

MEETING OPENED

The Board of County Commissioners met in Commission Chambers on the First Floor, Orange County Administration Center, on Tuesday, August 29, 2000. The following were present:

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

Commissioner Edwards 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 Danny Stricklin, pastor of First Baptist Church of Orlando, followed by the Pledge of Allegiance to the Flag.

Commissioner Edwards joined the meeting.

COUNTY CONSENT AGENDA**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:

- Deleted County Comptroller Item 1a, ordinance notice for 316 West Michigan Street only.
- Deleted Administrative Support Department Item 2.
- Deleted Growth Management and Environmental Resources Department Item 2, LC 00-197 only;

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

County Chairman's Report

1. Confirmation of the appointment of Joseph Kunkel as manager of the Highway Construction Division.

County Comptroller

1. Acknowledgment of receipt of the following file for the record documents:
 - a. City of Orlando ordinance notices annexing the following properties:
 - 2701 South Hiawassee Road
 - 316 West Michigan Street
 - b. Minutes of the Falcon Trace Community Development District meetings of May 17 and June 21, 2000.
 - c. Copy of the fiscal year 2000-01 budget for the Orange County Research and Development Authority (Central Florida Research Park).
 - d. Copy of the Financial and Compliance Audit of Recycling and Education Grants RE98-47 and RE99-47 awarded by the Florida Department of Environmental Protection to Orange County for the period October 1, 1997, through September 30, 1999.

(Comptroller Clerk of the Board of County Commissioners)

(As stated in the above motion, only the property located at 316 West Michigan Street was deleted from Item 1a.)

2. Approval of the minutes of the August 8 and August 15, 2000, meetings of the Board of County Commissioners (Comptroller Clerk of the Board of County Commissioners).
3. Approval of the disposition of tangible personal property:
 - a. Trade-in assets for an allowance towards the purchase of new assets.
 - b. Sell assets that were surplus to divisions vacating the Administration Building.
 - c. Scrap assets.

(Property Accounting Department)

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 August 11, 2000, to August 16, 2000; total of \$8,621,103.90.
 - Period from August 17, 2000, to August 23, 2000; total \$17,995,674.75.
 - Period from August 24, 2000, to August 24, 2000; total \$10,201,885.68.

(Finance and Accounting Department)

County Administrator

1. Approval and execution of the interlocal agreement among the Orange County School Board, the Orange County Sheriff, and the Orange County Board of County Commissioners on behalf of the Ninth Judicial Circuit for continuation of the "Family Ties" Supervised Visitation program (Office of Management and Budget).

2. Approval of Budget Transfers 00-424, 00-459, 00-472, and 00-479 (Office of Management and Budget).

(Budget Transfers 00-424, 00-459, 00-472, and 00-479 are on file in the Comptroller Finance and Accounting Department.)

3. Approval of CIP Amendments 53-00 and 55-00 (Office of Management and Budget).

(CIP Amendments 53-00 and 55-00 are on file in the Office of Management and Budget.)

4. Approval of payment of intergovernmental claims for July 27 and August 3, 2000, totaling \$403,409.83 (Risk Management Division).

5. Receipt and filing of minutes for the July 20 and July 27, 2000, meetings of the Intergovernmental Risk Management Committee for the official County record (Risk Management Division).

County Attorney

1. Approval of the Mediated Settlement Agreement for the eminent domain case of Orange County vs. Donald J. Smyth, etc., et al. (Smyth Lumber Property) for the property located on Edgewater Drive directly across from the intersection of Edgewater Drive and Clarcona-Ocoee Road, Parcel 1014R.

Administrative Support Department

1. Approval to award Invitation for Bid Y0-192-HF to the low responsive and responsible bidder, Water Company of America, an operating service line of Infrastructure Services, Inc.; for water and wastewater revenue recovery. The consultant will receive 40 percent of collected increased revenue ([Utilities Customer Service Division] Purchasing and Contracts Division).

2. Approval to award Invitation for Bid Y0-640-GJ to the low responsive and responsible bidder, Unitec, Inc., for two industrial size gas dryers for corrections laundry. The total contract award amount is \$178,750 ([Corrections Food Service Division] Purchasing and Contracts Division).

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

3. Approval to award Invitation for Bid Y0-642-GH to the low responsive and responsible bidder, Wescam, Inc., for microwave video downlink system. The total contract award amount is \$168,434.19 ([Office of Emergency Management] Purchasing and Contracts Division).
4. Approval to award Invitation for Bid Y0-762-PH to the low responsive and responsible bidder, DeWitt Excavating, Inc., for C.R. 535 water main construction (Chase Road to Lake Butler Boulevard). The total contract award amount is \$1,610,374.47 ([Utilities Engineering Division] Purchasing and Contracts Division).
5. Approval to purchase one additional road tractor from Peterbilt of Central Florida, pursuant to Contract Y0-618, for the Solid Waste Division in the contract amount of \$63,600 ([Solid Waste Division] Purchasing and Contracts Division).
6. Ratification of the emergency purchase of software license with PeopleSoft for extended enterprise capabilities for the County's existing Human Resources and Payroll software. The total cost is \$201,850 ([Information Systems and Services Division] Purchasing and Contracts Division).
7. Approval and execution by County Chairman of resolution and Subordination of County Utility Interests and authorization to record instrument for S.R. 435 (Kirkman Road) (from 1,700 feet south of Conroy Road to S.R. 50), District 6 (Real Estate Management Division).

