

Orange County Government

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



Final Meeting Minutes

Tuesday, July 16, 2019

9:00 AM

County Commission Chambers

Board of County Commissioners

Call to Order

County Mayor Demings called the meeting to order at 9:06 a.m.

Present: 6 - Mayor Jerry L. Demings, Commissioner Betsy VanderLey, Commissioner Christine Moore, Commissioner Mayra Uribe, Commissioner Maribel Gomez Cordero, and Commissioner Victoria P. Siplin

Absent: 1 - Commissioner Emily Bonilla

Others present:

County Comptroller Phil Diamond as Clerk
County Administrator Byron Brooks
Deputy County Administrator Chris Testerman
Deputy County Administrator Randy Singh
Office of Management and Budget Manager Kurt Petersen
County Attorney Jeffrey J. Newton
Assistant County Attorney Whitney Evers
Senior Minutes Coordinator Craig Stopyra
Senior Minutes Coordinator Lakela Louis

Invocation - District 2

Executive Pastor Ronda Rieves, Apopka Calvary Church of the Nazarene

Pledge of Allegiance**Public Comment**

The following person addressed the Board for public comment: Gladys Barahona Ruiz.

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 Gladys Barahona Ruiz.

BUDGET WORK SESSION**CONSTITUTIONAL OFFICERS**

19-1081 Clerk of Courts Tiffany Moore Russell addressed the Board, regarding an update.

Orange County Sheriff John Mina addressed the Board, regarding an update and budget report. Board discussion ensued.

The Board took no action.

LYNX

- 19-1082** Jim Harrison, Interim Chief Executive Officer, LYNX (Central Florida Regional Transportation Authority), presented an update and budget report. Board discussion ensued.

The Board took no action.

COUNTY ADMINISTRATOR

19-1083 Board Budget Discussion

A motion was made by Commissioner VanderLey, seconded by Commissioner Uribe, to approve the Tentative Millages for Fiscal Year 2019/2020 and the Tentative Countywide Budget for Fiscal Year 2019/2020 with Board approved changes. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, and Commissioner Siplin

Absent: 1 - Commissioner Bonilla

Budget Consent Agenda

A motion was made by Commissioner Siplin, seconded by Commissioner VanderLey, to approve the Budget Consent Agenda items as follows:

1. Approval of the 2020 medical plan premium structure.
2. Approval of Resolution 2019-M-28 to update certain fire fees in accordance with the appropriate Consumer Price Indices (CPI).
3. Approval of conversion of Convention Center contract part-time rigging positions to permanent positions. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, and Commissioner Siplin

Absent: 1 - Commissioner Bonilla

ANNOUNCEMENT

County Mayor Demings announced the first public hearing to approve the tentative budget is scheduled for Thursday, September 5, 2019 and the final public hearing to approve the budget is scheduled for Thursday, September 19, 2019. The public hearings will begin at 5:01 p.m., in the BCC Chambers.

I. CONSENT AGENDA

Approval of the Consent Agenda

The Mayor deferred action on Planning, Environmental, and Development Services Department Item 3; and further, a motion was made by Commissioner Uribe, seconded by Commissioner Moore, to approve the balance of the Consent Agenda. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, and Commissioner Siplin

Absent: 1 - Commissioner Bonilla

A. COUNTY COMPTROLLER

1. **19-1084** Approval of the minutes of the June 18, 2019 meeting of the Board of County Commissioners.

2. **19-1085** 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:

- June 28, 2019, to July 4, 2019; \$56,998,099.01
- July 5, 2019, to July 11, 2019; \$28,798,331.63.

(Finance/Accounting)

3. **19-1086** Disposition of Tangible Personal Property as follows.
(Property Accounting)
 - a. Sell assets through online auction.
 - b. Offer assets to non-profits.
 - c. Scrap assets.
 - d. Dispose of assets totaled by our Third Party Administrator.
 - e. Remove lost assets.
 - f. Return lease equipment to vendor.

B. COUNTY ADMINISTRATOR

1. **19-1087** Approval and execution of Orange County/MetroPlan Orlando (Urban Area Metropolitan Planning Organization) FY 2019-2020 Funding Agreement. All Districts.

2. **19-1088** Approval and execution of First Amendment to Service Funding Agreement by and between Orange County, Florida and Central Florida Regional Transportation Authority. All Districts.

3. **19-1089** Approval to pay the fourth quarter billing for the Orange County Property Appraiser in the amount of \$3,985,640.58. (Office of Management and Budget)

4. **19-1090** Approval of budget amendment #19-39. (Office of Management and Budget)

C. COUNTY ATTORNEY

1. **19-1091** Approval of Settlement Agreement in the case of Westwood Partners Group, LLC v. Orange County, Case No. LUP-16-09-335.

