

MEETING OPENED

There being a quorum, the County Mayor called the meeting of the Orange County Board of County Commissioners to order at 9 a.m. in Commission Chambers on the First Floor, Orange County Administration Center, on Tuesday, January 11, 2005. The following were present:

- County Mayor Richard T. Crotty
- Commissioners Bob Sindler, Mildred Fernandez, Linda Stewart, Bill Segal, and Homer Hartage
- County Administrator Ajit Lalchandani
- County Attorney Tom Drage
- Deputy Clerk Rosilyn Stapleton

County Comptroller Martha Haynie joined the meeting where indicated. Commissioner Teresa Jacobs was absent.

NONAGENDA

County Mayor Crotty announced Commissioner Jacobs will be absent for a few weeks due to unexpected surgery. He asked to keep Commissioner Jacobs in our prayers.

The Board paused for the invocation by the Reverend Mark E. Matheson of the First Baptist Church of Windermere, followed by the Pledge of Allegiance to the Flag. The County Mayor presented a certificate of appreciation to Pastor Matheson.

COUNTY CONSENT AGENDA

Upon a motion by Commissioner Fernandez, seconded by Commissioner Stewart, and carried with all present members voting AYE by voice vote; Commissioner Jacobs was absent; the Board:

- Deferred County Administrator Item 8 for discussion (see page 248 for subsequent approval)
- Deleted County Administrator Items 9 and 10c
- Deferred County Administrator Item 10d for discussion (see page 247 for subsequent approval)

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

County Mayor's Report

1. Confirmation of the appointment of Darwin Lee Isbell as Manager, Inmate Programming Support, Corrections Department.

County Comptroller

1. Approval of the minutes of the December 14, 2004, meeting of the Board of County Commissioners (Comptroller Clerk of the Board of County Commissioners).
2. Authorize the disbursement of warrants, vouchers, and wire transfers, having been certified that same had not been drawn on overexpended accounts, for the following period:

- December 30, 2004, to January 6, 2005; total of \$49,427,234.99

(Finance and Accounting Department).

County Administrator

1. Approval for the Sheriff's Office to spend \$25,445 from the Law Enforcement Trust Fund to purchase equipment from Grand Central Engineering & Security, Inc. (Office of Management and Budget).
2. Approval of Budget Amendment 05-17 (Office of Management and Budget).

(Budget amendment is on file in the Comptroller Finance and Accounting Department.)

3. Approval of Resolution 2005-M-02 of the Board of County Commissioners of Orange County, Florida, to make the required declaration under the tax code to reimburse the cost of equipment to be leased by the County, and approval of Resolution 2005-M-03 approving the lease purchase financing of vehicles for the Fire Rescue Division on lease schedules created under the terms of the Master Lease Purchase Agreement with SunTrust Leasing Corporation in a principal amount not to exceed \$3,500,000 (Fiscal and Business Services).

4. Confirmation of Commissioner Segal's appointment of Robert S. Carr to the Citizen Review Board with a term expiring December 31, 2006 (Agenda Development Office).
5. Confirmation of Commissioner Jacobs' reappointments to the Big Sand Lake Advisory Board (Agenda Development Office).
6. Confirmation of Mayor Crotty's reappointment of Rene Albors to the Planning and Zoning Commission with a term expiring December 31, 2006 (Agenda Development Office).
7. Confirmation of Commissioner Hartage's appointment of Charlie B. Walker to the Orange County Citizen Corps Council with a term expiring December 31, 2006 (Agenda Development Office).
8. Confirmation of the reappointment of Charles Costar, III, as the Mayor's representative on the Board of Zoning Adjustment and confirmation of the appointment of Lorraine T. Tuliano as the District 3 representative on the Board of Zoning Adjustment. The terms of the appointments will expire December 31, 2006 (Agenda Development Office).

(As stated in the above motion, this item was deferred for discussion, see page 248 for subsequent action.)

9. Confirmation of Mayor Crotty's appointment of Dr. Riyad H. Mansour to the Membership and Mission Review Board with a term expiring December 31, 2006 (Agenda Development Office).

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

10. Approval of the Membership and Mission Review Board's recommendations for the following advisory board appointments/reappointments:
 - a. Agricultural Advisory Board: Appointment of Sheldon "Scott" Boyd to succeed John Stanton Smith in the citrus industry representative category and the appointment of Charles Temple Landers in the foliage industry representative category with terms expiring December 31, 2005.

