

# **Orange County Government**

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



## **Final BCC Meeting Minutes**

**Tuesday, January 10, 2017**

**2:00 PM**

**County Commission Chambers**

**Board of County Commissioners**

**Call to Order**

County Mayor Jacobs called the meeting to order at 2:08 p.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  
Minutes Coordinator Lakela Christian

**Invocation**

Pastor Jimmy Siberio, The Oasis Church.

**Pledge of Allegiance****Presentation**

Art in the Chambers

**Public Comment**

The following persons addressed the Board for public comment:

- Jay Zembower
- Debbie Parrish

**I. CONSENT AGENDA****Approval of the Consent Agenda**

The Mayor deleted County Administrator Items 1.J and 2; and further, a motion was made by Commissioner Clarke, seconded by Commissioner Thompson, 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. [17-012](#) Approval of the minutes of the November 15, 2016 meeting of the Board of County Commissioners. (Clerk's Office)

2. [17-013](#) 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:

-December 16, 2016, to December 21, 2016; total of \$74,957,543.66  
-December 22, 2016, to December 29, 2016; total of \$37,341,388.62  
-December 30, 2016, to January 5, 2017; total of \$84,179,755.47.

(Finance/Accounting)

## **B. COUNTY SHERIFF**

1. [17-014](#) Approval of the Florida Department of Law Enforcement SFY2017 Edward Byrne Memorial Justice Assistance Grant in the total amount of \$50,142 for the period of October 1, 2016 through September 30, 2017. No matching funds are required.

## **C. COUNTY ADMINISTRATOR**

1. [17-015](#) Approval of the Membership and Mission Review Board's recommendations for advisory board appointments and reappointments: (Agenda Development Office)

A. Agricultural Advisory Board: Reappointment of Caitlyn Glatting in the at large representative category and Russell L. Woodall in the lawn maintenance/landscaping representative category with terms expiring December 31, 2018.

B. Building Codes Board of Adjustments and Appeals: Reappointment of Kafi D. Kennedy Swanson and Gustavo Torres in the consumer representative not from regulated professions representative category, Raymond T. Kilmer in the roofing contractor representative category, and William E. Zetterlund in the general contractor representative category with terms expiring December 31, 2018.

C. Citizens' Commission for Children: Reappointment of Dr. Sylvia T. Caceres and Dr. Carmel Munroe and the appointment of Dewey L. Harvey to succeed Ronita Sanders and Nikki Covington to succeed Alger M. Studstill, Jr. in the at large representative category with terms expiring December 31, 2018.

D. Citizens' Review Panel for Human Services: Appointment of Jacqueline Centeno to succeed Brent D. Hartman in the youth advocate representative category with a term expiring December 31, 2017 and the appointment of

Janice D. Battle-Brinson to succeed Cindy Underwood in the at large member in training representative category with a term expiring December 31, 2017. Note: Samia Sohl was serving in the at large member in training representative category and will succeed Michael T. Daniels in the at large representative category with a term expiring December 31, 2019; Jonathan P. Rivera and Jason Sena were serving in the at large member in training representative category and will succeed Mark A. Arias and Corey L. Douglas, respectively, in the at large representative category with terms expiring December 31, 2017.

E. Community Development Advisory Board: Appointment of Sara M. Cunnard to succeed Edwin Martinez in the District 3 representative category with a term expiring June 30, 2017.

F. Disability Advisory Board: Appointment of Sandra Algarin to succeed Laura Pichardo-Cruz in the at large representative category with a term expiring June 30, 2018.

G. Environmental Protection Commission: Reappointment Mark N. Corbett in the regulated business or municipality representative category with a term expiring December 31, 2018 and the appointment of Flormari Blackburn to succeed Glenn W. Dunkelberger in the professional engineer representative category with a term expiring December 31, 2018.

H. Housing Finance Authority: Reappointment of Vernice Atkins-Bradley in the commerce representative category and V. Marshall Siplin in the labor representative category with terms expiring December 31, 2020.

I. Industrial Development Authority : Reappointment of Justin J. Vermuth in the at large representative category with a term expiring December 31, 2020 and the appointment of Joel A. Knopp to succeed Jean Michael Abi-Aoun in the at large representative category with a term expiring December 31, 2019.

