

BCC Mtg. Date: September 11, 2018

Orange County Government

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



Final BCC Meeting Minutes

Tuesday, July 31, 2018

9:00 AM

County Commission Chambers

Board of County Commissioners

Call to Order

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

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

Others Present:

County Comptroller Phil Diamond as Clerk
County Administrator Ajit Lalchandani
Assistant County Administrator Chris Testerman
County Attorney Jeffrey J. Newton
Deputy County Attorney Joel Prinsell
Deputy Clerk Katie Smith
Senior Minutes Coordinator Jennifer Lara-Klimetz
Senior Minutes Coordinator Noelia Perez

Invocation District 5

Pastor Charles Baxter, Faith Assembly

Pledge of Allegiance**Recognition**

District Citizens of the Year

Presentation

Proclamation recognizing National Entrepreneur Center Day

Public Comment

The following persons addressed the Board for public comment:

- Lee Steinhauer
- Desiree Starr
- Shelley Lauten
- Steve Ogier
- Mary Wilson
- Frank Vassell

I. CONSENT AGENDA

Approval of the Consent Agenda

The Mayor deferred action on Administrative Services Department Item 20; and further, a motion was made by Commissioner VanderLey, seconded by Commissioner Clarke, to approve the balance of the Consent Agenda. The motion carried by the following vote:

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

A. COUNTY COMPTROLLER

1. [18-970](#) Approval of the check register authorizing the most recently disbursed County funds, having been certified that same have not been drawn on overexpended accounts. Periods are as follows:

- July 13, 2018 to July 19, 2018; total of \$50,318,874.89
- July 20, 2018 to July 26, 2018; total of \$26,515,111.68.

(Finance/Accounting)

2. [18-971](#) Disposition of Tangible Personal Property as follows: (Property Accounting)
 - a. Remove stolen assets from inventory.
 - b. Scrap assets.

B. COUNTY ADMINISTRATOR

1. [18-972](#) Approval for the Orange County Sheriff's Office to spend \$75,000 from the FY 2018 Law Enforcement Trust Fund to provide an eligible contribution to Central Florida Urban League. (Office of Management and Budget)
2. [18-973](#) Approval of budget amendments #18-46 and #18-47. (Office of Management and Budget)
3. [18-974](#) Approval of budget transfer #18-1244. (Office of Management and Budget)

C. ADMINISTRATIVE SERVICES DEPARTMENT

1. [18-975](#) Approval to award Invitation for Bids Y18-190-AV, Landscaping and Grounds Maintenance to the low responsive and responsible bidders by Lot for 1-year terms:

<u>Bidders</u>	<u>Estimated Award Amount</u>
Lot A D3 Enviroscape, LLC	\$58,175.00

Lot B The Budd Group, Inc.	\$110,991.60
Lot C P&L Lawn Maintenance, Inc.	\$137,767.00
Lot D P&L Lawn Maintenance, Inc.	\$117,702.00

([Administrative Services Department Facilities Management Division] Procurement Division)

2. [18-976](#) Approval to award Invitation for Bids Y18-1027-AV, Shuttle Bus Services for Orange County Convention Center, to the low responsive and responsible bidder for Lot 2, Space Tours LLC. The estimated contract award amount is \$281,500 for a 1-year term. ([Convention Center Strategic Planning and Development Division] Procurement Division)
3. [18-977](#) Approval to award Invitation for Bids Y18-1037-AH, Computed Tomography Scanner for Orange County Medical Examiner, to the low responsive and responsible bidder, CMS Imaging Incorporated. The total contract award amount is \$534,830. ([Health Services Department Medical Examiner's Office] Procurement Division)
4. [18-978](#) Approval to award Invitation for Bids Y18-1046-TA, Utilities Site Restorations, to the low responsive and responsible bidder, Stage Door II, Inc. The estimated contract award amount is \$3,602,225 for the base year. ([Utilities Department Field Services Division] Procurement Division)
5. [18-979](#) Approval to award Invitation for Bids Y18-1057-TA, Wastewater Structure Coating, to the low responsive and responsible bidder, VacVision Environmental LLC. The estimated contract award amount is \$737,944.80 for the base year. ([Utilities Department Field Services Division] Procurement Division)
6. [18-980](#) Approval to award Invitation for Bids Y18-1076-AV, Repair of Synthetic Liners at the Landfill, to the low responsive and responsible bidder, Comanco Environmental Corporation. The estimated contract award amount is \$276,650 for a 1-year term. ([Utilities Department Solid Waste Division] Procurement Division)
7. [18-981](#) Approval to award Invitation for Bids Y18-719-TA, John Young Parkway Reclaimed Water Main Improvements, to the low responsive and responsible bidder, Felix Associates of Florida, Inc. The estimated contract award amount is \$8,772,546.50. ([Utilities Department Engineering Division] Procurement Division)
8. [18-982](#) Approval to award Invitation for Bids Y18-759-RM, Orange County Porter Transfer Station Site Improvements, to the low responsive and responsible bidder, Leisure Construction, Inc. The total contract award amount is \$1,913,000. ([Utilities Department Solid Waste Division] Procurement Division)

