

MEETING OPENED

The Board of County Commissioners met in Commission Chambers on the First Floor, Orange County Administration Center, on Tuesday, October 28, 1997. The following were present:

- County Chairman Linda Chapin
- Commissioners Bob Freeman, Tom Staley, Mary Johnson, Clarence Hoenstine, Ted Edwards, and Mable Butler
- County Comptroller as Clerk Martha Haynie
- County Attorney Tom Wilkes
- Deputy County Administrator Byron Brooks
- Deputy Clerk Rosilyn Stapleton

There being a quorum, the County Chairman called the meeting to order at 9 a.m.

ADMINISTRATIVE SUPPORT DIVISION - DISCUSSION AGENDA

1. Consideration of the Membership and Mission Review Board Recommendations for appointments/reappointments to the following advisory boards (General Services Department/Agenda Development):

Staff Report

Earle Denton, vice-president of the Membership and Mission Review Board (MMRB) Nominating Committee, presented the MMRB's recommendations, and the Board took the following actions:

- a. Animal Services Advisory Board

Motion

Upon a motion by Commissioner Johnson, seconded by Commissioner Hoenstine, and carried with all members present and voting AYE by voice vote; the Board appointed Carey Lee Getz to the Animal Services Advisory Board, replacing John Suarez in the Orange County Sheriff's Office category, for a term expiring December 31, 1998.

- b. Building Board of Adjustments and Appeals

Motion

Upon a motion by Commissioner Johnson, seconded by Commissioner Staley, and carried with all members

present and voting AYE by voice vote; the Board appointed Raymond Coudriet to the Building Board of Adjustments and Appeals, replacing Harriet Wolf Fort in the Residential Contractors Regular Member category, for a term expiring December 31, 1999.

c. Environmental Protection Commission

Motion

The Board did not take any action.

d. Housing Finance Authority

Motion

The Board did not take any action.

e. Local Health Council

Motion

Upon a motion by Commissioner Johnson, seconded by Commissioner Hoenstine, and carried with all members present and voting AYE by voice vote; the Board reappointed Richard Fowler and Peter Clarke to the Local Health Council, in the Health Care Consumer category and the Health Care Purchaser category, respectively, for a term expiring September 30, 1999.

f. Parks and Recreation Advisory Board

Motion

Upon a motion by Commissioner Staley, seconded by Commissioner Johnson, and carried with all members present and voting AYE by voice vote; the Board reappointed:

- Jon Momberger in the District 2 category;
- Harold Hunt in the District 4 category;
- Robert Shephard in the District 5 category;
- Arthur Beeler in the District 6 category;

to the Parks and Recreation Advisory Board for terms expiring June 30, 1999.

Commissioner Staley left the meeting.

g. Road Construction Advisory Board**Motion**

Upon a motion by Commissioner Johnson, seconded by Commissioner Butler, and carried with all present members voting AYE by voice vote; Commissioner Staley was absent; the Board appointed Thomas Caffery to the Road Construction Advisory Board, replacing Kevin Walsh in the Consulting Engineers category, for a term expiring June 30, 1999.

COUNTY CONSENT AGENDA**Motion**

Upon a motion by Commissioner Butler, seconded by Commissioner Hoenstine, and carried with all present members voting AYE by voice vote; Commissioner Staley was absent; the Board:

- deleted Fiscal and Human Resources Division Items 3 and 4;
- deleted Public Works Division Item 8;

and further, approved the balance of the County Consent Agenda items as follows:

County Attorney

1. Approval of a revised Engagement Letter with Palmer & Palmer, P.A., and approval of letter allowing Carlton Fields to withdraw from the matter of James E. Slater, as Trustee, and Alicia O'Meara vs. Orange County, DOAH Case No. 97-0437, Permit No. 940519-1, Keene's Park and Boat Ramp (County Attorney).

(Engagement Letter is on file in the Purchasing and Contracts Department.)

2. Approval and execution by the County Chairman of a resolution regarding legal counsel in indigent death penalty cases (County Attorney).

(Resolution 97-M-46 is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

County Comptroller

1. Authorization to make monthly payments to Lynx as follows:
October 1997 through August 1998, equal amounts of \$1,333,333.33; September 1998, \$1,333,333.37. These payments

represent operating subsidies and capital expenditures for fiscal year 1997-98 (Administrative/Fiscal Division).

2. Approval to pay Clerk of Courts' invoices in the total amount of \$78,731.22, for services rendered during the month of September 1997 (Administrative/Fiscal Division).
3. Approval of the Disposition of Tangible Personal Property:
 - a. Trade in assets for an allowance towards the purchase of new equipment;
 - b. Return assets to vendor for full credit towards a different model and for replacement under a maintenance agreement;
 - c. Demolish a car wash located at the Corrections Complex;
 - d. Open negotiations for a lease/purchase of equipment with the Orange County School Board;
 - e. Sell assets at public auction;

(Property Accounting Department).

4. Acknowledge the following "File for the Record" document received in the Office of the Comptroller, Clerk of the Board of County Commissioners:
 - Florida Public Service Commission Notice of Status Conference on October 6, 1997, for extended service areas for various exchanges; dated September 30, 1997.

(Comptroller Clerk of the Board of County Commissioners).

5. Approval of the minutes of the October 7 and October 14, 1997, Board of County Commissioners' meetings (Comptroller Clerk of the Board of County Commissioners).
6. Authorize the disbursement of warrants, vouchers, and wire transfers, having been certified that same had not been drawn on overexpended accounts, as follows:
 - Period from October 9, 1997, to October 17, 1997; total of \$25,855,552.36.

