

BCC Mtg. Date: April 11, 2017

# Orange County Government

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



## Final BCC Meeting Minutes

Tuesday, February 21, 2017

9:00 AM

County Commission Chambers

**Board of County Commissioners**

**Call to Order**

County Mayor Jacobs called the meeting to order at 9:07 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

Others Present:

- County Comptroller Phil Diamond as Clerk
- County Administrator Ajit Lalchandani
- County Attorney Jeffrey J. Newton
- Deputy County Attorney Joel Prinsell
- Deputy Clerk Katie Smith
- Senior Minutes Coordinator Jennifer Lara-Klimetz
- Minutes Coordinator Lakela Christian

**Invocation**

Mr. Dick Sauer

**Pledge of Allegiance**

**Public Comment**

The following persons addressed the Board for public comment:

- Catherine Ojeda
- Jon Forgione

**I. CONSENT AGENDA**

**Approval of the Consent Agenda**

The Mayor deferred action on County Attorney Item 1; further, deferred action on Community, Environmental and Development Services Department Consent Item 11 for consideration with public hearing Reams Road Property Planned Development/Land Use Plan, Case # CDR-16-09-329; and further, a motion was made by Commissioner VanderLey, seconded by Commissioner Clarke, 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 COMPTROLLER**

1. [17-223](#) Approval of the minutes of the January 24, 2017 meeting of the Board of County Commissioners. (Clerk’s Office)

2. [17-224](#) 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:

-February 3, 2017, to February 9, 2017; total of \$42,757,251.62  
-February 10, 2017, to February 16, 2017; total of \$32,403,075.42

(Finance/Accounting)

## **B. COUNTY ADMINISTRATOR**

1. [17-225](#) Confirmation of the reappointment to the Membership and Mission Review Board of Paul D. Seago as the District 2 representative with a term expiring December 31, 2018. (Agenda Development Office)
2. [17-226](#) Receipt and filing of the minutes received by the Agenda Development Office of various advisory board meetings. (Agenda Development Office)
3. [17-227](#) Approval and execution of Strategic Alliance Memorandum with the United States Small Business Administration and the Orange County Florida Government. (Office of Economic, Trade and Tourism Development)
4. [17-228](#) Approval to spend \$1,238,248 from the Law Enforcement Impact Fee fund to purchase equipment. (Office of Management and Budget)
5. [17-229](#) Approval of budget amendments #17-26 and #17-27. (Office of Management and Budget)
6. [17-230](#) Approval of budget transfer #17-00000718. (Office of Management and Budget)

## **D. ADMINISTRATIVE SERVICES DEPARTMENT**

1. [17-232](#) Approval to award Invitation for Bids Y17-122-MV, Rental of Portable Toilets, to the low responsive and responsible bidder, United Site Services, Inc. The estimated contract award amount is \$145,041 for an initial 3-year term. ([Public Works Department Roads and Drainage Division] Procurement Division)
2. [17-233](#) Approval to award Invitation for Bids Y17-143-PD, Median Tree Program, to the low responsive and responsible bidder, Ameriscapes Landscape Management Services, LLC, for Lot B, Commission Districts 4, 5 and 6. The estimated contract award amount is \$971,626 for a 3-year term. ([Public Works Department Engineering Division] Procurement Division)
3. [17-234](#) Approval to award Invitation for Bids Y17-151-LC, Employee Shuttle Bus Services for Orange County Convention Center, to the low responsive and

responsible bidder, US Coachways, Inc. The estimated annual contract award amount is \$164,680 for a 1-year term. ([Convention Center Fiscal and Operations Support Division] Procurement Division)

