

Orange County Government

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



Final Meeting Minutes

Tuesday, June 18, 2019

9:00 AM

County Commission Chambers

Board of County Commissioners

Call to Order

County Mayor Demings called the meeting to order at 9:02 a.m.

Present: 7 - Mayor Jerry L. Demings, Commissioner Betsy VanderLey, Commissioner Christine Moore, Commissioner Mayra Uribe, Commissioner Maribel Gomez Cordero, Commissioner Emily Bonilla, and Commissioner Victoria P. Siplin

Others present:

County Comptroller Phil Diamond as Clerk
County Administrator Byron Brooks
Deputy County Administrator Chris Testerman
County Attorney Jeffrey J. Newton
Deputy County Attorney Joel Prinsell
Deputy Clerk Katie Smith
Senior Minutes Coordinator Noelia Perez
Senior Minutes Coordinator Craig Stopyra

Invocation - Mayor

Pastor Ronald A. Critton, Beth TeHillah Ministries

Pledge of Allegiance**Presentation**

2019 National Medal for Museum and Library Service

Public Comment

The following persons addressed the Board for public comment:

- Kimberly Buchheit
- Ivy Pankey
- Brenda Purnell
- Gail Frances Gardner
- Jason Fronczek
- James Springsteen
- Stefanie Anglin
- Joseph Giusti
- Marquis McKenzie
- Micah Bass

The following material was presented to the Board during public comment: Exhibit 1, from Kimberly Buchheit.

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

The Mayor deferred action on Planning, Environmental, and Development Services Department Items 2 and 3; further, deleted Public Works Department Item 3; and further, a motion was made by Commissioner VanderLey, seconded by Commissioner Siplin, to approve the balance of the Consent Agenda. The motion carried by the following vote:

Aye: 5 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Gomez Cordero, and Commissioner Siplin

Nay: 1 - Commissioner Bonilla

Absent: 1 - Commissioner Uribe

A. COUNTY MAYOR

1. **19-928** Confirmation of the Mayor's managerial appointment of Raymond D. Walls III as Manager, Fiscal and Operational Support Division, Convention Center.

B. COUNTY COMPTROLLER

1. **19-929** Approval of the check register authorizing the most recently disbursed County funds, having been certified that same have not been drawn on overexpended account. Periods are as follows:

- May 31, 2019, to June 6, 2019; \$61,226,267.69
- June 7, 2019, to June 13, 2019; \$38,743,062.89.

(Finance/Accounting)

2. **19-930** Disposition of Tangible Personal Property as follows.
(Property Accounting)

- a. Donate EMS assets purchased with grant funds to multiple agencies.
- b. Scrap assets.
- c. Dispose of assets totaled by our Third Party Administrator.
- d. Trade-in asset towards the purchase of new equipment.
- e. Sell assets through online auction.
- f. Offer assets to non-profits.

C. COUNTY ADMINISTRATOR

1. **19-931** Approval and execution of (1) Resolution 2019-M-24 of the Orange County Board of County Commissioners regarding the Florida Job Growth Infrastructure Grant Agreement with the State of Florida Department of Economic Opportunity for the Kirkman Road Extension Project, with

directions to the Clerk of the Board to attach a copy of the executed Resolution as Exhibit E to the Florida Job Growth Infrastructure Grant Agreement, and (2) Florida Job Growth Infrastructure Grant Agreement State of Florida Department of Economic Opportunity DEO Agreement No.: G0053. (Office of Economic, Trade and Tourism Development)

2. **19-932**

Approval of the Membership and Mission Review Board's recommendations for advisory board appointments and reappointments. (Agenda Development Office)

A. Affordable Housing Advisory Board: Reappointment of Lyndell Mims in the labor engaged in home building representative category and Joseph Reyes in the employers representative category and the appointment of Kila R. Murphey to succeed Lecia Gray in the essential services personnel representative category with terms expiring June 30, 2021 and the appointment of Kevin Fitzpatrick Jr. to succeed Joseph Chambers in the for-profit provider of affordable housing representative category with a term expiring June 30, 2020.

B. Building Codes Board of Adjustments and Appeals: Appointment of Gerardo Solar to succeed Victor Diaz in the electrical engineer/contractor representative category with a term expiring December 31, 2019.

C. Commission on Aging: Reappointment of Willie J. Patterson in the veteran representative category, Kinda Haddad in the media/public relations representative category, Barbara R. Keene in the health care representative category, and Jayna Sutherland in the business representative category with terms expiring June 30, 2021.

D. Community Development Advisory Board: Reappointment of Pastor James T. Morris in the District 1 representative category with a term expiring June 30, 2021 and the appointment of Tiffany E. Hughes to succeed Rena Peterson in the District 6 representative category with a term expiring June 30, 2020.

