

SEP 01 2015 NP/LC

ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS' MEETING

Date: Tuesday, July 14, 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 as Clerk, County
Administrator Ajit Lalchandani, Deputy County Administrator Eric
Gassman, Assistant County Administrator Randy Singh, Office of
Management and Budget Manager Kurt Petersen, Deputy Clerk
Katie Smith, Senior Minutes Coordinator Noelia Perez

- CALL TO ORDER, 9:06 a.m.
- INVOCATION - Andrea Lowery, Management and Budget Advisor, Office of
Management and Budget

• PLEDGE OF ALLEGIANCE

• PUBLIC COMMENT

No one addressed the Board for public comment.

- OFFICIALS RECOGNIZED: Orange County Clerk of the Courts Tiffany Moore Russell
Orange County Ninth Judicial Circuit Court Chief Judge
Frederick Lauten

• BUDGET WORKSESSION

• CONSTITUTIONAL OFFICERS

Ninth Judicial Circuit Court of Florida

Chief Judge Frederick Lauten addressed the Board.

Board discussion ensued.

Action: None

- OFFICIAL RECOGNIZED: Orange County Property Appraiser Rick Singh

Orange County Clerk of the Courts

Orange County Clerk of the Circuit and County Courts Tiffany Moore Russell addressed the Board.

Board discussion ensued.

Action: None

Orange County Property Appraiser

Orange County Property Appraiser Rick Singh was present and available to answer Board questions.

Orange County Sheriff's Office

Ray Rivera, Orange County Sheriff's Office, was present and available to answer Board questions.

Orange County Comptroller

Margaret A. McGarrity, Chief Deputy Comptroller, Comptroller's Office, addressed the Board.

Action: None

- LYNX

John Lewis, Chief Executive Officer, LYNX (Central Florida Regional Transportation Authority), presented an update and budget report.

Board discussion ensued.

Action: None

- OFFICIAL RECOGNIZED: Orange County Tax Collector Scott Randolph

- CONSTITUTIONAL OFFICER

Orange County Tax Collector's Office

Orange County Tax Collector Scott Randolph addressed the Board.

Action: None

- OUTSIDE AGENCIES

ORLANDO oiX

David Glass, Creator & Executive Producer, Orlando oiX, presented to the Board a funding request.

Board discussion ensued.

Motion/Second: Commissioners Clarke/Thompson

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

NO (voice vote): Commissioner Edwards

Action: The Board approved the funding request by Orlando oiX for \$20,000.

FIRESPRING FUND

Donna Mackenzie, Executive Director of Firespring Fund, presented to the Board a funding request.

Board discussion ensued.

The following person addressed the Board: Tom O'Neal.

Board discussion ensued.

The following person addressed the Board: Chris Harden.

Board discussion ensued. County Administrator Lalchandani contributed to the discussion.

Motion/Second: Commissioners Thompson/Clarke

AYE (voice vote): All members

Action: The Board approved to allocate the funding request from the Firespring Fund to the tentative budget in the amount of \$100,000; and further, will re-visit the funding request before the Board's final Budget.

- MEETING RECESSED, 10:37 a.m.

- MEETING RECONVENED, 2:08 p.m.

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

Others Present: Chief Deputy Comptroller Margaret A. McGarrity as Clerk, County Administrator Ajit Lalchandani, County Attorney Jeffrey J. Newton, Deputy County Attorney Joel Prinsell, Senior Minutes Coordinator Noelia Perez, Documents Coordinator Jennifer Lara-Klimetz

- PRESENTATION

Proclamation designating July 24, 2015, as ADA Disability Awareness Day

- MEMBER JOINED: Commissioner Edwards

- PUBLIC COMMENT CONTINUED

The following person addressed the Board for public comment: Darius Darvell Sneed.

- 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 May 19, 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:

- June 26, 2015, to July 1, 2015; total of \$40,407,230.44

- July 2, 2015, to July 9, 2015; total of \$54,873,599.56.

(Finance/Accounting)

3. Disposition of Tangible Personal Property (Property Accounting)

Approval is requested of the following:

- a. To scrap assets.

