

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
JUL 28 2015 CAS/NP

ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS' MEETING

Date: Tuesday, June 2, 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: Chief Deputy Comptroller Margaret A. McGarrity, County
Administrator Ajit Lalchandani, County Attorney Jeffrey J. Newton,
Deputy Clerk Katie Smith, Senior Minutes Coordinator Craig
Stopyra

- CALL TO ORDER, 9:07 p.m.
- INVOCATION - Pastor Jerome Shaw, The Maxlife Church
- PLEDGE OF ALLEGIANCE
- PUBLIC COMMENT

The following person addressed the Board for public comment:

- Brandon Tanguay
- David Bottomley
- Jeanette Stevens
- Trini Quiroz

The following material was presented to the Board during public comment:

- Exhibit 1, from Brandon Tanguay

- COUNTY CONSENT AGENDA

Motion/Second: Commissioners Boyd/Edwards
AYE (voice vote): All members
Action: The Mayor

- Modified County Administrator Item 3
- Modified County Attorney Item 2
- Deferred action on Community, Environmental and Development Services Department
Item 2
- Modified Public Works Department Item 1

and further, the Board approved the balance of the County Consent Agenda items as follows:

County Comptroller

1. Approval of the minutes of the April 7, 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:
 - May 15, 2015, to May 21, 2015; total of \$16,502,720.59
 - May 22, 2015, to May 28, 2015; total of \$25,492,859.90.

(Finance/Accounting)

3. Approval of Maintenance Agreements Plaza International Common Area and Drainage Improvements and Maintenance. (Special Assessments)

County Administrator

1. Confirmation of the appointment of Junius Bradley, Jr. to the Orange County Citizen Corps Council as the District 6 representative with a term expiring December 31, 2016. (Agenda Development Office)
2. Approval of budget amendment #15-32. (Office of Management and Budget)
3. Approval of budget transfer #15-1136, plus any interest accrued between May 19, 2015, and the date on which payment is tendered. (Office of Management and Budget)

(This item was modified.)

County Attorney

1. Approval of proposed revisions to Administrative Regulation 4.02, titled "Alternative Impact Fees."
2. Authorization for the Comptroller to make a payment to Kest Law PLLC in the amount of \$118,775.44, plus any interest accrued between May 19, 2015, and the date on which payment is tendered.

(This item was modified.)

Administrative Services Department

1. Approval to award Invitation for Bids Y15-199-LC, Burial and Cremation Services, to the low responsive and responsible bidder, Waldon Professional Funeral & Cremation Services, for a 3-year term contract in the estimated contract award amount of \$721,440. Further, authorized the Procurement Division to renew the contract for two additional 1-year periods. ([Family Services Department Citizen Resource and Outreach Office] Procurement Division)
2. Approval to award Invitation for Bids Y15-1042-LC, Temporary Labor-Painting, to the low responsive and responsible bidder, Sunciti Industries, Inc., in the estimated contract amount of \$551,250 for a 1-year term contract. Further, authorized the Procurement Division to renew the contract for four additional 1-year periods. ([Convention Center Facility Operations Division] Procurement Division)
3. Approval to award Invitation for Bids Y15-1048-JS, Heavy Equipment Parts and Labor to the low responsive and responsible bidders, Bell Rental and Sales, Inc., Xylem Dewatering Solutions, Inc. dba Godwin Pumps of America, Inc., GSX, Inc. dba Great Southern Construction Equipment Co., Linder Industrial Machinery, Menzi USA Sales, Inc., Oviedo Mower & Garden, Inc., SSES, Inc., dba Southern Sewer Equipment Sales, and Trail Saw and Mower Service, Inc. The total overall annual estimated contract award amount is \$7,696,050. The breakdown is as follows for all bidders:

Bell Rental and Sales, Inc.	\$1,863,600
Xylem Dewatering Solutions, Inc. dba Godwin Pumps of America, Inc.	\$ 413,475
GSX, Inc. dba Great Southern Construction Equipment Co.	\$1,150,350
Linder Industrial Machinery	\$ 372,900
Menzi USA Sales, Inc.	\$2,418,000
Oviedo Mower & Garden Center, Inc.	\$ 156,750
SSES, Inc. dba Southern Sewer Equipment Sales	\$1,075,725
Trail Saw and Mower Service, Inc.	<u>\$ 245,250</u>
Total Estimated Contact Amounts	\$7,696,050

Further, authorized the Procurement Division to renew the contracts for two additional 1-year terms. ([Administrative Services Department Fleet Management Division] Procurement Division)