E. Development Advisory Board: Reappointment of Jim Hall in the primary group (certified urban planner) representative category, David S. Gordon in the primary group (homeowners association/residential) representative category, Kristopher M. Cruzada in the secondary group (attorney) representative category, and Brock M. Nicholas in the secondary group (builder) representative category with terms expiring June 30, 2021 and the appointment of Ernesto Gonzalez-Chavez to succeed Ken Linehan in the primary group (licensed architect) representative category with a term expiring June 30, 2020.

F. Disability Advisory Board: Reappointment of Jen J. Vargas, Beverly J.

Jackson, and Tricia A. Dennis in the at large representative category with terms expiring June 30, 2021.

G. Fire and Life Safety Code Board of Adjustments and Appeals: Appointment of Harry Pecunia to succeed Drew Havron in the fire and casualty insurance representative category with a term expiring December 31, 2021.

H. Industrial Development Authority: Appointment of Mark A. Gonzalez to succeed Sylvia Dunlap in the at large representative category with a term expiring December 31, 2022.

I. MetroPlan Orlando Community Advisory Committee: Appointment of Gislene M. Moorman to succeed Wade C. Vose in the Orange County representative category with a term expiring December 31, 2019.

J. Neighborhood Grants Advisory Board: Reappointment of Charlotte White in the District 2 representative category and Assonta Lysius in the District 6 representative category and the appointment of Diane Rambo to succeed Dr. Leonides Villalon in the District 4 representative category with terms expiring June 30, 2021.

K. Nuisance Abatement Board: Appointment of Conti Moore to succeed Jeffrey R. DeFelice in the at large representative category with a term expiring January 1, 2021.

L. Parks and Recreation Advisory Board: Reappointment of Kimberly A. Buchheit in the District 2 representative category, Joey Kratt in the District 4 representative category, Roderick K. Davenport in the District 6 representative category, Dewey L. Harvey in the youth recreational activities representative category, and Barbara L. Giles in the bicycle and pedestrian concern representative category with terms expiring June 30, 2021.

3. **19-933** Approval and execution of Agreement between Orange County, Florida and Orlando Science Center, Inc. *Life* exhibit at the Orlando Science Center. (Fiscal and Business Services Division)
4. **19-934** Approval of budget amendments #19-31 and #19-32. (Office of Management and Budget)
5. **19-935** Approval of budget transfer #19-1000. (Office of Management and Budget)

D. ADMINISTRATIVE SERVICES DEPARTMENT

1. **19-936** Approval and execution of (1) Federally-Funded Subaward and Grant Agreement by the State of Florida, Division of Emergency Management and

Orange County Agreement Number: H0196 Project Number: 4337-106-R in the amount of \$225,247.50 with the period of performance ending on May 31, 2021; (2) Request for Advance or Reimbursement of Hazard Mitigation Assistance Program funds; and (3) Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion. There is a required 25% project cost match in the amount of \$75,082.50, for a total project cost of \$300,330. (Fiscal and Operational Support Division)

2. **19-937** Approval to award Invitation for Bids Y19-105-AH, Liquid Polymer for South Water Reclamation Facility (SWRF), to the low responsive and responsible bidder, Polydyne, Inc. The estimated contract award amount is \$325,050 for a 1-year term. ([Utilities Department Water Reclamation Division] Procurement Division)
3. **19-938** Approval to award Invitation for Bids Y19-154-MV, Inspection, Testing and Servicing of Portable Fire Extinguishers, to the sole responsive and responsible bidder, F & C Capozzoli, Inc. dba United Fire Protection. The estimated contract award amount is \$323,775 for a 3-year term. ([Convention Center Facility Operations Division] Procurement Division)
4. **19-939** Approval to award Invitation for Bids Y19-1002-AH, Aluminum Sign Blanks, to the low responsive and responsible bidder, Osburn Associates, Inc. The estimated contract award amount is \$318,940.50 for a 1-year term. ([Public Works Department Traffic Engineering Division] Procurement Division)
5. **19-940** Approval to award Invitation for Bids Y19-1009-TA, Lateral CIPP Lining Term Contract, to the low responsive and responsible bidder, BLD Services LLC. The estimated contract award amount is \$594,275 for the base year. ([Utilities Department Field Services Division] Procurement Division)
6. **19-941** Approval to award Invitation for Bids Y19-1043-TJ, HVAC Preventative Maintenance and Repairs for Leased Buildings, to the low responsive and responsible bidder, Strut Mechanical, Inc. The estimated contract award amount is \$344,940 for a 3-year term. ([Administrative Services Department Real Estate Management Division] Procurement Division)
7. **19-942** Ratification of Contract Y19-1129-AH, Transportation Services, with Orange County Public Schools, in the estimated contract award amount of \$600,000 for a 1-year term. ([Community and Family Services Department Parks and Recreation Division] Procurement Division)
8. **19-943** Ratification of Amendment No. 7, Contract Y15-1091-LC, Liquid Polymer for South Water Reclamation Facility (SWRF), with Polydyne, Inc., in the amount of \$68,900, for a revised total contract amount of \$719,900. ([Utilities Department Water Reclamation Division] Procurement Division)
9. **19-944** Approval of Contract Y19-1133, Implement and Manage the Dependency

