

BCC Mtg. Date: September 11, 2018

Orange County Government

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



Final BCC Meeting Minutes

Tuesday, August 7, 2018

9:00 AM

County Commission Chambers

Board of County Commissioners

Call to Order

County Mayor Jacobs called the meeting to order at 9:05 a.m.

Present: 7 - Mayor Teresa Jacobs, Commissioner Rod A. Love, Commissioner Jennifer Thompson, Commissioner Pete Clarke, Commissioner Betsy VanderLey, Commissioner Emily Bonilla, and Commissioner Victoria P. Siplin

Others present:

County Comptroller Phil Diamond as Clerk
County Administrator Ajit Lalchandani
County Attorney Jeffrey J. Newton
Deputy County Attorney Joel Prinsell
Deputy Clerk Katie Smith
Senior Minutes Coordinator Noelia Perez
Senior Minutes Coordinator Lakela Louis

Invocation - District 6

Pastor Alexis Stephens, Faith Center International Church

Pledge of Allegiance**Presentation**

Proclamation designating August 7, 2018 as Purple Heart County Day

Public Comment

The following persons addressed the Board for public comment:

- Shari Blissett-Clark
- Frank Vassell
- Sarah Dewitz
- Chadwick Hardee
- Kimberly Buchheit

The following material was received by the Clerk during public comment. The material referenced by the speaker was not presented to the Board: Submittal 1, from Shari Blissett-Clark.

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

The Mayor deferred action on County Comptroller Item 1; further, deferred action on County

Administrator Item 2; further, deferred action on Community, Environmental and Development Services Department Items 5 and 6; and further, a motion was made by Commissioner VanderLey, seconded by Commissioner Thompson, to approve the balance of the Consent Agenda. The motion carried by the following vote:

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

A. COUNTY COMPTROLLER

1. [18-1025](#) Approval of the minutes of the July 10, 2018 meeting of the Board of County Commissioners. (Clerk's Office)

(This item was deferred.)

2. [18-1026](#) Approval of the check register authorizing the most recently disbursed County funds, having been certified that same have not been drawn on overexpended accounts. Periods are as follows:

- July 27, 2018 to August 2, 2018; total of \$53,534,347.82

(Finance/Accounting)

B. COUNTY ADMINISTRATOR

1. [18-1027](#) Approval and execution of Resolution 2018-M-21 of the Orange County Board of County Commissioners regarding approval of standard form letters of credit for Orange County Utilities services and projects and a delegation of authority to the County Mayor to accept or amend, and the Utilities Director or Deputy Director to release, letters of credit in conjunction with Orange County Utilities services and projects. All Districts.

2. [18-1028](#) Approval of the Membership and Mission Review Board's recommendations for advisory board appointments/reappointments: (Agenda Development Office)

A. Affordable Housing Advisory Board: Appointment of Lucie Ghioto to succeed Leigh Newton in the not-for-profit provider of affordable housing representative category with a term expiring June 30, 2020 and Leica Gray to succeed Marcelino Rivera in the essential services personnel representative category with a term expiring June 30, 2019.

B. Animal Services Classification Committee: Appointment of Adrienne Sears to succeed Crockett Bohannon in the at large representative category with a term expiring December 31, 2019.

C. Arts and Cultural Affairs Advisory Council: Reappointment of Richard P.

Richbourg in the District 3 representative category and the appointment of Julie Coleman to succeed Sharon Fenwick in the District 2 representative category and Vicki-Elaine Felder to succeed Patrick Noze in the District 6 representative category with terms expiring June 30, 2020. Note: This will be a third term for Mr. Richbourg and will require a supermajority (5) vote of the Board of County Commissioners.

D. Building Codes Board of Adjustments and Appeals: Appointment of Tony Hartsgrove to succeed Gregory M. Hardwick in the residential contractor representative category with a term expiring December 31, 2018.

E. Citizens' Commission for Children: Appointment of Brock Hankins to succeed Melvin Rogers in the at large representative category with a term expiring December 31, 2019.

F. Citizens' Review Panel for Human Services: Appointment of Denise Copeland, Tyler Winik, and Joey Barnes in the at large member in training representative category with terms expiring December 31, 2020.

G. Development Advisory Board: Appointment of John A. Miklos to succeed Elaine Imbruglia in the primary group representative category (environmental specialist) with a term expiring June 30, 2020.

H. International Drive CRA Advisory Committee: Appointment of Joelle Konze to succeed Carley Nicholson in the at large representative category with a term expiring January 1, 2020.

I. Neighborhood Grants Advisory Board: Appointment of Mark Politte to succeed Frayda R. Morris in the District 1 representative category with a term expiring June 30, 2020.

J. Parks and Recreation Advisory Board: Reappointment of Mark A. Arias in the District 3 representative category and the appointment of Jeff Loeffert to succeed Jane Dunkelberger in the District 1 representative category with terms expiring June 30, 2020. Note: This will be a third term for Mr. Arias and will require a supermajority (5) vote of the Board of County Commissioners.

