homes and 530 multifamily residences in Parc Hill Phases 1-4.

Master Plan Goals: Economic & Financial Vitality

John Angiulli (386) 736-5965 x12712 Mike Ulrich (386) 943-7027 x12724

This Item was approved at the time the CONSENT AGENDA was approved.

SHERIFF'S OFFICE

-Administration

CC.

FILE NUMBER 5565

Agreement with Community Service Media, for public service announcements for the sheriff's office, 18-B-67KT.

Estimated annual expenditure: \$50,000

Sheriff Michael Chitwood (386) 736-5961 Christie Jarrell (386) 736-5961

This Item was approved at the time the CONSENT AGENDA was approved.



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--END CONSENT AGENDA--

**PRESENTATIONS / AWARDS / REPORTS /
PROCLAMATIONS / RETIREMENTS, etc.**

(May be heard anytime throughout County Council as time permits)

PUBLIC HEARINGS

10:10 a.m.

Item 02

FILE NUMBER 5588

Order of Business:

Open Public Hearing

Staff Report

Public Participation

Close Public Hearing

Council Discussion/Action

Ordinance 2018-11, levying upon voter approval a half cent local infrastructure sales tax for twenty years for roads, sidewalks, bridges, water quality, and stormwater and flood control; and requiring a citizens review committee.

Daniel Eckert (386) 736-5950 x12940

Chair Kelley said there was discussion concerning this Item yesterday at the Roundtable of Volusia County Elected Officials and went directly to Public Participation.

Public Participation

Skip Lilly, Chair of the Daytona Regional Chamber of Commerce, was in support. The need for funding for infrastructure projects was now, however the timing was challenging due to the recent State audit requirements and the 13 constitutional items on the ballot. The Chamber would continue to educate area residents and businesses on the importance of the half cent sales tax.

South Daytona City Manager, **Joe Yarborough**, also Chair of the Volusia Managers Association, repeated, for the record the position of the managers on the half cent sales tax. He said that in his industry, three important things were details, perception and timing and the conclusion was that the timing was off. He anticipated that new resolutions would be circulated by the cities. A clear message needed to be given, and there was a lot of support from the hotel and motel associations, Team Volusia and the business community. The managers were requesting that the Council consider not holding the referendum.



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DeLand Mayor **Bob Apgar**, also Chair of the Roundtable of Volusia County Elected Officials, said at the meeting yesterday, it was the opinion that postponement was the best thing to do at this time. The half-cent sales tax was one of the first times that all 16 cities had spoken together with one voice. The resolutions would need to be amended, as they called for a date certain in the election. The cities had a lot of momentum that had been created and a new target date needed to be determined.

Council Member Wheeler read her comments from the Roundtable of Volusia County Elected Officials meeting yesterday. It was important to pass the half cent sales tax and the Council also needed to have discussion on impact fees as soon as possible. There was discussion on taking no action on the Item and County and city impact fees. Chair Kelley said that the Roundtable of Volusia County Elected Officials would be working on a date for the revised ordinance. Council Member Post agreed that the Council needed to discuss impact fees and have a workshop on Council priorities moving forward. Council Member Denys added that the Council needed to have open discussion on the issue and she would not agree to set a date to put this on the ballot, for the future, until the Council discussed impact fees. Further discussion continued on a review of impact fees, project road costs, and ramifications of the delay in putting this on the ballot. Council Member Cusack asked that the Agenda Item be moved and no action be taken. In response to Council Member Deny's question, County Manager Dinneen said he would ask the Office of Program Policy Analysis and Government Accountability (OPPAGA) if this could be sent to them now for the audit review and he would report back to the Council. Chair Kelley said the issues would not go away and he had faith in the community and cities to get this on the ballot in the future. There would not be any action today, no future date was set, and he would schedule an impact fee discussion for the Council.

RETIREMENTS

Item 03

FILE NUMBER 5576

Retirement of Thomas L. Brooks, planning and development services.

Clay Ervin (386) 822-5013 x12000 Palmer Panton (386) 736-5959 x12736

Clay Ervin, Director of the Growth and Resource Management Department, gave opening remarks on the retirement of Thomas L. Brooks. Palmer Panton, Director of the Planning & Development Services Division, gave Mr. Brook's educational and employment history and professional accomplishments. Mr. Brooks spoke of his career and his satisfaction in working with the public. Council Members Cusack and County Manager Dinneen made congratulatory comments and thanked Mr. Brooks for his service and leadership. A photograph was taken with the Council Members.

Chair Kelley announced a ten minute recess.



