

APR 21 2015 KH/BS

ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS' MEETING

Date: Tuesday, February 24, 2015  
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,  
Bryan Nelson, Pete Clarke, Jennifer Thompson, Ted Edwards,  
Victoria P. Siplin  
Others Present: County Comptroller Martha Haynie as Clerk, County Administrator  
Ajit Lalchandani, County Attorney Jeffrey J. Newton, Deputy County  
Attorney Joel Prinsell, Minutes Coordinator Kathy Heard, Senior  
Minutes Coordinator Craig Stopyra

- CALL TO ORDER, 2:08 p.m.
- INVOCATION - Father Carlos Anklan, Resurrection Catholic Church
- PLEDGE OF ALLEGIANCE
- PUBLIC COMMENT

No one addressed the Board for public comment.

- COUNTY CONSENT AGENDA

Motion/Second: Commissioners Boyd/Clarke

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 January 6, 2015, 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:
  - February 6, 2015, to February 12, 2015; total of \$16,718,166.57
  - February 13, 2015, to February 19, 2015; total of \$32,348,564.68.

(Finance/Accounting)

3. Disposition of Tangible Personal Property (Property Accounting)

Approval is requested of the following:

- a. Trade assets for allowance toward the purchase of new equipment.
- b. Transfer grant assets to the State of Florida Department of Juvenile Justice.
- c. Demolish asset.
- d. Scrap asset.
- e. Scrap assets for recycling

County Administrator

1. Confirmation of the appointment of Chadwick Hardee to the Membership and Mission Review Board as the District 4 representative with a term expiring December 31, 2016. (Agenda Development Office)
2. Confirmation of the appointment of Susan B. Vanderford to the Orange County Citizen Corps Council as the District 4 representative with a term expiring December 31, 2016. (Agenda Development Office)
3. Receipt and filing of the minutes received by the Agenda Development Office of various advisory board meetings for the official county record. (Agenda Development Office)
4. Approval of Memorandum of Understanding between Laborers' International Union of North America, Local 517 (LIUNA) and Orange County to revise the implementation dates for Article 12 – Holidays and Article 26 – Shift Differential. (Human Resources Division)
5. Approval for the Orange County Sheriff's Office to spend \$5,000 from the Law Enforcement Trust Fund to provide eligible contributions to the Florida Prescription Drug Monitoring Program Foundation. (Office of Management and Budget)
6. Approval of budget amendments #15-13, #15-14, and #15-15. (Office of Management and Budget)
7. Approval of budget transfer #15-753. (Office of Management and Budget)
8. Approval of CIP amendment #15C-71. (Office of Management and Budget)

## Administrative Services Department

1. Approval to award Invitation for Bids Y15-138-MA, Work Uniforms, to the low responsive and responsible bidder, Designlab, Inc., for an estimated contract amount of \$1,848,803.64 for a 3-year contract. Further, authorized the Procurement Division to renew the contract for two additional 1-year terms. ([Convention Center] Procurement Division)
2. Approval to award Invitation for Bids Y15-169-LC, Corrections Glass Replacement, to the sole responsive and responsible bidder Basso Enterprises LLC, dba Orange County Glass, Inc., in the estimated contract award amount of \$114,063.70 for a 1-year period. Further, authorized the Procurement Division to renew the contract renewable for two additional 1-year periods. ([Administrative Services Facilities Management Division] Procurement Division)
3. Approval to award Invitation for Bids Y15-198-JS, Limerock Road Base, to the low responsive and responsible bidder, Dixie Lime and Stone Company, in the estimated contract award amount of \$316,200. Further, authorized the Procurement Division to renew the contract for two additional 1-year terms. ([Utilities Department Solid Waste Division] Procurement Division)
4. Approval to award Invitation for Bids Y15-1001-JS, Temporary Labor – Clerical, to the low responsive and responsible bidders, Staff Today, Inc., Strickland Commercial Systems, Inc., JAG Professional Resources, AUE Staffing, Inc. and TopTalent Staffing, LLC, in the total overall estimated contract award amount of \$10,000,000 for the initial 3-year contract term. Although the initial bids are substantially higher than this overall total, the overall amount reflects actual usage and a factor for unexpected increases. Further, authorized the Procurement Division to renew the contracts for two additional 1-year periods. ([Administrative Services Department Procurement Division] Procurement Division)
5. Approval to award Invitation for Bids Y15-1002-JS, Temporary Labor – Permit Analyst Building Safety, to the low responsive and responsible bidder, TopTalent Staffing, LLC in the estimated contract award amount of \$508,765. Further, authorized the Procurement Division to renew the contract for two additional 1-year periods. ([Community, Environmental and Development Services Department Building Safety Division] Procurement Division)
6. Approval to award Invitation for Bids Y15-1004-JS, Liquid Caustic Soda 50%, to the low responsive and responsible bidder, Brenntag Mid-South, Inc., for an estimated annual contract award amount of \$589,446 for a 1-year term contract. Further, authorized the Procurement Division to renew the contract for two additional 1-year contract terms. ([Utilities Department Water Division] Procurement Division)