- b. Animal Services Advisory Board: Reappointment of Amy L. Dennis-Quinlan in the at large representative category and Mickey R.E. Barkett in the attorney category with terms expiring December 31, 2006; the appointment of Pamela Vordeburg to succeed Judi Lynn Brown in the at large representative category with a term expiring December 31, 2006; and the appointment of Cpl. Ron L. Walker to succeed Sgt. Jay Stephen Hinton, Jr., in the Orange County Sheriff's Office representative category with a term expiring December 31, 2006. Note: This would be a third term for Ms. Dennis-Quinlan and would require a supermajority (5) vote of the Board of County Commissioners.
- c. Animal Services Classification Committee: Reappointment of Deborah J. Turner in the at large representative category and Scott F. Friedman in the American Kennel Club representative category with terms expiring December 31, 2006; and the appointment of Cpl. Ron L. Walker to succeed Sgt. Jay Stephen Hinton, Jr., in the K-9 handler category with a term expiring December 31, 2005.

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

- d. Building Codes Board of Adjustments and Appeals: Reappointment of Jacquelyn K. Brochman in the electrical engineer representing the electrical utility industry representative category with a term expiring December 31, 2006; the reappointment of Michael W. Rodriguez in the at large alternate from disciplines category with a term expiring December 31, 2005; and the appointment of Diana V. Mucha to succeed Timothy Keeley McCarthy in the general contractor category with a term expiring December 31, 2006. Note: The appointment of Ms. Mucha is contingent upon her resignation from the Code Enforcement Board.

(As stated in the above motion, this item was deferred for discussion, see page 247 for subsequent approval.)

- e. Community Action Board: Reappointment of Representative Fred Brummer in the public sector representative category with a term expiring December 31, 2007.

- f. Community Development Advisory Board: Appointment of David E. Reap to succeed Sharon Deridder as requested by Commissioner Jacobs as the District 1 representative with a term expiring June 30, 2005.
- g. Environmental Protection Commission: Reappointment of Pedro Martinez in the at large representative category with a term expiring December 31, 2006;

(Agenda Development Office).

Administrative Services Department

1. Approval to award Invitation for Bids Y5-107-NW, Overhead Door and Gate Maintenance, to the low responsive and responsible bidder, A-N-R Door Systems, Inc. The estimated annual contract award amount for Lots B, C, D, and E is \$133,270 ([Facilities Management Division] Purchasing and Contracts Division).
2. Approval of Contract Y5-160, HVAC Preventive Maintenance and Repairs at the Courthouse, with Johnson Controls, Inc., in the not-to-exceed contract award amount of \$123,908.80 for an eight-month period ([Facilities Management Division] Purchasing and Contracts Division).
3. Approval of Amendment 1, Contract Y4-1037, Infrastructure Location Contractor, with American Utility Services, Inc., to increase the estimated contract amount by \$60,000 for a revised contract amount of \$320,951.04 ([Water Division] Purchasing and Contracts Division).
4. Approval of Amendment 2, Contract Y4-125, Half Ton Pickup Trucks-Term Contract, with Classic Chevrolet. This amendment will increase the estimated contract amount by \$179,490 for a new contract amount of \$569,420 ([Fleet Management Division] Purchasing and Contracts Division).
5. Approval and execution by Purchasing and Contracts Division of Amendment #6 in the amount of \$131,595 to the Memorandum of Understanding with the Orange County Property Appraiser for an aerial photography update, Digital Parcel Base Map Re-Engineering Development (Information Systems and Services).

(Amendment #6 to the Memorandum of Understanding is on file in the Purchasing and Contracts Division.)

6. Approval to execute Change Order #2 to Contract #Y4-708 SB with Frank Irey Construction, Inc., for Shadow Bay Park Improvements, in the amount of \$14,221.75 (Capital Projects Division).
7. Approval of Utility Easement and Subordinations of Encumbrances to Property Rights and authorization to record instruments for Avalon Reserve, District 4 (Real Estate Management Division).

Community and Environmental Services Department

1. Approval of the case settlement agreement between the current owner, Assad Moise, and Orange County for a fine and code violation resolution on CEB Case No. 2004-14183h; respondent, Mike Paul Stipkovich; and subject property at 5942 Fairlawn Drive, District 6 (Code Enforcement Division).
2. Approval to advertise Resolutions 2005-CED-020 through 2005-CED-035 for Special Assessment Liens on property cleaned by Orange County, pursuant to Orange County Code, Chapter 28, Nuisances, Article II, Lot Cleaning, as follows:

LC 05-057; LC 05-058; LC 05-059; LC 05-074; LC 05-064; LC 05-072;
LC 05-090; LC 05-096; LC 05-020; LC 05-021; LC 05-039; LC 05-041;
LC 05-043; LC 05-067; LC 05-068; LC 05-069;

Districts 1, 2, 4, and 6 (Code Enforcement Division).