County Administrator

1. Confirmation of the appointment of Charles Norman to the Board of Zoning Adjustment as the Mayor's representative with a term expiring December 31, 2016. (Agenda Development Office)
2. Confirmation of Commissioner Nelson's appointment of Sharlee Hollingsworth to the Lake Ola Advisory Board with a term expiring December 31, 2016. (Agenda Development Office)
3. Approval of the Membership and Mission Review Board recommendations for advisory board appointments/reappointments: (Agenda Development Office)
 - A. Affordable Housing Advisory Board: Reappointment of Michael L. Rowen in the representative of employers category, Bonnie Y. Morales in the essential services personnel representative category, Elizabeth Badillo in the residential home building industry representative category, and Patricia A. Rice in the advocate for low income persons representative category with terms expiring June 30, 2017.
 - B. Animal Services Classification Committee: Appointment of Justin T. Duff to succeed Lemuel G. Miller in the at large representative category with a term expiring December 31, 2016.
 - C. Arts and Cultural Affairs Advisory Council: Reappointment of Dr. John Schell in the University of Central Florida representative category and Edgar Lopez in the United Arts of Central Florida representative category with terms expiring June 30, 2017.
 - D. Building Codes Board of Adjustments and Appeals: Appointment of Gustavo Torres to succeed Jeff Davies in the consumer representative category with a term expiring December 31, 2015.
 - E. Children and Family Services Board: Appointment of Laini R. Schultz to succeed Denise D. Dell-Powell in the at large representative category with a term expiring December 31, 2016.
 - F. Citizens' Review Panel for Human Services: Reappointment of Ryan M. Myers and Bonnie Y. Morales in the at large representative category with terms expiring December 31, 2017.
 - G. Commission on Aging: Reappointment of Corey L. Douglas and Aquasia U. Johnson McDowell in the business representative category, Dennis L. Watson in the media/public relations representative category, and Sandria J. Foster in the education representative category with terms expiring June 30, 2017.
 - H. Community Development Advisory Board: Reappointment of Esther M. Whitehead in the District 1 representative category, Edwin Martinez in the District 3 representative category, and Tricia Dennis in the Mayor's representative category with terms expiring June 30, 2017 and the appointment of Nathaniel Jenkins to succeed Patricia Rumph in the District 2 representative category with a term expiring June 30, 2016.

- I. Disability Advisory Board: Reappointment of Janera Echevarria, Nancy B. Morales-Benitez, and Reinaldo Vazquez in the at large representative category with terms expiring June 30, 2017.
 - J. Environmental Protection Commission: Reappointment of Glenn W. Dunkelberger in the professional engineer representative category and Alexis M. Preisser in the at large citizen representative category with terms expiring December 31, 2016.
 - K. M/WBE Advisory Committee: Reappointment of Nicole V. McLaren in the at large representative category with a term expiring June 30, 2017.
 - L. Nuisance Abatement Board: Appointment of Donald L. Pittman to succeed Brandy A. Cole in the at large representative category with a term expiring January 1, 2016.
4. Confirmation of the County Mayor's staff reappointments for the 3rd Quarter (April – June) FY 2014-2015. (Human Resources Division)

James W. Becker, Manager, Solid Waste, Utilities
 Timothy L. Boldig, Manager, Building Safety, Community, Environmental and Development Services
 Yolanda Suzette Brown, Manager, Fiscal and Operational Support, Family Services
 Deodat Budhu, Manager, Roads and Drainage, Public Works
 Mitchell Glasser, Manager, Housing and Community Development, Community, Environmental and Development Services
 Joseph C. Kunkel, Deputy Director, Public Works
 Dil Luther, Manager, Animal Services, Health Services
 Julie R. Naditz, Manager, Highway Construction, Public Works
 Renzo A. Nastasi, Manager, Transportation Planning, Community, Environmental and Development Services
 William R. Powell, Manager, Operations Administration, Corrections
 Joel D. Prinsell, Deputy County Attorney, County Attorney's Office
 Teresa Remudo-Fries, Deputy Director, Utilities
 Jacqueline W. Torbert, Manager, Water Operations, Utilities
 Tyra A. Witsell, Manager, Citizens Commission for Children, Family Services