4. [17-235](#) Approval to award Invitation for Bids Y17-154-MV, Forest Management Contractor, to the sole responsive and responsible bidder, Natural Resource Planning Services, Inc. The estimated contract award amount is \$412,893.75, for an initial 3-year term. ([Community, Environmental and Development Services Department Environmental Protection Division] Procurement Division)
5. [17-236](#) Approval to award Invitation for Bids Y17-156-DG, Janitorial Services - 33rd Street, Michigan Street Complex and Miscellaneous Sites, to the low responsive and responsible bidder, Grosvenor Building Services, Inc., in the estimated contract award amounts of \$417,462.58 for Lot A (Corrections, Public Works and Miscellaneous Buildings) and \$303,763.29 for Lot B (Michigan Street Complex and Miscellaneous Buildings) for a 1-year term contract. ([Administrative Services Department Facilities Management Division] Procurement Division)
6. [17-237](#) Approval to award Invitation for Bids Y17-711-PH, South Water Reclamation Facility Fats, Oils and Grease (FOG) and Septage Receiving Station, to the low responsive and responsible bidder, Florida Design Contractors, Inc. The estimated contract award amount is \$2,749,000. ([Utilities Department Engineering Division] Procurement Division)
7. [17-238](#) Approval to award Invitation for Bids Y17-723-EB, Lila Mitchell Center Parking Lot Resurfacing, to the low responsive and responsible bidder, Condor Construction Corporation. The total contract award amount is \$368,400. ([Administrative Services Department Facilities Management Division] Procurement Division)
8. [17-239](#) Planning and Zoning Commission Board-Called  
  
Approval to award Invitation for Bids Y17-729-CC, East Orange Regional Park, to the low responsive and responsible bidder, Mulligan Constructors, Inc. The total contract award amount is \$3,685,000 (Alternate Bid). ([Administrative Services Department Capital Projects Division] Procurement Division)
9. [17-240](#) Approval of Amendment No. 3, Contract Y14-115A-DG, Janitorial Services - Countywide, Lot A with Florida Cleaning Systems, Inc. in the amount of \$55,000 for a revised total contract amount of \$1,053,219.16, to extend services for a period of two months. ([Administrative Services Department Facilities Management Division] Procurement Division)
10. [17-241](#) Approval of Amendment No. 7, Contract Y14-115B-DG, Janitorial Services -

Countywide, Lot B, with Florida Cleaning Systems, Inc. in the amount of \$46,300 for a revised total contract amount of \$927,387.94, to extend services for a period of two months. ([Administrative Services Department Facilities Management Division] Procurement Division)

11. [17-242](#) Approval of Contract Y17-1012-MG, Watersmart Customer Conserve Program with Watersmart Software, Inc. in the total contract award amount of \$162,875 for the initial 1-year term. ([Utilities Department Water Division] Procurement Division)
12. [17-243](#) Approval of Contract Y17-623-TA, Stryker Power-LOAD Cot Fastener Systems with Stryker Sales Corporation in the amount of \$1,663,569.35. ([Fire Rescue Department Infrastructure and Support Division] Procurement Division)
13. [17-244](#) Selection of Cribb Philbeck Weaver Group, Inc., to provide Design Services for Three Ballfields at Dr. P. Phillips Community Park, Request for Proposals Y17-803-CC. ([Administrative Services Department Capital Projects Division] Procurement Division)
14. [17-245](#) Approval and execution of Drainage Easement between Bonnet Creek Resort Community Development District and Orange County and Drainage Easement between Lennar Homes, LLC and Orange County and authorization to record instruments for Moss Park PD/Western Portion of Parcel N. District 4. (Real Estate Management Division)
15. [17-246](#) Approval and execution of Notice to Tax Collector of Application for Tax Deed on behalf of Orange County and authorization for Comptroller to pay all fees and costs and perform all actions necessary and incidental to Tax Deed Sale for Tax Certificates held by Orange County (properties valued at \$5,000 or above for Tax Year 2011). Districts 1, 2, 3, 4, 5 and 6. (Real Estate Management Division)
16. [17-247](#) Approval and execution of Notice to Tax Collector of Application for Tax Deed on behalf of Orange County and authorization for Comptroller to pay all fees and costs and perform all actions necessary and incidental to Tax Deed Sale for Tax Certificates held by Orange County (properties valued at \$5,000 or above for Tax Year 2012). Districts 1, 2, 3, 4, 5 and 6. (Real Estate Management Division)
17. [17-248](#) Approval and execution of License Agreement For Lay Down Area at 10901 Tangora Street between Schuller Contractors Incorporated and Orange County for Park Manor Estates Underdrain Y16-7000-RM. District 4. (Real Estate Management Division)
18. [17-249](#) Approval and execution of Resolution 2017-M-03 declaring county property surplus and authorizing private sale for Sale of Surplus Property Delora