(Finance and Accounting Department)

Administrative Support Division

1. Approval and authorization to conduct closing, disburse warrant, record instrument and pay appropriate closing costs and approval of any additional recording fees not to exceed \$30: Tilden Avenue, Eleventh Street and Jewell Avenue, Warranty Deed, Parcel 902, District 2 (Real Estate Management Department).
2. Approval and authorization to record instruments: Belmont Estates, temporary construction easements, Parcels 701.1/702.1/703.1/704.1/705.1, District 5 (Real Estate Management Department).
3. Approval and authorization to record instruments: Sandhill Road lot split (Lake Avalon Groves), Deed, District 1 (Real Estate Management Department).
4. Approval and execution by County Chairman of lease extension, modification, and ratification between Magnolia Partnership, LTD., and Orange County, Florida: Extension of Lease, District 3 (Real Estate Management Department).

(Lease Agreement is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

5. Approval and execution by County Chairman of long-term parking lease between the City of Orlando, Florida, and Orange County, Florida: Centroplex I and II garages. Long Term Parking Lease, District 6 (Real Estate Management Department).

(Lease Agreement is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

Fire Rescue Division

1. Approval to allow employees enrolled in the paramedic program at Valencia Community College to conduct clinical time while in an on-duty status (Division Office).

Fiscal and Human Resources Division

1. Approval to issue a purchase order to VFL Technology Corporation for the proprietary purchase of ash, lime, and slurry mixture for the Orange County Landfill. The total cost is \$131,250 ([Solid Waste Department] Purchasing and Contracts Department).
2. Approval for Year 12 Funding, Conserv II Joint Facilities Agreement with Woodard & Curran, Inc. The total cost is \$1,931,200 ([Utilities Engineering Department] Purchasing and Contracts Department).

(Contract/agreement is on file in the Purchasing and Contracts Department.)

3. Approval to award Invitation for Bid Y7-789-PW to the low responsive and responsible bidder, Prime Construction Group, Inc., for White Heron Lake stormwater pump station improvements. The total cost is \$124,800 ([Highway Construction Department] Purchasing and Contracts Department).

(As stated in the above motion, this item was deleted from the agenda.)

4. Approval to award Invitation for Bid Y7-790-PW to the low responsive and responsible bidder, Prime Construction Group, Inc., for Dwarf Lake and Lake Sparling stormwater pump station improvements. The total cost is \$286,500 ([Highway Construction Department] Purchasing and Contracts Department).

(As stated in the above motion, this item was deleted from the agenda.)

5. Approval of Task Authorization 31, Contract Y4-907, continuing engineering services for resource recovery projects, with CH2M Hill/Glance & Radcliffe. The total cost is \$325,914 ([Utilities Engineering Department] Purchasing and Contracts Department).
6. Approval to award Invitation for Bid Y7-642-GJ to the low responsive and responsible bidder, Designers West, Inc., for Convention Center, Phase II, north lobby carpet surface preparation and installation of owner-supplied carpet. The

total cost is \$667,711 ([Convention Center Construction]
Purchasing and Contracts Department).

7.

Ratific

Allstate Paving, Inc. The total cost is \$103,000 ([Fire Rescue Administration Department] Purchasing and Contracts Department).

8. Approval to enter into Contract Y8-2056 with Lakeside Alternatives for Baker Act local funding. The total cost is \$1,812,949 ([Human Services Department] Purchasing and Contracts Department).

(Contract is on file in the Purchasing and Contracts Department.)

9. Approval to award Invitation for Bid Y8-107-JS to the low responsive and responsible bidder, Dixie Lime and Stone Company, for limerock base, delivered; Florida Crushed Stone, for soil cement, delivered and picked up; and E.R. Jahna for silica sand delivered and picked up. The total cost is \$378,825 ([Roads and Drainage Department] Purchasing and Contracts Department).

10. Approval to issue a Blanket Purchase Order with Ringhaver Equipment Company, for OEM parts and service for FY 1997 - 1998. The estimated cost is \$400,000 ([Solid Waste Department] Purchasing and Contracts Department).

11. Approval to award Invitation for Bid Y8-115-GJ to the low responsive and responsible bidder, G.A. Food Services, Inc., to furnish Headstart Centers Child Care Food Program. The total cost is \$269,844 ([Community Affairs Department] Purchasing and Contracts Department).

12. Approval of the holiday calendar for 1998 (Human Resources Department).

13. Approval of Budget Amendment 98-01 (Office of Management and Budget).

(Budget Amendment 98-01 is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

14. Approval of CIP Amendments 112-97, 113-97, and 01-98 (Office of Management and Budget).

(CIP Amendments 112-97, 113-97, and 01-98 are on file in the

office of the Comptroller Clerk of the Board of County Commissioners.)

15. Approval of payment of Intergovernmental Claims for October 2 and October 9, 1997, totaling \$282,237.16 (Risk Management Department).
16. Receipt and filing of the minutes of the September 24, September 25, and October 2, 1997, meetings of the Intergovernmental Risk Management Committee, for the official county record (Risk Management Department).

Health and Community Services Division

1. Adoption of Conceptual Master Plan for Turnbull Park located off S. R. 436 between Conway and Hoffner in the southeast Orlando area, District 4 (Parks and Recreation Department).

Planning and Development Division

1. Approval to designate the Orange County Research and Development Authority as the community entity to receive the Enterprise Florida Base Closure or Realignment (BRAC) Grant under the 1997 Community Defense Grant Program, all districts (Division Office).
2. Approval of (a) the master agreement between Orange County and the Economic Development Commission of Mid-Florida, Inc., for FY 97/98, and (b) the FY 97/98 agreement between Orange County and the Economic Development Commission of Mid-Florida to service the Orange County Industrial Development Authority, all districts (Division Office).

(Agreements are on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

3. Approval to process payment of \$100,000 to the Central Florida Innovation Corporation (CFIC), and execution by the County Chairman of a Letter of Agreement with CFIC for payment, all districts (Division Office).

(Letter of Agreement is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

4. Approval and execution of agreement for project administration between Orange County and Anthony House, Inc. (Department of

Housing and Community Development).