System of the State of Florida Child Welfare Services in Circuits 9 and 18, with Community Based Care of Central Florida in the amount of \$400,000 for the grant period through June 30, 2019. ([Community and Family Services Department Youth and Family Services Division] Procurement Division)

10. **19-945** Approval and execution of Distribution Easement from Orange County to Duke Energy Florida, LLC, d/b/a Duke Energy and authorization to record instrument for Animal Services East Side Spay/Neuter Clinic. District 4. (Real Estate Management Division)
11. **19-946** Approval and execution of Land Exchange Agreement (Wellness Way / Conserv) among South Lake Crossings IV LLC, CPB Hilltop, LLC, Orange County, Florida, and City of Orlando, Resolution 2019-M-25 Declaring County Property Surplus and Authorization to Exchange Certain County Property for Receipt of Other Real Property, and County Deed from Orange County, Florida to South Lake Crossings IV LLC and CPB Hilltop, LLC, Approval of Special Warranty Deed from South Lake Crossings IV LLC and CPB Hilltop, LLC to Orange County, Florida and City of Orlando, delegation of authority to the Manager of the Real Estate Management Division to exercise all delegations of authority expressly provided for by the Land Exchange Agreement (Wellness Way/Conserv), and authorization to perform all actions necessary and incidental to closing for Wellness Way Road Project. Lake County. (Real Estate Management Division)
12. **19-947** Approval of As Is Residential Contract for Sale and Purchase between Orange County and Marc-Evens Valcin and Chilenne Valcin, approval and execution of County Deed from Orange County to Marc-Evens Valcin and Chilenne Valcin and authorization to perform all actions necessary and incidental to closing for NSP Resale - 4814 Old Oak Tree Court, Orlando, FL 32808 (NCST). District 2. (Real Estate Management Division)
13. **19-948** Approval of Drainage Easement from Gregory W. Ramsdell and Melinda F. Ramsdell to Orange County and Subordination of Encumbrance to Property Rights to Orange County from Synovus Bank and authorization to disburse funds to pay all recording fees and record instruments for Sloewood Drive Drainage Improvements. District 2. (Real Estate Management Division)
14. **19-949** Approval of Warranty Deed from Prabhudyal Ramrattan, Nilesh Ramrattan and Hemma Ramrattan Lomax to Orange County and authorization to record instrument for Pine Street (Ocoee, Fl). District 2. (Real Estate Management Division)
15. **19-950** Approval of Utility Easement from PCPT Hamlin, LLC to Orange County and Subordination of Encumbrances to Property Rights to Orange County from U.S. Bank National Association, as Master Trustee, under the Master Indenture, dated October 1, 2018 and authorization to record instruments for

Hamlin East Proton Therapy Center Permit: B17904371 OCU File #: 94947.
District 1. (Real Estate Management Division)

16. **19-951** Approval of Utility Easement from Yolo Ocoee, LLC to Orange County, Utility Easement from Jimmie C. Watson and Jeanette G. Watson to Orange County, and Subordination of Encumbrances to Property Rights to Orange County from TD Bank, N.A. and authorization to record instruments for Ladybird Academy - 2060 West Road Permit Number 18-E-029 OCU File #97116. District 2. (Real Estate Management Division)
17. **19-952** Approval of Utility Easement from U-Haul Co. of Florida to Orange County and authorization to record instrument for U-Haul of Orlando Moving & Storage Sitework (B15904340) OCU File #83690. District 4. (Real Estate Management Division)
18. **19-953** Approval of Utility Easement from Hamlin Retail Partners West, LLC to Orange County and Subordination of Encumbrances to Property Rights to Orange County from Winter Park National Bank and authorization to record instruments for Wincey Groves/Hamlin West PD-Ph 1 Permit 18-S-043 OCU File #96837. District 1. (Real Estate Management Division)
19. **19-954** Approval of Utility Easement from Orchid Bay Development, LLC to Orange County and authorization to record instrument for Pearl Eagles Hotel Construction Permit B17903464 OCU File #94252. District 1. (Real Estate Management Division)