Drive. District 1. (Real Estate Management Division)

19. [17-250](#) Approval of As Is Residential Contract for Sale and Purchase with Comprehensive Rider to the Residential Contract for Sale and Purchase between Orange County and Nannette Washington, approval and execution of County Deed from Orange County to Nannette Washington and authorization to perform all actions necessary and incidental to closing for NSP Resale - 6327 Jennifer Jean Drive, Orlando, FL 32818 (NCST). District 2. (Real Estate Management Division)
20. [17-251](#) Approval of As Is Residential Contract for Sale and Purchase with Comprehensive Rider to the Residential Contract for Sale and Purchase and Addendums to Contract between Orange County and Tatiana Velez Adorno, approval and execution of County Deed from Orange County to Tatiana Velez Adorno and authorization to perform all actions necessary and incidental to closing for NSP Resale - 9536 Sundance Court, Orlando, FL 32825 (NCST). District 3. (Real Estate Management Division)
21. [17-252](#) Approval of Utility Easement between BRXW Holdings, LLC and Orange County, Subordination of Encumbrances to Property Rights to Orange County from Stearns Bank National Association and authorization to record instruments for Goldenrod Car Wash Permit: B16901585 OCU File #: 86047. District 3. (Real Estate Management Division)
22. [17-253](#) Approval of Utility Easement between MG3 Orlando School, LLC and Orange County, Subordination of Encumbrances to Property Rights to Orange County from EB-5 Charter School Florida, LP, Subordination of Encumbrance to Property Rights to Orange County from Advantage Academy of Hillsborough, Inc. and authorization to record instruments for Orange County Preparatory Academy Permit: B15902347 OCU File #: 81807. District 5. (Real Estate Management Division)
23. [17-254](#) Approval of Utility Easement between CRP/FP Axis West Owner, L.L.C. and Orange County with Joinder and Consent of Association to Utility Easement from Westwood Lakes Property Owners' Association, Inc., Subordination of Encumbrances to Property Rights to Orange County from Branch Banking and Trust Company and authorization to record instruments for The Axis - Seaworld Site Work NC Permit: B15902580 OCU File #: 81826. District 1. (Real Estate Management Division)

#### **E. COMMUNITY, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT**

1. [17-255](#) 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 17-0159 LC 17-0176 LC 17-0231 LC 17-0148 LC 17-0038  
 LC 17-0241 LC 17-0177 LC 17-0235 LC 17-0287 LC 17-0064  
 LC 16-1079 LC 17-0196 LC 17-0237 LC 16-0846 LC 17-0099  
 LC 16-1146 LC 17-0197 LC 17-0238 LC 16-0963 LC 17-0129  
 LC 17-0024 LC 17-0199 LC 17-0291 LC 17-0005 LC 17-0160  
 LC 17-0063 LC 17-0200 LC 17-0303 LC 17-0007 LC 17-0168  
 LC 17-0070 LC 17-0210 LC 17-0294 LC 17-0014 LC 17-0170  
 LC 17-0074 LC 17-0195 LC 17-0137 LC 17-0028 LC 17-0205