J. International Drive CRA Advisory Committee: Reappointment of Donald W. Mills in the Efficient Transportation for the Community of Central Florida representative category with a term expiring January 1, 2019.

(This item was deleted.)

K. M/WBE Advisory Committee: Appointment of Jeanette Schutz to succeed Valerie J. Odom in the at large representative category with a term expiring June 30, 2018.

L. Parks and Recreation Advisory Board: Appointment of Jane

Dunkelberger to succeed Sue N. Carpenter in the District 1 representative category with a term expiring June 30, 2018 and the appointment of Dewey L. Harvey to succeed David Laietta in the youth recreational activities representative category with a term expiring June 30, 2017.

(Item 1.J was deleted.)

2.     [17-016](#)     Confirmation of Commissioner Bonilla's appointment of Christine French to the City of Maitland Community Redevelopment Agency with a term expiring December 31, 2018. (Agenda Development Office)

(This item was deleted.)

3.     [17-017](#)     Confirmation of Commissioner Clarke's appointment of Diane D. Robinson to the Lake Anderson Advisory Board with a term expiring December 31, 2018. (Agenda Development Office)
4.     [17-018](#)     Approval and execution of Resolution 2017-B-01 for the issuance of MultiFamily Housing Mortgage revenue bonds, to finance the acquisition and construction of Vista Pines Apartments, a proposed development in unincorporated Orange County, Florida, District 3, in an amount not to exceed \$22,000,000. (Housing and Finance Authority)
5.     [17-019](#)     Approval of a 3.5% Fiscal Year 2015-16 salary increase for employee ID# 110020 effective February 28, 2016 consistent with all other provisions of the Board approved FY 2015-16 FOP Charles Brookfield Lodge #86 (FOP) bargaining unit agreement to include retroactive payment of the corresponding wages effective February 28, 2016. (Human Resources Division)
6.     [17-020](#)     Approval of Receipt and Use of HAVA Funds for Federal Election Administration Activities in the amount of \$172,871.12; approval and execution of Certificate Regarding Matching Funds, as required by the Department of State/Division of Elections; and approval to make a one-time payment of \$25,930.67 to the Orange County Supervisor of Elections as matching funds. (Office of Management and Budget)
7.     [17-021](#)     Approval to pay the second quarter billing for the Orange County Property Appraiser in the amount of \$2,216,427.15. (Office of Management and Budget)
8.     [17-022](#)     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 Central Florida Crimeline Program, Inc. (Office of Management and Budget)
9.     [17-023](#)     Approval of budget amendments #17-13 and #17-14. (Office of Management and Budget)

10. [17-024](#) Approval of the sufficiency of the public officials' bonds provided by Travelers Casualty and Surety Company and Liberty Mutual Insurance Company for all public officials currently holding office in Orange County. (Risk Management Division)

**D. ADMINISTRATIVE SERVICES DEPARTMENT**

1. [17-025](#) Approval to award Invitation for Bids Y17-110-DG, Hydraulic Hose Repair, to the low responsive and responsible bidder, Bridgestone Hosepower. The estimated contract award amount is \$335,650 for a 1-year term. ([Administrative Services Department Fleet Management Division] Procurement Division)
2. [17-026](#) Approval to award Invitation for Bids Y17-137-MG, Uniforms for Fire Rescue Department, to the low responsive and responsible bidder, Designlab, Inc. The estimated contract award amount is \$657,429.20 for a 1-year term. ([Fire Rescue Department Infrastructure and Asset Management Division] Procurement Division)
3. [17-027](#) Approval to award Invitation for Bids Y17-138-MG, Towing Services, to the low responsive and responsible bidder, Sahli Enterprises, LLC dba AATR Orlando. The estimated contract award amount is \$265,287.50 for a 1-year term. ([Administrative Services Department Fleet Management Division] Procurement Division)
4. [17-028](#) Approval to award Invitation for Bids Y17-139-LC, Grease Trap Cleaning, Maintenance and Repair, to the sole responsive and responsible bidder, Brownie's Septic and Plumbing, LLC. The estimated contract award amount is \$301,045 for a 1-year term. ([Convention Center Facility Operations Division] Procurement Division)
5. [17-029](#) Approval to award Invitation for Bids Y17-710-PH, Pump Stations 3728 Rocket Blvd. Ext, 3426 Cypress Park, 3192 R Rocket Blvd. and Central Florida Park Way Improvements, to the low responsive and responsible bidder, Metro Equipment Service, Inc. The estimated contract award amount is \$2,367,454. ([Utilities Department Engineering Division] Procurement Division)
6. [17-030](#) Approval to award Invitation for Bids Y17-715-MM, Orange County Convention Center North South Building Exterior Electrical, Water & Parking Upgrades, to the low responsive and responsible bidder, Allstate Paving, Inc. The total contract award amount is \$1,574,000 (Alternate Bid), including Additive Bids 1 and 2. ([Convention Center Capital Planning and Building Systems Division] Procurement Division)
7. [17-031](#) Approval to award Invitation for Bids Y17-724-CC, Animal Services -