E. COMMUNITY AND FAMILY SERVICES DEPARTMENT

1. **19-955** Approval of Orange County Head Start Program Application for Federal Assistance (Continuation-Year 5) FY 2019-2020 between Orange County and Department of Health and Human Services, Administration for Children and Families, Office of Head Start in the estimated amount of \$13,456,925 for the continued operation of the Head Start Program; and approval and execution of (1) Certification of Filing and Payment of Federal Taxes and (2) Employee Compensation Cap Compliance Assurance. The required non-federal match in the amount of \$3,346,231 is derived from parent volunteerism, donation of goods and services, lease agreements, and County support. (Head Start Division)
2. **19-956** Approval and execution of (1) Contract No. GJ506 between the Florida Department of Children and Families and Orange County Board of County Commissioners to provide services to eligible children for the period of July 1, 2019 through June 30, 2022 in an amount not to exceed \$7,839,408; (2) Certification Regarding Lobbying; (3) Vendor Certification Regarding Scrutinized Company Lists; (4) Certificate of Signature Authority; (5) Certification of Executive Compensation Reporting Requirements; and (6) Certification Regarding Debarment, Suspension, Ineligibility and Voluntary

Exclusion Contracts/Subcontracts. All Districts. (Youth and Family Services Division)

3. **19-957** Approval and execution of (1) Embrace Families Community Based Care Standard Contract No. OROS016-1920 between Embrace Families Community Based Care Inc. and Orange County, Florida for Family Preservation and Stabilization Program in the amount of \$458,141.04 for the period of July 1, 2019 through June 30, 2020; (2) Certification Regarding Lobbying Certification for Contracts, Grants, Loans and Cooperative Agreements; (3) Debarment, Suspension, Ineligibility and Voluntary Exclusion Contracts/Subcontracts; (4) Affidavit; (5) State and Federal Single Audit Act Certification of Exemption; (6) HIPAA Business Associate Agreement; and (7) Certification of Adequate Insurance Coverage; and authorization for the County Mayor or designee to approve any increases, decrease, or amendments to this contract. There is a 25% match requirement to be covered by current program support salaries and in-kind contributions. (Youth and Family Services Division)

F. CORRECTIONS DEPARTMENT

1. **19-958** Approval and execution of Agreement between Orange County, Florida and The Orlando VA Medical Center Regarding Veterans Outreach Services for a period of one year to provide program services to incarcerated veterans.

G. HEALTH SERVICES DEPARTMENT

1. **19-959** Approval to pay Orange County's Medicaid share of cost in accordance with Florida Statute 409.915 for state fiscal year 2019-20 in the amount of \$20,404,487.55.
2. **19-960** Approval and execution of a temporary Certification of Public Convenience and Necessity for Affordable Transport Inc. to continue to provide Interfacility Advanced Life Support Transport Services with a term of July 1, 2019 through September 5, 2019, and authorization to schedule a public hearing to consider the permanent Application for Certification of Public Convenience and Necessity for Affordable Transport Inc. (EMS Office of the Medical Director)
3. **19-961** Approval and execution of Subrecipient Agreements between Orange County, Florida and the Orange County Sheriff's Office for subawards of \$152,024, \$242,820, \$141,922 related to the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance Edward Byrne Memorial Justice Assistance Grant Program for the specific purpose of Funding Law Enforcement Equipment Purchases and Training Costs for Narcotic Response and Community Safety, Federal Award Nos. 2016-DJ-BX-0153, 2017-DJ-BX-0933, and 2018-DJ-BX-0833. (Drug Free Community Office)

H. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

- 1. **19-962** 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 19-0496	LC 19-0481	LC 19-0512	LC 19-0468	LC 19-0515
LC 19-0531	LC 19-0534	LC 19-0509	LC 19-0470	LC 19-0516
LC 19-0532	LC 19-0535	LC 19-0539	LC 19-0471	LC 19-0519
LC 19-0541	LC 19-0548	LC 19-0540	LC 19-0475	LC 19-0525
LC 19-0456	LC 19-0549	LC 19-0542	LC 19-0489	LC 19-0533
LC 19-0457	LC 19-0551	LC 19-0319	LC 19-0502	LC 19-0544
LC 19-0459	LC 19-0554	LC 19-0426	LC 19-0506	LC 19-0546
LC 19-0479	LC 19-0510	LC 19-0448	LC 19-0508	LC 19-0553

- 2. **19-963** Approval and execution of Second Amendment to Amended and Restated Development Order (Ninth Amendment) Meadow Woods Development of Regional Impact. District 4. (Planning Division)

(This item was deferred.)

- 3. **19-964** Approval and execution of Adequate Public Facilities Agreement for Lake Reams Neighborhood PD/Developco Inc Property (Reams Road and Fiquette Road) by and between Developco Inc and Orange County for the conveyance of 3.51 acres of Adequate Public Facilities land providing \$78,975 in transportation impact fee credits. District 1. (Transportation Planning Division)

(This item was deferred.)