7. Approval to award Invitation for Bids Y15-608-PD, Inductively Coupled Plasma-Mass Spectrometer, to the low responsive and responsible bidder, Agilent Technologies, Inc., in the total contract award amount of \$130,464.85. ([Utilities Department Water Division] Procurement Division)
8. Approval to award Invitation for Bids Y15-729-PH, Sky Lake, Americana, Orlando Central Park, London Hills, Robinswood Heights, Bel-Aire Woods, Eldorado Hills and Hiawassee Road Gravity Sewer System Improvements Package No. 11 and 12 to the low responsive and responsible bidder, Miller Pipeline Corporation, for the total contract award amount of \$1,616,520.16. ([Utilities Department Engineering Division] Procurement Division)
9. Approval to award Invitation for Bids Y15-731-MM, Orange County Convention Center, West Building, Sliding Fire Door Replacement, to the low responsive and responsible bidder, Axios Construction Services, LLC, for the total contract award amount of \$632,000. ([Convention Center] Procurement Division)
10. Approval to award Invitation for Bids Y15-739-SB, New Independence Park, to the low responsive and responsible bidder, Parthenon Construction Company, in the total contract award amount of \$524,533. ([Administrative Services Department Capital Projects Division] Procurement Division)
11. Ratification of Amendment 4, Contract Y12-163-PD, Biosolids Management – South Water Reclamation Facility, for an extension from February 9, 2015 to May 31, 2015 for an estimated total contract amount of \$480,054. ([Utilities Department] Procurement Division)
12. Approval and execution of Stormwater Drainage Easement Modification between VRS Town Park SC LLC and Orange County, approval of Subordination of Encumbrance to Property Rights to Orange County from Hepwood, LLC and authorization to record instruments for Town Park Drainage Pond (Woodbury Road Extension). District 5. (Real Estate Management Division)
13. Approval of As Is Residential Contract for Sale And Purchase with Comprehensive Rider to the Residential Contract For Sale and Purchase and Addendum to Contract between Orange County and Tiffany Meikle, approval and execution of County Deed from Orange County to Tiffany Meikle and authorization to perform all actions necessary and incidental to closing for NSP Resale – 6318 Hill Road, Orlando, FL 32810 (NCST). District 2. (Real Estate Management Division)
14. Approval of As Is Residential Contract for Sale And Purchase with Addendum to Contract between Orange County and Christopher S. Sevillano, approval and execution of County Deed from Orange County to Christopher S. Sevillano and authorization to perform all actions necessary and incidental to closing for NSP Resale – 828 Royalton Rd., Orlando, FL 32825. District 3. (Real Estate Management Division)

15. Approval of Conservation and Access Easement between Orange Lake Country Club, Inc. and Orange County with Joinder and Consent to Conservation and Access Easement from SunTrust Bank, as Administrative Agent and authorization to record instrument for Hartzog Road Realignment CAI 09-008. District 1. (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. All Districts. (Code Enforcement Division)

LC 14-0417	LC 14-1076	LC 14-1137	LC 14-1039	LC 14-0584
LC 14-0777	LC 14-1078	LC 14-1170	LC 14-1053	LC 14-0676
LC 14-0819	LC 14-1079	LC 14-1179	LC 14-1127	LC 14-0713
LC 14-0755	LC 14-1082	LC 14-1016	LC 14-1728	LC 14-0728
LC 14-0756	LC 14-1083	LC 14-1022	LC 14-1872	LC 14-0729
LC 14-0903	LC 14-1090	LC 14-1029	LC 14-0660	LC 14-0740
LC 14-0935	LC 14-1103	LC 14-1032	LC 14-0374	LC 14-0743
LC 14-1075	LC 14-1120	LC 14-1037	LC 14-0412	LC 14-0762

