

MEETING OPENED

The Board of County Commissioners met in Commission Chambers on the First Floor, Orange County Administration Center, on Tuesday, August 10, 1999. The following were present:

- County Chairman Mel Martinez
- Commissioners Bob Freeman, Bob Sindler, Mary Johnson, Clarence Hoenstine, Ted Edwards, and Homer Hartage
- County Comptroller as Clerk Martha Haynie
- County Administrator Ajit Lalchandani
- County Attorney Tom Wilkes
- Assistant Deputy Clerk Jeanene Wells

There being a quorum, the County Chairman called the meeting to order at 1:30 p.m.

The Board paused for an invocation by Les Ginkel, a member of the Winter Park Rotary Club, followed by the Pledge of Allegiance to the Flag.

Presentation of NACo/NACIO Awards

Communications Division Manager Ben Hardcastle reported that more than 2,000 counties nationwide are members of the National Association for Counties (NACo). Mr. Hardcastle announced that although the County continually received many awards, more than 70 percent of the County's entrants won awards this year. He presented each of the winners to the Board and noted the winning projects.

COUNTY CONSENT AGENDA

Action

Upon a motion by Commissioner Johnson, seconded by Commissioner Sindler, and carried with all members present and voting AYE by voice vote, the Board approved the County Consent Agenda items as follows:

County Comptroller

1. Acknowledgment and filing of the Audit of the Air Pollution Control Trust Fund - Fiscal Year 1997-98 (Administrative/Fiscal Division).
2. Approval of the minutes of the July 27, 1999, meeting of the Board of County Commissioners (Comptroller Clerk of the Board of County Commissioners).
3. 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 July 30, 1999, to August 4, 1999; total of \$20,294,690.12.

County Administrator

1. Approval of Budget Amendment 99-99 (Office of Management and Budget).

(Budget Amendment 99-99 is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)
2. Approval of Budget Transfers 99-616, 99-619, 99-627, and 99-628 (Office of Management and Budget).

(Budget Transfers 99-616, 99-619, 99-627, and 99-628 are on file in the office of the Comptroller Clerk of the Board of County Commissioners.)
3. Approval of CIP Amendments 63-99, 64-99, and 65-99 (Office of Management and Budget).

(CIP Amendments 63-99 through 65-99 are on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

4. Approval of payment of intergovernmental claims for July 22, 1999, totaling \$125,640.30 (Risk Management Division).
5. Receipt and filing of minutes of July 15, 1999, meeting of the Intergovernmental Risk Management Committee for the official County record (Risk Management Division).
6. Approval and authorization for the County Administrator to sign a Letter of Agreement to the Office of the Attorney General, Department of Legal Affairs, authorizing the Central Florida Crimeline Program, Inc., to act as the County's agent for the purpose of applying for and receiving moneys from the Crime Stoppers Trust Fund (Public Safety).

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

Administrative Support Department

1. Approval to award Invitation for Bid Y9-737-BI to the low responsive and responsible bidder, J.M. Construction, Inc., for Orange County Administration Center restroom renovations. The contract amount is \$312,000 ([Facilities Management Division] Purchasing and Contracts Division).
2. Approval to award Invitation for Bid Y9-755-MK to the low responsive and responsible bidder, C.J. Langenfelder & Son, Inc., for construction services for horizontal and vertical expansion partial slideslope closure, Class III landfill - Cell No. 1. The contract amount is \$6,139,530 ([Solid Waste Division] Purchasing and Contracts Division).
3. Approval to award Invitation for Bid Y9-758-BI/PW to the low responsive and responsible bidder, Bergeron Land Development, Inc., for Sand Lake Road forcemain improvements and Sand Lake Road and Dr. Phillips Boulevard intersection improvements. The contract amount is \$717,717 ([Utilities Engineering Division] Purchasing and Contracts Division).