D. ADMINISTRATIVE SERVICES DEPARTMENT

1. **19-1092** Approval of Change Order No. 4, Contract Number Y17-731, Wittenstein Cottage ADA Upgrades and Renovations, with Core Engineering & Construction, in the amount of \$10,102.85, for a revised lump sum contract amount of \$520,638.16. (Capital Projects Division)
2. **19-1093** Approval to award Invitation for Bids Y19-1015-MV, Limerock Road Base, to the low responsive and responsible bidder, Dixie Lime and Stone Company. The estimated contract award amount is \$2,080,500 for a 3-year term. ([Utilities Department Field Services Division] Procurement Division)
3. **19-1094** Approval to award Invitation for Bids Y19-1047-AH, Pest Control Services for the Orange County Convention Center, to the low responsive and responsible bidder, Massey Services, Inc. The estimated contract award amount is \$157,200 for a 3-year term. ([Convention Center Facilities Operations Division] Procurement Division)
4. **19-1095** Approval to award Invitation for Bids Y19-1051-KB, Natural and Washed Concrete Sand, to the low responsive and responsible bidder, Central Florida Transport, LLC. The estimated contract award amount is \$280,500 for a 3-year term. ([Public Works Department Roads and Drainage Division] Procurement Division)
5. **19-1096** Approval to award Invitation for Bids, Y19-1083-AV, Janitorial Services - Orange County Sun Rail Stations, to the low responsive and responsible bidder, Contractors Enterprises, Inc. The estimated contract award amount is \$115,424 for a 1-year term. ([Administrative Services Department Facilities Management Division] Procurement Division)
6. **19-1097** Approval to award Invitation for Bids Y19-1096-AV, Collection Agency Services for Utilities, to the low responsive and responsible bidder, NCSPLUS Incorporated. The estimated contract award amount is \$183,000 for a 3-year term. ([Utilities Department Customer Service Division] Procurement Division)
7. **19-1098** Approval of Amendment No. 1, Contract Y17-802-CH, Transportation Planning Services for 2016 Update of the Transportation Impact Fee Study, with Tindale-Oliver & Associates, Inc. dba Tindale-Oliver in the amount of \$97,203, for a revised total contract amount of \$197,047. ([Planning, Environmental, and Development Services Department Transportation Planning Division] Procurement Division)

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8. **19-1099** Approval of Amendment No. 11, Contract Y16-163, Rapid Re-Housing, with the Homeless Services Network of Central Florida, Inc., retroactive to July 1, 2019, to advance the amount of \$320,000 of County funds from the original amount awarded under Contract Y16-163 to be reconciled by the end of the current contract term. ([Community and Family Services Department Mental Health and Homeless Issues Division] Procurement Division)
9. **19-1100** Approval of amendment No. 4 Contract Y17-2057, Supportive Services for Permanent Supportive Housing, with Homeless Services Network of Central Florida, Inc., retroactive to July 1, 2019, to advance the amount of \$220,000 of County funds from the original amount awarded under Contract Y17-2057 to be reconciled by the end of the current contract term. ([Community and Family Services Department Mental Health and Homeless Issues Division] Procurement Division)
10. **19-1101** Approval and execution of Second Amendment to Lease Agreement by and between Orange County and ORLBMX, Inc. and delegation of authority to the Real Estate Management Division to exercise renewal options and furnish notices, required or allowed by the lease, as needed for Orlando BMX at Barnett Park 4801 West Colonial Drive, Orlando, Florida 32808 Lease File #5028. District 6. (Real Estate Management Division)
11. **19-1102** Approval and execution of License Agreement by and between Reedy Creek Improvement District and Orange County and delegation of authority to the Real Estate Management Division to exercise termination option, required or allowed by the license, as needed for SO - Substation Sector Six - Disney Springs 1600 East Buena Vista Drive, Lake Buena Vista, Florida 32830 Lease File #10002. District 1. (Real Estate Management Division)
12. **19-1103** Approval and execution of First Amendment to Lease Agreement by and between Taft Holdings, Inc. and Straubinger, Inc. and Orange County, Florida and delegation of authority to the Real Estate Management Division to exercise holdover and renewal options, furnish notices, and execute subordinations and tenant estoppel certificates, required or allowed by the lease, as needed for Boggy Creek - SO Marine Division 9180 & 9220 Boggy Creek Road, Orlando, Florida 32824 Lease File #1026. District 4. (Real Estate Management Division)
13. **19-1104** Approval and execution of Termination of Lease Agreement between Orange County and Goldenrod Historical Society, Inc. and authorization to disburse funds to pay outstanding utility bills for Goldenrod Community Center - Goldenrod Historical Society 4755 Palmetto Avenue, Winter Park, Florida 32792 Lease File #5003. District 5. (Real Estate Management Division)
14. **19-1105** Approval and execution of Distribution Easement from Orange County and the City of Orlando to Duke Energy Florida, LLC, d/b/a Duke Energy and

authorization to record instrument for Malcolm Road Water Supply Facility. District 1. (Real Estate Management Division)