2. Approval of School Concurrency Mitigation Agreement OC-14-010 Project Name: Outer Circle Parcel ID#: 35-24-28-5844-00-421; 35-24-28-5844-00-411; 35-24-28-5844-00-432; 35-24-28-5844-00-441; 35-24-28-5844-00-531; 35-24-28-5844-00-560; 35-24-28-5844-00-731; 35-24-28-5844-00-733; 35-24-28-5844-00-423 by and among The School Board of Orange County, Florida, Orange County, Florida, and Outer Circle Apartments, LLC. District 1. (Concurrency Management Office)
3. Approval of School Concurrency Mitigation Agreement OC-14-026 Project Name: Phillip's Parke Parcel ID#: 13-23-28-0000-00-007 by and among The School Board of Orange County, Florida, Orange County, Florida, and Phillips Parke XVI, LLC. District 1. (Concurrency Management Office)
4. Approval of Agreement between Orange County, Florida and United Cerebral Palsy (UCP) of Central Florida Regarding the Community Development Block Grant in the amount of \$500,000 for the expansion to an existing facility. District 6. (Housing and Community Development Division)
5. Approval of Road Network Agreement Northerly Extension of Hamlin Groves Trail from New Independence Parkway to Tiny Road by and between SLF IV//Boyd Horizon West JV, LLC and Orange County for the conveyance of right-of-way, design, permitting and construction, and reimbursement of costs not to exceed 60% of the Countywide Average Cost for the four-lane road project extending

Hamlin Groves Trail from New Independence Parkway north to Tiny Road. District 1. (Roadway Agreement Committee)

6. Approval of Proportionate Share Agreement for Bishop Property Boggy Creek Road: From Wetherbee Road to South Access Road by and among Edna Y. Bishop, Carol B. Phifer, Judith B. Greene, and KB Home Orlando, LLC, and Orange County for a proportionate share payment in the amount of \$321,932. District 4. (Roadway Agreement Committee)

#### Family Services Department

1. Approval of License Agreement between Orange County, Florida and Harbor House of Central Florida Regarding the use of Orange County's Community Centers for East Orange Community Center and Hal P. Marston Community Center. (Community Action Division)
2. Approval of License Agreement between Orange County, Florida and Second Harvest Food Bank of Central Florida Regarding the use of Orange County's Community Centers for East Orange Community Center. (Community Action Division)
3. Approval of License Agreement between Orange County, Florida and Seniors First, Inc. Regarding the use of Orange County's Community Centers for East Orange Community Center. (Community Action Division)
4. Approval of License Agreement between Orange County, Florida and Senior Resource Alliance (SHINE) Regarding the use of Orange County's Community Centers for East Orange Community Center. (Community Action Division)
5. Approval of the Federally-Funded Subgrant Agreement, CFDA Number: 93.568, Agreement Number: 15EA-0F-12-00-01-022, between the State of Florida, Department of Economic Opportunity and Orange County, Florida for the Low-Income Home Energy Assistance Program in the amount of \$3,117,273 for the period of April 1, 2015 through March 31, 2016; and approval for the County Mayor or designee to approve any increases, decreases or modifications in the award amount. (Community Action Division)
6. Approval of Florida Department of Children and Families Application for a License to Operate a Child Care Facility at Denton Johnson Head Start. This application is only executed by Orange County. (Head Start Division)
7. Approval of Orange County Head Start 2015-2016 Program Year Eligibility Priority Selection Criteria to establish a formal selection process for eligible children and families. (Head Start Division)