9. [18-983](#) Approval to award Invitation for Bids Y18-760-TA, Pump Station Package 18 Improvements, to the low responsive and responsible bidder, Prime Construction Group, Inc. The total contract award amount is \$1,994,240. ([Utilities Department Engineering Division] Procurement Division)
10. [18-984](#) Approval to award Invitation for Bids Y18-767-TA, Utilities Administration Building Renovations, to the low responsive and responsible bidder, EPS Contractor Group, Corp. The total contract award amount is \$106,000. ([Utilities Department Fiscal and Operational Support Division] Procurement Division)
11. [18-985](#) Approval of Purchase Order M91314, Eastern Water Reclamation Facility Clarifier Skimming Mechanism Repairs, with Ovivo USA, LLC, in the amount of \$228,028. ([Utilities Department Engineering Division] Procurement Division)
12. [18-986](#) Approval of Purchase Order M91430, Renewal of Software Support and Annual Maintenance for the Land Development and Management System, with CSDC, Inc., in the amount of \$358,853.14 for the period of July 31, 2018 through July 30, 2019. ([Community, Environmental and Development Services Department Fiscal and Operational Support Division] Procurement Division)
13. [18-987](#) Selection of Dahab Associates, Inc. to provide Section 457 Deferred Compensation/Other Post Employment Benefits Trust Fund Investment Consultant Services, Request for Proposals Y18-165-PD. ([Comptroller's Office Fiscal Division] Procurement Division)
14. [18-988](#) Approval of Purchase Order M91568, Barry Street Area Drainage Improvements, with Stage Door II, Inc., in the amount of \$242,526.43. ([Public Works Department Roads and Drainage Division] Procurement Division)
15. [18-989](#) Approval and execution of License Agreement between SWVP Orlando Office LLC and Orange County and delegation of authority to the Real Estate Management Division Manager to furnish notices required or allowed by the License Agreement, if needed for SOE at Marks St. - Parking in N. Magnolia 800 North Magnolia Avenue, Orlando, Florida, 32801 Lease File #10003. District 5. (Real Estate Management Division)
16. [18-990](#) Approval and execution of Resolution and authorization to initiate condemnation proceedings for Texas Avenue RCA (Oak Ridge Road to Holden Ave.). District 6. (Real Estate Management Division)
17. [18-991](#) Approval and execution of Resolution and authorization to initiate condemnation proceedings for Kennedy Boulevard (Forest City Rd to

Wymore Rd). District 2. (Real Estate Management Division)

18. [18-992](#) Approval of Real Estate Purchase Agreement, Special Warranty Deed, and Temporary Construction Easement between The Greater Orlando Aviation Authority, the City of Orlando, and Orange County, approval and execution of Subordination of Utility Interests from Duke Energy Florida, LLC to Orange County, and authorization to disburse funds to pay purchase price and closing costs and perform all actions necessary and incidental to closing for Boggy Creek Rd (Osceola Cnty line to 600' N. of Central Fl Greenway SR 417). District 4. (Real Estate Management Division)
19. [18-993](#) Approval of Real Estate Sale Agreement and Limited Warranty Deed between Bellsouth Telecommunications, LLC and Orange County, approval and execution of Temporary Construction Easement between Bellsouth Telecommunications, LLC and Orange County, and authorization to disburse funds to pay purchase price and recording fees and record instruments for Texas Avenue RCA (Oak Ridge Rd to Holden Ave.). District 6. (Real Estate Management Division)
20. [18-994](#) Approval of Special Warranty Deed from The School Board of Orange County, Florida to Orange County and authorization to perform all actions necessary and incidental to closing for Village F (Seidel Road) RAC. District 1. (Real Estate Management Division)

(This item was deferred.)