K. Sustainability Advisory Board: Reappointment of Byron Knibbs in the environmental protection, natural resources management, or sustainability practices representative category, Melvin Pittman in the neighborhood improvement related organization or activities leadership representative category, Paul (Tommy) Boroughs in the urban planning or transportation planning representative category, and John M. Martinez in the at large representative category with terms expiring June 30, 2020.

(This item was deferred.)

3. [18-1029](#) Approval and execution of Resolution 2018-M-22 of the Orange County Board of County Commissioners regarding Timbers Holdings LLC Qualified Target Industry Tax Refund. (Office of Economic, Trade and Tourism Development)

C. ADMINISTRATIVE SERVICES DEPARTMENT

1. [18-1030](#) Approval to award Invitation for Bids Y18-1020-MV, Tree Trimming and Related Services, on a zone by zone basis, to the low responsive and responsible bidders, The Davey Tree Expert Company in the estimated contract award amount of \$2,332,576.75 for zones 2, 3 and 5 and Blades of Green, Inc. in the estimated contract award amount of \$1,812,000 for zones 1 and 4 for 1-year terms. ([Administrative Services Department Facilities Management Division] Procurement Division)
2. [18-1031](#) Approval to award Invitation for Bids Y18-1067-EB, Traffic Calming Program, to the sole responsive and responsible bidder, Altair Environmental Group, LLC. The estimated contract award amount is \$632,900 for the base year. ([Public Works Department Traffic Engineering Division] Procurement Division)
3. [18-1032](#) Approval to award Invitation for Bids Y18-1083-AV, Right-of-Way Mowing - West Orange Area, Section III, to the low responsive and responsible bidder, Lawnwalker Services, Inc. The estimated contract award amount is \$425,555 for a 1-year term. ([Public Works Department Roads and Drainage Division] Procurement Division)
4. [18-1033](#) Approval to award Invitation for Bids Y18-1084-AV, Right-of-Way Mowing - Three Points Area, Section III, to the low responsive and responsible bidder, Lawnwalker Services, Inc. The estimated contract award amount is \$891,415 for a 1-year term. ([Public Works Department Roads and Drainage Division] Procurement Division)
5. [18-1034](#) Approval to award Invitation for Bids Y18-1085-AV, Right-of-Way Mowing - Bithlo Area, Section II, to the low responsive and responsible bidder, Lawnwalker Services, Inc. The estimated contract award amount is \$1,158,650 for a 1-year term. ([Public Works Department Roads and Drainage Division] Procurement Division)
6. [18-1035](#) Approval to award Invitation for Bids Y18-1086-AV, Right-of-Way Mowing - West Orange Area, Section I, to the low responsive and responsible bidder, Lawnwalker Services, Inc. The estimated contract award amount is \$641,295 for a 1-year term. ([Public Works Department Roads and Drainage Division] Procurement Division)

7. [18-1036](#) Approval to award Invitation for Bids Y18-1087-AV, Right-of-Way Mowing - West Orange Area, Section II, to the low responsive and responsible bidder, Lawnwalker Services, Inc. The estimated contract award amount is \$824,910 for a 1-year term. ([Public Works Department Roads and Drainage Division] Procurement Division)
8. [18-1037](#) Approval to award Invitation for Bids Y18-753-RC, Internal Operations Centre I Human Resources Service Center Renovations Phase II & III, to the low responsive and responsible bidder, EPS Contractor Group, Corp. The total contract award amount is \$190,180. ([Administrative Services Department Capital Projects Division] Procurement Division)
9. [18-1038](#) Approval to award Invitation for Bids Y18-769-RC, Corrections Kitchen, Laundry Grinder Pump, to the low responsive and responsible bidder, Café Construction & Development, Inc. The total contract award amount is \$145,300. ([Administrative Services Department Capital Projects Division] Procurement Division)
10. [18-1039](#) Approval of Purchase Order M91175, Knox Box Key Retention Devices, with Knox Company, in the amount of \$135,636. ([Fire Rescue Department Planning and Technical Services Division] Procurement Division)
11. [18-1040](#) Approval of Contract Y17-125-PD, Utilities Customer Information System (CIS) Solution: Payment Gateway, Interactive Voice and Web Response (IVR and IWR), Outbound Notifications, Call Center Module and Mobility Solution, with Selectron Technologies, Inc. in the total contract award amount of \$2,854,979 for a 5-year term. ([Utilities Department Customer Service Division] Procurement Division)
12. [18-1041](#) Approval and execution of Subordination of Utility Interests from Duke Energy Florida, LLC, d/b/a Duke Energy, f/k/a Duke Energy Florida, Inc., f/k/a Florida Power Corporation, to Orange County and authorization to disburse funds to pay recording fees and record instrument for Boggy Creek Road (Osceola Cnty line to 600' N. of Central FI Greenway SR 417). District 4. (Real Estate Management Division)
13. [18-1042](#) Approval and execution of Modification of Access and Utility Easement from Pulte Home Company, LLC, successor by conversion from Pulte Home Corporation to Orange County and authorization to record instrument for Rubylake Lot 8 Temporary Sales Trailer. District 1. (Real Estate Management Division)
14. [18-1043](#) Approval of Drainage Easement from Lennar Homes, LLC to Orange County with Joinder and Consent of Association to Drainage Easement by The Oaks at Moss Park Community Association, Inc. and authorization to record instrument for Oaks at Moss Park Phase N2 and O. District 4. (Real

