

County Council of Volusia County, Florida


AGENDA

February 04, 2016

Revised February 1, 2016

Revised February 2, 2016

[Printable Agenda](#) [PDF]

Supporting documents linked from this page are in Adobe pdf format.   
If you do not have the Acrobat reader, you may download one [here](#) for free.

Some files may take longer to download, if you only see a white screen, it is still loading.

<b>COUNCIL MEMBERS:</b>		<b>STAFF:</b>
Jason P. Davis	County Chair	James T. Dinneen, County Manager
Joyce Cusack	At-Large	Daniel D. Eckert, County Attorney
Pat Patterson	District 1/Vice Chair	Mary Anne Connors, Deputy County Manager
Joshua J. Wagner	District 2	Donna dePeyster, Deputy County Manager
Deborah A. Denys	District 3	Marcy A. Zimmerman, Deputy Clerk
Doug Daniels	District 4	Kathie Kardos, Recording Secretary
Fred Lowry, Jr.	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 CountyChair 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 8:30 a.m. prior to the regular session of the Council meeting that begins at 9:00 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: <a href="http://www.volusia.org/government/">http://www.volusia.org/government/</a>



**The Volusia County Council Chambers are a Wi Fi Zone.**



**Notice Under The Americans With Disabilities Act (Title II) - - - SEE NEXT PAGE**



## **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.**

## **PUBLIC PARTICIPATION - 8:30 a.m.**

The Volusia County Council welcomes your involvement and is interested in hearing your comments.

Please complete a public participation slip and indicate in the subject line the issue you wish to address. You may use the back if necessary.

After you are recognized by the County Chair, state your name and address for the record before beginning your comments. You may speak up to three minutes, either during Public Participation or when an agenda item is heard.

The County Council will not answer questions or requests during Public Participation.

Please be courteous and respectful of the views of others. Personal attacks on Council members, County staff or members of the public are not allowed.

## **CALL TO ORDER 9:00 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 Michael Bodger, First Presbyterian Church, DeLand

## **PLEDGE OF ALLEGIANCE**

## **ROLL CALL**

## **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.

## **PRESENTATIONS**

9:05 a.m.

### **Item 01**

2016 State of the County address.  
Cindy Finney (386) 740-5160 x15160

FILE NUMBER 3514

## **RETIREMENTS**

9:20 a.m.

### **Item 02**

- Kenneth Hunt, Sheriff's Office.
- John Pasqualle, Fire Services.

FILE NUMBER 3511

Tom Motes (386) 736-5951 x12605

## **PRESENTATION**

**9:25 a.m.**

### **Item 02A**

NO AGENDA ITEM

Mini overview of the technology upgrade to the council chambers.  
James T. Dinneen (386) 736-5920

## **PUBLIC HEARINGS AND OTHER TIME CERTAIN MATTERS**

**9:30 a.m.**

### **Item 03**

NO AGENDA ITEM

Discussion of the Volusia Growth Management Commission for potential recommendation for change to the Charter Review Commission.

**10:15 a.m.**

### **Item 04**

FILE NUMBER 3499

**Order of Business:**  
***Open Public Hearing***  
***Staff Report***  
***Public Participation***  
***Close Public Hearing***  
***Council Discussion/Action***

Resolution - Vacation of portion of drainage and utility easement, Sandpiper Forest Subdivision, Map Book 44, Page 25 (Ormond-By-The-Sea area). Petitioners: James A. Batenchuk and Lee A. Batenchuk.

Gerald N. Brinton (386) 736-5967 x12294

**10:20 a.m.**

### **Item 05**

FILE NUMBER 3497

**Order of Business:**  
***Open Public Hearing***  
***Staff Report***  
***Public Participation***  
***Close Public Hearing***  
***Council Discussion/Action***

Resolution - Abandonment and transfer of interest in a portion of a prescriptive drainage canal known as the B-14 Canal (Daytona Beach area). Petitioner: Michael J. Woods, attorney for International Speedway Corporation.

Gerald N. Brinton (386) 736-5967 x12294

## **PRESENTATIONS**

**10:30 a.m.**

## **Item 06**

NO AGENDA ITEM

SunRail Phase II update by Noranne Downs with the Florida Department of Transportation.  
John Angiulli (386) 736-5965 x12712

### **--BEGIN CONSENT AGENDA--**

## **AVIATION AND ECONOMIC RESOURCES**

### **-Airport Services**

## **Item 07**

FILE NUMBER 3471

Contract with Allen Enterprises for specialized electrical parts, 16-B-23VB.  
Estimated annual expenditure: \$30,000  
Rick Karl (386) 248-8030 x18070 Karen Feaster (386) 248-8030 x18304

## **BUSINESS SERVICES**

### **-Central Services**

## **Item 08**

FILE NUMBER 3475

Contract amendment with Control System Specialists, Inc., a single source provider of Alerton Energy Management and Control System.  
Expenditure: \$130,000  
Rhonda Orr (386) 822-5738 x17038 George Baker (386) 254-1595 x11850