4. Approval to award Invitation for Bids Y15-750-CH, International Drive Improvement Project (from Westwood Boulevard South to Westwood Boulevard North), to the low responsive and responsible bidder, Hubbard Construction Company, for the estimated contract award amount of \$21,662,394.89. ([Public Works Department Engineering Division] Procurement Division)
5. Approval of Amendment No. 2, Contract Y14-2051, Central Florida Family Health Centers for an additional estimated annual amount of \$250,000 for a revised total annual contract amount of \$2,525,000 and approval of Amendment No. 2, Contract Y14-2052, Community Health Centers for an additional estimated annual amount of \$100,000 for a revised total annual contract amount of \$2,160,000. ([Health Services Department] Procurement Division)
6. Approval of Purchase Order M68352, Renewal of Support and Annual Maintenance for Oracle Databases, with Oracle USA, Inc. in the amount of \$724,483, for the period of June 1, 2015 through May 31, 2016. Further, authorized the Procurement Division to renew the contract for four additional 1-year periods. ([Office of Accountability Information Systems and Services Division] Procurement Division)
7. Approval and execution of Resolution 2015-M-15 and County Deed from Orange County to the School Board of Orange County, Florida and authorization to record instrument for Lake Reams Neighborhood APF Site #117-E-SW-4. District 1. (Real Estate Management Division)
8. Approval and execution of First Amendment to Drainage Easement between KB Home Orlando, LLC and Orange County and authorization to record instrument for Village F (Seidel Road) RAC. District 1. (Real Estate Management Division)
9. Approval and execution of Amendment Number 1 To Sublease Number 4112-007 between State of Florida Department of Juvenile Justice and Orange County, Consented to by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida for SOF/DJJ Ballfield Lease, Sunland Center Property, Laurel Hills Road, Orlando, Florida. District 6. (Real Estate Management Division)
10. Approval and execution of Net Warehouse Lease between Hanging Moss SPE, LLC and Orange County and delegation of authority to the Real Estate Management Division to exercise renewal options if necessary, for warehouse space for Hanging Moss Warehouse, (EPD, HS, OCSO, PW), 6136 Hanging Moss Road, Suites 200-270, Orlando, Florida 32807. District 5. (Real Estate Management Division)

11. Approval of As Is Residential Contract for Sale and Purchase between Orange County and Vipulkumar D. Rokad, approval and execution of County Deed from Orange County to Vipulkumar D. Rokad and Trishalaben K. Patel and authorization to perform all actions necessary and incidental to closing for NSP Resale – 2859 Bolton Bend, Orlando, FL 32817 (NCST). District 5. (Real Estate Management Division)
12. Approval of Donation Agreement and Drainage Easement between Gusty Lane, LLC and Orange County and authorization to disburse funds to pay all recording fees and record instrument for Little Wekiva River. District 2. (Real Estate Management Division)
13. Approval of Temporary Drainage Easement between K. Hovnanian at the Highlands at Summerlake Grove, LLC and Orange County and authorization to record instrument for Village F Master PD Parcel N-24 and a portion of parcels N-23A, N-23B, N-25A, N-25B & N-26A. District 1. (Real Estate Management Division)
14. Approval of Temporary Drainage Easement between Beazer Homes Corp., The Ryland Group, Inc. and Orange County, Temporary Access Easement between Beazer Homes Corp., The Ryland Group, Inc. and Orange County and authorization to record instruments for Orchard Hills Phase 2 (Drainage Easement). District 1. (Real Estate Management Division)
15. Approval of Warranty Deed from Arbor Properties, Inc. to Orange County and authorization to record instrument for Former Arbor Ridge Water Plant Site. District 5. (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 15-0077	LC 15-0079	LC 14-1417	LC 14-1225	LC 14-1698
LC 15-0269	LC 15-0083	LC 14-1418	LC 14-1407	LC 14-1699
LC 15-0284	LC 15-0084	LC 14-1449	LC 14-1592	LC 14-1740
LC 14-1734	LC 15-0091	LC 14-1840	LC 14-1594	LC 14-1758
LC 14-1879	LC 15-0182	LC 15-0214	LC 14-1596	LC 14-1779
LC 14-1887	LC 15-0183	LC 15-0249	LC 14-1683	LC 14-1782
LC 15-0067	LC 15-0210	LC 15-0051	LC 14-1695	LC 14-1806
LC 15-0078	LC 15-0211	LC 15-0235	LC 14-1697	LC 14-1810

2. Approval of Agreement Concerning Twin Acres on Lake Underhill Planned Development by and between Orange County, LRS Volusia, LLC, LURSAI LLC, and Forsyth, L.C. District 4. (Planning Division)

(This item was deferred.)