15. **19-1106** Approval and execution of Donation Agreement between Eagle Creek Development Corporation and Orange County and Donation Agreement between GCB Associates, LLC f/k/a GCB Associates 2009, LLC, successor by conversion of GCB Associates, Ltd. and Orange County, Approval of Special Warranty Deed from Eagle Creek Development Corporation to Orange County and Special Warranty Deed from GCB Associates, LLC f/k/a GCB Associates 2009, LLC, successor by conversion of GCB Associates, Ltd. to Orange County and authorization to disburse funds to pay closing costs and perform all actions necessary and incidental to closing for Eagle Creek Equestrian Trail Project. District 4. (Real Estate Management Division)
16. **19-1107** Approval of Warranty Deed from Lennar Homes, LLC to Orange County, approval and execution of Subordination of Utility Interests between Duke Energy Florida, LLC, d/b/a Duke Energy and Orange County and authorization to perform all actions necessary and incidental to closing for Village H - Springhill APF Conveyance. District 1. (Real Estate Management Division)
17. **19-1108** Approval of Quit-Claim Deed from Canh T. Nguyen and To-Quyen Bao Nguyen, also known as To Quyen B. Nguyen, to Orange County and Corrective Temporary Construction Easement from Canh T. Nguyen to Orange County and authorization to disburse funds to pay all recording fees and record instruments for Texas Avenue RCA (Oak Ridge Rd to Holden Ave). District 6. (Real Estate Management Division)
18. **19-1109** Approval of Utility Easement from Pioneers, Inc., authorized to do business in Florida under the name Pioneers International, Inc., and Lake Whip I LLC to Orange County with Joinder and Consent to Utility Easement from Lake Nona Hotel, LLC, authorized to transact business in the State of Florida as Lake Nona Hotel DE, LLC, and Subordination of Encumbrances to Property Rights to Orange County from Axiom Bank and authorization to record instruments for Pioneers Holiday Inn Express Permit #16-E-068 OCU File #87186. District 4. (Real Estate Management Division)
19. **19-1110** Approval of Conservation and Access Easement from Pulte Home Company, LLC, Lake Pickett Properties, Inc., Benjamin F. Wheeler, III, and Evans Groves, Inc. to Orange County and authorization to record instrument for Lake Pickett Cluster Parcels 1-3 (CAI-18-12-060). District 5. (Real Estate Management Division)
20. **19-1111** Approval of Utility Easement from Carlsbad Orlando, LLC to Orange County with Joinder and Consent to Utility Easement from Beachline South Residential, LLC and Temporary Construction Easement from Carlsbad

Orlando, LLC to Orange County with Joinder and Consent to Temporary Construction Easement from Beachline South Residential, LLC and authorization to record instruments for Starwood MUP Permit #16-U-037 OCU File # 85426. District 4. (Real Estate Management Division)

21. **19-1112** Approval of Utility and Access Easement from AD1 Urban SW, LLC to Orange County and Subordination of Encumbrances to Property Rights to Orange County from Hall Urban Orlando, LLC and authorization to record instruments for AD1 Aloft & Element Hotel Project Site Work Permit #B18900778 OCU File #96838. District 1. (Real Estate Management Division)
22. **19-1113** Approval of Utility Easement from Dakota Property Investments, LLC to Orange County, Subordination of Encumbrances to Property Rights to Orange County from Bank of America, N.A., and Subordination of Encumbrances to Property Rights to Orange County from U.S. Small Business Administration and authorization to record instruments for Stanley Steemer Permit B15901563 OCU File #89966. District 2. (Real Estate Management Division)
23. **19-1114** Approval of Utility Easement from Beltway TLJ Development LP to Orange County and Subordination of Encumbrances to Property Rights to Orange County from Citizens Bank, National Association and authorization to record instruments for Beltway Commerce Center Phase II Permit 18-U-081 OCU File # 96873. District 4. (Real Estate Management Division)
24. **19-1115** Approval of Utility Easement from 3D Ayers Street, LLC to Orange County and Subordination of Encumbrances to Property Rights to Orange County from Renasant Bank and authorization to record instruments for Family Dollar - NC-Site Work Only Permit B:18902955 OCU File #96872. District 6. (Real Estate Management Division)
25. **19-1116** Approval and execution of Donation Agreement and approval of Warranty Deed between JEL Land Development, LLC and Orange County and authorization to perform all actions necessary and incidental to closing for Donation of JEL Land Development, LLC parcels. Districts 4 and 5. (Real Estate Management Division)

E. COMMUNITY AND FAMILY SERVICES DEPARTMENT

1. **19-1117** Approval and execution of City of Orlando And Orange County, Florida Agreement to Exercise Second Renewal Option. (Head Start Division)
2. **19-1118** Receipt and filing of Head Start Policy Council Program Information and Updates May 2019 and June 2019 and Head Start Policy Council Meeting Minutes April 25, 2019 and May 16, 2019 for the official county record. (Head Start Division)