Growth Management Department

1. Approval of a Developer's Agreement between Orange County and Greenberg Dental Associates for the "Pay-As-You-Go" Fee Payment for Greenberg Dental Associates on Goldenrod Road, affecting the road segment on Aloma Avenue from Semoran Boulevard to Tangerine Avenue and on University Boulevard, from Semoran Boulevard to Econlockhatchee Trail; and on Hall Road from Aloma Avenue to University Boulevard; District 5 (Fiscal and Administrative Services).
2. Approval of a Developer's Agreement between Orange County and Morrison Homes for the "Pay-As-You-Go" Fee Payment for Arlington Bay fka Cypress Chase North on Winter Garden-Vineland Road, affecting the road segment on

Reams Road from Cast Drive to Winter Garden-Vineland Road, District 1 (Fiscal and Administrative Services).

3. Approval of a Developer's Agreement between Orange County and Hoffner Commons, LLC, for the "Pay-As-You-Go" Fee Payment for Hoffner Commons Retail Center on Hoffner Road, affecting the road segment on Hoffner Road from Conway Road to Semoran Boulevard, District 4 (Fiscal and Administrative Services).

Health and Family Services Department

1. Approval to accept Funding Award from the City of Kissimmee that provides financial support for the Osceola Community Action Program in the amount of \$36,980.21. There is no cost to the County (Community Action Division).
2. Approval to accept Funding Award from the City of St. Cloud to support the Osceola Community Action Program in the amount of \$1,900. There is no cost to the County (Community Action Division).
3. Approval of Amendment #2 to Contract #ILS524 between Family Services of Metro Orlando and Orange County for the operation of an Independent Living Program. Amendment #2 extends the original agreement for an additional six months and increases the total contracted amount by \$45,000 to a total contract amount not to exceed \$90,000. There is no additional cost to the County (Youth and Family Services Division).

INFORMATIONAL ITEMS*

County Comptroller

1. Receipt of the following file for the record documents:

City of Orlando ordinances:

- a. De-annexing a portion of Lake Margaret Drive right-of-way, generally located east of Conway Road and west of Dixie Belle Drive.

- b. De-annexing a portion of North Ortman Drive right-of-way, generally located north of West Pine Street, south of West Washington Street, east of North Ivey Lane, and west of Lake Mann.
- c. De-annexing a portion of Sand Lake Road right-of-way, generally located south of Crownpointe Commerce Park, east of Pomelo Drive, and west of John Young Parkway.
- d. Annexing a portion of West Princeton Street right-of-way, generally located south and west of Lynx Lane, and east of North John Young Parkway.
- e. Annexing a portion of East Michigan Street right-of-way, generally located east of South Osceola Avenue and west of Zephyr Road.
- f. Annexing a portion of North Rio Grande Avenue right-of-way, generally located north of Wilson Avenue and south of Cumbie Avenue.
- g. Annexing a portion of South Parramore Avenue right-of-way, generally located northwest of Interstate 4, south of West Harding Street, and west of Lake Angel.
- h. Annexing a portion of North Mission Road right-of-way, generally located north of West Concord Avenue and south of West Colonial Drive.
- i. Annexing a portion of Lamar Street right-of-way, generally located north of West Ridgewood Avenue, south of Old Winter Garden Road, east of North Ortman Drive, and west of Branson Drive.
- j. Annexing a portion of Old Winter Garden Road (S.R. 426) right-of-way, generally located between North Ortman Drive and the intersection of Lamar Street and Old Winter Garden Road.
- k. De-annexing a portion of 4th Street and Winston Avenue rights-of-way, generally located north of Trotters Park, south of Carolyn Avenue, east of Carder Road, and west of Aloha Street.

- I. De-annexing a portion of Curry Ford Road right-of-way, generally located at the intersection of Peel Avenue and Curry Ford Road, east of Winn Avenue, and west of Scott Avenue.

(Comptroller Clerk of the Board of County Commissioners)

2. Orange County Educational Facilities Authority's minutes of the January 26, 2004, and November 15, 2004, meetings (Comptroller Clerk of the Board of County Commissioners).
3. Limited Review of Orange County Fiscal and Business Services Division, Debt Management Services (Administrative/Fiscal Division).

*With respect to informational items, Board action is neither required nor necessary, and Board approval (or disapproval) is not to be implied.

