

County Council of Volusia County, Florida

January 18, 2022
Call to Order: 9:30 a.m.

AGENDA

[Printable Agenda](#) [PDF]

The Frank T. Bruno, Jr. County Council Chambers, Room 204
Thomas C. Kelly Administration Center
123 West Indiana Avenue, DeLand, FL 32720

COUNCIL MEMBERS:

Jeffrey S. Brower, County Chair
Ben F. Johnson, At-Large
Barbara E. Girtman, District 1
Billie Wheeler, Vice Chair/District 2
Danny Robins, District 3
Heather Post, District 4
Dr. Fred Lowry, District 5

STAFF:

George Recktenwald, County Manager
Michael G. Dyer, County Attorney

**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.

PUBLIC PARTICIPATION INFORMATION

Public participation is welcomed and encouraged by the Volusia County Council (Council). In order to be recognized by the Chair during public participation periods, a speaker shall fill out a request form (the back of the form may be used if necessary) and present it to the Deputy Clerk for the Council, prior to public comment periods.

There are three opportunities for public participation during each Council meeting; at the beginning of each meeting, at the end of each meeting, and for each voted agenda item.

Public comment on issues on the agenda or public participation shall be limited to 3 minutes. If you wish to speak on an agenda item, indicate the item number/letter on the public participation form.

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.

For public participation procedures please contact PublicParticipation@volusia.org.

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.

CALL TO ORDER 9:30 a.m.

INVOCATION

By: Pastor Mitch Pridgen, Crosswalk Church, Daytona Beach.

The Volusia County Council opens its meetings with a brief invocation that is open to any and all. If the leader of your faith community would like to perform the invocation at one of our County Council meetings, please contact Deputy Clerk Karissa Green at KGreen@volusia.org, and she will arrange for them to be added into the rotation. Participation is entirely voluntary and all parties are free to remain sitting.

PLEDGE OF ALLEGIANCE

Led by the county chair.

Participation is entirely voluntary and all parties are free to remain sitting.

ROLL CALL

PUBLIC PARTICIPATION

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When called to speak by the Chair, all comments shall be made from the podium or other reasonable accommodation by the Chair. Speakers shall identify themselves by name and state their address; and if the speaker is representing a group or organization, the group or organization should also be identified.

All comments shall be directed to the Council as a whole. Comments shall not be addressed to a single member of the Council or to County staff members. Generally, Council members do not ask questions of speakers or respond to questions during public participation. Speakers shall make their comments and request the County Council members consider their comments.

The Council is committed to conducting its meetings such that all participants have a fair and adequate opportunity to be heard, the regular agenda of the Council is completed, and the Council's time is used efficiently. Meetings of the Council shall be conducted in a professional, business-like and civil manner.

COMMENTS ON CONSENT ITEMS

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

Item 01 consent agenda

AVIATION AND ECONOMIC RESOURCES

-Airport Services

A.

[FILE NUMBER 9514](#)

Acceptance of the American Rescue Plan Act of 2021 (ARPA) Airport Rescue Program (ARP) grant No. 3-12-0017-088-2022 for the Daytona Beach International Airport.

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

Cyrus Callum (386) 248-8030 x18070 Karen Feaster (386) 248-8030 x18304

-Economic Development

B.

[FILE NUMBER 9513](#)

Seventh Amendment to the Agreement with the University of Central Florida Research Foundation, Inc. (UCF) for Volusia County Incubator Management.

Expenditure: \$140,000

Master Plan Goals: Economic & Financial Vitality

Cyrus Callum (386) 248-8048 x18070 Helga van Eckert (386) 248-8048 x18382

BUSINESS SERVICES

-Fleet Management

C.

[FILE NUMBER 9516](#)

Agreement for John Deere Agricultural Tractors, Utility Tractors and Alamo Boom Mower Parts and Service with Everglades Equipment Group, Wellington, FL, 22-B-28HO.

Estimated annual expenditure: \$50,000

Jeaniene Jennings (386) 822-5789 x15789 Robert Gilmore (386) 254-1504 x11862

-Facility Management

D.

[FILE NUMBER 9502](#)

Renewal of agreement with Seminole Office Solutions, Inc. for digital multi-function printers, 16-B-15RF.

Estimated annual expenditure: \$100,000

Jeaniene Jennings (386) 822-5789 x15789 James Corbett (386) 248-1760 x11359

COMMUNITY SERVICES

-Community Assistance

E.

[FILE NUMBER 9498](#)

Community Development Block Grant (CDBG) and Home Investment Partnerships Program (HOME) annual plan amendments.

