



County Council of Volusia County, Florida

December 05, 2023
Call to Order: 9:00 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
Jake Johansson, At-Large
Don Dempsey, District 1
Matt Reinhart, District 2
Danny Robins, Vice Chair/District 3
Troy Kent, District 4
David Santiago, 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.

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.



County Council of Volusia County, Florida

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AGENDA

CALL TO ORDER - 9:00 A.M.

INVOCATION

By: Pastor Tommy Clayton with Gracelife Church, Deltona.

Any opening invocation that is offered prior to the deliberation of Council business shall be the voluntary offering of a private person, to and for the sole benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council or the County staff, and the County is not allowed by law to endorse the religious or non-religious beliefs or views of such speaker. Persons in attendance are welcome to stand in recognition of the pledge of allegiance and invocation, should they so wish, though such invitation is in no way construed as a demand, order, or command. Members of the public are also allowed to leave Council chambers until such time as the invocation is completed.

PLEDGE OF ALLEGIANCE

Led by the county chair.

ROLL CALL

PUBLIC PARTICIPATION

The Council welcomes and encourages comments from the public.

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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.

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.



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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

BUSINESS SERVICES

-Facility Management

A.

FILE NUMBER 11389

Award of contract to Paul Culver Construction, Inc. for the Dickerson Library Restoration, 23-B-188LL, C1921.

Expenditure: \$280,000 [from grant funds]

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

B.

FILE NUMBER 11390

Award of contract to Oracle Elevator Holdco. Inc. DBA Premier Oracle Elevators for the DeLand Library Elevator Modernization, 23-B-205LL, C1930.

Expenditure: \$159,995

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



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AGENDA

C.

FILE NUMBER 11391

Award of contract to Kirton Enterprises, Inc. for the Beach Safety Sunsplash Lifeguard Control Tower, 23-B-173LL, C1914.

Expenditure: \$398,946

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

D.

FILE NUMBER 11395

Contract task assignment to Hall and Ogle Architects, Inc., for the Ocean Center Restroom ADA and Energy Conservation Measures.

Expenditure: \$166,000

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

-Transit Services

E.

FILE NUMBER 11396

Resolutions - Authorizing applications to the Florida Department of Transportation (FDOT) SFY25 [State Fiscal Year] for 5310, 5311 and 5339 grant funding programs.

Jeaniene Jennings (386) 822-5789 x15789 Bobbie King (386) 756-7496 x18800

F.

FILE NUMBER 11407

Agreement with Council on Aging of Volusia County, Inc. for transportation of clients to and from community resources.

Estimated annual revenue: \$435,000

Jeaniene Jennings (386) 822-5789 x15789 Bobbie King (386) 756-7496 x18800

COMMUNITY SERVICES

-Community Assistance

G.

FILE NUMBER 11393

Resolution - Requesting authorization to submit an application package to the Moving to Work Demonstration Program with the U.S. Department of Housing and Urban Development (HUD).

Bradley Burbaugh (386) 943-7081 x13455 Carmen Hall (386) 736-5955 x12044

Donna L. Carter (386) 736-5955 x12890



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AGENDA

-Parks, Recreation and Culture

H.

FILE NUMBER 11405

Agreements for lawn maintenance and service in accordance with 23-B-169HO.
Estimated annual expenditure: \$887,360
Bradley Burbaugh (386) 943-7081 x13455 Tim Baylie (386) 736-5953 x12636

EMERGENCY SERVICES

-Emergency Medical Administration

I.

FILE NUMBER 11398

Budget Resolution - Appropriation of emergency medical services trust fund.
Revenue: \$486,048 [\$55,486 new revenue, \$15,000 investment income, \$415,562 prior years revenue]
James A Judge II (386) 822-5037 x16620 Mark Wolcott (386) 248-8149 x20652

-Fire Services

J.

FILE NUMBER 11404

Agreement with Seminole County for automatic aid/closest unit response for fire and emergency medical services in Lake Harney Fire District 37.
Annual expenditure: \$155,000
James Judge (386) 740-5120 Joseph King (386) 736-5940

FINANCE

-Information Technology

K.

FILE NUMBER 11408

Resolution - Florida local government cybersecurity statutory requirement compliance.
Ryan Ossowski (386) 943-7054 x12725 John Bailey (386) 736-5922 x12669



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AGENDA

GROWTH AND RESOURCE MANAGEMENT

-Planning and Development Services

L.

FILE NUMBER 11382

Resolution declaring certain lands to be surplus and authorizing disposal.

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

INTERNAL AUDITOR

-Internal Auditor

M.

FILE NUMBER 11344

Internal Audit of Payroll.

Jonathan Edwards (386) 736-5920 x15969

LEADERSHIP

-Community Information

N.

FILE NUMBER 11160

Community events list.