COUNTY ADMINISTRATOR DISCUSSION AGENDA

1. Appointments to the Code Enforcement Board of individuals to succeed Concepcion O. Nicdao with a term expiring December 31, 2007, and Diana V. Mucha with a term expiring December 31, 2005 (Agenda Development Office).

Staff presented a report on this item and noted Ms. Nicdao does not wish to seek another term and that the appointment of an individual to succeed Diana V. Mucha will be considered at a future meeting.

Upon a motion by Commissioner Segal, seconded by Commissioner Hartage, and carried with all present members voting AYE by voice vote; Commissioner Jacobs was absent; the Board appointed Frederick Mellin to the Code Enforcement Board, to succeed Concepcion Nicdao in the architect category with a term expiring December 31, 2007.

(See page 251 to continue with County Administrator Discussion Agenda.)

CONSENT AGENDA ITEMS DEFERRED FOR DISCUSSION

County Administrator

- 10.d Building Codes Board of Adjustments and Appeals: Reappointment of Jacquelyn K. Brochman in the electrical engineer representing the electrical utility industry representative category with a term expiring December 31, 2006; the reappointment of Michael W. Rodriguez in the at large alternate from disciplines category with a term expiring December 31, 2005; and the appointment of Diana V. Mucha to succeed Timothy Keeley McCarthy in the general contractor category with a term expiring December 31, 2006. Note: The appointment of Ms. Mucha is contingent upon her resignation from the Code Enforcement Board.

The County Administrator requested this consent item be deferred for discussion following the Code Enforcement appointments because Diana Mucha can only serve on either the Building Codes Board of Adjustments and Appeals or the Code Enforcement Board. Board discussion ensued.

Upon a motion by Commissioner Stewart, seconded by Commissioner Hartage, and carried with all present members voting AYE by voice vote; Commissioner Jacobs was absent; the Board approved the reappointment of Jacquelyn K. Brochman in the electrical engineer representing the electrical utility industry representative category with a term expiring December 31, 2006; and the reappointment of Michael W. Rodriguez in the at large alternate from disciplines category with a term expiring December 31, 2005; and further, the appointment of an individual to succeed Diana V. Mucha will be considered at a future meeting.

8. Confirmation of the reappointment of Charles Costar, III, as the Mayor's representative on the Board of Zoning Adjustment and confirmation of the appointment of Lorraine T. Tuliano as the District 3 representative on the Board of Zoning Adjustment. The terms of the appointments will expire December 31, 2006 (Agenda Development Office).

The County Administrator stated Charles Costar, III, has declined the reappointment as the Mayor's representative and Commissioner Fernandez requested this consent item be deferred for a separate vote.

Upon a motion by Commissioner Fernandez, seconded by Commissioner Stewart, and carried with all present members voting AYE by voice vote; Commissioner Jacobs was absent; the Board confirmed the appointment of Lorraine T. Tuliano as the District 3 representative on the Board of Zoning Adjustment with a term expiring December 31, 2006.

ADMINISTRATIVE SERVICES DEPARTMENT DISCUSSION AGENDA

1. Selection of 4 firms and 2 ranked alternates to provide Continuing Utilities Engineering Services, Request for Proposals Y4-907-PH ([Utilities Engineering Division] Purchasing and Contracts Division).

Staff stated that Commissioner Segal attended the December 8, 2004, Procurement Review Committee meeting for the selection of 4 firms and 2 ranked alternates to provide Continuing Utilities Engineering Services, from the following 6 firms listed alphabetically:

- Barnes Ferland and Associates, Inc.
- CPH Engineering, Inc.
- Jacobs Civil, Inc.
- LDI/WCG-Joint Venture
- Rockett & Associates, Inc.
- Tetra Tech/Hartman & Associates, Inc.

Upon a motion by Commissioner Segal, seconded by Commissioner Sindler, and carried with all present members voting AYE by voice vote; Commissioner Jacobs was absent; the Board selected 4 firms:

- #1 Barnes Ferland and Associates, Inc.
- #2 Tetra Tech/Hartman & Associates, Inc.
- #3 Rockett & Associates, Inc.
- #4 CPH Engineering, Inc.

and 2 alternates as follows:

- #1 Jacobs Civil, Inc.
- #2 LDI/WCG-Joint Venture

and further, authorized staff to enter into contract negotiations for Continuing Utilities Engineering Services, Request for Proposal Y4-907-PH.

2. Selection of 1 consultant and 2 ranked alternates to provide Federal Lobbying Services, Request for Proposal Y5-100-NW ([Mayor's Office] Purchasing and Contracts Division).