4. Approval to award Invitation for Bid Y9-761-DB to the low responsive and responsible bidder, Massey Jones Contracting, Inc., for Fire Station 52 radio tower replacement. The total contract amount is \$191,073 ([Facilities Management Division] Purchasing and Contracts Division).
5. Approval to award Invitation for Bid Y9-764-BI to the low responsive and responsible bidder, L.I. & Company, Inc., for construction of Clarcona Horseman's Park maintenance building. The total contract amount is \$237,028 ([Parks and Recreation Division] Purchasing and Contracts Division).
6. Approval to award Invitation for Bid Y9-766-BI to the low responsive and responsible bidder, Schuller Contractors, Inc., for Phase I infrastructure for initial construction of Donnybrook and Apopka-Vineland parks. The total contract amount is \$615,000 ([Parks and Recreation Division] Purchasing and Contracts Division).
7. Approval to award Invitation for Bid Y9-1015-RW to the low responsive and responsible bidder (the sole bidder), The Imaging Center of Orlando, for radiology services. The annual estimated contract amount is \$250,000 ([Medical Clinic] Purchasing and Contracts Division).
8. Approval to award Invitation for Bid Y9-1020-BI/PW to the low responsive and responsible bidder, Orlando Paving Company, for one-year term contract, with renewal clause, for asphalt resurfacing. The estimated basic-year contract amount is \$2,848,920 ([Roads and Drainage Division] Purchasing and Contracts Division).
9. Approval of Task Authorization 8, Contract Y8-903, with PBS&J/CH2M Joint Venture, for continuing program management services to increase the capacity of the Eastern Regional Water Supply Facility Phase II. Total amount is \$370,679 ([Water Division] Purchasing and Contracts Division).

10. Approval of Task Authorization 13, Contract Y7-900B, with Miller Sellen Conner & Walsh, Inc., for eminent domain services for Hiawassee Road right-of-way. The not-to-exceed amount is \$163,682 ([Public Works Engineering Division] Purchasing and Contracts Division).
11. Approval and execution by County Chairman and authorization to record a city services easement to the City of Orlando: Narcoossee Road widening and improvement at Fire Station 76, District 4 (Real Estate Management Division).
12. Approval and authorization to record instrument and disburse warrant to pay appropriate recording fees: Fuller's Cross Road, temporary construction easement, District 1 (Real Estate Management Division).
13. Approval and authorization to record instruments and disburse warrant to pay appropriate recording fees: Lisa Waterway Canal, temporary construction easements, District 4 (Real Estate Management Division).

Fire Rescue Department

1. Approval of the Health Science Training Agreement between Orange County Fire Rescue and the School Board of Orange County (Emergency Medical Services Division).

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

Growth Management and Environmental Resources Department

1. Receipt and filing of the minutes of the Lake Conway Water and Navigation Control District Advisory Board meetings of March 9, April 13, May 11, and June 8, 1999, for the official County record, District 5 (Environmental Protection Division).

Health and Family Services Department

1. Approval and execution of Contract GH738 between the Florida Department of Children and Families and Orange County for the administration of alcohol, drug abuse, and mental health services (ADM) at Great Oaks Village in the amount of \$76,595. There is a unit of service contract renewal. The cash contribution by the County is \$4,231 and is budgeted to supplement salaries and fringe benefits. There is no additional cost to the County. The contract will become effective on the date it has been signed by both parties and will end on June 30, 2000, all districts (Human Services Division).

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

Public Works Department

1. Approval of "Yield" sign installation in the Clarcona Ridge Phase 2 Subdivision, District 2 (Traffic Engineering Division).
2. Approval of "Yield" sign installations in the Eban's Preserve Phase 2 Subdivision, District 3 (Traffic Engineering Division).
3. Approval of "Yield" sign installations in the Fieldstream North Phase 2 Subdivision, District 4 (Traffic Engineering Division).
4. Approval to issue Excavation Permit 99-E1-293, District 1 (Development Engineering Division).
5. Approval to issue Excavation Permit 99-EF4-558, District 4 (Development Engineering Division).

NONAGENDA - JULY 1, 1999, BOARD OF ZONING ADJUSTMENT RECOMMENDATIONS

Commissioner Freeman stated that on July 13, 1999, he requested that Richland Towers, Inc., Item 16, be deleted from the agenda of the Board of Zoning Adjustment Recommendations dated July 1, 1999, so that he could obtain more information about the request. He explained that he has received the information he wanted and requested that staff reschedule the item for Board approval.

NONAGENDA - FUNDING REQUEST

Commissioner Sindler reported that Eatonville Mayor Anthony Grant has contacted him regarding additional funding for the annual Martin Luther King (MLK) parade. He explained that the County currently budgets \$1,000 for this event and that Mayor Grant is requesting that the funding be increased to \$10,000. Commissioner Sindler noted that this celebration has had the largest attendance of any MLK celebration for the last several years. He requested that the Board consider increasing the funding prior to finalizing the budget for fiscal years 1999-2000 and 2000-2001.