Michael Ryan (386) 822-5062 x15637

O.

FILE NUMBER 11345

Renewal of contract with Aqua Marketing & Communications, Inc. for advertising and marketing services, 19-SQ-05PW.

Michael Ryan (386) 822-5062 x15637



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PUBLIC PROTECTION

-Animal Services

P.

FILE NUMBER 11383

Agreement with the City of Pierson for provision of animal control services.

Mark Swanson (386) 740-5120 x12904 Angela Miedema (386) 248-1790 x11398

-Corrections

Q.

FILE NUMBER 11337

Approval of Amendment No. 1 to the agreement for inmate medical services, 23-P-20AK.

Estimated annual reduction in expenditure: \$62,919

Mark Swanson (386) 740-5120 x12900 Joseph DeMore (386) 323-3505 x13505

R.

FILE NUMBER 11362

Budget Resolution - Acceptance of FY 2022 State Criminal Alien Assistance Program funding and appropriation of proceeds.

Revenue: \$50,769

Joseph DeMore (386) 254-1555 x13505 Mark Swanson (386) 740-5120 x12900

PUBLIC WORKS

-Engineering

S.

FILE NUMBER 11392

Budget Resolution - Contract with Paul Culver Construction, Inc., for professional construction management and general contracting services for the Marine Science Center Reef Aquarium Exhibit, Part B, 22-SQ-145SR, C1838.

Expenditure: \$498,494 [\$211,000 from ECHO funds]

Tadd Kasbeer (386) 736-5967 x15846



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T.

FILE NUMBER 11397

Contract with of Hedrick Brothers Construction Co., Inc., for the construction management/general contracting for the Marine Science Center Education Building Additions/Alterations, Part A, 23-SQ-101SR, C1884.

Expenditure: \$45,026

Tadd Kasbeer (386) 736-5967 x15846

U.

FILE NUMBER 11417

Amended and Restated Proportionate fair share agreement with City of Port Orange and FL P52, LLC for the Shoppes at Summer Trees commercial development. Council District 2

Revenue: \$595,739

Tadd Kasbeer (386) 736-5967 x15846

-Water Resources and Utilities

V.

FILE NUMBER 11403

First Amendment to Interlocal Agreement with Cities of DeLand, Deltona, and Orange City to Conduct a Capital Improvement Plan Coordination Study

Expenditure: \$20,000

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

SHERIFF'S OFFICE

-Administration

W.

FILE NUMBER 11358

Donation of Local Forfeiture Monies for Fiscal Year Ending September 30, 2024.

Transfer to VSO: \$217,000

Renfeng Ma (386) 736-5961 x13255 Kylie Chiavuzzi (386) 736-5961 x12147

--END CONSENT AGENDA--



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AGENDA

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

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

OTHER BUSINESS

Item 02

FILE NUMBER 11328

Renewal of Children and Family Advisory Board (CFAB) funding recommendations.

Expenditure: \$2,410,472

Brad Burbaugh (386) 943-7081 x13455 Carmen Hall (386) 736-5955 x12044

Item 03

FILE NUMBER 11406

SMA Healthcare Updates.

Brad Burbaugh (386) 943-7081 x13455 Carmen Hall (386) 736-5955 x12044

PUBLIC HEARINGS NO SOONER THAN 9:30 A.M.

Item 04

FILE NUMBER 11385

Order of Business:

Open Public Hearing

Staff Report

Public Participation

Close Public Hearing

Council Discussion/Action

COUNCIL DISTRICT 3

Resolution - Proposed Vacation of a portion of Harbor Road. (Port Orange area) Council District #3

Tadd Kasbeer (386) 736-5967 x15846



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Item 05

FILE NUMBER 10983

Order of Business:

Open Public Hearing

Staff Report

Public Participation

Close Public Hearing

Council Discussion/Action

COUNCIL DISTRICT 1

QUASI-JUDICIAL HEARING-EX PARTE

Resolution - Proposed Vacation of a portion of Astor Junction AKA Eldridge Subdivision, Map Book 1, Page 34, (Pierson Area) Council District 1
Tadd Kasbeer (386) 736-5965 x15846

Item 06

FILE NUMBER 11370

Order of Business:

Open Public Hearing

Staff Report

Public Participation

Close Public Hearing

Council Discussion/Action

COUNCIL DISTRICT 1

QUASI-JUDICIAL HEARING-EX PARTE

A Special Exception for a mini-warehouse on 2995 South Woodland Boulevard, DeLand on General Commercial (B-4) zoned property (S-23-009) (County Council District 1)

Applicant: Selby Weeks, P.E.