8. Approval and execution by County Chairman of lease agreement between Koger Equity, Inc., and Orange County, Florida, for additional space and relocation of the Youth and Family Services Division to the Koger Center, 1060 Woodcock Road, Orlando, Florida; District 3 (Real Estate Management Division).
9. Approval and execution by County Chairman of Site License and Memorandum of Site License Agreement and authorization to record instrument for telecommunication tower site on the Clark Road water tower; District 1 (Real Estate Management Division).
10. Approval of quit-claim deed and authorization to record instrument and disburse warrant to pay recording fees for Texas Avenue right-of-way at Duskin, District 4 (Real Estate Management Division).

Growth Management and Environmental Resources Department

1. Approval of Alternative Road Impact Fee Agreement between Sand Lake Partners Two and Orange County for Plaza Venezia, Phase II, District 1 (Building Division).
2. Approval to advertise Resolutions 2000-ZON-380 through 2000-ZON-384 to place special assessment liens and amended special assessment liens on property cleaned by Orange County, pursuant to Orange County Code, Chapter 28, Nuisances, Article II, Lot Cleaning. Resolutions for Special Assessment Liens and Amended Special Assessment Liens:

LC 00-296; LC 00-300; LC 00-302; LC 99-332; LC 00-197;
LC 00-281

Districts 1, 2, 3, 5, and 6 (Code Enforcement Division).

(As stated in the above motion, only LC 00-197 was deleted from this item.)

3. Receipt and filing of the minutes of the Lake Holden Water Advisory Board for the meetings of October 18, 1999; December 13, 1999; March 20, 2000; and April 17, 2000, for the official County record, District 4 (Environmental Protection Division).
4. Receipt and filing of the minutes of the Lake Jessamine Water Advisory Board Workshops of February 15, February 16, March 2, March 31, and May 5, 2000; and the meeting minutes of January 20, February 17, March 16, April 20, and May 18, 2000; for the official County record, District 4 (Environmental Protection Division).
5. Receipt and filing of the minutes of the Lake Killarney Advisory Board meeting of May 18, 2000, for the official County record, District 5 (Environmental Protection Division).
6. Approval of a development agreement between Orange County and Paul Curtis Realty for the Grand Oaks Planned Development Land Use Plan, District 1 (Planning Division).
7. Approval of an agreement between Orange County and Orange County Housing Finance Authority which provides for the payment of \$500,000 of Orange County's State Housing Initiative Partnership (SHIP) funds to the Authority to be used to provide lower interest rate financing to low-income families, all districts (Housing and Community Development Division).

Health and Family Services Department

1. Approval of the Nonemergency Transportation License for Ace Special & Personal Service, Inc., to provide wheelchair service. The term of the license is from August 31, 2000, through August 31, 2002; there is no cost to the County (Emergency Medical Services Office).

Public Works Department

1. Authorization to record Declaration of Indemnification and Utilization Agreement with Corporex Development Services of Florida, Inc., that authorizes construction of a paved parking area that encroaches on a County drainage easement, District 4 (Development Engineering Division).
2. Approval to issue Change Order 4-PWF to Contract No. Y6-714, Apopka-Vineland Road (south of Rinker Road to Sand Lake Road) to Prairie Construction Company, Inc., in the amount of \$105,322.15, District 1 (Highway Construction Division).
3. Approval of the master agreement between Orange County and the Orlando Utilities Commission for roadway light facilities and authorization for the Public Works director, or his designee, to approve streetlight request forms with Orlando Utilities Commission for individual roadway segments of the arterial/collector roadway lighting program, as approved in the Capital Improvement Program budget, all districts (Public Works Engineering Division).
4. Approval of the Joint Participation Agreement with the Orlando Utilities Commission for water main improvements on Orange Avenue, District 4 (Public Works Engineering Division).
5. Approval to establish a "No Parking" zone on the west side of Orange Avenue beginning 210 feet from the north right-of-way line of Wetherbee Road and extending north 240 feet, District 4 (Traffic Engineering Division).
6. Approval to construct speed humps on Randia Drive, North Alder Drive, Yucatan Drive, and Capehart Drive in Azalea Park, District 3 (Traffic Engineering Division).

7. Authorization to construct a block wall within the Dewey Avenue right-of-way limiting secondary access between Mercy Shore Apartments and the Lake Lawne Shores Subdivision along Dewey Avenue, District 6 (Public Works Department).
8. Approval of the Conway Road Joint Pond Agreement between Orange County and the State of Florida Department of Transportation for use of the County's retention ponds at the intersection of Conway Road and Gatlin Avenue as part of the Conway Road improvement project, District 4 (Public Works Department).

Utilities Department

1. Approval of Utility Line Construction Agreement among South Apopka Citrus Fruit Company; Tom West, trustee; Tom West, Inc.; Avanti Investment Advisors, Inc.; Donald E. Brown, trustee; the Filippo Buani Revocable Trust; and the County for water and wastewater mains along McCormick Road and Ocoee-Apopka Road, District 2 (Engineering Division).
2. Approval of commercial refuse hauler license application for Pece of Mind Disposal, Inc., to provide commercial collection services in Orange County, all districts (Solid Waste Division).

