

Orange County Government

*Orange County Administration Center
201 S Rosalind Ave.
Orlando, FL 32802-1393*



Final BCC Meeting Minutes

Tuesday, November 28, 2017

9:00 AM

County Commission Chambers

Board of County Commissioners

Call to Order

County Mayor Jacobs called the meeting to order at 9:09 a.m.

Present: 7 - Mayor Teresa Jacobs, Commissioner Bryan Nelson, Commissioner Jennifer Thompson, Commissioner Pete Clarke, Commissioner Betsy VanderLey, Commissioner Emily Bonilla, and Commissioner Victoria P. Siplin

County Comptroller Phil Diamond as Clerk
County Administrator Ajit Lalchandani
Assistant County Administrator Chris Testerman
County Attorney Jeffrey J. Newton
Deputy County Attorney Joel Prinsell
Deputy Clerk Katie Smith
Senior Minutes Coordinator Jennifer Lara-Klimetz
Senior Minutes Coordinator Craig Stopyra

Invocation - District 2

Pastor David Schorejs, First Baptist Church of Apopka

Pledge of Allegiance

Public Comment

The following persons addressed the Board for public comment:

- Philip Unser
- Clifford Turk
- Mike Nolan
- Karen Knapik
- Natalie Harris
- Pam Dimarzio

The following material was presented to the Board during public comment: Exhibit 1, from Pam Dimarzio.

The following materials were received by the Clerk during public comment. The materials referenced by the speaker were not presented to the Board.

- Submittal 1, from Philip Unser
- Submittal 2, from Karen Knapik
- Submittal 3, from Pam Dimarzio

I. CONSENT AGENDA

Approval of the Consent Agenda

The Mayor deferred action on Community, Environmental and Development Services Department Item 3; and further, a motion was made by Commissioner VanderLey, seconded by Commissioner Nelson, to approve the balance of the Consent Agenda. The motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

A. COUNTY MAYOR

1. [17-1555](#) Confirmation of the following managerial appointments: Christine Lofye as Manager of Traffic Engineering Division, Public Works Department and Kelly Finkelstein as Manager of the Communications Division, County Administration.

B. COUNTY COMPTROLLER

1. [17-1556](#) Approval of the minutes of the October 31, 2017 meeting of the Board of County Commissioners. (Clerk's Office)
2. [17-1557](#) Approval of the check register authorizing the most recently disbursed County funds, having been certified that same have not been drawn on overexpended accounts. Periods are as follows:

-November 10, 2017, to November 16, 2017; total of \$18,450,755.88
-November 17, 2017, to November 21, 2017; total of \$23,686,010.55.

(Finance/Accounting)

C. COUNTY ADMINISTRATOR

1. [17-1558](#) Approval and execution of Resolution 2017-B-07 for issuance of Homeowner Mortgage Revenue Bonds, Homeowner Subordinate Mortgage Revenue Bonds, and/or Homeowner Revenue Bonds in one or more series, in an amount not-to-exceed \$90,000,000. (Housing Finance Authority)
2. [17-1559](#) Approval and execution of Resolution 2017-M-48 of the Orange County Board of County Commissioners regarding Spectrum AG Qualified Target Industry Tax Refund. (Office of Economic, Trade and Tourism Development)
3. [17-1560](#) Approval for the Orange County Sheriff's Office to spend \$16,000 from the FY 2018 Law Enforcement Trust Fund to provide eligible contributions to Youth Central Connection (\$1,000), Central Florida YMCA (\$10,000), and FOP Lodge 93 "Cops and Kids" Program (\$5,000). (Office of Management and Budget)
4. [17-1561](#) Approval of budget transfers #17-1609 and #18-0504. (Office of Management and Budget)