8. Approval of Florida Department of Children and Families Application for a License to Operate a Child Care Facility at John H. Bridges Head Start. This application is only executed by Orange County. (Head Start Division)
9. Receipt and filing of Head Start Policy Council Program Information Update November 2014; Head Start Policy Council Monthly Packet December 2014; Head Start Policy Council Monthly Packet January 2015; Head Start Policy Council Meeting Minutes October 18, 2014; Head Start Policy Council Meeting Minutes November 20, 2014; Head Start Policy Council Meeting Minutes December 18, 2014 for the official county record. (Head Start Division)
10. Approval of Orange County Family Services Department, Head Start Division Standard Operating Procedures. (Head Start Division)
11. Approval to provide Community Coordinated Care for Children (4C) with \$30,000 in cash and \$10,000 in in-kind services as part of the 20% match requirement for their \$3.9 M grant award to operate the Early Head Start Child Care Partnership Program (EHS-CC).
12. Approval of the January 2015 Business Assistance for Neighborhood Corridors Program grants for OBT-Orange Avenue Pet Doc Hospital (\$5,000) and Southside Autos, Inc. (\$5,000). District 3. (Neighborhood Preservation and Revitalization Division)

#### Fire Rescue Department

1. Approval of 2014 Memorandum of Agreement (MOA) for participating Orlando/Orange Urban Area Security Initiative (UASI) Agencies by and between the Orange County Sheriff's Office (OCSO) and Orlando/Orange Urban Area (O/OUA) participants for Fiscal Year 2014 UASI Grant Project in the amount of \$1,000,000. (Office of Emergency Management)

#### Health Services Department

1. Approval of the Paratransit Services License for MA Alternative Transport Services Inc. to provide wheelchair/stretchers service. The term of this license is from March 1, 2015 through March 1, 2017. There is no cost to the County. (EMS Office of the Medical Director)
2. Approval of the renewal Certificate of Public Convenience and Necessity for Apopka Fire Department to provide Advanced Life Support Transport Service. The term of this certificate is from April 30, 2015 through April 30, 2017. There is no cost to the County. (EMS Office of the Medical Director)

3. Approval of the renewal Certificate of Public Convenience and Necessity for Florida Flight 1 to provide Advanced Life Support Transport Service. The term of this certificate is from March 1, 2015 through March 1, 2017. There is no cost to the County. (EMS Office of the Medical Director)
4. Approval to accept the Federal Health Resources and Services Administration Grant Award for Ryan White Part A funding in the estimated amount of \$10,201,201 for the period of March 1, 2015 through February 29, 2016; approval for the County Mayor or her designee to approve any increases or decreases in the award amount, 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, 2015, through February 29, 2016. (Health Services Department)

#### Office of Regional Mobility

1. Approval of Amendment to the Interlocal Agreement Creating the Orlando Urban Area Metropolitan Planning Organization D/B/A MetroPlan Orlando between the Florida Department of Transportation and Orange County, Osceola County, Seminole County, City of Altamonte Springs, City of Apopka, City of Kissimmee, City of Orlando, City of Sanford, The Central Florida Regional Transportation Authority, The Greater Orlando Aviation Authority, The Central Florida Expressway Authority, the Sanford Airport Authority, and the MetroPlan Orlando Municipal Advisory Committee. All Districts.

#### Public Works Department

1. Approval to install a "No Parking" zone on the north side of Union Park Drive from Downey Christian Academy west boundary line extending east 210 feet and on the south side of Union Park Drive from the west boundary line extending east 360 feet. District 5. (Traffic Engineering Division)
2. Authorization to record the plat of Falls Sand Lake. District 1. (Development Engineering Division)
3. Approval of Traffic Control Devices and "No Parking" sign installations in Windermere Sound aka (Beck/Overstreet PD Phase 2). District 1. (Traffic Engineering)
4. Approval of the Utility Relocation Agreement by and between Orange County, Florida and Duke Energy Florida, Inc. d/b/a Duke Energy for the relocation of electrical facilities on International Drive. District 6. (Engineering Division)