Amendment amount: \$115,599 [\$100,000 HOME; \$15,599 CDBG]

Master Plan Goals: Thriving Communities

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

-Community Information

F.

FILE NUMBER 9535

Proclamations to be presented outside county council chambers.

- Athens Theatre Day - January 9, 2022.
- Dr. Martin Luther King Jr. Day - January 17, 2022.

Kevin Captain (386) 822-5062 x15637 Pat Kuehn (386) 822-5062 x12934

-Human Resources

G.

FILE NUMBER 9493

Settlement of Workers' Compensation Claim of Michael Coker.

Settlement amount: \$60,100

Arthur Graham (386) 736-5950 x13241 Charles Spencer (386) 736-5951 x12884

LEGAL DEPARTMENT

-Legal

H.

FILE NUMBER 9525

Resolution adopting amended and restated travel policy.

Ryan Ossowski (386) 736-5933 x12725 Heather Wallace (386) 736-5950 x12946

PUBLIC PROTECTION

-Emergency Management

I.

FILE NUMBER 9512

Acceptance of Emergency Management Performance Grant - American Rescue Plan Act Competitive Grant for the development of a multi-model Transportation Incident Response and Recovery plan, training, and exercise.

Revenue: \$50,000

Master Plan Goals: Economic & Financial Vitality

Mark Swanson (386) 740-5120 x12900 James Judge (386) 740-5120 x16620

Helene Wetherington (386) 254-1500 x11505

PUBLIC WORKS

-Engineering

J.

FILE NUMBER 9507

Proportionate fair share agreement with City of Daytona Beach and Sun Glow Construction, Inc. for the Grand Preserve Retail development.

Revenue: \$295,227

Tadd Kasbeer (386) 736-5967 x15846

-Water Resources and Utilities

K.

FILE NUMBER 9505

SHERIFF'S OFFICE

-Administration

L.

FILE NUMBER 9508

Donation of Local Forfeiture Monies for Fiscal Year Ending on 09/30/2022.

Expenditure: \$215,000

Master Plan Goals: Excellence in Government

Brian Henderson (386) 736-5961 x15759 Renfeng Ma (386) 736-5961 x13255

--END CONSENT AGENDA--

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

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

OTHER BUSINESS

Item 02

FILE NUMBER 9501

2021 ECHO Grant Awards

Expenditure: \$3,834,441 [Volusia ECHO]

Master Plan Goals: Thriving Communities

Dona D. Butler (386) 943-7029 x12893 Brad Burbaugh (386) 943-7081 x13455

Kendra Hively (386) 943-7081 x13457

PUBLIC HEARINGS NO SOONER THAN 10:00 A.M.

Item 03

FILE NUMBER 9382

Order of Business:

Open Public Hearing

Staff Report

Public Participation

Close Public Hearing

Council Discussion/Action

Ordinance 2021-23, adoption hearing for amendment to Chapter 9, Drainage Element of the Volusia County Comprehensive Plan, case CPA-21-009.

Master Plan Goals: Excellence in Government

Clay Ervin (386) 822-5013 x12000 Carol McFarlane (386) 736-5959 x12736

Susan Jackson (386) 736-5959 x12010

Item 04

FILE NUMBER 9383

Order of Business:

Open Public Hearing

***Close Public Hearing
Council Discussion/Action***

Ordinance 2021-24, adoption hearing for the amendment to Chapter 10, Ground Water & Recharge Element, of the Volusia County Comprehensive Plan, case CPA-21-010.

Master Plan Goals: Excellence in Government

Clay Ervin (386) 822-5013 x12000 Carol McFarlane (386) 736-5959 x12736
Susan Jackson (386) 736-5959 x12010

Item 05

[FILE NUMBER 9384](#)

Order of Business:

Open Public Hearing

Staff Report

Public Participation

Close Public Hearing

Council Discussion/Action

Ordinance 2021-27, adoption hearing for the amendment to Chapter 13, Recreation & Open Space Element, of the Volusia County Comprehensive Plan, case CPA-21-011.

Master Plan Goals: Excellence in Government

Clay Ervin (386) 822-5013 x12000 Carol McFarlane (386) 736-5959 x12736
Susan Jackson (386) 736-5959 x12010

Item 06

[FILE NUMBER 9381](#)

Order of Business:

Open Public Hearing

Staff Report

Public Participation

Close Public Hearing

Council Discussion/Action

Ordinance 2021-22, adoption hearing for amendment to Chapter 8, Solid Waste Element of the Volusia County Comprehensive Plan, case CPA-21-008.