- 5. Approval of budget amendment #15-40. (Office of Management and Budget)

Administrative Services Department

- 1. Approval to award Invitation for Bids Y15-188-DG, Janitorial Supplies and Equipment for the Parks and Recreation Division, to the low responsive and responsible bidder, Peninsular Paper Co. of Central Florida, in the estimated contract amount of \$1,285,561.25 for a 1-year term contract. Further, authorized the Procurement Division renew contract for two additional 1-year periods. ([Community, Environmental and Development Services Department Parks and Recreation Division] Procurement Division)

2. Approval to award Invitation for Bids Y15-1085-PD, HVAC Filters for the Convention Center, to the low responsive and responsible bidder, Con-Air Industries., in the estimated contract award amount of \$232,091.71 for a 1-year term. Further, authorized the Procurement Division to renew the contract for four additional years. ([Convention Center] Procurement Division)
3. Approval to award Invitation for Bids Y15-1093-JS, Heavy Equipment Parts and Labor to the low responsive and responsible bidders, Bobcat of Orlando, LLC, Flagler Construction Equipment, Nortrax, Inc., Ring Power Corporation and Roadtec, Inc. The total estimated contract award amount for all bidders is \$7,177,170. The breakdown is as follows for all bidders:

Bidder	Estimated Cost
Flagler Construction Equipment	\$216,450
Roadtec, Inc.	\$289,500
Bobcat of Orlando, LLC	\$641,700
Ring Power Corporation	\$2,896,995
Nortrax, Inc.	\$3,132,525
Total	\$7,177,170

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 Y15-1098-JS, Reservation and Rental of Emergency Generators to the low responsive and responsible bidder, Electric Paramedics, LLC, in the estimated amount of \$1,177,402.50 for an initial 1-year term. Further, authorized the Procurement Division to renew the contract for two additional 1-year terms. ([Administrative Services Department Fleet Management Division] Procurement Division)
5. Approval to award Invitation for Bids Y15-610-JS, Master Meter and Backflow Assemblies Rehabilitation, to the low responsive and responsible bidder, Plastic Composites, Inc. The estimated contract award amount is \$237,642.07. ([Utilities Department Field Services Division] Procurement Division)
6. Approval to award Invitation for Bids Y15-769-J2, Little Lake Conway Baffle Box Improvements, to the low responsive and responsible bidder, Cathcart Construction Company-Florida, LLC, in the estimated contract award amount of \$164,494. ([Public Works Department Highway Construction Division] Procurement Division)
7. Approval of Purchase Order M73873 – Key Tracer Radio Frequency Identification (RFID) Electronic Key Control System with CTS, Inc. dba Key Tracer Systems, in

the total amount of \$196,652. ([Corrections Department Security Operation Division] Procurement Division)

8. Approval of Amendment No. 8, Contract Y9-1003B, Legal Services Utilities Water Supply & Environmental Law, with Lewis, Longman and Walker, P.A. for an additional thirty-six month period in an estimated amount of \$900,000 for a revised estimated contract amount of \$1,626,750. Further, authorized the Procurement Division to renew the contract for two additional years. ([County Attorney's Office] Procurement Division)
9. Approval of Amendment No.6, Contract Y12-169D, Wraparound Orange Staff Services with The Children's Home Society of Florida, Inc., for an additional estimated annual amount of \$187,948 for a revised total annual contract amount of \$363,685.20. ([Health Services Department Mental Health and Homeless Issues Division] Procurement Division)
10. Approval of Contract Y15-1118-ZM, Fire Rescue Internal Agency Training, with Valencia Community College, in the estimated amount of \$500,000 for a 1-year term. Further, authorized the Procurement Division to renew the contract for 4 additional 1-year periods. ([Fire Rescue Department] Procurement Division)
11. Approval and execution of Resolutions, County Deed and Assignment of Drainage Easement Rights from Orange County to the State of Florida Department of Transportation and authorization to record instruments for FDOT – S.R. 434. Districts 2 and 5. (Real Estate Management Division)
12. Approval and execution of Resolution 2015-M-23 and County Deed from Orange County to the City of Apopka and authorization to record instrument for Sale of Surplus Property, 2984 W. Orange Avenue, Apopka, FL. District 2. (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 Consuelo Cecilia Benites, approval and execution of County Deed from Orange County to Consuelo Cecilia Benites and authorization to perform all actions necessary and incidental to closing for NSP Resale – 5154 Laval Drive, Orlando, FL 32839 (NCST). District 3. (Real Estate Management Division)
14. 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 Hugo Navarro and Olga Navarro, approval and execution of County Deed from Orange County to Hugo Navarro and Olga Navarro and authorization to perform all actions necessary and incidental to closing for NSP Resale – 12009 Green Emerald Ct., Orlando, FL 32837 (NCST). District 1. (Real Estate Management Division)