COMMISSIONER'S REPORT DISCUSSION AGENDA

1. Confirmation of the appointment of Paul Robert Lance to the Board of Zoning Adjustment, to succeed Ron Burth as the District 4 representative, for a term expiring December 31, 2000.

Action

Upon a motion by Commissioner Hoenstine, seconded by Commissioner Freeman, and carried with all members present and voting AYE by voice vote, the Board confirmed the

appointment of Paul Robert Lance to the Board of Zoning Adjustment, to succeed Ron Burth as the District 4 representative, for a term expiring December 31, 2000.

ADMINISTRATIVE SUPPORT DEPARTMENT DISCUSSION AGENDA

1. Selection of one firm and one alternate to provide independent consulting services for selection of a contractor and customer information system, RFP Y0-635-SI ([Utilities Customer Service Division] Purchasing and Contracts Division).

Commissioner's Report

Commissioner Hoenstine, present at the July 26, 2000, Procurement Review Committee meeting, reviewed the committee's recommendation on the selection of one firm and one ranked alternate for independent consulting services for selection of a contractor and customer information system from the following firms listed alphabetically:

- Gartner Group
- Langham Consulting Services, Inc.

Action

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 following short list ranked as follows:

- #1 Langham Consulting Services, Inc.
- #2 Gartner Group

and further, authorized staff to enter into contract negotiations for independent consulting services for selection of a contractor and customer information system, RFP Y0-635-SI.

GROWTH MANAGEMENT AND ENVIRONMENTAL RESOURCES DEPARTMENT
DISCUSSION AGENDA

1. Orange Blossom Trail Safe Neighborhood Program Budget, District 6 (Planning Division).

Staff Report

Staff presented a report on the Safe Neighborhoods Program and requested the Board consider amending the tentative two-year budget for the Orange Blossom Trail program to allow increased funding to other communities.

Appearances

The following persons addressed the Board:

- Randall Grief, executive director of the Orange Blossom Trail Development Board (no address given).
- Bill Brooks, president of the Orange Blossom Trail Development Board (no address given).
- Tracey DeMunck, chairperson of the Orange Blossom Trail Safe Neighborhood Council (no address given).

Discussion

The Board discussed the success of the Orange Blossom Trail Development Board in starting the Safe Neighborhood Program, guaranteed funding for the Orange Blossom Trail program, the importance of expanding the program throughout the County, and problems in the Holden Heights area.

Action

A motion by Commissioner Sindler, seconded by Commissioner Freeman; with Commissioners Freeman and Sindler voting AYE by voice vote; County Chairman Martinez and Commissioners Johnson, Hoenstine, Edwards, and Hartage voting NO by voice vote; to reduce the County's funding contribution from \$250,000 to \$200,000 for the Orange Blossom Trail Safe Neighborhood Program failed.

Action

Upon a motion by Commissioner Edwards, seconded by Commissioner Hartage, and carried with County Chairman Martinez and Commissioners Freeman, Sindler, Johnson, Hartage, and Edwards voting AYE by voice vote; Commissioner Hoenstine voting NO by voice vote; the Board approved an allocation of \$175,000 for the Orange Blossom Trail Safe Neighborhood Program.

HEALTH AND FAMILY SERVICES DEPARTMENT DISCUSSION AGENDA

1. Public health update.

County Chairman's Report

The County Chairman reviewed the County's health care initiatives. He stated that the Hal Marston Primary Care Clinic is now open and that the County has committed funding for the establishment of five additional clinics over the next two years. The County Chairman explained that Dr. Brooks, State of Florida Secretary of Health, will update the Board on the State's role in public health issues.

Staff Report

Dr. Brooks addressed the Board and presented a report regarding health care services and funding throughout the State and within the community.

Staff presented a report on specific health issues within the County.

Discussion

The Board discussed anticipated state funding for the Zellwood and Taft primary care clinics, the County's legislative representation for funding support of capital

health care projects, health care privatization, neonatal and maternity care for young mothers, funding for HIV/Aids drug treatment, and the decline in HIV/Aids related deaths.

Action

The Board did not take any action.

**HEALTH AND FAMILY SERVICES DEPARTMENT DISCUSSION AGENDA -
ADDENDUM 1**

2. Ryan White Title I grant update.

Staff Report

Staff presented a report regarding the Ryan White Title I grant program.

Discussion

The Board discussed the County's administration of the program and the importance of education and personal discipline regarding HIV and Aids.

The County Comptroller noted that, although the change in administration of the project has been difficult, no disruption of service to the citizens has occurred.

Action

The Board did not take any action.

COUNTY ADMINISTRATOR DISCUSSION AGENDA - ADDENDUM 2

1. Selection of the County's dental insurance carrier for calendar year 2001.

Staff Report

Staff presented a report regarding the dental insurance carrier request for proposal and requested the Board select the dental insurance carrier for calendar year 2001.

Discussion

The Board discussed the one-year contract and next year's open bid process for dental, vision, and life insurance.