3. **19-1119** Approval and execution of Interagency Agreement between The Circuit 9 Department of Children and Families Substance Abuse and Mental Health Program Office and Orange County, Florida regarding a Youth Mental Health Management Network Consortium in the amount of \$50,000. (Mental Health and Homeless Issues Division)
4. **19-1120** Authorization for the Parks and Recreation Division to apply the provision in the County Fee Directory electing not to collect registration fees for after school programs. (Parks and Recreation Division)

F. HEALTH SERVICES DEPARTMENT

1. **19-1121** Approval and execution of the renewal Paratransit Services License for Rite Way Transportation LLC to provide wheelchair/stretchers service. The term of this license is from August 1, 2019 through August 1, 2021. There is no cost to the County. (EMS Office of the Medical Director)
2. **19-1122** Approval and execution of the renewal Paratransit Services License for Mears Destination Services, Inc to provide wheelchair/stretchers service. The term of this license is from August 1, 2019 through August 1, 2021. There is no cost to the County. (EMS Office of the Medical Director)
3. **19-1123** Approval and execution of the renewal Paratransit Services License for Faithful Mobility Transport, LLC to provide wheelchair/stretchers service. The term of this license is from August 1, 2019 through August 1, 2021. There is no cost to the County. (EMS Office of the Medical Director)

G. PLANNING, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

1. **19-1124** Approval and execution of Program Administration Agreement between Orange County, Florida and Life Concepts, Inc. related to the State Housing Initiatives Partnership Program for the specific purpose of Rehabilitation of Group Homes and Supportive Living Apartment in the amount of \$790,500. District 2. (Housing and Community Development Division)
2. **19-1125** Approval and execution of Orange County, Florida and Habitat for Humanity of Seminole County and Greater Apopka, Florida, Inc. and Habitat for Humanity Greater Orlando and Osceola County, Inc. Consent to Assignment related to the Community Development Block Grant Program Agreement for Fiscal Year 2016-2017 Document Number: 20180240170 to transfer the construction responsibilities for 10 affordable housing units. District 2. (Housing and Community Development Division)
3. **19-1126** Approval and execution of Twelfth Amended Development Order for Southchase Development of Regional Impact. District 4. (Planning Division)

(This item was deferred.)

4. **19-1127** Approval of The East Central Florida Regional Resilience Collaborative Memorandum of Understanding between the East Central Florida Regional Planning Council and Orange County. All Districts.
5. **19-1128** Approval and execution of Proportionate Share Agreement for Cypress Springs Landing Dean Road by and between BDSA Properties LLC and Orange County for a proportionate share payment in the amount of \$160,524. District 4. (Transportation Planning Division)
6. **19-1129** Approval and execution of Proportionate Share Agreement for Orlando Montessori Bilingual School Dean Road and Lake Underhill by and between Orlando Montessori Bilingual Academy, Inc. and Orange County for a proportionate share payment in the amount of \$122,110. District 4. (Transportation Planning Division)
7. **19-1130** Approval and execution of Proportionate Share Agreement for Parcel 4 @ Nadeen Tanmore II PD Winter Garden-Vineland Road by and between Martni Global, LLC and Orange County for a proportionate share payment in the amount of \$146,085. District 1. (Transportation Planning Division)
8. **19-1131** Approval and execution of Proportionate Share Agreement for Suntrust Bank at Hamlin Avalon Road/CR 545 by and between Hamlin Retail Partners East NEC, LLC and Orange County, directing both the proportionate share payment in the amount of \$12,064 and future transportation impact fees that may be associated with the project pursuant to the Escrow Agreement for the Hamlin West Amended and Restated Road Network Agreement be utilized for the completion of Avalon Road/CR 545 improvements. District 1. (Transportation Planning Division)
9. **19-1132** Approval and execution of Proportionate Share Agreement for Taco Bell/Pizza Hut at Hamlin Avalon Road/CR 545 by and between Hamlin Retail Partners East NEC, LLC and Orange County, directing both the proportionate share payment in the amount of \$14,129 and future transportation impact fees that may be associated with the project pursuant to the Escrow Agreement for the Hamlin West Amended and Restated Road Network Agreement be utilized for the completion of Avalon Road/CR 545 improvements. District 1. (Transportation Planning Division)

H. PUBLIC WORKS DEPARTMENT

1. **19-1133** Approval of Traffic Signal installation at Curry Ford Road and Cypress Springs Parkway. District 4. (Traffic Engineering Division)
2. **19-1134** Approval of "No Parking" signs installation on both sides of Chase Road 600

feet north and 900 feet south of the R.D. Keene Park entrance. District 1.
(Traffic Engineering Division)

