

MEETING OPENED

The Board of County Commissioners met in Commission Chambers on the First Floor, Orange County Administration Center, on Tuesday, April 18, 2000. The following were present:

- County Chairman Mel Martinez
- Commissioners 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
- Deputy Clerk Rosilyn Stapleton

Commissioner Bob Freeman joined the meeting where indicated.

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

The Board paused for an invocation by the Reverend Dale Ward, pastor of Avalon Baptist Church, followed by the Pledge of Allegiance to the Flag.

Presentation of proclamation recognizing the Bishop Moore Boys' Soccer Team, winners of the Florida State Class 2A Championship

County Chairman Martinez presented a proclamation to Dr. Connie Halscott, principal of Bishop Moore High School, recognizing the boys' soccer team's accomplishment of winning the Florida State Class 2A Championship.

COUNTY CONSENT AGENDA

Action

Upon a motion by Johnson, seconded by Commissioner Edwards, and carried with all present members voting AYE by voice vote; Commissioner Freeman was absent; the Board:

- Corrected County Administrator Item 2 to reflect Budget Amendment 00-41.
- Deleted CIP Amendment 24-00 only, County Administrator Item 3.
- Deleted Administrative Support Department Item 1;

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

County Comptroller

1. Acknowledgment and filing of the Audit of Adelphia Cable Communications Franchise Fee (Administrative/Fiscal Division).
2. Approval of the following disposition of tangible personal property:
 - a. Scrap assets.
 - b. Dispose of assets that were returned to the vendor for a replacement under a maintenance agreement.
 - c. Sell surplus equipment from the NationsBank building to the highest bidder, determine which pieces are cost beneficial to move to the surplus warehouse, donate to nonprofit organizations, and finally scrap the remaining equipment at the County landfill.

(Property Accounting Department)

3. Acknowledgment of receipt of the following file for the record documents:
 - a. Falcon Trace Community Development District, minutes of the January 19, 2000, Board of Supervisors meeting; dated March 9, 2000.
 - b. City of Orlando, notices of ordinance annexing the following properties located:

- North and south of Hoffner Avenue, north of Seminole Avenue, east of Pasco Street, and south of Desoto Avenue.
- North of Conroy Road, west of John Young Parkway, east of I-4, and south of Millenia Boulevard.
- South of Jetport Drive and east of Boggy Creek Road.
- 3097 Curry Ford Road.
- 3609 Shader Road.
- 5040 Edgewater Drive.
- 1855 East Winter Park Road;

dated March 17, 2000.

- c. Florida Department of Revenue, instructions and schedules for the development of the Property Appraiser's budget for fiscal year October 1, 2000, through September 30, 2001; dated March 15, 2000 (copy of letter from Darrell W. Smith, budget services director, to Orange County Property Appraiser Richard Crotty).
- d. St. Johns River Water Management District, annual financial audit for the period ended September 30, 1999; dated March 15, 2000.
- e. Florida Public Service Commission, notices as follows:
 - Commission Service Hearing re: request for review of proposed numbering plan relief for the 561 area code; dated March 1, 2000.
 - Hearing and prehearing conference re: review of the appropriate application of incentives to wholesale power sales by investor-owned electric utilities; dated March 7, 2000.

- Hearing and prehearing conference re: initiation of show cause proceedings against Actual Communications, Inc., for unlawful billing practices and insufficient management capability; dated March 7, 2000.
- Hearing and prehearing conference re: petition by BellSouth Telecommunications, Inc., for Section 252(B) arbitration seeking resolution of certain issues arising in negotiation of resale agreement with Florida Telephone Services, LLC; dated March 17, 2000.

f. Urban Orlando Community Development District, minutes of the December 14, 1999, meeting of the Board of Supervisors; dated March 22, 2000.

(Comptroller Clerk of the Board of County Commissioners)

4. 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 April 7, 2000, to April 12, 2000; total of \$8,670,426.00.

(Finance and Accounting Department)

County Sheriff

1. Acceptance of the COPS in School grant award from the United States Department of Justice in the amount of \$2,320,878 for the funding of 19 new, additional full-time officers in local schools for the period December 1, 1999, through November 30, 2002 (Grants).

County Administrator

1. Approval for the Sheriff's Office to spend \$27,437 from the Law Enforcement Trust Fund to make contributions to the following: \$25,000 to the Integrated Criminal Justice Information System and \$2,437 to the Animal Recognition Memorial (Office of Management and Budget).
2. Approval of Budget Amendment 00-32 (Office of Management and Budget).

(As stated in the above motion, this item was corrected to reflect Budget Amendment 00-41.)

(Budget Amendment 00-41 is on file in the Comptroller Finance and Accounting Department.)