(Agreement is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

5. Receipt and filing of the minutes of the Lake Jessamine Water Advisory Board meeting of August 21, 1997, for the official county record, District 4 (Environmental Protection Department).

6. Approval to authorize payment of \$434,763 to Metroplan Orlando in equal installments on a semi-annual basis and execution of FY 1997 - 1998 Funding Agreement, all districts (Planning Department).

(Agreement is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

7. Approval of a resolution re delegating authority to Eatonville to create a Community Redevelopment Agency (CRA) and extending the sunset dates for approval of the Eatonville CRA Plan and Interlocal Agreement to January 30, 1998, District 2 (Planning Department).

(Resolution 97-M-47 is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

8. Approval for Strates Shows, Inc., to conduct a special event: 10-Day Orange County Fair, November 21 - November 30, 1997, District 1 (Zoning Department).

Public Works Division

1. Approval to adopt a resolution to vacate a portion of the plat of Waterford Pointe (Control No. VA9407), District 1 (Development Engineering Department).

(Resolution is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

2. Approval to adopt a resolution to vacate a portion of the plat of Quadrangle Phase I and a portion of the plat of Quadrangle Phase III (Control No. VA0197), District 5 (Development Engineering Department).

(Resolution is on file in the office of the Comptroller Clerk

of the Board of County Commissioners.)

3. Approval to adopt a resolution to vacate a portion of the plat of University Plaza, District 5 (Development Engineering Department).

(Resolution is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

4. Approval to establish a "No Parking" zone on the east side of Rose Avenue beginning 140 feet from the south right-of-way line of Abaca Street, extending 265 feet south, District 2 (Traffic Engineering Department).
5. Approval to establish a "No Parking" zone on the north side of Kelvington Drive beginning from the west right-of-way line of Forest City Road, extending 150 feet west and on the south side of Kelvington Drive beginning 105 feet from the west right-of-way line of Forest City Road extending 280 feet west during the hours of 6 a.m. to 10 a.m., Monday through Friday, District 2 (Traffic Engineering Department).
6. Approval to establish a "No Parking" zone on the south side of Wellington Boulevard from the west right-of-way of Allen Avenue to the east right-of-way line of Stanley Street, District 5 (Traffic Engineering Department).
7. Approval and execution by the County Chairman of the Utility Relocation Agreement between Orange County and the Kissimmee Utility Authority for the construction of Southchase Road, District 4 (Public Works Engineering Department).

(Agreement is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

8. Approval and execution by the County Chairman of the agreement between Orange County and the City of Apopka regarding the vacation of General Electric Road and construction of an alternate road, District 2 (Public Works Division).

(As stated in the above motion, this item was deleted from the agenda.)

9. Approval and execution by the County Chairman of a construction and funding agreement for Lokanotosa Trail between Orange County School Board and the Board of County

Commissioners. This agreement provides for the paving of Lokanotosa Trail from Rouse Road easterly to the end of the existing pavement on the Lokanotosa Trail, District 5 (Division Office).

(Agreement is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

10. Confirmation of the County Chairman's appointment of Alan C. Valenti as manager of the Highway Construction Department, (Division Office).

NONAGENDA - PETITION TO VACATE A PORTION OF A PLAT OF SHERWOOD SHORES, CONTROL NO. VA9750

Staff Report

Public Works Division Director Ajit Lalchandani stated that this item is on the agenda for the November 11, 1997, Board meeting, but that staff has no objections.

Commissioner's Report

Commissioner Freeman reported that the applicant requested that the Board consider this item at today's meeting.

Discussion

There was not any further discussion.

Motion

Upon a motion by County Chairman Chapin, seconded by Commissioner Johnson, and carried with all present members voting AYE by voice vote; Commissioner Staley was absent; the Board adopted a resolution to vacate a portion of the plat of Sherwood Shores, Control No. VA9750.

(Resolution is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

COMMISSIONER'S REPORT - DISCUSSION AGENDA

1. Commissioner Hoenstine wishes to discuss school concurrency legislation special session.

Commissioner's Report

Commissioner Hoenstine reported that the State Legislature, by enacting House Bill 2121, has prevented the Board from imposing school concurrency requirements on new development.

He noted that many new schools will not be completed before 2005 and 2006, but that the need for these schools already exists. Commissioner Hoenstine pointed out that the proposed changes in House Bill 2121 will allow the Board to limit or phase development in accordance with school capacity. He informed the Board that the State Legislature will be meeting tomorrow to focus exclusively on school issues, and that he will be attending the meeting as a representative of the County.

Discussion

The Board discussed the need for school concurrency, road concurrency, and the relationship between the creation of jobs and increased demand for school space.

Motion

Upon a motion by Commissioner Butler, seconded by Commissioner Johnson, and carried with all present members voting AYE by voice vote; Commissioner Staley was absent; the Board adopted the proposed resolution requesting the Orange County legislative delegation to endorse, sponsor, and seek changes to House Bill 2121.

(Resolution 97-M-44 is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

COUNTY ADMINISTRATOR - DISCUSSION AGENDA

1. Orange Blossom Trail Development Board Safe Neighborhood Ordinance (County Administrator).

Randall Grief, executive director of the Orange Blossom Trail Development Board, addressed the Board and reviewed the history of the Safe Neighborhood Council and the Safe Neighborhood Plan. He pointed out that in 1996, legislation was enacted giving counties the option of adopting ordinances like the one that is proposed. Mr. Grief explained that the ordinance provides for fines upon conviction of a misdemeanor or a felony offense and that estimated first-year revenue from the proposed fines is approximately \$90,000.

Discussion

The Board discussed the need for more citizen involvement and the need for a broad representation on the council. The Board also discussed the possibility of overseeing the council with particular emphasis on monitoring expenditures and the types

of offenses for which the proposed fines could be imposed.

Motion

Upon a motion by Commissioner Hoenstine, seconded by Commissioner Freeman, and carried with all present members voting AYE by voice vote; Commissioner Staley was absent; the Board authorized scheduling a public hearing to consider the proposed Orange County Safe Neighborhood Crime Prevention Fund Ordinance.