21. [18-995](#) Approval of Utility Easement from Core Orlando Colonial LLC to Orange County and Subordination of Encumbrances to Property Rights to Orange County from Cadence Bank, N.A. and authorization to record instruments for College Suites at Woodbury PD College Suites Permit #B16900810 OCU File #76506. District 5. (Real Estate Management Division)

D. COMMUNITY, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

1. [18-996](#) 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. Districts 1, 2, 3, 5, and 6. (Code Enforcement Division)

LC 18-0479	LC 18-0424	LC 18-0425	LC 18-0427	LC 18-0435
LC 18-0474	LC 18-0494	LC 18-0450	LC 18-0429	LC 18-0438
LC 18-0475	LC 18-0510	LC 18-0495	LC 18-0432	LC 18-0439
LC 18-0186	LC 18-0420	LC 18-0403	LC 18-0434	LC 18-0441

2. [18-997](#) Approval of 2018-2019 One-Year Action Plan and approval and execution of: 1) Application for Federal Assistance SF-424 for Community

Development Block Grant (CDBG)/Entitlement Grants, 2) Application for Federal Assistance SF-424 for HOME Investment Partnership Program/Entitlement Grant, 3) Application for Federal Assistance SF-424 for Emergency Solutions Grant (ESG Program), 4) Assurances-Construction Programs (for each grant), 5) Certifications, 6) Specific Community Development Block Grant Certifications, 7) Specific HOME Certifications, and 8) Emergency Solutions Grant Certifications. All Districts. (Housing and Community Development Division)

3. [18-998](#) Approval and execution of Proportionate Share Agreement for Regions Bank (Windermere) Reams Road: From Floridian Place to Taborfield Avenue Winter Garden-Vineland Road: From Sunset Boulevard to Silverlake Park Drive Winter Garden-Vineland Road: From Reams Road to Chase Road by and between Professional Resource Development, Inc. and Orange County for a proportionate share payment in the amount of \$205,296. District 1. (Roadway Agreement Committee)
4. [18-999](#) Approval and execution of Proportionate Share Agreement for CubeSmart Sand Lake Sand Lake Road: From Dr. Phillips Boulevard to Turkey Lake Road Turkey Lake Road: From Sand Lake Commons Boulevard to Sand Lake Road by and between Martni Mac Partners Sand Lake, LLC and Orange County for a proportionate share payment in the amount of \$45,160. District 1. (Roadway Agreement Committee)

E. CONVENTION CENTER DEPARTMENT

1. [18-1000](#) Approval and execution of 2018-2019 Fiscal Year Funding Agreement by and between Orange County and the International Drive Master Transit and Improvement District.

F. FAMILY SERVICES DEPARTMENT

1. [18-1001](#) Approval and execution of Right of Entry and Hold Harmless Agreement by and between Noormohamed Akbar and Orange County and authorize staff to fund the repairs to the damaged wall at Hiawassa Highlands Neighborhood Association (\$80,000). District 6. (Neighborhood Preservation and Revitalization Office)

G. FIRE RESCUE DEPARTMENT

1. [18-1002](#) Approval and execution of Affiliation Agreement between Seminole State College of Florida and Orange County, Florida. (Operations Division)
2. [18-1003](#) Approval and execution of State-Funded Grant Agreement Base Grant Contract Number: 19-BG-XX by the State of Florida, Division of Emergency Management and Orange County for Fiscal Year 2018-2019 in the amount of \$115,806. There is no match required. (Office of Emergency

Management)

3. [18-1004](#) Approval and execution of Federally-Funded Subaward and Grant Agreement Contract Number: 19-FG-XX-06-58-01-XXX, by the State of Florida, Division of Emergency Management and Orange County for Fiscal Year 2018-2019 in the amount of \$239,163. A match in the amount of \$239,163 is required. (Office of Emergency Management)