3. Approval of CIP Amendments 22-00, 23-00, and 24-00 (Office of Management and Budget).

(As stated in the above motion, CIP Amendment 24-00 only was deleted from this item.)

(CIP Amendments 22-00 and 23-00 are on file in the Office of Management and Budget.)

4. Approval and execution of the Memorandum of Understanding for the Case Management System project between Orange County and the Clerk of Courts (Office of Management and Budget).
5. Approval of payment of intergovernmental claims for March 23 and 30, 2000, totaling \$515,620.02 (Risk Management Division).
6. Receipt and filing of minutes for March 16 and 23, 2000, meetings of the Intergovernmental Risk Management Committee for the official County record (Risk Management Division).

Administrative Support Department

1. Approval to award Invitation for Bid Y0-736-DB to the low responsive and responsible bidder, L.I. & Company, Inc., for Orange County Landfill, McLeod Road Transfer Station and Porter Transfer Station truck scales and site modifications. The total contract amount is \$1,072,580 ([Solid Waste Division] Purchasing and Contracts Division).

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

2. Approval to award Invitation for Bid Y0-716-MK to the low responsive and responsible bidder, Lightning Electric of Central Florida, Inc., for Phase I entrance neon lighting upgrade. The total contract award amount is \$123,400 ([Convention Center Construction Division] Purchasing and Contracts Division).
3. Approval to provide prior authority to award Contract Y0-170 to the low responsive and responsible bidder to supply meals for the summer food service program. The total budget is not to exceed \$506,428.55 ([Head Start Division] Purchasing and Contracts Division).
4. Approval to provide prior authority to award contract Y0-623 to the low responsive and responsible bidder for Ferno (Xcalibur model only) EMS stretchers and accessories (with trade-in) for Orange County Fire Rescue. The total budget is not to exceed \$202,000 ([Fire Rescue Department] Purchasing and Contracts Division).
5. Approval for blanket purchase orders with Mutual Wholesale Company; Todd's Quality Tomatoes, Inc.; U.S. Food's; and K & R Farms Produce, Inc., to purchase produce for the Corrections Department. The total purchase orders are not to exceed \$125,000 ([Corrections Department] Purchasing and Contracts Division).

6. Approval to award Invitation for Bid Y0-708-PH to the low responsive and responsible bidder, Southland Construction, Inc., for International Drive widening/new back of house road, associated drainage and utility improvements. The total contract award amount is \$6,200,000 ([Public Works Engineering Division] Purchasing and Contracts Division).
7. Approval of Task Authorization 8, Contract Y6-804, with EMA Services, Inc., for services for MAXIMO Computerized Maintenance Management System Integration for Orange County Utilities in the amount of \$568,373 ([Wastewater Division] Purchasing and Contracts Division).
8. Approval and execution by County Chairman of Memorandum of Agreement between the United States of America Secretary of the Navy and the County and approval of quit-claim deed and authorization to conduct closing and disburse warrant to pay appropriate purchase price and closing costs and record instrument for Navy Sound Lab redevelopment, District 4 (Real Estate Management Division).
9. Approval and execution by County Chairman of resolution and County deed and authorization to record instrument for Interstate 4 improvements, District 6 (Real Estate Management Division).

Growth Management and Environmental Resources Department

1. Approval and execution of Alternative Road Impact Fee Agreement between JMH Enterprises, Inc. (for Marriott Residence Inn), and Orange County, District 1 (Building Division).
2. Approval of a Resolution 2000-M-15 adopting the 2000-2001 Local Housing Assistance Plan and amending the 1997-1998, 1998-1999, and 1999-2000 Local Housing Assistance Plans, all districts (Housing and Community Development Division).

3. Approval of staff's recommendation to not acquire the duplex property portion of the Navy Sound Lab property (Planning Division).
4. Approval of the Developer's Agreement between Burger King and Orange County for "Pay-As-You-Go" fee payment for Burger King 4465 addition, District 4 (Planning Division).

Health and Family Services Department

1. Approval of the Amendment 4 to Contract G7032 between the State of Florida Department of Juvenile Justice and Orange County, Florida, for operation of the Youth Diversion Program. Amendment 4 extends the current contract ending date for a period of six months through December 31, 2000, at a pro rata cost of \$120,000. There will be no additional cost to the County (Youth and Family Services Division).
2. Approval of the public convenience and necessity certificate modification request for Orlando Regional Healthcare System to provide advanced life support interfacility transport service. The term of this certificate is from April 30, 2000, through April 30, 2002. There is no cost to the County (Emergency Management Services Office).
3. Approval of the nonemergency transportation license for Mears Destination Service, Inc., to provide wheelchair service. Term of the license is from April 30, 2000, through April 30, 2002. There is no cost to the County (Emergency Management Services Office).
4. Approval of the Summer Food Service Program for Children Application and Agreement between the State of Florida Department of Education and the County in the amount of \$523,978. The term of this agreement is from May 25, 2000, through July 28, 2000. There will be no cost to Orange County (Office of Community Action).