D. ADMINISTRATIVE SERVICES DEPARTMENT

1. [17-1562](#) Approval of Change Order No. 3, Contract No. Y17-726 with Axios Construction Services, LLC in the amount of \$6,737.81 for the Animal Services Building 500 HVAC & Building Renovations. The revised lump sum contract amount is \$434,393.06. (Capital Projects Division)
2. [17-1563](#) Approval to award Invitation for Bids Y18-113-LC, Electrical Maintenance Repair and Replacement Services, to the low responsive and responsible bidders, Greater Florida Electrical Contractors, Inc. as the primary contractor and CNI Electric, Inc and Heron Electric, Inc. as the secondary contractors for a 2-year term. The total combined estimated contract award amount is \$1,800,000. ([Administrative Services Department Facilities Management Division] Procurement Division)
3. [17-1564](#) Approval to award Invitation for Bids Y17-785-PH, Holden Heights Community Improvements Phase IV, to the low responsive and responsible bidder, Pospiech Contracting, Inc. The estimated contract award amount is \$4,215,000. ([Utilities Department Engineering Division] Procurement Division)
4. [17-1565](#) Approval to award Invitation for Bids Y17-786-PH, Northwest Water Reclamation Facility (NWRP) and Eastern Water Reclamation Facility (EWRP) Disk Filter Installation, to the low responsive and responsible bidder, PWC Joint Venture, LLC. The total contract award amount is \$3,104,000. ([Utilities Department Engineering Division] Procurement Division)
5. [17-1566](#) Approval to award Invitation for Bids Y18-707-CC, Orange County Courthouse Exterior Building Protection Modifications, to the sole responsive and responsible bidder, Café Construction & Development, Inc. The total contract award amount is \$238,000. ([Administrative Services Department Capital Projects Division] Procurement Division)
6. [17-1567](#) Approval to award Invitation for Bids Y18-708-CC, Animal Services - Interactive Yards, to the low responsive and responsible bidder, J. Costa Group, LLC. The total contract award amount is \$146,937.03, which includes additive bid item 1. ([Administrative Services Department Capital Projects Division] Procurement Division)
7. [17-1568](#) Approval of Amendment No. 5, Contract Y6-816, Final Engineering Design Services for Econlockhatchee Trail (from Lake Underhill Road to S.R. 50), with URS Corporation Southern, in the amount of \$726,936.09, for a revised contract amount of \$3,150,355.24. ([Public Works Department Engineering Division] Procurement Division)

8. [17-1569](#) Approval of Purchase Order M87248, Reconditioning of Two Belt Filter Presses, Model Klampress Type 94 High Solids 3 Belt, to ALFA Laval, Inc. in the amount of \$320,365. ([Utilities Department Engineering Division] Procurement Division)
9. [17-1570](#) Selection of Selectron Technologies, Inc., to provide The Utilities Customer Information System (CIS) Solution: Payment Gateway, Interactive Voice and Web Response (IVR and IWR), Outbound Notifications, Call Center Module and Mobility Solution, Request for Proposals Y17-125-PD. ([Utilities Department Fiscal and Operational Support Division] Procurement Division)
10. [17-1571](#) Approval and execution of Deed of Conservation Easement and Termination of Conservation Easement between Grove Resort Community Development District and Orange County with third party enforcement rights to South Florida Water Management District and U.S. Army Corps of Engineers and authorization to record instrument for Grande Palisades Resort (CAI 04-018). District 1. (Real Estate Management Division)
11. [17-1572](#) Approval and execution of Distribution Easement from Orange County to Duke Energy Florida, LLC, d/b/a Duke Energy and authorization to record instrument for Deputy Jonathan "Scott" Pine Community Park. District 1. (Real Estate Management Division)
12. [17-1573](#) Approval and execution of Resolution and authorization to initiate condemnation proceedings for Boggy Creek Rd (Osceola Cnty line to 600' N. of Central FI Greenway SR 417). District 4. (Real Estate Management Division)
13. [17-1574](#) Approval and execution of Resolution 2017-M-49 and authorization to record instrument for Arden Park North Phase 2A OCU File #78631. District 2. (Real Estate Management Division)
14. [17-1575](#) Approval of Memorandum of Understanding between Orange County Convention Center and Orange County Utilities Department, approval and execution of Notice of Reservation and authorization to disburse funds to pay recording fees and record instrument for Pump Station F3167 (Sea World). District 1. (Real Estate Management Division)
15. [17-1576](#) Approval of Quit-Claim Deed from Meritage Homes of Florida, Inc. f/k/a The Greater Construction Corp. to Orange County and authorization to disburse funds to pay all recording fees and record instrument for Pump Station No. 3320 (Gingermill). District 4. (Real Estate Management Division)
16. [17-1577](#) Approval of Donation Agreement and Utility Easement between Avalon Park Property Owners Association, Inc. and Orange County and authorization to

disburse funds to pay all recording fees and record instrument for FM R/R East Area Package 3 (Lake Live Oak Dr). District 4. (Real Estate Management Division)

17. [17-1578](#) Approval of Utility Easement from D. R. Horton, Inc. to Orange County and authorization to record instrument for Waterleigh Phase 2A Permit: 16-S-022 OCU File #: 84827. District 1. (Real Estate Management Division)
18. [17-1579](#) Approval of Utility Easement from G&I VIII Piedmont Plaza, LLC to Orange County and Subordination of Encumbrances to Property Rights to Orange County from Branch Banking and Trust Company and authorization to record instruments for Piedmont Plaza Permit: 16-U-055 OCU File #: 86866. District 2. (Real Estate Management Division)
19. [17-1580](#) Approval of Sidewalk Easement from Maa Durga-Sri Sai Baba Temple, Inc. to Orange County and authorization to record instrument for Buena Vista Commons Phase II. District 1. (Real Estate Management Division)

E. COMMUNITY, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

1. [17-1581](#) Approval and execution of Orange County, Florida, Resolutions Establishing Special Assessment Liens for Lot Cleaning Services and approval to record Special Assessment Liens on property cleaned by Orange County, pursuant to Orange County Code, Chapter 28, Nuisances, Article II, Lot Cleaning. All Districts. (Code Enforcement Division)