Estate Management Division)

15. [18-1044](#) Approval of Access Easement from Hark Associates, L.L.C. to Orange County and authorization to record instrument for Pocket Lane Canal Bridge. District 1. (Real Estate Management Division)
16. [18-1045](#) Approval of Utility Easement from Nesha Holdings, LLC to Orange County and authorization to record instrument for Elite Business Park Permit #B16903559 OCU File#: 88106. District 3. (Real Estate Management Division)
17. [18-1046](#) Approval of Utility Easement from Lakeshore Preserve Community Homeowners Association, Inc. to Orange County and authorization to record instrument for Horizon West Village F Seidel East Ph 5 Permit #17-S-028 OCU File#: 91266. District 1. (Real Estate Management Division)
18. [18-1047](#) Approval of Utility Easement from East Colonial Capital Orlando LLC to Orange County and Subordination of Encumbrances to Property Rights to Orange County from Jernigan Capital Operating Company, LLC and authorization to record instruments for Storage Facility - Site Work Only Permit #B17900131 OCU File# 93390. District 5. (Real Estate Management Division)
19. [18-1048](#) Approval of Utility Easement from Avalon Park School Initiative II JV, LLC to Orange County and Subordination of Encumbrance to Property Rights to Orange County from School Development HC Finance LLC and authorization to record instruments for Avalon Park K-5 School Site Work Permit #B17900160 OCU File#: 83466. District 4. (Real Estate Management Division)

D. COMMUNITY, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

1. [18-1049](#) Approval and execution of Orange County, Florida, Resolutions Establishing Special Assessment Liens for Lot Cleaning Services and approval to record Special Assessment Liens on property cleaned by Orange County, pursuant to Orange County Code, Chapter 28, Nuisances, Article II, Lot Cleaning. All Districts. (Code Enforcement Division)

LC 18-0478	LC 18-0471	LC 18-0527	LC 18-0545	LC 18-0484
LC 18-0497	LC 18-0473	LC 18-0462	LC 18-0547	LC 18-0499
LC 18-0397	LC 18-0476	LC 18-0508	LC 18-0563	LC 18-0500
LC 18-0401	LC 18-0481	LC 18-0544	LC 18-0402	LC 18-0529
LC 18-0446	LC 18-0518	LC 18-0422	LC 18-0428	LC 18-0532
LC 18-0468	LC 18-0520	LC 18-0507	LC 18-0442	LC 18-0535
LC 18-0469	LC 18-0521	LC 18-0404	LC 18-0448	LC 18-0536
LC 18-0470	LC 18-0522	LC 18-0514	LC 18-0460	LC 18-0537

2. [18-1050](#) Approval and execution of Amendment 1 to the Cost Share Agreement between the St. Johns River Water Management District and Orange County for Lake Lawne Stormwater Irrigation Facility Project Contract #31844 to extend the Agreement and project completion date to December 31, 2018. District 6. (Environmental Protection Division)
3. [18-1051](#) Acceptance of recommendation of the Environmental Protection Commission to approve the request for waiver to Orange County Code, Chapter 15, Article IX, Section 15-342(b) (terminal platform size) with the condition that the applicant pay \$870 to the Conservation Trust Fund within 60 days of the decision of the Board for the Sanjay Somnali Dock Construction Permit BD-18-02-021. District 1. (Environmental Protection Division)
4. [18-1052](#) Acceptance of recommendation of the Environmental Protection Commission to approve the after-the-fact request for waiver to Orange County Code, Chapter 15, Article IX, Section 15-342(b) (terminal platform size) with the condition that the applicant pay \$870 to the Conservation Trust Fund within 60 days of the decision of the Board and to approve the after-the-fact requests for variance to Section 15-342(g) (enclosed docks) and Section 15-342(f) (living quarters) with the condition that the applicant double encase and install a backflow preventer valve on the sewage effluent line for the Steve and Cheryl Miller Dock Construction Permit BD-18-02-022. District 1. (Environmental Protection Division)
5. [18-1053](#) Approval and execution of Adequate Public Facilities Agreement for Hamlin Southwest PD/UNP by and between SLF IV/Boyd Horizon West JV, LLC, West Orange/Avalon Road Land, LLC, Hamlin Retail Partners West, LLC and Orange County for the conveyance of 1.2 acres of APF Land providing \$27,000 in transportation impact fee credits and for the satisfaction of the APF deficiency through a transfer of APF credits or payment of an APF fee. District 1. (Roadway Agreement Committee)

(This item was deferred.)