5. Approval to renew the agreement between Osceola County and Orange County, Florida, for the provision of community services by the Orange County Office of Community Action for the economically disadvantaged in Osceola County in the amount of \$42,500. The term of the agreement is from October 1, 1999, through September 30, 2000. There will be no cost to Orange County (Office of Community Action).

Public Works Department

1. Approval of the transportation facilities agreement between Orange County and the Waterford Commercial Land Joint Venture, District 4 (Public Works Engineering Division).

Utilities Division

1. Approval of agreement between the City of Orlando and Orange County Utilities Department for easement access for construction, operation, and maintenance of utilities pipeline in Orlando Utilities Commission's right-of-way and easement, District 2 (Water Division).

NONAGENDA - PRIMARY ENFORCEMENT PROVISION FOR SAFETY BELTS

Commissioner Edwards overviewed the proposed legislation for the primary enforcement provision of seatbelts. He reported that the local Florida Community Traffic Safety Team is supporting this legislation and that the Team has asked the County to support it too.

Action

Upon a motion by Commissioner Edwards, seconded by Commissioner Sindler, and carried with all present members voting AYE by voice vote, the Board adopted a Resolution supporting the proposed primary enforcement provision legislation for the enforcement of automobile safety belt usage.

COUNTY ADMINISTRATOR DISCUSSION AGENDA

1. Fraternal Order of Police (FOP) impasse hearing.

Staff Report

County Administrator Ajit Lalchandani overviewed the impasse negotiations and reported that a temporary agreement has been reached. Mr. Lalchandani explained that final approval by the FOP is subject to ratification by its members and that staff will brief all Board members on the details of the agreement during the next week. He noted that, if the FOP ratifies the agreement, the final agreement will be presented to the Board as a consent agenda item.

Appearances

The following person addressed the Board:

- Phil Lolli, chairman of the FOP (no address given).

Discussion

The Board discussed implementing the second step of the special master's proposed two-step plan to coincide with the County's annual salary increases, the importance of settling the negotiations amicably, and the need for a three-year contract.

Action

The Board did not take any action.

ADMINISTRATIVE SUPPORT DEPARTMENT DISCUSSION AGENDA

1. Selection of one firm and two alternates to provide structural steel/fireproofing inspection services for the Orange County Convention Center Phase V Expansion, RFP Y0-813-MK ([Convention Center Construction Division] Purchasing and Contracts Division).

Commissioner's Report

Commissioner Hartage, who was present at the March 22, 2000, Procurement Review Committee meeting, reviewed the committee's recommendation on the selection of one firm and two ranked alternates to provide structural steel/fireproofing inspection services for the Orange County Convention Center Phase V Expansion from the following firms listed alphabetically:

- Law Engineering & Environmental Services
- Professional Service Industries, Inc.
- Universal Engineering Sciences

Discussion

The Board discussed how "similar project descriptions" and "experience of project team" categories are interpreted and scored during the procurement process.

Action

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

- #1 Professional Service Industries, Inc.**
- #2 Law Engineering & Environmental Services**
- #3 Universal Engineering Sciences**

and further, authorized staff to enter into contract negotiations to provide structural steel/fireproofing inspection services for the Orange County Convention Center Phase V Expansion, RFP Y0-813-MK.

2. Selection of D.B. Young & Associates to provide roofing testing and inspection services for the Orange County Convention Center Phase V Expansion, RFP Y0-814-MK, ([Convention Center Construction Division] Purchasing and Contracts Division).

Commissioner's Report

Commissioner Hartage, who was present at the March 22, 2000, Procurement Review Committee meeting, reviewed the committee's recommendation on the selection of one firm, D.B. Young & Associates, Inc., to provide roofing testing and inspection services for the Orange County Convention Center Phase V Expansion.

Action

Upon a motion by Commissioner Hartage, seconded by Commissioner Edwards, and carried with all present members voting AYE by voice vote; Commissioner Freeman was absent; the Board selected one firm, D.B. Young & Associates; and further, authorized staff to enter into contract negotiations to provide testing and inspection services for the Orange County Convention Center Phase V Expansion, Contract RFP Y0-814-MK.

3. Selection of one firm and two alternates to provide concrete/soils testing and inspection services for the Orange County Convention Center Phase V Expansion, RFP Y0-815-MK ([Convention Center Construction Division] Purchasing and Contracts Division).