Staff stated that Commissioner Stewart, assigned to the December 3, 2004, Procurement Review Committee meeting, reviewed the committee's recommendation for the selection of 1 consultant and 2 ranked alternates to provide Federal Lobbying Services, from the following 3 firms listed alphabetically:

- Barbour Griffith & Roger, LLC
- PodestaMattoon, Inc.
- Tew Cardenas, LLP

A motion by Commissioner Stewart to select PodestaMattoon as the consultant to provide Federal Lobbying Services died for lack of a second.

A motion by County Mayor Crotty, seconded by Commissioner Fernandez; with County Mayor Crotty and Commissioner Fernandez voting AYE by voice vote; Commissioners Sindler, Stewart, Segal and Hartage voting NO by voice vote; Commissioner Jacobs was absent; to select Barbour Griffith & Roger, LLC, as the consultant to provide Federal Lobbying Services failed.

A motion by Commissioner Sindler, seconded by Commissioner Hartage; with Commissioners Sindler and Hartage voting AYE by voice vote; County Mayor Crotty and Commissioners Fernandez, Stewart, and Segal voting NO by voice vote; Commissioner Jacobs was absent; to renew the current contract with Alcalde & Fay, with a ranking as follows:

- #1 Alcalde & Fay
- #2 Barbour Griffith & Roger, LLC
- #3 Tew Cardenas, LLP
- #4 PodestaMattoon, Inc.

failed.

Upon a motion by Commissioner Stewart, seconded by County Mayor Crotty, with County Mayor Crotty and Commissioners Fernandez, Stewart, Segal, and Hartage voting AYE by voice vote; Commissioner Sindler voting NO by voice vote; Commissioner Jacobs was absent; the Board approved the short list ranked as follows:

- #1 PodestaMattoon, Inc.
- #2 Barbour Griffith & Roger, LLC
- #3 Tew Cardenas, LLP

and further, authorized staff to enter into contract negotiations for Federal Lobbying Services, Request for Proposal Y5-100-NW.

3. Discussion regarding owning versus leasing real property (Real Estate Management Division).

County Mayor Crotty announced this item is continued to a later date to allow Commissioner Hartage time to obtain further information.

COUNTY ADMINISTRATOR DISCUSSION AGENDA-CONTINUED

2. Greater Orlando Aviation Authority Update.

Jeff Fuqua, chairman, for Greater Orlando Aviation Authority, addressed the Board and presented a report. Board discussion ensued. No action was taken.

County Comptroller Haynie joined the meeting.

3. Expressway Authority Update.

Allan Keen, chairman, for Orlando-Orange County Expressway Authority, addressed the Board and presented a report. Board discussion ensued. No action was taken.

The County Mayor 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 Mayor Richard T. Crotty
- Commissioners Bob Sindler, Mildred Fernandez, Linda Stewart, and Bill Segal
- County Administrator Ajit Lalchandani
- Senior Assistant County Attorney Joel Prinsell
- Deputy Clerk Rosilyn Stapleton

Commissioners Teresa Jacobs and Homer Hartage were absent.

CABLE RESOLUTION PUBLIC HEARING-TO TRANSFER CONTROL OF THE FRANCHISE OF COSTEL COMMUNICATIONS, L.P., TO FLORIDA CABLE, INC.

Notice was given that the Orange County Board of County Commissioners would hold a public hearing regarding consideration of a proposed resolution as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY, FLORIDA, APPROVING THE ASSIGNMENT AND TRANSFER OF CONTROL OF THE CABLE TELEVISION FRANCHISE FROM CONSTEL COMMUNICATIONS, L.P., TO FLORIDA CABLE, INC., AND PROVIDING AN EFFECTIVE DATE.

Staff reviewed the proposed resolution and outlined its provisions.

No one appeared regarding the resolution.

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

Upon a motion by Commissioner Stewart, seconded by Commissioner Fernandez, and carried with all present members voting AYE by voice vote; Commissioners Jacobs and Hartage were absent; the Board adopted Resolution 2005-M-04 to transfer control of the Costel Communications, L.P., to Florida Cable, Inc.