3. **19-1135** Approval and execution of (1) Federally-Funded Subaward and Grant Agreement Agreement Number: H0197 Project Number: 4337-107-R by the State of Florida, Division of Emergency Management and Orange County and (2) Federal Funding Accountability and Transparency Act in the amount of \$150,000 for Lake Underhill Road at Pinar Drive Traffic Signal Mast Arm Upgrade. A 25% project cost match in the amount of \$50,000 is required. District 4. (Traffic Engineering Division)
4. **19-1136** Approval and execution of Joint Project Agreement for Orange County Texas Avenue Improvements - north segment and Texas Avenue - north segment OUC Water Main Relocation Project by and between Orlando Utilities Commission and Orange County. District 6. (Engineering Division)
5. **19-1137** Authorization to record the plat for Faye Street. District 2. (Roads and Drainage Division)
6. **19-1138** Authorization to record the plat of Certus Senior Living - Conroy. District 1. (Development Engineering Division)

I. UTILITIES DEPARTMENT

1. **19-1139** Approval and execution of Utility Line Construction Reimbursement Agreement for Lake Nona Boulevard Forcemain Extension by and among Orange County, Orlando Airport Property, LLC, and Adventist Health System/Sunbelt, Inc. in the total payment obligation amount of \$1,364,963. District 4. (Engineering Division)

II. INFORMATIONAL ITEMS**

A. COUNTY COMPTROLLER

1. **19-1140** Receipt of the following items to file for the record: (Clerk's Office)
 - a. City of Orlando Voluntary Annexation Request - 2700 S. Brown Avenue - ANX2019-10001. Notice of Proposed Enactment. Proposed Ordinance 2019-32, 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 East Michigan Street, east of Mayer Street, and west of South Brown Avenue, and comprised of 0.2089 acres of land, more or less, and amending the City's boundary description; 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; designating the property as the one Family Residential District (R-1) 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, permit disclaimer, 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 Ave., Orlando, Florida.

b. City of Orlando Voluntary Annexation Request - 12621 Narcoossee Road - ANX2018-10018.

c. City of Ocoee Ordinance No. 2019-017, with Exhibit A (Legal Description), and Exhibit B (Location Map). Ordinance No. 2019-017 (Annexation Ordinance for Homes in Partnership - 340 13th Avenue, Tax Parcel ID 08-22-28-5956-10-020; Case No. AX-08-17-68: Homes in Partnership - 340 13th Avenue Annexation. An Ordinance of the City of Ocoee, Florida, annexing into the corporate limits of the City of Ocoee, Florida, certain real property containing approximately +/-0.17 acres located on the south side of 13th Avenue, west side of Peters Avenue, pursuant to the application submitted by the property owner; finding said annexation to be consistent with the Ocoee Comprehensive Plan, the Ocoee City Code; providing for and authorizing the updating of Official City Maps; providing direction to the City Clerk; providing for severability; repealing inconsistent ordinances; providing for an effective date.

d. City of Ocoee Ordinance No. 2019-019, with Exhibit A (Legal Description), and Exhibit B (Location Map). Ordinance No. 2019-019 (Annexation Ordinance for Homes in Partnership - 330 13th Avenue, Tax Parcel ID 08-22-28-5956-10-031; Case No. AX-08-17-67: Homes in Partnership - 330 13th Avenue Annexation. An Ordinance of the City of Ocoee, Florida, annexing into the corporate limits of the City of Ocoee, Florida, certain real property containing approximately +/-0.17 acres located on the south side of 13th Avenue, west side of Peters Avenue, pursuant to the application submitted by the property owner; finding said annexation to be consistent with the Ocoee Comprehensive Plan, the Ocoee City Code; providing for and authorizing the updating of Official City Maps; providing direction to the City Clerk; providing for severability; repealing inconsistent ordinances; providing for an effective date.

These items were received and filed.

III. DISCUSSION AGENDA

A. ADMINISTRATIVE SERVICES DEPARTMENT

1. **19-1141** Selection of one firm and two ranked alternates to provide Services for the Wekiva Springshed Education Campaign, Request for Proposals Y19-500-AH, from the following four firms, listed alphabetically:

- Evok Advertising and Design, Inc.
- Marketing for Change Co.
- Quest Corporation of America, Inc.
- TKO Orlando, LLC

([Planning, Environmental, and Development Services Department
Environmental Protection Division] Procurement Division)

A motion was made by Mayor Demings, seconded by Commissioner Moore, to appoint Marketing for Change Co., 445 points, as the selected firm; and further, appoint Quest Corporation of America, Inc., 380.21 points, and TKO Orlando, LLC, 350.82 points, as the selected ranked alternates. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, and Commissioner Siplin

Absent: 1 - Commissioner Bonilla

2. **19-1142** Selection of one firm and two ranked alternates to provide Professional Engineering Services for the Final Design of Pine Hills Road Pedestrian Safety Project, Request for Proposals Y19-811-CH, from the following three firms, listed alphabetically:

- AVCON, Inc.
- Johnson, Mirmiran & Thompson, Inc.
- WSP USA, Inc.