WORKSESSION - COUNTY ADMINISTRATOR'S OFFICE

1. Budget Follow-up.

a. Corrections Department

County Chairman Martinez stated that although he is opposed to increasing personnel and budgets, staff has demonstrated that both are necessary to operate the jail in a safe and prudent manner. He pointed out that the jail staff does not control its population. County Chairman Martinez explained that personnel from various criminal justice agencies throughout the County are here today along with County staff to answer questions the Board may have.

Staff Report

Director of Public Safety Tom Hurlburt stated that, as promised at the earlier budget worksession, he is here today to provide additional information on the budget requests for the Corrections Division. Mr. Hurlburt summarized the budget issues, jail overcrowding statistics, and interim measures of the Corrections Division to handle the overcrowding. He also overviewed jail expansion issues and staffing requirements. Mr. Hurlburt noted that he will return to the Board prior to finalization of the budget to review the proposed operating and capital budget.

Orange County Sheriff Kevin Beary addressed the Board and reported that violent crime and auto theft crimes are down in unincorporated Orange County. He explained that the cost of public safety is a jail to house the criminals and keep them off the streets. Sheriff Beary noted that without sufficient jail space, Orange County will be forced to resort to an early release program.

Sheriff Beary reviewed the detrimental impact that the State's early release program had on the tourism industry in Central Florida. He stated that newly adopted laws designed to keep criminals in jail and Florida Statute mandates for specific offenses are contributing to the rise in inmate population. Sheriff Beary added that 1,500 people have been arrested in the last 15 days and highlighted the prior arrest record for several of them.

City of Orlando Police Chief Jerry Demmings addressed the Board and stated that he is here today to express his support for the expansion of the jail. He explained overall growth of an area is contingent upon public safety and , in order to maintain effective law enforcement, the threat of incarceration must be real. Chief Demmings reported that 105 new officers have been added to the Orlando Police Department since 1992.

State Attorney Lawson Lamar addressed the Board and reviewed the 1981-1982 crime crisis and stated that the County is on the verge of a similar situation. He overviewed the success of the Juvenile/Adult Offender program and pointed out that when incarceration was a direct result of an offense, juvenile crime rates began to fall.

Public Defender Joe DuRocher addressed the Board and explained that offenders are temporarily housed in the jail until they can be funneled through the criminal justice system. He reported that his office attempts to expedite that process and reviewed the circumstances surrounding the involvement of his office. Public Defender DuRocher noted that the only offenders to stay in the County jail for an extended period of time are those that are sentenced directly to the jail and felons sentenced to serve time in the County jail as part of probation.

Chief Judge Ted Coleman addressed the Board and stated that judges sentence criminals based on the law, the dictates of their conscience, and the perceived needs and demands of the public. He noted that Orange County has both the highest local municipality inmate population and the youngest average population.

Clerk of the Courts Linda Chapin addressed the Board and reported that felony case filings have risen 22 percent and the number of felony defendants have risen 41 percent in the last two years. She reviewed the County's jail study conducted in 1993-1994 and stated that a review of the study in 1995-1996 showed that the local criminal justice system was operating efficiently. Clerk of the Courts Chapin reminded the Board that after approval it will take two years to open the doors of any expansion project for the jail.

Discussion

The Board discussed separation of the capital expansion budget from the staffing increases, the amount of time between an arrest and arraignment, the possibility of hastening the judicial process, discontinuation of the Public Defender's Initial Counsel program, and annual training requirements for certified corrections officers. The Board also discussed jail diversion programs, care of mentally ill inmates, possible expansion locations, and the Inmate Welfare Trust Fund.

b. Clerk of the Courts

Clerk of the Courts Linda Chapin reported that she has reduced her original personnel request by three positions and explained that her office will be contracting with the County for information systems services rather than hiring its own personnel. She stated she is here today to answer any additional questions the Board may have regarding the proposed budget.

c. Other Budget Issues

Lynx

Leo Auger, director of Lynx, addressed the Board and stated that Lynx is requesting budget funding in the amount of \$16.8 million. Mr. Auger explained that the requested funding is the same as last year and that the level of service will remain same.

Discussion

The Board discussed the need for Lynx to review its operation for efficiency improvements, the need for increased services to the County, reconfiguration of

the Lynx board of directors, inequality among funding partners, and prohibiting Lynx from hiring lobbyists to lobby commissioners with funds supplied by the County.