Action

Upon a motion by Commissioner Hoenstine, seconded by Commissioner Johnson, and carried with all members present and voting AYE by voice vote, the Board selected CompDent as the County's dental insurance carrier for calendar year 2001.

The County Chairman 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, and Ted Edwards
- County Administrator Ajit Lalchandani
- County Attorney Tom Wilkes
- Deputy Clerk Rosilyn Stapleton

Commissioner Homer Hartage joined the meeting where indicated.

NONAGENDA - VISITOR

The County Chairman introduced Zachary Campbell, a Boy Scout from Lockhart Pack 22, who is earning his citizenship badge.

AUGUST 17, 2000, PLANNING AND ZONING COMMISSION RECOMMENDATIONS**Action**

Upon a motion by Commissioner Freeman, seconded by Commissioner Sindler, and carried with all present members voting AYE by voice vote; Commissioner Hartage was absent; the Board accepted the recommendations of the Orange County Planning and Zoning Commission under date of August 17, 2000, with the exception of Case Z-00-073; subject to the usual right of appeal by any aggrieved parties; and further, authorized scheduling a public hearing for Case Z-00-073 in the name of Hal Kantor, Esquire; Tower Square; on September 26, 2000.

For the record, appeals of the recommendations of the Orange County Planning and Zoning Commission under date of August 17, 2000, were filed in the Zoning Department and scheduled by the Comptroller Clerk's Office for public hearing, as follows:

- None filed.

MSTU/BU PUBLIC HEARING - ESTABLISH TWIN OAKS MANOR FOR CONSTRUCTION OF WATER SERVICES LINE AND CONNECTION FEE FOR WATER SYSTEM, DISTRICT 3

Notice was given that the Board of County Commissioners would hold a public hearing to consider the establishment of an MSTU/BU for water service line and connection fee for construction of water services line and connection fee for water system at Twin Oaks Manor; District 3; Section 30, Township 22, Range 31; Orange County, Florida (the legal property descriptions are on file).

Commissioner Hartage joined the meeting.

Staff Report

Staff reported that this request from Commissioner Johnson and the Public Utilities Department has a total cost of \$3,381.80 or \$495.18 per annum per parcel for 10 years for water service line

and connection fee for the water system and total cost of \$2,141.95 or \$314.55 per annum per parcel for 10 years for water service line for the water system.

Appearance

The following persons addressed the Board regarding the request:

- Unidentified man (no address given).
- Karl Muschlitz, 9917 Twin Oaks Lane, Orlando, Florida.

Discussion

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

Action

Upon a motion by Commissioner Johnson, seconded by Commissioner Hartage, and carried with all members present and voting AYE by voice vote, the Board adopted a resolution establishing an MSTU/BU for construction of water services line and connection fee at a total cost of \$3,381.80 or \$495.18 per annum per parcel for 10 years for water service line and connection fee and a total cost of \$2,141.95 or \$314.55 per annum per parcel for 10 years for water service line.

ORDINANCE PUBLIC HEARING - ADOPTING PROVISIONS OF F.S. 196.075, ADDITIONAL HOMESTEAD EXEMPTION FOR SENIORS, "SAVE OUR SENIORS HOMESTEAD EXEMPTION"

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

AN ORDINANCE OF ORANGE COUNTY, FLORIDA, ADOPTING THE PROVISIONS OF FLORIDA STATUTE SECTION 196.075 TO GRANT AN ADDITIONAL HOMESTEAD EXEMPTION FOR PERSONS AGED SIXTY-FIVE AND OVER WHOSE HOUSEHOLD INCOME DOES NOT EXCEED A SPECIFIED AMOUNT; LIMITING THE EXEMPTION TO ORANGE COUNTY AD VALOREM TAXES ONLY; REQUIRING

A SWORN STATEMENT OF HOUSEHOLD INCOME; PROVIDING SUCH OTHER TERMS AND CONDITIONS TO COMPLY WITH ALL APPLICABLE LAWS AND DEPARTMENT OF REVENUE RULES; PROVIDING DELIVERY OF COPY OF ORDINANCE TO PROPERTY APPRAISER BY DECEMBER 1, 2000; PROVIDING AN EFFECTIVE DATE.

Staff Report

Staff reviewed the proposed ordinance and outlined its provisions.

Appearances

No one addressed the Board regarding the proposed ordinance.

Discussion

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

Action

Upon a motion by Commissioner Johnson, seconded by Commissioner Freeman, and carried with all members present and voting AYE by voice vote, the Board adopted Ordinance 2000-19 adopting provisions of F.S. 196.075, additional homestead exemption for seniors, "Save Our Seniors Homestead Exemption."

