

JUN 24 2014 KH/NP

ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS' MEETING

Date: Tuesday, May 6, 2014
Location: Commission Chambers, Orange County Administration Center,
First Floor, 201 S. Rosalind Avenue, Orlando, Florida
Members Present: County Mayor Teresa Jacobs; Commissioners S. Scott Boyd, Fred
Brummer, Pete Clarke, Jennifer Thompson, Ted Edwards, Tiffany
Moore Russell
Others Present: County Comptroller Martha Haynie as Clerk, County Administrator
Ajit Lalchandani, County Attorney Jeffrey J. Newton, Deputy Clerk
Katie Smith, Senior Minutes Coordinator Noelia Perez

- CALL TO ORDER, 9:10 a.m.
- INVOCATION - Dr. Biao Chen, Senior Pastor, Orlando Chinese Evangelical Christian Church
- PLEDGE OF ALLEGIANCE
- PRESENTATION
Proclamation recognizing Asian Pacific American Heritage Month
- PRESENTATION
Proclamation designating the week of May 4 through May 10, 2014, as Centennial Celebration Week of the Cooperative Extension Service
- PUBLIC COMMENT

The following persons addressed the Board for public comment:

- Lawanna Gelzer
- Blakely Meyers
- Steve Fisher
- Ricardo Cumberbatch
- June Cole
- Tom Garver
- Penny McLaughlin
- Noel Busch
- Jane Benner
- Carolyn Karraker
- Ann Wincey
- Carol Johnson
- Mason Simpson
- Trini Quiroz
- David Siegel

- Orange County School Board Member Pam Gould
- Stina D'Uva
- Jim Coffey
- Deawn Hughes
- Ed Misicka
- Jane Dunkelberger

• COUNTY CONSENT AGENDA

Motion/Second: Commissioners Clarke/Thompson

AYE (voice vote): All members

Action: The Board approved the County Consent Agenda items as follows:

County Comptroller

1. Approval of the minutes of the March 25, 2014, meeting of the Board of County Commissioners. (Clerk's Office)
2. Approval of the check register authorizing the most recently disbursed County funds, having been certified that same had not been drawn on overexpended accounts. Periods are as follows:
 - April 18, 2014, to April 24, 2014; total of \$23,129,267.04
 - April 25, 2014, to May 1, 2014; total of \$54,314,016.31.

(Finance/Accounting)

3. Disposition of Tangible Personal Property (Property Accounting)

Approval is requested of the following:

- a. Trade assets for allowance towards purchase of new equipment.
- b. Dispose of an asset that was totaled out by our Third Party Administrator for its salvage value.
- c. Scrap asset.
- d. Dispose of software that is no longer used.

County Administrator

1. Approval of Resolution 2014-M-16 of the Board of County Commissioners of Orange County, Florida regarding reimbursement of certain costs relating to the acquisition, renovation and equipping of certain buildings for primary use as governmental office space; and providing for an effective date. (Fiscal and Business Services Division)

2. Approval to grant the IAFF FY2012-13 and/or FY2013-14 retroactive salary increases to the listed employees who were promoted during the implementation of the bargaining unit agreement. (Human Resources Division)
3. Approval for the Orange County Sheriff's Office to spend \$15,000 from the Law Enforcement Trust Fund to provide eligible contributions to the Boy Scouts of America, Central Florida Council (\$5,000), Boys & Girls Clubs of Central Florida (\$5,000), and Harbor House (\$5,000). (Office of Management and Budget)
4. Approval of budget amendments #14-29 and #14-31. (Office of Management and Budget)
5. Approval of CIP amendment #14C-107. (Office of Management and Budget)
6. Approval of payment of Intergovernmental claims of January 9, 2014, January 16, 2014, January 30, 2014, February 6, 2014, February 13, 2014, February 27, 2014, March 13, 2014 and March 27, 2014 totaling \$3,005,231.55. (Risk Management Division)

County Attorney

1. Approval of proposed revisions to Administrative Regulations 5.02 and 5.02.01, titled "News Releases" and "Newsletters, Public Information and/or Public Relations Publications," respectively.

Administrative Services Department

1. Approval to award Invitation for Bids Y14-194-J2, Stormwater Slip Lining Rehabilitation Services, to the low responsive and responsible bidder, Layne Inliner, LLC, in the estimated annual contract award amount of \$3,556,260. Further, authorized the Procurement Division to exercise contract option years one and two. ([Public Works Department Roads and Drainage Division] Procurement Division)
2. Approval to award Invitation for Bids Y14-759-J2, Lake San Susan Drainage Well Replacement and Abandonment, to the sole responsive and responsible bidder, Henderson Wilder, Contractor, in the estimated contract award amount of \$156,085 (Alternate Bid). ([Public Works Department Stormwater Management Division] Procurement Division)
3. Approval of Contract Y14-616-ZM, CAD Analyst Application and Apparatus Deployment Analysis Module, with Deccan International Corporation in the contract award amount of \$218,521. ([Fire Rescue Department Planning and Technical Services Division] Procurement Division)

4. Approval to award Invitation for Bids Y14-602-GJ, Portable Basketball Backboards, Scoreboards and Flooring for the Orange County Convention Center, to the low responsive and responsible bidder, SSE & Associates Inc. for Lots 1 and 3, at a total award amount of \$636,112. ([Convention Center] Procurement Division)
5. Approval and execution of Resolution 2014-M-17 declaring County property surplus and authorizing conveyance, County Deed from Orange County to First John Holiness Church, Inc. and authorization to record instrument for South Apopka Cemetery. District 2. (Real Estate Management Division)
6. Approval of As Is Residential Contract for Sale and Purchase with Addendum to Contract between Orange County and Sheila Colon, approval and execution of County Deed from Orange County to Sheila Colon and authorization to perform all actions necessary and incidental to closing for NSP Resale – 14224 Babylon Way, Orlando, FL 32824 (NCST). District 4. (Real Estate Management Division)
7. Approval of As Is Residential Contract for Sale and Purchase between Orange County and Daniel Leyva, approval and execution of County Deed from Orange County to Daniel Leyva and Jessenia Mora and authorization to perform all actions necessary and incidental to closing for NSP Resale – 2054 Meadow Pond Way, Orlando, FL 32824 (NCST). District 4. (Real Estate Management Division)
8. 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 Zulai Perez, approval and execution of County Deed from Orange County to Zulai Perez and authorization to perform all actions necessary and incidental to closing for NSP Resale – 741 Wechsler Circle, Orlando, FL 32824 (NCST). District 4. (Real Estate Management Division)
9. Approval of As Is Residential Contract for Sale and Purchase with Comprehensive Riders to the Residential Contract for Sale and Purchase between Orange County and Renay S. Ballard, approval and execution of County Deed from Orange County to Renay S. Ballard and authorization to perform all actions necessary and incidental to closing for NSP Resale – 2315 Island Club Way, Orlando, FL 32822 (NCST). District 3. (Real Estate Management Division)
10. Approval of As Is Residential Contract for Sale and Purchase with Comprehensive Riders to the Residential Contract for Sale and Purchase between Orange County and Juan G. Barrera-Muro, approval and execution of County Deed from Orange County to Juan G. Barrera-Muro and Maria Pedrina Diaz Lopez and authorization to perform all actions necessary and incidental to closing for NSP Resale – 2817 Woodruff Drive, Orlando, FL 32837 (NCST). District 4. (Real Estate Management Division)

