



# County Council of Volusia County, Florida

June 21, 2022

Call to Order: 9:30 a.m.

## AGENDA

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, Vice Chair, District 1  
Billie Wheeler, 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

## 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](mailto: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.**

APPROVED

George Recktenwald, County Manager

Date: June 13, 2022



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### **CALL TO ORDER - 9:30 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**

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](mailto: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**

The Council welcomes and encourages comments from the public.

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.

Each speaker is allowed one (1) opportunity to speak during a public comment period for a maximum of three (3) minutes. Speakers may not yield their allotted three (3) minutes to another speaker. The Council may, by majority vote, reduce the time limit based on the number of speakers in order to accommodate the opportunity for public comment.

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.



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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 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.

#### Item 01 consent agenda

### AVIATION AND ECONOMIC RESOURCES

#### -Airport Services

##### A.

##### FILE NUMBER 9859

Contract with P & S Paving, Inc., for the airport rescue firefighting facility access road improvements, 22-B-52IF, C1811.

Expenditure: \$214,982 [**\$107,491 FDOT grant**; \$107,491 local share]

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

##### B.

##### FILE NUMBER 9910

Contract task assignment with AVCON, Inc., for supplemental design services for the parking lot improvements project, 18-SQ-89IF, PC3107, TA3.

Expenditure not to exceed: \$153,349

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

APPROVED

George Recktenwald, County Manager

Date: June 13, 2022



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## AGENDA

### BUSINESS SERVICES

#### -Facility Management

##### C.

###### FILE NUMBER 9876

Approval of award to Village Key and Alarm, Inc., dba VKA Security and Smartwatch Security & Sound for the Fire Alarm Installation, Inspection and Repairs, 22-B-81LL.

Estimated annual expenditure: \$300,000

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

### COMMUNITY SERVICES

#### -Parks, Recreation and Culture

##### D.

###### FILE NUMBER 9897

Parks, Recreation and Culture and Coastal Divisions rental fee adjustments.

**Estimated revenue increase: \$150,259**

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

#### -Resource Stewardship

##### E.

###### FILE NUMBER 9824

Scope change request for ECHO grant 15-09, Port Orange Historic Train Depot.

***Master Plan Goals: Thriving Communities***

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

##### F.

###### FILE NUMBER 9930

Request to rescind and reimburse ECHO grant 06-04, Dutton House, Inc.

**Refund of prior year expenditure: \$234,800**

***Master Plan Goals: Thriving Communities; Excellence in Government***

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



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## AGENDA

### G.

#### FILE NUMBER 9929

Request to rescind and reimburse ECHO grant 08-20, Children's Art Annex.

**Refund of prior year expenditure: \$160,460**

***Master Plan Goals: Thriving Communities; Excellence in Government***

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

### H.

#### FILE NUMBER 9931

Approval of the Doris Leeper Spruce Creek Preserve 10-year management plan update.

***Master Plan Goals: Thriving Communities***

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

## GROWTH AND RESOURCE MANAGEMENT

### -Building and Code Administration

### I.

#### FILE NUMBER 9879

Award of contract to Clay Meek for code enforcement board attorney services.

Estimated annual expenditure: \$15,000

Clay Ervin (386) 822-5013 x12000

### -Planning and Development Services

### J.

#### FILE NUMBER 9912

Resolution declaring certain lands to be surplus and authorizing disposal.

***Master Plan Goals: Economic & Financial Vitality***

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

### K.

#### FILE NUMBER 9914

Final Plat for Andover Ridge Subdivision, a residential subdivision consisting of 46 single-family lots.

***Master Plan Goals: Thriving Communities***

Clay Ervin (386) 822-5013 x12000 Carol McFarlane (386) 736-5942 x12736

Samantha West (386) 736-5942 x15520



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## AGENDA

### LEADERSHIP

#### -Community Information

##### **L.**

###### **FILE NUMBER 9853**

Termination of contract with Daytona State College, WDSC - TV for broadcast of Volusia Magazine public information television program.

Expenditure savings: \$16,775

Kevin Captain (386) 736-5920 x15637

##### **M.**

###### **FILE NUMBER 9962**

Proclamations outside County Council Chambers.

- Emancipation in Florida Day - May 21, 2022.
- David Staples Day - June 3, 2022.