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PRESENTATIONS

Item 04

NO AGENDA ITEM/See attached
Community events update.
Joanne Magley (386) 822-5062
See supplemental list.

Joanne Magley, Director of the Community Information Division, gave an update of the most recent upcoming events list. There had been three new events added which were highlighted and the list was displayed on the overhead screens.

Item 05

FILE NUMBER 5546
Economic development data for first quarter of 2018.
Master Plan Goals: Economic & Financial Vitality
Rick Karl (386) 248-8030 x18307 Rob Ehrhardt (386) 248-8048 x18382 See supplemental presentation.

Rob Ehrhardt, Director of the Economic Development Division, gave the staff report on the 2018 first quarter Economic Development data using an overhead PowerPoint presentation. The presentation was a part of the Agenda Item and also available on Floridabusiness.org. Slides were displayed on the unemployment rate trends for the state and Volusia County from 2010 to 2017, quarterly labor statistics, comparison by industry, and County and municipal employment. Residential and commercial new construction building permit data by numbers and cities were displayed. Mr. Ehrhardt explained the slides on Supersector Employment Impact and Annual Wage Impact Comparison. He described direct, indirect and induced wage impact. The Quarterly Economic Report breakfast would be held on Friday, May 4, 2018, with guest commentary written by **Robin King**, President/CEO of Career Source Flagler/Volusia. In attendance would be the first and second place winners of the recent 5th Annual 2018 Carins Foundation Innovation Challenge, for Volusia County university level students. The Volusia Young Professionals Group (YPG) would be the featured speaker.

Item 06

NO AGENDA ITEM
Presentation by the Volusia County Health Department.
Dona Butler (386) 943-7029 x12893 See supplemental presentation.

Dona Butler, Director of the Community Services Department, gave opening comments. **Patricia Boswell**, Health Officer, Florida Department of Health in Volusia County, used an overhead PowerPoint presentation for the 2018 Health Rankings. The report was put out annually by the Robert Wood Johnson Foundation and a copy had been previously given to the Council. Of the 67 counties in Florida, St. Johns County ranked number one, as the healthiest in Florida. Volusia County ranked 44 out of 67. The priority



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areas for Volusia County were: to reduce the number of HIV infections, decrease nicotine use, increase vaccinations for children, reduce infant mortality and insure all residents had opportunities for healthy living. Rankings provided an opportunity to look at communities and find ways to make it easier to be healthy and she reported on statistics. She explained the United Way's Asset Limited Income Constrained Employed (ALICE) report. The current Department of Health Volusia Initiatives were displayed and included: a focus on health, tobacco cessation programs, healthy eating and HIV/AIDS programs. Ms. Butler continued the presentation with the current County initiatives: client emergency services, homeowner housing programs, rental housing, and Votran. Federal poverty limits by household size were displayed. Health indicators were directly impacted by poverty. The County continued to serve as a safety net and provided services and coordinated with others to provide services. A new initiative, VCAN 2020, was started by Food Brings Hope, where children that participate in Food Brings Hope programs receive bags of food for their family to last the weekend. This was done in partnership with Halifax Urban Ministries (HUM). The goal of VCAN 2020 was to be the first county in the country to eliminate youth, (ages 0-24) hunger and homelessness. County staff in the Community Assistance Division, Parks, Recreation and Culture Division and the Library Services Division, had begun to develop a new pilot program coordinating with HUM to deliver backpacks of food to youth at several of the County's summer food and summer camp sites. The backpack would provide enough food for a family to last the weekend and would contain information on resources available to families. The presentation concluded with website addresses for additional information.

There was further discussion on the Women, Infants and Children (WIC) food and nutrition service, community gardens, helping families become more engaged, lifestyle changes, education, parenting skills, partnering with organizations, engaging hospitals and demographics.

OTHER BUSINESS

Item 07

FILE NUMBER 5607

Agreement with Levin, Papantonio, Thomas, Mitchell, Rafferty & Proctor, P.A., for representation in opioid litigation.

Daniel Eckert (386) 736-5950 x12940

County Attorney Eckert recommended that the Council engage Levin, Papantonio, Thomas, Mitchell, Rafferty & Proctor, P. A., for opioid litigation. Associate Attorney **Jeff Gaddy** was available for any questions. Mr. Eckert provided details of the agreement.

Council Member Post said that the opioid issue was an important issue to her and Volusia County and she was in support of this agreement. There were 233 people that died of an overdose in Volusia County in 2016.

Council Member Post moved for APPROVAL as recommended. Council Member Patterson seconded the motion, which CARRIED 7-0.