11. Approval and execution of Purchase and Sale Agreement, Assignment and Assumption of Lessee's Interest in Ground Lease, Assignment and Assumption of Leases and Approval of Special Warranty Deed between UP Development – Corporate Park Office Building, LLC and Orange County, authorization to disburse funds to pay deposit, leasehold purchase price, closing costs and perform all actions necessary and incidental to closing for Corporate Park I and II, 3660 & 3670 Maguire Boulevard. District 5. (Real Estate Management Division)
12. Approval of Donation Agreement and Signalization and Sidewalk Easement between CFL Pizza, LLC and Orange County, Subordination of Encumbrances to Property Rights to Orange County from Regions Financial Corporation, in its capacity as administrative agent and authorization to disburse funds to pay all recording fees and record instruments for International Drive Transit Lanes (Destination Parkway to Sand Lake Road). District 6. (Real Estate Management Division)

Community, Environmental and Development Services Department

1. Approval 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. Districts 2, 3, 5, and 6. (Code Enforcement Division)

LC 14-0328	LC 14-0452	LC 14-0467	LC 14-0024	LC 14-0273
LC 14-0348	LC 14-0457	LC 14-0500	LC 14-0060	LC 14-0283
LC 14-0349	LC 14-0458	LC 14-0549	LC 14-0065	LC 14-0296
LC 14-0358	LC 14-0459	LC 14-0560	LC 14-0067	LC 14-0313
LC 14-0428	LC 14-0473	LC 13-1795	LC 14-0115	LC 14-0346
LC 14-0435	LC 14-0489	LC 13-1811	LC 14-0128	LC 14-0396
LC 14-0448	LC 14-0531	LC 13-1827	LC 14-0227	LC 14-0510
LC 14-0449	LC 14-0585	LC 14-0022	LC 14-0229	LC 14-0550

2. Approval of Recommendation of the Environmental Protection Commission to Uphold the Environmental Protection Officer's Recommendation to Approve the Request for Variance from Orange County Code, Chapter 15, Article IX, Section 15-343(a) for the Herring Dock Construction Permit BD-13-10-099. District 3. (Environmental Protection Division)
3. Approval of Second Amendment and Complete Restatement of the Hal Scott Regional Preserve and Park Intergovernmental Management Agreement between The Governing Board of the St. Johns River Water Management District and Orange County. Districts 4 and 5. (Environmental Protection Division)

4. Approval of Indemnity Agreement by Maronda Homes, Inc. of Florida in favor of The School Board of Orange County, Florida and Orange County, Florida, regarding a refund of school impact fee credits in the amount of \$116,856. District 6. (Fiscal and Operational Support Division)

Family Services Department

1. Approval of Resolution 2014-M-18 of the Orange County Board of County Commissioners regarding the Orange County Disability Advisory Board. (Citizen Resource & Outreach Office)
2. Approval of Resolution 2014-M-19 of the Orange County Board of County Commissioners regarding Revising the Orange County Commission on Aging Membership (Citizen Resource & Outreach Office)
3. Acceptance of University of Florida's appointment of Ms. Jennifer Pelham as Orange County Extension Agent III, Residential Horticulture. All Districts. (Cooperative Extension Division)
4. Approval of Florida Department of Children and Families Application for a License to operate a Childcare Facility at Callahan Head Start. This application is only executed by Orange County. (Head Start Division)
5. Approval of May 2014 Neighborhood Pride Sign Grant as recommended by the Neighborhood Grants Advisory Board for: Kensington Subdivision (\$5,000). District 2. (Neighborhood Preservation and Revitalization Division)
6. Approval of May 2014 Neighborhood Pride Entranceway Grants as recommended by the Neighborhood Grants Advisory Board for: Lake Olympic Townhomes (\$5,000) and The Gardens at Rio Pinar (\$1,943). Districts 2 and 3. (Neighborhood Preservation and Revitalization Division)
7. Approval of the May 2014 Neighborhood Pride Mini-Grants as recommended by the Neighborhood Grants Advisory Board for Oaks at Paradise Subdivision (\$1,500) and Meadow Woods Village 7 Action Group (\$1,500). Districts 2 and 4. (Neighborhood Preservation and Revitalization Division)
8. Approval of the Antoinette Lauro grant for the Business Assistance for Neighborhood Corridors Program for April 2014 in the total amount of \$4,925. District 3. (Neighborhood Preservation and Revitalization Division)
9. Approval of May 2014 Neighborhood Pride Landscaping Grants as recommended by the Neighborhood Grants Advisory Board for: Essex Pointe Homeowners Association (\$2,500) and One Thousand Oaks Condominium Association (\$2,500). District 3. (Neighborhood Preservation and Revitalization Division)

10. Approval of the Ultimate Choice Realty, Inc. grant for the Business Assistance for Neighborhood Corridors Program for April 2014 in the total amount of \$3,500. District 6. (Neighborhood Preservation and Revitalization Division)
11. Approval to accept U.S. Department of Health and Human Services Federal Health Resources and Services Administration Grant Award No. H89HA00030-21-00 for Ryan White Part A funding in the amount of \$2,541,094 for the period of March 1, 2014, through February 28, 2015 and approval for the County Mayor or her designee to approve any increases in Federal Ryan White Part A funding during the period March 1, 2014 through February 28, 2015. (Ryan White Part A)

Fire Rescue Department

1. Approval to fund Orange County's portion of the costs of the UASI group's Task Force 4 Warehouse and one US&R Coordinator position for a period of 17 months and approval for the Fire Chief to enter into any associated memorandum of agreement, if required.