Commissioner's Report

Commissioner Hartage, who was present at the March 22, 2000, Procurement Review Committee meeting, reviewed the committee's recommendation on the selection of one firm and two ranked alternates to provide concrete/soils testing and inspection services for the Orange County Convention Center Phase V Expansion from the following firms listed alphabetically:

- Nodarse/Ardaman, a joint venture
- Page One Consultants, Inc.
- Professional Service Industries, Inc.

Action

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

- #1 Nodarse/Ardaman, a joint venture
- #2 Professional Service Industries, Inc.
- #3 Page One Consultants, Inc.

and further, authorized staff to enter into contract negotiations to provide concrete/soils testing and inspection services for the Orange County Convention Center Phase V Expansion, Contract RFP Y0-815-MK.

GROWTH MANAGEMENT AND ENVIRONMENTAL RESOURCES DEPARTMENT
WORKSESSION

1. Orlando Regional Chamber of Commerce Development Program.

Staff Report

Jacob Stuart, president of the Orlando Regional Chamber of Commerce, stated that the purpose of the worksession is to provide the Board members with additional information on the Chamber's proposal for a Regional Development Program.

Michael Gallis, Michael Gallis and Associates, addressed the Board and reviewed the history of regional development plans. Mr. Gallis highlighted the role of regional development plans in growth planning and noted the effectiveness of those plans in several major cities across the country. He overviewed funding support from local agencies and noted that a request for funding from the County will be brought to the Board at a later date.

Discussion

The Board discussed the potential benefits of a development plan, the importance of funding the program through the private sector, and funding support from the East Central Florida Regional Planning Council and other local agencies.

Commissioner Freeman joined the meeting.

ADMINISTRATIVE SUPPORT DEPARTMENT DISCUSSION AGENDA (CONTINUED)

4. Oral presentations for selection of one firm and two alternates to provide design-build services for South Water Reclamation Facility Phase IV Improvements, RFP-Y0-811-JO ([Wastewater Division] Purchasing and Contracts Division).

Staff Report

Purchasing and Contracts Division Manager Johnny Richardson overviewed the presentation procedures and final Board action. Mr. Richardson stated that the Board will not be scoring the presentations.

Utilities Wastewater Division Manager Ray Hanson overviewed the project and explained why it is needed, what it is expected to accomplish, and how it will be completed. Mr. Hanson also highlighted the anticipated construction schedule.

The Board heard presentations from the following firms after which there were question and answer periods:

- BVCI/Beers, a joint venture
- CDM/Sverdrup, a joint venture
- Western Summitt Constructors, Inc.

Discussion

The Board discussed general contractor and underground utilities certifications, subcontractor performance bonds,

odor control methods for the project, inherent deficiencies in the project, procurement committee scores, and cost- and time-saving incentives.

Action

Upon a motion by Commissioner Johnson, seconded by County Chairman Martinez, and carried with all members present and voting AYE by voice vote, the Board approved the following short list ranked as follows:

- #1 CDM/Sverdrup, a joint venture
- #2 BVCI/Beers, a joint venture
- #3 Western Summitt Constructors, Inc.

and further, authorized staff to enter into contract negotiations to provide design-build services for South Water Reclamation Facility Phase IV Improvements, Contract RFP-Y0-811-JO.

COUNTY CHAIRMAN'S REPORT - DISCUSSION AGENDA

1. Update on Administration Building renovations.

County Chairman's Report

County Chairman Martinez reviewed the proposed renovations to the County Administration Building and the anticipated time schedule. He highlighted the significant changes to the suite of commissioners' offices and asked the commissioners to determine how offices will be selected.

Discussion

The Board discussed whether office selection should be determined by seniority or assigned in a clockwise or counter-clockwise rotation around the reception area.

Action

Upon a motion by Commissioner Edwards, seconded by Commissioner Freeman, with Commissioners Freeman, Johnson, and Edwards voting AYE by voice vote; Commissioners

Hoenstine and Hartage voting NO by voice vote; County Chairman Martinez and Commissioner Sindler abstaining; the Board approved selecting office space in the renovated office suite based on seniority.

NONAGENDA - DONATION OF FURNITURE

Commissioner Freeman stated that several articles of furniture in his office originally belonged to former Commissioner Hal Marston. He suggested that the County consider donating that furniture to former Commissioner Marston's family.

County Chairman Martinez directed staff to explore the options available for disposing of the furniture and return to the Board with a recommendation.

County Chairman Martinez 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 Mel Martinez
- Commissioners Bob Freeman, Bob Sindler, Mary Johnson, Clarence Hoenstine, Ted Edwards, and Homer Hartage
- County Administrator Ajit Lalchandani
- County Attorney Tom Wilkes
- Deputy Clerk Rosilyn Stapleton

Presentation of proclamation recognizing the Jones High School Boys' Basketball Team as Florida State Class 3A Division runner-up

County Chairman Martinez presented a proclamation to Willie Jones, Jr., head coach for Jones High School Boys' Basketball Team, recognizing the team as Florida State Class 3A Division runner-up.