2. Approval of the Advisory Committee's recommendation for expenditure of the Local Law Enforcement Block Grant Funds (County Administrator).

Staff Report

Assistant to the County Administrator Bob Spivey reported that the County is again eligible for a Local Law Enforcement Block Grant, and he outlined some of the projects for which the grant will be used.

Discussion

The Board discussed the feasibility of hiring additional staff, the involvement of the adult drug court, and testing in addition to treatment for drug dependency. The Board also discussed the success of the Moral Recognition Therapy program in Oklahoma and evaluating success in terms of results as opposed to numbers of people being treated.

Motion

Upon a motion by Commissioner Johnson, seconded by Commissioner Butler, and carried with all present members voting AYE by voice vote; Commissioner Staley was absent; the Board approved the recommendations of the 1997 Local Law Enforcement Block Grant Advisory Committee for expenditure of Local Law Enforcement Block Grant funds.

COUNTY COMPTROLLER - DISCUSSION AGENDA

1. Adoption of changes to the Investment Policy and introduction of participants of the Comptroller Investment Committee.

Staff Report

County Comptroller Martha Haynie reassured the Board that the County's investments are safe despite yesterday's stock market

free-fall. Comptroller Haynie stated she was there to explain proposed changes to the County's investment policy. She said

all investment activity has been done according to policies approved by the Board and that priorities will not change. She explained that safety and the protection of the County's funds are the primary objectives, followed by liquidity, maximum return, and diversity.

Comptroller Haynie recognized members of the investment committee who were present, including Dr. John M. Cheney, chairman of the University of Central Florida Finance Department. Comptroller Haynie presented Dr. Cheney with a plaque in recognition of his public service on the Investment Committee.

Comptroller Haynie reviewed the investment objectives and summarized the proposed changes. She stated that safety of the County's portfolio remains top priority, and that return on investment can be enhanced by extending certain maturities and by further diversification into Bankers' Acceptances and Commercial Paper.

Commissioner Freeman left the meeting.

Discussion

The Board discussed the total gain from investments in the last fiscal year (\$32 million), and what could be expected with the proposed changes. The Board also discussed whether any funds are available for long-term investments.

Motion

Upon a motion by Commissioner Johnson, seconded by Commissioner Edwards, and carried with all present members voting AYE by voice vote; Commissioners Freeman and Staley were absent; the Board adopted the County Comptroller's proposed investment policy.

(Copy of the proposed Investment Policy is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

FISCAL AND HUMAN RESOURCES DIVISION - DISCUSSION AGENDA

1. Selection of one firm and one alternate to provide continuing geotechnical and material testing services for Utilities Division Projects, RFP Y7-903-MK ([Utilities Engineering Department] Purchasing and Contracts Department).

Deputy County Administrator Byron Brooks reported that Commissioner Staley was present at the Procurement Review Committee meeting. Mr. Brooks reviewed the committee's recommendation on the selection of one firm and one alternate for continuing geotechnical and material testing services from the following firms listed alphabetically:

- Ardaman & Associates, Inc.
- Nodarse & Associates, Inc.

Discussion

The Board discussed the feasibility of contracting with two firms instead of one, given the size of the contract.

Commissioner Freeman joined the meeting.

Motion

Upon a motion by Commissioner Hoenstine, seconded by Commissioner Butler, and carried with all present members voting AYE by voice vote; Commissioner Staley was absent; the Board approved the following short list ranked as follows:

- #1 Ardaman & Associates, Inc.
- #2 Nodarse & Associates, Inc.

and further, authorized staff to enter into contract negotiations for continuing geotechnical and material testing services for Utilities Division Projects, Contract Y7-903-MK.

(Contract Y7-903-MK will be on file in the Purchasing and Contracts Department.)

2. Selection of one firm and two alternates, to provide legislative consulting services, RFP Y7-196-R2 ([County Administrator] Purchasing and Contracts Department).

Commissioner's Report

Commissioner Freeman reviewed the committee's recommendation on the selection of one firm and two ranked alternates for legislative consulting services from the following firms listed alphabetically:

- Holland & Knight
- Katz, Kutter & Haigler, P.A.

- Nabors, Giblin & Nickerson

Motion

Upon a motion by Commissioner Freeman, seconded by County Chairman Chapin, and carried with all present members voting AYE by voice vote; Commissioner Staley was absent; the Board approved the following short list ranked as follows:

- #1 Nabors, Giblin & Nickerson
- #2 Katz, Kutter & Haigler, P.A.
- #3 Holland & Knight

and further, authorized staff to enter into contract negotiations for legislative consulting services, Contract Y7-196-R2.

(Contract Y7-196-R2 will be on file in the Purchasing and Contracts Department.)

3. Selection of one firm and one alternate for award of a contract for code enforcement software, RFP Y7-636-SS ([Zoning Department] Purchasing and Contracts Department).

Commissioner's Report

Deputy County Administrator Byron Brooks reported that Commissioner Staley was present at the Procurement Review Committee meeting. Mr. Brooks reviewed the committee's recommendation on the selection of one firm and one alternate for code enforcement software from the following firms listed alphabetically:

- Sierra Computer Systems
- TideMark Computers

Commissioner Edwards left the meeting.

Motion

Upon a motion by County Chairman Chapin, seconded by Commissioner Hoenstine, and carried with all present members voting AYE by voice vote; Commissioners Staley and Edwards were absent; the Board approved the following short list ranked as follows:

- #1 Sierra Computer Systems
- #2 TideMark Computers

and further, authorized staff to enter into contract

negotiations for code enforcement software, Contract Y7-636-SS.

(Contract Y7-636-SS will be on file in the Purchasing and Contracts Department.)

Commissioner Edwards joined the meeting.