Building 300 Ventilation Renovation, to the low responsive and responsible bidder, Axios Construction Services, LLC. The total contract award amount is \$337,600. ([Administrative Services Department Capital Projects Division] Procurement Division)

8. [17-032](#) Selection of Image Trend, Inc., Request for Proposals Y16-1042-MG, to provide an Electronic Patient Care Report System. ([Fire Rescue Department Operations Division] Procurement Division)
9. [17-033](#) Approval and execution of Release of Right of Reverter by Orange County and authorization to record instrument for Horizon West School Sites. District 1. (Real Estate Management Division)
10. [17-034](#) Approval of Non-Exclusive Drainage and Access Easement between Kings Hwy LLC and Orange County and authorization to record instrument for Petition to Vacate #15-03-007 (402 N. Mission Road). District 6. (Real Estate Management Division)
11. [17-035](#) Approval of Temporary Drainage Easement between KB Home Orlando LLC and Orange County and authorization to record instrument for Vineyards of Horizons West Phase 2B - Case # PSP-14-04-092. District 1. (Real Estate Management Division)
12. [17-036](#) Approval of Utility Easement between Taylor Morrison of Florida, Inc. and Orange County and authorization to record instrument for Overlook 2 at Hamlin Phase 1 and 6 Permit: 13-S-082 OCU File #: 74925. District 1. (Real Estate Management Division)

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

1. [17-037](#) 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 16-1018	LC 17-0004	LC 16-1211	LC 17-0056	LC 16-1128
LC 16-1186	LC 17-0010	LC 16-1213	LC 16-0959	LC 16-1131
LC 16-0906	LC 17-0025	LC 17-0049	LC 16-1014	LC 16-1168
LC 16-1034	LC 17-0069	LC 17-0052	LC 16-1202	LC 16-1171
LC 16-1132	LC 17-0071	LC 17-0054	LC 17-0041	LC 16-1172
LC 16-1188	LC 17-0076	LC 17-0139	LC 17-0059	LC 16-1177
LC 16-1192	LC 16-1009	LC 16-1224	LC 16-0919	LC 17-0021
LC 16-1220	LC 16-1207	LC 17-0047	LC 16-1100	LC 17-0075

2. [17-038](#) Approval and execution of DEP Agreement No. S0944 State of Florida Department of Environmental Protection Division of Air Resource

Management Grant Agreement Pursuant to Line Item 1720 of the FY16-17 General Appropriations Act between the State of Florida Department of Environmental Protection and Orange County in the amount of \$45,201.46 relating to the regulation of major air permitting sources and authorization for the Community, Environmental and Development Services Department Deputy Director to make non-substantial amendments or amendments to the contract for additional service periods, subject to availability of funds from the Florida Department of Environmental Protection. All Districts. (Environmental Protection Division)

3.     [17-039](#)     Approval of Application for Impact Fee Grants for Qualified Non-profit Organizations in the amount of \$10,000 to be used for the Law Enforcement, Fire Rescue and Road Impact Fees for New Hope Ministries of Orlando Inc. training center. District 6. (Fiscal and Operational Support Division)
4.     [17-040](#)     Approval and execution of Palm Parkway to Apopka-Vineland Connector Road Third Supplemental Agreement by and among Daryl M. Carter, Kerina, Inc., Kerina Village, LLC, Kerina Wildwood, LLC, Pulte Home Corporation, and Orange County, Florida to modify the landscaping requirements. District 1. (Roadway Agreement Committee)
5.     [17-041](#)     Approval and execution of Palm Parkway to Apopka-Vineland Connector Road Fourth Supplemental Agreement by and among Daryl M. Carter, Kerina, Inc., Kerina Village, LLC, Kerina Wildwood, LLC, Pulte Home Corporation, and Orange County, Florida to provide for construction of the southeastern section of the Connector Road by Segmenting Owner. District 1. (Roadway Agreement Committee)