2. [17-256](#) Approval and execution of Resolution 2017-M-04 of the Orange County Board of County Commissioners regarding The Florida Land Acquisition Trust Fund related to funding for conservation lands and projects that improve water quality. All Districts.
3. [17-257](#) Approval and execution of Resolution 2017-M-05 of the Orange County Board of County Commissioners regarding Alternative Septic Treatment Technology. All Districts. (Environmental Protection Division)
4. [17-258](#) Acceptance of Recommendation of the Environmental Protection Commission to approve the request for waiver to Orange County Code, Chapter 15, Article IX, Section 15-342(b) (terminal platform size) with a condition that the applicant pay \$522 to the Conservation Trust Fund and approve the request for variance to Section 15-343(a) (side setback) for the Seppi Dock Construction Permit BD-16-10-096. District 1. (Environmental Protection Division)
5. [17-259](#) Acceptance of Recommendation of the Environmental Protection Commission to approve the after-the-fact request for variance to Orange County Code, Chapter 15, Article IX, Section 15-342(e) (roof height) for the Robert Kent Howell Dock Construction Permit BD-15-05-052. District 1. (Environmental Protection Division)
6. [17-260](#) Acceptance of Recommendation of the Environmental Protection Commission to uphold the Environmental Protection Officer's recommendation of approval of the after-the-fact request for variance from Chapter 15, Article IX, Section 15-343(a) (side setback) for the Chaddah Dock Construction Permit BD-15-10-112. District 1. (Environmental Protection Division)
7. [17-261](#) Approval and execution of First Amendment to Project Administration Agreement (#2016-9-01) between Orange County, Florida and Aspire Health Partners, Inc., regarding The Community Development Block Grant Program FY 2016-2017 to allow Orange County to render payments to Aspire Health Partners, Inc., in the amount of \$52,000. All Districts. (Housing and Community Development Division)



8. [17-262](#) Approval and execution of Agreement between Orange County, Florida and Housing Authority of the City of Winter Park Regarding The Community Development Block Grant Program FY 2016-2017 in the amount of \$470,975. District 5. (Housing and Community Development Division)
9. [17-263](#) Approval and execution of Agreement between Orange County, Florida and United Cerebral Palsy of Central Florida, Inc. regarding the Community Development Block Grant Program FY 2015-2016 in the amount of \$21,780. All Districts. (Housing and Community Development Division)
10. [17-264](#) Approval and execution of Proportionate Share Agreement for McCorvey Sheet Metal Building Expansion Taft-Vineland Road: From General Drive to Orange Avenue Taft Vineland Road: From Orange Blossom Trail to General Drive by and between McCorvey Florida Holdings, LLC and Orange County for a proportionate share payment in the amount of \$54,760. District 4. (Roadway Agreement Committee)

#### **F. FAMILY SERVICES DEPARTMENT**

1. [17-266](#) Approval and execution of Florida Department of Children and Families Application for a License to Operate a Child Care Facility at Southwood Head Start. This application is only executed by Orange County. (Head Start Division)
2. [17-267](#) Approval of the January 2017 Business Assistance for Neighborhood Corridors Program Grant for Pine Dental Health (\$5,000). District 6. (Neighborhood Preservation and Revitalization Division)

#### **G. FIRE RESCUE DEPARTMENT**

1. [17-268](#) Approval and execution of Resolution 2017-M-06 of the Orange County Board of County Commissioners Regarding Local Mitigation Strategy and adoption of Orange County Local Mitigation Strategy 2016. (Office of Emergency Management)

#### **H. HEALTH SERVICES DEPARTMENT**

1. [17-269](#) Approval and execution of the renewal Certificate of Public Convenience and Necessity for Florida Flight 1 to provide Advanced Life Support Transport Service. The term of this certificate is from March 1, 2017 through March 1, 2019. There is no cost to the County. (EMS Office of the Medical Director)
2. [17-270](#) Approval and execution of the renewal Certificate of Public Convenience and Necessity for Orlando Fire Department to provide Advanced Life Support Transport Service. The term of this certificate is from March 1, 2017



through March 1, 2019. There is no cost to the County. (EMS Office of the Medical Director)

## I. PUBLIC WORKS DEPARTMENT

1. [17-271](#) Approval of Traffic Control Devices and “No Parking” sign installations in Horizon West Spring Hill (aka Storey Grove Phase 1A-1). District 1. (Traffic Engineering Division)
2. [17-272](#) Approval and execution of application for Revocable, Non-Exclusive License for Access Line to Splice into CFX’s Fiber Optic Network (“FON”). Districts 1 and 2. (Traffic Engineering Division)
3. [17-273](#) Authorization to record the plat of East-Tract 8A. (Development Engineering Division)
4. [17-275](#) Approval and execution of Agreement for Traffic Law Enforcement on Private Roads located in the gated community of Windermere Chase Phase 1 and Windermere Chase Phase 2 by and between Orange County, Florida and Windermere Chase Homeowners Association, Inc. District 1.