Family Services Department

1. Receipt and filing of Head Start Policy Council Program Information and Updates February 2015; Head Start Policy Council Program Information and Updates March 2015; Head Start Policy Council Program Information and Updates April 2015; Head Start Policy Council Meeting Minutes January 15, 2015; Head Start Policy Council Meeting Minutes February 29, 2015; and Head Start Policy Council Meeting Minutes March 19, 2015 for the official county record. (Head Start Division)
2. Approval of June 2015 Neighborhood Pride Entranceway Grant as recommended by the Neighborhood Grants Advisory Board for Essex Pointe HOA (\$5,000). District 3. (Neighborhood Preservation and Revitalization Division)
3. Approval of the June 2015 Business Assistance for Neighborhood Corridors Program Grant for Bright Learning Cyber High School (\$2,254). District 5. (Neighborhood Preservation and Revitalization Division)
4. Approval of June 2015 Neighborhood Pride Landscaping Grant as recommended by the Neighborhood Grants Advisory Board for Golfside Villas Condo Association (\$2,500). District 5. (Neighborhood Preservation and Revitalization Division)
5. Approval of June 2015 Neighborhood Pride Nonprofit Housing Repair Grant as recommended by the Neighborhood Grants Advisory Board for Heart of Florida United Way (\$15,100). District 5. (Neighborhood Preservation and Revitalization Division)
6. Approval of the June 2015 Sustainable Communities Grants as recommended by the Neighborhood Grants Advisory Board for: Little Lake Barton Shores (\$5,000); Park Green Community Association (\$1,500) and Summer Glen at Gatewood (\$1,500) Districts 5 and 6. (Neighborhood Preservation and Revitalization Division)
7. Approval of the June 2015 Crime Prevention Grants as recommended by the Neighborhood Grants Advisory Board for: Lake Ridge Village Club Association (\$1,056); People of Lockhart Community Association (\$1,056); Essex Pointe HOA (\$1,056); Gatlin Gardens HOA (\$10,000); Village Walk at Lake Nona HOA (\$1,056); Golfside Villas COA (\$5,000); Summer Glen at Gatewood Neighborhood (\$1,056) and South Pointe Action Group (\$1,056). All Districts. (Neighborhood Preservation and Revitalization Division)

Health Services Department

1. Approval of the renewal Paratransit Services License for Rural Metro Ambulance to provide wheelchair/stretchers service. The term of this License is from June 1, 2015 through June 1, 2017. There is no cost to the County. (EMS Office of the Medical Director)
2. Approval of the renewal Paratransit Services License for Florida Medical Transport to provide wheelchair/stretchers service. The term of this License is from June 1, 2015 through June 1, 2017. There is no cost to the County. (EMS Office of the Medical Director)

Public Works Department

1. Approval and execution of Resolution 2015-M-16 of the Orange County Board of County Commissioners regarding the Joint Participation Agreement with the State of Florida Department of Transportation concerning the construction of highway lighting on State Road 424 from Dowd Avenue to Edgewater Drive; State Road 423 (Lee Road) from Adanson Street to State Road 424 (Edgewater Drive); and State Road 426 (Fairbanks Avenue) from Edgewater Drive to Overspin Avenue (FM#415468-1-58-01); Approval of Department Funded Agreement between the State of Florida Department of Transportation and Orange County FM# 415468-1-58-01 for the lighting of SR 424 from Dowd Avenue to Edgewater Drive; SR 423 (Lee Road) from Adanson Street to SR 424 (Edgewater Drive); and SR 426 (Fairbanks Avenue) from Edgewater Drive to Overspin Avenue in Orange County. Districts 2 and 5. (Engineering Division)

(This item was modified.)

2. Approval of Traffic Control Devices and "No Parking" sign installations in Summerlake PD Phase 3C. District 1. (Traffic Engineering Division)
3. Approval of Traffic Control Devices and "No Parking" sign installations in Kailey's Ridge. District 1. (Traffic Engineering Division)
4. Approval of "Traffic Control Devices" and "No Parking" sign installations in Windermere Trails Phase 3A. District 1. (Traffic Engineering Division)
5. Approval to construct speed humps on Evans Trail. District 5. (Traffic Engineering Division)
6. Approval to construct speed humps on Oak Drive. District 2. (Traffic Engineering Division)

7. Approval of State of Florida Department of Transportation Traffic Signal Maintenance and Compensation Agreement. All Districts. (Traffic Engineering Division)
8. Approval of State of Florida Department of Transportation County Resolution 2015-M-17 Grade Crossing Traffic Control Devices and Future Responsibility, Financial Project No. 43690615701 and State of Florida Department of Transportation Railroad Reimbursement Agreement Grade Crossing Traffic Control Devices – County, Financial Project No. 43690615701 among the Florida Department of Transportation, Florida Central Railroad Company, Inc. and Orange County for traffic control improvements at the Florida Central Railroad grade crossing on Lakeville Road near Ocoee. District 2. (Traffic Engineering Division)
9. Authorization to record the plat of Hamlin North. District 1. (Development Engineering Division)