ORDINANCE/RESOLUTION PUBLIC HEARING-AMENDING ORANGE COUNTY CODE, CHAPTER 37, PERTAINING TO WATER AND WASTEWATER CAPITAL CHARGES, AND RATE RESOLUTION IMPLEMENTING THE ORDINANCE

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

AN ORDINANCE PERTAINING TO WATER AND WASTEWATER IN ORANGE COUNTY, FLORIDA; AMENDING CHAPTER 37 OF THE ORANGE COUNTY CODE; AMENDING THE ESTABLISHED WATER CAPITAL CHARGE; AMENDING THE WASTEWATER CAPITAL CHARGE; PROVIDING FOR VARIOUS MISCELLANEOUS MATTERS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

and

A RESOLUTION ADOPTING A REVISED WATER SYSTEM CHARGE SCHEDULE; REVISING CERTAIN COUNTY WATER SYSTEM CHARGES; PROVIDING FOR AN AUTOMATIC ANNUAL INCREASE; REVISING THE CONSERVATION CHARGE; PROVIDING FOR PERIODIC REVIEW; PROVIDING FOR REVIEW FINDINGS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Staff reviewed the proposed ordinance and resolution and outlined the provisions.

County Mayor Crotty stated he is in support of phasing in the increase so that 50 percent of the increase is effective May 1, 2005, and the remaining 50 percent of the increase is effective May 1, 2006.

No one appeared regarding the proposed ordinance or the resolution.

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

Upon a motion by Commissioner Stewart, seconded by Commissioner Fernandez, and carried with County Mayor Crotty and Commissioners Fernandez, Stewart, and Segal voting AYE by voice vote; Commissioner Sindler voting NO by voice vote; Commissioners Jacobs and Hartage were absent; the Board adopted Ordinance 2005-01 amending Orange County Code, Chapter 37, pertaining to water and wastewater capital charges, to include revisions as follows:

- Phase the implementation of the increase so that 50 percent of the increase is effective May 1, 2005, and the remaining 50 percent of the increase to be effective May 1, 2006; further,

- Provide that the current rate would apply to those plans for vertical construction submitted prior to May 1, 2005;

and further, approved Resolution 2005-SW-01 revising the Water System Charge Schedule effective May 1, 2005.

ORDINANCE PUBLIC HEARING-ENACTING ORANGE COUNTY CODE, CREATING THE ORANGE COUNTY/CITY OF ORLANDO CONSOLIDATION OF SERVICES STUDY, MANDATED BY ORANGE COUNTY CHARTER

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

AN ORDINANCE PERTAINING TO ORANGE COUNTY, FLORIDA, AND THE CITY OF ORLANDO, CREATING THE ORANGE COUNTY/CITY OF ORLANDO CONSOLIDATION OF SERVICES STUDY COMMISSION ("COMMISSION") MANDATED BY THE ORANGE COUNTY CHARTER; SPECIFYING THE NUMBER OF MEMBERS TO SERVE ON THE COMMISSION PURSUANT TO SECTION 901 OF THE ORANGE, COUNTY CHARTER; PROVIDING FOR THE TERM OF MEMBERSHIP; PROVIDING FOR THE DUTIES OF THE COMMISSION; PROVIDING FOR THE ADMINISTRATIVE MATTERS; PROVIDING FOR COMPLIANCE WITH LAW; PROVIDING FOR CONFLICT OF LAWS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

County Attorney Drage reviewed the proposed ordinance and outlined its provisions. He further recommended the following change to Section 4B, Administrative Matters:

After the words, "September 1, 2006," change the language to read as follows: "The first meeting of the Commission shall be April 6, 2005..."

No one appeared regarding the proposed ordinance.

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

Upon a motion by Commissioner Fernandez, seconded by County Mayor Crotty, and carried with County Mayor Crotty and Commissioners Sindler, Fernandez, and Stewart voting AYE by voice vote; Commissioner Segal voting NO by voice vote; Commissioners Jacobs and Hartage were absent; the Board adopted Ordinance 2005-02 enacting Orange County Code, creating the Orange County/City of Orlando Consolidation of Services Study Commission, mandated by Orange County Charter; to include revisions outlined by staff to Section 4B, Administrative Matters, as follows:

After the words, "September 1, 2006," change the language to read as follows: "The first meeting of the Commission shall be April 6, 2005 ..."

A motion by Commissioner Segal to limit the term of the Orange County/City Of Orlando Consolidation of Services Study Commission to 9 months died for the lack of a second.

COMPREHENSIVE POLICY PLAN (CPP) PUBLIC HEARINGS-TRANSMITTAL OF 2005-1 CPP
REGULAR CYCLE AMENDMENTS

Notice was given that the Board of County Commissioners would hold a public hearing regarding transmittal of proposed amendments to the Comprehensive Policy Plan (CPP), as it has been amended, as authorized by Chapter 163, Florida Statutes, for the matters set forth below:

1. Proposed amendments to the CPP Future Land Use Map (FLUM), which would change the designation of lands within the area identified on the Regular Cycle map with individual amendment numbers identifying the geographical areas proposed for amendments.
2. Proposed amendment to identify and rename portions of the Bithlo and Sunflower Trail Rural Settlement.
3. Proposed amendment to allow increased residential densities in the Avalon Rural Settlement when adjacent to other jurisdictions.
4. Proposed amendment to revise the Transportation Element to update concurrency policies.
5. Proposed amendment to revise the Transportation Element Figure 1: 2020 Long Range Plan to include updates based on the FY 2005/2006 Orange County Budget.
6. Proposed amendments to the Growth Center Policies.