Public Works Department

1. Approval of the installation of a traffic signal at Lake Pickett Road and South Tanner Road. District 5. (Traffic Engineering Division)
2. Approval of Traffic Control Devices and "No Parking" sign installations in Lake Reams Neighborhood PD Sharp Property Phase 5B (aka Windermere Trails Phase 5B). District 1. (Traffic Engineering Division)
3. Approval of Traffic Control Devices and "No Parking" sign installations in Parkside Phase 1 (aka Parkside PD Tract 1 Phase 1). District 1. (Traffic Engineering Division)
4. Approval to extend the existing "No Parking" zone on the eastside of Buena Vista Woods Boulevard from Diamond Cove Boulevard (South) to Park Access Road. District 1. (Traffic Engineering Division)
5. Approval to increase the Existing Posted Speed Limit on Golden Isle Boulevard from South Avalon Park Boulevard to Sunflower Trail/Hidden Gem Way from 25 miles per hour to 35 miles per hour. District 4. (Traffic Engineering Division)
6. Approval to increase the existing posted speed limit on McCoy Road from Benrus Street to Tradeport Drive from 30 miles per hour to 35 miles per hour. District 4. (Traffic Engineering Division)
7. Authorization to record the plat of Florida Hospital East. District 3. (Development Engineering Division)

8. Approval of Mitigation Credit Reservation and Purchase Agreement and Escrow Agreement by and between Wekiva River Mitigation Bank, L.L.C., and Orange County for East Bay Street Sub Area 2. District 1. (Engineering Division)

- INFORMATIONAL ITEMS

County Comptroller

1. Receipt of the following items to file for the record: (Clerk's Office)
 - a. Orange County, Florida Comprehensive Annual Financial Report, For The Year Ended September 30, 2013.
 - b. Orange County, Florida Bond Disclosure Supplement, For The Year Ended September 30, 2013.
 - c. Orange County Industrial Development Authority Oath of Office for Gina Edwards Dole, as Vice Chairman of the Orange County Industrial Development Authority.
 - d. Orange County Industrial Development Authority Oath of Office for Sylvia Dunlap, as Chairman of the Orange County Industrial Development Authority.
 - e. City of Orlando Voluntary Annexation Request: Picerne-Moss Park Project – ANX2013-00009. Notice of Proposed Enactment. On May 12, 2014 the Orlando City Council will consider proposed ordinance #2013-78, entitled An Ordinance of the City Council of the City of Orlando, Florida, annexing to the corporate limits of the City of Orlando, Florida, certain real property generally located at the northeast corner of the intersection of State Road 417 and Moss Park Road, and comprised of 16.13 acres, more or less, providing for severability, correction of scrivener's errors, and an effective date. A public hearing on this ordinance will be held during Council's regular meeting beginning at 2:00 p.m., in Council Chambers, 2nd floor, Orlando City Hall, 400 S. Orange Ave., Orlando, Florida.

*With respect to informational items, Board action is neither required nor necessary, and Board approval (or disapproval) is not to be implied.

- COUNTY DISCUSSION AGENDA

County Administrator

1. Appointment of two Board members and one citizen member to the 2014 Value Adjustment Board and the designation of two alternate Board members and one alternate citizen member.

Commissioner Brummer nominated Commissioners Boyd and Clarke as the 2014 Value Adjustment Board (VAB) members; and further, Commissioner Brummer nominated David Robinson as the 2014 Value Adjustment Board (VAB) citizen member.

AYE votes cast by voice vote for Commissioner Boyd as follows: County Mayor Jacobs; Commissioners Boyd, Brummer, Clarke, Thompson, Edwards, Moore Russell.

AYE votes cast by voice vote for Commissioner Clarke as follows: County Mayor Jacobs; Commissioners Boyd, Brummer, Clarke, Thompson, Edwards, Moore Russell.

AYE votes cast by voice vote for David Robinson as the 2014 Value Adjustment Board (VAB) citizen member as follows: County Mayor Jacobs; Commissioners Boyd, Brummer, Clarke, Thompson, Edwards, Moore Russell.

Commissioners Boyd and Clarke received a majority to serve as members on the 2014 Value Adjustment Board (VAB); and further, David Robinson received a majority to serve as citizen member on the 2014 Value Adjustment Board (VAB), no further votes were cast.

Commissioner Brummer nominated Commissioners Thompson and Edwards as the alternate 2014 Value Adjustment Board (VAB) members; and further, Commissioner Brummer nominated Robert Caldwell as the alternate 2014 Value Adjustment Board (VAB) citizen member.

AYE votes cast by voice vote for Commissioner Thompson as the alternate 2014 Value Adjustment Board (VAB) member as follows: County Mayor Jacobs; Commissioners Boyd, Brummer, Clarke, Thompson, Edwards, Moore Russell.

AYE votes cast by voice vote for Commissioner Edwards as the alternate 2014 Value Adjustment Board (VAB) member as follows: County Mayor Jacobs; Commissioners Boyd, Brummer, Clarke, Thompson, Edwards, Moore Russell.

AYE votes cast by voice vote for Robert Caldwell as the alternate 2014 Value Adjustment Board (VAB) citizen member as follows: County Mayor Jacobs; Commissioners Boyd, Brummer, Clarke, Thompson, Edwards, Moore Russell.

Commissioners Clarke and Edwards received a majority to serve as alternate members on the 2014 Value Adjustment Board (VAB); and further, Robert Caldwell received a majority to serve as the alternate VAB citizen member on the 2014 Value Adjustment Board (VAB), no further votes were cast.

- **NONAGENDA**

Board discussion ensued regarding the Board's previous decision concerning the proposed mediated settlement agreement with the School Board of Orange County on the West Orange County Relief High School.