15. Approval of Special Warranty Deed, Drainage Easement, and Temporary Slope Easement from TOLL FL XII LIMITED PARTNERSHIP to Orange County, Temporary Slope Easement from Seidel East, LLC to Orange County and authorization to perform all actions necessary and incidental to closing for Village F Horizon West (Seidel Road) RAC. District 1. (Real Estate Management Division)
16. Approval of Access and Utility Easement between Maguire Roberson, LLC and Orange County, Subordination of Encumbrances to Property Rights to Orange County from KeyBank National Association and authorization to record instruments for Casa Mirella @ Belmere PH V OCU File #: 14-U-045. 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 15-0298	LC 15-0315	LC 14-1503	LC 15-0043	LC 15-0257
LC 15-0331	LC 15-0324	LC 14-1616	LC 15-0061	LC 15-0262
LC 15-0388	LC 15-0325	LC 15-0223	LC 15-0108	LC 15-0266
LC 14-1322	LC 15-0327	LC 15-0233	LC 15-0122	LC 15-0268
LC 14-1327	LC 15-0337	LC 15-0215	LC 15-0123	LC 15-0272
LC 15-0041	LC 15-0363	LC 15-0377	LC 15-0144	LC 15-0285
LC 15-0172	LC 15-0365	LC 15-0225	LC 15-0185	LC 15-0292
LC 15-0300	LC 15-0389	LC 15-0283	LC 15-0219	LC 15-0293
LC 15-0301	LC 15-0393	LC 15-0369	LC 15-0251	LC 15-0303
LC 15-0306	LC 15-0439	LC 15-0401	LC 15-0252	LC 15-0319
LC 15-0311	LC 15-0440	LC 15-0011	LC 15-0253	LC 15-0341
LC 15-0314	LC 14-1420	LC 15-0015	LC 15-0256	LC 15-0342

2. Approval of State Financial Assistance Agreement DEP Agreement No. LP4803F Orange County Amendment No. 1 between the Florida Department of Environmental Protection and Orange County for the Boggy Creek Basin Baffle Boxes. District 3. (Environmental Protection Division)
3. Approval of DEP Agreement No. G0335 Amendment No. 1 between the State of Florida Department of Environmental Protection and Orange County, Florida for Lake Down Sub-Basin 15 Alum Stormwater Treatment System. District 1. (Environmental Protection Division)
4. Approval of State Financial Assistance Agreement DEP Agreement No. LP6839 Orange County Amendment No. 5 between the Florida Department of Environmental Protection and Orange County for the Little Wekiva River Water

Quality Improvement Initiative. Districts 2 and 5. (Environmental Protection Division)

Family Services Department

1. Approval of Meal Service Agreements between Orange County, Florida and School Board of Orange County, Florida regarding School Food Service for Aloma, Englewood, Grand Avenue Primary Learning, Maxey, Tangelo Park, and Washington Shores Early Learning Head Start Centers. (Head Start Division)
2. Receipt and filing of Head Start Policy Council Program Information and Updates June 2015 and Head Start Policy Council Meeting Minutes May 21, 2015 for the official county record. (Head Start Division)