## J. UTILITIES DEPARTMENT

1. [17-276](#) Approval and execution of Third Amendment to Interlocal Agreement Between The Water Cooperative of Central Florida and Reedy Creek Improvement District Relating to the Preliminary Design and Permitting of the Alternative Water Supply Project Known as the Cypress Lake Wellfield and Related Matters by and between The Water Cooperative of Central Florida and Reedy Creek Improvement District. All Districts.
2. [17-277](#) Approval and execution of South Florida Water Management District Cooperative Funding Program Alternative Water Supply (AWS) Agreement Number: 4600003498 between South Florida Water Management District and Orange County Board of County Commissioners for CFP AWS - Project # UKB-2002-Lower Floridan Booster Pump Station (International Drive Area) Project for an amount not to exceed \$500,000, and delegation of authority to the County Administrator to approve scheduling or other administrative changes and execute minor amendments to the agreement which do not affect the total aggregate amount of the budget or intent of the project. District 1. (Engineering Division)

## II. DISCUSSION AGENDA

### A. COUNTY ADMINISTRATOR

1. [17-278](#) Appointment of an individual to the Code Enforcement Board with a term expiring December 31, 2017. (Agenda Development Office)

Commissioner Thompson nominated Ulysses Gutierrez.

AYE votes cast by voice vote for Ulysses Gutierrez as follows: Mayor Jacobs; Commissioners VanderLey, Nelson, Clarke, Thompson, Bonilla, Siplin.

Ulysses Gutierrez received a majority to be appointed to the Code Enforcement Board with a term expiring December 31, 2017; no further votes were cast.

## **B. ADMINISTRATIVE SERVICES DEPARTMENT**

1. [17-279](#) Selection of one firm and four ranked alternates to provide Real Estate Representative Services, Request for Proposals Y17-141-PD, from the following firms, listed alphabetically:

CBRE, Inc.  
Cite Partners  
Cushman & Wakefield  
Jones Lang LaSalle Americas, Inc.  
Parker Realty Group

([Administrative Services Department Real Estate Management Division]  
Procurement Division)

A motion was made by Commissioner Siplin, seconded by Commissioner Thompson, to appoint CBRE, Inc. as the selected firm; and further, appoint Cushman & Wakefield, Jones Lang LaSalle Americas, Inc., Parker Realty Group, and Cite Paryners as ranked alternates. The motion carried by the following vote:

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

## **C. OFFICE OF ECONOMIC, TRADE AND TOURISM DEVELOPMENT**

1. [17-280](#) Business Branding Initiative Update  
-and-  
Approval and execution of Orange County, Florida and Economic Development Commission of Mid-Florida, Inc. Agreement for Branding and Marketing and authorization to disburse \$500,000 as provided in the FY 2016-17 adopted budget.

A motion was made by Mayor Jacobs, seconded by Commissioner VanderLey, to approve the Orange County, Florida and Economic Development Commission of Mid-Florida, Inc. Agreement for Branding and Marketing and authorization to disburse \$500,000 as provided in the FY 2016-17 adopted budget. The motion carried by the following vote:

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

**D. COMMUNITY, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT**

- 1. [17-281](#) Approval and execution of Agreement between Orange County, Florida and Homes In Partnership, Inc., Regarding Affordable Housing to utilize INVEST funds in the amount of \$724,000. District 2. (Housing and Community Development Division)

A motion was made by Commissioner Nelson, seconded by Commissioner Clarke, to approve the Agreement between Orange County, Florida and Homes In Partnership, Inc., Regarding Affordable Housing to utilize INVEST funds in the amount of \$724,000. The motion carried by the following vote:

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

**III. WORK SESSION AGENDA**

**A. ADMINISTRATIVE SERVICES DEPARTMENT**

- 1. [17-282](#) Update on Capital Improvement Project at the Orange County Animal Services Shelter. (Capital Projects Division)

The Board took no action.

**B. COUNTY ATTORNEY**

- 1. [17-283](#) Sunshine Law.

The Board took no action.

**C. CONVENTION CENTER**

- 1. [17-284](#) Pedicab Ordinance.

The Board took no action.