- COUNTY DISCUSSION AGENDA

Health Services Department

1. Human Trafficking.

Larry Zweg, Director of the Metropolitan Bureau of Investigation, provided a presentation regarding human trafficking. The presentation covered local and statewide statistics, community-based organizations that are currently involved in developing a collaborative approach to recognizing and supporting victims, and law enforcement's efforts to curtail this crime.

The following persons addressed the Board:

- Tomas Lares
- Carolann Duncan
- Orange County Sheriff Jerry Demings

Action: None

County Mayor

1. Open discussion on issues of interest to the board.

Action: None

- MEETING RECESSED, 11:58 a.m.

- MEETING RECONVENED, 2:14 p.m.

Members Present: County Mayor Teresa Jacobs; Commissioners S. Scott Boyd, Fred Brummer, Pete Clarke, Jennifer Thompson, Ted Edwards, Tiffany Moore Russell

Others Present: County Comptroller Martha Haynie as Clerk, County Administrator Ajit Lalchandani, County Attorney Jeffrey J. Newton, Deputy Clerk Katie Smith, Senior Minutes Coordinator Noelia Perez

- RECOMMENDATIONS

April 17, 2014 Planning and Zoning Commission Recommendations

Motion/Second: Commissioners Edwards/Clarke

AYE (voice vote): All members

Action: The Board accepted the recommendations of the Orange County Planning and Zoning Commission under the date of April 17, 2014, with the exception of and

authorizing a public hearing be scheduled for Case RZ-14-04-011, John Herbert and Daniel O'Keefe; subject to the usual right of appeal by any aggrieved party.

• PUBLIC HEARINGS

Municipal Service Benefit Unit

1. Cloverlawn – Henderson Drive, establish for streetlighting; District 3

Applicant: Brian T. Mitchell, Property Owner

Consideration: Establish by resolution a Municipal Service Benefit Unit for streetlighting at Cloverlawn – Henderson Drive

Location: District 3; Parcel ID (multiple parcels); Section 06, Township 23, Range 30; Orange County, Florida (legal property description on file)

Motion/Second: Commissioners Clarke/Brummer

AYE (voice vote): All members

Action: The Board adopted a resolution establishing a Municipal Service Benefit Unit for streetlighting at Cloverlawn – Henderson Drive, annual cost of \$41.00 per parcel for streetlighting for operational expenses and administrative fees.

Municipal Service Benefit Unit

2. Orange Blossom Terrace Area – Rose Boulevard Area, establish for streetlighting; District 6

Applicant: Manuela Davies, Property Owner

Consideration: Establish by resolution a Municipal Service Benefit Unit for streetlighting at Orange Blossom Terrace Area – Rose Boulevard Area

Location: District 6; Parcel ID (multiple parcels); Sections 21 & 22, Township 23, Range 29; Orange County, Florida (legal property description on file)

The following persons addressed the Board:

- Noe Pena
- Manuela Davies
- David Moore

Motion/Second: Commissioners Moore Russell/Brummer

AYE (voice vote): All members

Action: The Board adopted a resolution establishing a Municipal Service Benefit Unit for streetlighting at Orange Blossom Terrace Area – Rose Boulevard Area, annual cost of \$64.00 per parcel for streetlighting for operational expenses and administrative fees.

Municipal Service Benefit Unit

- 3. Summerlake Area, amend for maintenance of retention ponds and streetlighting to include Block I Summerlake PD Phase 1B A Replat, Block J Summerlake PD Phase 1B A Replat, Block K Summerlake PD Phase 1B A Replat, Block K Summerlake PD Phase 1B and 2A Second Replat, Block M Summerlake PD Phase 1B A Replat, Block N Summerlake PD Phase 1B A Replat, Block O Summerlake PD Phase 1B A Replat and Summerlake PD Phase 2A and 2B subdivisions; District 1

Applicant: Michael Moser, SLV Summerlake, LLC, Developer
Consideration: Amend by resolution a Municipal Service Benefit Unit for streetlighting and retention pond(s) maintenance at Summerlake Area
Location: District 1; Multiple parcels and Sections, Townships, and Ranges; Orange County, Florida (legal property description on file)

Motion/Second: Commissioners Boyd/Clarke
AYE (voice vote): All members
Action: The Board adopted a resolution amending a Municipal Service Benefit Unit for streetlighting and maintenance of retention pond(s) at Summerlake Area, annual cost of \$98.00 per lot for streetlighting for operational expenses and administrative fees and \$74.70 per lot for maintenance of retention pond(s).

Municipal Service Benefit Unit

- 4. Summerport, Tennyson Park at Summerport, Eden's Hammock and Stillwater Crossings Areas, amend for streetlighting to include Stillwater Crossings Parcel SC-13, Phase 1 subdivision; District 1

Applicant: Steven A. Rosser, President, The Keewin Real Property Company, Developer
Consideration: Amend by resolution an existing Municipal Service Benefit Unit for streetlighting and retention pond(s) maintenance at Summerport, Tennyson Park at Summerport, Eden's Hammock and Stillwater Crossings Areas
Location: District 1; Parcel ID (multiple parcels); Sections 10, 14, & 15, Township 23, Range 27; Orange County, Florida (legal property description on file)

Motion/Second: Commissioners Boyd/Brummer
AYE (voice vote): All members
Action: The Board adopted a resolution amending an existing Municipal Service Benefit Unit for streetlighting at Summerport, Tennyson Park at Summerport, Eden's Hammock and Stillwater Crossings Areas, annual cost of \$95.00 per lot for streetlighting for operational expenses and administrative fees.

Municipal Service Benefit Unit

5. Waterford Creek, establish for maintenance of retention pond(s) and streetlighting; District 4

Applicant: Steve Parker, President, Mattamy Homes, Developer
Consideration: Establish by resolution a Municipal Service Benefit Unit for streetlighting and retention pond(s) maintenance at Waterford Creek
Location: District 4; Parcel ID (multiple parcels); Section 23, Township 22, Range 31; Orange County, Florida (legal property description on file)

Motion/Second: Commissioners Thompson/Clarke

AYE (voice vote): All members

Action: The Board adopted a resolution establishing a Municipal Service Benefit Unit for streetlighting and maintenance of retention pond(s) at Waterford Creek, annual cost of \$70.00 per lot for streetlighting for operational expenses and administrative fees and \$74.70 per lot for maintenance of retention pond(s).