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

1.     [17-042](#)     Approval and execution of State of Florida Department of Economic Opportunity Agreement Number: 17SB-0D-12-00-01-119 FFY 2017 Federally Funded Subgrant Agreement Community Services Block Grant (CSBG) Program between the State of Florida, Department of Economic Opportunity and Orange County in the amount of \$1,285,730 and authorization for the County Mayor or designee to approve any increases, decreases, or amendments to this contract. The term of this Agreement is from October 1, 2016 through March 31, 2018. (Community Action Division)
2.     [17-043](#)     Receipt and filing of Head Start Policy Council Program Information and Updates November 2016 and Head Start Policy Council Meeting Minutes October 20, 2016 for the official county record. (Head Start Division)
3.     [17-044](#)     Approval and execution of Florida Department of Children and Families Application for a License to Operate a Child Care Facility at Pine Hills Head Start. This application is only executed by Orange County. (Head Start Division)



4. [17-045](#) Approval of January 2017 Neighborhood Pride Sign Grant as recommended by the Neighborhood Grants Advisory Board for Roseview Neighborhood (\$5,000). District 1. (Neighborhood Preservation and Revitalization Division)
5. [17-046](#) Approval of the January 2017 Neighborhood Pride Capital Improvement Grant as recommended by the Neighborhood Grants Advisory Board for Palm Lake HOA (\$7,400) and Lakeville Oaks HOA (\$6,300). Districts 1 and 2. (Neighborhood Preservation and Revitalization Division)
6. [17-047](#) Approval of January 2017 Neighborhood Pride Entranceway Grants as recommended by the Neighborhood Grants Advisory Board for Raintree Place HOA (\$1,000); Clarion Oaks HOA (\$5,000) and Watermill Cove HOA (\$5,000). Districts 1, 2 and 5. (Neighborhood Preservation and Revitalization Division)
7. [17-048](#) Approval of January 2017 Neighborhood Pride Wall Repair Grant as recommended by the Neighborhood Grants Advisory Board for Hidden Woods Subdivision (\$10,500). District 2. (Neighborhood Preservation and Revitalization Division)
8. [17-049](#) Approval of the January 2017 Neighborhood Pride Mini-Grants as recommended by the Neighborhood Grants Advisory Board for Belle Isle Pines Neighborhood (\$1,500) and Green Tree Subdivision (\$1,500). Districts 3 and 4. (Neighborhood Preservation and Revitalization Division)

#### **G. HEALTH SERVICES DEPARTMENT**

1. [17-050](#) Approval and execution of the renewal Certificate of Public Convenience and Necessity for Reedy Creek Emergency Services to provide Advanced Life Support Transport Service. The term of this certificate is from January 31, 2017 through January 31, 2019. There is no cost to the County. (EMS Office of the Medical Director)
2. [17-051](#) Approval and execution of the renewal Paratransit Services License for Universal Transportation Management (UTM) to provide wheelchair/stretchers service. The term of this License is from January 31, 2017 through January 31, 2019. There is no cost to the County. (EMS Office of the Medical Director)
3. [17-052](#) Approval and execution of the renewal Certificate of Public Convenience and Necessity for Maitland Fire Rescue Department to provide Advanced Life Support Transport Service. The term of this certificate is from January 31, 2017 through January 31, 2019. There is no cost to the County. (EMS Office of the Medical Director)

#### **H. PUBLIC WORKS DEPARTMENT**

1. [17-053](#) Approval and execution of (1) Financial Management Number 439081-1-58-01 Resolution 2017-M-01 of the Orange County Board of County Commissioners regarding the Joint Participation Agreement with the State of Florida Department of Transportation concerning the project described as “construction services to alleviate flooding in the vicinity of State Road 50 around Barry Street and Fairvilla Road” and (2) Joint Participation Agreement between the State of Florida Department of Transportation and Orange County Financial Management No.: 439081-1-58-01. District 6. (Roads and Drainage Division)