**Presentation**

Employee Service Awards to:

Reed Alexander Knowlton (20), Fiscal & Operational Support, Administrative Service; Linda R. Hall (20), Security, Convention Center; Vickki L. Nedd (20), Security Operations, Cheryl D. Juarez (20), Community Corrections, Corrections; Celeste T. White (25), Cooperative Extension, Marthaly Irizarry (20), Neighborhood Services, Family Services; Leonard A. Malecki (30), Stormwater Management, Public Works.

**Presentation**

## Orange County Sustainable Development Awards

**IV. RECOMMENDATIONS**

1. [17-286](#) February 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

**V. PUBLIC HEARINGS**

1. [17-070](#) Municipal Service Benefit Unit

Notice of Intent Resolution to Use the Uniform Ad Valorem Method of Collection of Non-Ad Valorem Assessments; All Districts

**Consideration:** Adoption of a Resolution authorizing the Orange County Board of County Commissioners to use the uniform method of collecting non-ad valorem assessments levied by the Orange County Board of County Commissioners as provided in Section 197.3632, Florida Statutes.

**Location:** All Districts; Multiple parcels and Sections, Townships, and Ranges; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Thompson, seconded by Commissioner Bonilla, 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. [17-145](#) Petition to Vacate

Kevin Gordon, on behalf of Sonja Ahrens, Petition to Vacate 15-05-014, vacate two portions of a 30 ft wide unopened and unimproved right-of-way; District 3

**Consideration:** Resolution granting Petition to Vacate # 15-05-014, vacating two portions of a 30 ft wide unopened and unimproved right-of-way known as Tot Circle, containing approximately 1,077 and 5,321 square feet respectively, for a total of 6,398 square feet.

**Location:** District 3; The parcel address is 5528 Rockwood Avenue; S14/T23/R29; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Clarke, seconded by Commissioner VanderLey, 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. [17-144](#) Petition to Vacate

Anil Sant, Petition to Vacate 15-12-025, vacate a portion of a 60 ft wide unopened and unimproved right-of-way; District 1

**Consideration:** Resolution granting Petition to Vacate # 15-12-025, vacating a portion of a 60 ft wide unopened and unimproved right-of-way known as Reams Road, containing approximately 0.297 acres.

**Location:** District 1; One parcel address is 9001 Taborfield Avenue. The other parcel is unaddressed; S36/T23/R27; Orange County, Florida (legal property description on file)

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. Petition to Vacate

Isabel N. Galarza, Petition to Vacate 16-03-011, vacate a portion of a 30 ft wide unopened and unimproved right-of-way; District 4

**Consideration:** Resolution granting Petition to Vacate # 16-03-011, vacating a portion of a 30 ft wide unopened and unimproved right-of-way known as Trigonía Street, containing approximately 0.17 acres.

**Location:** District 4; The parcel address is 540 Harrell Drive; S30/T22/R32; Orange County, Florida (legal property description on file)

The following persons addressed the Board:

- Jose Cruz
- Nicholas Feola
- Angela Feola

Based upon consensus of the County Mayor and Commissioner Thompson, Public Hearing B4, Petition to Vacate # 16-03-011, was tabled to be heard after Public Hearing G10, Repealing Orange County Ordinance No. 2008-17.

5. [17-084](#) Conservation Area Impact

Mattamy Orlando, LLC, permit (CAI-15-10-035); (Continued from February 7, 2017) District 1

**Consideration:** Request for a Conservation Area Impact Permit for a Class I Wetlands to allow direct impact of 3.05 acres and secondary impact of 2.47 acres of Class I wetlands

**Location:** District 1; property generally located south side of Reams Road, unincorporated Orange County Florida, Sections 34 and 35; Township 23 South, Range 27 East; and Section 02; Township 24 South; Range 27 East; and lie within the Horizon West, Lakeside Village Development (legal property description on file in Planning Division)

The following persons addressed the Board:

- Clark Sprinkel
- Don Kendzior
- John Fauth

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

- Exhibit 1, from Don Kendzior
- Exhibit 2, from John Fauth

The following material was received by the Clerk prior to the close of the public hearing. The material referenced by the speaker was not presented to the Board: Submittal 1, from Don Kendzior

Modification of Condition of Approval # 7:

7. The final construction design for the road crossing to the upland island has not been completed. The area of the wetland crossing to the upland island shall include consist of a box culverts or 'con-span' type pre-fabricated bridge spans sufficient to accommodate wildlife movement; hydrologic flow; and ease of maintenance to the satisfaction of Orange County EPD and Public Works unless the con-span structure is cost prohibited in which case box culverts may be permitted. Cost prohibitive shall mean more than 15% cost of a box culverts. Upon construction plan development EPD will coordinate with Public Works in review and approval of the design.