Municipal Service Benefit Unit

6. Waterford Trails Commercial Subdivision, establish for the maintenance of a retention pond; District 4

Applicant: Robert S. Harrell, Partner, Waterford Trails Partnership LLP, Developer
Consideration: Establish by resolution a Municipal Service Benefit Unit for retention pond(s) maintenance at Waterford Trails Commercial Subdivision
Location: District 4; Parcel ID (multiple parcels); Section 24, Township 22, Range 31; Orange County, Florida (legal property description on file)

Motion/Second: Commissioners Thompson/Boyd

AYE (voice vote): All members

Action: The Board adopted a resolution establishing a Municipal Service Benefit Unit for maintenance of retention pond(s) at Waterford Trails Commercial Subdivision, annual cost of \$74.70 per unit per 17.99 units per lot for maintenance of retention pond(s).

Special Assessment Resolution

7. Resolution for collection of special assessment liens for one time only lot cleaning; all districts

Applicant: Orange County Code Enforcement
Consideration: Establish a Resolution for Special Assessments for one-time only lot cleaning assessments

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

Motion/Second: Commissioners Boyd/Brummer

AYE (voice vote): All members

Action: The Board adopted Resolution 2014-M-20, for Special Assessment for One Time Only Lot Cleaning Assessments.

Board of Zoning Adjustment Appeal

8. Appellant/Applicant: Timothy W. Schutz, P.E.; Case # SE-14-01-003, March 6, 2014; District 1

Appellant:

Applicant: Timothy W. Schutz, P.E.

Case: Board of Zoning Adjustment Case # SE-14-01-003; March 6, 2014

Consideration: Appeal of the recommendation of the Board of Zoning Adjustment on a request by applicant for Special Exception and Variance in R-CE zone as follows:

- 1) Special Exception: To construct a 13,000 sq. ft. religious use facility
- 2) Variance: To allow unpaved drive aisles and parking spaces in lieu of paved

Location: District 1; property generally located North side of Palm Lake Dr., approximately 200 ft. east of S. Apopka Vineland Rd. Orange County, Florida (legal property description on file in Zoning Division)

Motion/Second: Commissioners Boyd/Clarke

AYE (voice vote): All members

Action: The Board continued the public hearing until August 19, 2014, at 2 p.m.

Board of Zoning Adjustment Appeal

9. Appellant: Adam Coyman

Applicant: Cheryl Sinkowitz; Case # VA-14-03-008, March 6, 2014; District 4

Appellant: Adam Coyman

Applicant: Cheryl Sinkowitz

Case: Board of Zoning Adjustment Case # VA-14-03-008; March 6, 2014

Consideration: Appeal of the recommendation of the Board of Zoning Adjustment on a request by applicant for Variance in P-D zone to construct pool, pool deck and pool screen 0 ft. from rear property line in lieu of 15 ft.

Location: District 4; property located at 525 Tuten Trl.; generally located East side of Tuten Trail; west of Downpatrick Blvd.; west of Lone Palm Rd. Orange County, Florida (legal property description on file)

Motion/Second: Commissioners Thompson/Boyd

AYE (voice vote): All members

Action: The Board continued the public hearing until May 13, 2014, at 2 p.m.

Board of Zoning Adjustment Appeal

10. Appellant/Applicant: Faith Central Ministries, Inc.; Case # SE-14-03-003, March 6, 2014; District 2

Appellant:

Applicant: Faith Central Ministries, Inc.

Case: Board of Zoning Adjustment Case # SE-14-03-003; March 6, 2014

Consideration: Appeal of the recommendation of the Board of Zoning Adjustment on a request by applicant for Special Exception and Variance in A-1 zone to convert existing residence as follows:

- 1) Into a religious use facility to accommodate up to 60 members
- 2) Into an education facility (school K-12) for up to 63 students
- 3) Variance: To allow unpaved parking spaces and driving aisles in lieu of paved (Note: No vertical construction is proposed and the applicant has agreed to limit the school grades to K-5th grade)

Location: District 2; property located at 4630 Hiawassee Rd.; generally located West side of N. Hiawassee Rd.; south of Clarcona-Ocoee Rd.; 300ft. south of Hyland Oaks Dr. Orange County, Florida (legal property description on file)

Motion/Second: Commissioners Brummer/Clarke

AYE (voice vote): All members

Action: The Board continued the public hearing until May 13, 2014, at 2 p.m.

Planning and Zoning Commission Board-Called

11. Applicant: Rick Merkel, Highland Engineering, Inc., Boggy Creek Crossings Planned Development; Case # LUP-13-02-036, March 20, 2014; District 4

Applicant: Rick Merkel, Highland Engineering, Inc., Boggy Creek Crossings Planned Development

Case No.: Planning and Zoning Commission, Case No. LUP-13-02-036; March 20, 2014

Consideration: Request to rezone from A-2 (Farmland Rural District) to PD (Planned Development District) for the purpose of developing up to 170,000 square feet of C-1 (Retail Commercial District) uses.

Location: District 4; property located at 5757 Boggy Creek Road; generally located on the northwest corner of Boggy Creek Road and Boggy Creek Road; Orange County, Florida (legal property description on file)

Motion/Second: Commissioners Thompson/Brummer

AYE (voice vote): All members

Action: The Board continued the public hearing until May 13, 2014, at 2 p.m.

Substantial Change

12. Applicant: Ted R Brown, Holland & Knight, LLP, The Rialto PD/The Rialto Preliminary Subdivision Plan (PSP) Case # CDR-14-02-037; amend plan; District 1

Applicant: Ted R. Brown, Holland & Knight, LLP, The Rialto PD / The Rialto Preliminary Subdivision Plan-Substantial Change, Case # CDR-14-02-037

Consideration: Substantial change request to The Rialto PSP to modify BCC Condition of Approval #3(l); approved by the Board of County Commissioners on September 16, 2008; pursuant to Sections 34-69 and 30-89, Orange County Code

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

Motion/Second: Commissioners Boyd/Brummer

AYE (voice vote): All members

Action: The Board continued the public hearing until May 13, 2014, at 2 p.m.