ORDINANCE PUBLIC HEARING - AMENDING ORANGE COUNTY CODE, CHAPTER 37, WATER AND WASTEWATER

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

AN ORDINANCE AMENDING ORANGE COUNTY CODE, CHAPTER 37, ENTITLED "WATER AND WASTEWATER;" SPECIFICALLY AMENDING SECTION 37-279 BY ADDING A NEW SUBSECTION (d) TO ALLOW ADJUSTMENT TO WATER RATES BASED UPON WATER CONSERVATION TECHNOLOGY; SPECIFICALLY AMENDING SECTION 37-305 BY ADDING A NEW SUBSECTION (d) TO ALLOW FOR ADJUSTMENT TO WASTEWATER RATES BASED UPON APPLICATION OF CONSERVATION TECHNOLOGY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Staff Report

Staff reviewed the proposed ordinance and outlined its provisions. Staff further outlined recommended changes to the proposed ordinance as follows:

- Section 37-297, add the following language: "Appeals to Building Codes Board of Adjustment and Appeals (BOAA). Any person aggrieved by a decision, relative to the foregoing capacity adjustment process may appeal such decision to the BOAA, created pursuant to Chapter 9 of the Orange County Code. Such appeal shall be by requesting a hearing in letterform to the Director, Orange County Utilities Department. Said request shall include a summary of the decision being appealed. The only issue on appeal to the BOAA will be whether or not the Engineering Study proposed by the applicant supports a Water Conservation Capacity Demand Adjustment. A person aggrieved by a decision of the BOAA may appeal such decision to the Circuit Court within 30 days of the rendition of that decision."

and

- Section 37-305, add the following language: "Appeals to Building Codes Board of Adjustment and Appeals (BOAA). Any person aggrieved by a decision, relative to the foregoing capacity adjustment process may appeal such decision to the BOAA, created pursuant to Chapter 9 of the Orange County Code. Such appeal shall be by requesting a hearing in letterform to the Director, Orange County Utilities Department. Said request shall include a summary of the decision being appealed. The only issue on appeal to the BOAA will be whether or not the Engineering Study proposed by the applicant supports a Wastewater Conservation Capacity Demand Adjustment. A person aggrieved by a decision of the BOAA may appeal such decision to the Circuit Court within 30 days of the rendition of that decision."

Appearances

The following person addressed the Board regarding the proposed ordinance:

- Harley Pattee, Florida Water Services (no address given).
- Tom Kelly (no address given).

Discussion

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

Action

Upon a motion by Commissioner Edwards, seconded by Commissioner Hoenstine, and carried with all members present and voting AYE by voice vote, the Board adopted Ordinance 2000-20 amending Orange County Code, Chapter 37, water and wastewater, to include revisions as outlined by staff as follows:

- Section 37-297, add the following language: "Appeals to Building Codes Board of Adjustment and Appeals (BOAA). Any person aggrieved by a decision, relative to the foregoing capacity adjustment process may appeal such decision to the BOAA, created pursuant to Chapter 9 of the Orange County Code. Such appeal shall be by requesting a hearing in letterform to the Director, Orange County Utilities Department. Said request shall include a summary of the decision being appealed. The only issue on appeal to the BOAA will be whether or not the Engineering Study proposed by the applicant supports a Water Conservation Capacity Demand Adjustment. A person aggrieved by a decision of the BOAA may appeal such decision to the Circuit Court within 30 days of the rendition of that decision."

and

- Section 37-305, add the following language: "Appeals to Building Codes Board of Adjustment and Appeals (BOAA). Any person aggrieved by a decision, relative to the foregoing capacity adjustment process may appeal such decision to the BOAA, created pursuant to Chapter 9 of the Orange County Code. Such appeal shall be by requesting a hearing in letterform to the Director, Orange County Utilities Department. Said request shall include a summary of the decision being appealed. The only issue on appeal to the BOAA will be whether or not the Engineering Study proposed by the applicant supports a Wastewater Conservation Capacity Demand Adjustment. A person aggrieved by a decision of the BOAA may appeal such decision to the Circuit Court within 30 days of the rendition of that decision.

ORDINANCE PUBLIC HEARING - AMENDING ORANGE COUNTY CODE, CHAPTER 38, ZONING, HOME-BASED LIMOUSINE SERVICES (2ND HEARING)

Notice was given that the Board of County Commissioners would hold the second of two public hearings to consider the following proposed ordinance:

AN ORDINANCE AFFECTING THE USE OF LAND IN UNINCORPORATED ORANGE COUNTY, FLORIDA; AMENDING CHAPTER 38 ("ZONING") OF THE ORANGE COUNTY CODE BY AMENDING THE USE TABLE AND PROVISIONS FOR PERMITTED USES AND SPECIAL EXCEPTIONS RELATING TO HOME-BASED LIMOUSINE SERVICES; AND PROVIDING AN EFFECTIVE DATE.

Staff Report

Staff stated that this is the second of two public hearings to consider the proposed ordinance. Staff reviewed the proposed ordinance and outlined its provisions.

Commissioner Edwards left the meeting.

Appearances

The following persons addressed the Board regarding the proposed ordinance:

- Rick Gonzalez, executive director of the Florida Livery Association (no address given).
- Greg Palie, president of the Greater Orlando Livery Association (no address given).
- Unidentified man (no address given).
- Kenneth Watkins, Kenson Transportation (no address given).
- Art O'Neil (no address given).

Discussion

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

Action

Upon a motion by Commissioner Freeman, seconded by Commissioner Sindler, and carried with all present members voting AYE by voice vote; Commissioner Edwards was absent; the Board adopted Ordinance 2000-21 amending Orange County Code, Chapter 38, Zoning, home-based limousine services, as amended below.

Action

Upon a motion by Commissioner Hartage, seconded by Commissioner Freeman, and carried with all present members voting AYE by voice vote; Commissioner Edwards was absent; the Board amended the above motion to include a 30-day grace period for affected businesses to comply.