I. PUBLIC WORKS DEPARTMENT

- 1. **19-965** Authorization to record the plat of Econ Place II PD. District 3. (Development Engineering Division)
- 2. **19-966** Approval of "No Parking" zone installation on J. Lawson Boulevard east of Angel Falls Drive. District 4. (Traffic Engineering Division)
- 3. **19-967** Approval of "No Parking" signs installation on both sides of Chase Road 600 feet north and 600 feet south of the R.D. King Park Entrance. District 1. (Traffic Engineering Division)

(This item was deleted.)

4. **19-968** Approval of "No Parking" signs installation on the east and south sides of Waterford Creek Boulevard between addresses 14006 and 14114. District 4. (Traffic Engineering Division)
5. **19-969** Approval and execution of Agreement for Traffic Law Enforcement on Private Roads by and between Orange County, Florida and Sweetwater West Homeowners' Association Inc. District 2.

J. UTILITIES DEPARTMENT

1. **19-970** Approval and execution of First Amendment to Water Conserv II Agreement for the Design, Construction and Reimbursement of a Booster Pump Station by and between Orange County and City of Orlando with an estimated total project cost of \$17,888,000, including the City's not-to-exceed amount of \$4,000,000. District 1. (Engineering Division)
2. **19-971** Approval and execution of Escrow Agreement by and among D.R. Horton, Inc., Orange County, and Orange County Comptroller in the amount of \$204,760.21 for utility work associated with the Waterleigh PD Turnout. District 1. (Engineering Division)
3. **19-972** Approval and execution of Second Amendment to Rosen Shingle Creek Resort and Golf Club Water Conservation Device and Wastewater Flow Capacity Adjustment Agreement by and between RH Resorts, LLLP and Orange County for an adjustment to the reduced wastewater flow capacity. District 6. (Engineering Division)

II. INFORMATIONAL ITEMS**

A. COUNTY COMPTROLLER

1. **19-973** Receipt of the following items to file for the record: (Clerk's Office)
 - a. Grove Resort Community Development District Proposed Fiscal Year 2020 Operations and Maintenance Budget.
 - b. City of Orlando Ordinance 2019-12 with Exhibit A (Legal Description Form), Exhibits B, C and D (Future Land Use and Zoning Maps), and Orlando Sentinel Notice of Proposed Enactment 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 south of Oglesby Avenue, west of Clay Street, north of Crandon Avenue and east of Formosa Avenue, and comprised of 0.242 acres, more or less, and amending the City's boundary description; amending the City's adopted Growth Management Plan to designate the property as Neighborhood Activity Center on the City's official Future Land Use Map; amending the boundary of Future Land Use

Subarea Policy S.2.5; providing for amendment of the City's Growth Management Plan; providing for severability, correction of scrivener's errors, and an effective date.

c. Winter Garden Village at Fowler Groves Community Development District Proposed Fiscal Year 2020 Operations and Maintenance Budget.

d. Boggy Creek Improvement District Proposed Fiscal Year 2020 Operations and Maintenance Budget.

e. Greenway Improvement District Proposed Fiscal Year 2020 Operations and Maintenance Budget.

f. Myrtle Creek Improvement District Proposed Fiscal Year 2020 Operations and Maintenance Budget.

g. Poitras East Community Development District Proposed Fiscal Year 2020 Operations and Maintenance Budget.

h. Audit Report No. 476 - Follow-up of the Audit of Orange County Fire Rescue Department's Fuel Usage.

These items were received and filed.

III. DISCUSSION AGENDA

A. UTILITIES DEPARTMENT

1. **19-974** Approval to establish the haulers compensation rates as listed, set the MSBU rate at \$230 for Program Year 2020, and authorization to include the Tentative Mandatory Refuse Collection Rate of \$230 on the 2019 Notice of Proposed Taxes. All Districts. (Solid Waste Division)

A motion was made by Commissioner Uribe, seconded by Commissioner VanderLey, to approve the tentative Municipal Service Benefit Unit (MSBU) rate at \$230 per household for calendar year 2020; further, approve the hauler compensation rates for calendar year 2020 set at Zone 1 - \$142.36 per household, Zone 2 - \$176.10 per household, Zone 3 - \$153.32 per household, Zone 4 - \$124.35 per household, Zone 5 - \$126.55 per household; and further, authorize to include the tentative mandatory refuse collection rate of \$230 on the 2019 Notice of Proposed Taxes. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

IV. WORK SESSION AGENDA

A. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

1. **19-975** Accessory Dwelling Unit Overview. (Planning Division)

The Board took no action.