• INFORMATIONAL ITEMS

County Comptroller

1. Receipt of the following items to file for the record: (Clerk's Office)
 - a. Minutes of the April 20, 2015 Request for Proposals Y15-154-DG, Health and Support Services for Persons with HIV Spectrum Disease, protest meeting with Commissioner Victoria Siplin, and representatives from Nehemiah Educational and Economic Development, Inc.
 - b. Minutes of the April 20, 2015 Request for Proposals Y15-154-DG, Health and Support Services for Persons with HIV Spectrum Disease, protest meeting with Commissioner Ted Edwards, and representatives from Nehemiah Educational and Economic Development, Inc.
 - c. Minutes of the April 20, 2015 Request for Proposals Y15-154-DG, Health and Support Services for Persons with HIV Spectrum Disease, protest meeting with Commissioner S. Scott Boyd, and representatives from Nehemiah Educational and Economic Development, Inc.
 - d. Minutes of the April 20, 2015 Request for Proposals Y15-154-DG, Health and Support Services for Persons with HIV Spectrum Disease, protest meeting with Commissioner Bryan Nelson, and representatives from Nehemiah Educational and Economic Development, Inc.
 - e. Florida Public Service Commission Order Denying Florida Industrial Power Users Group's Motion To Dismiss In Its Entirety, Approving Duke Energy Florida, Inc.'s Request To End the Levy Nuclear Project Fix Rate Component, Declining to Take Action on Duke Energy Florida, Inc.'s Request to Defer Collection Levy Nuclear Project Cost, and Approving Duke Energy Florida, Inc.'s Revised Tariff Sheet No. 6.105. In re: Nuclear cost recovery clause. In

- re: Fuel and purchased power cost recovery clause with generating performance incentive factor.
- f. The Comprehensive Annual Financial Report (CAFR) for the fiscal year ending September 30, 2014.
 - g. The Bond Disclosure Supplement (a companion document to the CAFR) for the fiscal year ending September 30, 2014.

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

• COUNTY CONSENT AGENDA (CONTINUED)

Community, Environmental and Development Services Department (Deferred)

2. Approval of Agreement Concerning Twin Acres on Lake Underhill Planned Development by and between Orange County, LRS Volusia, LLC, LURSAI LLC, and Forsyth, L.C. District 4. (Planning Division)

Commissioner Thompson addressed the Board regarding her concerns with the issues of the Developer's Agreement, the Brownfield designation and capacity extension.

Board discussion ensued.

Based upon input from County staff, the Agreement was amended to add a sentence to the end of paragraph 8 (Removal of Waste) that would prohibit access to the back gate for the removal of waste.

Commissioner Edwards announced an appearance of a conflict of interest for the following reason, as stated in a Memorandum of Voting Conflict filed in the Clerk's Office: "A measure came or will come before my agency which inured to the special gain or loss of my relative, Owned by my fiancée's family, Nicole Hiers Seybold. The measure before my agency and the nature of my conflicting interest in the measure is as follows:

I. CONSENT AGENDA

E. COMMUNITY, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

2. Approval of Agreement Concerning Twin Acres on Lake Underhill Planned Development by and between Orange County, LRS Volusia, LLC, LURSAI LLC, and Forsyth, L.C. District 4. (Planning Division) Page 101-124"

Motion/Second: Commissioners Thompson/Nelson

Abstain: Commissioner Edwards

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

Action: The Board approved the Agreement Concerning Twin Acres on Lake Underhill Planned Development by and between Orange County, LRS Volusia, LLC, LURSAI LLC, and Forsyth, L.C.; and further, amended the Agreement to include a sentence at the end of paragraph 8 (Removal of Waste) that reads: Access to and from the site for the purpose of removal of waste and restoration of the excavated areas shall be from Lake Underhill; access from any other road is prohibited for those same purposes.

• COUNTY DISCUSSION AGENDA

Administrative Services Department

1. Selection of one firm and an alternate, under Request for Proposals Y15-160-ZM, to provide an HIV/AIDS Data System, from the following firms listed alphabetically:

- Groupware Technologies Inc.
- RDE System Support Group, LLC
([Health Services Department] Procurement Division)

Further request authority for the Procurement Division to negotiate and execute a 5-year contract within a budget amount of \$593,600.

Motion/Second: Commissioners Thompson/Clarke

AYE (voice vote): All members

Action: The Board selected one firm, Groupware Technologies Inc., and an alternate, RDE System Support Group, LLC, to provide an HIV/AIDS Data System; and further, authorized the Procurement Division to negotiate and execute a 5-year contract within a budget amount of \$593,600, Request for Proposals Y15-160-ZM.

2. Selection of one firm and two ranked alternates to provide Design Services for Orange County Convention Center (OCCC) West Building Valencia Room Renovation, Request for Proposal Y15-808-MM, from the following firms alphabetically. Further, recommend the Board authorize negotiation and execution of the final contract by the Procurement Division within a budget of \$800,000.