PLANNING AND DEVELOPMENT DIVISION - DISCUSSION AGENDA

- 1. Approval of a \$20,000 economic development grant to Training and Simulation Technology Consortium, Inc., to establish a National Center for Simulation in Orange County, all districts (Division Office).

Joe Wallace, executive director of the Central Florida Research Park, addressed the Board and pointed out that the research park is actually run by the Research and Development Authority. Mr. Wallace identified a key issue as being the local economic impact, and he noted that the various federal contractors in the research park aggregately have \$1.4 billion in contracts. He explained that federal departments could relocate this business without notice, and that efforts should be made to retain these contractors. Mr. Wallace said creating a national center for simulation would aid in this goal as well as attract new industry.

Discussion

The Board discussed the need for adequate bipartisan representation in support of these efforts.

Motion

Upon a motion by Commissioner Edwards, seconded by Commissioner Butler, and carried with all present members voting AYE by voice vote; Commissioner Staley was absent; the Board approved a \$20,000 economic development grant to Training and Simulation Technology Consortium, Inc., to establish a National Center for Simulation in Orange County.

- 2. Approval of a resolution pertaining to transportation planning in Orange County, all districts (Planning Department).

Staff Report

Planning Department Manager David Heath reviewed the proposed resolution and stated that the Local Planning Agency and County staff recommend approval.

Discuss

There was not any further discussion.

Motion

Upon a motion by Commissioner Johnson, seconded by Commissioner Edwards, and carried with all present members voting AYE by voice vote; Commissioner Staley was absent; the Board adopted the proposed resolution providing when transportation area studies and roadway conceptual analyses shall be reviewed by the Local Planning Agency.

(Resolution 97-M-45 is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

County Chairman Chapin adjourned the morning session.

MEETING RECONVENED

The Board of County Commissioners reconvened in Commission Chambers on the First Floor, Orange County Administration Center. The following were present:

- County Chairman Linda Chapin
- Commissioners Bob Freeman, Tom Staley, Mary Johnson, Clarence Hoenstine, Ted Edwards, and Mable Butler
- County Attorney Tom Wilkes
- Deputy County Administrator Byron Brooks
- Chief Deputy Comptroller as Clerk Jim Moye
- Deputy Clerk Rosilyn Stapleton

The Board paused for an invocation by the Reverend Dale Brooks, singles pastor of First Baptist Church of Orlando, followed by the Pledge of Allegiance to the Flag.

AWARD PRESENTATIONS

County Chairman Chapin presented the 3CMA awards to Susan Hall, Michele Colbert, Larry Jones, John Warbington, Greg Price, Joan Davies, and Purita Pierce.

County Chairman Chapin presented the Distinguished Budget Presentation Award to Assistant County Administrator Sharon Donoghue.

County Chairman Chapin presented the National Coordinating Council on Emergency Management 1997 Media Award to Osman Aloyo.

OCTOBER 16, 1997, PLANNING AND ZONING COMMISSION RECOMMENDATIONS**Motion**

Upon a motion by Commissioner Staley, seconded by Commissioner Johnson, and carried with all members present and voting AYE by voice vote, the Board accepted the recommendations of the Orange County Planning and Zoning Commission under date of October 16, 1997, with the exception of Case Z-97-069; subject to the usual right of appeal by any aggrieved parties; and further, authorized scheduling a public hearing for Case Z-97-069 in the name of Joe Nisbett on December 16, 1997.

For the record, appeals of the recommendations of the Orange County Board of Zoning Adjustment under date of October 16, 1997, were filed in the Zoning Department and scheduled by the Comptroller Clerk's Office for public hearing, as follows:

- None filed.

PETITION TO VACATE PUBLIC HEARING - APPLICANT: HERB VON KLUGE, ORLANDO PLAZA PARTNERS; PETITION TO VACATE 97-36, PORTION OF 15.0-FOOT UNDERGROUND DRAINAGE EASEMENT; DISTRICT 6

Notice was given that the Board of County Commissioners would hold a public hearing to consider a request by Herb von Kluge, Orlando Plaza Partners, Petition to Vacate 97-36, to vacate a portion of a 15.0-foot underground drainage easement; on property generally located on the east side of International Drive approximately 1/4 mile north of the International Drive/Republic Drive intersection; District 6; Sections 36 and 1, Townships 23 and 24, Range 28; Orange County, Florida.

(The legal property description is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

Staff Report

Deputy Public Works Division Director Bill Baxter reviewed the request and the recommendation for approval of the petition to vacate as submitted.

Appearances

No one appeared in favor of or in opposition to the request.

Discussion

County Chairman Chapin closed the public hearing and opened the matter for Board discussion.

Motion

Upon a motion by Commissioner Butler, seconded by Commissioner Staley, and carried with all members present and voting AYE by voice vote, the Board adopted a resolution granting Petition to Vacate 97-36, vacating a portion of a 15.0-foot underground drainage easement on the above-described property.

(Resolution is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

MSTU/BU PUBLIC HEARING - ESTABLISH ORLO VISTA AREA MSTU/BU, STREETLIGHTING, DISTRICT 1

Notice was given that the Board of County Commissioners would hold a public hearing to consider the establishment of an MSTU/BU for streetlighting in the Orlo Vista area; Sections 25 and 30, Township 22, Ranges 28 and 29; Orange County, Florida.

(The legal property description is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

Staff Report

MSTU Supervisor Elizabeth Godwin reported that this request from the developer has an annual cost of \$40 per parcel for streetlighting.

Appearances

The following persons addressed the Board in favor of the request:

- Pablo Lopez, 6010 Condor Road, Orlando, Florida.
- Dr. Brandon (no address given).
- Frances Bragg (no address given).
- Marcia Rivensky (no address given).
- Brantley Slaughter (no address given).

No one appeared in opposition to the request.

Discussion

County Chairman Chapin closed the public hearing and opened the matter for Board discussion.