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PUBLIC PARTICIPATION

None.

DISCUSSION OF MATTERS NOT ON AGENDA / REQUESTS

County Manager Dinneen

1. Said he sent the Council a copy of the letter from the Volusia County School Board and Superintendent, in reference to the request for \$2 million for school resource officers for the upcoming year. If the Council wanted him to move forward he could put this on the Agenda for the first Council meeting in June. Council Member Denys said that with the costs of a possible special election, she was more hesitant to support that funding. Council Member Post moved to put this on an upcoming Agenda for discussion. There was no second. Chair Kelley said that the County couldn't provide the additional deputies, and until the School Board knew what they were going to do and had a projected cost, he thought the Council should wait. Council Member Post withdrew the motion. She suggested that we respond to the Volusia County School Board in an official way so that the issue could be closed until there was more information. After further discussion, Council Member Cusack moved to TABLE the discussion until further information could be obtained and a course of action could be given by the Volusia County School Board. Council Member Lowry seconded the motion which carried 7-0. There was consensus for Mr. Dinneen to send a letter to the Volusia County School Board to advise them that the Council was not taking action at this time.
2. Said that of the 16 cities in Volusia County, only one does not have impact fees, but the other 15 cities have 46 different impact fees. The first meeting in June was the earliest he could schedule a discussion on impact fees. He needed direction, as a starting point, generally in the past a consultant was utilized. Chair Kelley said that there was consensus that the Council Members wanted discussion. He said it was a complex issue and knowing what the impact fees were from the cities could be important for citizens to understand. Mr. Dinneen said he would schedule a discussion for the subject on the June 5, 2018 Council meeting.
3. Said that, ironically, where he came from in Montgomery County, Ohio, a quarter percent sales tax initiative was just placed on its ballot.

County Attorney Eckert

1. Said in regards to the Daytona Beach Shores issue pending, he needed to know how the Council wanted to decide the issue-- with another meeting or mediation as part of the conflict resolution process. After discussion, Council Member Patterson moved to go to mediation with Daytona Beach Shores. Council Member Lowry seconded the motion, which CARRIED 6-1 with Council Member Wheeler opposed.

Mr. Eckert noted that the mediation was a public meeting and the County would make its best effort to resolve it. He gave further clarification of the process.



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Council Member Lowry

None.

Council Member Patterson

None.

Council Member Post

1. Said Rob Ehrhardt mentioned the quarterly unemployment statistics in the Economic Development Quarterly update today. There were many Volusia County job openings and she suggested citizens looking for employment go to the County's website at Volusia.org.
2. Questioned whether the Sheriff's Office had asked for any additional funding for school safety. County Manager Dinneen indicated there had not been a request.
3. Asked for a workshop to discuss Council priorities.

Council Member Wheeler

None.

Council Member Cusack

None.

Council Member Denys

1. Wanted to discuss and bring back an issue on the Environmental, Cultural, Historic and Outdoor Recreation projects (ECHO) funding. The County was spending about half of what was taken in with grants. The previous Council passed a resolution that all the left over dollars not spent in ECHO would be earmarked for a boardwalk fund and a consultant would work towards finding grant funding. There had not been any conversations or anything brought forward on the boardwalk. She wanted the Council to consider, and bring back as an Agenda Item, reversing that ordinance or resolution and extending the life of ECHO, even though collection of it would stop in 2020. This would allow nonprofits and cities to keep applying for grants for ECHO until there were zero dollars left. Deputy County Attorney Jamie Seaman, said that the last year of ECHO collection would be 2021. The resolution discussed was passed in August of 2015 where the Council set aside \$2.5 million per year for grants, \$1 million for trails and the remaining money was to be put into an account earmarked for the proposed boardwalk. Ms. Denys noted that the Council had funded more than the \$2.5 million in grants. In response to Council Member Post's question, Mr. Dinneen said that he would get the figures on the balance of the funds placed for the boardwalk, and provide that to the Council Members. Ms. Denys wanted to bring discussion back as an Agenda Item to see what the numbers were to extend ECHO without increasing taxes. Chair Kelley said that he would support a less specific discussion as an Agenda Item. There was Council consensus that the discussion would include all Council Members ideas and priorities. Mr. Dinneen said he would bring this back as an Agenda Item for discussion in July or August.



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ADJOURNMENT

There being no further business, the meeting adjourned at 12:48 p.m.

APPROVED
COUNTY COUNCIL
VOLUSIA COUNTY, FLORIDA

BY _____
Ed Kelley, County Chair

ATTEST _____
James T. Dinneen, County Manager