

Orange County Government

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



Final BCC Meeting Minutes

Tuesday, October 18, 2016

9:00 AM

County Commission Chambers

Board of County Commissioners

Call to Order

County Mayor Teresa Jacobs called the meeting to order at 9:06 a.m.

Present: 7 - Mayor Teresa Jacobs, Commissioner Bryan Nelson, Commissioner Jennifer Thompson, Commissioner Pete Clarke, Commissioner S. Scott Boyd, Commissioner S. Scott Boyd, and Commissioner Victoria P. Siplin

Others Present:

County Comptroller Martha Haynie as Clerk

County Administrator Ajit Lalchandani

County Attorney Jeffrey J. Newton

Deputy Clerk Katie Smith

Sr. Minutes Coordinator Noelia Perez

Invocation

Eddie Ingram, Orange County Communications Division

Pledge of Allegiance**Public Comment**

The following persons addressed the Board for public comment:

- Lori Nassofer
- Phillip Arroyo
- Maria Bolton-Joubert
- Aradhana Tiwari

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

Presentation

Proclamation designating October 23 through October 31, 2016 as Red Ribbon Week

I. CONSENT AGENDA

Approval of the Consent Agenda

The Mayor deleted County Administrator 2A; further deferred action on Community, Environmental and Development Services Department Consent Item 3 for consideration with

Community, Environmental and Development Services Department Work Session Item 1; and further a motion was made by Commissioner Edwards, seconded by Commissioner Clarke, to approve the Consent Agenda. The motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner Boyd, Edwards, and Commissioner Siplin

A. COUNTY COMPTROLLER

1. [16-084](#) Approval of the minutes of the August 16 and August 23, 2016 meeting of the Board of County Commissioners. (Clerk's Office)
2. [16-085](#) Approval of the check register authorizing the most recently disbursed County funds, having been certified that same have not been drawn on overexpended accounts. (Finance/Accounting)
 - September 30, 2016, to October 5, 2016; total of \$116,429,710.64
 - October 6, 2016, to October 13, 2016; total of \$41,267,957.09

B. COUNTY SHERIFF

1. [16-086](#) Approval and execution of U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance Cooperative Agreement Award Number: 2016-BC-BX-K055 for the FY16 Body-Worn Camera Policy and Implementation Program: Implementation or Expansion of BWC Programs for Extra-Large Agencies, in the amount of \$225,000, with a required cash match of \$468,682 from the Orange County Sheriff's Office, for the period of October 1, 2016 through September 30, 2018.

C. COUNTY ADMINISTRATOR

1. [16-088](#) Receipt and filing of the minutes received by the Agenda Development Office of various advisory board meetings. (Agenda Development Office)
2. [16-089](#) Approval of the Membership and Mission Review Board's recommendations for advisory board appointments and reappointments: (Agenda Development Office)
 - A. Agricultural Advisory Board: Appointment of Jeff Hogan and Robert A. Worthington in the at large representative category with terms expiring December 31, 2018.

(Item 2A was deleted.)
 - B. Animal Services Classification Committee: Appointment of Vicky Otero to succeed Ronald A. Breeding in the obedience trainer or handler

representative category and Marc A. Larusso to succeed Vanessa Bouffard in the alternate representative category with terms expiring December 31, 2017.

- C. Arts and Cultural Affairs Advisory Council: Reappointment of Melvin Rogers in the Mayor's representative category, Rebecca Roper in the District 1 representative category, Richard P. Richbourg in the District 3 representative category, Evelyn Martinez in the District 4 representative category, Hal H. Kantor in the District 5 representative category, and Patrick Noze in the District 6 representative category with terms expiring June 30, 2018; the appointment of Cecilia Bonifay to succeed Edgar Lopez in the United Arts of Central Florida, Inc. representative category with a term expiring June 30, 2017; and the appointment of Sharon Fenwick to succeed Beverly B. Winesburgh in the District 2 representative category with a term expiring June 30, 2018. Note: This will be a fourth term for Ms. Roper and a third term for Mr. Kantor and will require a supermajority (5) vote of the BCC.
- D. Development Advisory Board: Reappointment of Elaine Imbruglia in the primary group representative category (environmental specialist) and Mohammed N. Abdallah in the secondary group representative category (professional civil engineer); the appointment of Brock M. Nicholas to succeed Donald M. Williams in the secondary group representative category (builder); and the appointment of Mark D. Thomson to succeed Michael Statham in the secondary group representative category (licensed landscape architect) with terms expiring June 30, 2018.
- E. Fire and Life Safety Code Board of Adjustments and Appeals: Appointment of Drew Havron to succeed Diana L. Giron in the fire and casualty insurance executive representative category and Robert J. Szfarski to succeed John M. Sprinkle in the general contractor representative category with terms expiring December 31, 2018.
- F. Health Council of East Central Florida: Reappointment of Pauline Taylor in the health care provider representative category and Stephanie K. Prewitt in the health care purchaser representative category with terms expiring September 30, 2018.
- G. International Drive CRA Advisory Committee: Appointment of Donald W. Mills to succeed Doug Gehret in the Efficient Transportation for the Community of Central Florida representative category with a term expiring January 1, 2017.
- H. M/WBE Advisory Committee: Reappointment of Elena I. Crosby and Francine V. Thomas and the appointment of Maria Pena to succeed Augusto Sanabria in the at large representative category with terms expiring June 30, 2018.
- I. Neighborhood Grants Advisory Board: Reappointment of Frayda R. Morris in the District 1 representative category and Karen S. Willis in the District 5 representative category and the appointment of Adam Soucie to succeed Frayda R. Morris in the at large representative category with