- INFORMATIONAL ITEMS

County Comptroller

1. Receipt of the following items to file for the record: (Clerk's Office)
  - a. Minutes of the December 30, 2014 Meeting in the Sunshine. Commissioners S. Scott Boyd and Bryan Nelson attended a meeting with local business owners, residents and leaders of Lake Apopka to discuss the coalition for Lake Apopka Eco Commission.
  - b. Minutes of the January 15, 2015 Meeting in the Sunshine. County Mayor Teresa Jacobs and Commissioners S. Scott Boyd, Bryan Nelson, Pete Clarke, Jennifer Thompson and Victoria P. Siplin along with area business leaders and local elected officials attended the 2015 Orange County Economic Summit discussing topics that included an economic forecast and how to grow the economy; an international trade discussion and an update on the Regional Branding Campaign.
  - c. City of Orlando City Ordinance 2014-70 with Exhibit A (Legal Description), Exhibit B (Annexation Map), and Exhibits C & D (Future Land Use and Zoning Proposed Maps), Orlando Sentinel Notice of Proposed Enactment and Fiscal Impact Statement. Ordinance No. 2014-70 entitled: An Ordinance of the City Council of the City of Orlando, Florida, annexing to the corporate limits of the City certain land generally located north of Daubert St., east of Maltby Ave., south of Roush Ave., and west of Lake Baldwin Ln., and comprised of 0.46 acres, more or less; amending the City's adopted Growth Management Plan to designate the property as industrial on the City's official future land use maps; and designating the property as the industrial-commercial district with the aircraft noise overlay district on the City's official zoning maps; providing for amendment of the City's official future land use and zoning maps; providing for severability, correction of scrivener's errors, and an effective date.
  - d. City of Winter Garden Notice of Annexation Ordinance, Attachment A (Legal Description) with Map. Ordinance 15-13 entitled: An Ordinance of the City of Winter Garden, Florida, providing for annexation of certain additional lands generally described as approximately 0.907 ± acres located at 933 Carter Road on the east side of Carter Road, south of East Story Road and north of West Colonial Drive into the City of Winter Garden, Florida; redefining the City boundaries to give the City jurisdiction over said property; providing for severability; providing for an effective date.
  - e. Minutes of September 22, 2014 East Park Community Development District meeting.
  - f. City of Ocoee Ordinance No. 2014-019 with Exhibit "A", Location Description, and Exhibit "B", Location Map, (Annexation Ordinance for McCormick Reserve), Tax Parcel IDs: 33-21-28-0000-00-013, 33-21-28-0000-00-040, 33-21-28-0000-00-011; Case No. AX-08-14-47: McCormick Reserve. An ordinance of the City of Ocoee, Florida, annexing into the corporate limits of

the City of Ocoee, Florida, certain real property containing approximately 45.09 acres located 0.25 miles east of Ingram Road and west of North Clarke Road, pursuant to the application submitted by the property owner; finding said annexation to be consistent with the Ocoee Comprehensive Plan, the Ocoee City Code, and the Joint Planning Area Agreement; providing for and authorizing the updating of official City Maps; providing direction to the City Clerk; providing for severability; repealing inconsistent ordinances; providing for an effective date.

- g. Orange County Convention Center, Orange County, Florida Annual Financial Report for the years ended September 30, 2014 and 2013.
- h. Orange County Solid Waste System, Orange County, Florida Annual Financial Report for the years ended September 30, 2014 and 2013.
- i. Orange County Water Utilities System, Orange County, Florida Annual Financial Report for the years ended September 30, 2014 and 2013.
- j. Audit Report No. 445 – Audit of Orange County Fire Rescue Services Department's Fuel Usage.

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

#### • RECOMMENDATIONS

February 5, 2015 Board of Zoning Adjustment

Motion/Second: Commissioners Clarke/Thompson

AYE (voice vote): All members

Action: The Board accepted the recommendations of the Orange County Board of Zoning Adjustment under the date of February 5, 2015, with the exception of one case (Appeal filed) and authorizing a public hearing be scheduled; subject to the usual right of appeal by any aggrieved party.

#### • PUBLIC HEARINGS

Municipal Service Benefit Unit

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

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

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

Motion/Second: Commissioners Thompson/Boyd

AYE (voice vote): All members

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

## Rezoning

2. Tyrone K. Smith, OCPS Planning & Governmental Relations, Wedgefield K-8 School PD, Case # LUP-14-08-228; District 5

Applicant: Tyrone K. Smith, OCPS Planning & Governmental Relations, Wedgefield K-8 School Planned Development (PD), Case # LUP-14-08-228

Consideration: Request to rezone 52.50 gross acres from A-2 (Farmland Rural District) to PD (Planned Development District), in order to allow for the development of a Kindergarten through Eighth Grade (K-8) public school campus; pursuant to Orange County Code, Chapter 30.

Location: District 5; property generally located on the east side of Bancroft Boulevard, south of Ortega Street and north of Paddock Street; Orange County, Florida (legal property description on file)

Court Reporter: Rebecca Fiore, Marge Raeder Court Reporter, Inc.