**COMPREHENSIVE POLICY PLAN AMENDMENT TRANSMITTAL PUBLIC HEARING -
FUTURE LAND USE MAP AMENDMENT 2000-1-D-1-1, ORANGE LAKE COUNTRY
CLUB DEVELOPMENT OF REGIONAL IMPACT**

Notice was given that the Board of County Commissioners would hold a public hearing regarding transmittal of proposed amendments to the 1990-2010 Comprehensive Policy Plan (CPP), as it has been amended, as authorized by Chapter 163, Florida Statutes, for Future Land Use Map Amendment 2000-1-D-1-1, Orange Lake Country Club Development of Regional Impact.

(The following reference materials are on file: Amendment Booklet and map(s); parcels of property that are subject to possible land use changes identified by the general location descriptions, acres, and tax parcel identification numbers; currently adopted land uses and requested land use changes.)

Staff Report

Staff reviewed the location, the request, and the recommended land uses; and further, noted that the Local Planning Agency recommended transmittal with a land use designation of Commercial/Planned Development/Growth Center.

Appearances

The following persons addressed the Board regarding the request:

- Duke Woodson, Esquire; Foley and Lardner (no address given).
- Michael Hammond, 1911 Lakeside Drive, Orlando, Florida.

Commissioner Edwards rejoined the meeting.

Discussion

The County Chairman 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 transmitting Future Land Use Map Amendment 2000-1-D-1-1, Orange Lake County Club Development of Regional Impact, to the Florida Department of Community Affairs.

Commissioner Edwards left the meeting.

BOARD OF ZONING ADJUSTMENT BOARD-CALLED PUBLIC HEARING -
APPLICANT: STINSON DAYCARE; CONTINUED ITEM 5, JULY 6, 2000;
DISTRICT 2

Notice was given that the Board of County Commissioners would hold a public hearing to consider a request by Stinson Daycare for a special exception in Single-family Dwelling District (R-1) zone for daycare facility for up to 80 children and 10 employees and variance from the required ten-foot-wide (10') landscape buffers where adjacent to residential uses (north and west sides of property), on property located at 4703 Clarcona-Ocoee Road; which is generally located on the northwest corner of Vatican Avenue and Clarcona-Ocoee Road, one-quarter mile east of Rose Avenue; District 2; Section 32, Township 21, Range 29; Orange County, Florida (the legal property description is on file).

Staff Report

Staff 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.

Staff recommended that the following conditions be added:

- Development shall be in accordance with site plan dated, "Received August 28, 2000," and all other applicable regulations.

- A minimum six-foot-high (6') wood stockade fence shall be constructed along the west and north property lines.
- A landscape hedge shall be provided in accordance with Chapter 24, Orange County Code. Trees shall be provided in accordance with the site plan dated, "Received August 28, 2000."
- Only one ground sign not exceeding four feet (4') in height and 20 square feet in copy area shall be permitted. Said sign shall be outside the 25-foot triangle formed by the intersection of Clarcona-Ocoee Road and Vatican Avenue; wall signage is prohibited.

Appearances

The following person addressed the Board regarding the request:

- Tim Johnson, architect for the property owner (no address given).

Discussion

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

Action

Upon a motion by Commissioner Sindler, seconded by Commissioner Freeman, and carried with Commissioners Freeman, Sindler, Hoenstine, and Hartage voting AYE by voice vote; County Chairman Martinez and Commissioner Johnson voting NO by voice vote; Commissioner Edwards was absent; the Board approved the request by Stinson Daycare for a special exception in Single-family Dwelling District (R-1) zone for daycare facility for up to 50 children and 5 employees and a variance from the required ten-foot-wide (10') landscape buffer where adjacent to residential uses (west side of property), on the above-described property, subject to the following conditions:

1. Development shall be in accordance with site plan dated, "Received August 28, 2000," and all other applicable regulations.

2. A minimum six-foot-high (6') wood stockade fence shall be constructed along the west and north property lines.
3. A landscape hedge shall be provided in accordance with Chapter 24, Orange County Code. Trees shall be provided in accordance with the site plan dated, "Received August 28, 2000."
4. Only one ground sign not exceeding four feet (4') in height and 20 square feet in copy area shall be permitted. Said sign shall be outside the 25-foot triangle formed by the intersection of Clarcona-Ocoee Road and Vatican Avenue; wall signage is prohibited.