LC 17-0986	LC 17-0910	LC 17-0980	LC 17-0744	LC 17-0989
LC 17-1025	LC 17-0924	LC 17-1042	LC 17-0792	LC 17-0990
LC 17-0849	LC 17-0930	LC 17-1048	LC 17-0813	LC 17-0994
LC 17-0856	LC 17-0945	LC 17-0650	LC 17-0883	LC 17-0995
LC 17-0859	LC 17-1032	LC 17-0821	LC 17-0929	LC 17-1015
LC 17-0860	LC 17-1036	LC 17-1041	LC 17-0935	LC 17-1022
LC 17-0861	LC 17-0889	LC 17-1052	LC 17-0940	LC 17-1027
LC 17-0876	LC 17-0893	LC 17-0743	LC 17-0963	LC 17-1043

2. [17-1582](#) Approval and execution of Third Amendment to Village H Horizon West Road Network Agreement (C.R. 545) by and among D.R. Horton, Inc., Avalon Properties, LTD., Titan Western Beltway, LLC, Hanover Hickory Nut, LLC, Zanzibar Properties, LLC, Mattamy Orlando LLC, Seidel West I, LLC, Lennar Homes, LLC, Columar Partnership Holding I, LLC, K. Hovnanian Winding Bay Preserve, LLC, Spring Grove Properties, LLC, and Orange County to modify the terms of the Agreement to adjust the Participating Owner's Obligations under Performance Threshold 3 and other modifications. District 1. (Roadway Agreement Committee)
4. [17-1584](#) Approval and execution of Resolutions of the Orange County Board of County Commissioners regarding Claim of Special Assessment Liens

Pursuant to Section 9-278 of the Orange County Code and approval to file Claim of Special Assessment Liens by Resolution for unsafe structures demolished by Orange County. District 6. (Code Enforcement Division)

<u>Case No.</u>	<u>Dist. #</u>	<u>Property Owner</u>	<u>Amount*</u>
A 16-0011	6	TYMBER SKAN ON THE LAKE OWNERS ASSN SEC THREE INC	\$ 9,320.47
A 16-0247	6	TYMBER SKAN ON THE LAKE OWNERS ASSN SEC THREE INC	\$ 8,074.80
A 16-0294	6	TYMBER SKAN ON THE LAKE OWNERS ASSOCIATION SECTION ONE	\$ 8,198.00
A 16-0087	6	SOTELO SAYAM; SOTELO JULBRINE F	\$8,623.00
A 16-0111	6	TYMBER SKAN ON THE LAKE OWNERS ASSN SECTION THREE INC	\$ 8,662.80
A 16-0112	6	TAN MING MEI; TAN MING SHENG; TAN MING ZHUANG	\$ 8,499.80
A 16-0113	6	FLETCHER ZAPHEI; WATSON CHERYL	\$ 8,562.79
A 16-0114	6	TATIANA SHENDER	\$ 8,496.80
A 16-0141	6	GALLAGHER MORTGAGE CO INC	\$ 9,751.66
A 16-0145	6	VEGA KATHI SUE	\$ 9,750.62
A 16-0146	6	WM PROP LLC	\$ 9,750.61
A 16-0161	6	TYMBER SKAN ON THE LAKE OWNERS ASSN SEC THREE INC	\$ 8,684.11
A 16-0162	6	ASP-READYCHEM LLC	\$ 8,784.11
A 16-0163	6	TRUST NO 4110 46-F	\$ 8,684.11
A 16-0164	6	ALEXANDER MORIECE J; ALEXANDER DESRIE	\$ 8,684.11
A 16-0165	6	WATSON CARLOS F	\$ 8,684.11
A 16-0167	6	GALLAGHER MORTGAGE CO INC	\$9,884.13
A 16-0168	6	GALLAGHER MORTGAGE CO INC	\$ 8,684.13
A 16-0263	6	RUIZ WELINTON; DIAZ LUISA	\$10,697.33
A 16-0266	6	CHARLES RHODE; CHARLES SMITH	\$ 9,824.43
A 16-0270	6	TAN MING SHENG; TAN MING ZHUANG; TAN MING MEI	\$ 9,824.40
A 16-0288	6	TYMBER SKAN ON THE LAKE OWNERS ASSOCIATION SECTION ONE	\$ 8,299.79
A 16-0333	6	TYMBER SKAN ON THE LAKE OWNERS ASSN SEC THREE INC	\$ 8,259.13

F. FAMILY SERVICES DEPARTMENT

1. [17-1585](#) Approval and execution of License Agreement between Orange County, Florida and Florida Leadership Venture, Inc., dba Elevate Orlando regarding the use of Orange County's Community Centers for the Holden Heights Community Center. District 6. (Community Action Division)
2. [17-1586](#) Receipt and filing of Head Start Policy Council Program Information and Updates September 2017; Head Start Policy Council Program Information and Updates October 2017; Head Start Policy Council Meeting Minutes August 24, 2017 and Head Start Policy Council Meeting Minutes September