Court Reporter: Lisa Trombly, LGT Reporting

County staff stated that should the Board consider approval, staff recommended that the ten (10) conditions listed in the staff report by the Development Review Commission (DRC) be included. Based upon input from the District Commissioner, County staff proposed the following new condition of approval #11:

A high school shall be prohibited on site.

The following persons addressed the Board:

- Diego Woody Rodriguez
- Tyrone Smith
- Jay Klima
- Nathan Chambers
- Scott Glass
- Bobby Beagles
- Dan Hashbarger

• RELINQUISHED CHAIR

County Mayor Jacobs relinquished the Chair to Vice-Mayor Boyd.

The following persons addressed the Board:

- Matt Rebholz
- Erika Kearney
- Jacquelin Finley / Carter

- REASSUMED CHAIR

County Mayor Jacobs reassumed the Chair from Vice-Mayor Boyd.

The following persons addressed the Board:

- Jane Dunkelberger
- Francesco Delisi
- Antoinette Breazzano
- Steve Stokes
- Ben Carlson
- Karie Adams
- Heather Bridenbaugh
- Nancy Worswick
- Kimberly Roberts
- Evelyn Perez
- Gary Sgambati
- Jeanne Ciaponi
- Pat Sullivan
- Joel Thaw
- Pamela DiMarzio
- Helen Unser
- Russell Beyersdorf

- RELINQUISHED CHAIR

County Mayor Jacobs relinquished the Chair to Vice-Mayor Boyd.

The following persons addressed the Board:

- John Woodhouse
- Michael McCrudden
- Veronica Waldman
- Terri Yurick
- Jasmine Krino
- Julie Sadler
- John Fauth
- Lynn Carlson

- REASSUMED CHAIR

County Mayor Jacobs reassumed the Chair from Vice-Mayor Boyd.

The following persons addressed the Board:

- Harold Keseler
- Angie Gallo
- Jackie Carroll
- Robert Spradling
- Sonja Spradling
- Peter Lee
- Adam Nehr
- Karen Consalo
- Deborah Tyrone
- Tom Zimmer
- William Boyd
- Nola Boyd

• RELINQUISHED CHAIR

County Mayor Jacobs relinquished the Chair to Vice-Mayor Boyd.

The following person addressed the Board:

- Donna D'Ambrosio

• REASSUMED CHAIR

County Mayor Jacobs reassumed the Chair from Vice-Mayor Boyd.

The following persons addressed the Board:

- Cindy Lauenders
- Julia Fadyeyera
- Kim Kent
- Kiminobu Sugaya
- David Wright
- Dawn Vroombout
- Keith Hastings
- Anne Zimmer

Board Record/Exhibit:

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

- Exhibit 1, from Scott Glass
- Exhibit 2, from Nancy Worswick
- Exhibit 3, from Kimberly Roberts
- Exhibit 4, from Jeanne Ciaponi
- Exhibit 5, from Karen Consalo

- Exhibit 6, from Karen Consalo
- Exhibit 7, from Deborah Tyrone
- Exhibit 8, from William Boyd
- Exhibit 9, from Nola Boyd
- Exhibit 10, from Donna D'Ambrosio
- Exhibit 11, from David Wright
- Exhibit 12, from Dawn Vroombout
- Exhibit 13, from Keith Hastings
- Exhibit 14, from Deborah Green

Public Record:

The following public records were received by the Clerk prior to the close of the public hearing. The documents referenced by the speakers were not presented to the Board.

- Public Record 1, from Jane Dunkelberger
- Public Record 2, from Karen Consalo
- Public Record 3, from Deborah Tyrone
- Public Record 4, from William Boyd

Based upon input from the County Mayor, County staff proposed a modification to condition of approval #10 as follows:

At Development Plan (DP) submittal, a perimeter buffer plan shall be submitted to address compatibility with adjacent properties. The perimeter buffer shall include a minimum 100 foot wide natural buffer along the north property line (except 65 feet adjacent to the track) and the east property line, including the drainage canal. The perimeter buffer along the south property line shall be "cepted" compliant, with a minimum 25 foot wide natural buffer, and the perimeter buffer along the west property shall be a minimum of 50 feet in width.