- Helman Hurley Charvat Peacock/Architects, Inc.
- Rhodes & Brito Architects, Inc.
- TVS Florida, Inc. Architecture dba tvsdesign
([Convention Center] Procurement Division)

Motion/Second: Commissioners Thompson/Nelson

AYE (voice vote): All members

Action: The Board selected one firm, Helman Hurley Charvat Peacock/Architects, Inc., and two ranked alternates, #1 Rhodes & Brito Architects, Inc., and #2 TVS Florida, Inc. Architecture dba tvsdesign, to provide Design Services for Orange County Convention Center (OCCC) West Building Valencia Room Renovation; and further, authorized negotiation and execution of the final contract by the Procurement Division within a budget of \$800,000, Request for Proposals Y15-808-MM.

- RE-ADDRESS

Commissioner Edwards requested to readdress with the Board, Administrative Services Consent Item 1, which awarded Invitation for Bids Y15-199 LC, Burial and Cremation Services, to the low responsive and responsible bidder, Waldon Professional Funeral & Cremation Services. A protest was filed by Gail & Wynn's Mortuary, Inc. Commissioner Edwards met with representatives of Gail & Wynn's Mortuary, Inc., and he requested to discuss his concerns with the Board.

Board discussion ensued.

Motion/Second: Commissioner Edwards/None

Action: The motion failed for the lack of a second to rescind the vote on the Consent Agenda.

- COUNTY DISCUSSION AGENDA

Community, Environmental and Development Services Department

1. Convention Plaza District Steering Review Group Update. All Districts. (Planning Division)

County staff introduced the members of the Convention Plaza District (CPD) Steering Review Group. County staff updated the Board on the progress of the comprehensive visioning initiative of the International Drive Convention Plaza District by the CPD Steering Review Group. County staff discussed land development, the district and subdistricts, development regulations and Code standards, parking strategies, multimodal mobility and walkability, alternative development funding, and how these challenges can be addressed. The result of the visioning process is a regulatory framework for the I-Drive area.

Board discussion ensued.

Action: None

2. East Central Florida Corridor Task Force Recommendations and North Ranch – Osceola County Sector Plan. All Districts. (Planning Division)

County staff presented the purpose of the East Central Florida Corridor Task Force (ECFCTF) and explained that the task force was created by the Governor's Executive Order to develop consensus recommendations on future transportation corridors to serve the established activity centers between City of Orlando and the east Central Florida coast. County staff discussed the key component of the task force, which was to facilitate the coordination of transportation and land use matters. The work plan for the task force was framed as part of the "2007 How Shall We Grow Initiative", which identified concepts of conservation, countryside, centers and corridors.

- RELINQUISHED CHAIR

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

Huiwei Shen, Project Manager, Florida Department of Transportation (FDOT), presented background information regarding future corridor study areas, local planning efforts, and the recommendations of the ECFCTF. Ms. Shen discussed the implementation by the FDOT of the ECFCTF recommendations.

- REASSUMED CHAIR

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

Jeff Jones, Director, Osceola County Office of Strategic Initiatives, presented a report on the North Ranch Sector Plan specifically the sector plan requirements, the planning and regulatory context in which the sector plan was developed, highlights in the plan and what was transmitted to the State and Orange County staff for review.

Board discussion ensued.

County staff stated that based on the recommendations of the ECFCTF and per the Governor's Executive Order, the County has been asked to consider a series of policy amendments to the 2015-2 Comprehensive Plan Amendment Cycle. County staff will review the North Ranch Sector Plan and conduct a technical review of the future Concept Corridor Studies by the FDOT.

- MEMBER EXITED: Commissioner Edwards

Action: None

Office of Regional Mobility

1. CFX 2040 Master Plan and Visioning. All Districts.

Laura Kelley, Executive Director, Central Florida Expressway Authority, presented to the Board a brief history of the establishment, structure and Board members of the Central Florida Expressway Authority. Ms. Kelley further discussed the following:

- Management of expressways
- Expressway budget
- Transponder usage by County
- Master plan purpose and elements
- Regional growth
- Master plan timeline

Board discussed ensued.

Action: None

Fire Rescue Department

1. 2015 Hurricane Season Update. (Office of Emergency Management)

County staff presented to the Board an overview on the 2015 Hurricane Season. The presentation included a summary of hurricane predictions by the National Hurricane Center and the County's hurricane preparedness activities.

- MEMBER EXITED: Commissioner Nelson

Action: None

Public Works Department

1. Board direction regarding the Orange County Honorary Designation of Roadway Policy. All Districts. (Traffic Engineering Division)

County staff presented to the Board the definition, description, location and nomination criteria, and approval sign procedures of the Honorary Designation of Roadway Policy.

Board discussion ensued.

Motion/Second: Commissioners Boyd/Clarke

Absent: Commissioners Nelson, Edwards

AYE (voice vote): All present members

Action: The Board approved to establish the Honorary Designation of Roadway Policy.

County Mayor

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

Action: None

- MEETING RECESSED, 12:06 P.M.
- MEETING RECONVENED, 2:06 P.M.