6. [18-1054](#) Approval and execution of Hamlin West amended and restated Road Network Agreement New Independence Parkway and C.R. 545/Avalon Road by and among Hamlin Retail Partners West, LLC, West Orange/Avalon Road Land, LLC, SLF IV/Boyd Horizon West JV, LLC, Independence Parkway Development LLC and Orange County to provide transportation impact fee credits in the amount of \$4,111,389.17 and vested trips for roadway improvements to New Independence Parkway and C.R. 545 (Avalon Road). District 1. (Roadway Agreement Committee)

(This item was deferred.)

E. CORRECTIONS DEPARTMENT

1. [18-1055](#) Approval and execution of Agreement Between Orange County, Florida and Goodwill Industries of Central Florida, Inc. for GoodWorks Program Services for a term of five years from the date the last party signs the agreement.
2. [18-1056](#) Approval and execution of Interagency Agreement Orange County, Florida and Office of the State Attorney Fifth Judicial Circuit of Florida for a three-year term.

F. FAMILY SERVICES DEPARTMENT

1. [18-1057](#) Approval and execution of Agreement between Orange County, Florida and Central Florida Regional Workforce Development Board, Inc. D/B/A Career Source Central Florida regarding the Workforce Innovation and Opportunity Act Comprehensive One Stop Customer Service Center Required One-Stop Partnership and Infrastructure Funding Contribution. (Community Action Division)
2. [18-1058](#) Approval and execution of Florida Department of Children and Families Application for a License to operate a Child Care Facility at South Orlando YMCA Head Start. This application is only executed by Orange County. (Head Start Division)
3. [18-1059](#) Receipt and filing of Head Start Policy Council Program Information and Updates July 2018 and Head Start Policy Council Meeting Minutes June 21, 2018 for the official county record. (Head Start Division)
4. [18-1060](#) Approval and execution of: 1) Meal Service Agreement between Orange County, Florida and School Board of Orange County, Florida regarding School Food Service at Dillard Head Start and 2) Orange County, Florida and The School Board of Orange County, Florida Addendum to Meal Service Agreement related to Business Associate Assurance of compliance with the Health Insurance Portability and Accountability Act (HIPAA) Privacy, Breach and Security Rules and the Florida Information Protection Act (FIPA). (Head Start Division)
5. [18-1061](#) Approval and execution of: 1) Meal Service Agreements between Orange County, Florida and School Board of Orange County, Florida regarding School Food Service at Aloma, Dillard, Dover Shores, Engelwood, Evans, McCoy, Three Points, Ventura, Washington Shores Early Learning Center, and Washington Shores Elementary Head Start sites and 2) Orange County, Florida and The School Board of Orange County, Florida Addendums to Meal Service Agreements related to Business Associate Assurance of compliance with the Health Insurance Portability and Accountability Act (HIPAA) Privacy, Breach and Security Rules and the Florida Information

Protection Act (FIPA). (Head Start Division)

6. [18-1062](#) Approval to process payment of Department of Juvenile Justice Invoices for FY 2018/2019 up to \$5,184,372. (Fiscal Division)

G. OFFICE OF REGIONAL MOBILITY

1. [18-1063](#) Approval and execution of Orange County/MetroPlan Orlando (Urban Area Metropolitan Planning Organization) FY 2018-2019 Funding Agreement by and between Orange County and Orlando Urban Area Metropolitan Planning Organization d/b/a MetroPlan Orlando and authorization to make payment in the amount of \$492,171 in two installments of \$246,085.50 to be paid in October 2018 and April 2019. All Districts.
2. [18-1064](#) Approval and execution of Resolution 2018-M-23 of the Orange County Board Of County Commissioners amending Resolution No. 91-M-62 and Resolution No. 2013-M-48 regarding release of letters of credit or cash escrows securing excavation and fill projects; subdivision infrastructure; road improvements; construction and maintenance of subdivision improvements; and site stabilization projects to allow release of letters of credit or cash escrow by the Public Works Director or County Engineer. All Districts.

H. PUBLIC WORKS DEPARTMENT

1. [18-1065](#) Approval of "No Parking" Zone installations between addresses 14397 through 14427 and between addresses 14565 through 14541 on Ward Road. District 4. (Traffic Engineering Division)
2. [18-1066](#) Approval and execution of Resolution 2018-M-24 of the Orange County Board of County Commissioners regarding affirming its support for the designation of that portion of S.R. 414/Maitland Boulevard between Magnolia Homes Road and S.R. 434/Forest City Road in Seminole County as "Deputy Matt Miller Memorial Boulevard" and for the erection by the Florida Department of Transportation of suitable markers proclaiming the designation. All Districts. (Traffic Engineering Division)
3. [18-1067](#) Approval to construct speed tables on Currency Drive. District 6. (Traffic Engineering Division)
4. [18-1068](#) Approval and execution of Escrow Agreement between Hark Associates, L.L.C., Orange County and the Orange County Comptroller regarding the Pocket Lane Bridge. District 1. (Development Engineering Division)