terms expiring June 30, 2018. Note: Ms. Morris was serving in the at large representative category. She will now be serving in the District 1 representative category.

- J. Nuisance Abatement Board: Appointment of James D. Freeman to succeed Richard-Paul Danner in the at large representative category with a term expiring January 1, 2019.
- K. Parks and Recreation Advisory Board: Reappointment of Bobby R. Beagles in the District 5 representative category with a term expiring June 30, 2018 and the appointment of Roderick K. Davenport to succeed Howard T. Gentry in the District 6 representative category with a term expiring June 30, 2017.
- L. Public Works Advisory Board: Reappointment of Eric Bain in the construction discipline representative category; the appointment of Laini R. Schultz to succeed Claude L. Cassagnol in the stormwater discipline representative category; and the appointment of Michael J. Hart to succeed Mara Lugo Rudner in the at large representative category with terms expiring June 30, 2018.

(Item 2A was deleted.)

- 3. [16-095](#) Approval of Contract #Y17-2059 Orange County, Florida and United Arts of Central Florida Inc., Management/Fiscal Agency Agreement for Orange County Arts & Cultural Affairs Tourist Development Tax (TDT) Revenue - Arts & Cultural Program Funding in the amount of \$5,300,942. (Arts and Cultural Affairs Office)
- 4. [16-097](#) Approval of Contract # Y17-2060 Orange County, Florida and United Arts of Central Florida Inc. from the General Fund in the amount of \$709,475 for fiscal year 2016-2017. (Arts and Cultural Affairs Office)
- 5. [16-099](#) Approval and execution of A Resolution 2016-B-13 of the Board of County Commissioners of Orange County, Florida, approving the issuance by the Orange County Health Facilities authority of its revenue bonds (Presbyterian Retirement Communities Project), series 2016, in an aggregate principal amount not to exceed \$170,000,000; and providing an effective date. (Health Facilities Authority)
- 6. [16-100](#) Approval for the Orange County Sheriff's Office to spend \$5,000 from the FY 2017 Law Enforcement Trust Fund to provide an eligible contribution to Harbor House. (Office of Management and Budget)
- 7. [16-103](#) Approval and execution of A Resolution 2016-B-13 of the Board of County Commissioners of Orange County, Florida, approving the issuance by the Orange County Health Facilities authority of its revenue bonds (Presbyterian Retirement Communities Project), series 2016, in an aggregate principal amount not to exceed \$170,000,000; and providing an effective date. (Health Facilities Authority)

8. [16-104](#) Approval of budget amendment #17-01. (Office of Management and Budget)
9. [16-105](#) Approval of budget transfer #16-000001486. (Office of Management and Budget)
10. [16-106](#) Approval of Ratification of payment of Intergovernmental claims of August 25, 2016 and September 1, 2016 totaling \$400,332.09. (Risk Management Division)

D. ADMINISTRATIVE SERVICES DEPARTMENT

1. [16-107](#) Approval to award Invitation for Bids Y16-1065-MG Lot 1, Inmate Personal Care and Recreation Products, to the low responsive and responsible bidder, ICS Jail Supplies, Inc. The estimated contract award amount is \$142,722 for a 3-year term contract. ([Corrections Department Fiscal and Operational Support Division] Procurement Division)
2. [16-108](#) Approval to award Invitation for Bids Y16-1076-PD, Median Tree Program, to the low responsive and responsible bidder, James F. McCann, Inc. for Lot A, Commission Districts 1, 2 and 3. The estimated contract award amount is \$782,456.55 for a 3-year term contract. ([Public Works Department Engineering Division] Procurement Division)
3. [16-109](#) Approval to award Invitation for Bids Y16-1116-DG, Janitorial Supplies for the Fire Rescue Department, to the low responsive, responsible M/WBE compliant bidder, Premier Janitorial Supply, Inc. The estimated contract award amount is \$215,503 for a 1-year term contract. ([Fire Rescue Department Infrastructure and Asset Management Division] Procurement Division)
4. [16-110](#) Approval to award Invitation for Bids Y16-776-PH, International Drive Potable Water Booster Pump Station, to the low responsive and responsible bidder, Close Construction, LLC. The total contract award amount is \$3,477,440. ([Utilities Department Engineering Division] Procurement Division)
5. [16-111](#) Approval to award Invitation for Bids Y16-783-PH, Cypress Walk, Orangewood, Hunters Creek, Oak Meadows Water Supply Facilities Chemical Feed System Upgrade, to the low responsive and responsible bidder, TLC Diversified, Inc. The total contract award amount is \$3,145,900. ([Utilities Department Engineering Division] Procurement Division)
6. [16-112](#) Approval to award Invitation for Bids Y16-785-PH, Northwest Water Reclamation Facility Odor Control System Upgrade, to the low responsive and responsible bidder, SGS Contracting Services, Inc. The total contract award amount is \$606,500. ([Utilities Department Engineering Division]