Master Plan Goals: Excellence in Government

Clay Ervin (386) 822-5013 x12000 Carole McFarlane (386) 736-5959 x12736
Susan Jackson (386) 736-5959 x12010

Item 07

[FILE NUMBER 9500](#)

Order of Business:

Open Public Hearing

Staff Report

Public Participation

Close Public Hearing

Council Discussion/Action

Ordinance 2022-1, adoption hearing for an amendment to Chapter 72, Article II of the Code of Ordinances for Landscaping Requirements, case O-22-024.

Master Plan Goals: Excellence in Government

Item 08[FILE NUMBER 9354](#)**Order of Business:*****Open Public Hearing******Staff Report******Public Participation******Close Public Hearing******Council Discussion/Action***

Ordinance 2022-7, providing an amendment of Chapter 50, Code of Ordinances, titled "Water Conservation," to bring the County's water conservation restrictions into compliance with those mandated by the St. Johns Water Management District.

Master Plan Goals: Excellence in Government

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

**PUBLIC HEARINGS
NO SOONER THAN 10:30 A.M.**

Item 09[FILE NUMBER 9401](#)**Order of Business:*****Open Public Hearing******Staff Report******Public Participation******Close Public Hearing******Council Discussion/Action*****COUNCIL DISTRICT #5****QUASI-JUDICIAL HEARING-EX PARTE**

Special exception for a nonexempt excavation on +/-189.23 acres of Osteen Cluster Residential (OCR) zoned properties located South of Black Lake Road, approximately 3,400 feet east of State Road 415, Osteen, case S-20-059.

Master Plan Goals: Thriving Communities

Applicant: A. Joseph Posey, Jr., Storch Law Firm, attorney for owner

Owner(s): Susan Toni McCaskill

Clay Ervin (386) 822-5013 x12000 Carol McFarlane (386) 736-5959 x12736

Susan Jackson (386) 736-5959 x12010

Item 10[FILE NUMBER 9496](#)**Order of Business:*****Open Public Hearing******Staff Report******Public Participation******Close Public Hearing******Council Discussion/Action*****COUNCIL DISTRICT #3****QUASI-JUDICIAL HEARING-EX PARTE**

Special exception for a Rural Event Center on +/-11.21 acres of Prime Agriculture (A-1) zoned property located at 1325 Pell Road, Osteen, case S-22-021.

Master Plan Goals: Thriving Communities

Applicant: Mark A. Watts, Esquire, Cobb Cole Attorneys at Law, attorney for owner

Owner(s): Terry Knight, Junior

Clay Ervin (386) 822-5013 x12000 Carol McFarlane (386) 736-5959 x12736

Susan Jackson (386) 736-5959 x12010

Item 11

FILE NUMBER 9488

Order of Business:

Open Public Hearing

Staff Report

Public Participation

Close Public Hearing

Council Discussion/Action

QUASI-JUDICIAL HEARING-EX PARTE

Proposed Abandonment of a portion of Wesley Street (Daytona Beach area).

Tadd Kasbeer (386) 736-5967 x15846

OTHER BUSINESS

Item 12

FILE NUMBER 9523

Resolution finding public purpose for County of Volusia Hospital Revenue Bonds (Emergency Room at Medical Center of Deltona Project), Series 2022, to finance the purchase of the emergency room at the Medical Center of Deltona; and approving issuance.

Master Plan Goals: Thriving Communities

Heather Wallace (386) 736-5950 x12946

Item 13

FILE NUMBER 9470

Renewal of Agreement with American Janitorial, Inc., for janitorial services, countywide, library services and constitutional officers, 18-P-164JRD.

Estimated annual expenditure: \$2,180,000

Jeaniene Jennings (386) 736-5935 x15789 James Corbett (386) 248-1760 x11359

Dona Butler (386) 943-7029 x12893

Item 14

NO AGENDA ITEM

Community events update and COVID update.

Kevin Captain (386) 822-5062 x15637

**[COUNCIL MAY BREAK AT AN
UNSCHEDULED TIME FOR LUNCH]**

COUNCIL WORKSHOP

First Floor Training Room

Thomas C. Kelly Administration Center

123 West Indiana Avenue, DeLand, FL 32720

Workshop (topic to follow).

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DISCUSSION OF MATTERS NOT ON AGENDA / REQUESTS

County Manager
County Attorney
County Council

ADJOURNMENT

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, Jim Corbett, 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.

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)