

BCC Mtg. Date: Aug. 29, 2017

Orange County Government

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



Final BCC Meeting Minutes

Tuesday, August 1, 2017

9:00 AM

County Commission Chambers

Board of County Commissioners

Call to Order

Vice Mayor Siplin called the meeting to order at 9:04 a.m.

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

Others Present:

Chief Deputy Comptroller Margaret McGarrity
County Administrator Ajit Lalchandani
County Attorney Jeffrey J. Newton
Deputy County Attorney Joel Prinsell
Deputy Clerk Katie Smith
Senior Minutes Coordinator Noelia Perez
Senior Minutes Coordinator Craig Stopyra

Invocation

Reverend Cynthia Alice Anderson, Christ Church Unity

Pledge of Allegiance**Recognition**

County Mayor Jacobs recognized Lori Cuniff, Deputy Director, Community, Environmental and Development Services, for her fifteen (15) years of County service.

Public Comment

No one addressed the Board for public comment.

I. CONSENT AGENDA

Approval of the Consent Agenda

The Mayor deferred action on Community, Environmental and Development Services Item 4; and further, a motion was made by Commissioner Clarke, seconded by Commissioner Thompson, to approve the balance of the Consent Agenda. The motion carried by the following vote:

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

A. COUNTY COMPTROLLER

1. [17-991](#) Approval of the minutes of the June 20, 2017 meeting of the Board of County Commissioners. (Clerk's Office)
2. [17-992](#) 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 14, 2017, to July 20, 2017; \$29,103,894.86
- July 21, 2017, to July 27, 2017; \$39,235,787.60.

(Finance/Accounting)

3. [17-993](#) Disposition of Tangible Personal Property as follows: (Property Accounting)
- a. Scrap assets.
 - b. Transfer assets to agencies that support the Ryan White Program.
 - c. Donate assets to Victim Service Center of Central Florida.

B. COUNTY ADMINISTRATOR

1. [17-994](#) Approval and execution of Resolution 2017-B-05 for the issuance of Multi Family Housing Mortgage Revenue Bonds to finance the acquisition and rehabilitation of Lake Weston Point Apartments, a proposed development in unincorporated Orange County, Florida, District 2, in an amount not to exceed \$20,000,000. (Housing and Finance Authority)
2. [17-995](#) Approval and execution of Memorandum of Understanding Orange County Intergovernmental Radio System Encryption Key by and between the Orange County Sheriff's Office, the City of Apopka, the City of Belle Isle, the Town of Eatonville, the City of Edgewood, the City of Maitland, the Town of Oakland, the City of Ocoee, the City of Orlando, the University of Central Florida, the Town of Windermere, the City of Winter Garden, the City of Winter Park, Orange County Government, and Orange County School Police for public safety radios operating on the Orange County Intergovernmental Radio System. (Information Systems and Services Division)

C. COUNTY ATTORNEY

1. [17-996](#) Approval and execution of Sixth Addendum to 2007 Tourism Promotion Agreement between Orange County, Florida and Orlando/Orange County Convention & Visitors Bureau, Inc.

D. ADMINISTRATIVE SERVICES DEPARTMENT

1. [17-997](#) Approval to award Invitation for Bids Y17-1099-RM, Roadbase, Asphalt, Curb, Gutter and Miscellaneous Concrete Repairs, to the low responsive and responsible bidders, Stage Door II, Inc. in the estimated annual contract award amount of \$1,070,200 and RMS Constructors Group, LLC, in the estimated annual contract award amount of \$1,068,100. ([Public Works Department Roads and Drainage Division] Procurement Division)
2. [17-998](#) Approval to award Invitation for Bids Y17-1103-LC, Galvanized Steel Sign

- Posts and Related Items, to the low responsive and responsible bidder, Allied Tube and Conduit Corporation. The estimated contract award amount is \$200,103 for a 1-year term. ([Public Works Department Traffic Engineering Division] Procurement Division)
3. [17-999](#) Approval to award Invitation for Bids Y17-742-EB, Eagles Roost Fishing Pier Shade Structure, to the low responsive and responsible bidder, E.O. Koch Construction Co. The total contract award amount is \$117,825. ([Administrative Services Department Capital Projects Division] Procurement Division)
4. [17-1000](#) Approval to award Invitation for Bids Y17-769-TA, Orange County Convention Center West Building Roof Replacement, to the low responsive and responsible bidder, CORE Construction Services of Florida, LLC. The total contract award amount is \$13,672,000. ([Convention Center Capital Planning and Building Systems Division] Procurement Division)
5. [17-1001](#) Approval of Amendment No. 2, Contract Y15-1093B, Heavy Equipment Parts & Labor with Flagler Construction Equipment, LLC in the estimated amount of \$30,000, for a revised total estimated contract amount of \$296,450. ([Utilities Department Solid Waste Division] Procurement Division)
6. [17-1002](#) Approval of Amendment No. 3, Contract Y15-1143, Street Sweeping Services for EPD Lake Management with USA Services of Florida, Inc. in the estimated amount of \$50,000, for a revised total estimated contract amount of \$223,232. ([Community, Environmental and Development Services Department Environmental Protection Division] Procurement Division)
7. [17-1003](#) Approval of Purchase Order M85590, Motorola MCC 7100 Dispatch Console Communications System with Motorola Solutions Inc. in the amount of \$224,843. ([Fire Rescue Department Communications Division] Procurement Division)
8. [17-1004](#) Selection of Amec Foster Wheeler Environment & Infrastructure, Inc., Dewberry Engineers, Inc., and Southeastern Surveying and Mapping Corporation to provide Continuing Professional Surveying and Mapping Services, Request for Proposals Y17-905-CH. ([Public Works Department Engineering Division] Procurement Division)
9. [17-1005](#) Approval of Amendment No. 3, Contracts Y15-144A, B and C, Residential Solid Waste and Recyclable Collection Services with Contract Y15-144A, Advanced Disposal Services Solid Waste Southeast in the amount of \$6,391,292.16 for Zone 1 and \$6,623,479.68 for Zone 3; Contract Y15-144B, Waste Pro of Florida, Inc. in the amount of \$5,881,075.20 for