Motion

Upon a motion by Commissioner Freeman, seconded by Commissioner Staley, and carried with all members present and voting AYE by voice vote, the Board adopted a resolution establishing an MSTU/BU for streetlighting in the Orlo Vista area.

(Resolution is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

ORDINANCE PUBLIC HEARING - AMENDING ORANGE COUNTY CODE, CHAPTER 2, ARTICLE VI, SECTIONS 2-203 AND 2-209, PERTAINING TO THE DISABILITY ADVISORY BOARD

Notice was given that the Board of County Commissioners would hold a public hearing to consider the following proposed ordinance:

AN ORDINANCE PERTAINING TO THE DISABILITY ADVISORY BOARD IN ORANGE COUNTY, FLORIDA; AMENDING SECTION 2-203, ORANGE COUNTY CODE, TO EXCLUDE THE ORANGE COUNTY DISABILITY ADVISORY BOARD FROM THE DEFINITION OF "ADVISORY BOARD" THEREBY REMOVING THE SELECTION OF ITS MEMBERS FROM THE JURISDICTION OF THE MEMBERSHIP AND MISSION REVIEW BOARD; AMENDING SECTION 2-209, ORANGE COUNTY CODE, TO INCLUDE MEMBERS OF THE DISABILITY ADVISORY BOARD; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

Staff Report

General Services Department Manager Sam Anderson reviewed the proposed ordinance and outlined its provisions.

Deputy Health and Community Services Division Director Ella Gilmore stated that one of the concerns of the Disability Advisory Board members is the length of time it takes to get a replacement. Ms. Gilmore explained that the members thought it would be less time consuming to make a staff recommendation to the Board of County Commissioners, who would then make the appointments to the Disability Advisory Board; as opposed to the Nominating Committee making recommendations to the Membership and Mission Review Board for presentation to the Board of County Commissioners.

Appearances

No one appeared in favor of or in opposition to the proposed ordinance.

Discussion

County Chairman Chapin closed the public hearing and opened the matter for Board discussion.

Motion

Upon a motion by Commissioner Butler, seconded by Commissioner Hoenstine, and carried with all members present and voting AYE by voice vote, the Board continued the public hearing to consider the proposed ordinance pertaining to the Disability Advisory Board in Orange County.

**PRELIMINARY SUBDIVISION PLAN PUBLIC HEARING - HUNTER'S CREEK
PLANNED DEVELOPMENT/PARCELS 515, 520, AND 526 PRELIMINARY
SUBDIVISION, DISTRICT 1**

Notice was given that the Board of County Commissioners would hold a public hearing to consider the Hunter's Creek Preliminary Subdivision Plan, submitted in accordance with Chapter 65-2015, Laws of Florida, and Article VI of the Orange County Subdivision Regulations; on property generally located south of S.R. 417, north of Town Center Boulevard; District 1; Section 29, Township 24, Range 29; Orange County, Florida.

(The legal property description is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

Staff Report

Planning Department Manager David Heath reviewed the request and the Development Review Committee's recommendation of approval subject to conditions.

Appearances

The following persons addressed the Board in favor of the request:

- Charles Cavaretta and Roger Gatlin, the applicants; 7600 Southland Boulevard, Suite 102, Orlando, Florida.

No one appeared in opposition to the request.

The following persons addressed the Board with general comments:

- Susan Schiffrin, Post Office Box 690301, Orlando, Florida.
- R. P. Mohnacky, Ocoee, Florida.

Discussion

County Chairman Chapin closed the public hearing and opened the matter for Board discussion.

Motion

Upon a motion by Commissioner Freeman, seconded by Commissioner Edwards, and carried with all members present and voting AYE by voice vote, the Board approved the Hunter's Creek Preliminary Subdivision Plan on the above-described property, subject to the following conditions:

1. Development shall conform to the Hunter's Creek Preliminary Subdivision Plan, dated "Received September 3, 1997," and to the following conditions of approval. Development based on this approval shall comply with all other applicable federal, state, and county laws, ordinances, and regulations, which are incorporated herein by reference, except to the extent [the applicable laws, ordinances, and regulations] are expressly waived or modified by these conditions, or by action approved by the Orange County Board of County Commissioners, or by action of the Board of County Commissioners.

This Preliminary Subdivision Plan approval automatically expires on October 28, 1998, in accordance with Orange County Subdivision Regulations, as amended.

2. Prior to construction plan approval, certification with supporting calculations shall be submitted which states that this project is consistent with the approved Master Drainage Plan for this Planned Development.

PRELIMINARY SUBDIVISION PLAN PUBLIC HEARING - SOUTH PARK PLANNED DEVELOPMENT/SAND LAKE CORNERS PRELIMINARY SUBDIVISION, DISTRICT 6

Notice was given that the Board of County Commissioners would hold a public hearing to consider the South Park Planned Development/Sand Lake Corners Preliminary Subdivision Plan, submitted in accordance with Chapter 65-2015, Laws of Florida, and Article VI of the Orange County Subdivision Regulations; on property generally located south of Sand Lake Road and east of John Young Parkway; District 6; Section 33, Township 23, Range 29; Orange County, Florida.

(The legal property description is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

Staff Report

Planning Department Manager David Heath reviewed the request and the Development Review Committee's recommendation of approval

subject to conditions.

Appearances

The following person addressed the Board in favor of the request:

- Hugh Harling, Harling, Locklin & Associates; 850 Courtland Street, Orlando, Florida; for the applicant.

No one appeared in opposition to the request.

The following person addressed the Board with general comments:

- Paul Strater, Trammel Crowe Company (no address given).

Discussion

County Chairman Chapin closed the public hearing and opened the matter for Board discussion.