A motion was made by Commissioner VanderLey, seconded by Commissioner Nelson, to approve the Conservation Area Impact Permit (CAI-15-10-035) subject to the conditions of approval listed in the Staff Report; and further, modify Condition of Approval #7. The motion carried by the following vote:

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

**Nay:** 1 - Commissioner Bonilla

**and**

6. [17-083](#) Substantial Change

Marc D. Stehli, Poulos and Bennett, LLC, Reams Road Property Planned Development / Land Use Plan (PD / LUP), Case # CDR-16-09-329, amend plan; (Continued from February 7, 2017) District 1

**Consideration:** Substantial change request to reduce wetland impacts by 0.98 acres; increase public open space area by 1.31 acres; decrease stormwater area by 2.33 acres; and increase net developable land area by 0.03 acres; 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 Southwest of Reams Road, approximately 2,100 feet northwest of Center Drive; Orange County, Florida (legal property description on file)

The following person addressed the Board: John Miklos

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; and further, approve the Proportionate Share Agreement for Reams Road Property PD Reams Road: From Center Drive to Taborfield Avenue by and between Mattamy Orlando LLC and Orange County for a proportionate share payment in the amount of \$183,288. The motion carried by the following vote:

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

**Nay:** 1 - Commissioner Bonilla

and

### CONSENT AGENDA (Deferred)

#### COMMUNITY, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

11. [17-265](#) Approval and execution of Proportionate Share Agreement for Reams Road Property PD Reams Road: From Center Drive to Taborfield Avenue by and between Mattamy Orlando LLC and Orange County for a proportionate share payment in the amount of \$183,288. District 1. (Roadway Agreement Committee)

This item was approved.

and

7. [17-071](#) Preliminary Subdivision Plan

Marc D. Stehli, Poulos & Bennett, LLC, Reams Road Property Planned Development (PD) / Reams Road Property Preliminary Subdivision Plan (PSP), Case # PSP 15-10-300; (Continued from February 7, 2017) District 1

**Consideration:** Reams Road Property Planned Development (PD) / Reams Road Property Preliminary Subdivision Plan, Case # PSP-15-10-300, submitted in accordance with Sections 34-69 and 30-89, Orange County Code; This Preliminary Subdivision Plan (PSP) is a request to



subdivide and construct 160 single-family attached and detached residential dwelling units on 100.2 acres. The request also includes the following waivers from Orange County Code:

1. A waiver from Orange County Code Section 34-152(c) is requested to allow Tract LS-1 to have access external to the subdivision street in lieu of access internal to a subdivision street.
2. A waiver from Orange County Code Section 34-152(c) is requested to allow upland greenbelt and power easement tracts without providing access, in lieu of providing a twenty foot (20') access to a dedicated public street.

**Location:** District 1, property generally located South of Reams Road / West of Jayme Drive; Orange County, Florida (legal property description on file in Planning Division)

The following persons addressed the Board:

- Diane Rullo
- Marc Stehli
- Dan O'Keefe

The following material was presented to the Board prior to the close of the public hearing: Exhibit 3, from Marc Stehli

New Condition of Approval #24:

24. The street A wetland crossing between wetland tract W-1 and wetland tract W-2 as delineated on the PSP site plan shall comply with special Condition # 7 of the CAI Permit No. 15-10-035.