(The Amendment Booklet is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

(The parcels of property that are subject to possible land use changes identified by the general location descriptions, acres, and tax parcel identification numbers are on file in

the office of the Comptroller Clerk of the Board of County Commissioners. Also, the currently adopted land uses and requested land use changes are on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

Staff stated that advertising requirements for the CPP Amendment public hearings were met and that the Local Planning Agency (LPA) considered all of the CPP amendments at its public hearing on December 16, 2004.

REGULAR CYCLE AMENDMENTS-TRANSMITTAL PUBLIC HEARINGS

Staff announced that the following privately initiated map amendment has been withdrawn:

- Amendment 2005-1-A-4-3, Dell Avery (Narcoossee Road at Tyson Road) (page 67 of the Amendment Booklet)

Privately-Initiated Map Amendment 2005-1-A-1-1, Roy Lee Mallard/Jonathon McKnight (page 7 of the Amendment Booklet)

Staff reviewed the request and noted the Local Planning Agency recommended transmittal with a future land use designation of Planned Development-Senior Adult Housing (Medium-Density Residential) and staff recommended not to transmit.

The following persons addressed the Board regarding the request:

- Pastor Jonathon McKnight, the applicant
- Debi Meli, area resident

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

Upon a motion by Commissioner Sindler, seconded by Commissioner Fernandez, and carried with all present members voting AYE by voice vote; Commissioners Jacobs and Hartage were absent; the Board approved Future Land Use Map Amendment 2005-1-A-1-1, Roy Lee Mallard/Jonathon McKnight, for transmittal to the State of Florida Department of Community Affairs.

Privately-Initiated Map Amendment 2005-1-A-1-2, Edward Speno (Winter Garden Vineland Road) (page 15 of the Amendment Booklet)

Staff reviewed the request for a change in the future land use designation from Village (Horizon West) and Rural/Agricultural to Planned Development-Low Density Residential (Urban Service Area) and noted the Local Planning Agency and staff recommended not to transmit.

The following persons addressed the Board regarding the request:

- Edward Speno, the applicant/developer
- Peter Gallo, for the applicant/developer
- James Arnold, area resident

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

Upon a motion by Commissioner Stewart, seconded by Commissioner Fernandez, and carried with all present members voting AYE by voice vote; Commissioners Jacobs and Hartage were absent; the Board approved Future Land Use Map Amendment 2005-1-A-1-2, Edward Speno, for transmittal to the State of Florida Department of Community Affairs; subject to the applicant submitting the planned development prior to final adoption.

Privately-Initiated Map Amendment 2005-1-A-2-1, Dell Avery/Kendall Keith (Round Lake Road at Church Street) (page 31 of the Amendment Booklet)

Staff reviewed the request and noted the Local Planning Agency and staff recommended transmittal with a future land use designation of Planned Development-Rural Settlement 1/1 and Rural Settlement 1/2.

The following persons addressed the Board regarding the request:

- Kendall Keith, for the applicant
- Barry Wilson, area resident
- Richard Durante, area resident
- John Masenna, area resident
- Michael Pepper, area resident

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

Upon a motion by Commissioner Sindler, seconded by County Mayor Crotty, and carried with all present members voting AYE by voice vote; Commissioners Jacobs and Hartage were absent; the Board continued consideration of Future Land Use Map Amendment 2005-1-A-2-1, Dell Avery/Kendall Keith, until 5 p.m., to allow for discussion among the parties (see page 259).

Commissioner Sindler left the meeting.

Privately-Initiated Map Amendment 2005-1-A-4-1, Todd Hudson (Kirby Smith Road) (page 45 of the Amendment Booklet)

Staff reviewed the request and noted the Local Planning Agency and staff recommended transmittal with a future land use designation of Rural Settlement 1/2.

The following person addressed the Board regarding the request:

- Todd Hudson, the applicant

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

Upon a motion by Commissioner Stewart, seconded by Commissioner Fernandez, and carried with all present members voting AYE by voice vote; Commissioners Jacobs, Sindler, and Hartage were absent; the Board approved Future Land Use Map Amendment 2005-1-A-4-1, Todd Hudson, for transmittal to the State of Florida Department of Community Affairs.