28, 2017 for the official county record. (Head Start Division)

3. [17-1587](#) Approval of the November 2017 Business Assistance for Neighborhood Corridors Program Grant for House of Plastics (\$4,950). District 6. (Neighborhood Preservation and Revitalization Division)

G. HEALTH SERVICES DEPARTMENT

1. [17-1588](#) Approval and execution of Memorandum of Understanding between Orange County, Florida; Community Based Care of Central Florida, Inc.; Florida Department of Children and Families; Central Florida Cares Health System, Inc.; Federation of Families of Central Florida, Inc.; Orange County Public Schools; Visionary Vanguard Group, Inc.; Heart of Florida United Way, Inc.; and Florida MHS, Inc. regarding a Youth Mental Health Management Network Consortium. (Mental Health and Homeless Issues Division)

H. PUBLIC WORKS DEPARTMENT

1. [17-1589](#) Approval and execution of Agreement for Traffic Law Enforcement on Private Roads located within the gated community of Overlook at Ruby Lake Phase 1 and Overlook at Ruby Lake Phase 2 by and between Orange County, Florida and Pulte Home Company, LLC. District 1. (Administration)
2. [17-1590](#) Authorization to record the plat of Vista Pines. District 3. (Development Engineering Division)
3. [17-1591](#) Authorization to record the plat of Buena Vista Commons Phase II. District 1. (Development Engineering Division)
4. [17-1592](#) Approval and execution of Agreement for Traffic Law Enforcement on Private Roads located within the gated community of Goldenrod Reserve by and between Orange County, Florida, Park Square Enterprises, LLC, and Goldenrod II, LLC. District 3. (Administration)
5. [17-1593](#) Approval of Traffic Control Device and "No Parking" sign installations in Royal Vista. District 5. (Traffic Engineering Division)
6. [17-1594](#) Approval of Dallas Boulevard Borrow Pit Phases 3, 4 and 5 expansion and authorization to issue Excavation Permit #11-E4-1019 to Farmland Reserve, Inc. District 4. (Development Engineering Division)

I. UTILITIES DEPARTMENT

1. [17-1595](#) Authorization for the County Administrator to approve scheduling or other administrative changes and execute minor amendments to State Financial Assistance Agreement Orange County/DEP Agreement No. LP4803PH, regarding the Little Egypt Limited Septic to Sewer Conversion Project, which do not affect the total aggregate amount of the budget or purpose of

the project. District 6. (Engineering Division)

2. [17-1596](#) Approval and execution of First Amendment to Reedy Creek Reams Road Wholesale Interconnect Reimbursement Agreement between Orange County and Reedy Creek Improvement District, for a revised cost in an amount not-to-exceed \$2,203,496.79 for the construction of a 24-inch force main. District 1. (Engineering Division)

II. INFORMATIONAL ITEMS**

A. COUNTY COMPTROLLER

1. [17-1597](#) Receipt of the following items to file for the record: (Clerk's Office)
 - a. City of Orlando Voluntary Annexation Request - 2338 S. Brown Avenue and 1305 Page Avenue - ANX2017-10001. Notice of Proposed Enactment. Proposed Ordinance 2017-59, entitled: An Ordinance of the City Council of the City of Orlando, Florida, annexing to the corporate limits of the City certain land generally located north of Page Avenue, east of Mayer Street, and west of South Brown Avenue, and comprised of 0.294 acres of land, more or less; and amending the City's Boundary Description; amending the City's adopted Growth Management Plan to designate the property as Residential-Low Intensity on the City's Official Future Land Use Maps; designating the property as the 1-2 Family Residential District with the Traditional City Overlay District (R-2A/T) on the City's Official Zoning Maps; providing for amendment of the City's Official Future Land Use and Zoning Maps; providing for severability, correction of scrivener's errors, permit disclaimer, and an effective date. A public hearing on this Ordinance will be held during Council's regular meeting beginning at 2:00 p.m., in Council Chambers, 2nd floor, Orlando City Hall, 400 S. Orange Ave., Orlando, Florida. The public hearing and request for second reading of this Ordinance is scheduled for November 13, 2017. The first reading of this Ordinance is scheduled for October 23, 2017.
 - b. City of Orlando Voluntary Annexation Request - 5309 McCoy Road - ANX2017-00009. Notice of Proposed Enactment. Proposed Ordinance 2017-55, entitled: An Ordinance of the City Council of the City of Orlando, Florida, annexing to the corporate limits of the City certain land generally located west of North Frontage Road, north of McCoy Road, and east of South Conway Road, and comprised of 7.07 acres of land, more or less; and amending the City's Boundary Description; amending the City's adopted Growth Management Plan to designate the property as Metropolitan Activity Center on the City's Official Future Land Use Maps; designating the property as the Metropolitan Activity Center District with the Aircraft Noise Overlay District on the City's Official Zoning Maps; providing for amendment of the City's Official Future Land Use and Zoning Maps;

providing for severability, correction of scrivener's errors, permit disclaimer, and an effective date. A public hearing on this Ordinance will be held during Council's regular meeting beginning at 2:00 p.m., in Council Chambers, 2nd floor, Orlando City Hall, 400 S. Orange Ave., Orlando, Florida. The public hearing and request for second reading of this Ordinance is scheduled for November 13, 2017. The first reading of this Ordinance was approved on October 9, 2017.