Kevin Captain (386) 736-5920 x15637 Pat Kuehn (386) 822-5062 X12934

### OCEAN CENTER

#### -Administration

##### **N.**

###### **FILE NUMBER 9943**

Contract amendment with Ungerboeck Systems International, LLC. for an Ocean Center convention center and exhibit hall event management software solution, 12-P-25TF.

Expenditure: \$31,681

Tim Riddle (386) 254-4500 x24514

### PUBLIC PROTECTION

#### -Animal Services

##### **O.**

###### **FILE NUMBER 9902**

Memorandum of Agreement with State of Florida, Department of Health, Volusia County Health Department for rabies exposure.

**Master Plan Goals: Excellence in Government**

Adam Leath (386) 248-1790 x11398 Mark Swanson (386) 740-5120



# County Council of Volusia County, Florida

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## AGENDA

### -Fire Services

**P.**

**FILE NUMBER 9922**

Extension of contract for fire equipment parts, supplies and service per Lake County ITB 17-0606.  
Estimated annual expenditure: \$200,000  
Howard Bailey (386) 739-5940 x12905 Mark Swanson (386) 740-5120 x12900

## PUBLIC WORKS

### -Coastal

**Q.**

**FILE NUMBER 9917**

Amendment No. 8 to contract for Beach Maintenance with CFB Outdoors, Inc., DeLand, 14-P-20AK.  
(Districts 2, 3, & 4)  
Estimated increase in annual expenditure: \$450,000  
Benjamin Bartlett (386) 736-5341 x12712 Jessica Fentress (386) 248-8072 x20356

### -Engineering

**R.**

**FILE NUMBER 9918**

Proportionate fair share agreement with City of Port Orange and Wetherbee Partners, LLC, for the Town West Senior Living Apartments.  
Council District #3  
**Revenue: \$256,704**  
Tadd Kasbeer (386) 736-5967 x15846

**S.**

**FILE NUMBER 9924**

Agreement for the Williamson Blvd. at Strickland Range Rd. intersection improvement, Project P-5854 and 4-laning of Williamson Blvd. to Hand Avenue, P-5805.  
Council district #4  
Tadd Kasbeer (386) 736-5967 x15846



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#### **T.**

##### **FILE NUMBER 9948**

Contract with Kimley-Horn and Associates, Inc., for architectural/engineering design for the Daytona Beach International Airport Parcel 62 Mass Grading Plan, 22-SQ-48SR.

Expenditure not to exceed: \$604,770

Tadd Kasbeer (386) 736-5967 x15846

#### **-Road and Bridge**

#### **U.**

##### **FILE NUMBER 9915**

Renewal of agreement with Ferguson Waterworks, Sanford, FL for polyethylene pipe, 18-B-98KT

Estimated annual expenditure: \$120,000

Benjamin Bartlett (386) 736-5965 x12712 Lori Koontz (386) 822-6422 x20455

#### **-Solid Waste**

#### **V.**

##### **FILE NUMBER 9909**

Contract task assignment with Neel-Schaffer, Inc., for the construction contract administration for West Volusia transfer station entrance improvements and new truck scale, 19-SQ-48IF, PC3104, TA39.

Expenditure not to exceed: \$89,500

Benjamin Bartlett (386) 736-5965 x12712 Regina Montgomery (386) 947-2952 x21347

#### **W.**

##### **FILE NUMBER 9920**

Contract amendment for solid waste collection and recycling services with FCC Environmental Services Florida, LLC., 19-P-43PW

Annual expenditure increase: \$437,616

Benjamin Bartlett (386) 736-5341 x12712 Regina Montgomery (386) 947-2955 x21347

#### **-Water Resources and Utilities**

#### **X.**

##### **FILE NUMBER 9944**

Renewal of Agreement with Shelley's Environmental Systems for Wastewater Residuals Management, ITB-UT-18-24.

Estimated annual expenditure: \$310,000

Benjamin Bartlett (386) 736-5341 x12712 Mike Ulrich (386) 943-1027 x12724





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### AGENDA

**Y.**

**FILE NUMBER 9906**

Utility service agreement with Calico Properties, LLC, for utility service to a portion Orange City Hills, Unit 4 in the vicinity of West Elm Drive.

**Master Plan Goals: Thriving Communities**

Benjamin Bartlett (386) 736-5965 x12712 Michael Ulrich (386) 943-7027 x12724

**--END CONSENT AGENDA--**

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

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

### **PRESENTATIONS**

**Item 02**

**FILE NUMBER 9959**

Feed the Need fund drive results.