APRIL 6, 2000, BOARD OF ZONING ADJUSTMENT RECOMMENDATIONS

Action

Upon a motion by Commissioner Hartage, 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 Board of Zoning Adjustment under date of April 6, 2000; subject to the usual right of appeal by any aggrieved parties (see page 24 for reconsideration).

(NOTE: THE FOLLOWING TWO PUBLIC HEARINGS WERE CONSIDERED TOGETHER. SEE PAGE 18 FOR APPEARANCES, DISCUSSION, AND ACTION.)

PETITION TO VACATE PUBLIC HEARING - APPLICANT: THOMAS CAFFARELLO; NO. 99-33, PORTION OF 60.0-FOOT RIGHT-OF-WAY; DISTRICT 4

Notice was given that the Board of County Commissioners would hold a public hearing to consider a request by Thomas Caffarello, Petition to Vacate 99-33, to vacate a portion of a 60.0-foot right-of-way known as Armone Street, as well as an unnamed 30.0-foot right-of-way lying on the south side of the petitioner's property; on property located at 1405 Armone Street, which is generally located south of Colonial Drive and approximately 1,400 feet east of the Colonial Drive/Lake Berge Road intersection; District 4; Section 21, Township 22, Range 31; Orange County, Florida.

and

PETITION TO VACATE PUBLIC HEARING - APPLICANT: SAGO BUILDERS, INC.; NO. 00-06, 5.0-FOOT PORTION OF A UTILITY EASEMENT; DISTRICT 1

Notice was given that the Board of County Commissioners would hold a public hearing to consider a request by Sago Builders, Inc., Petition to Vacate 00-06, to vacate a 5.0-foot portion of a 20.0-foot utility easement, 10.0 feet of the easement lying along the north property line of Lot 72, Westover Reserve Phase Two

Subdivision; on property located at 2039 Westover Reserve Boulevard, which is generally located south of Westover Roberts Road and west of South Apopka-Vineland Road; District 1; Section 4, Township 23, Range 28; Orange County, Florida.

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

Staff Report

Public Works Department Director Bill Baxter reviewed the requests and the recommendations for approval of the petitions to vacate as submitted.

Appearances

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

Discussion

County Chairman Martinez closed the public hearings and opened the matters for Board discussion.

Action

Upon a motion by Commissioner Hartage, seconded by Commissioner Johnson, and carried with all members present and voting AYE by voice vote, the Board adopted resolutions as follows:

- Granting Petition to Vacate 99-33, vacating a portion of a 60.0-foot right-of-way known as Armone Street, as well as an unnamed 30.0-foot right-of-way lying on the south side of the petitioner's property on the above-described property.
- Granting Petition to Vacate 00-06, vacating a 5.0-foot portion of a 20.0-foot utility easement, 10.0 feet of the easement lying along the north property line of Lot 72, Westover Reserve Phase Two Subdivision on the above-described property.

(NOTE: THE FOLLOWING NINE PUBLIC HEARINGS WERE CONSIDERED TOGETHER. SEE PAGES 23 AND 24 FOR APPEARANCES, DISCUSSION, AND ACTION.)

MSTU/BU PUBLIC HEARING - AMEND MEADOWBROOK ACRES AND MEADOWBROOK ACRES 1ST ADDITION FOR STREETLIGHTING, DISTRICT 2

Notice was given that the Board of County Commissioners would hold a public hearing to consider the amendment of an MSTU/BU for streetlighting at Meadowbrook Acres and Meadow Brook Acres 1st Addition; District 2; Section 7, Township 22, 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

MSTU Supervisor Elizabeth Godwin reported that this request from the property owners has an annual cost of \$29 per lot for streetlighting.

and

MSTU/BU PUBLIC HEARING - AMEND CYPRESS SPRINGS AREA FOR STREETLIGHTING, DISTRICT 4

Notice was given that the Board of County Commissioners would hold a public hearing to consider the amendment of an MSTU/BU for streetlighting for the Cypress Springs Area; District 4; Sections 4 and 5, Township 23, Range 31; 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 \$57 per lot for streetlighting.

and

MSTU/BU PUBLIC HEARING - AMEND MEADOW WOODS PLANNED DEVELOPMENT FOR MASTER STREETLIGHTING, DISTRICT 4

Notice was given that the Board of County Commissioners would hold a public hearing to consider the amendment of an MSTU/BU for streetlighting at the Meadow Woods Planned Development; 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

MSTU Supervisor Elizabeth Godwin reported that this request from the developer has an annual cost of \$6 per lot for master streetlighting.