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

BOARD OF ZONING ADJUSTMENT APPEAL - APPELLANT: AMERICAN TOWER CORPORATION; APPLICANT: NEXTEL COMMUNICATIONS; ITEM 17, JULY 6, 2000; DISTRICT 6

Notice was given that the Board of County Commissioners would sit as a Board of Appeal to consider an appeal by American Tower Corporation of the recommendation of the Board of Zoning Adjustment, dated July 6, 2000, on a request by Nextel Communications for a special exception in General Commercial District (C-2) zone for a single-use and camouflaged communications tower (flag pole), on property generally located on the northwest corner of South Orange Blossom Trail and Holden Avenue or 4600 Orange Blossom Trail; District 6; Section 10, Township 23, Range 29; Orange County, Florida (the legal property description is on file).

and

BOARD OF ZONING ADJUSTMENT APPEAL - APPELLANT/APPLICANT: AMERICAN TOWER CORPORATION; CONTINUED ITEM 7, JULY 6, 2000 (CONTINUED FROM MAY 4, 2000); DISTRICT 4

Notice was given that the Board of County Commissioners would sit as a Board of Appeal to consider an appeal by American Tower Corporation of the recommendation of the Board of Zoning Adjustment, dated July 6, 2000, on a request by American Tower Corporation for a special exception in General Commercial District (C-2) zone for a single-use and camouflaged communications tower (flag pole), on property generally located on the south side of Hoffner Avenue, one-quarter of a mile east of Conway Road or 4688 East Hoffner Avenue; District 4; Section 21, 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

Staff outlined the requests; identified the subject properties and the surrounding zoning classifications; and further, noted that the Board of Zoning Adjustment recommended approval of the requests.

Staff stated that the applicant has agreed to revised conditions and recommended that the Board approve the requests subject to revised conditions as follows:

- Only the flag of the United States of America shall be flown.
- Flag size shall be proportionate to the height and diameter of the pole.
- Pole shall be painted white.
- Lighting of the flag shall be minimum wattage and broadcast illumination.
- No outside antennas shall be allowed (antennas shall be internal to the pole).

- Applicant shall have eighteen (18) months (by March 1, 2002) to obtain collocation on the tower, or the tower approval shall be subject to review pursuant to Chapter 38-1427 (m)(6).
- Development shall be per plans/drawings dated, "July 6, 2000."

County Chairman Martinez requested a condition be added as follows: The flag shall be maintained in accordance with proper flag etiquette and in a dignified condition at all times.

Appearances

The following persons addressed the Board regarding the requests:

- Alan Gabriel, Esquire (no address given), for Nextel Communications.
- Bonnie Carrolin, 622 West Princeton Street, Orlando, Florida.

Court Reporter

A court reporter, Vicki Montz, Esquire Deposition Services, was present.

The County Chairman accepted the following exhibit from Mr. Gabriel:

- Clerk's Composite Exhibit 1, Nextel applications for South Conway and Lake Holden stealth tower sites: background and legal issues.

Discussion

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

Commissioner Edwards rejoined the meeting.

Action

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

- Upheld the decision of the Orange County Board of Zoning Adjustment and approved the request by Nextel Communications for a special exception in General Commercial District (C-2) zone for a single-use and camouflaged communications tower.
- Upheld the decision of the Orange County Board of Zoning Adjustment and approved the request by American Tower Corporation for a special exception in General Commercial District (C-2) zone for a single-use and camouflaged communications tower (flag pole);

subject to the following conditions:

1. Only the flag of the United States of America shall be flown.
2. Flag size shall be proportionate to the height and diameter of the pole.
3. Pole shall be painted white.
4. Lighting of the flag shall be minimum wattage and broadcast illumination.
5. No outside antennas shall be allowed (antennas shall be internal to the pole).
6. Applicant shall have eighteen (18) months (by March 1, 2002) to obtain collocation on the tower, or the tower approval shall be subject to review pursuant to Chapter 38-1427 (m)(6).
7. Development shall be per plans/drawings dated, "July 6, 2000."
8. The flag shall be maintained in accordance with proper flag etiquette and in a dignified condition at all times.

**PRELIMINARY SUBDIVISION PLAN PUBLIC HEARING - U.S.I. SOUTH CAMPUS
PLANNED DEVELOPMENT-U.S.I. WEST AND NORTHWEST PARCELS PRELIMINARY
SUBDIVISION, DISTRICT 6**

Notice was given that the Board of County Commissioners would hold a public hearing to consider the U.S.I. South Campus Planned Development-U.S.I. West and Northwest Parcels 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 and south of the proposed Universal Boulevard Extension, west of the proposed Kirkman Road Extension; District 6; Section 36, Township 23, Range 28; Section 1, Township 24, Range 28; Section 31, Township 23, Range 28; and Section 6, Township 24, Range 29; Orange County, Florida (the legal property description is on file).

Staff Report

Staff reviewed the plan and the Development Review Committee's recommendation of approval subject to conditions.

Staff recommended additional conditions be added as follows:

- The performance standards for the Convention Plaza District Equivalent Zone shall apply to Lots 4 through 9 as a nonsubstantial change to the approved land use plan.
- All lots within this subdivision utilized for hotels are subject to the same "Revenue Surcharge" now applicable to the Peabody, Clarion, and Rosen Hotels adjacent to the existing Convention Center.

Appearances

No one addressed the Board regarding the plan.

Discussion

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

Action

Upon a motion by Commissioner Hartage, seconded by Commissioner Sindler, and carried with all members present and voting AYE by voice vote, the Board approved the U.S.I. South Campus Planned Development-U.S.I. West and Northwest Parcels Preliminary Subdivision Plan on the above-described property, subject to the following conditions:

1. Development shall conform to the U.S.I. South Campus Planned Development; Orange County Board of County Commissioners' (BCC) approvals; West and Northwest Parcels Preliminary Subdivision Plan, dated "Received May 31, 2000"; 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 BCC, or by action of the BCC.