**Master Plan Goals: Thriving Communities**

Kevin Captain (386) 822-5062 x15637

**Item 03**

**FILE NUMBER 9961**

Proclamations inside County Council Chambers.

- Widows Day - June 23, 2022.

Kevin Captain (386) 736-5920 x15637 Pat Kuehn (386) 822-5062 X12934

### **OTHER BUSINESS**

**Item 04**

**FILE NUMBER 9963**

Annual Comprehensive Financial Report (ACFR) and Combined Countywide Annual Comprehensive Financial Report (CCACFR) for fiscal year ended September 30, 2021

Ryan Ossowski (386) 943-7054 x12725 Lynne Urice (386) 736-5933 x12478

APPROVED

George Recktenwald, County Manager

Date: June 13, 2022



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## AGENDA

### Item 05

#### FILE NUMBER 9870

This is a request for direction regarding an amendment to the zoning ordinance to allow the sale of agricultural products not grown on property.

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

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

### Item 06

#### FILE NUMBER 9871

This is a request for direction regarding amendments to the zoning ordinance to address inconsistencies identified by a land owner in the Southwest Activity Center.

District # 1

**Master Plan Goals: Excellence in Government**

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

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

### Item 07

#### FILE NUMBER 9889

**Order of Business:**

**Open Public Hearing**

**Staff Report**

**Public Participation**

**Close Public Hearing**

**Council Discussion/Action**

Proposed vacation of a portion of the plat of Fox Run Unit One, Map Book 37, Page 61 (Orange City area).

District # 1.

Tadd Kasbeer (386) 736-5967 x15846

APPROVED

George Recktenwald, County Manager

Date: June 13, 2022



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## AGENDA

### Item 08

**FILE NUMBER 9956**

**Order of Business:**

***Open Public Hearing***

***Staff Report***

***Public Participation***

***Close Public Hearing***

***Council Discussion/Action***

Ordinance 2022-20 - Beach Concessions.

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

Paolo Soria (386) 736-5950 x12940

## OTHER BUSINESS

### Item 09

**FILE NUMBER 9916**

Award of Contract to Beach Rentals & Refreshments of Volusia County, LLC for Beach Concessions, 22-P-22KW

**First of seven years revenue: \$550,000**

Benjamin Bartlett (386) 736-5341 x12712 Jessica Fentress (386) 248-8072 x20356

### Item 10

**FILE NUMBER 9925**

Contract with Halifax Paving, Inc., for the Graves Avenue turn lanes and safety improvements, 21-B-157SR, C1798.

Council District #1

Expenditure: \$1,128,490 [from grant funds]

Tadd Kasbeer (386) 736-5967 x15846

### Item 11

**AGENDA ITEM TO FOLLOW**

County cash and investment program presentation.

Ryan Ossowski (386) 943-7054 x12725

### Item 12

**FILE NUMBER 9937**

Emergency Medical Services, Library, Ponce De Leon Port District, ECHO, Volusia Forever, and Mosquito Control five year forecast for fiscal years 2021-22 through 2025-26.

Ryan Ossowski (386) 943-7054 x12725 Aaron Van Kleeck (386) 736-5934 x12458

**Page 11 of 15**

APPROVED

George Recktenwald, County Manager

Date: June 13, 2022



## County Council of Volusia County, Florida

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### AGENDA

#### Item 13

**NO AGENDA ITEM**/See attached list  
Community events update.  
Kevin Captain (386) 822-5062 x15637

### NOMINATIONS/APPOINTMENTS

#### Item 14

**FILE NUMBER 9952**  
Appointments to the contractor licensing and construction appeals board.  
Karissa Green (386) 736-5920 x15928

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

### PUBLIC PARTICIPATION - P.M.

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### **DISCUSSION OF MATTERS NOT ON AGENDA / REQUESTS**

County Manager  
County Attorney  
County Council

### **ADJOURNMENT**

APPROVED

A handwritten signature in black ink, appearing to read "George Recktenwald", is written over a horizontal line.

George Recktenwald, County Manager

Date: June 13, 2022



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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, 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.



## County Council of Volusia County, Florida

June 21, 2022  
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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](mailto:cfinney@volusia.org)  
Phone:(386) 736-5951  
Fax:(386) 740-5149  
Hearing Impaired: 711 (Florida Relay) / (800)-955-8771 (Florida Relay for TTY Users)