II. INFORMATIONAL ITEMS**

A. COUNTY COMPTROLLER

1. [18-1069](#) Receipt of the following items to file for the record: (Clerk's Office)
 - a. Florida Public Service Commission Consummating Order. In re: Petition of approval of renewable energy tariff and standard offer contract, by Florida Power & Light Company.
 - b. Florida Public Service Commission Consummating Order. In re: Application for limited proceeding rate increase in Orange County by Pluris Wedgefield, Inc.
 - c. Florida Public Service Commission Consummating Order. In re: Request for approval of change in rate used to capitalize allowance for funds used during construction (AFUDC) from 6.16% to 5.97% effective January 1, 2018, by Florida Power & Light Company.
 - d. City of Orlando E Pineloch Ave ANX2017-00007. Annexation #1805291203. Address Range 200 - 298 E. Pineloch Ave (even). 1st reading 05-01-2018, 2nd reading 05-29-2018. Effective Date 06-28-2018 and City of Orlando 2606 S Brown Ave ANX2017-10002. Address Range 2604 - 2606 S Brown Ave (even). 1st reading 05-13-2018, 2nd reading 05-29-2018. Effective Date 06-28-2018.
 - e. Orange County Industrial Development Authority Notice of Public Meetings for a period from August 2018 through July 2019.

This item was received and filed.

I. CONSENT AGENDA (Deferred)

A. COUNTY COMPTROLLER

1. [18-1025](#) Approval of the minutes of the July 10, 2018 meeting of the Board of County Commissioners. (Clerk's Office)

Commissioner Bonilla requested to amend the minutes of the July 10, 2018 meeting of the Board of County Commissioners. County Comptroller Diamond contributed to the discussion. County Mayor Jacobs recommended Commissioner Bonilla submit changes to the minutes to the Board as well as the Comptroller's Office. County Administrator Lalchandani indicated any revisions must be submitted by Friday, August 10, 2018 for this item to be brought back at the next Board of County Commissioners meeting.

I. CONSENT AGENDA (Deferred)

B. COUNTY ADMINISTRATOR

2. [18-1028](#) Approval of the Membership and Mission Review Board's recommendations for advisory board appointments/reappointments: (Agenda Development

Office)

A. Affordable Housing Advisory Board: Appointment of Lucie Ghioto to succeed Leigh Newton in the not-for-profit provider of affordable housing representative category with a term expiring June 30, 2020 and Leica Gray to succeed Marcelino Rivera in the essential services personnel representative category with a term expiring June 30, 2019.

B. Animal Services Classification Committee: Appointment of Adrienne Sears to succeed Crockett Bohannon in the at large representative category with a term expiring December 31, 2019.

C. Arts and Cultural Affairs Advisory Council: Reappointment of Richard P. Richbourg in the District 3 representative category and the appointment of Julie Coleman to succeed Sharon Fenwick in the District 2 representative category and Vicki-Elaine Felder to succeed Patrick Noze in the District 6 representative category with terms expiring June 30, 2020. Note: This will be a third term for Mr. Richbourg and will require a supermajority (5) vote of the Board of County Commissioners.

D. Building Codes Board of Adjustments and Appeals: Appointment of Tony Hartsgrove to succeed Gregory M. Hardwick in the residential contractor representative category with a term expiring December 31, 2018.

E. Citizens' Commission for Children: Appointment of Brock Hankins to succeed Melvin Rogers in the at large representative category with a term expiring December 31, 2019.

F. Citizens' Review Panel for Human Services: Appointment of Denise Copeland, Tyler Winik, and Joey Barnes in the at large member in training representative category with terms expiring December 31, 2020.

G. Development Advisory Board: Appointment of John A. Miklos to succeed Elaine Imbruglia in the primary group representative category (environmental specialist) with a term expiring June 30, 2020.

H. International Drive CRA Advisory Committee: Appointment of Joelle Konze to succeed Carley Nicholson in the at large representative category with a term expiring January 1, 2020.

I. Neighborhood Grants Advisory Board: Appointment of Mark Politte to succeed Frayda R. Morris in the District 1 representative category with a term expiring June 30, 2020.

J. Parks and Recreation Advisory Board: Reappointment of Mark A. Arias in

the District 3 representative category and the appointment of Jeff Loeffert to succeed Jane Dunkelberger in the District 1 representative category with terms expiring June 30, 2020. Note: This will be a third term for Mr. Arias and will require a supermajority (5) vote of the Board of County Commissioners.

K. Sustainability Advisory Board: Reappointment of Byron Knibbs in the environmental protection, natural resources management, or sustainability practices representative category, Melvin Pittman in the neighborhood improvement related organization or activities leadership representative category, Paul (Tommy) Boroughs in the urban planning or transportation planning representative category, and John M. Martinez in the at large representative category with terms expiring June 30, 2020.