Presentation

Employee Service Awards:

Administration and Fiscal Services

Thomas E. Dorminey (20), Risk Management

Community and Family Services

Diana Mendez (20) and Lisa A. Ramsay (20), Youth and Family Services; Kristen M. Campbell (20), Parks & Recreation

Corrections

David Cruz (20) and Tiwana S. Carter (30), In-Custody Support Services; Ava J. Cooper (20) and Diane S. Anderson (20), Community Corrections; Mike Davies (25), Admin Command; David Swalina (25), Inmate Administration

Fire Rescue

Christi L. Cooper (20), Fire Operations

Planning, Environmental, and Development Services

Ruth A. Rauenzahn (30), Environmental Protection; Patricia Davis (25), Housing & Community Development

Utilities

Terrence D. Foster (20), Field Services; France Toussaint (25), Water; Mathew Partlow (30), Water Reclamation

V. PUBLIC HEARINGS

1. **19-788** Petition to Vacate

Eugenio Rodriguez on behalf of Villarod, LLC., Petition to Vacate 16-06-017; vacate a portion of an unopened, unimproved and unnamed right-of-way; District 5

Consideration: Resolution granting Petition to Vacate # 16-06-017 vacating a portion of a 30 foot wide unopened, unimproved and unnamed right-of-way, containing approximately 17,941 square feet

Location: District 5; property located at 3803 Rouse Road; S04/T22/R31; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Bonilla, seconded by Commissioner Uribe, to approve the request. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

2. **19-789** Petition to Vacate

Eliezer Cadet, Petition to Vacate 17-05-027; vacate a right-of-way; District 4

Consideration: Resolution granting Petition to Vacate # 17-05-027 vacating a 30 foot wide right-of-way known as Iroquois Trail, containing approximately 9,000 square feet.

Location: District 4; property located at 11230 Iroquois Trail; S21/T22/R31; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Moore, to approve the request. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

3. **19-790** Petition to Vacate

Vincent Contestabile, Petition to Vacate 18-05-016; vacate a portion of an unopened and unimproved right-of-way; District 2

Consideration: Resolution granting Petition to Vacate # 18-05-016 vacating a portion of a 50 foot wide unopened and unimproved right-of-way known as Fayette Street, containing approximately 14,679 square feet

Location: District 2; properties located at 6204 Cleveland Street, 3101 Fayette Street, 3120 Villa Drive, 6133 Edgewater Drive, 3015 Neal Drive, and 6111 Edgewater Drive; S33/T21/R29; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Moore, seconded by Commissioner Uribe, to approve the request. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

4. **19-853** Conservation Area Impact

Developco, Inc., permit; District 1

Consideration: Request for a Conservation Area Impact Permit (CAI-17-04-014) requesting 3.48 acres of Class I wetland impacts and 4.15 acres of Class II wetland impacts in order to construct portions of a 74 lot residential subdivision, stormwater pond and conveyance pipe/access road.

Location: District 1; property located at 7721 Ficquette Road; Section 27, Township 23, Range 27; Orange County, Florida (legal property description on file in Environmental Protection Division)

A motion was made by Commissioner VanderLey, seconded by Commissioner Moore, to continue the Conservation Area Determination, Case #CAI-17-04-014 public hearing, the Lake Reams Neighborhood Preliminary Subdivision Plan, Case #PSP-16-12-421 public hearing, the Lake Reams Neighborhood Planned Development, Case #CDR-15-10-293 public hearing, and Consent Item H.3 Adequate Public Facilities Agreement for Lake Reams Neighborhood PD/Developco Inc Property (Reams Road and Fiquette Road) until August 20, 2019, at 2 p.m. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

and

5. **19-854** Preliminary Subdivision Plan

Adam Smith, VHB, Inc., Lake Reams Neighborhood Planned Development / DevelopCo - Reams Road Preliminary Subdivision Plan, Case # PSP-16-12-421; District 1

Consideration: Lake Reams Neighborhood Planned Development / DevelopCo - Reams Road Preliminary Subdivision Plan, Case # PSP-16-12-421, submitted in accordance with Orange County Code, Chapter 34, Article III, Section 34-69 and Chapter 30, Article III, Section 30-89; This Preliminary Subdivision Plan is a request to subdivide 306.89 acres in order to construct 74 single-family detached residential dwelling units.