Procurement Division)

7. [16-113](#) Approval to award Invitation for Bids Y16-793-RM, Apopka & Ocoee Service Centers AHU Upgrade and Chilled Water Piping Replacement, to the low responsive and responsible bidder, Air Mechanical & Service Corp. The total contract award amount is \$599,060. ([Administrative Services Department Capital Projects Division] Procurement Division)
8. [16-114](#) Approval to award Invitation for Bids Y17-701-CC, Regional Computing Center A Side Power Feed and Emergency Generator Replacement, to the low responsive and responsible M/WBE compliant bidder, Comelco, Inc. The total contract award amount is \$1,666,704.86, which includes additive bid item 1. ([Administrative Services Department Capital Projects Division] Procurement Division)
9. [16-115](#) Approval to award Invitation for Bids Y17-704-MM, Orange County Convention Center North/South Building Show Power Upgrades, to the low responsive and responsible bidder, Comelco, Inc. The total contract award amount is \$4,606,896. ([Convention Center Capital Planning and Building Systems Division] Procurement Division)
10. [16-116](#) Ratification of Amendment No. 9, Contract Y11-1136B-MG, OEM Replacement Parts for Automotive and Light Trucks, with Greenway Chrysler Jeep Dodge in the estimated amount of \$16,000 for a revised estimated contract amount of \$112,950. ([Administrative Services Department Fleet Management Division] Procurement Division)
11. [16-117](#) Approval and execution of Land Exchange Agreement between Hamlin Retail Partners West, LLC and Orange County, Resolution 2016-M-49 from Orange County, County Deed from Orange County to Hamlin Retail Partners West, LLC, approval of Non-Exclusive Drainage Easement (Joint Use) and Non-Exclusive Access and Drainage Easement between Hamlin Retail Partners West, LLC and Orange County and authorization to perform all actions necessary and incidental to closing for New Independence Parkway Stormwater Pond and Access Drive. District 1. (Real Estate Management Division)
12. [16-118](#) Approval and execution of Resolution 2016-M-50 and Assignment of Easement between Orange County and City of Winter Garden and authorization to disburse funds to pay recording fees and record instrument for City of Winter Garden Assignment of Sidewalk Easement from Orange County. District 1. (Real Estate Management Division)
13. [16-119](#) Approval of Sidewalk Easement between MLD 4, LLC and Orange County, with Joinder and Consent of Mortgagee to Sidewalk Easement from US Employment Development Lending Center, LLC, Joinder and Consent of Mortgagee to Sidewalk Easement from Aileron Investment Management,

LLC, Joinder and Consent of Association to Sidewalk Easement from International Center Property Owners' Association, Joinder and Consent of Mortgagee to Sidewalk Easement from Live Oak Banking Company, and Subordination of Encumbrances to Property Rights to Orange County from US Employment Development Lending Center, LLC, Subordination of Encumbrances to Property Rights to Orange County from Aileron Investment Management, LLC, Subordination of Encumbrances to Property Rights to Orange County from Live Oak Banking Company and authorization to record instruments for ILH Interchange Center PD (Staybridge Suites) Staybridge Suites Hotel B14903783. District 1. (Real Estate Management Division)

14. [16-120](#) Approval of Utility Easement between AWH Orlando Property, LLC and Orange County, Subordination of Encumbrances to Property Rights to Orange County from Orlando Hotel Funding LLC and authorization to record instruments for Double Tree Ballroom Expansion OCU Permit: B16900703 OCU File #: 84506. District 1. (Real Estate Management Division)
15. [16-121](#) Approval of Utility Easement between Ancora International, LLC and Orange County, Subordination of Encumbrances to Property Rights to Orange County from Wells Fargo Bank, National Association and authorization to record instruments for Ancora Apartments NC OCU Permit: B15902294 OCU File #: 81769. District 1. (Real Estate Management Division)

E. COMMUNITY, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

1. [16-122](#) 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 16-0925	LC 16-0947	LC 16-0749	LC 16-0812	LC 16-0828
LC 16-0990	LC 16-0975	LC 16-0750	LC 16-0816	LC 16-0829
LC 16-0695	LC 16-0977	LC 16-0756	LC 16-0817	LC 16-0830
LC 16-0755	LC 16-0876	LC 16-0764	LC 16-0823	LC 16-0834
LC 16-0792	LC 16-0957	LC 16-0777	LC 16-0824	LC 16-0836
LC 16-0887	LC 16-0789	LC 16-0796	LC 16-0825	LC 16-0844
LC 16-0809	LC 16-0122	LC 16-0806	LC 16-0826	LC 16-0850
LC 16-0865	LC 16-0706	LC 16-0810	LC 16-0827	LC 16-0892