Members Present: County Mayor Teresa Jacobs; Commissioners S. Scott Boyd, Bryan Nelson, Pete Clarke, Jennifer Thompson; Commissioner Ted Edwards joined the meeting where indicated

Member Absent: Commissioner Victoria P. Siplin

Others Present: County Administrator Ajit Lalchandani, County Attorney Jeffrey J. Newton, Deputy County Attorney Joel Prinsell, Senior Minutes Coordinator Noelia Perez, Senior Minutes Coordinator Craig Stopyra

- PUBLIC HEARINGS

Rezoning

3. Jonathan Huels, Lowndes, Drosdick, Doster, Kantor & Reed, P.A., Waterford Oaks Planned Development / Land Use Plan (PD/LUP), Case # LUPA-14-12-364; District 4

Applicant: Jonathan Huels, Lowndes, Drosdick, Doster, Kantor & Reed, P.A., Waterford Oaks Planned Development / Land Use Plan (PD/LUP) - Case # LUPA-14-12-364

Consideration: Request to rezone 21.61 acres from A-2 (Farmland Rural District) and PD (Planned Development District) to PD (Planned Development District). More specifically, the request is to aggregate and rezone three (3) adjacent parcels and 4.08 gross acres into the existing Waterford Oaks PD, while increasing existing commercial entitlements from 191,000 square feet to 221,000 square feet. In addition, the following six (6) waivers from the Orange County Code have been requested:

1. A waiver from Orange County Code Section 38-1477 to allow Phase 2, Phase 4 and Phase 5 parking spaces to be located on separate lots and greater than 300 feet, but not more than 600 feet, from the principal entrance; in lieu of providing parking spaces on the same lot where the principal use is located or within 300 feet from the principal entrance;

2. A waiver from Orange County Code Section 38-77 to allow the outdoor display of merchandise in a PD District, to consist of two (2) sets of outdoor patio furniture (tables, chairs, umbrella) for Palm Casual Furniture only;
3. A waiver from Orange County Code Section 38-1272(a)(3) to allow a front setback from a street right-of-way of ten (10) feet; in lieu of thirty (30) feet, from the right-of-way between Phases 4 & 5;
4. A waiver from Orange County Code Section 38-1476(a) to allow a minimum parking requirement of 4.5 spaces per 1,000 square feet for shopping centers over fifty thousand (50,000) square feet; in lieu of 5 spaces per 1,000 square feet;
5. A waiver from Orange County Code Section 31.5-67(f) to allow two (2) ground signs, identified as A1 and B3 on the Master Sign Plan, on a parcel with a right-of-way frontage less than four hundred (400) linear feet, and to allow the two (2) ground signs to be separated from each other by a distance of eighty (80) feet; in lieu of a separation of not less than one hundred (100) feet; and
6. A waiver from Orange County Code Section 31.5, Article II, Division 2 to allow an off-site ground sign, identified as A1 on the Master Sign Plan; pursuant to Orange County Code, Chapter 30.

Location: District 4; property generally located south of Iroquois Trail and west of North Alafaya Trail; Orange County, Florida (legal property description on file)

Based upon input from County staff and agreed upon by the applicant and the property owner represented to the south, the following new condition was added to read as follows:

Upon the opening of the primary cross-access at the southern terminus of Indianhead Trail into the Alafaya Trail Property PD for the benefit of the Waterford Oaks PD that allows traffic from the Waterford Oaks PD to access the traffic signal on Alafaya Trail, the developer of the Waterford Oaks PD shall grant a secondary cross-access for the benefit of the Alafaya Trail Property PD by: (i) providing an access easement at the southern property line of Tax Parcel ID No. 22-22-31-8469-00-140 for the benefit of the adjacent property owner to the south; and (ii) constructing a stub-out to the northern property line of Tax Parcel ID No. 22-22-31-8030-01-000. The developer of the Waterford Oaks PD shall not be responsible for the costs of any improvements necessary to open the primary cross-access at the southern terminus of Indianhead Trail or to connect to the described stub-out being provided for the secondary access, including, but not limited to, mitigation for wetland impacts and the demolition of the wall that is currently constructed on the Alafaya Trail Property PD; those costs being and remaining costs to be paid by the adjacent property owner to the south.

The following persons addressed the Board:

- Jonathan Huels
- Ted Brown

Commissioner Boyd announced an appearance of a conflict of interest for the following reason, as stated in a Memorandum of Voting Conflict filed in the Clerk's Office: "The measure before my agency and the nature of my conflicting interest in the measure is as follows:

On June 2nd a matter came before the BCC that involved a neighboring property that had raised issues regarding connecting to the adjoining property. My personal relationship with the representative Shoppes of Alafaya I felt that it could be perceived conflict of interest."