Fire Rescue Department

1. Approval of Assistance to Firefighters Grant Program, Agreement Number EMW-2014-FO-05426 between the U.S. Department of Homeland Security through the Federal Emergency Management Agency and Orange County in the amount of \$1,062,890 with a required match of \$106,288 for a total of \$1,169,178. (Infrastructure and Support)
2. Approval of State-Funded Subgrant Agreement Contract Number: 16-BG-83-06-58-01-048, between the State of Florida, Division of Emergency Management and Orange County for Fiscal Year 2015-2016 in the amount of \$115,806. (Office of Emergency Management)
3. Approval of Federally-Funded Subgrant Agreement Contract Number: 16-FG- -06-59-01-116, between the State of Florida, Division of Emergency Management and Orange County for Fiscal Year 2015-2016 in the amount of \$225,615. A match in the amount of \$225,615 is required. (Office of Emergency Management)
4. Approval of Contract Number: 16-CP-11-XX-XX-XX-XXX, State-Funded Subgrant Agreement between the State of Florida Division of Emergency Management and Orange County for Fiscal Year 2015-2016 in the amount of \$24,811. (Office of Emergency Management)

Health Services Department

1. Approval of the Paratransit Services License for Coast To Coast Medical Transportation, Inc. to provide wheelchair/stretchers service. The term of this license is from July 31, 2015 through July 31, 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 Falck Southeastern II Corp d/b/a American Ambulance to provide Interfacility Advanced Life Support Transport Service. The term of this certificate is from August 1, 2015 through August 1, 2017. There is no cost to the County. (EMS Office of the Medical Director)
3. Approval of the Paratransit Services License for The Preference Medical Transportation, Inc. to provide wheelchair service. The term of this license is from July 31, 2015 through July 31, 2017. There is no cost to the County. (EMS Office of the Medical Director)
4. Approval of the Paratransit Services License for Rite Way Transportation, LLC to provide wheelchair/stretchers service. The term of this license is from August 1, 2015 through August 1, 2017. There is no cost to the County. (EMS Office of the Medical Director)

Office of Regional Mobility

1. (1) Approval of the Resolution 2015-M-24 of the Orange County Board of County Commissioners regarding Locally Funded Agreement between the State of Florida Department of Transportation and Orange County, Florida in the amount of \$80,200, Financial Management No. 423446-9-52-06; (2) Approval of Locally Funded Agreement between the State of Florida Department of Transportation and Orange County, and its Exhibits, Financial Management No. 423446-9-52-06; and (3) Authorization for the Clerk to attach the original of the Resolution as Exhibit "C" to the Locally Funded Agreement before the Locally Funded Agreement is executed by the Board of County Commissioners. District 4.

Utilities Department

1. Approval of Irrevocable Standby Letter of Credit No. 50209100, dated June 19, 2015, from Floridian Bank on behalf of Disposall, Inc., in favor of Orange County, for payment surety in the amount of \$140,000. All Districts. (Solid Waste Division)

• INFORMATIONAL ITEMS

County Comptroller

1. Receipt of the following items to file for the record: (Clerk's Office)
 - a. Minutes of the February 25, 2015 Stoneybrook West Community Development District meeting.
 - b. Minutes of the March 23, 2015 East Park Community Development District meeting.

- c. Winter Garden Village at Fowler Groves Community Development District Proposed Fiscal Year 2016 Operations Budget and Debt Service Budget with exhibits.
- d. City of Orlando Voluntary Annexation Request – 1860 Oglesby-ANX2015-00002. Notice of Proposed Enactment. On July 13, 2015 the Orlando City Council will consider proposed Ordinance #2015-21, 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 Crandon Ave., east of Formosa Ave., south of Oglesby Ave., and West of Clay St., addressed as 1860 Oglesby Ave., and comprised of 0.323 acres of land, more or less; amending the City's adopted Growth Management Plan to designate the property as residential low intensity on the City's Official Future Land Use Maps; and designating the property as the R-2A 1-2 family 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. 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 Avenue, Orlando, Florida.
- e. Orange County, Florida Citizens Annual Financial Report For the Year Ended 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 DISCUSSION AGENDA

Office of Regional Mobility

1. SunRail Presentation.

Noranne Downs, District 5 Secretary for the Florida Department of Transportation, addressed the Board regarding SunRail.