and

MSTU/BU PUBLIC HEARING - AMEND HERITAGE PLACE AND HERITAGE PLACE 2 FOR STREETLIGHTING AND MAINTENANCE OF RETENTION POND(S), DISTRICT 4

Notice was given that the Board of County Commissioners would hold a public hearing to consider the amendment of an MSTU/BU for streetlighting and maintenance of retention pond(s) at Heritage Place and Heritage Place 2; District 4; Sections 20 and 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

MSTU Supervisor Elizabeth Godwin reported that this request from the developer has an annual cost of \$21 per lot for streetlighting and an annual cost of \$54 per lot for maintenance of retention pond(s).

and

MSTU/BU PUBLIC HEARING - ESTABLISH CLOVERLAWN, KALINA REPLAT, MCLEISH TERRACE, AND RICHMOND TERRACE-CHAMBERLIN STREET AREA FOR STREETLIGHTING, DISTRICT 4

Notice was given that the Board of County Commissioners would hold a public hearing to consider the establishment of an MSTU/BU for streetlighting at Cloverlawn, Kalina Replat, McLeish Terrace, and Richmond Terrace - Chamberlin Street Area; District 4; Section 6, Township 23, Range 30; 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 property owners has an annual cost of \$39 per lot for streetlighting.

and

MSTU/BU PUBLIC HEARING - ESTABLISH CYPRESS SPRINGS PARCEL R FOR MAINTENANCE OF RETENTION POND(S), DISTRICT 4

Notice was given that the Board of County Commissioners would hold a public hearing to consider the establishment of an MSTU/BU for maintenance of retention pond(s) at Cypress Springs Parcel R; District 4; Section 5, Township 23, Range 31; 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 \$54 per lot for maintenance of retention pond(s).

and

MSTU/BU PUBLIC HEARING - ESTABLISH STONEWOOD ESTATES AT CYPRESS SPRINGS 2 FOR MAINTENANCE OF RETENTION POND(S), DISTRICT 4

Notice was given that the Board of County Commissioners would hold a public hearing to consider the establishment of an MSTU/BU for maintenance of retention pond(s) at Stonewood Estates at Cypress Springs 2; District 4; Section 5, Township 23, Range 31; 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 \$54 per lot for maintenance of retention pond(s).

and

MSTU/BU PUBLIC HEARING - ESTABLISH ENKA WAY AND MOORE STREET AREA FOR STREETLIGHTING, DISTRICT 6

Notice was given that the Board of County Commissioners would hold a public hearing to consider the establishment of an MSTU/BU for streetlighting at the Enka Way and Moore Street area; District 6; Section 24, 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

MSTU Supervisor Elizabeth Godwin reported that this request from the property owners has an annual cost of \$56 per lot for streetlighting.

and

MSTU/BU PUBLIC HEARING - ESTABLISH PRISCILLA PLACE FOR STREETLIGHTING, DISTRICT 6

Notice was given that the Board of County Commissioners would hold a public hearing to consider the establishment of an MSTU/BU for streetlighting at Priscilla Place; District 6; Section 24, 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

MSTU Supervisor Elizabeth Godwin reported that this request from the property owners has an annual cost of \$30 per lot for streetlighting.

Appearances

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

Discussion

County Chairman Martinez closed the public hearings and opened the matters for Board discussion.

Action

Upon a motion by Commissioner Hoenstine, seconded Commissioner Hartage, and carried with all members present and voting AYE by voice vote, the Board adopted resolutions as follows:

- Amending Meadowbrook Acres and Meadowbrook Acres 1st Addition, annual cost of \$29 per lot for streetlighting.
- Amending Cypress Springs area, annual cost of \$57 per lot for streetlighting.
- Amending Meadow Woods Planned Development, annual cost of \$6 per lot for master streetlighting.

- Amending Heritage Place and Heritage Place 2, annual cost of \$21 per lot for streetlighting and annual cost of \$54 per lot for retention pond(s) maintenance.
- Establishing Cloverlawn, Kalina Replat, McLeish Terrace, and Richmond Terrace - Chamberlin Street area, annual cost of \$39 per lot for streetlighting.
- Establishing Cypress Springs Parcel R, annual cost of \$54 for retention pond(s) maintenance.
- Establishing Stonewood Estates as Cypress Springs 2, annual cost of \$54 per lot for retention pond(s) maintenance;
- Establishing Enka Way and Moore Street area, annual cost of \$56 per lot for streetlighting.
- Establishing Priscilla Place, annual cost of \$30 for streetlighting.

NONAGENDA - REQUEST TO RECONSIDER

Commissioner Freeman stated that he would like the Board members to reconsider the April 6, 2000, Board of Zoning Adjustment Recommendations (see page 17).