2. [16-123](#) Approval of Conservation Area Impact Permit CAI-16-08-037 for Quest Village, LTD. District 4. (Environmental Protection Division)
4. [16-125](#) Approval and execution of Single Family Affordable Housing Developer's Agreement between Orange County, Florida and Habitat for Humanity of Greater Orlando, Inc.; Resolution 2016-M-51 of the Orange County Board of County Commissioners regarding Authorizing the Conveyance of County

Foreclosed Property; and County Deed from Orange County to Habitat for Humanity of Greater Orlando, Inc. and authorization to perform all actions necessary and incidental to closing to facilitate the conveyance of a property for affordable housing. District 5. (Housing and Community Development Division)

5. [16-126](#) Approval and execution of Multi-Family Affordable Housing Developer's Agreement for Impact Fee Subsidy by and between Orange County, Florida and Wellington Park Apartments, Ltd. District 2. (Housing and Community Development Division)
6. [16-127](#) Approval and execution of Escrow Agreement for Hamlin West Road Network Agreement by and among Hamlin Retail Partners West, LLC, Carter-Orange 45 SR 429 Land Trust, Orange County and Shutts & Bowen, LLP for an escrow payment in the amount of \$358,029.65. District 1. (Roadway Agreement Committee)

F. FIRE RESCUE DEPARTMENT

1. [16-128](#) Approval and execution of Sub-Recipient Contract Award for Citizen Corps Council program between the State of Florida, Division of Emergency Management through Volunteer Florida, serving as the Administrative Agency, and Orange County for Fiscal Year 2016-2017 in the amount of \$7,800. These funds will require a dollar-for-dollar match or in-kind match. (Office of Emergency Management)
2. [16-129](#) Approval and execution of Sub-Recipient Contract Award for Community Emergency Response Team (CERT) between the State of Florida, Division of Emergency Management through Volunteer Florida, serving as the Administrative Agency, and Orange County for Fiscal Year 2016-2017 in the amount of \$7,800. These funds will require a dollar-for-dollar or in-kind match. (Office of Emergency Management)

G. HEALTH SERVICES DEPARTMENT

1. [16-130](#) Approval and execution of Florida Department of Agriculture and Consumer Services Division of Administration State Financial Assistance Recipient Agreement FDACS Contract # 023781 by and between the Florida Department of Agriculture and Consumer Services and Orange County Arthropod Control in the estimated amount of \$43,009 from October 1, 2016 through September 30, 2017 and approval for the County Mayor or designee to sign future amendments to this Agreement. No county match is required. (Mosquito Control Division)

Addendum #1

2. [16-142](#) Approval and execution of Hospital LIP/DSH Letters of Agreement by and between Orange County and the State of Florida, Agency for Healthcare Administration in the amounts of \$2,076,536 (Orlando Health), \$409,905 (Health Central), and \$5,196,967 (Florida Hospital) for a total of \$7,683,408 through the Intergovernmental Transfer Program. The Intergovernmental Transfer Program is the primary funding mechanism for Orange County's Primary Care Access Network (PCAN). (Medical Clinic)

H. PUBLIC WORKS DEPARTMENT

1. [16-131](#) Approval and execution of Resolution 2016-M-52 of the Orange County Board of County Commissioners regarding the Local Agency Program Agreement for the North Fort Christmas Road Project with the Florida Department of Transportation and approval and execution of State of Florida Department of Transportation Local Agency Program Agreement FPN 437458-1-38-01 between the State of Florida, Department of Transportation and Orange County for Paved Shoulders Design of North Fort Christmas Road from Lake Pickett Road to Northwest of Lake Pickett Road. District 5. (Transportation Planning Division)
2. [16-132](#) Authorization to record the plat of Summerport Tract R-5. District 1. (Development Engineering Division)

II. INFORMATIONAL ITEMS****A. COUNTY COMPTROLLER**

1. [16-133](#) Receipt of the following items to file for the record: (Clerk's Office)
 - a. St. Johns River Water Management District's Revised 2016 Governing Board Meeting Schedule.

This item was received and filed.

III. WORK SESSION AGENDA**A. COUNTY ADMINISTRATOR**

1. [16-134](#) Option to Refund City's Venues Debt.

This item was no action.

IV. DISCUSSION AGENDA

A. COUNTY ADMINISTRATOR

1. [16-135](#) Approval of the Arts and Cultural Affairs Advisory Council's funding recommendations for the Cultural Tourism program for FY 2017. (Arts and Cultural Affairs Office)

The following person addressed the Board: Hal Kantor.