H. HEALTH SERVICES DEPARTMENT

1. [18-1005](#) Approval and execution of the renewal Paratransit Services License for Med/Ex Transportation, Inc. to provide wheelchair/stretchers service. The term of this license is from August 1, 2018 through August 1, 2020. There is no cost to the County. (EMS Office of the Medical Director)
2. [18-1006](#) Approval and execution of the Paratransit Services License for Crown Medical Transport, LLC to provide wheelchair/stretchers service. The term of this license is from August 1, 2018 through August 1, 2020. There is no cost to the County. (EMS Office of the Medical Director)
3. [18-1007](#) Approval and execution of the Paratransit Services License for G8D, LLC to provide wheelchair/stretchers service. The term of this license is from August 1, 2018 through August 1, 2020. There is no cost to the County. (EMS Office of the Medical Director)
4. [18-1008](#) Approval and execution of the renewal Paratransit Services License for Florida Global Transportation Inc. to provide wheelchair/stretchers service. The term of this license is from August 1, 2018 through August 1, 2020. There is no cost to the County. (EMS Office of the Medical Director)
5. [18-1009](#) Approval and execution of the U.S. Department of Justice Office of Justice Programs, Bureau of Justice Assistance, FY17 Edward Byrne Memorial Justice Assistance Grant (JAG) Program- Local Solicitation Project Number 2017-DJ-BX-0933 in the amount of \$394,335 for the period of October 1, 2016 through September 30, 2020. No match is required. (Office for a Drug Free Community)

I. PUBLIC WORKS DEPARTMENT

1. [18-1010](#) Approval of Traffic signals installation on New Independence Parkway at the SR 429 interchange ramp terminal intersections. District 1. (Traffic Engineering Division)
2. [18-1011](#) Approval of "No Parking" Zone installation at the intersection of White Isle Lane and Econ Landing Boulevard extending 100 feet north on the east side of White Isle Lane and 100 feet north on the west side of Econ Landing Boulevard. District 3. (Traffic Engineering Division)

3. [18-1012](#) Approval of Traffic Control Devices and “No Parking” signs installation in Creekstone Phase 2. District 4. (Traffic Engineering Division)
4. [18-1013](#) Approval to install a “Stop” sign on Summergreene Drive at Stonebrook Place. District 4. (Traffic Engineering Division)

J. UTILITIES DEPARTMENT

1. [18-1014](#) Approval of Irrevocable Standby Letter of Credit 70003233 and Amendment to Irrevocable Standby Letter of Credit 70003233 from SunTrust Bank on behalf of UniFirst Corporation in favor of Orange County in the amount of \$330,637.32 for the required security to guarantee compliance with the terms of the UniFirst Corporation Water and Wastewater Flow Monitoring Agreement. District 4. (Engineering Division)
2. [18-1015](#) Approval and execution of UniFirst Corporation Water and Wastewater Flow Monitoring Agreement by and between UniFirst Corporation and Orange County for an initial 10-year period to monitor water usage and wastewater discharges from the facility. District 4. (Engineering Division)
3. [18-1016](#) Approval and execution of Release of All Claims and Settlement Agreement between 4 TON, LLC and Orange County; approval of Contract for Sale and Purchase between 4 TON, LLC and Orange County and Warranty Deed; and authorization to execute necessary documents and to fulfill terms of Release of All Claims and Settlement Agreement and Contract for Sale and Purchase and to disburse funds to pay purchase price and closing costs and perform all actions necessary and incidental to closing. District 1.
4. [18-1017](#) Approval and execution of Reimbursement Agreement between The City of Orlando and Orange County regarding the purchase of 3814 Winderlakes Drive Property by and between City of Orlando, Florida and Orange County. District 1.

II. INFORMATIONAL ITEMS**

A. COUNTY COMPTROLLER

1. [18-1018](#) Receipt of the following items to file for the record: (Clerk's Office)
 - a. Orange County, Florida Citizens Annual Financial Report For The Year Ended September 30, 2017.
 - b. City of Ocoee Ordinance No. 2018-022, with Exhibit A (Metes and Bounds Legal Description) and Exhibit B (Location Map). Ordinance No. 2018-022 (Annexation Ordinance for Strawder Property - Cauley Road), Tax Parcel ID: 32-21-28-0000-00-014; Case No. AX-01-18-70: Strawder