c. City of Winter Garden Notice of Annexation Ordinances, Attachment A (Legal Descriptions) and Attachment B (Location Maps) as follows:

-Ordinance 17-50, An Ordinance of the City of Winter Garden, Florida providing for the annexation of certain additional lands generally described as approximately 0.26 ± acres located at 430 E. Cypress Street on the south side of E. Cypress Street, east of Summer Street, and west of 9th Street into the City of Winter Garden Florida; redefining the city boundaries to give the city jurisdiction over said property; providing for severability; providing for an effective date.

-Ordinance 17-53, An Ordinance of the City of Winter Garden, Florida providing for the annexation of certain additional lands generally described as approximately 0.35 ± acres located at 41 E. Morgan Street on the northwest corner of Cross Street and E. Morgan Street into the City of Winter Garden Florida; redefining the city boundaries to give the city jurisdiction over said property; providing for severability; providing for an effective date.

d. Jurisdictional Boundary Map Update in reference to Ordinance No. 2017-52, entitled: An Ordinance of the City Council of the City of Orlando, Florida, annexing to the corporate limits of the City certain land generally located south of Hoffner Avenue, east of Conway Road and west of Kempston Drive and comprised of 0.713 acres, more or less; amending the City's adopted Growth Management Plan to designate the property as office low intensity on the City's Official Future Land Use Maps; designating the property as the O-1 Low Intensity Office-Residential District along with Aircraft Noise and Conway Road Special Plan Overlay Districts, on the City's Official Zoning Maps; providing for amendment of the City's official Future Land Use Maps; providing findings, amendment of the City's boundary description and for the amendment of the City's official maps; providing for severability, correction of scrivener's errors, permit disclaimer and an effective date.

e. Audit Report No. 466 - Follow-up of the Audit of the Orange County Corrections Probation Unit

This item was received and filed.

III. DISCUSSION AGENDA

A. ADMINISTRATIVE SERVICES DEPARTMENT

- 1. [17-1598](#) Selection of one firm and an alternate to provide Professional Engineering Services for the Final Design of Oak Ridge Road Pedestrian Safety Project, Request for Proposals Y17-820-CH, from the following two firms, listed alphabetically:

- AVCON, Inc.
- DRMP, Inc.

([Public Works Department Engineering Division] Procurement Division)

A motion was made by Commissioner Clarke, seconded by Commissioner Nelson, to appoint AVCON, Inc., 480 points, as the selected firm; and further, appoint DRMP, Inc., 367.7 points, as the alternate. The motion carried by the following vote:

Aye: 5 - Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner Bonilla, and Commissioner Siplin

Absent: 1 - Mayor Jacobs

Recuse: 1 - Commissioner VanderLey
d:

B. FAMILY SERVICES DEPARTMENT

- 1. [17-1599](#) Census 2020 Preparation. (Community Action Division)

The Board took no action.

IV. WORK SESSION AGENDA

B. UTILITIES DEPARTMENT

- 1. [17-1601](#) Wedgefield Water. District 5. (Administration)

The following person addressed the Board: Mike Nolan.

The Board directed staff to validate the signatures on non-binding letters; procure outside consultants for due diligence; and further, engage Pluris regarding acquisition.

A. COMMUNITY, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

- 1. [17-1600](#) Pine Castle Urban Center Code. All Districts. (Planning Division)

The following person addressed the Board: Julie Salvo.

The Board took no action.

V. RECOMMENDATIONS

1. [17-1602](#) November 2, 2017 Board of Zoning Adjustment Recommendations

A motion was made by Commissioner Thompson, seconded by Commissioner Clarke, to approve the recommendations; subject to the usual right of appeal by any aggrieved party. The motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

VI. PUBLIC HEARINGS

1. [17-1372](#) Petition to Vacate

Candice H. Hawks, on behalf of CalAtlantic Group, Inc., Petition to Vacate #17-02-012, vacate a drainage easement; District 3

Consideration: Resolution granting Petition to Vacate # 17-02-012, vacating a 20 foot by 50 foot drainage easement, containing approximately 0.023 acres.

Location: District 3; The parcel addresses are 197 N. Econlockhatchee Tr., 109 N. Econlockhatchee Tr., and 211 N. Econlockhatchee Tr.; S30/T22/R31; Orange County, Florida (legal property description on file)

The following person addressed the Board: Candice Hawks.

