

# Orlando Sentinel

## BUILDER ASKS CITY ABOUT A PROMISE

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ORANGE CITY -- When Maury Carter signed a development agreement with the city for land along Saxon Boulevard, his company handed over \$150,000 to help build a new public-safety complex nearby.

Five years later, there is still no new public-safety building, and don't count on seeing one any time soon.

Orange City officials dismiss the part of the contract that says Carter's money would build a public-safety complex near Saxon Boulevard and Interstate 4, regarding it as little more than a technicality.

Carter says it is not fair to the public that Orange City neglects a promise it made in a contract.

"A deal's a deal," he said. "In private enterprise... I have to deliver. It seems that local government there is not willing to do that. They've had since 1997 to do it. I never had a city or county or government commit to do something like that and not do it."

Carter's Orlando-based company, Maury L. Carter & Associates, was the overall developer of 69 acres stretching along the south side of Saxon Boulevard near Interstate 4. The property includes Office Depot and the Holiday Inn Express now under construction.

In 1997, officials from Carter's company and the city signed a contract that said Carter would pay \$150,000 to be used toward a new public-safety building.

As time went on, Carter began wondering what happened to his money.

City Manager Gene Miller said Carter's money went into funds for fire and police impact fees. The city uses money from those funds for public-safety expenses, such as its purchase of a new firetruck. The fund currently has about \$200,000.

Now, it appears that a public-safety complex just isn't the priority it was back in the mid-1990s when Orange City had a different city manager and council members. Back then, council members talked about saving money to build a public-safety complex.

"We saw that eventually, with the development along Saxon Boulevard in the future, we might have to have a safety complex down there," council member Ted Erwin said.

A study done back in 1997 said that the police and fire departments needed more space, but Orange City officials say it would cost millions of dollars to build a new complex and they don't have the money.

"You've got to analyze what are the overall needs of the entire city," Miller said. "They're cramped as far as space, but they're getting by."

Miller says the language in Carter's development agreement was apparently lifted from a 1989 agreement when Orange City first annexed the land.

The city established impact fees in 1990, and the money Carter paid for the public-safety building was in lieu of those fees, one-time charges to cover the costs of providing services that stem from development.

The contract "shouldn't have got that specific" about what Carter's money would be used for, Miller said. The contract never specified when or specifically where the complex should be built.

Past and present City Council members say Carter got a bargain. After all, they say, he paid a price that was set back in 1989, nearly a decade later.

Carter said the issue is not about his company's finances.

"The citizens have not gotten what we paid for and what was promised to them by the city," he said.

One small consolation: Carter will finally get to see the signs he expected the city to build five years ago, welcoming motorists to Orange City. Along with money for the public-safety building, he turned over an additional \$5,000 for signs. City officials say they plan to put up five such signs this year.