## **COMMUNITY SERVICES**

### **-Community Assistance**

## **Item 09**

FILE NUMBER 3490

Lease for Health Department facility at 3151 Howland Boulevard, Deltona.  
Annual expenditure: \$101,990  
Dave Byron (386) 943-7029 x12616 Dona DeMarsh-Butler (386) 943-7039 x12893

## **FINANCE**

### **-Personnel Services**

## **Item 10**

FILE NUMBER 3491

Settlement of workers' compensation claim of Steven Dye.  
Settlement amount: \$234,166  
Charles Spencer (386) 736-5963 x12884

## **Item 11**

FILE NUMBER 3510

Settlement of litigation: Estate of Potter and Estate of Peterson vs. County of Volusia et al.  
Settlement amount: \$300,000  
Arthur Graham (386) 736-5950 x13241 Charles Spencer (386) 736-5963 x12884

## **GROWTH AND RESOURCE MANAGEMENT**

### **-Building and Zoning**

#### **Item 12**

FILE NUMBER 3496

Budget resolution - Acceptance of property at 625 Fatio Road, DeLand and \$23,000 cash from Wells Fargo Bank, N.A.

**Revenue: Value of property plus \$23,000 for demolition**

Kelli McGee (386) 822-5013 x12000

## **LEADERSHIP**

### **-Minutes**

#### **Item 13**

FILE NUMBER 3507

Minutes of January 7, 2016, county council meeting.

Kathie Kardos (386) 626-6688 x16688

### **-Proclamations (Presented Outside Chambers)**

#### **Item 14**

FILE NUMBER 3508

Proclamations presented outside county council chambers.

- New Smyrna Speedway Week - February 12, 2016.
- IMAGES Days - January 29 to 31, 2016.

Dave Byron (386) 822-5062 x12616 Pat Kuehn (386) 822-5062 x12934

## **PUBLIC PROTECTION**

### **-Corrections**

#### **Item 15**

FILE NUMBER 3488

Contract renewal with Stewart Marchman-Act Behavioral Health Services, Inc. for correctional treatment and diversion programs.

Expenditure: \$484,000

George Recktenwald (386) 740-5120 x12904 Marilyn Chandler Ford (386) 323-3505 x13505

## **PUBLIC WORKS**

### **-Engineering**

#### **Item 16**

FILE NUMBER 3309

Contract with Tierra, Inc. for construction engineering and inspection services for the Turnbull Bay Road Bridge replacement in New Smyrna Beach, 15-SQ-43SR.

Expenditure: \$477,828

Gerald N. Brinton (386) 736-5967 x12294

#### **Item 17**

FILE NUMBER 3321



Resolution - Community aesthetic feature agreement with Florida Department of Transportation for signage on the East Central Regional Rail Trail pedestrian bridges over SR 415 in Osteen and SR 442 in Edgewater.

Expenditure: \$500 deposit to be held in escrow by FDOT

Gerald N. Brinton (386) 536-5967 x1224

### **Item 18**

FILE NUMBER 3486

Contract with Ajax Building Corporation to provide preconstruction services for the new Sheriff's office evidence facility, Part A, 15-SQ-180SR.

Expenditure: \$113,863 (for Part A of the project)

Gerald N. Brinton (386) 736-5967 x12294

## **-Road and Bridge**

### **Item 19**

FILE NUMBER 3494

Selection of firms and negotiation of contracts with Jones Edmunds; England-Thims & Miller; and Applied Ecology, to provide consulting services for a Reasonable Assurance Plan for Mosquito Lagoon, 16-SQ-29JD.

John Angiulli (386) 736-5965 x12712 Judy Grim (386) 822-6422 x20459

### **Item 20**

FILE NUMBER 3500

Renewal of agreements with LMR Construction, Inc. and Lanzo Lining Services Inc. for installed pipe lining, 12-B-05KW.

Expenditure: \$225,000

John Angiulli (386) 736-5965 x12712 Judy Grim (386) 822-6422 x20459

## **-Solid Waste**

### **Item 21**

FILE NUMBER 3493

Renewal of agreements with Ferguson Enterprises, Inc. and ISCO Industries, Inc. for HDPE pipe, 12-B-23RF.

Estimated annual expenditure: \$25,000

John Angiulli (386) 736-5965 x12712 Leonard Marion (386) 943-7889 x13069

### **Item 22**

FILE NUMBER 3498

Contract task assignment to S2L, Incorporated for an elevated temperature study within the landfill gas extraction wells, 14-SQ-33KW.