Motion

Upon a motion by Commissioner Butler, seconded by Commissioner Edwards, and carried with all members present and voting AYE by voice vote, the Board approved the South Park Planned Development/Sand Lake Corners Preliminary Subdivision Plan on the above-described property, subject to the following conditions:

1. Development shall conform to the South Park Planned Development/Sand Lake Corners Preliminary Subdivision Plan, dated "Received September 16, 1997," and to the following conditions of approval. Development based on this approval shall comply with all other applicable federal, state, and county laws, ordinances, and regulations, which are incorporated herein by reference, except to the extent [the applicable laws, ordinances, and regulations] are expressly waived or modified by these conditions, or by action approved by the Orange County Board of County Commissioners, or by action of the Board of County Commissioners.

This Preliminary Subdivision Plan approval automatically expires on October 28, 1998, in accordance with Orange County Subdivision Regulations, as amended.

2. Orange County will not own, operate, or maintain on-site wastewater systems.

3. **Section 34-152 (a) (c) concerning lot size and access are waived to allow Tracts B-1 and D-1 as freestanding unoccupied**

automatic teller machines.

4. Billboards shall be prohibited.
5. Project signage shall comply with Chapter 31.5 of the County Code. A master sign plan shall be approved by the Zoning Department prior to the issuance of commercial permits.
6. Prior to construction plan approval, certification with supporting calculations shall be submitted which states that this project is consistent with the approved Master Drainage Plan for this planned development.
7. The property shall be platted prior to the issuance of commercial permits for vertical construction.
8. Waiver of Section 38-1772 to allow a zero-foot side yard setback in lieu of ten feet (10') between Tract B and D is granted. Waiver is granted to facilitate ownership pattern and will not affect adjacent property owners.

PRELIMINARY SUBDIVISION PLAN PUBLIC HEARING - MEADOW WOODS PLANNED DEVELOPMENT/CENTER LAKE PARCEL 55 PRELIMINARY SUBDIVISION, DISTRICT 4

Notice was given that the Board of County Commissioners would hold a public hearing to consider the Meadow Woods Planned Development/Center Lake Parcel 55 Preliminary Subdivision Plan, submitted in accordance with Chapter 65-2015, Laws of Florida, and Article VI of the Orange County Subdivision Regulations; on property generally located west of Landstar Boulevard and south of Rhode Island Woods Circle; District 4; Sections 35 and 36, Township 24, Range 29; Orange County, Florida.

(The legal property description is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

Staff Report

Planning Department Manager David Heath reviewed the request and the Development Review Committee's recommendation of approval subject to conditions.

Appearances

The following person addressed the Board in favor of the request:

- Kevin Walsh, Miller-Sellen Associates (no address given); for the applicant.

No one appeared in opposition to the request.

Discussion

County Chairman Chapin closed the public hearing and opened the matter for Board discussion.

Motion

Upon a motion by Commissioner Hoenstine, seconded by Commissioner Johnson, and carried with all members present and voting AYE by voice vote, the Board approved the Meadow Woods Planned Development/Center Lake Parcel 55 Preliminary Subdivision Plan on the above-described property, subject to the following conditions:

1. Development shall conform to the Meadow Woods Planned Development/Center Lake Parcel 55 Preliminary Subdivision Plan, dated "Received September 3, 1997," and to the following conditions of approval. Development based on this approval shall comply with all other applicable federal, state, and county laws, ordinances and regulations, which are incorporated herein by reference, except to the extent [the applicable laws, ordinances, and regulations] are expressly waived or modified by these conditions, or by action approved by the Orange County Board of County Commissioners, or by action of the Board of County Commissioners.

This Preliminary Subdivision Plan approval automatically expires on October 28, 1998, in accordance with Orange County Subdivision Regulations, as amended.

2. Prior to construction plan approval, certification with supporting calculations shall be submitted which states that this project is consistent with the approved Master Drainage Plan for this planned development, or a revised Master Drainage Plan is required.

PRELIMINARY SUBDIVISION PLAN PUBLIC HEARING - DEAN CHASE
PRELIMINARY SUBDIVISION, DISTRICT 4 (CONTINUED FROM OCTOBER 14,
1997)

By consensus, the Board reopened the public hearing to consider the Dean Chase Preliminary Subdivision Plan, continued from the October 14, 1997, Board meeting.

Staff Report

Planning Department Manager David Heath reviewed the request and the Development Review Committee's recommendation of approval subject to conditions. Mr. Heath recommended that two conditions be added as follows:

- A six-foot (6') chain link fence shall be constructed at the rear of Lots 1 through 16. A ten-foot (10') natural landscape buffer shall be provided at the rear of Lots 1 through 16.
- The existing swale along the rear of Lots 1 through 16 shall be piped and grated with inlets to reduce ponding.

Appearances

The following person addressed the Board in favor of the request:

- Randy June, June Engineering, the applicant; 71 East Church Street, Orlando, Florida.

No one appeared in opposition to the request.

Discussion

County Chairman Chapin closed the public hearing and opened the matter for Board discussion.

Motion

Upon a motion by Commissioner Hoenstine, seconded by Commissioner Johnson, and carried with all members present and voting AYE by voice vote, the Board approved the Dean Chase Preliminary Subdivision Plan on the above-described property, subject to the following conditions:

1. Development shall conform to the Dean Chase Preliminary Subdivision Plan, dated "Received August 21, 1997," and to the following conditions of approval. Development based on this approval shall comply with all other applicable federal, state, and county laws, ordinances and regulations, which are incorporated herein by reference, except to the extent [the applicable laws, ordinances, and regulations] are expressly waived or modified by these conditions, or by action approved by the Orange County Board of County Commissioners, or by action of the Board of County Commissioners.

This Preliminary Subdivision Plan approval automatically expires on October 28, 1998, in accordance with Orange County Subdivision Regulations, as amended.

2. Prior

3. A six-foot (6') chain link fence shall be constructed at the rear of Lots 1 through 16. A ten-foot (10') natural landscape buffer shall be provided at the rear of Lots 1 through 16.
4. The existing swale along the rear of Lots 1 through 16 shall be piped and grated with inlets to reduce ponding.

NOTE: THE FOLLOWING TWO PUBLIC HEARINGS WERE CONSIDERED TOGETHER.