A motion was made by Commissioner Edwards, seconded by Commissioner Thompson, that this item be approved with the exception of funding for Mad Cow Theatre to be reviewed at a future Board meeting. The motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner Boyd, Edwards, and Commissioner Siplin

B. ADMINISTRATIVE SERVICES DEPARTMENT

1. [16-136](#) Selection of one firm and an alternate to provide a Group Vision Plan, Request for Proposals Y16-1099-LC, for a 3-year contract from the following three firms, listed alphabetically:
 - Davis Vision, Inc.
 - Humana Insurance Company
 - Metropolitan Life Ins.([Office of Accountability Human Resources Division] Procurement Division)

A motion was made by Commissioner Boyd, seconded by Commissioner Clarke, to appoint Humana Insurance Company as the selected firm; and further to appoint Davis Vision, Inc. as alternate. The motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner Boyd, Edwards, and Commissioner Siplin

The following items were considered together.

III. WORK SESSION AGENDA (Continued)

B. COMMUNITY, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

1. [16-137](#) Board direction regarding the Impact Fee Grant for Qualified Non-profit Organizations Program. All Districts.

This item was no action.

and

CONSENT AGENDA**E. COMMUNITY, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT**

3. [16-124](#) Approval of Application for Impact Fee Grant for Qualified Non-Profit Organizations in the amount of \$4,512.40 to be used for the Law Enforcement, Fire Rescue and Road Impact Fees for the United Global Outreach Inc. - Model Center. District 5. (Fiscal and Operational Support Division)

A motion was made by Commissioner Edwards, seconded by Commissioner Boyd, that this item be approved. The motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner Boyd, Commissioner Edwards, and Commissioner Siplin

Presentation

Proclamation designating October 20, 2016 as Lights on After School Day

V. PUBLIC HEARINGS

1. [16-061](#) Municipal Service Benefit Unit
- Black Lake - Lake Tilden, amend for general lake cleaning maintenance, water quality improvement, maintenance and aquatic plant control; District 1

Consideration: Amend by resolution an existing Municipal Service Benefit Unit for general lake cleaning, water quality improvement, maintenance and aquatic plant control services at Black Lake - Lake Tilden

Location: District 1; Multiple parcels and Sections, Townships, and Ranges; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Boyd, seconded by Commissioner Clarke, that this item be Approved. The motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner Boyd, Edwards, and Commissioner Siplin

2. [16-064](#) Shoreline Alteration/Dredge and Fill

Nikki Marie Miglore, Fischer Canal, permit, District 1

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit to expand an existing boat basin on the Fischer Canal which connects to the Lake Down-Wauseon Bay Canal, pursuant to Orange County Code, Chapter 33, Section 33-129(d) and Chapter 15, Article VI. Pumping and

Dredging Control; Section 15-218(d) Chapter 33, Article IV. Windermere Water and Navigation Control District; Section 33-129(d)

Location: District 1; on property located adjacent to Fischer Canal, located at 58 Oakdale Street; Orange County, Florida (legal property description on file in Environmental Protection Division)

A motion was made by Commissioner Boyd, seconded by Commissioner Clarke, that this item be approved, subject to the conditions listed in the staff report. The motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner Boyd, Edwards, and Commissioner Siplin

3. [16-071](#) Shoreline Alteration/Dredge and Fill

Scott and Lori Francis, Lake Rowena, permit, District 5

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit to construct approximately 11 feet of vinyl seawall to fill in an old, unused boat basin, pursuant to Orange County Code, Chapter 15, Article VI. Pumping and Dredging Control; Section 15-218(d)

Location: District 5; property located at 1610 Lakeside Drive, on Lake Rowena, Orange County, Florida (legal property description on file in Environmental Protection Division)

A motion was made by Commissioner Edwards, seconded by Commissioner Thompson, that this item be approved with conditions as listed in the staff report. The motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner Boyd, Edwards, and Commissioner Siplin

4. [16-062](#) Substantial Change

Kathy Hattaway, HCI Planning & Land Development Consultants, Village F Master Planned Development/Land Use Plan (PD/LUP), Case # CDR-15-12-381, amend plan; District 1
(Continued from August 2, 2016)

Consideration: Substantial change request to the Village F Master PD by revising the Village Center Conceptual Block inset on the PD/LUP, expanding permitted Village Center District uses; and requesting the following seven (7) waivers from Orange County Code, applicable to PD Parcels S-6 and N-35 only (Village Center District):

1. A waiver from Section 38-1389(b) to allow a grocery store and up to three (3) additional buildings south of the internal main street to face Seidel Road and/or Seton Creek Boulevard; in lieu of the requirement that primary building entries and façade face the internal streets of the Village Center.