Based upon input from a District Commissioner, County staff proposed a modification at the end of condition of approval #6 as follows:

Electronic changeable copy signs visible from the public right-of-way shall be prohibited.

Motion/Second: Commissioner Edwards/County Mayor Jacobs

AYE (voice vote): All members

Action: The Board overruled the recommendation by the Orange County Planning and Zoning Commission; further, made a finding of consistency with the Comprehensive Plan; and further, approved the request by Tyrone K. Smith, OCPS Planning & Governmental Relations, Wedgefield K-8 School Planned Development (PD), Case # LUP-14-08-228 to rezone 52.50 gross acres from A-2 (Farmland Rural District) to PD (Planned Development District), in order to allow for the development of a Kindergarten through Eighth Grade (K-8) public school campus, on the described property; subject to the following conditions:

1. Development shall conform to the Wedgefield K-8 School Land Use Plan dated "Received October 29, 2014," and shall comply with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. Accordingly, the PD may be developed in accordance with the uses, densities, and intensities described in such Land Use Plan, subject to those uses, densities, and intensities conforming with the restrictions and requirements found in the conditions of approval and complying with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. If the development is unable to achieve or obtain desired uses, densities, or intensities, the County is not under any obligation to grant any waivers or modifications to enable the developer to achieve or obtain those desired uses, densities, or intensities. In the event of a conflict or inconsistency between a condition of approval of this land use plan and the land use plan dated "Received October 29, 2014," the condition of approval shall control to the extent of such conflict or inconsistency.
2. This project shall comply with, adhere to, and not deviate from or otherwise conflict with any verbal or written promise or representation made by the applicant (or authorized agent) to the Board of County Commissioners at the public hearing where this development was approved, where such promise or representation, whether oral or written, was relied upon by the Board in approving the development, could have reasonably been expected to have been relied upon by the Board in approving the development, or could have reasonably induced or otherwise influenced the Board to approve the development. For purposes of this condition, a "promise" or "representation" shall be deemed to have been made to the Board by the applicant (or authorized agent) if it was expressly made to the Board at a public hearing where the development was considered or approved.
3. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.
4. All acreages identified as conservation areas and wetland buffers are considered approximate until finalized by a state wetland determination and state conservation area impact permits. Approval of this plan does not authorize any direct or indirect conservation area impacts.

5. Prior to mass grading, clearing, grubbing or construction, the applicant is hereby noticed that this site must comply with habitat protection regulations of the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish & Wildlife Conservation Commission (FWC).
6. Pole signs and billboards shall be prohibited. Ground and fascia signs shall comply with Chapter 31.5 of the Orange County Code. Electronic changeable copy signs visible from the public right-of-way shall be prohibited.
7. No school buses may be stored on site.
8. This project is an agriculturally-zoned area, and OCPS acknowledges, understands and accepts noises, odors and aesthetics associated with agricultural uses.
9. There shall be no vehicular access from Paddock Street. The primary vehicular access shall be from Bancroft Boulevard.
10. At Development Plan (DP) submittal, a perimeter buffer plan shall be submitted to address compatibility with adjacent properties. The perimeter buffer shall include a minimum 100 foot wide natural buffer along the north property line (except 65 feet adjacent to the track) and the east property line, including the drainage canal. The perimeter buffer along the south property line shall be "cepted" compliant, with a minimum 25 foot wide natural buffer, and the perimeter buffer along the west property shall be a minimum of 50 feet in width.
11. A high school shall be prohibited on site.

- NONAGENDA

Commissioner Boyd referenced a letter dated February 2, 2015, from Orange County Public Schools (OCPS), requesting an immediate hearing for the completion of the special exception application of the West Orange Relief High School. Commissioner Boyd stated that a settlement agreement was previously presented, but denied by the Board. Since then, Commissioner Boyd met with Orange County Public Schools Chairman Bill Sublette, with legal counsel both present, and they proposed a 2,500 student cap, which was not previously discussed. Commissioner Boyd stated that a new settlement agreement with two new changes has been reached. Commissioner Boyd requested that the Mayor consider bringing the new settlement agreement before the Board at a future Board meeting.



• ADJOURNMENT, 8:50 p.m.

ATTEST:

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

Date: APR 21 2015

ATTEST SIGNATURE:

Martha O. Haynie  
County Comptroller as Clerk

for Jessica Moore  
Deputy Clerk