Environmental Protection Commission Appeal

13. Appellant: H. Varley Grantham, 1606 Lakeside Drive, appeal of the decision of the Environmental Protection Commission (EPC) to approve the recommendation of the Environmental Protection Officer to deny the waiver request to Section 15-343 (b) (Side Setback) for the Grantham Boat Dock (BD-13-10-114), District 5

Appellant: H. Varley Grantham

Consideration: Appeal of the decision of the Environmental Protection Commission, dated February 26, 2014, on the Environmental Protection Officer's recommendation to deny the waiver request to Section 15-343 (b) (side setback) for the Grantham Boat Dock Permit Application (BD-13-10-114), pursuant to Orange County Code, Chapter 15, Article IX

Location: District 5; on Lake Rowena, located at 1606 Lakeside Drive, Orlando, Florida; (legal property description on file in Environmental Protection Division)

Motion/Second: Commissioners Edwards/Clarke

AYE (voice vote): All members

Action: The Board continued the public hearing until May 13, 2014, at 2 p.m.

Ordinance Public Hearing

- MEMBER EXITED: Commissioner Edwards

14. Amending Orange County Charter, Sections 202, 203 and 204, pertaining to Increasing Number of Commission Districts

Consideration: AN ORDINANCE PROPOSING AN AMENDMENT TO THE ORANGE COUNTY CHARTER; AMENDING THE ORANGE COUNTY CHARTER TO INCREASE THE NUMBER OF COUNTY COMMISSION DISTRICTS AND COUNTY COMMISSIONERS FROM SIX TO EIGHT; PROVIDE FOR THE APPOINTMENT OF A REDISTRICTING ADVISORY COMMITTEE TO PREPARE A REDISTRICTING PROPOSAL; REQUIRE THE COUNTY COMMISSION TO ADOPT A REDISTRICTING PLAN FOR THE EIGHT COMMISSION DISTRICTS BY MARCH 1, 2015; PROVIDE FOR AN ABBREVIATED INITIAL TERM FOR NEWLY CREATED COMMISSION OFFICES; PROVIDE FOR A SPECIAL ELECTION TO FILL THE TWO NEW COMMISSION DISTRICTS TO BE HELD NO LATER THAN AUGUST 31, 2015; CALLING A REFERENDUM ON THE PROPOSED CHARTER AMENDMENT; PROVIDING THAT THE REFERENDUM BE HELD AT THE COUNTYWIDE ELECTION ON AUGUST 26, 2014; PROVIDING THE BALLOT TITLE AND SUMMARY FOR THE REFERENDUM; CONDITIONING THE EFFECTIVENESS OF THE CHARTER AMENDMENT ON VOTER APPROVAL AT THE REFERENDUM; PROVIDING FOR OTHER RELATED MATTERS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR EFFECTIVE DATES.

The following persons addressed the Board:

- Doug Head
- Dennis Freytes
- Nelson Betancourt
- Carlos Guzman
- Vivian Rodriguez
- Marco Pena
- Jim Callahan
- James Auffant
- Nancy Jacobson
- Keith Morrison
- Trini Quiroz

Motion/Second: Commissioners Moore Russell/Boyd

Absent: Commissioner Edwards

AYE (voice vote): County Mayor Jacobs; Commissioners Boyd, Clarke, Thompson, Moore Russell

NO (voice vote): Commissioner Brummer

Action: The Board deferred the proposed Charter amendment creating two districts until the conclusion of trial.

NOTE: THE FOLLOWING PUBLIC HEARINGS WERE CONSIDERED TOGETHER.

Ordinance Public Hearing

15. Amending Orange County Charter, Section 703, pertaining to Term Limits and Non-Partisan Elections

Consideration: AN ORDINANCE PROPOSING AN AMENDMENT TO THE ORANGE COUNTY CHARTER; AMENDING THE ORANGE COUNTY CHARTER TO PROVIDE FOR TERM LIMITS AND NON-PARTISAN ELECTIONS FOR COUNTY CONSTITUTIONAL OFFICERS, AND TO PROVIDE CLARIFICATION THAT THE ESTABLISHMENT OF NON-PARTISAN ELECTIONS AND TERM LIMITS FOR COUNTY CONSTITUTIONAL OFFICERS SHALL NOT AFFECT OR IMPUGN THEIR INDEPENDENT CONSTITUTIONAL STATUS; CALLING A REFERENDUM ON THE PROPOSED CHARTER AMENDMENT; PROVIDING THAT THE REFERENDUM BE HELD AT THE COUNTYWIDE ELECTION ON AUGUST 26, 2014; PROVIDING THE BALLOT TITLE AND SUMMARY FOR THE REFERENDUM; CONDITIONING THE EFFECTIVENESS OF THE CHARTER AMENDMENT ON VOTER APPROVAL AT THE REFERENDUM; PROVIDING FOR OTHER RELATED MATTERS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR EFFECTIVE DATES

The following persons addressed the Board:

- Craig McAllaster
- Ana Torres
- Paul Heroux
- Rick Namey
- Orange County Tax Collector Scott Randolph
- Carlos Smith
- Todd Catella
- Nick Shannin
- Nancy Jacobson
- Trini Quiroz

Motion/Second: Commissioners Brummer/Clarke

AYE (voice vote): County Mayor Jacobs; Commissioners Boyd, Brummer, Clarke, Thompson, Edwards, Moore Russell

NO (voice vote): Commissioners Brummer

Action: The Board denied adoption of the Ordinance amending the Orange County Charter Section 703 pertaining to term limits and non-partisan elections.

Motion/Second: Commissioners Moore Russell/Thompson

AYE (voice vote): County Mayor Jacobs; Commissioners Boyd, Clarke, Thompson, Moore Russell

NO (voice vote): Commissioner Brummer, Edwards

Action: The Board amended the main motion that if adopted, the Ordinance amending the Orange County Charter Section 703 pertaining to term limits and non-partisan elections be moved to the November 4, 2014 election.

Motion/Second: Commissioners Brummer/Clarke

AYE (voice vote): County Mayor Jacobs; Commissioners Boyd, Brummer, Clarke, Thompson

NO (voice vote): Commissioners Edwards, Moore Russell

Action: The Board amended the main motion pertaining to Orange County Charter Section 703, for three four year term limits for constitutional officers that would commence with the 2016 election; with changes to the Ordinance as follows: Section D, Line 71: Any constitutional officer who has held the same county constitutional office for the preceding three (3) full terms is prohibited from appearing on the ballot for re-election to that office; provided, however, that the terms of office beginning before January 1, 2016, shall not be counted.