PRELIMINARY SUBDIVISION PLAN PUBLIC HEARING - WINDERMERE CHASE
PRELIMINARY SUBDIVISION, DISTRICT 1 (CONTINUED FROM SEPTEMBER 23
AND OCTOBER 14, 1997)

By consensus, the Board reopened the public hearing to consider the Windermere Chase Preliminary Subdivision Plan, continued from the September 23 and October 14, 1997, Board meetings.

and

PLANNING AND ZONING COMMISSION BOARD-CALLED PUBLIC HEARING -
APPLICANT: JUNE ENGINEERING, WINDERMERE CHASE PLANNED DEVELOPMENT;
Z-97-056, SEPTEMBER 18, 1997; DISTRICT 1

Notice was given that the Board of County Commissioners would hold a public hearing to consider a request by June Engineering, Windermere Chase, to rezone from Citrus Rural District (A-1) (1957) to Planned Development (PD), on property generally located on the east side of Seventh Avenue approximately one-quarter mile north of Moore Road; District 1; Section 32, Township 22, Range 28; Orange County, Florida.

(The legal property description is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

Staff Report

Planning Department Manager David Heath outlined the requests and identified the location of the subject property. Mr. Heath requested that the Board first take action on the zoning request, then take action on the preliminary subdivision plan. He recommended that one condition of approval be added to the Preliminary Subdivision Plan as follows:

- Any action by the Board of County Commissioners pursuant to the Windermere Chase Planned Development, is not intended to affect any private property rights between the applicant and any adjoining property owner.

Appearances

The following persons addressed the Board in favor of the request:

- Randy June, the applicant; June Engineering, 71 East Church Street, Orlando, Florida.
- Bill Casper, developer of Windermere Downs (no address given).

The following person addressed the Board in opposition to the request:

- Linda Boone, 10014 Sixth Street, Gotha, Florida.

The following person addressed the Board with general comments:

- Eric Mashburn, Esquire (no address given).

Discussion

County Chairman Chapin closed the public hearing and opened the matter for Board discussion.

Motion

Upon a motion by Commissioner Freeman, seconded by Commissioner Butler, and carried with all members present and voting AYE by voice vote, the Board approved the request by June Engineering, Windermere Chase, to rezone from Citrus Rural District (A-1) (1957) to Planned Development (PD), on the above-described property; subject to the following conditions:

1. Development shall conform to the Windermere Chase Planned Development, dated "Received August 7, 1997," and to the following conditions of approval. Development based upon this approval shall comply with all other applicable federal, state, and county laws, ordinances, and regulations, which are incorporated herein by reference, except to the extent [the applicable laws, ordinances, and regulations] are expressly waived or modified by these conditions, or by action approved by the Orange County Board of County

**Commissioners, or by action of the Board of County
Commissioners.**

2. Final

3. Project shall comply with Resolution 96-M-22 for gated communities. All documents must include landlocked property owners.
4. Due to elevation of lots in relation to the Florida Turnpike, the change in building setback from 75 feet to 50 feet is approved.

and

Motion

Upon a motion by Commissioner Freeman, seconded by Commissioner Staley, and carried with all members present and voting AYE by voice vote, the Board approved the Windermere Chase Preliminary Subdivision Plan on the above-described property, subject to the following conditions:

1. Development shall conform to the Windermere Chase Preliminary Subdivision Plan, dated "Received August 7, 1997," and to the following conditions of approval. Development based on this approval shall comply with all other applicable federal, state, and county laws, ordinances, and regulations, which are incorporated herein by reference, except to the extent [the applicable laws, ordinances, and regulations] are expressly waived or modified by these conditions, or by action approved by the Orange County Board of County Commissioners, or by action of the Board of County Commissioners.

This Preliminary Subdivision Plan approval automatically expires on October 28, 1998, in accordance with Orange County Subdivision Regulations, as amended.

2. Project shall comply with Resolution 96-M-22 for gated communities. All documents must include all landlocked property owners.
3. Due to elevation of lots in relation to the Florida Turnpike, the change in building setback from 75 feet to 50 feet is approved.
4. Any action by the Board of County Commissioners pursuant to the Windermere Chase Planned Development, is not intended to

affect any private property rights between the applicant and any adjoining property owner.

(For the record, agreement between June Engineering Consultants, Inc., and Eric Rutherford is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

BOARD OF ZONING ADJUSTMENT APPEAL - APPELLANT: DWAN S. CARLTON, ET AL. APPLICANT: IGLESIA EL LLAMADO DE DIOS; ITEM 6, SEPTEMBER 4, 1997; DISTRICT

By consensus, the Board reopened the public hearing to sit as a Board of Appeal to consider an appeal by Dwan S. Carlton, et al., of the recommendation of the Board of Zoning Adjustment, dated September 4, 1997, on a request by Iglesia El Llamado De Dios for approval of a Special Exception in R-1AAAA zone for church use and ancillary day care center and a variance to provide unpaved parking in lieu of paved, continued from the October 14, 1997, Board meeting.

(The legal property description is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

Staff Report

Zoning Department Manager Melvin Pittman explained that the public hearing was continued for decision only to examine access from Jones Avenue versus Ponkan Road.

Discussion

County Chairman Chapin closed the public hearing and opened the matter for Board discussion.

Motion

Upon a motion by Commissioner Staley, seconded by Commissioner Freeman, and carried with all members present and voting AYE by voice vote, the Board overruled the decision of the Orange County Board of Zoning Adjustment and denied the request by Iglesia El Llamado de Dios for approval of a Special Exception in R-1AAAA zone for church use and ancillary day care center and a variance to provide unpaved parking in lieu of paved.

MEETING ADJOURNED

There being no further business, the County Chairman adjourned the meeting at 4 p.m.

ATTEST:

Martha O. Haynie
County Comptroller as Clerk

County Chairman

Deputy Clerk

Minutes Coordinator