Motion/Second: Commissioners Thompson/Clarke

Absent: Commissioners Edwards, Siplin

Abstain: Commissioner Boyd

AYE (voice vote): All present members

Action: The Board approved the request by Jonathan Huels, Lowndes, Drosdick, Doster, Kantor & Reed, P.A., Waterford Oaks Planned Development / Land Use Plan (PD/LUP) - Case # LUPA-14-12-364 to rezone 21.61 acres from A-2 (Farmland Rural District) and PD (Planned Development District) to PD (Planned Development District); further, more specifically, the request aggregated and rezoned three (3) adjacent parcels and 4.08 gross acres into the existing Waterford Oaks PD, while increasing existing commercial entitlements from 191,000 square feet to 221,000 square feet; and further, added the following six (6) waivers from the Orange County Code:

1. A waiver from Orange County Code Section 38-1477 to allow Phase 2, Phase 4 and Phase 5 parking spaces to be located on separate lots and greater than 300 feet, but not more than 600 feet, from the principal entrance; in lieu of providing parking spaces on the same lot where the principal use is located or within 300 feet from the principal entrance;
2. A waiver from Orange County Code Section 38-77 to allow the outdoor display of merchandise in a PD District, to consist of two (2) sets of outdoor patio furniture (tables, chairs, umbrella) for Palm Casual Furniture only;
3. A waiver from Orange County Code Section 38-1272(a)(3) to allow a front setback from a street right-of-way of ten (10) feet; in lieu of thirty (30) feet, from the right-of-way between Phases 4 & 5;
4. A waiver from Orange County Code Section 38-1476(a) to allow a minimum parking requirement of 4.5 spaces per 1,000 square feet for shopping centers over fifty thousand (50,000) square feet; in lieu of 5 spaces per 1,000 square feet;
5. A waiver from Orange County Code Section 31.5-67(f) to allow two (2) ground signs, identified as A1 and B3 on the Master Sign Plan, on a parcel with a right-of-way frontage less than four hundred (400) linear feet, and to allow the two (2) ground signs to be separated from each other by a distance of eighty (80) feet; in lieu of a separation of not less than one hundred (100) feet; and

6. A waiver from Orange County Code Section 31.5, Article II, Division 2 to allow an off-site ground sign, identified as A1 on the Master Sign Plan;

on the described property; subject to the following conditions:

1. Development shall conform to the Waterford Oaks PD Land Use Plan dated "Received March 11, 2015," 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 March 11, 2015," 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. Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a capacity encumbrance letter prior to construction plan submittal and must apply for and obtain a capacity reservation certificate prior to approval of the plat. Nothing in this condition, and nothing in the decision to approve this land use plan/preliminary subdivision plan, shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a capacity encumbrance letter or a capacity reservation certificate.
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. All acreages identified as conservation areas and wetland buffers are considered approximate until finalized by a Conservation Area Determination (CAD) and a Conservation Area Impact (CAI) Permit. Approval of this plan does not authorize any direct or indirect conservation area impacts.
7. Construction plans with this PD shall be consistent with an approved and up-to-date Master Utility Plan (MUP). MUP updates shall be submitted to Orange County Utilities at least thirty (30) days prior to the corresponding construction plan submittal. The updated MUP must be approved prior to construction plan approval.
8. Billboards and pole signs shall be prohibited. Ground and fascia signs shall comply with the Master Sign Plan.
9. Approval of this Land Use Plan will void the existing Socarras PD.
10. A waiver from Orange County Code Section 38-1477 is granted to allow Phase 2, Phase 4 and Phase 5 parking spaces to be located on separate lots and greater than 300 feet, but not more than 600 feet, from the principal entrance, in lieu of providing parking spaces on the same lot where the principal use is located or within 300 feet from the principal entrance.
11. A waiver from Orange County Code Section 38-77 is granted to allow the outdoor display of merchandise in a PD District, to consist of two (2) sets of outdoor patio furniture (tables, chairs, umbrella) for Palm Casual Furniture only.
12. A waiver from Orange County Code Section 38-1272(a)(3) is granted to allow a front setback from a street right-of-way of ten (10) feet, in lieu of thirty (30) feet, from the right-of-way between Phases 4 & 5.