Location: District 1; property generally located East of Reams Road & Fiquette Road intersection; Orange County, Florida (legal property description on file in Planning Division)

This public hearing was continued until August 20, 2019, at 2 p.m.

and

6. **19-855** Substantial Change

Adam Smith, VHB, Inc., Lake Reams Neighborhood Planned Development / Land Use Plan (PD / LUP), Case # CDR-15-10-293, amend plan; District 1

Consideration: A PD substantial change to modify the wetland boundary and acres, to accurately reflect CAD-15-05-066, to increase Parcel 25 acreage and change the land use district from Upland Greenbelt / Wetlands to Estate District allowing 74 residential units. In addition, the following waiver from Orange County Code is requested: A waiver from Section 38-1385(b)(4) to allow a minimum lot width of sixty (60) feet, in lieu of eighty-five (85) feet; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207

Location: District 1; property generally located East of the Reams Road & Fiquette Road intersection; Orange County, Florida (legal property description on file in Planning Division)

This public hearing was continued until August 20, 2019, at 2 p.m.

and

I. CONSENT AGENDA (Deferred)

H. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

3. **19-964** Approval and execution of Adequate Public Facilities Agreement for Lake Reams Neighborhood PD/Developco Inc Property (Reams Road and Fiquette Road) by and between Developco Inc and Orange County for the conveyance of 3.51 acres of Adequate Public Facilities land providing \$78,975 in transportation impact fee credits. District 1. (Transportation Planning Division)

This consent item was continued until August 20, 2019, at 2 p.m.

V. PUBLIC HEARINGS (Continued)

7. **19-787** Substantial Change

James G. Willard, Esq., Shutts & Bowen, LLP, Frye Center Planned Development / Land Use Plan (PD / LUP), Case # CDR-19-04-129; District 1

Consideration: A PD Substantial change request to modify the October 16, 2012, BCC Condition of Approval #6(u) from: "There shall be a full access point located at Tract 6 and C.R. 535, and any proposed signalization shall be subject to signal warrants. If and when a traffic signal is warranted, the Developer shall pay all costs of installation,"

to:

"There shall be a full access point located at Tract 6 (Lachlan Lane) and C.R. 535, and County has determined that such signalization is currently warranted. When the traffic signal is installed by the County, the developer's successor, Lakeside II Partners, LLC, shall reimburse to County fifty percent (50%) of all costs of design and installation of such signal. Such reimbursement to County shall occur within thirty (30) days after receipt by Lakeside II Partners, LLC of an itemized invoice from the County setting forth the actual total design and installation cost incurred by County for such signal."; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 1; property generally located west and east of Winter Garden Vineland Road, north of Silverlake Park Drive; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Jim Willard.

A motion was made by Commissioner VanderLey, seconded by Commissioner Uribe, 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 Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

8. 19-850 Substantial Change

Anthony Everett, Pollack Shores Development, University Planned Development / Land Use Plan (PD / LUP), Case # CDR-18-10-337, amend plan; District 5

Consideration: A PD substantial change to combine Tracts B1, B2, and a portion of Tract A, into a new Tract B; and to revise the existing Tract B1 and B2 entitlements from 120 age-restricted multi-family units or 165 assisted living facility units into 228 multi-family units on new Tract B. In addition, the applicant has requested the following waivers from Orange County Code: 1. A waiver from Section 38-1254(1) to allow for a minimum 10' PD perimeter setback along the northwest property line of Tract B in lieu of the 25' required setback. 2. A waiver from Section 38-1254(2) to allow for a 25' building setback along the west boundary of Tract B in lieu of the 50' building setback required for arterial streets (Dean Road). 3. A waiver from Section 31.5-73(a) to allow for a sign stating the name of the multifamily development on Tract A to be erected outside of the Tract, on Tract B. 4. A waiver from Section 31.5-73(a) to allow for a sign stating the name of the multifamily development on tract b to be erected outside of the Tract, on Tract A. 5. A waiver from Section 31.5-67(g) to allow for a sign setback of 9.7 feet (min) from University Boulevard, in lieu of the required 10 feet setback and a 0.8 feet setback from the internal property line, in lieu of the required 10 feet setback (for Tracts A & B); pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207

Location: District 5; property generally located south of University Boulevard, east of Dean Road, and north of Buck Road; Orange County, Florida (legal property description on file in Planning Division)

County Staff revised Conditions of Approval #12.d and #12.e as follows:

Delete Condition of Approval #12.d.

~~12.d. A waiver from section 31.5-73(A) to allow for a sign stating the name of the multifamily development on Tract b to be erected outside of the Tract, on Tract A.~~

Modify Condition of Approval #12.e.

12.e. A waiver from section 31.5-67(g) to allow for a sign setback of 9.7 feet (min) from University Boulevard, in lieu of the required 10 feet setback and 0.8 feet setback from the internal property line, in lieu of the required 10 feet setback ~~(for Tracts A & B).~~ for Tract B only.

The following person addressed the Board: Scott Glass.