This Preliminary Subdivision Plan approval automatically expires on August 29, 2001, in accordance with the Orange County Subdivision Regulations as amended.

2. The developer shall relocate the existing wastewater and reclaimed water mains and easements, if required, due to conflicts with proposed construction except along Universal Boulevard.
3. Prior to construction plan approval, certification with supporting calculations shall be submitted which states that this project is consistent with the approved master drainage, water, and wastewater and utility plans for this planned development.

4. Prior to the first development plan submittal, a master sign plan shall be submitted and approved by the Planning and Zoning Divisions.
5. The performance standards for the Convention Plaza District Equivalent Zone shall apply to Lots 4 through 9 as a nonsubstantial change to the approved land use plan.
6. All lots within this subdivision utilized for hotels are subject to the same "Revenue Surcharge" now applicable to the Peabody, Clarion, and Rosen hotels adjacent to the existing Convention Center.

PRELIMINARY SUBDIVISION PLAN PUBLIC HEARING - WEKIVA RIDGE
PRELIMINARY SUBDIVISION, DISTRICT 2

Notice was given that the Board of County Commissioners would hold a public hearing to consider the Wekiva Ridge 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 Wekiva Springs Road and north of Heather Oak Drive; District 2; Section 12, Township 21, Range 28; Orange County, Florida (the legal property description is on file).

Staff Report

Staff reviewed the plan and the Development Review Committee's recommendation of approval subject to conditions.

Staff recommended additional conditions be added as follows:

- The minimum living area for each lot shall be 1,500 square feet.
- A six-foot-high (6') fence shall be provided between this development and the Heatherwood Subdivision.

Appearances

No one addressed the Board regarding the request.

Discussion

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

Commissioner Sindler requested that the fence be constructed of PVC.

Action

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

1. Development shall conform to the Wekiva Ridge Preliminary Subdivision Plan dated, "Received July 5, 2000," 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 (BCC), or by action of the BCC.

This Preliminary Subdivision Plan approval automatically expires on August 29, 2001, in accordance with the Orange County Subdivision Regulations as amended.

2. The stormwater management system shall be designed to retain the 100-year/24-hour storm event on site unless documentation with supporting calculations are submitted which indicates that a positive outfall exists.
3. The minimum living area for each lot shall be 1,500 square feet.

4. A six-foot-high (6') PVC fence shall be provided between this development and the Heatherwood Subdivision.

SUBSTANTIAL CHANGE PUBLIC HEARING - APPLICANT: HOLLIS ENGINEERING, INC.; THE VILLAGES OF RIO PINAR PRELIMINARY SUBDIVISION, DECREASE SETBACKS TO ALLOW LARGER HOMES; DISTRICT 3

Notice was given that the Board of County Commissioners would hold a public hearing to consider a substantial change request by Hollis Engineering, Inc.; Villages of Rio Pinar Phase I Preliminary Subdivision; for a blanket variance to the Single-family Dwelling Districts (R-1 and R-1AA) lots to change the front and rear setbacks of the existing plat to 20 feet in lieu of 25 feet to allow the construction of larger homes, pursuant to Orange County Code, Section 34-27; on property generally located north of Curry Ford Road, east of Chickasaw Trail; District 3; Section 6, Township 23, Range 31; and Section 1, Township 23, Range 30; Orange County, Florida (the legal property description is on file).

Staff Report

Staff 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.

Appearances

The following person addressed the Board regarding the request:

- Phillip Hollis; Hollis Engineering, Inc. (no address given).

Discussion

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

Action

Upon a motion by Commissioner Johnson, seconded by Commissioner Sindler, and carried with County Chairman Martinez and Commissioners Freeman, Sindler, Johnson, Hoenstine, and Hartage voting AYE by voice vote; Commissioner Edwards voting NO by voice vote; the Board approved the request by Hollis Engineering, Inc.; Villages of Rio Pinar Phase I Preliminary Subdivision; for a blanket variance to the Single-family Dwelling Districts (R-1 and R-1AA) lots to change the front and rear setbacks of the existing plat to 20 feet in lieu of 25 feet to allow the construction of larger homes; which constitutes a substantial change to the development on the above-described property; subject to the following condition:

- Development shall conform to the Villages of Rio Pinar Preliminary Subdivision Plan dated, "Received June 23, 2000," 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 (BCC), or by action of the BCC.

PUBLIC WORKS DEPARTMENT DISCUSSION AGENDA

1. Review of the placement of a traffic signal at Apopka-Vineland Road and Buena Vista Woods/Turtle Creek Subdivision.

Staff Report

Staff presented a report regarding a request for the installation of a traffic signal on Apopka-Vineland Road at the entrance to the Buena Vista Woods/Turtle Creek community and the criteria standards for traffic signal installations.

Discussion

The Board discussed minimum standard requirements for staff's recommendation to install traffic signals.

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 installation of a traffic signal at the Apopka-Vineland Road and Buena Vista Woods/Turtle Creek Subdivision.

MEETING ADJOURNED

There being no further business, the County Chairman adjourned the meeting at 4:45 p.m.

ATTEST:

Martha O. Haynie

County Comptroller as Clerk

County Chairman

Deputy Clerk

Minutes Coordinator

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