## **I. UTILITIES DEPARTMENT**

1. [17-054](#) Approval and execution of South Florida Water Management District Cooperative Funding Program Water Conservation (WC) Agreement Number: 4600003515 between the South Florida Water Management District and Orange County Board of County Commissioners for the WaterSmart water-use efficiency program. Districts 1 and 4. (Water Division)

## **II. INFORMATIONAL ITEMS\*\***

### **A. COUNTY COMPTROLLER**

1. [17-055](#) Receipt of the following items to file for the record: (Clerk’s Office)
  - a. Florida Public Service Commission Consummating Order. In re: Petition for approval of modifications to standard interconnection agreement contained in the approved tariff by Duke Energy Florida, LLC.
  - b. City of Apopka Notice of Annexation Ordinances, and Vicinity Maps as follows:
    - Ordinance 2528, An Ordinance of the City of Apopka, Florida, to extend its territorial and municipal limits to annex pursuant to Florida Statute 171.044 the hereinafter described lands situated and being in Orange County, Florida, owned by Adams Brothers Construction Company, Inc. located west of Sheeler Avenue and south of East 13th Street; providing for directions to the City Clerk, severability, conflicts, and an effective date.
    - Ordinance 2529, An Ordinance of the City of Apopka, Florida, to extend its territorial and municipal limits to annex pursuant to Florida Statute 171.044 the hereinafter described lands situated and being in Orange County, Florida, owned by Shirley L. Little Life Estate located west of Central Avenue and north of Oak Street; providing for directions to the City Clerk, severability, conflicts, and an effective date.
    - Ordinance 2530, An Ordinance of the City of Apopka, Florida, to extend its territorial and municipal limits to annex pursuant to Florida Statute 171.044

the hereinafter described lands situated and being in Orange County, Florida, owned by Jerry Owens and Linda S. Owens located west of Marden Road and south of Keene Road; providing for directions to the City Clerk, severability, conflicts, and an effective date.

c. St. Johns River Water Management District's Governing Board 2017 schedule.

d. Florida Public Service Commission Consummating Order. In re: Application for increase in water and wastewater rates in Charlotte, Highlands, Lake, Lee, Marion, Orange, Pasco, Pinellas, Polk, and Seminole Counties by Utilities, Inc. of Florida.

This item was received and filed.

### III. DISCUSSION AGENDA

#### A. COUNTY MAYOR

1. [17-056](#) Open Discussion on issues of interest to the Board.

The Board took no action.

### IV. RECOMMENDATIONS

1. [17-057](#) December 15, 2016 Planning and Zoning 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. [17-003](#) Municipal Service Benefit Unit

Creekstone, establish for streetlighting and for retention pond(s) maintenance; District 4

**Consideration:** Establish by resolution a Municipal Service Benefit Unit for streetlighting and retention pond(s) maintenance at Creekstone.

**Location:** District 4; Section 33, Township 24, Range 30; Orange County, Florida (legal property

description on file)

A motion was made by Commissioner Thompson, 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

2. [17-004](#) Municipal Service Benefit Unit

Lake Preserve Area, amend for streetlighting and for retention pond(s) maintenance; District 4

**Consideration:** Amend by resolution a Municipal Service Benefit Unit for streetlighting and retention pond(s) maintenance to include Lake Preserve - Phase 2A.

**Location:** District 4; Parcel ID (multiple parcels); Section 33, Township 24, Range 30; 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

3. [17-005](#) Municipal Service Benefit Unit

Sweetwater Country Club Area, amend for streetlighting; District 2

**Consideration:** Amend by resolution a Municipal Service Benefit Unit for streetlighting to include Estates at Sweetwater Golf and County Club.

**Location:** District 2; Parcel ID (multiple parcels); Section 36, Township 20, Range 28; Orange County, Florida (legal property description on file)

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

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

**Absent:** 1 - Commissioner Thompson

4. [17-006](#) Municipal Service Benefit Unit

Waterleigh Area, amend for streetlighting and for retention pond(s) maintenance; District 1

**Consideration:** Amend by resolution a Municipal Service Benefit Unit for streetlighting and retention pond(s) maintenance to include Waterleigh Phase 1C.