Owner: Stor-All DeLand, LLC

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

Trish Smith (386) 736-5959 x12943



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Item 07

FILE NUMBER 11371

Order of Business:

Open Public Hearing

Staff Report

Public Participation

Close Public Hearing

Council Discussion/Action

Adoption Hearing. Ordinance No. 2023-23. Ordinance amending the Comprehensive Plan Affordable Housing Policies (Chapter 1, Chapter 5, and Chapter 20)

Clay Ervin (386) 822-5012 x12000 Carol McFarlane (386) 736-5959 x12736

Trish Smith (386) 736-5959 x12943

Item 08

FILE NUMBER 11373

Order of Business:

Open Public Hearing

Staff Report

Public Participation

Close Public Hearing

Council Discussion/Action

COUNCIL DISTRICT 4

QUASI-JUDICIAL HEARING-EX PARTE

Resolution - A rezoning from the Light Industrial (I-1) zoning classification at 3697 Old DeLand Road, Daytona Beach, to Planned Unit Development zoning classification, with an Industrial subclassification (PUD)(Case PUD-23-012)(County Council District 4).

Applicant/Owner: Travis Hutson

Clay Ervin (386) 822-5012 x12000 Carol McFarlane (386) 736-5959 x12736

Trish Smith (386) 736-5959 x12943



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Item 09

FILE NUMBER 11374

Order of Business:

Open Public Hearing

Staff Report

Public Participation

Close Public Hearing

Council Discussion/Action

COUNCIL DISTRICT 3

QUASI-JUDICIAL HEARING-EX PARTE

A Special Exception for a Private School at 3804 Pioneer Trail, New Smyrna Beach on Prime Agriculture (A-1) zoned property. (S-23-011) (County Council District 3)

Clay Ervin (386) 822-5012 x12000 Carol McFarlane (386) 736-5959 x12736

Trish Smith (386) 736-5959 x12943

Item 10

FILE NUMBER 11410

Order of Business:

Open Public Hearing

Staff Report

Public Participation

Close Public Hearing

Council Discussion/Action

Ordinance 2023-46. An ordinance amending section 22-706 of Chapter 22, Volusia County Code of Ordinances, by requiring properties that abut the Atlantic Ocean to have the property address displayed so it is visible to public on the beach.

Clay Ervin (386) 822-5013 x1200



County Council of Volusia County, Florida

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Item 11

FILE NUMBER 11420

Order of Business:

Open Public Hearing

Staff Report

Public Participation

Close Public Hearing

Council Discussion/Action

Ordinance 2023-44 - An ordinance amending Sec. 50-746 and 72-703, Volusia County Code of Ordinances, by establishing new hours of operation for construction activities. The new hours of operation will be 6:00 AM to 9:00 PM Monday through Sunday.

Clay Ervin (386) 822-5013 x1200

Item 12

FILE NUMBER 11377

Order of Business:

Open Public Hearing

Staff Report

Public Participation

Close Public Hearing

Council Discussion/Action

Resolutions finding public purpose and approving issuance of Housing Finance Authority of Volusia County housing revenue bonds.

Heather Wallace (386) 736-5950 x12946

PRESENTATIONS

Item 13

FILE NUMBER 11402

Affordable Housing Advisory Committee (AHAC) affordable housing incentive strategies report.

Brad Burbaugh (386) 943-7081 x13455 Carmen Hall (386) 736-5955 x12044



County Council of Volusia County, Florida

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OTHER BUSINESS

Item 14

FILE NUMBER 11387

Award of contract to Irvine Mechanical, Inc. for the Volusia County Branch Jail Chillers, 23-B-163LL, C1911.

Expenditure: \$2,534,535

Mark Swanson (386) 254-1555 x12900 Joe DeMore (386) 254-1555 x13505

James Corbett (386) 248-1760 x11359

Item 15

FILE NUMBER 11401

Contract with Ajax Building Company, LLC for professional construction management and general contracting services for the Branch Jail Mental Health Dormitory, Part B, 22-SQ-19SR, C1805.

Expenditure: \$8,184,062

Tadd Kasbeer (386) 736-5967 x15846

OTHER BUSINESS

Item 16

FILE NUMBER 11416

County Attorney and County Manager Annual Performance Evaluation.

Dana Paige-Pender (386) 736-5951 x12605

NOMINATIONS/APPOINTMENTS

Item 17

FILE NUMBER 11412

At-Large appointment to the Southeast Volusia Advertising Authority (SEVAA).

Karissa Green (386) 736-5920 x15928

Item 18

FILE NUMBER 11421

Chair's appointment to the Environmental and Natural Resources Advisory Committee (ENRAC).

Karissa Green (386) 736-5920 x15928



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[COUNCIL MAY BREAK AT AN UNSCHEDULED TIME]

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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)

APPROVED

George Recktenwald, County Manager
Date: November 27, 2023



County Council of Volusia County, Florida

December 05, 2023
Call to Order: 9:00 a.m.

AGENDA

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

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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:

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