Board discussion ensued. This item was deferred to Mayor's Open Discussion.

III. DISCUSSION AGENDA

A. COUNTY ATTORNEY

1. [18-1070](#) Firearms Ordinance Update.

The Board took no action.

C. PUBLIC WORKS DEPARTMENT

1. [18-1072](#) Traffic Signal Technology Update. (Traffic Engineering Division)

The Board took no action.

B. FAMILY SERVICES DEPARTMENT

1. [18-1071](#) Professional Opportunities Program for Students (POPS) Update.

The Board took no action.

D. COUNTY MAYOR

I. CONSENT AGENDA (Deferred)

B. COUNTY ADMINISTRATOR

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A motion was made by Commissioner Bonilla, seconded by Commissioner Thompson, to approve the Membership and Mission Review Board's recommendations for Advisory Board appointments / reappointments Items C, I, and J. The motion carried by the following vote:

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

D. COUNTY MAYOR

1. [18-1073](#) Open discussion on issues of interest to the Board.

The following items have been submitted for open discussion.

- District 5 - Orange County Advisory Boards
- District 5 - Orange County Sexual Harassment Policies, Procedures, and/or Trainings

A motion was made by Commissioner Love, seconded by Commissioner VanderLey, to accept the recommendations of the Membership and Mission Review Board (MMRB) and move forward with the recommendations as they stand. The motion carried by the following vote:

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

Commissioner Bonilla requested the Board have a Work Session on sexual harrassment policies. County Staff presented to the Board a presentation regarding sexual harrassment, county policies, trainings, and processing of complaints. Board discussion ensued.

IV. RECOMMENDATIONS

1. [18-1074](#) July 19, 2018 Planning and Zoning Commission Recommendations

A motion was made by Commissioner VanderLey, seconded by Commissioner Love, to approve the recommendations, with the exception of Case # RZ-18-07-039, Alexander Rey (appeal filed),

which was pulled from the recommendations; subject to the usual right of appeal by any aggrieved party. The motion carried by the following vote:

Aye: 6 - Mayor Jacobs, Commissioner Love, Commissioner Thompson, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

Absent: 1 - Commissioner Clarke

V. PUBLIC HEARINGS

1. [18-911](#) Shoreline Alteration/Dredge and Fill

John and Karen Edmondson, Lake Conway Canal, permit, SADF # 18-06-015; District 3

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit SADF # 18-06-015 to reconstruct an existing seawall, pursuant to Orange County Code, Chapter 33, Article II; Lake Conway Water and Navigation Control District; Section 33-37(d).

Location: District 3; on property located adjacent to Lake Conway Canal, located at 3649 Waters Edge Dr., Belle Isle, Florida 32812; Orange County, Florida (legal property description on file in Environmental Protection Division)

A motion was made by Commissioner Clarke, seconded by Commissioner VanderLey, to approve the Shoreline Alteration/Dredge and Fill Permit (SADF-18-06-015) subject to the conditions of approval listed in the Staff Report. The motion carried by the following vote:

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

2. [18-964](#) Shoreline Alteration Dredge and Fill

David Miller, Lake Conway, permit, SADF # 18-03-008; District 3

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit SADF # 18-03-008 to construct a seawall without rip rap and plantings, pursuant to Orange County Code, Chapter 33, Article II, Lake Conway Water and Navigation Control District; Section 33-37(d)

Location: District 3; on property located adjacent to Lake Conway, located at 2920 Nela Avenue, Belle Isle, Florida 32812; Orange County, Florida (legal property description on file in Environmental Protection Division)

County staff indicated Conditions #18 and 19 should be one condition. Condition #19 should be deleted.

~~19. Authorizations from the Board of Trustees prior to commencing activity on sovereignty lands or other state-owned lands.~~

Condition #18 should read as follows:

18. The permittee is hereby advised that Section 253.77, Florida Statutes, states that a person

may not commence any excavation, construction, or other activity involving the use of sovereign or other lands of the state, the title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund, without obtaining the required lease, license, easement or other form of consent authorizing the proposed use. Therefore, the permittee is responsible for obtaining any necessary authorizations from the Board of Trustees prior to commencing activity on sovereignty lands or other state-owned lands.

County staff indicated with the deletion of condition #19 the total number of conditions in the staff report are #28 and not #29.

The following person addressed the Board: David Miller.

The following material was presented to the Board prior to the close of the public hearing: Exhibit 1, from David Miller.