Board discussion ensued.

The following person addressed the Board: Tawny Olore.

Action: None

Administrative Services Department

- 1. Selection of one firm and an alternate to provide Design Services for the Orange County Convention Center (OCCC) West Building Meeting Rooms W109 and W110 Renovation, Request for Proposals Y15-807-MM, from the following firms listed alphabetically:

- Helman Hurley Charvat Peacock/Architects, Inc.
- Rhodes & Brito Architects, Inc.

Further, recommend the Board authorize negotiation and execution of the final contract by the Procurement Division within a budget of \$470,000.

([Convention Center] Procurement Division)

Motion/Second: Commissioners Edwards/Siplin

AYE (voice vote): All members

Action: The Board selected one firm, Rhodes & Brito Architects, Inc., and an alternate, Helman Hurley Charvat Peacock/Architects, Inc., to provide Design Services for the Orange County Convention Center (OCCC) West Building Meeting Rooms W109 and W110 Renovation; and further, authorized negotiation and execution of the final contract by the Procurement Division within a budget of \$470,000, Request for Proposals Y15-807-MM.

Family Services Department

1. Approval to 1) process full payment amount for Department of Juvenile Justice (DJJ) invoices received after July 1, 2015 instead of 50% payments as previously approved by the Board of County Commissioners and 2) process payment of DJJ invoices for FY 2015-2016 up to \$4,500,000. (Fiscal Division)

County staff addressed the Board with an update on a recent legislative action that affects the mandated county share of costs for juvenile detention.

Board discussion ensued.

Motion/Second: County Mayor Jacobs/Commissioner Edwards

AYE (voice vote): All members

Action: The Board approved the following:

- 1) Process full payment amount for Department of Juvenile Justice (DJJ) invoices received after July 1, 2015 instead of 50% payments as previously approved by the Board of County Commissioners and
- 2) Process payment of DJJ invoices for FY 2015-2016 up to \$4,500,000.

and further, preserved the rights to appeal or litigate the situation if the Board chooses to at a future point in time.

County Mayor

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

County Mayor Jacobs referenced a memo from Commissioner Edwards which he distributed to the Board regarding Central Florida Expressway Authority's use of toll revenues.

Board discussion ensued.

Action: None

- RECOMMENDATIONS

June 18, 2015 Planning and Zoning Commission Recommendations

Motion/Second: Commissioners Boyd/Clarke

AYE (voice vote): All members

Action: The Board accepted the recommendations of the Orange County Planning and Zoning Commission under the date of June 18, 2015; subject to the usual right of appeal by any aggrieved party.

- PUBLIC HEARING

Substantial Change

1. John Florio, Donald W. McIntosh Associates, Inc., Isleworth PD/Isleworth Preliminary Subdivision Plan (PSP), Case # CDR-15-03-087, amend plan; District 1

Applicant: John Florio, Donald W. McIntosh Associates, Inc., Isleworth PD / Isleworth Preliminary Subdivision Plan (PSP) - Substantial Change - Case # CDR-15-03-087

Consideration: Substantial change request to the Isleworth PD / Isleworth PSP to extend the existing Blanche Cove Drive and subdivide the existing Lot 3 into 4 new lots; pursuant to Sections 34-69 and 30-89, Orange County Code.

Location: District 1; property generally located South of Conroy Windermere Road / West of Apopka Vineland Road; Orange County, Florida (legal property description on file in Planning Division)

Based upon input by County staff, new condition #13 was added to read as follows:

13. Except as amended, modified, and/or superseded, the following conditions of approval, dated December 5, 2006, shall apply.