([Public Works Department Engineering Division] Procurement Division)

A motion was made by Mayor Demings, seconded by Commissioner Gomez Cordero, to appoint AVCON, Inc., 448 points, as the selected firm; and further, appoint Johnson, Mirmiran & Thompson, Inc., 441 points, and WSP USA, Inc., 385 points, as the selected ranked alternates. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, and Commissioner Siplin

Absent: 1 - Commissioner Bonilla

3. **19-1143** Selection of one firm and an alternate to provide Professional Engineering Services for the Final Design of Sand Lake Road Safety Improvements, Request for Proposals Y19-813-CH, from the following two firms, listed alphabetically:

- Kelly, Collins & Gentry, Inc.
- Wynndalco Enterprises, LLC

([Public Works Department Engineering Division] Procurement Division)

A motion was made by Mayor Demings, seconded by Commissioner Uribe, to appoint Kelly,

Collins & Gentry, Inc., 387.5 points, as the selected firm; and further, appoint Wynndalco Enterprises, LLC, 165 points, as the selected ranked alternate. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, and Commissioner Siplin

Absent: 1 - Commissioner Bonilla

IV. RECOMMENDATIONS

1. **19-1144** June 20, 2019 Planning and Zoning Commission Recommendations

A motion was made by Commissioner Uribe, seconded by Commissioner Moore, to approve the recommendations, with the exception of Case # RZ-19-06-015, James Morrison (appeal filed); and Case # RZ-19-05-009, Jeremy Anderson (Board called), which were 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 Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, and Commissioner Siplin

Absent: 1 - Commissioner Bonilla

V. PUBLIC HEARINGS

1. **19-921** Shoreline Alteration/Dredge and Fill

Joseph and Kimberlee Amos, Lake Gatlin, after-the-fact permit; District 3

Consideration: Request for an After-the-Fact Shoreline Alteration/Dredge and Fill Permit (SADF-19-04-006) to authorize the replacement of an existing unpermitted seawall and placement of riprap on Lake Gatlin pursuant to Chapter 33, Article II, Pumping and Dredging Control, Section 33-37(d)

Location: District 3; on property located adjacent to Lake Gatlin, located at 5103 Leeward Way, Orlando, Florida 32809; Orange County, Florida (legal property description on file in Environmental Protection Division)

A motion was made by Commissioner Uribe, seconded by Commissioner VanderLey, to approve the After-the-Fact Shoreline Alteration/Dredge and Fill Permit (SADF-19-04-006) subject to the conditions of approval listed in the Staff Report. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, and Commissioner Siplin

Absent: 1 - Commissioner Bonilla

2. **19-852** Conservation Area Impact

Airport Parking Rental 1, LLC, after-the-fact permit; District 3

Consideration: Request for a Conservation Area Impact Permit for a Class I Wetlands to impact 25.05 acres of wetlands 22.28 acres of Class I and 2.77 acres of Class II in order to expand an existing parking facility. The request also includes 3.33 acres of secondary impacts to the Class I wetland.

Location: District 3; property located at 6050 South Semoran Boulevard; Section 21, Township 23, Range 30; Orange County, Florida (legal property description on file in Environmental Protection Division)

A motion was made by Commissioner Uribe, seconded by Commissioner Gomez Cordero, to continue the public hearing until September 10, 2019, at 2 p.m. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, and Commissioner Siplin

Absent: 1 - Commissioner Bonilla

3. **19-979** Preliminary Subdivision Plan

Adam Smith, VHB, Inc., Eagle Creek Planned Development / Village I Preliminary Subdivision Plan, Case # PSP-16-02-063; District 4

Consideration: Eagle Creek Planned Development / Village I Preliminary Subdivision Plan Case # PSP-16-02-063, 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 (PSP) is a request to subdivide 234.24 acres in order to construct 294 single-family residential dwelling units.

Location: District 4; property generally located North of Clapp Simms Duda Road / East of Narcoossee Road; Orange County, Florida (legal property description on file in Planning Division)

Modified Condition of Approval #2.

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 ("Board") at the public hearing where this development received final approval, 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. In the event any such promise or representation is not complied with or adhered to, or the project deviates from or otherwise conflicts with such promise or representation, the County may withhold (or postpone issuance of) development permits and / or postpone the recording of (or refuse to record) the plat for the project. 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 and approved.

The following persons addressed the Board:

- Tom Sullivan
- Robert Rice
- Andrew Dutka

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

- Exhibit 1, from Robert Rice
- Exhibit 2, from Robert Rice

The following material was received by the Clerk prior to the close of the public hearing. The material referenced by the speaker was not presented to the Board: Submittal 1, from Robert Rice.