13. A waiver from Orange County Code Section 38-1476(a) is granted to allow a minimum parking requirement of 4.5 spaces per 1,000 square feet for shopping centers over fifty thousand (50,000) square feet, in lieu of 5 spaces per 1,000 square feet.
14. A waiver from Orange County Code Section 31.5-67(f) is granted to allow two (2) ground signs, identified as A1 and B3 on the Master Sign Plan, on a parcel with a right-of-way frontage less than four hundred (400) linear feet, and to allow the two (2) ground signs to be separated from each other by a distance of eighty (80) feet, in lieu of a separation of not less than one hundred (100) feet.
15. A waiver from Orange County Code Section 31.5, Article II, Division 2 is granted to allow an off-site ground sign, identified as A1 on the Master Sign Plan.
16. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated December 3, 2013, and May 14, 2013, shall apply:
 - a. As part of the construction plans for the first PSP or DP that will use the westernmost access driveway off Iroquois Trail, the missing section of Iroquois Trail shall be constructed to connect the new access driveway to the existing Iroquois Trail. Adequate width of right-of-way (50' minimum) will have to be dedicated to the County to complete this section of roadway.
17. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated August 28, 2012, shall apply:
 - a. The Developer shall obtain water and wastewater service from Orange County Utilities.
 - b. Tree removal / earthwork shall not occur unless and until construction plans for the first Preliminary Subdivision and/or Development Plan, with a tree removal and mitigation plan, have been approved by Orange County.
18. Upon the opening of the primary cross-access at the southern terminus of Indianhead Trail into the Alafaya Trail Property PD for the benefit of the Waterford Oaks PD that allows traffic from the Waterford Oaks PD to access the traffic signal on Alafaya Trail, the developer of the Waterford Oaks PD shall grant a secondary cross-access for the benefit of the Alafaya Trail Property PD by: (i) providing an access easement at the southern property line of Tax Parcel ID No. 22-22-31-8469-00-140 for the benefit of the adjacent property owner to the south; and (ii) constructing a stub-out to the northern property line of Tax Parcel ID No. 22-22-31-8030-01-000. The developer of the Waterford Oaks PD shall not be responsible for the costs of any improvements necessary to open the primary cross-access at the southern terminus of Indianhead Trail or to connect to the described stub-out being provided for the secondary access, including, but not limited to, mitigation for

wetland impacts and the demolition of the wall that is currently constructed on the Alafaya Trail Property PD; those costs being and remaining costs to be paid by the adjacent property owner to the south.

Municipal Service Benefit Unit

1. Lake Anderson, amend for operation and maintenance of an aeration system, general lake cleaning maintenance and aquatic plant control; District 3

Applicant: Environmental Protection Division Staff and Lake Anderson Advisory Board

Consideration: Amend by resolution an existing Municipal Service Benefit Unit for the operation and maintenance of an aeration system, general lake cleaning maintenance and aquatic plant control to provide for additional street sweeping and to increase the boundaries of the MSBU at Lake Anderson

Location: District 3; Parcel ID (multiple parcels); Section 08, Township 23, Range 30; Orange County, Florida (legal property description on file)

- MEMBER JOINED: Commissioner Edwards

Motion/Second: Commissioners Clarke/Boyd

Absent: Commissioner Siplin

AYE (voice vote): All present members

Action: The Board cancelled the Municipal Service Benefit Unit amending the operation and maintenance of an aeration system, general lake cleaning maintenance and aquatic plant control at Lake Anderson.

Petition to Vacate

2. Larry G. Mills, Petition to Vacate # 14-07-014, unopened and unimproved right-of-way; District 6

Applicant: Larry G. Mills, on behalf of Mount Sinai Missionary Baptist Church

Consideration: Resolution granting Petition to Vacate # 14-07-014, vacating a 60 ft wide unopened and unimproved right-of-way known as Mandrake Street, containing approximately 0.81 acres

Location: District 6; Two parcel addresses are 210 and 219 Mandrake Street. The other two parcels are unaddressed; S30/T22/R29; Orange County, Florida (legal property description on file)

Motion/Second: Commissioners Edwards/Nelson

Absent: Commissioner Siplin

AYE (voice vote): All present members

Action: The Board adopted a resolution granting Petition to Vacate # 14-07-014 vacating a 60 ft wide unopened and unimproved right-of-way known as Mandrake Street, containing approximately 0.81 acres, on the described property.

Ordinance

4. Amending Orange County Code, Sections 2-195, 2-212, 15-30, 30-34, and 30-42, relating to "Resign-to-Run" Requirements

Consideration: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY, FLORIDA RELATING TO "RESIGN-TO-RUN" REQUIREMENTS; AMENDING SECTION 2-195, SECTION 2-212, SECTION 15-30, SECTION 30-34, AND SECTION 30-42, OF THE ORANGE COUNTY CODE OF ORDINANCES TO REPEAL "RESIGN-TO-RUN" PROVISIONS THAT CONFLICT WITH FLORIDA LAW; AND PROVIDING AN EFFECTIVE DATE.

Motion/Second: Commissioners Boyd/Clarke

Absent: Commissioner Siplin

AYE (voice vote): All present members

Action: The Board adopted Ordinance 2015-05 amending Orange County Code, Sections 2-195, 2-212, 15-30, 30-34, and 30-42, repealing the "Resign-to-Run" Requirements contained within the Orange County Code of Ordinances.

- ADJOURNMENT, 2:24 p.m.

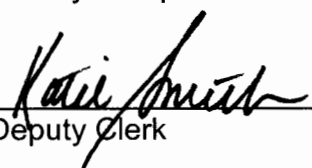
ATTEST:


County Mayor Teresa Jacobs

Date: JUL 28 2015

ATTEST SIGNATURE:

Martha O. Haynie
County Comptroller as Clerk


Deputy Clerk