Expenditure: \$136,319

John Angiulli (386) 736-5965 x12712 Leonard Marion (386) 943-7889 x21347

## **-Water Resources and Utilities**

### **Item 23**

FILE NUMBER 3504

FDOT utility work agreement and work schedule for utility location and protection as needed for proposed FDOT road improvements along U.S. 1 in the Edgewater/Oak Hill area.

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

## **SHERIFF'S OFFICE**

## **-Administration**

### **Item 24**

FILE NUMBER 3472

Contract with Avionics Installations, Inc. for helicopter systems upgrade, engineering, and installation.

Expenditure: \$499,837

Laura Bounds (386) 736-5961 x12108

### **Item 25**

FILE NUMBER 3485

Contract change order to Kronos Incorporated to add sheriff's office to the scheduling software module of the county's enterprise-wide time, attendance, scheduling, and leave system.

Expenditure: \$68,096

Laura Bounds (386) 736-5961 x12108

### **Item 26**

FILE NUMBER 3506

Agreement renewal with AAG Environmental, Inc. for biohazardous chemical waste cleaning, removal, and disposal services.

Estimated annual expenditure: \$30,000

Laura Bounds (386) 736-5961 x12108

## **--END CONSENT AGENDA--**

## **LUNCH**

## **PUBLIC HEARINGS AND OTHER TIME CERTAIN MATTERS**

2:05 p.m.

### **Item 27**

FILE NUMBER 3516

**Order of Business:**

**Open Public Hearing**

**Staff Report**

**Public Participation**

**Close Public Hearing**

**Council Discussion/Action**

Ordinance 2016-04 amending Chapter 70 Impact Fees, Article III Thoroughfare Road Impact Fee, Section 70-79 by providing for the use of exemptions on adjoining parcels.

Jamie E. Seaman (386) 736-5950

## **PRESENTATIONS**

2:10 p.m.

### **Item 28**

FILE NUMBER 3479

Presentation of economic development data for the fourth quarter 2015.

Rick Karl (386) 248-8030 x18307 Rob Ehrhardt (386) 248-8048 x18382

2:15 p.m.

## **Item 29**

AGENDA ITEM TO FOLLOW

FILE NUMBER 3522

Discussion on impact of \$12/hour wages for direct county workers that are full time, part time, and associated contract positions.

Tom Motes (386) 736-5951 x12821

## **OTHER BUSINESS - NOMINATIONS/APPOINTMENTS**

### **Item 30**

FILE NUMBER 3461

Reinstatements or appointments to historic preservation board.

*NOMINATION METHOD: At-Large (east side), At-Large (west side).*

[The elector does not have to reside within the council member's district.]

Board members may be professionals from the disciplines of architecture, history, architectural history, archaeology, anthropology, cultural geography, planning or other related disciplines or citizens who have demonstrated special interest, experience or knowledge in history, archaeology, architecture or related disciplines.

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.

**Positions:** Two from the designated categories, if possible, for the remainder of the two-year term expiring March 31, 2017.

#### **At-Large (east side) applicants:**

Robert Clinton

Robert Redd

#### **At-Large (west side) applicant:**

Oscar Brock

Marcy Zimmerman (386) 736-5920 x12398

### **Item 31**

FILE NUMBER 3420

Appointment to the Southeast Volusia Advertising Authority.

*NOMINATIONS/ROTATION ORDER: At-Large and District 1*

(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.

**Positions:** Two for the remainder of the two year term expiring March 31, 2017, from either the lodging industry or non-lodging industry.

**Applicant in lodging:**

Tom Clapsaddle

**Applicants in non-lodging:**

Dennis Brian Dolbow

Chad Truxall

Marcy Zimmerman (386) 736-5920 x12398

**Item 32**

FILE NUMBER 3509

Appointment to Halifax Area Advertising Authority.

*NOMINATIONS/ROTATION ORDER: District 1*

(11 members shall be selected from persons involved in the tourism and lodging industries doing business within the Halifax Advertising Tax District.)

**[Not less than six 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 for the remainder of the two year term ending March 31, 2017, from either the lodging industry or the tourism industry.

**Applicant in tourism:**

John J. Betros

Marcy Zimmerman (386) 736-5920

**REPORTS - May be heard anytime throughout County Council meeting as time permits**

**PUBLIC PARTICIPATION**

The Volusia County Council welcomes your involvement and is interested in hearing your comments.

Please complete a public participation slip and indicate in the subject line the issue you wish to address. You may use the back if necessary.

After you are recognized by the County Chair, state your name and address for the record before beginning your comments. You may speak up to three minutes, either during Public Participation or when an agenda item is heard.

The County Council will not answer questions or requests during Public Participation.

Please be courteous and respectful of the views of others. Personal attacks on Council members, County staff or members of the public are not allowed.

**DISCUSSION BY COUNCIL OF MATTERS NOT ON AGENDA AND COMMITTEE REPORTS**

**DISCUSSION BY STAFF OF MATTERS NOT ON AGENDA**

**ADJOURNMENT**