A motion was made by Commissioner Clarke, seconded by Commissioner Love, to approve the Shoreline Alteration/Dredge and Fill Permit (SADF-18-03-008) subject to the conditions of approval listed in the Staff Report, as modified to correct a Scriveners error for Conditions of Approval #18 and #19; and further, correct the total number of conditions to 28. The motion carried by the following vote:

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

3. [18-913](#) Rezoning

James G. Willard, Shutts & Bowen, LLP, Hamlin Southwest Planned Development (PD), Case # LUP-17-11-364; District 1

Consideration: Request to rezone ten (10) parcels containing 78.96 gross acres from A-1 (Citrus Rural District) to PD (Planned Development District), in order to construct up to 317 single-family attached and detached residential dwelling units. This request is also associated with a Roadway and Adequate Public Facilities Agreement and Road Network Agreement; pursuant to Orange County Code, Chapter 30.

Location: District 1; property generally located north of Porter Road, south of New Independence Parkway, west of State Road 429, and east of Avalon Road; Orange County, Florida (legal property description on file)

The following person addressed the board: James Willard.

A motion was made by Commissioner VanderLey, seconded by Commissioner Clarke, to make a finding of consistency with the Comprehensive Plan; and approve the rezoning request to rezone (10) parcels containing 78.96 gross acres from A-1 (Citrus Rural District) to PD (Planned Development District) subject to the conditions of approval listed under the Planning and Zoning Commission recommendation in the Staff Report; further, approve and execute the Adequate Public Facilities Agreement for Hamlin Southwest PD/UNP by and between SLF IV/Boyd Horizon West JV, LLC, West Orange/Avalon Road Land, LLC, Hamlin Retail Partners West, LLC and Orange County for the conveyance of 1.2 acres of APF Land providing \$27,000 in transportation

impact fee credits and for the satisfaction of the APF deficiency through a transfer of APF credits or payment of an APF fee; and further, approve and execute the Hamlin West amended and restated Road Network Agreement New Independence Parkway and C.R. 545/Avalon Road by and among Hamlin Retail Partners West, LLC, West Orange/Avalon Road Land, LLC, SLF IV/Boyd Horizon West JV, LLC, Independence Parkway Development LLC and Orange County to provide transportation impact fee credits in the amount of \$4,111,389.17 and vested trips for roadway improvements to New Independence Parkway and C.R. 545 (Avalon Road). The motion carried by the following vote:

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

and

I. CONSENT AGENDA (Deferred)

D. COMMUNITY, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

5. [18-1053](#) Approval and execution of Adequate Public Facilities Agreement for Hamlin Southwest PD/UNP by and between SLF IV/Boyd Horizon West JV, LLC, West Orange/Avalon Road Land, LLC, Hamlin Retail Partners West, LLC and Orange County for the conveyance of 1.2 acres of APF Land providing \$27,000 in transportation impact fee credits and for the satisfaction of the APF deficiency through a transfer of APF credits or payment of an APF fee. District 1. (Roadway Agreement Committee)

This item was approved.

and

I. CONSENT AGENDA (Deferred)

D. COMMUNITY, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

6. [18-1054](#) Approval and execution of Hamlin West amended and restated Road Network Agreement New Independence Parkway and C.R. 545/Avalon Road by and among Hamlin Retail Partners West, LLC, West Orange/Avalon Road Land, LLC, SLF IV/Boyd Horizon West JV, LLC, Independence Parkway Development LLC and Orange County to provide transportation impact fee credits in the amount of \$4,111,389.17 and vested trips for roadway improvements to New Independence Parkway and C.R. 545 (Avalon Road). District 1. (Roadway Agreement Committee)

This item was approved.

V. PUBLIC HEARINGS

4. [18-847](#) Substantial Change

Bryan F. Borland, WP South Acquisitions, LLC, Project ABC Planned Development / Land Use Plan (PD / LUP), Case # CDR-18-02-043, amend plan; District 1

Consideration: A PD substantial change to convert the approved uses for Tract 2B from 144,000 square feet of commercial / office or 72,000 square feet of new car sales to 328 multi-family dwelling units; and to convert the approved 98,000 square feet of commercial / office uses on Tract 3B to 219 multi-family dwelling units via a trip generation table; pursuant to Orange County Code, Chapter 30, Article III, Section 30-89 and Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 1; property generally located South of Taft-Vineland Extension / West of South John Young Parkway; Orange County, Florida (legal property description on file)

The following person addressed the Board: Scott Stuart.

A motion was made by Commissioner VanderLey, seconded by Commissioner Thompson, to make a finding of consistency with the Comprehensive Plan; and approve the substantial change request subject to the conditions of approval listed under the Development Review Committee recommendation in the Staff Report. The motion carried by the following vote:

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

5. [18-928](#) Substantial Change

Matthew Gillespie, Kimley-Horn and Associates, Inc., Central Place Preliminary Subdivision Plan (PSP), Case # CDR-16-10-344, amend plan; District 5

Consideration: This Preliminary Subdivision Plan (PSP) substantial change is a request to reduce the number of single-family detached residential dwelling units from 10 to 9; pursuant to Orange County Code, Sections 34-69 and 30-89.