2. A waiver from Section 38-1389(d)(3)(g) to allow for interior blocks, not including Seidel Road or Seton Creek Boulevard, to have a minimum of forty percent (40%) of the build-to-line of any block or parcel to be occupied by buildings and/or street-walls, and up to one-hundred percent (100%) of that requirement to be landscaped street-walls; in lieu of the requirement that a

minimum of seventy percent (70%) of the build-to-line of any block or parcel be occupied by buildings and/or street-walls, and that landscaped street-walls not make up more than fifty percent (50%) of the required frontage.

3. A waiver from Section 38-1389(d)(4)(d) to allow parking adjacent to Seidel Road and Seton Creek Boulevard to span the length of the roadway frontage; in lieu of the maximum frontage for parking lots of sixty-five (65) feet along a Village Center circulator or a Village Center major local street.

4. A waiver from Section 38-1389(d)(4)(g) to allow parking lots to abut street intersections or civic use areas; in lieu of the requirement that parking lots and parking garages not abut street intersections or civic use areas.

5. A waiver from Section 38-1389(d)(4)(h) to allow parking in the front of the grocery store and buildings south of the internal main street; in lieu of the requirement that off-street parking be located to the rear or side of buildings.

6. A waiver from Section 38-1389(d)(4)(i)(i) to allow parking in the front of the grocery store; in lieu of the requirement that parking be located at the rear or side of the grocery store front façade.

7. A waiver from Section 24-5(a)(3) to allow a buffer to be less than six (6) feet in height and less than fifteen (15) feet wide; in lieu of the requirement that a buffer be completely opaque from the ground up to a height of at least six (6) feet and a minimum of fifteen (15) feet wide; 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 Seidel Road, approximately one-half (1/2) mile east of the Western Beltway; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Boyd, seconded by Commissioner Edwards, to make a finding of consistency with the Comprehensive Plan (CP); approve the substantial change request subject to the Conditions of Approval listed under the DRC Recommendation in the Staff Report and five new Conditions of Approval as follows:

8. On-street parking is prohibited on Seton Creek Boulevard.

9. Sale of alcohol for on-premises consumption, including drinking establishments, cocktail lounges, pubs and bars, is prohibited with the exception of full-service restaurants, which may have ancillary alcohol sales.

10. Drive-through establishments shall be limited to the area between the south side of the internal main street and Seidel Road, with an exception for the grocery store that is off the internal main street and which may incorporate a drive-through feature.

11. The Developer/Applicant shall hold a community meeting to allow residents to view and comment upon the development plan(s), prior to the development plan(s) being heard by the Development Review Committee.

12. Construction vehicles and construction traffic shall use Seidel Road only for access to the site, rather than Seton Creek Boulevard or any other neighborhood/residential street.

The addition of these Conditions of Approval will result in renumbering the Conditions of Approval

listed in the staff report for a total of 23 conditions.

The motion carried by the following vote:

Aye: 6 - Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner Boyd, Edwards, and Commissioner Siplin

Nay: 1 - Mayor Jacobs

5. [16-063](#) Substantial Change

Jeffry B. Fuqua, Spring Isle C, LLC, Spring Isle Planned Development / Land Use Plan (PD / LUP), Case # CDR-16-02-071, amend plan; District 4

Consideration: A PD substantial change to request approval of a Master Sign Plan (MSP) for Parcels G, H, and I. The applicant is requesting the following waiver from Orange County Code for the MSP:

A waiver from Section 31.5-5 to allow for two (2) multi-tenant signs as depicted on the Master Sign Plan to advertise for property within this PD in lieu of signs only advertising for tenants on-site; 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 East of Avalon Park Boulevard / South of Waterford Chase Parkway; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Frank Coffin (phonetic).

A motion was made by Commissioner Thompson, seconded by Commissioner Siplin, to make a finding of consistency with the Comprehensive Plan (CP); and further, approve the substantial change request subject to the conditions listed under the DRC Recommendation in the Staff Report. The motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner Boyd, Edwards, and Commissioner Siplin

6. [16-066](#) Substantial Change

Adam Smith, VHB, Inc., Waterleigh Planned Development / Land Use Plan (PD / LUP), Case # CDR-16-04-130, amend plan; District 1

Consideration: A PD substantial change to request approval of a Master Sign Plan (MSP). The applicant is requesting the following waivers from Orange County Code for the MSP:

1. A waiver from Section 38-79(114) to allow a maximum accessory structure height of up to twenty-five (25) feet in lieu of twenty (20) feet with a roof slope of 2:12 or steeper for locations as depicted on the Master Sign Plan;
2. A waiver from Section 31.5-193(c)(2) to allow a maximum ground sign height of twelve (12) feet in lieu of eight (8) feet within the Village Center;
3. A waiver from Section 31.5-193(1)(c)(5) to allow a maximum copy area of sixty (60) square feet

for the primary subdivision sign in lieu of twenty (20) square feet and to allow the copy area of secondary subdivision signs to have a maximum copy area of twenty (20) square feet in lieu of ten (10) square feet;

4. A waiver from Section 31.5-67(b) to allow for a maximum subdivision sign height of twelve (12) feet in lieu of eight (8) 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 South of Old YMCA Road / West of S.R. 429 / East of the Orange / Lake County line; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board for public comment: Adam Smith.