**Location:** District 1; Multiple parcels and Sections, Townships, and Ranges; 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:** 6 - Mayor Jacobs, Commissioner Nelson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

**Absent:** 1 - Commissioner Thompson

5. [17-007](#) Municipal Service Benefit Unit

Windermere Trails Area, amend for streetlighting and for retention pond(s) maintenance; District 1

**Consideration:** Amend by resolution a Municipal Service Benefit Unit for streetlighting and retention pond(s) maintenance to include Windermere Trails Phase 4B.

**Location:** District 1; Parcel ID (multiple parcels); Section 36, Township 23, Range 27; 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

6. [16-072](#) Petition to Vacate

Dayalal G. Bharadva, Petition to Vacate # 15-04-011, vacate an opened and improved right-of-way; District 1(Continued from November 1, 2016)

**Consideration:** Resolution granting Petition to Vacate # 15-04-011, vacating a 16 ft wide portion of an opened and improved 66 ft wide right-of-way known as Kilgore Road, containing approximately 0.074 acres.

**Location:** District 1; The parcel address is 9900 Kilgore Road; S04/T24/R28; Orange County, Florida (legal property description on file)

A motion was made by Commissioner VanderLey, seconded by Commissioner Thompson, to continue the public hearing until March 7, 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

7. [17-011](#) Preliminary Subdivision Plan

Eric Warren, Poulos and Bennett, Springhill PD / Horizon West Village H Parcel 45 PSP - Case # PSP-16-05-173; District 1

**Consideration:** Springhill PD / Horizon West Village H Parcel 45 Preliminary Subdivision Plan, Case # PSP-16-05-173, submitted in accordance with Section 34-69 Orange County Code (Subdivision Regulations); and Orange County Code, Chapter 30, Article III, Section 30-89 and Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207; This Preliminary Subdivision Plan (PSP) is a request to subdivide 24.95 acres in order to construct 88 single-family attached residential dwelling units. This project is proposing to be a gated

community under Orange County Code Sections 34-280, 34-290, and 34-291.

The request also includes the following waivers from the Orange County Code:

1. A waiver from Orange County Code Section 34-152(c) to allow lots 1-53 to front a mew, park open space, etc. in lieu of the 20 foot access to be a dedicated public street. Legal access to these lots will be through an ingress/egress easement and/or alley tract.
2. A waiver from Orange County Code Sections 38-1382(h)(4) and 38-1384(i)(3) to allow blocks with townhome lots less than fifty (50) feet in width, to have rear vehicular access from a public right-of-way when the block and lots are designed to front an open space or mews as described in Section 38-1382(h)(6); in lieu of the requirement that any block containing any lots with a width of fifty (50) feet or less be accessed from a rear alley easement.
3. A waiver from Orange County Code Section 1387.1(a)(12) to allow lots 54-88 to be accessed from right-of-way. These lots will face the mew and have rear access from the right-of-way.
4. A waiver from Orange County Code Section 34-209 to allow a 36" high masonry wall with 36" high picket metal fence on top in lieu of a 6' high masonry wall adjacent to Avalon Road.
5. A waiver from Orange County Code Section 38-1382(h)(4) to allow alley tracts in lieu of easements.
6. A waiver from Orange County Code Section 38-1384(G)(2) to allow alley tracts in lieu of easements.
7. A waiver from Orange County Code Section 38-1384(i) to allow alley tracts in lieu of easements.
8. A waiver from Orange County Code Section 38-1388(e)(6) to allow alley tracts in lieu of easements.
9. A waiver from Section 34-280(b)(1) of the Orange County Land Development Code ("LDC") to allow a gated community on property designated as Village Planned Development in the Orange County Comprehensive Policy Plan ("CPP").

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

Deletion of Condition of Approval #29:

~~29. A waiver from Orange County Code Section 34-280(b)(1) of the Orange County Land Development Code ("LDC") is granted to allow a gated community on property designated as Village Planned Development in the Orange County Comprehensive Policy Plan ("CPP").~~

Deletion of Condition of Approval #14:

~~14. This project shall be a gated community and shall comply with the minimum requirements of the Gated Community Ordinance, Orange County Code Sections 34-280, 34-290, and 34-291, as they may be amended from time to time.~~

The following person addressed the Board: Heather Himes.