Location: District 5, property generally located North of University Boulevard / West of Hall Road; Orange County, Florida (legal property description in Planning Division)

The following person addressed the Board: Matthew Gillespie.

A motion was made by Commissioner Bonilla, seconded by Commissioner Love, to make a finding of consistency with the Comprehensive Plan; and approve the substantial change request subject to the conditions of approval listed under the Development Review Committee recommendation in the Staff Report. The motion carried by the following vote:

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

6. [18-756](#) Substantial Change

David E. Axel, Axel Real Estate, Lake Pickett Cluster Parcels 1, 2, & 3

Preliminary Subdivision Plan, Case # CDR-18-02-062, amend plan; District 5 (Continued from July 10, July 17, and August 7, 2018)

Consideration: Substantial change request to add gated entrances, revise project phasing, and delete the August 22, 2017, BCC condition of approval #36, which requires the HOA to maintain failing septic tanks at the homeowner's expense. This project is proposed to be a gated community pursuant to Orange County Code Section 34-280, 34-290, and 34-291.

Location: District 5; property generally located North of Lake Pickett Road / East of Chuluota Road; Orange County, Florida (legal property description on file in Planning Division)

A motion was made by Commissioner Bonilla, seconded by Commissioner Siplin, to continue the public hearing until August 21, 2018, at 2 p.m. The motion carried by the following vote:

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

7. [18-842](#) Ordinance

Amending Orange County Code, Chapter 33, Section 33-48, pertaining to Lake Conway Water and Navigation Control District.

Consideration: AN ORDINANCE IN ORANGE COUNTY, FLORIDA, AMENDING CHAPTER 33 OF THE ORANGE COUNTY CODE, SPECIAL DISTRICTS, ARTICLE II, LAKE CONWAY WATER AND NAVIGATION CONTROL DISTRICT, BY AMENDING SECTION 33-48 "ADVISORY COMMITTEE; CREATION, FUNCTION, MEMBERSHIP" BY CHANGING THE NUMBER OF ADVISORY COMMITTEE MEMBERS TO FIVE; AND PROVIDING AN EFFECTIVE DATE.

A motion was made by Commissioner Clarke, seconded by Commissioner VanderLey, to adopt Ordinance 2018-18 amending the Lake Conway Water and Navigation Control District advisory committee membership from seven to five by amending Section 33-48 ("Advisory committee; creation, function, membership"); and providing an effective date. The motion carried by the following vote:

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

MAYOR DISCUSSION


County Mayor Jacobs discussed with the Board the selection process of appointments / reappointments of the Membership and Mission Review Board (MMRB) recommendations for today's Consent Agenda.

✓ The notated public hearing is quasi-judicial in nature. As such, any verbal or written communication with a member of the Board of County Commissioners prior to today's quasi-judicial hearing should be disclosed on the record or made a part of the record during the public hearing by or on behalf of the party who communicated with the Board member to allow any interested party an opportunity to inquire about or respond to such communication. Failure to disclose any such communication may place the party who ultimately prevails at the quasi-judicial hearing at risk of having the Board's decision overturned in a court of law due to prejudice against the party who was not privy to the ex parte communication.

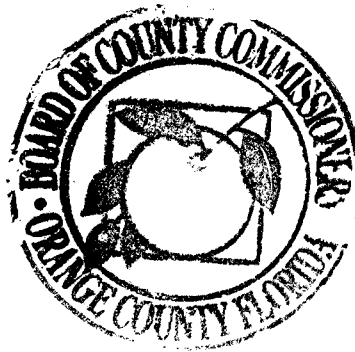
Information regarding meetings held at the County Administration Building between any member of the Board and an outside party may be obtained at <http://www.orangecountyfl.net/visitors/reports/MeetingsReportPage.asp>.

ADJOURNMENT: 2:37 p.m.

ATTEST:

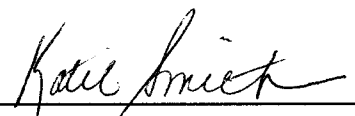

County Mayor Teresa Jacobs

Date: SEP 11 2018



ATTEST SIGNATURE:

Phil Diamond
County Comptroller as Clerk


Katie Smith
Deputy Clerk

* * *

Any person wishing to appeal any decision made by the Board of County Commissioners at this meeting will need a record of the proceedings. For that purpose, such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act (ADA), if any person with a disability as defined by the ADA needs special accommodation to participate in this proceeding, then not later than two (2) business days prior to the proceeding, he or she should contact the Orange County Communications Division at (407) 836-5517.

Para mayor información en español, por favor llame al (407) 836-3111.

NOTE: Reports from the County Mayor, the County Commissioners, the County Administrator, and the County Attorney may be presented at unscheduled times throughout the day, depending on the length of time required for advertised public hearings.

Copies of Specific Project Expenditure Reports and Relationship Disclosure Forms are not included with agenda items unless there is a listed expenditure or disclosure. Copies of these completed reports and forms may be obtained by contacting the relevant Department/Division Office.