Motion/Second: Commissioners Edwards/Moore Russell

AYE (voice vote): No vote was taken.

NO (voice vote): No vote was taken.

Motion: Bifurcate the term limits and non-partisan elections amending the Orange County Charter Section 703.

Ordinance Public Hearing

16. Amending Orange County Charter, Section 703, pertaining to Term Limits

Consideration: AN ORDINANCE PROPOSING AN AMENDMENT TO THE ORANGE COUNTY CHARTER; AMENDING THE ORANGE COUNTY CHARTER TO PROVIDE FOR TERM LIMITS FOR COUNTY CONSTITUTIONAL OFFICERS, AND TO PROVIDE CLARIFICATION THAT THE ESTABLISHMENT OF TERM LIMITS FOR COUNTY CONSTITUTIONAL OFFICERS SHALL NOT AFFECT OR IMPUGN THEIR INDEPENDENT CONSTITUTIONAL STATUS; CALLING A REFERENDUM ON THE PROPOSED CHARTER AMENDMENT; PROVIDING THAT THE REFERENDUM BE HELD AT THE COUNTYWIDE ELECTION ON AUGUST 26, 2014; PROVIDING THE BALLOT TITLE AND SUMMARY FOR THE REFERENDUM; CONDITIONING THE EFFECTIVENESS OF THE CHARTER

AMENDMENT ON VOTER APPROVAL AT THE REFERENDUM;
PROVIDING FOR OTHER RELATED MATTERS; PROVIDING FOR
SEVERABILITY; PROVIDING FOR EFFECTIVE DATES.

Motion/Second: Commissioners Clarke/Brummer

AYE (voice vote): County Mayor Jacobs; Commissioners Boyd, Brummer, Clarke,
Thompson

NO (voice vote): Commissioners Moore Russell, Edwards

Action: The Board adopted Ordinance 2014-08 amending Orange County Charter,
Section 703, pertaining to term Limits for Constitutional Officers; with changes as
follows:

- Section C, Line 59: Any county constitutional officer who has held the same county
constitutional office for the preceding three (3) full terms is prohibited from appearing
on the ballot for reelection to that office; provided, however, that the terms of office
beginning before January 1, 2016, shall not be counted
- Section 2, Line 65: The referendum shall be held at the countywide election to be held
on November 4, 2014;

and further, as amended below.

Motion/Second: Commissioners Moore Russell/Edwards

AYE (voice vote): Commissioners Boyd, Thompson, Edwards, Moore Russell

NO (voice vote): County Mayor Jacobs; Commissioners Brummer, Clarke

Action: The Board approved to amend the main motion to create four four-year terms
pertaining to term limits for the constitutional officers.

Ordinance Public Hearing

17. Amending Orange County Charter, Section 703, pertaining to Non-Partisan Elections

Consideration: AN ORDINANCE PROPOSING AN AMENDMENT TO THE ORANGE
COUNTY CHARTER; AMENDING THE ORANGE COUNTY
CHARTER TO PROVIDE FOR NON-PARTISAN ELECTIONS FOR
COUNTY CONSTITUTIONAL OFFICERS; PROVIDING
CLARIFICATION THAT THE ESTABLISHMENT OF NON-PARTISAN
ELECTIONS FOR COUNTY CONSTITUTIONAL OFFICERS SHALL
NOT AFFECT OR IMPUGN THEIR INDEPENDENT
CONSTITUTIONAL STATUS; CALLING A REFERENDUM ON THE
PROPOSED CHARTER AMENDMENT; PROVIDING THAT THE
REFERENDUM BE HELD AT THE COUNTYWIDE ELECTION ON
AUGUST 26, 2014; PROVIDING THE BALLOT TITLE AND
SUMMARY FOR THE REFERENDUM; CONDITIONING THE
EFFECTIVENESS OF THE CHARTER AMENDMENT ON VOTER
APPROVAL AT THE REFERENDUM; PROVIDING FOR OTHER

RELATED MATTERS; PROVIDING FOR SEVERABILITY;
PROVIDING FOR EFFECTIVE DATES.

Motion/Second: Commissioners Brummer/Edwards

AYE (voice vote): County Mayor Jacobs; Commissioners Boyd, Brummer, Clarke,
Thompson, Edwards

NO (voice vote): Commissioner Moore Russell

Action: The Board adopted Ordinance 2014-09 amending Orange County Charter,
Section 703, pertaining to Non-Partisan Elections for constitutional officers for the
November 4, 2014 ballot.

Ordinance Public Hearing

18. Amending Orange County Charter, Sections 601, 602 and 603, pertaining to
Initiative Petitions

Consideration: AN ORDINANCE PROPOSING AN AMENDMENT TO THE ORANGE
COUNTY CHARTER; AMENDING THE ORANGE COUNTY
CHARTER TO REVISE REQUIREMENTS AND LIMITATIONS AND
PROVIDE FOR PROCEDURAL SAFEGUARDS RELATING TO
CERTAIN CHARTER AMENDMENTS AND ORDINANCES BY
INITIATIVE; CALLING A REFERENDUM ON THE PROPOSED
CHARTER AMENDMENT; PROVIDING THAT THE REFERENDUM
BE HELD AT THE COUNTYWIDE ELECTION ON AUGUST 26, 2014;
PROVIDING THE BALLOT TITLE AND SUMMARY FOR THE
REFERENDUM; CONDITIONING THE EFFECTIVENESS OF THE
CHARTER AMENDMENT ON VOTER APPROVAL AT THE
REFERENDUM; PROVIDING FOR OTHER RELATED MATTERS;
PROVIDING FOR SEVERABILITY; AND PROVIDING FOR
EFFECTIVE DATES.

Commissioner Brummer issued a memorandum dated April 30, 2014, amending
Orange County Charter, Sections 601, 602 and 603, pertaining to Initiative Petitions.

Board discussion ensued.