New Conditions of Approval #30 and #31 were added yet in keeping with the sequential ordering,

the new Conditions of Approval will be #28 and #29.

New Condition of Approval # 28:

28. A Municipal Service Benefit Unit (MSBU) shall be established for the standard operation and maintenance of street lighting inventory including leasing, fuel, and energy costs for this project. Street lighting fixtures, poles, and luminaries used in this project shall be selected from the approved inventory list supplied by the Orange County Comptroller. Street lighting fixtures, poles, and luminaries used in this project shall be supplied and installed by the utility company that services the area of the project, as authorized by law or agreement, and thereafter maintains the street lighting inventory. The developer shall obtain approval of the street lighting fixtures, poles, and luminaries from the Orange County Comptroller Special Assessments Department via a "Letter of Commitment" prior to the installation of the street lighting fixtures, poles, and luminaries and prior to the plat being recorded by Orange County Comptroller Official Records section. All installation costs and street lighting operational costs prior to the effective date of the MSBU approval by the Orange County Board of County Commissioners shall be the sole responsibility of the developer.

New Condition of Approval # 29:

29. Roads and drainage system(s), including any retention pond(s), will be owned and maintained by Orange County with a Municipal Service Benefit Unit (MSBU) established for stormwater system functionality. Routine maintenance, including mowing, beyond that provided by the County, shall be the responsibility of the Homeowners' Association.

A motion was made by Commissioner VanderLey, seconded by Commissioner Thompson, to make a finding of consistency with the Comprehensive Plan; and approve the request as amended subject to the conditions of approval listed in the Development Review Committee staff report; and further, approve the deletion of conditions of approval #14 and #29; and further, approve new conditions of approval #28 and #29. The motion carried by the following vote:

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

8. [17-009](#) Shoreline Alteration/Dredge and Fill

Trustees of the Internal Improvement Trust (TIITF), Wekiwa Springs State Park within the spring run to the Wekiwa River, permit, District 2

**Consideration:** Request for a Shoreline Alteration/Dredge and Fill Permit to replace two sections of a failing seawall in the Wekiwa Springs State Park within the spring run to the Wekiwa River, pursuant to Orange County Code, Chapter 15, Article VI. Pumping and Dredging Control; Section 15-218(d)

**Location:** District 2; on property located at 1800 Wekiwa Circle in Wekiwa Springs State Park,



Apopka, Florida; (legal property description on file in Environmental Protection Division)

The following person addressed the Board: Robert Brooks.

A motion was made by Commissioner Nelson, seconded by Commissioner Clarke, to approve the Shoreline Alteration/Dredge and Fill Permit (SADF-16-10-013), subject to the conditions of approval listed 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

9. [17-008](#) Substantial Change

Selby Weeks, Klima Weeks Civil Engineering, Inc., Orlando Health Central  
Porter Road Medical Campus PD / Orlando Health Horizon West Phase 1  
Preliminary Subdivision Plan / Development Plan - Case # CDR-16-11-377

**Consideration:** Substantial change request to modify the July 19, 2016 BCC condition of approval #7 regarding notification of proximity of the development to the West Orange & 545 Solid Waste Disposal Facilities; pursuant to Sections 34-69 and 30-89, Orange County Code

**Location:** District 1; property generally located South of Porter Road / East of County Road 545; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Selby Weeks.

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

10. [17-010](#) Substantial Change

John Joyce, Joyce Development Group, Andover Lakes Planned  
Development (PD) / Shoppes at Andover Preliminary Subdivision Plan  
(PSP) - Case # CDR-16-09-340, amend plan; District 4

**Consideration:** This request is to increase the retail square footage from 21,590 square feet to 33,109 square feet, for an increase of 11,519 square feet. The overall commercial square footage within the PSP would increase from 86,376 square feet to 97,895 square feet on 12.63 acres; pursuant to Sections 34-69 and 30-89, Orange County Code.

**Location:** District 4; property generally located South of Curry Ford Road / East of Young Pine Road; Orange County, Florida (legal property description on file in Planning Division)

The following person address the Baord: Eric Juliano

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

√ **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: 3:33 p.m.

ATTEST:

\_\_\_\_\_  
County Mayor Teresa Jacobs

Date: \_\_\_\_\_

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.