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 5.28 acres located on the east side of Ocoee Apopka Road; 673 feet east of the terminus of Cauley Road; pursuant to the application submitted by the property owner, finding said annexation to be consistent with the Ocoee Comprehensive Plan, the Ocoee City Code, and the Joint Planning Area Agreement; 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.

c. City of Ocoee Ordinance No. 2018-025, with Exhibit A (Legal Description), and Exhibit B (Location Map). Ordinance No. 2018-025 (Annexation Ordinance for 901 E Crown Point Road PUD), Tax Parcel ID: 12-22-27-0000-00-081; Case No. AX-03-18-71: 901 E Crown Point Road PUD. An Ordinance of the City of Ocoee, Florida; annexing into the corporate limits of the City of Ocoee, Florida, certain real property containing approximately +/-2.4 acres located on the east side of E Crown Point Road and 560 feet north of the intersection of Crown Point Cross Road and E Crown Point Road, pursuant to the application submitted by the property owner; finding said annexation to be consistent with the Ocoee Comprehensive Plan, the Ocoee City Code, and the Joint Planning Area Agreement; 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. Florida Public Service Commission Consummating Order. In re: Application for limited proceeding rate increase in Orange County by Pluris Wedgefield, Inc.

e. Audit Report No. 471 - Audit of Orange County's Participation in the Qualified Target Industry Program.

This item was received and filed.

III. WORK SESSION AGENDA

A. COMMUNITY, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

1. [18-1019](#) Acceptance of Regional Affordable Housing Initiative Executive Summary Report May 2018. (Planning Division)

A motion was made by Commissioner Clarke, seconded by Commissioner VanderLey, to accept the Regional Affordable Housing Framework; further, direct staff to coordinate with the regional partners, the development community and stakeholders towards achieving the Regional Affordable Housing Initiative Mission and Shared Goals; and further, direct staff to move forward

with local implementation strategies. The motion carried by the following vote:

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

IV. DISCUSSION AGENDA

A. ADMINISTRATIVE SERVICES DEPARTMENT

1. [18-1020](#) Selection of one firm and two ranked alternates to provide Development and Administration of Promotional Assessment Process (Fire Rescue), Request for Proposals Y18-1051-TJ, from the following three firms, listed alphabetically:

- Emergency Services Consulting International
- Industrial/Organizational Solutions, Inc.
- Morris & McDaniel, Inc.

([Office of Accountability Human Resources Division] Procurement Division)

A motion was made by Commissioner Bonilla, seconded by Commissioner Siplin, to appoint Emergency Services Consulting International, 417.68 points, as the selected firm; and further, appoint Industrial/Organizational Solutions, Inc., 360.83 points, and Morris & McDaniel, Inc., 359.92 points, as the selected ranked alternates. The motion carried by the following vote:

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

B. PUBLIC WORKS DEPARTMENT

1. [18-1021](#) Approval and execution of Joint Participation Agreement between Orange County and Osceola County for contemplated improvements at Ward Road and Simpson Road. District 4. (Traffic Engineering Division)

A motion was made by Commissioner Thompson, seconded by Commissioner Clarke, to approve and execute the Joint Participation Agreement between Orange County and Osceola County for contemplated intersection improvements at Ward Road and Simpson Road. The motion carried by the following vote:

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

Presentation

Employee Service Awards to: Yolanda C. Triplett, (20), Building Safety, Community, Environmental and Development Services; Noel Todd Krause, (30), Event Operations, Sandra L. Dailey, (25), Security, Convention Center; Brenda C. Singletary, (30), Community Corrections, Noemi Perez Pacheco (30), In-Custody Support Services, Corrections; Cheryl J. Gillespie, (20), Agenda Development, County Administration; Elizabeth R. Stone, (20), Fire Operations, John C. Goodness, Jr., (20), Fire Operations, Fire Rescue

V. RECOMMENDATIONS

1. [18-1022](#) July 5, 2018 Board of Zoning Adjustment Recommendations

County staff modified the Board of Zoning Adjustment Recommendation for Case # SE-18-06-062 to reflect approval of Request #1 and # 2 with conditions and denial of Request # 3.