Action

Upon a motion by Commissioner Johnson, seconded by Commissioner Hoenstine, and carried with all members present and voting AYE by voice vote, the Board approved funding for the Central Florida Regional Transportation Authority (Lynx) in the amount of \$16.8 million annually for fiscal years 1999-2000 and 2000-2001.

WMFE

County Chairman Martinez clarified that the reduced funding for WMFE is based on the need to streamline government. He noted that there is no long-standing history of funding for this agency and that Orange County is the only contributing local government.

Paul Snead, chairman of WMFE, and Stephen Steck, president and chief executive office of WMFE, addressed the Board and stated that WMFE is grateful for the Board's previous funding. They requested that the Board reconsider the full funding request at one of three levels: unconditionally, as a challenge grant, or with a glide path to zero.

Discussion

The Board discussed the history of budget funding for WMFE, the importance of public television, the possibility of increased funding for additional services, and the importance of airing commission meetings to the widest viewing audience.

Action

By consensus, the Board approved budget funding for WMFE in the amount of \$45,000; and further, authorized those funds to be expended to air tapings of the Board of County Commissioners' meetings.

NONAGENDA - OTHER BUDGET ISSUES

Economic Development Commission

Commissioner Edwards suggested funding the Economic Development Commission at the same level as the United Arts. He explained that United Arts is funded at \$1 per capita and is based on past population figures.

Action

Upon a motion by Commissioner Edwards, seconded by Commissioner Freeman, and carried with County Chairman Martinez and Commissioners Freeman, Sindler, Edwards, and Hartage voting AYE by voice vote; Commissioners Johnson and Hoenstine voting NO by voice vote; the Board approved funding for the Economic Development Commission in the amount of \$825,000 for fiscal year 1999-2000 and \$840,000 for fiscal year 2000-2001.

Florida Film Festival

Commissioner Edwards clarified that the proposed budget includes funding for the Florida Film Festival for both years of the proposed two-year budget.

Discussion

The Board discussed conducting an assessment of the arts to determine the County's arts program direction and the possibility of establishing an arts commission.

Afterschool Programs

Commissioner Edwards clarified that the Citizen's Commission for Children will be providing oversight services for the budgeted afterschool programs.

Health Insurance Issues

Commissioner Edwards clarified that staff is researching the County's health insurance retirement subsidy and that they will be returning to the Board with recommendations for the Board's consideration.

I-Drive Community Redevelopment Agency (CRA)

Commissioner Edwards reported that he supported the creation of the I-Drive CRA as a way to protect the Universal property from annexation into the City of Orlando. He stated that he did not realize that those funds could be used to finance the light rail project and suggested that \$500,000 from the fund be returned to the County's general fund as allowed by law.

Action

A motion by Commissioner Edwards, seconded by Commissioner Sindler; with Commissioners Freeman, Sindler, and Edwards voting AYE by voice vote; County Chairman Martinez and Commissioners Johnson, Hoenstine, and Hartage voting NO by voice vote; to transfer \$500,000 from the I-Drive Community Redevelopment Agency (CRA) to the County's general fund failed.

Initial Counsel Program

Commissioner Hartage clarified that staff will be researching the possibility and practicality of providing funding assistance to continue the Initial Counsel Program at the jail.

Apopka Middle School Afterschool Program

Commissioner Sindler clarified that staff is working to include Apopka Middle School in the budget for expansion of the middle school after school program.

NONAGENDA - SAVE OUR SENIORS WORKSESSION

In response to a question from Commissioner Johnson regarding a planned worksession for the "Save Our Seniors" program, County Administrator Ajit Lalchandani stated that the worksession is scheduled in October 1999. He noted that there will be enough time for the Board to take action on the program prior to December.

NONAGENDA - CITIZEN'S ANNUAL FINANCIAL REPORT

County Comptroller Martha Haynie announced that the first copies of the Citizen's Annual Financial Report have just been received. She explained that the report is a 20-page summary of the County's annual financial statement. County Comptroller Haynie presented each of the Board members with a copy of the report and noted that the report will be available on the Comptroller's website. She said that an additional page has been added this year to give general information on the County's rates and fund sources as requested by several citizens. County Comptroller Haynie stated that the Comptroller's Office will be glad to meet with any Board member to discuss the report in detail, answer any questions, or share suggestions on additional information that could be included in future reports.

MEETING ADJOURNED

There being no further business, the County Chairman adjourned the meeting at 5:15 p.m.

ATTEST:

Martha O. Haynie
County Comptroller as Clerk

County Chairman

Deputy Clerk

Minutes Coordinator

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