~~1. Development shall conform to the Isleworth Golf and Country Club PD-Isleworth Golf and Country Club Preliminary Subdivision, dated "Received April 18, 2006," and to the following conditions of approval. Development based upon this approval shall comply with all applicable federal, state, and county laws, ordinances, and regulations, which are incorporated herein by reference, except to the extent any applicable county laws, ordinances, and regulations are expressly waived or modified by these conditions, or by action approved by the Board of County Commissioners (BCC), or by action of the BCC.~~

5/27/2015: The preceding condition has been replaced by new condition of approval #1.

2. All previous conditions of approval shall apply.

The following persons addressed the Board:

- John Florio
- Karan Winfield

Based upon input by the District Commissioner, new condition #14 was added to read as follows:

14. Approval of this plan does not constitute approval of a permit for the construction of a boat dock, boardwalk, observation pier or other similar permanently fixed or floating structures on any lakefront lot. Lot 8 contains a large wetland and there are multiple docks south of and adjacent to the lot. There is no guarantee that a permit for construction of any type of structure will be granted by Orange County for Lot 8. Any person desiring to construct any of these structures shall apply for an Orange County Dock Construction Permit with the Environmental Protection Division (EPD) prior to installation . Any such structure shall be designed in such a manner to limit any tree removal and avoid restricting ingress or egress with any existing docks, boardwalks, or similar structures. This will be recorded with the CC & Rs for Lot 8.

Based upon input by County staff and agreed upon by the District Commissioner and the applicant, condition of approval #14 was modified to read as follows:

14. Approval of this plan does not constitute approval of a permit for the construction of a boat dock, boardwalk, observation pier or other similar permanently fixed or floating structures on any lakefront lot. Lot 8 contains a large wetland and there

are multiple docks south of and adjacent to the lot. There is no guarantee that a permit for construction of any type of structure will be granted by Orange County for Lot 8. Any person desiring to construct any of these structures on any Lakefront Lot including Lot 8 shall apply for an Orange County Dock Construction Permit with the Environmental Protection Division (EPD) prior to installation . Any such structure shall be designed in such a manner to limit any tree removal and avoid restricting ingress or egress with existing docks, boardwalks, or similar structures. This will be recorded with the CC & Rs for Lot 8.

Motion/Second: Commissioners Boyd/Nelson

AYE (voice vote): All members

Action: The Board made a finding of consistency with the Comprehensive Plan; and further, approved the substantial change request by John Florio, Donald W. McIntosh Associates, Inc., Isleworth PD / Isleworth Preliminary Subdivision Plan (PSP) - Substantial Change - Case # CDR-15-03-087, to the Isleworth PD / Isleworth PSP to extend the existing Blanche Cove Drive and subdivide the existing Lot 3 into 4 new lots; which constitutes a substantial change to the development on the described property; subject to the following conditions:

1. Development shall conform to the Isleworth PD Land Use Plan; Orange County Board of County Commissioners (BCC) approvals; Isleworth Preliminary Subdivision Plan dated "Received May 1, 2015," and to the conditions of approval listed below. Development based upon this approval shall comply with all applicable federal, state, and county laws, ordinances, and regulations, which are incorporated herein by reference, except to the extent any applicable county laws, ordinances, or regulations are expressly waived or modified by these conditions, or by action approved by the BCC, or by action of the BCC. In the event of a conflict or inconsistency between a condition of approval of this preliminary subdivision plan and the preliminary subdivision plan dated "Received May 1, 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. Prior to the issuance of any vertical building permits, the property shall be replatted.
5. Prior to construction plan approval, documentation with supporting calculations shall be submitted which certifies that the existing drainage system and pond have the capacity to accommodate this development.
6. Prior to commencement of any earth work or construction, if one acre or more of land will be disturbed, the developer shall provide a copy of the completed National Pollutant Discharge Elimination System (NPDES) Notice of Intent (NOI) form for stormwater discharge from construction activities to the Orange County Environmental Protection Division, NPDES Administrator. The original NOI form shall be sent to the Florida Department of Environmental Protection by the developer.
7. Unless a Conservation Area Impact (CAI) permit is approved by Orange County consistent with Orange County Code Chapter 15, Article X, "Wetland Conservation Areas", prior to Construction Plan approval, no conservation area or buffer encroachments shall be permitted. Approval of this plan does not authorize any direct or indirect conservation area impacts.
8. 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.
9. This project shall be an extension of a gated community and shall comply with the minimum requirements of the Gated Community Ordinance, Orange County Code Sections 34-280, 34-290, and 34-291, as they may be amended from time to time.
10. A waiver from Orange County Code Section 34-171 (7) is granted to allow development of the lots without sidewalks in lieu of construction of four (4) foot wide sidewalks.
11. CCR's shall be modified to include maintenance of extended roadway and added lots in the subdivision.

12. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated August 15, 2000, shall apply:

~~1. DEVELOPMENT SHALL CONFORM TO THE ISLEWORTH PLANNED DEVELOPMENT (PD) FOURTH AMENDMENT; ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS' (BCC) APPROVALS; ISLEWORTH FOURTH AMENDMENT PRELIMINARY SUBDIVISION PLAN (NORTHBAY PD/SILVERWOODS PRELIMINARY SUBDIVISION); DATED "RECEIVED JUNE 2, 2000"; AND TO THE FOLLOWING CONDITIONS OF APPROVAL. DEVELOPMENT BASED UPON THIS APPROVAL SHALL COMPLY WITH ALL OTHER FEDERAL, STATE, AND COUNTY LAWS, ORDINANCES, AND REGULATIONS, WHICH ARE INCORPORATED HEREIN BY REFERENCE, EXCEPT TO THE EXTENT THE APPLICABLE LAWS, ORDINANCES, AND REGULATIONS] ARE EXPRESSLY WAIVED OR MODIFIED BY THESE CONDITIONS, OR BY ACTION APPROVED BY THE BCC OR BY ACTION OF THE BCC.~~

5/27/2015: THE PRECEDING CONDITION HAS BEEN REPLACED BY NEW CONDITION OF APPROVAL #1

~~2. THIS PROJECT SHALL COMPLY WITH SECTION 34-290 OF THE ORANGE COUNTY CODE FOR GATED COMMUNITIES.~~

5/27/2015: THE PRECEDING CONDITION HAS BEEN REPLACED BY NEW CONDITION OF APPROVAL #9

13. Except as amended, modified, and/or superseded, the following conditions of approval, dated December 5, 2006, shall apply.

~~1. Development shall conform to the Isleworth Golf and Country Club PD-Isleworth Golf and Country Club Preliminary Subdivision, dated "Received April 18, 2006," and to the following conditions of approval. Development based upon this approval shall comply with all applicable federal, state, and county laws, ordinances, and regulations, which are incorporated herein by reference, except to the extent any applicable county laws, ordinances, and regulations are expressly waived or modified by these conditions, or by action approved by the Board of County Commissioners (BCC), or by action of the BCC.~~

5/27/2015: The preceding condition has been replaced by new condition of approval #1.


2. All previous conditions of approval shall apply.

14. Approval of this plan does not constitute approval of a permit for the construction of a boat dock, boardwalk, observation pier or other similar permanently fixed or floating structures on any lakefront lot. Lot 8 contains a large wetland and there

are multiple docks south of and adjacent to the lot. There is no guarantee that a permit for construction of any type of structure will be granted by Orange County for Lot 8. Any person desiring to construct any of these structures on any Lakefront Lot including Lot 8 shall apply for an Orange County Dock Construction Permit with the Environmental Protection Division (EPD) prior to installation . Any such structure shall be designed in such a manner to limit any tree removal and avoid restricting ingress or egress with existing docks, boardwalks, or similar structures. This will be recorded with the CC & Rs for Lot 8.

- ADJOURNMENT, 3:06 p.m.

ATTEST:



County Mayor Teresa Jacobs

Date: SEP 01 2015

ATTEST SIGNATURE:

Martha O. Haynie
County Comptroller as Clerk



Deputy Clerk