A motion was made by Commissioner Clarke, seconded by Commissioner VanderLey, to approve the recommendations; and further, accept the modification to Case # SE-18-06-062; subject to the usual right of appeal by any aggrieved party. The motion carried by the following vote:

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

VI. PUBLIC HEARINGS

1. [18-845](#) Petition to Vacate

Julie Salvo, on behalf of Orange County Public Schools, Petition to Vacate # 16-09-024, portion of an unnamed, opened and improved right-of-way; District 1

Consideration: Resolution granting Petition to Vacate # 16-09-024, vacating a portion of an unnamed, opened and improved 80 foot wide right-of-way containing 1.74 acres.

Location: District 1; The parcels are unaddressed; S08/T24/R27; Orange County, Florida (legal property description on file)

County staff indicated the Real Estate Management, Engineering, Transportation and Planning, Roads and Drainage and Environmental Protection Divisions have consented to the request. The Development Engineering Division also consented subject to an "Access Easement Agreement" from Orange County Public Schools to Lake Reedy, L.L.C., a "First Amendment to Memorandum of Lease and Access and Utility Easement" from Orange County Public Schools to T-Mobile South LLC, and a "First Amendment to Easement Agreement" from Orange County Public Schools to the State of Florida Department of Transportation. All easements have been executed and will be recorded subsequent to the vacation approval. All utility providers have also consented.

The following person addressed the Board: Julie Salvo.

A motion was made by Commissioner VanderLey, seconded by Commissioner Clarke, to approve the request, subject to the recordation of easements. The motion carried by the following vote:

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

and

I. CONSENT AGENDA (Deferred)

C. ADMINISTRATIVE SERVICES DEPARTMENT

20. [18-994](#) Approval of Special Warranty Deed from The School Board of Orange County, Florida to Orange County and authorization to perform all actions necessary and incidental to closing for Village F (Seidel Road) RAC. District 1. (Real Estate Management Division)

A motion was made by Commissioner VanderLey, seconded by Commissioner Love, to approve the Special Warranty Deed from The School Board of Orange County, Florida to Orange County; and further, authorize to perform all actions necessary and incidental to closing for Village F (Seidel Road) RAC. The motion carried by the following vote:

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

VI. PUBLIC HEARINGS

2. [18-910](#) Shoreline Alteration/Dredge and Fill

Winderlease LLC., Pocket Canal, permit, SADF # 18-04-011; District 1

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit SADF # 18-04-011 to construct a new seawall, pursuant to Orange County Code, Chapter 33, Article IV. Windermere Water and Navigation Control District; Section 33-129(d)

Location: District 1; on property located adjacent to Pocket Canal, located on the shoreline at 10340 Pocket Lane; Orange County, Florida (legal property description on file in Environmental Protection Division)

A motion was made by Commissioner VanderLey, seconded by Commissioner Thompson, to approve the Shoreline Alteration/Dredge and Fill Permit (SADF-18-04-011) subject to the conditions of approval listed in the Staff Report. The motion carried by the following vote:

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

3. [18-912](#) Shoreline Alteration/Dredge and Fill

Frank Wichowski, Lake Irma, permit, SADF # 18-05-012; District 5

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit SADF # 18-05-012 to construct a replacement seawall in front of an existing seawall, pursuant to Orange County Code, Chapter 15, Article VI, Pumping and Dredging Control.

Location: District 5; on property located adjacent to Lake Irma, located at 3501 TCU Boulevard; Orange County, Florida (legal property description on file in Environmental Protection Division)

A motion was made by Commissioner Bonilla, seconded by Commissioner Thompson, to approve the Shoreline Alteration/Dredge and Fill Permit (SADF-18-05-012) subject to the conditions of approval listed in the Staff Report. The motion carried by the following vote:

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

4. [18-841](#) Environmental Protection Commission Appeal

Peter and Kari Fleck, 10828 Wonder Lane, appeal of the Environmental Protection Commission (EPC) recommendation of approval of a request to Section 15-349(b) for variance to the side setback distance for the Goldman Boat Dock permit application (BD-17-12-137); District 1

Consideration: Appeal of the decision of the Environmental Protection Commission (EPC) recommendation of approval of a request for variance to side setback distance for boat dock application (BD-17-12-137) from the required 10-foot minimum setback to zero (0) feet on the eastern projected property line and to six (6) feet on the western projected property line

Location: District 1; property generally located at 10828 Wonder Lane, Windermere; Lake Down; Orange County, Florida (legal property description on file in Environmental Protection Division)

The following persons addressed the Board:

- Peter Fleck
- Sheila Cichra
- Brad Geiss (phonetic)

The following material was presented to the Board prior to the close of the public hearing: Exhibit 1, Brad Geiss.