Action

Upon a motion by Commissioner Freeman, seconded by Commissioner Sindler, and carried with all members present and voting AYE by voice vote, the Board approved reconsideration of the acceptance of the Board of Zoning Adjustment Recommendations under date of April 6, 2000; and further, accepted the recommendations of the Orange County Board of Zoning Adjustment under date of April 6, 2000, with the exception of Item 1; subject to the usual right of appeal by any aggrieved parties; and further, authorized scheduling a public hearing for Item 1 in the name of SBA, Inc., on June 6, 2000, at 2:15 p.m.

For the record, appeals of the recommendations of the Orange County Board of Zoning Adjustment under date of April 6, 2000, were filed in the Zoning Department and scheduled by the Comptroller Clerk's Office for public hearing, as follows:

- None filed.

**PRELIMINARY SUBDIVISION PLAN PUBLIC HEARING - WINTER PARK POINTE
PRELIMINARY SUBDIVISION, DISTRICT 5**

Notice was given that the Board of County Commissioners would hold a public hearing to consider the Winter Park Pointe 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 north of Corrine Drive and west of East Winter Park Road; District 5; Section 18, Township 22, Range 30; 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 Division Manager David Heath requested that the Board continue the public hearing to allow more time for the applicant to post the advertisement for a public hearing on the property.

Appearances

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

Discussion

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

Action

Upon a motion by Commissioner Hartage, seconded by Commissioner Johnson, and carried with all members present and voting AYE by voice vote, the Board continued the public hearing to consider the Winter Park Pointe Preliminary Subdivision Plan until May 16, 2000, at 2 p.m.

**PLANNING AND ZONING COMMISSION BOARD-CALLED PUBLIC HEARING -
APPLICANT: CANIN ASSOCIATES; SUNTERRA RESORTS; CASE Z-00-002,
FEBRUARY 17, 2000; DISTRICT 1**

Notice was given that the Board of County Commissioners would hold a public hearing to consider a request by Canin Associates, Sunterra Resorts, to rezone Rural Country Estate (RCE)(1968) to Planned Development (PD), on property generally located northeast of the Lake Street and South Apopka-Vineland Road intersection; District 1; Section 15 Township 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

Planning Division Manager David Heath outlined the request and identified the location of the subject property, the surrounding zoning classifications, and the future land use map designations in the area.

Appearances

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

- Jim Hall, Canin Associates, 500 Delaney Avenue, Orlando, Florida, for the applicant.

No one appeared in opposition to the request.

Discussion

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

Action

Upon a motion by Commissioner Freeman, seconded by Commissioner Johnson, and carried with all members present and voting AYE by voice vote, the Board approved the request by Canin Associates,

Sunterra Resorts, to rezone Rural Country Estate (RCE)(1968) to Planned Development (PD), on the above-described property; subject to the following conditions:

1. Development shall conform to the Sunterra Resorts Planned Development; Board of County Commissioners' (BCC) approvals; Land Use Plan Amendment 1999, dated "Received December 1, 1999"; 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 BCC or by action of the BCC.
2. If required, 20 feet of additional right-of-way along Lake Street shall be dedicated to Orange County for impact fee credits. The value shall be \$206,000 per acre per condition of approval from the April 20, 1999, BCC public hearing.
3. Pole signs and billboards are prohibited.
4. To the extent required to comply with the consistency provisions of the Growth Management Act, the following additional conditions shall be added to the conditions of approval:
 - a. Permitted and prohibited uses shall be those specified in Policies 1.1.3 and 1.1.6 of the International Drive Activity Center.
 - b. If the housing linkage program is in place prior to the development plan approval, the development of nonresidential development shall be conditioned upon either the development of residential units within the area designated Activity Center Residential on the Future Land Use Map or the payment into a housing linkage fund.

- c. The development guidelines of the International Drive Activity Center shall apply to the subject property if they are established prior to building permit submittal, including but not limited to lighting standards, building orientation, and location of parking lots.
 - d. The property shall be required to participate in a property owners' association upon its creation.
 - e. Stormwater management facilities shall be designed as an aesthetic feature, except where determined by the County engineer to be technically unfeasible.
 - f. The development plan shall provide for interconnection of adjacent development by either cross-access easement or public right-of-way.
 - g. Electrical distribution lines shall be underground.
 - h. Participation in a shuttle service connecting area attractions, major transportation centers, and on-site development shall be required.
5. Prior to construction plan approval, a water and wastewater master plan shall be submitted to the County for review and approval;

and further, made a finding of consistency with the Comprehensive Policy Plan.