A motion was made by Commissioner Bonilla, seconded by Commissioner Siplin, 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; further, delete Condition of Approval #12.d; and further, approve modification to Condition of Approval #12.e. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

9. 19-851 Substantial Change

James Johnston, Shutts & Bowen, LLP, Silver City Properties Planned Development / Land Use Plan (PD / LUP), Case # CDR-19-02-069, amend plan; District 5

Consideration: A PD substantial change, to request one waiver from Orange County Code and to amend BCC Condition of Approval #8(a) from January 5, 2016, to allow for the requested parking reduction for Phase 1 Lot 1 only. Waiver: 1. A waiver from Orange County Code Section 38-1476(a) is granted for Phase 1 Lot 1 only, to allow 4.4 spaces for each 1,000 square feet, in lieu of 5.0 spaces for each 1,000 square feet; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207

Location: District 5; property located at 3333 University Boulevard; generally located north of University Boulevard and west of N. Forsyth Road; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Scott Glass.

A motion was made by Commissioner Bonilla, seconded by Commissioner Uribe, 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 Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

10. 19-662 Substantial Change

Kathy Hattaway, Poulos & Bennett, LLC, Meadow Woods Planned Development / Land Use Plan (PD / LUP), Case # CDR-18-10-335, amend plan; District 4 (Continued from June 4, 2019 and June 18, 2019)

Consideration: A PD substantial change request to change the use on PD Parcels 2.1 and 3.2 from Open Space and Fire / Police, respectively, to Community Commercial and utilize existing unused commercial entitlements within the PD for the proposed commercial development, which will be assigned at the Preliminary Subdivision Plan (PSP) / Development Plan (DP); 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 4; property generally located South of Wetherbee Road and east of Orange Avenue; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board:

- Kathy Hattaway
- Eduardo Rivera
- Audrey Watterson
- Diane Anderson
- Robert Ovletrea

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

- Exhibit 1, from Kathy Hattaway
- Exhibit 2, from Eduardo Rivera
- Exhibit 3, from Audrey Watterson
- Exhibit 4, from Kathy Hattaway

The following materials were received by the Clerk prior to the close of the public hearing. The materials referenced by the speaker were not presented to the Board:

- Submittal 1, from Eduardo Rivera
- Submittal 2, from Audrey Watterson

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Uribe, to continue the Substantial Change, Case #CDR-18-10-335 public hearing and Consent Item H.2, Second Amendment to Amended and Restated Development Order (Ninth Amendment) Meadow Woods Development of Regional Impact, to July 2, 2019, at 2 p.m. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

and

I. CONSENT AGENDA (Deferred)

H. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

2. **19-963** Approval and execution of Second Amendment to Amended and Restated Development Order (Ninth Amendment) Meadow Woods Development of Regional Impact. District 4. (Planning Division)

This consent item was continued until July 2, 2019, at 2 p.m.

V. PUBLIC HEARING (Continued)

11. **19-856** Ordinance

Relating to Taxation Granting an Economic Development Exemption from

Certain Ad Valorem Taxation for Amicus Biologics, Inc., a New Business

Consideration: AN ORDINANCE OF ORANGE COUNTY, FLORIDA RELATING TO TAXATION; GRANTING AN ECONOMIC DEVELOPMENT EXEMPTION FROM CERTAIN AD VALOREM TAXATION FOR AMICUS BIOLOGICS, INC., A NEW BUSINESS; PROVIDING FOR DEFINITIONS; PROVIDING FINDINGS; PROVIDING FOR THE ESTIMATED REVENUE LOSS ATTRIBUTABLE TO THE EXEMPTION GRANTED TO AMICUS BIOLOGICS INC.; PROVIDING THE LEVEL OF EXEMPTION AND TERM THE EXEMPTION WILL REMAIN IN EFFECT; PROVIDING FOR APPLICABILITY; PROVIDING AN EFFECTIVE DATE.

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Bonilla, to adopt Ordinance 2019-08 of Orange County, Florida relating to taxation; further, grant an economic development exemption from certain ad valorem taxation for Amicus Biologics, Inc. a new business; further, provide for definitions; further, provide findings; further, provide for the estimated revenue loss attributable to the exemption granted to Amicus Biologics, Inc.; further, provide the level of exemption and term the exemption will remain in effect; further, provide the applicability; further, provide an effective date; and further, approve the Economic Development Ad Valorem Tax Exemption Agreement between Orange County and Amicus Biologics, Inc. The motion carried by the following vote:

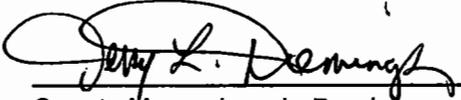
Aye: 7 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

√ **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: 2:57 p.m.

ATTEST:



County Mayor Jerry L. Demings

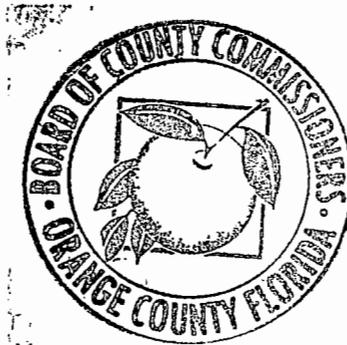
Date: July 16, 2019

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.