A motion was made by Commissioner VanderLey, seconded by Commissioner Love, to modify the recommendation of the Environmental Protection Commission and allow for a six (6) foot setback on the eastern projected property line; and further, uphold the recommendation of the Environmental Protection Commission for a six (6) foot setback on the western projected property line. The motion carried by the following vote:

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

Nay: 1 - Commissioner Bonilla

5. [18-844](#) Board of Zoning Adjustment Appeal

Mohammad Ali, Case # VA-18-06-060, June 7, 2018; District 1

Consideration: Appeal of the recommendation of the Board of Zoning Adjustment on a request by appellant for a variance in the R-CE zoning district to allow a chicken coop 12 ft. from the property line in lieu of 30 ft.

Location: District 1; property generally located West S. Apopka Vineland Rd., East of Kilgore Rd.; Orange County, Florida (legal property description on file in Zoning Division)

The following persons addressed the Board:

- Mohammad Afzal
- Mohammad Ali

The following material was presented to the Board prior to the close of the public hearing: Exhibit 1, Mohammad Ali.

A motion was made by Commissioner VanderLey, seconded by Commissioner Love, to continue the public hearing until September 18, 2018, at 2 p.m. The motion carried by the following vote:

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

6. [18-846](#) Development Plan

Jay Jackson, Kimley-Horn & Associates, Inc., Vineland Pointe Planned Development / Vineland Pointe Apartments Development Plan - Case # DP-17-12-387; District 1

Consideration: Vineland Pointe Planned Development / Vineland Pointe Apartments Development Plan, Case # DP-17-12-387, submitted in accordance with Section 34-69 Orange County Code (Subdivision Regulations); and Orange County Code, Chapter 30, Article III, Section 30-89 and Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207; This Development Plan is a request to construct 567 multi-family residential dwelling units on a total of 33.93 acres.

Location: District 1; property generally located North of Lake Street / East of Daryl Carter Parkway; 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 Clarke, 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 Jacobs, Commissioner Love, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, and Commissioner Siplin

Absent: 1 - Commissioner Bonilla

7. [18-914](#) Substantial Change

Linda Dodge, Orlando Executive Park, LLC., The Home Depot at Lee Road and I-4 Preliminary Subdivision Plan (PSP), Case # CDR-18-01-006,

amend plan; District 2 (Continued from July 31, 2018)

Consideration: This Preliminary Subdivision Plan (PSP) substantial change is a request to remove the September 18, 2001, BCC Condition of Approval #3, which among other things required the existing billboard to be removed at the termination of the lease agreement (July 13, 2013), with no lease options permitted; pursuant to Orange County Code, Sections 34-69 and 30-89.

Location: District 2, property generally located north of Lee Road/ West of Interstate 4; Orange County, Florida (legal property description in Planning Division)

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

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

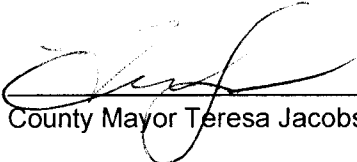
Absent: 1 - Commissioner Bonilla

√ **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.**

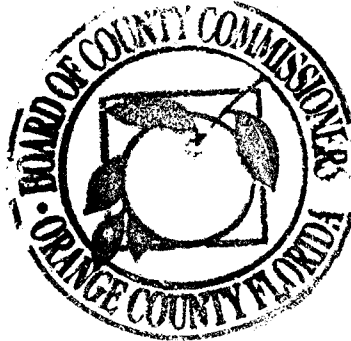
Information regarding meetings held at the County Administration Building between any member of the Board and an outside party may be obtained at <http://www.orangecountyfl.net/visitors/reports/MeetingsReportPage.asp>.

ADJOURNMENT: 3:23 p.m.

ATTEST:



County Mayor Teresa Jacobs
Date: SEP 11 2018



ATTEST SIGNATURE:

Phil Diamond

County Comptroller as Clerk



Katie Smith
Deputy Clerk

* * *

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

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

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

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

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