A motion was made by Commissioner Clarke, seconded by Commissioner Nelson, to approve the request. The motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

2. [17-1373](#) Petition to Vacate

Evangelina Maldonado, Petition to Vacate #17-02-010, vacate a utility easement; District 3

Consideration: Resolution granting Petition to Vacate # 17-02-010, vacating a 5 ft wide utility easement containing approximately 0.012 acres.

Location: District 3; The parcel address is 6901 Castillo Court; S15/T23/R30; Orange County, Florida (legal property description on file)

The following person addressed the Board: Elsa Garcia.

A motion was made by Commissioner Clarke, seconded by Commissioner Thompson, to approve the request. The motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

3. [17-1371](#) Petition to Vacate

Tyrone K. Smith, on behalf of Orange County Public Schools, Petition to Vacate #17-02-006, vacate a portion of a right-of-way; District 1

Consideration: Resolution granting Petition to Vacate # 17-02-006, vacating a portion of an unopened and unimproved right-of-way known as WJ Peters Lane containing 0.016 acres.

Location: District 1; The parcel addresses are 497 WJ Peters Lane and 356 E. Lafayette Street; S23/T22/R27; Orange County, Florida (legal property description on file)

The following person addressed the Board: Tyrone Smith.

A motion was made by Commissioner VanderLey, seconded by Commissioner Nelson, to approve the request. The motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

4. [17-1475](#) Rezoning

Tyrone K. Smith, Orange County Public Schools, Pershing K-8 Planned Development (PD), Case # LUP-17-05-173; District 3

Consideration: A request to rezone 14.82 gross acres from R-1A (Single-Family Dwelling District) and R-1AA (Single-Family Dwelling District) to PD (Planned Development District) in order to construct a 200,000 square foot K-8 public school with ancillary uses; pursuant to Orange County Code, Chapter 30.

Location: District 3; property generally located on the south side of Pershing Avenue, west of Bumby Avenue, and east of March Avenue; Orange County, Florida (legal property description on file in Planning Division)

The following persons addressed the Board:

- Tyrone Smith
- Susan Harrison
- Kristin Keller
- Linda Whiting
- Taylor Korty
- Bernadette Jaster
- Stephanie Little
- David Stewart
- Connie Warnick
- Ashlee Prior
- Shelly Dean
- Billy Butterfield
- Robyn Barnes
- Rick Baldocchi

The following material was presented to the Board prior to the close of the public hearing: Exhibit 1, from Tyrone Smith.

A motion was made by Commissioner Clarke, seconded by Commissioner VanderLey, to make a finding of consistency with the Comprehensive Plan; and approve the request subject to the conditions of approval listed under the Planning and Zoning Commission recommendation in the Staff Report. The motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

5. [17-1476](#) Agreement

Fourteenth Amendment to the Joint Planning Area Agreement between Orange County and the City of Maitland; Districts 2 (partial) and 5
(Continued from November 28, 2017)

Consideration: Fourteenth Amendment to the Joint Planning Area (JPA) Agreement between Orange County and the City of Maitland

A motion was made by Commissioner Bonilla, seconded by Commissioner Thompson, to continue the public hearing until January 23, 2018, at 2 p.m. The motion carried by the following vote:

Aye: 6 - Mayor Jacobs, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

Absent: 1 - Commissioner Nelson

6. [17-1334](#) Preliminary Subdivision Plan

James H. McNeil, Jr., Akerman, LLP, Heartwood Planned Development / Heartwood Preliminary Subdivision Plan, Case # PSP-17-01-012; District 5 (Continued from November 28, 2017)

Consideration: Heartwood Planned Development / Heartwood Preliminary Subdivision Plan, Case # PSP-17-01-012, submitted in accordance with Sections 34-69 and 30-89 Orange County Code; This Preliminary Subdivision Plan (PSP) is a request to subdivide 40.62 acres in order to construct thirty-eight (38) single-family residential dwelling units. This project is proposed to be gated under Orange County Code Sections 34-280, 34-290, and 34-291. The request also includes the following waiver from Orange County Code:

1. A waiver from Orange County Code Section 34-209 is granted to allow a six (6) foot high simulated aluminum / wrought iron fence with columns in lieu of a six (6) foot high masonry wall on Tracts A and B along Lake Pickett Road.

Location: District 5; property generally located South of Lake Pickett Road / West of Lake Louise; Orange County, Florida (legal property description on file in Planning Division)

The following persons addressed the Board:

- Jim McNeil
- Julie Wales
- Bobby Beagles

- Carl Roberge
- Kelly Semrad
- Tom Narut
- Mohammed Abdallah

The following materials were presented to the Board prior to the close of the public hearing:

- Exhibit 1, from Jim McNeil
- Exhibit 2, from Bobby Beagles
- Exhibit 3, from Kelly Semrad
- Exhibit 4, from Tom Narut

The following materials were received by the Clerk prior to the close of the public hearing. The materials referenced by the speaker were not presented to the Board.