SUBSTANTIAL CHANGE PUBLIC HEARING - APPLICANT: TIPTON ASSOCIATES, INC.; EXPRESSWAY CENTER PLANNED DEVELOPMENT/LAND USE PLAN (PD/LUP); AMEND LUP; DISTRICT 3 (CONTINUED FROM FEBRUARY 1 AND MARCH 7, 2000)

By consensus, the Board reopened the public hearing to consider a request by Tipton Associates, Inc.; Expressway Center Planned

Development/Land Use Plan (PD/LUP); for an amendment to the LUP to increase the multi-family units from 202 to 240 (the traffic impacts are still less than the previously approved business park); continued from the February 1 and March 7, 2000, Board meetings.

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

Staff Report

Planning Division Manager David Heath reviewed the change request and the Development Review Committee's determination of substantial change; and further, stated the Development Review Committee recommended approval of the request.

Mr. Heath recommended adding the following conditions:

- The development shall conform to the Expressway Planned Development; Board of County Commissioner's (BCC) approvals; Expressway Planned Development/Land Use Plan, dated "Received December 15, 1999"; 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 BCC, or by action of the BCC.
- The development shall be limited to 35 three-bedroom/two-bath units, 115 two-bedroom/two-bath units, and 90 one-bedroom or studio units.
- Access shall be through a joint driveway agreement with NationsBank and as close to Valencia College Lane as possible.
- The complex shall be gated and surrounded with a combination of walls or extruded aluminum/wrought iron and limited chain link fencing.

- Parking along S.R. 417 shall include covered parking.
- If it is technically feasible and permitable without the use of retaining walls, the retention pond will be redesigned and reconfigured to convert it from a dry pond to a wet pond with a fountain.
- Landscaping in excess of the minimum required by Orange County Code shall be provided.

Mr. Heath also recommended that the Board make a finding of consistency with the Comprehensive Policy Plan.

Appearances

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

Discussion

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

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 the request by Tipton Associates, Inc.; Expressway Center Planned Development/Land Use Plan (PD/LUP); for an amendment to the LUP to increase the multi-family units from 202 to 240 (the traffic impacts are still less than the previously approved business park); which constitutes a substantial change to the development on the above-described property, subject to the following conditions:

1. The development shall conform to the Expressway Planned Development; Board of County Commissioner's (BCC) approvals; Expressway Planned Development/Land Use Plan, dated "Received December 15, 1999"; 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, of by action approved by the BCC, or by action of the BCC.

2. The development shall be limited to 35 three-bedroom/two-bath units, 115 two-bedroom/two-bath units, and 90 one-bedroom or studio units.
3. Access shall be through a joint driveway agreement with NationsBank and as close to Valencia College Lane as possible.
4. The complex shall be gated and surrounded with a combination of walls or extruded aluminum/wrought iron and limited chain link fencing.
5. Parking along S.R. 417 shall include covered parking.
6. If it is technically feasible and permitable without the use of retaining walls, the retention pond will be redesigned and reconfigured to convert it from a dry pond to a wet pond with a fountain.
7. Landscaping in excess of the minimum required by Orange County Code shall be provided;

and further, made a finding of consistency with the Comprehensive Policy Plan.

REMANDED SUBSTANTIAL CHANGE PUBLIC HEARING - APPLICANT: CENTRAL FLORIDA INVESTMENTS, INC.; WESTGATE LAKES/SONESTA VILLAS PLANNED DEVELOPMENT/LAND USE PLAN

Notice was given that the Board of County Commissioners hold a public hearing to consider a substantial change request by Central Florida Investments, Inc., Westgate Lakes/Sonesta Villas Planned Development/Land Use Plan (PD/LUP), to consider modifying a

previous Condition of Approval (COA) prohibiting motorized boat access to Big Sand Lake from the Sonesta Villas development. The Development Review Committee (DRC) denied recommending an amendment allowing some restricted lake access, and instead recommended maintaining the COA prohibiting all motorized boats from accessing Big Sand Lake from the development. However, while the DRC has recommended no lake access for motorized craft, it has forwarded a proposal for the Board's consideration outlining some limited use of motorized watercraft from the property; pursuant to Orange County Code, Section 38-1207; on property generally located on the west side of Turkey Lake Road, on the east shore of Big Sand Lake; District 1; Section 2, Township 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

Planning Division Manager David Heath stated that the applicant has withdrawn the request.

Appearances

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

Discussion

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

Legal Counsel

In response to a question from Commissioner Freeman regarding the withdrawal of the applicant's request, County Attorney Tom Wilkes explained that the applicant has promised to shut down the existing jet ski rental operation but intends to pursue the timeshare community's homeowners' association riparian right to operate motorized boats and jet skis on the lake.

Action

By consensus, the Board accepted the applicant's withdrawal.

MEETING ADJOURNED

There being no further business, the County Chairman adjourned the meeting at 2:50 p.m.

ATTEST:

Martha O. Haynie
County Comptroller as Clerk

County Chairman

Deputy Clerk

Minutes Coordinator

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