Privately-Initiated Map Amendment 2005-1-A-4-2, Dwight Saafthoff/Robert Zlatkiss (Sunflower Trail-USA Exp.) (page 53 of the Amendment Booklet)

Staff reviewed the request and noted the Local Planning Agency and staff recommended transmittal with a future land use designation of Planned Development-Low Density Residential (Urban Service Area).

The following persons addressed the Board regarding the request:

- Dwight Saafthoff, the applicant
- Crista Gunning, area resident

- Andrew Robinson, area resident

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

Upon a motion by Commissioner Stewart, seconded by Commissioner Sindler, and carried with all present members voting AYE by voice vote; Commissioners Jacobs, Sindler, and Hartage were absent; the Board approved Future Land Use Map Amendment 2005-1-A-4-2, Dwight Saafthoff/Robert Zlatkiss for transmittal to the State of Florida Department of Community Affairs, subject to the applicant holding neighborhood meetings and submitting a planned development application to control the density; and further, in no event does this transmittal imply adoption.

Commissioner Sindler rejoined the meeting.

Privately-Initiated Map Amendment 2005-1-A-2-1, Dell Avery/Kendall Keith (Round Lake Road at Church Street) (page 31 of the Amendment Booklet)-Continued

After discussion by the parties, the County Mayor reopened the public hearing (continued from page 257).

Upon a motion by Commissioner Sindler, seconded by Commissioner Fernandez, and carried with all present members voting AYE by voice vote; Commissioners Jacobs and Hartage were absent; the Board approved Future Land Use Map Amendment 2005-1-A-2-1, Dell Avery/Kendall Keith for transmittal to the Florida Department of Community Affairs with a future land use designation of Planned Development-Rural Settlement 1/1 and Rural Settlement 1/2, subject to the applicant submitting a planned development so that the net developable lots is 75 units.

THE FOLLOWING 4 STAFF INITIATED AMENDMENTS WERE CONSIDERED TOGETHER:

Staff-Initiated Policy Amendment 2005-1-B-FLUE-1, New Rural Settlements/Revision to FLUE Policy 2.1.1 (page 77 of the Amendment Booklet)

Staff reviewed the policies. Staff explained that the policy is related to new rural settlements. Staff noted that staff and the Local Planning Agency recommended approval of transmittal.

and

Staff-Initiated Policy Amendment 2005-1-B-FLUE-2, Revision to FLUE Policy 2.4.5-Lake Avalon Rural Settlement Densities (page 83 of the Amendment Booklet)

Staff reviewed the policies. Staff explained that the policy is related to Lake Avalon Rural Settlement Densities. Staff noted that staff and the Local Planning Agency recommended approval of transmittal.

and

Staff-Initiated Policy Amendment 2005-1-B-FLUE-3, Revision to FLUE Policy 1.2.1-Applicability of Joint Planning Agreements (JPA) (page 85 of the Amendment Booklet)

Staff reviewed the policies. Staff explained that the policy is related to clarifying the applicability of JPA agreements, addressing Growth Centers. Staff noted that staff and the Local Planning Agency recommended approval of transmittal.

and

Staff-Initiated Map Amendment 2005-1-B-TRAN-1, Revisions to Transportation Element Figure 1 (maps) (page 87 of the Amendment Booklet)

Staff reviewed the maps. Staff explained that the objective is to update various maps under Orange County 2020 Long Range Transportation Plan Map Series. Staff noted that staff and the Local Planning Agency recommended transmittal.

No one appeared regarding the requests.

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

Upon a motion by County Mayor Crotty, seconded by Commissioner Stewart, and carried with all present members voting AYE by voice vote; Commissioners Jacobs and Hartage were absent; the Board approved transmittal of the following staff initiated amendments to the State of Florida Department of Community Affairs:

- Amendment 2005-1-B-FLUE-1, New Rural Settlements/Revision to FLUE Policy 2.1.1
- Amendment 2005-1-B-FLUE-2, Revision to FLUE Policy 2.4.5-Lake Avalon RS Densities

- Amendment 2005-1-B-FLUE-3, Revision to FLUE Policy 1.2.1-Applicability of JPA Agreements
- Amendment 2005-1-B-TRAN-1, Revisions to Transportation Element Figure 1 (maps)

MEETING ADJOURNED

There being no further business, the County Mayor adjourned the meeting at 5:30 p.m.

ATTEST:

Martha O. Haynie
County Comptroller as Clerk

County Mayor

Deputy Clerk

Minutes Coordinator

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