- Submittal 1, from Bobby Beagles
- Submittal 2, from Tom Narut

During the public hearing there was extensive conversation regarding conditions of approval to be placed upon this development should the board approve the applicants request during the public hearing to be heard on January 9, 2018.

A motion was made by Commissioner Bonilla, seconded by Commissioner Thompson, to continue the public hearing until January 9, 2018, at 2 p.m. The motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

and

I. CONSENT AGENDA (Deferred)

E. COMMUNITY, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

- 3. [17-1583](#) Approval and execution of Right-of-Way and Proportionate Share Agreement for Heartwood Right-of-Way for Lake Pickett Road Improvements and Proportionate Share Contribution for Chuluota Road from Colonial Drive to Lake Pickett Road by and between Home Dynamics Corporation and Orange County for the dedication of 9,945 square feet of right-of-way as a donation, 10,089 square feet of right-of-way for \$17,350 in transportation impact fee credits and a proportionate share payment in the amount of \$156,558. District 5. (Roadway Agreement Committee)

This item was continued.

VI. PUBLIC HEARINGS

7. [17-1375](#) Preliminary Subdivision Plan

Christopher Wrenn, D.R. Horton, Inc., Waterleigh Planned Development / Phase 2D Parcel 24 (portion of) and APF Road (portion of) Preliminary Subdivision Plan, Case # PSP-16-11-388; District 1

Consideration: Waterleigh Planned Development / Phase 2D Parcel 24 (portion of) and APF Road (portion of) Preliminary Subdivision Plan, Case # PSP-16-11-388, submitted in accordance with Sections 34-69 and 30-89 Orange County Code; This Preliminary Subdivision Plan (PSP) is a request to subdivide 31.0 acres in order to construct one hundred five (105) single-family residential dwelling units. The request also includes the following waiver from Orange County Code:

1. A waiver from Orange County Code Section 34-152(c) is granted to allow Lots 362-421, 444-454, and 461-466 to front a mew. Legal access to these lots shall be through a platted ingress / egress easement in lieu of 20 feet fee simple as required by code.

Location: District 1; property generally located West of Avalon Road / South of Old YMCA Road; Orange County, Florida (legal property description on file in Planning Division)

A motion was made by Commissioner VanderLey, seconded by Commissioner Nelson, to make a finding of consistency with the Comprehensive Plan; and approve the request subject to the conditions of approval listed under the Development Review Committee recommendation in the Staff Report. The motion carried by the following vote:

Aye: 5 - Mayor Jacobs, Commissioner Nelson, Commissioner Clarke, Commissioner VanderLey, and Commissioner Siplin

Absent: 2 - Commissioner Thompson, and Commissioner Bonilla

8. [17-1335](#) Substantial Change

Jonathan A. Martin, Kimley-Horn & Associates, Inc., Sand Lake Groves Planned Development / Land Use Plan (PD / LUP), Case # CDR-17-06-191, amend plan; District 1

Consideration: A PD substantial change request to separate Tract 500 into Tract 500A (multi-family residential) and 500B (hotel / commercial); update the acreage in Tract 500; add a 5.44-acre open space and stormwater tract within Tract 500B; and revise the land use conversion table to include mini-warehouse. More specifically, the request is to convert 6,469 square feet of commercial to 103,500 square feet of mini-warehouse in Tract 500B only. In addition, the applicant is requesting the following two (2) waivers from Orange County Code: 1) A waiver from Section 38-1287(4) to allow paving setbacks reduced to zero (0) feet, in lieu of 7.5 feet between internal parcels. 2) A waiver from Section 38-1287(2) to allow building setbacks reduced to zero (0) feet, in lieu of a 30-foot building setback between internal parcels; pursuant to Orange County Code, Chapter 30, Article III, Section 30-89 and Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 1; property generally located North of Daryl Carter Parkway, south of Central Florida Parkway, east of Palm Parkway, and west of Interstate 4; Orange County, Florida (legal property description on file)

A motion was made by Commissioner VanderLey, seconded by Commissioner Nelson, to make a finding of consistency with the Comprehensive Plan; and approve the substantial change request subject to the conditions of approval listed under the Development Review Committee recommendation in the Staff Report. The motion carried by the following vote:

Aye: 6 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, and Commissioner Siplin

Absent: 1 - Commissioner Bonilla

9. [17-1374](#) Substantial Change

Richard L. Levey, Tavistock East Services, LLC, Sunbridge Planned Development / Land Use Plan (PD / LUP) - Case # CDR-17-08-268; amend plan; District 4