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; further, approve the request subject to the conditions of approval listed under the Development Review Committee recommendation in the Staff Report; and further, approve modified Condition of Approval #2. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, and Commissioner Siplin

Absent: 1 - Commissioner Bonilla

4. 19-986 Preliminary Subdivision Plan

Kevin P. White, Waldrop Engineering, Springhill Planned Development / Storey Grove Phase 3 Preliminary Subdivision Plan, Case #PSP-18-11-374; District 1

Consideration: Springhill Planned Development / Storey Grove Phase 3 Preliminary Subdivision Plan, Case # PSP-18-11-374, 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 (PSP) is a request to subdivide 34.86 acres in order to construct 65 single-family residential dwelling units.

Location: District 1; property generally located South of Water Springs Boulevard / West of Avalon Road; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Tom Sullivan.

A motion was made by Commissioner VanderLey, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; and approve the 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: 6 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, and Commissioner Siplin

Absent: 1 - Commissioner Bonilla

5. 19-269 Planning and Zoning Commission Board-Called

Justin Solitro, Case # RZ-19-01-057, January 17, 2019; District 2
(Continued from March 26, 2019 and May 7, 2019)

Consideration: Request to consider a rezoning of 5.46 gross acres located at Parcel ID# 02-21-28-8308-00-011 (1007 Votaw Road) from R-1 (Single-Family Dwelling District) (Restricted) to R-1 (Single-Family Dwelling District).

Location: District 2; property located at 1007 Votaw Road; or generally located north of Votaw Road, west of Dominish Estates Drive, south of Wekiva Landing Drive, and east of Via Florence Drive; Orange County, Florida (legal property description on file in Planning Division)

The following persons addressed the Board:

- Rebecca Wilson
- Margie Wood
- Claire Ludwig
- Marc Jones
- Les Hess
- Peter Brunton
- Paul Viar
- Jonathan Germeroth
- Victoria Myers Holder
- Kristi Phillips
- Jim Mckillop
- Sue Viar
- Andy Owens

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

- Exhibit 1, from Rebecca Wilson
- Exhibit 2, from Jonathan Germeroth
- Exhibit 3, from Kristi Phillips
- Exhibit 4, from Jim Mckillop
- Exhibit 5, from Sue Viar
- Exhibit 6, from Rebecca Wilson

Based upon input from the applicant and agreed upon by County staff, 8 new restrictions were presented as follows:

1. The subject property shall be limited to a maximum of twenty (20) lots with single-family detached residential dwelling units.
2. A fifty (50) foot wide fee simple public right of way stubbed out to the property to the south shall be provided at the time of Preliminary Subdivision Plan (PSP).

3. A 50' x 50' landscape buffer easement shall be provided on the northwest corner of the property, adjacent to parcel identification numbers 02-21-28-9090-00-130 and 02-21-28-8308-00-026.
4. If one does not already exist, the developer shall install a minimum 6' high opaque fence which shall be constructed of vinyl along the eastern boundary with Dominish Estates and of wood along the northern boundary with Wekiva Landings and, except as set forth herein, shall meet the requirements of Section 38-1408, Orange County Code. Such fence(s) shall subsequently be maintained and repaired by the homeowners association, as needed.
5. Single-family residential dwelling units shall be limited to a maximum of one-story in height along the northern property line adjacent to Wekiva Landing subdivision.
6. Each lot adjacent to the northern property line shall have at least one live oak tree with a dbh of at least three (3) inches within the rear yard and shall otherwise comply with the requirements of Section 15-306, Orange County Code.
7. Prior to PSP approval, applicant shall provide proof to County's satisfaction of:
 - a The applicant's ability to access the property via Dominish Estates Drive over the existing 27.5' wide gas pipeline easement recorded at O.R. Book 1889 / Page 0195, Public Records of Orange County, Florida; and
 - b. The applicant's legal right to provide a minimum of twenty foot (20') wide clear stabilized hard-surfaced (for dust abatement) access to route construction traffic for the project from Votaw Road (such surface shall be removed upon completion of construction).
8. The project shall contain a mixture of fifty (50) and sixty (60) foot lots.

A motion was made by Commissioner Moore, seconded by Commissioner VanderLey, to make a finding of consistency with the Comprehensive Plan; and further, approve the request subject to the 8 new restrictions. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, and Commissioner Siplin

Absent: 1 - Commissioner Bonilla

6. **19-976** Substantial Change

Miranda Fitzgerald, Lowndes, Drosdick, Doster, Kantor, & Reed, P.A.,
Southchase Planned Development / Land Use Plan (PD / LUP), Case #
CDR-18-05-149, amend plan; District 4