The following persons addressed the Board:

- Valdez Demings
- Stephanie Porta
- Sandra Powers
- Gail Gardner
- Jim Callahan
- Tiffany Namey
- Louis Smith (phonetic)
- Carlos Smith

- Mary Meeks
- Cocintheane Hutchison
- Glenn Rehn
- Nanette Parratto-Wagner
- Musa Ahmad
- Ali Kurnaz
- Karen Climer
- Barbara Seidenberg
- Denise Diaz
- Judian Guimbellot
- Richard Hillwig
- Sue Casterline
- Patrick Foote
- Brook Hines
- Patricia Parker
- Wilson Perez
- Linda O'Keefe
- Diane Parker
- Judy Chandler
- Robert Chandler
- Kathy Gibson
- Bill Barnett
- Keith Morrison
- James Quill (phonetic)
- Carmen Balasquide
- Kathleen (phonetic)
- Todd Catella
- Cynthia Ellenburg
- Timothy Murray
- Trini Quiroz
- Frank Ilaba (phonetic)

The following exhibits were received by the Clerk prior to the close of the public hearing:

- Exhibit 1, from Karen Climer
- Exhibit 2, from Sue Casterline
- Exhibit 3, from Brook Hines
- Exhibit 4, from Patricia Parker
- Exhibit 5, from Wilson Perez

Motion/Second: Commissioners Brummer/Edwards

AYE (voice vote): Commissioners Brummer

NO (voice vote): County Mayor Jacobs; Commissioners Boyd, Clarke, Thompson, Edwards, Moore Russell

Action: The Board denied adoption of the proposed ordinance amending, Sections 601, 602, and 603 of the Orange County Charter (Initiative Petitions) and Calling for a

Referendum on the Proposed Amendment.

Board discussion ensued.

Motion/Second: Commissioners Edwards/Brummer

AYE (voice vote): Commissioners Boyd, Brummer, Clarke, Edwards

NO (voice vote): County Mayor Jacobs; Commissioners Thompson, Moore Russell

Action: The Board directed staff to prepare language for an amendment to the Charter review process with the following provisions:

Sec. 602. Procedure for initiative and referendum.

The sponsor of an initiative petition shall, prior to obtaining any signatures, submit the text of the proposed petition to the supervisor of elections, with the form on which signatures will be affixed, and shall obtain the approval of the supervisor of elections of such form. The style and requirements of such form may be specified by ordinance. The beginning date of any petition drive shall commence upon the date of approval by the supervisor of elections of the form on which signatures will be affixed, and said drive shall terminate one hundred eighty (180) days after that date. However, when individuals gathering petition signatures are compensated, either monetarily or in-kind, the petition drive shall terminate ninety (90) days after the date the supervisor of elections approves the form on which signatures will be affixed. In the event sufficient signatures are not acquired during the applicable time period ~~that one hundred eighty day period~~, the petition drive shall be rendered null and void and none of the signatures may be carried over onto another identical or similar petition. If sufficient signatures are obtained, the sponsor shall submit signed and dated forms to the supervisor of elections who shall within thirty (30) days verify the signatures thereon and submit a written report to the board.

- A. Charter. Within thirty (30) days after the requisite number of names have been verified by the supervisor of elections and reported to the board, the board shall, by resolution, call a referendum on the question of the adoption of the proposed petition to be held at the next primary, general or special election occurring at least one hundred fifty (150) ~~forty five (45)~~ days after the adoption of such resolution. If the question of the adoption of the proposed petition is approved by a majority of those registered electors voting on the question, the proposed petition shall be enacted and shall become effective on the date specified in the petition, or, if not so specified, on January 1 of the succeeding year.

- B. Ordinance. Within thirty (30) days after the requisite number of names have been verified by the supervisor of elections and reported to the board, the board shall notice and hold a public hearing on the proposed petition according to law and vote on it. If the board fails to adopt the proposed petition, it shall, by resolution, call a referendum on the question of the adoption of the proposed petition to be held at the next primary, general or special election occurring at least one hundred fifty (150) ~~forty five (45) days~~ after the adoption of such resolution. If the question of the adoption of the proposed petition is approved by a majority of those registered electors voting on the question, the proposed petition shall be declared by resolution of the board to be enacted and shall become effective on the date specified in the petition, or, if not so specified, on January 1, of the succeeding year. The board shall not amend or repeal an ordinance adopted by initiative for a period of one (1) year after the effective date of such ordinance.

Board discussion ensued.

04:09:28

Motion/Second: Commissioners Edwards/Brummer

AYE (voice vote): Commissioners Boyd, Brummer, Clarke, Edwards

NO (voice vote): County Mayor Jacobs; Commissioners Thompson, Moore Russell

Action: The Board directed staff to prepare language for an amendment to the Charter review process with the following provisions:

Sec.603. Limitation.

- A. The power to enact, amend or repeal an ordinance by initiative shall not include ordinances relating to administrative or judicial functions of county government, including but not limited to, county budget, debt obligations, capital improvement programs, salaries of county officers and employees and the levy and collection of taxes.
- B. The power to amend this charter by initiative, or to enact, amend or repeal an ordinance by initiative, shall not extend to the regulation of employer wages, benefits or hours of work, the encumbrance or allocation of tax revenues for any purpose not then authorized by law, the encumbrance or allocation of tax revenues conditioned upon a prospective change in Florida law, or the abbreviation of the term of any office during the term of that office, or within one year prior to the election for that office.
- C. Notwithstanding any other provision of this charter, the board is prohibited from calling a referendum on the question of the adoption of any proposed charter amendment or ordinance by initiative which, in the determination of the board, is wholly or partially violative of the limitations of this section or Florida law, and the calling of any referendum previously called on such a proposed charter

amendment is hereby rescinded and rendered null, void, and of no force or effect.

D. Notwithstanding any other provision of this charter, the board is prohibited from declaring enacted any ordinance by initiative, which in the determination of the board, is wholly or partially violative of the limitations of this section or Florida law.

• ADJOURNMENT, 6:50 p.m.

ATTEST:



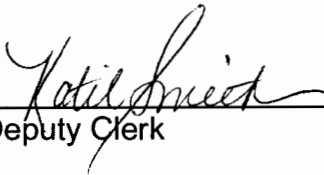
County Mayor Teresa Jacobs

Date: JUN 24 2014

ATTEST SIGNATURE:

Martha O. Haynie

County Comptroller as Clerk



Deputy Clerk