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; and further, approve New Condition of Approval #24. The motion carried by the following vote:

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

**Nay:** 1 - Commissioner Bonilla

## PUBLIC HEARINGS

8. [17-073](#) Preliminary Subdivision Plan

Scott Gentry, Kelly, Collins & Gentry, Inc., Hamlin PD - UNP / RW-2  
Hamlin SEC Commercial Preliminary Subdivision Plan / Development  
Plan - Case # PSP-16-08-298; (Continued from February 7, 2017)  
District 1

**Consideration:** Hamlin PD - UNP / RW-2 Hamlin SEC Commercial Preliminary Subdivision Plan / Development Plan - Case # PSP-16-08-298, submitted in accordance with Sections 34-69

and 30-89, Orange County Code; This Preliminary Subdivision Plan (PSP) is a request to subdivide 34.56 acres into four (4) commercial lots with a 40,000 square foot theater and parking deck on Lot C. The request also includes the following waiver from Orange County Code: 1. A waiver from Orange County Code Section 24-4(a)(3)(e) is requested to allow four (4) understory trees to be planted to the north and south side of the parking plaza in lieu of two (2) understory trees at the ends of the central parking rows.

**Location:** District 1, property generally located East of SR 429 / South of New Independence Parkway; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Scott Gentry.

A motion was made by Commissioner VanderLey, seconded by Commissioner Clarke, 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:** 6 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, and Commissioner Siplin

**Absent:** 1 - Commissioner Bonilla

9. [17-085](#) Substantial Change

Jamie T. Poulos, Poulos & Bennett, LLC, National Spa and Resorts Planned Development / Land Use Plan (PD / LUP), Case # CDR-16-09-339, amend plan; District 1

**Consideration:** A PD substantial change for the following waiver from Orange County Code: 1. A waiver from Section 38-1272(a)(5) to allow for a maximum building height of 55 feet for self storage uses only, in lieu of a maximum building height of 50 feet; 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 west of Turkey Lake Road and south of Sand Lake Road; Orange County, Florida (legal property description on file)

The following person addressed the Board: Jamie Poulos.

A motion was made by Commissioner VanderLey, seconded by Commissioner Thompson, 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:** 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

4. [17-143](#) Petition to Vacate

Isabel N. Galagarza, Petition to Vacate 16-03-011, vacate a portion of a 30 ft wide unopened and unimproved right-of-way; District 4 (Continued)

from February 21, 2017)

**Consideration:** Resolution granting Petition to Vacate # 16-03-011, vacating a portion of a 30 ft wide unopened and unimproved right-of-way known as Trigonía Street, containing approximately 0.17 acres.

**Location:** District 4; The parcel address is 540 Harrell Drive; S30/T22/R32; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Thompson, seconded by Commissioner VanderLey, to continue the public hearing until April 11, 2017, 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

10. [17-147](#) Ordinance

Repealing Orange County Ordinance No. 2008-17, relating to the Midtown Orlando Community Development District; and providing an effective date.

**Consideration:** AN ORDINANCE REPLEALING ORANGE COUNTY ORDINANCE NO. 2008-17, RELATING TO THE MIDTOWN ORLANDO COMMUNITY DEVELOPMENT DISTRICT; AND PROVIDING AN EFFECTIVE DATE.

A motion was made by Commissioner VanderLey, seconded by Commissioner Thompson, to adopt Ordinance 2017-04 repealing the Orange County Ordinance 2008-17 relating to the Midtown Orlando Community Development District. The motion carried by the following vote:

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

**CONSENT AGENDA (Deferred)**

**C. COUNTY ATTORNEY**

- 1. [17-231](#) Approval of proposed revisions to Administrative Regulation 2.09.01, titled "Compliance With The "Sunshine Law" - Meetings of County Advisory Boards."

Modification of Section D.

D. "Noticed" ~~Meetings~~ Members of County Advisory Boards

A motion was made by Commissioner Nelson, seconded by Commissioner Bonilla, to approve the proposed revisions to Administrative Regulation 2.09.01, titled "Compliance With The "Sunshine Law" Meetings of County Advisory Boards"; and further, modify Section D. The motion carried by the following vote:

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

**WORK SESSION AGENDA (Deferred)**

**D. COMMUNITY, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT**

1. [17-285](#) Comprehensive Planning - Framework Policies. All Districts.


The Board took no action.

√ 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: 5:22 p.m.


ATTEST:

  
\_\_\_\_\_  
County Mayor Teresa Jacobs  
Date: APR 11 2017



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.**