A motion was made by Commissioner Boyd, seconded by Commissioner Nelson, to make a finding of consistency with the Comprehensive Plan (CP); and further, approve the substantial change request subject to conditions listed under the DRC Recommendation in the staff report. The motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner Boyd, Edwards, and Commissioner Siplin

7. [16-067](#) Substantial Change

Mark Clayton, Chickasaw Property, LLC, Expressway Center Planned Development / Land Use Plan (PD/LUP), Case # CDR-16-03-099; amend plan; District 3 (Continued from September 13, 2016)

Consideration: Substantial change request to the Expressway Center Planned Development / Land Use Plan (PD/LUP) to add multi-family as a permitted use; and to amend the existing development program by using a trip equivalency matrix to convert 78,778 square feet of Business Park uses into 238 multi-family residential dwelling units, and to convert 143,702 square feet of Business Park uses into 68,414 square feet of commercial uses; 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 3; property located at 401 North Chickasaw Trail; or generally located north of State Road 408 and east of North Chickasaw Trail; Orange County, Florida (legal property description on file in Planning)

The following person addressed the Board during public comment: Rebecca Wilson.

New Condition of Approval #10:

10. A traffic signal, if justified, at the intersection of Wind Song Drive / northern project entrance and Chickasaw Trail shall be required at the time of Certificate of Occupancy for the multi-family development. All costs for the signal design and installation shall be borne by the developer. 50% of the design, installation and construction cost for the signal, as approved by the County, shall be impact fee credit eligible.

A motion was made by Commissioner Clarke, seconded by Commissioner Edwards, to make a finding of consistency with the Comprehensive Plan (CP); and further, approve the substantial change request subject to the conditions listed under the DRC Recommendation in the Staff Report and new Condition of Approval # 10. The motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner Boyd, Edwards, and Commissioner Siplin

8. [16-068](#) Substantial Change

James L. Zboril, Tavistock East Services, International Corporate Park (ICP)
Planned Development / Land Use Plan (PD / LUP), Case #
CDR-16-08-271, amend plan; District 4 (Continued from October 18, 2016)

Consideration: A PD substantial change to extract 2,476.18 gross acres from the existing International Corporate Park (ICP) Planned Development (PD), concurrently with an associated request to rescind the ICP Development of Regional Impact (DRI). The proposed PD/LUP has been revised to include updated Parcel ID Numbers, site datum, and an adjusted Development Program consisting of up to 667,000 square feet of manufacturing; 1,967,640 square feet of warehouse / distribution; and 473,360 square feet of warehouse / distribution / office showroom / manufacturing; 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 south of S.R. 528, north of Wewahootee Road, east of Monument Parkway, and south/southwest of Aerospace Parkway. Orange County, Florida (legal property description on file)

A motion was made by Commissioner Thompson, seconded by Commissioner Nelson, that this item be continued until November 29, 2016, at 2 p.m. The motion carried by the following vote:

Aye: 6 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Boyd, Edwards, and Commissioner Siplin

Absent: 1 - Commissioner Clarke

9. [16-065](#) Resolution

Consideration: Designating certain land within unincorporated Orange County: Parcel IDs 06-24-29-0000-00-004 AND 06-24-29-6101-01-000 as the Universal Boulevard: ROCC (Redeveloping Orange County Communities) and as a Brownfield Area for the purpose of environmental remediation, rehabilitation, and economic development.

The following person addressed the Board for public comment: Vivien Monaco.

A motion was made by Commissioner Siplin, seconded by Commissioner Nelson, that Resolution 2016-M-53 be approved as amended regarding designating certain land within unincorporated Orange County Parcel ID 06-24-29-6101-01-000 as the OEP Universal Boulevard: ROCC (Redeveloping Orange County Communities) and as a Brownfield Area for the purpose of environmental remediation, rehabilitation, and economic development; and further, continued the hearing until 2:00 p.m. on November 29, 2016 on a resolution regarding

designating certain land within unincorporated Orange County consisting of two portions of Parcel ID 06-24-29-0000-00-004 as the Universal Boulevard East: ROCC and the Universal Boulevard West: ROCC and as Brownfield Areas for the purpose of environmental remediation, rehabilitation, and economic development. The motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner Boyd, Edwards, and Commissioner Siplin

11. [16-069](#) Development Review Committee Appeal

Brent G. Siegel for Julieta Corredor, Sand Lake Resort Club PD / Westgate Lakes Resort Phase 5B DP, Case # CDR-16-06-207; District 1

Consideration: Appeal of a decision of the Orange County's Development Review Committee (DRC) of July 27, 2016 to approve the Sand Lake Resort Club PD / Westgate Lakes Resort Phase 5B Development Plan, Case # CDR-16-06-207, for 161 resort residential / timeshare units

Location: District 1; South of West Sand Lake Road / West of Turkey Lake Road; Orange County, Florida (legal property description on file in Planning)

Court Reporter: Sharon L. Tramonte, RPR, CM 1st First Choice

The following persons addressed the Board during public comment:

David Siegel
Kurt Ardaman
Dan Langley
Jim Hall
Mark Waltrip

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

- Exhibit 1, from David Siegel
- Exhibit 2, from Kurt Ardaman
- Exhibit 3, from Jim Hall

The following material was presented to the Board prior to the close of the public hearing: Submittal 1, from Kurt Ardaman.