Consideration: A PD substantial change request to modify Board of County Commissioner condition of approval #30 from November 29, 2016, to require the developer to enter into a Joint Park Development Agreement with the County to participate in the funding and development of the Adequate Public Facility (APF) Community Park shown on the Final Regulating Plan prior to the County's acceptance of subdivision improvements of the first residential neighborhood or the recording of any plat for single- or multi-family residential development, in lieu of prior to approval of the first residential Preliminary Subdivision Plan; pursuant to Orange County Code, Chapter 30, Article III, Section 30-89 and Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 4; property generally located North and south of SR 528, approximately 3.5 miles east of SR 417; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Thompson, seconded by Commissioner Clarke, to make a finding of consistency with the Comprehensive Plan; and approve the substantial change request subject to the conditions of approval listed under the Development Review Committee recommendation in the Staff Report. The motion carried by the following vote:

Aye: 6 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, and Commissioner Siplin

Absent: 1 - Commissioner Bonilla

10. [17-1477](#) Substantial Change

Robert Paymayesh, Round Lake Trust, LLC, Terra Bona Planned Development / Terra Bona Preliminary Subdivision Plan / Development Plan, Case # CDR-17-02-063, amend plan; District 2

Consideration: This Preliminary Subdivision Plan (PSP) / Development Plan (DP) Change Determination Request (CDR) is a request to replace the previously approved Terra Bona PD / Terra Bona PSP / DP with a new PSP to subdivide 121.84 gross acres to allow for the construction of 104 detached single-family residential dwelling units; pursuant to Sections 34-69

and 30-89, Orange County Code.

Location: District 2, property generally located North of West Ponkan Road / West of Round Lake Road; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Nelson, seconded by Commissioner VanderLey, to make a finding of consistency with the Comprehensive Plan; and approve the substantial change request subject to the conditions of approval listed under the Development Review Committee recommendation in the Staff Report. The motion carried by the following vote:

Aye: 6 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, and Commissioner Siplin

Absent: 1 - Commissioner Bonilla

11. [17-1478](#) Substantial Change

David M Kelly, P.E., Poulos & Bennett, LLC, Meadow Woods Planned Development / Parcel 30.1 Preliminary Subdivision Plan, Case # CDR-17-04-131, amend plan; District 4

Consideration: This Preliminary Subdivision Plan (PSP) Change Determination Request (CDR) is a request to reduce the rear setbacks from 20' to 18'; reduce the Arbor Meadows Boulevard setbacks from 35' to 33'; and to convert the PSP from a gated community to a non-gated community with public roads; pursuant to Sections 34-69 and 30-89, Orange County Code.

Location: District 4, property generally located East of Landstar Boulevard / North of Rhode Island Woods Circle; Orange County, Florida (legal property description on file in Planning Division)

A motion was made by Commissioner Thompson, seconded by Commissioner Siplin, to make a finding of consistency with the Comprehensive Plan; and approve the substantial change request subject to the conditions of approval listed under the Development Review Committee recommendation in the Staff Report. The motion carried by the following vote:

Aye: 6 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, and Commissioner Siplin

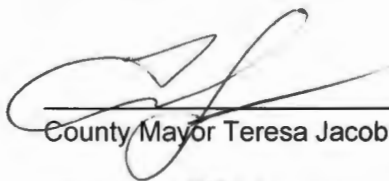
Absent: 1 - Commissioner Bonilla

√ The notated public hearing is quasi-judicial in nature. As such, any verbal or written communication with a member of the Board of County Commissioners prior to today's quasi-judicial hearing should be disclosed on the record or made a part of the record during the public hearing by or on behalf of the party who communicated with the Board member to allow any interested party an opportunity to inquire about or respond to such communication. Failure to disclose any such communication may place the party who ultimately prevails at the quasi-judicial hearing at risk of having the Board's decision overturned in a court of law due to prejudice against the party who was not privy to the ex parte communication.

Information regarding meetings held at the County Administration Building between any member of the Board and an outside party may be obtained at <http://www.orangecountyfl.net/visitors/reports/MeetingsReportPage.asp>.

ADJOURNMENT: 5:08 p.m.

ATTEST:

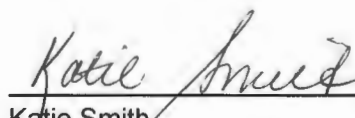


County Mayor Teresa Jacobs
Date: JAN 09 2018



ATTEST SIGNATURE:

Phil Diamond
County Comptroller as Clerk



Katie Smith
Deputy Clerk

* * *

Any person wishing to appeal any decision made by the Board of County Commissioners at this meeting will need a record of the proceedings. For that purpose, such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act (ADA), if any person with a disability as defined by the ADA needs special accommodation to participate in this proceeding, then not later than two (2) business days prior to the proceeding, he or she should contact the Orange County Communications Division at (407) 836-5517.

Para mayor información en español, por favor llame al (407) 836-3111.

NOTE: Reports from the County Mayor, the County Commissioners, the County Administrator, and the County Attorney may be presented at unscheduled times throughout the day, depending on the length of time required for advertised public hearings.

Copies of Specific Project Expenditure Reports and Relationship Disclosure Forms are not included with agenda items unless there is a listed expenditure or disclosure. Copies of these completed reports and forms may be obtained by contacting the relevant Department/Division Office.