Consideration: A PD substantial change to convert 95,000 square feet of commercial uses into 281,160 square feet of industrial distribution (high cube) uses on PD Parcel 29A using a trip equivalency ratio. Additionally, the list of permitted uses within the Industrial category is being amended to reflect the uses permitted within the I-2 zoning district in effect at the date of the initial approval of the Southchase PD and DRI. In addition, the applicant has requested the following

waiver from Orange County Code: 1. A waiver from Section 38-1327 to allow a maximum impervious surface coverage of 80%, in lieu of a maximum impervious surface coverage of 70%; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 4, property generally located on the south side of E. Town Center Boulevard and on the east side of S. Orange Avenue; Orange County, Florida (legal property description on file in Planning Division)

The following persons addressed the Board:

- Miranda Fitzgerald
- Jonathan Gedge
- Arnaldo Mercado
- Daryl Carter

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

- Exhibit 1, from Miranda Fitzgerald
- Exhibit 2, from Arnaldo Mercado

Condition of Approval # 10 was modified as follows:

10. The developer shall conduct a traffic signal warrant study within six (6) months of the first Certificate of Occupancy and install the traffic signal at no cost to the County when, and if, warranted at the proposed full access point on Orange Avenue.

A motion was made by Commissioner Gomez Cordero, 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; and further, approve modified Condition of Approval #10. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, and Commissioner Siplin

Absent: 1 - Commissioner Bonilla

and

I. CONSENT AGENDA (Deferred)

G. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

3. **19-1126** Approval and execution of Twelfth Amended Development Order for Southchase Development of Regional Impact. District 4. (Planning Division)

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Siplin, to approve and execute the Twelfth Amended Development Order for Southchase Development of Regional Impact. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Siplin

Absent: 1 - Commissioner Bonilla

V. PUBLIC HEARINGS

7. 19-927 Ordinance

Enacting pursuant to Chapter 190 Florida Statutes, pertaining to creating the Westwood OCC Community Development District; District 1

Consideration: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS FOR ORANGE COUNTY, FLORIDA, CREATING WESTWOOD/OCC COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES (2018); PROVIDING FOR THE ESTABLISHMENT AND NAMING OF THE DISTRICT; PROVIDING FOR THE LEGAL DESCRIPTION OF THE EXTERNAL BOUNDARIES OF THE DISTRICT; PROVIDING FOR FINDINGS OF FACT; PROVIDING THE FUNCTIONS AND POWERS OF THE DISTRICT; DESIGNATING THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING FOR THE APPLICABLE FILING FEE; PROVIDING FOR COMPLIANCE WITH CHAPTER 190, FLORIDA STATUTES, AND ALL OTHER APPLICABLE LAWS AND ORDINANCES; PROVIDING FOR REPEAL IN THE ABSENCE OF AN INTERLOCAL AGREEMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

Court Reporter: Angelina Rosaria, Orange Legal.

The following person address the Board: Michael Eckert.

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

A motion was made by Commissioner VanderLey, seconded by Commissioner Moore, to approve to conduct a Public Hearing to create the Community Development District and adopt Ordinance 2019-10 of the Board of County Commissioners for Orange County Florida, creating Westwood/OCC Community Development District pursuant to Chapter 190, Florida Statutes (2018); providing for the establishment and naming of the district; providing for the legal description of the external boundaries of the district; providing for findings of fact; providing the functions and powers of the district; designating the members of the district's Board of Supervisors; providing for the applicable filing fee; providing for compliance with Chapter 190, Florida Statutes, and all other applicable laws and ordinances; providing for repeal in the absence of an interlocal agreement; providing for severability; and providing an effective date; futher, approve an Agreement for the Community Development District; and further, approve an Interlocal Agreement between Orange County, Florida and Westwood/OCC Community Development District regarding the Exercise of powers and Cooperation on Various Projects. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, and Commissioner Siplin

Absent: 1 - Commissioner Bonilla

8. 19-977 Ordinance

Amending Orange County Code, Chapter 15, Article III, pertaining to Air Quality Control.

Consideration: AN ORDINANCE IN ORANGE COUNTY, FLORIDA, PERTAINING TO AIR QUALITY AND AIR POLLUTION CONTROL; AMENDING SECTION 15-90, ADOPTION OF STATE AND FEDERAL RULES BY REFERENCE; AMENDING SECTION 15-96, PROHIBITIONS; AMENDING SECTION 15-104, RECREATIONAL OPEN BURNING; AND PROVIDING AN EFFECTIVE DATE.

A motion was made by Commissioner VanderLey, seconded by Commissioner Uribe, to determine that the Proposed Ordinance will not have a substantial impact on the development of real property within Orange County; and further, adopt Ordinance 2019-11 pertaining to Air Quality and Air Pollution Control; Amending Section 15-90, Adoption of State and Federal Rules by Reference; Amending Section 15-96, Prohibitions; Amending Section 15-104, Recreational Open Burning; and Providing an Effective Date. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, and Commissioner Siplin


Absent: 1 - Commissioner Bonilla

√ **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: 4:28 p.m.

ATTEST:



County Mayor Jerry L. Demings

Date: 23 Aug 19



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.