A motion was made by Commissioner Boyd, seconded by Commissioner Nelson, that the appeal request be denied, and uphold the July 27, 2016, DRC decision to approve CDR 16-06-20 Sand Lake Resort Club PD/Westgate Lakes Resort Phase 5B DP for the construction of 161 Resort Rental/Timeshare Units. The motion carried by the following vote:

Aye: 6 - Mayor Jacobs, Commissioner Nelson, Commissioner Clarke, Commissioner Boyd, Edwards, and Commissioner Siplin

Nay: 1 - Commissioner Thompson

10. [16-070](#) Development Review Committee Appeal

David R. Lenox, Sand Lake Resort Club PD / Westgate Lakes Resort
Phase 5B Amended Buildings 60 & 70 DP, Case # CDR-15-06-167;
District 1

Consideration: Appeal of a decision of the Orange County's Development Review Committee (DRC), Case # CDR-16-03-099, to rescind DRC actions of October 7, 2015 (approval of CDR-15-06-167 and September 12, 2012 (approval of CDR-12-09-179) due to lack of Agent Authorization for the entirety of the property within the Development Plan boundary

Location: District 1; South of West Sand Lake Road / West of Turkey Lake Road; Orange County, Florida (legal property description on file in Planning)

Court Reporter: Sharon L. Tramonte, RPR, CM 1st First Choice Reporting and Video Services

This item was withdrawn.

12. [16-060](#) Plat Vacation

Bryan DeCunha on behalf of Windermere Country Club, LLC, Petition to
Vacate the development and access rights of Tract A (Golf Course) of the
Butler Bay - Unit Three development; District 1

Consideration: Windermere County Club Plat Vacation, Petition to vacate the development and access rights of Tract A (Golf Course) of the Butler Bay - Unit Three development dedicated to Orange County per the plat of Butler Bay - Unit Three.

Location: District 1 The parcel address is 2710 Butler Bay Drive North; S01/T23/R27; Orange County, Florida (legal property description on file in Development Engineering Division)

Court Reporters:

Sharon L. Tramonte, RPR, CM 1st First Choice Reporting & Video Services

Sharon A. Moser, RPR, FPR Realtime Reporters, Inc.

The following persons addressed the Board during public comment:

- Truong Nguyen
- City of Windermere Mayor Gary Bruhn
- Kurt Ardaman
- Ed Williams
- Cathy Novokowsky
- Rene Herring
- Larry Herring
- Chris Yarn
- Alberto Lugo
- Jim McAvoy
- Leigh Ann Dyal
- Fred Hernandez

- Chet Moody
- Louise Hawthorne
- Robert McChesney
- Mel Wright
- Greg Pounds
- Scott Glass
- Dan Knuth
- Galen Miller
- David Tottle
- Michael Eckhoff
- Paul Kenard
- Shelby Kolar

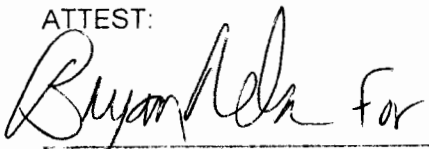
The following materials were presented to the Board prior to the close of the public hearing:

- Exhibit 1, from Truong Nguyen
- Exhibit 2, from Kurt Ardaman
- Exhibit 3, from Kurt Ardaman
- Exhibit 4, from Rene Herring
- Exhibit 5, from Louise Hawthorne
- Exhibit 6, from Robert McChesney
- Exhibit 7, from Shelby Kolar

A motion was made by Commissioner Boyd, seconded by Commissioner Siplin, that this item be denied. The motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner Boyd, Edwards, and Commissioner Siplin

ATTEST:

 For

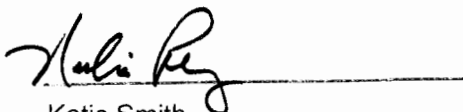
County Mayor Teresa Jacobs

Date: 12-20-16


ATTEST SIGNATURE:

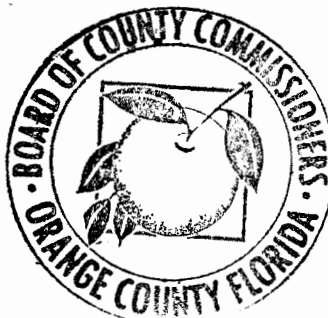
Martha O. Haynie

County Comptroller as Clerk



Katie Smith

 Deputy Clerk



√ 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>.

* * *

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.