Zone 2; and Contract Y15-144C with Fomento de Construcciones for Y Contratas, Inc. in the amount of \$3,824,599.68 for Zone 4 and \$4,081.968 for Zone 5. ([Utilities Department solid Waste Division] Procurement Division)

10. [17-1006](#) Approval of Purchase Agreement and Temporary Construction Easement between Hanging Moss Investors, LLC and Orange County and authorization to disburse funds to pay purchase price and recording fees and record instrument for East-West Road (S.R. 436 to Dean Road) n/k/a Richard Crotty Parkway. District 5. (Real Estate Management Division)
11. [17-1007](#) Approval of Conservation and Access Easement from Compass Trading Company, LLC to Orange County and authorization to record instrument for Moss Park - Conservation Area Impact Permit #CAI-13-09-022 (Parcel M). District 4. (Real Estate Management Division)
12. [17-1008](#) Approval of Conservation and Access Easement from Lennar Homes, LLC, to Orange County and authorization to record instrument for Moss Park - Conservation Area Impact Permit #CAI-13-09-022 (Parcel O). District 4. (Real Estate Management Division)
13. [17-1009](#) Approval of Utility Easement from East Colonial Autobody & Paint, Inc. to Orange County and Subordination of Encumbrances to Property Rights to Orange County from Reunion Bank of Florida and authorization to record instruments for East Colonial Autobody & Paint Addition, Permit: #B16900661 OCU File #: 84626. District 4. (Real Estate Management Division)
14. [17-1010](#) Approval of Utility Easement from Spring Isle C, LLC and Spring Isle D, LLC to Orange County and Subordination of Encumbrance to Property Rights to Orange County from Jeffry B. Fuqua and authorization to record instruments for Spring Isle PD Permit: CDR-15-01-028 OCU File #: 43885. District 4. (Real Estate Management Division)
15. [17-1011](#) Approval of Drainage Easement from Crews Commerce Venture, LLC with Joinder of Mortgagee to Drainage Easement from Regions Bank to Orange County and authorization to record instrument for Crews Commerce Center. District 4. (Real Estate Management Division)

E. COMMUNITY, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

1. [17-1012](#) 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 17-0566 LC 17-0619 LC 17-0578 LC 17-0585 LC 17-0605
 LC 17-0612 LC 17-0596 LC 17-0537 LC 17-0589 LC 17-0606
 LC 17-0601 LC 17-0530 LC 17-0554 LC 17-0600 LC 17-0609
 LC 17-0638 LC 17-0569 LC 17-0576 LC 17-0604 LC 17-0616

2. [17-1013](#) Approval and execution of Resolutions of the Orange County Board of County Commissioners regarding Claim of Special Assessment Liens Pursuant to Section 9-278 of the Orange County Code, Property Maintenance, and approval to file Claim of Special Assessment Liens by Resolution for unsafe structures demolished by Orange County. District 6. (Code Enforcement Division)

<u>Case No.</u>	<u>Dist.#</u>	<u>Property Owner</u>	<u>Amount</u>
A 16-0106	6	Thomas Antonia, Antoine Ricat	\$10,973.00
A 16-0107	6	Tymber Skan on the Lake Owners Assn Section One Inc	\$10,973.00
A 16-0108	6	Tymber Skan on the Lake Owners Assn Sec One Inc	\$10,972.99
A 16-0109	6	Canelo Paula, Torres Sergio M	\$10,973.01

3. [17-1014](#) Approval of 2017-2018 One-Year Action Plan and approval and execution of (1) Applications for Federal Assistance SF-424, (2) Certifications, (3) Specific Community Development Block Grant Certifications, (4) Specific HOME Certifications, and (5) Emergency Solutions Grants Certifications. All Districts. (Housing and Community Development Division)

F. FAMILY SERVICES DEPARTMENT

1. [17-1016](#) Approval and execution of Low-Income Home Energy Assistance Program Vendor Agreement by and between Orange County, Florida and Orlando Utilities Commission. The term of the agreement is from April 1, 2017 through March 31, 2018 with four automatic one-year renewals. (Community Action Division)
2. [17-1017](#) Acceptance of University of Florida's appointment of Melinda H. Souers as Orange County Extension Agent II, 4-H Youth Development. All Districts. (Cooperative Extension)
3. [17-1018](#) Approval and execution of Lease Agreement between Frontline Outreach and Orange County, Florida for the operation of the Head Start Program. Head Start grant funds will be used to pay \$10,214.17 for rent, including the cost of utilities, maintenance, and janitorial services. There is no cost to the County. The lease will terminate on June 30, 2022. (Head Start Division)

G. FIRE RESCUE DEPARTMENT

1. [17-1019](#) Approval and execution of State-Funded Grant Agreement Base Grant

Contract Number: 18-BG-XX by the State of Florida, Division of Emergency Management and Orange County for Fiscal Year 2017-2018 in the amount of \$115,806. There is no match required.

2. [17-1020](#) Approval and execution of Federally-Funded Subaward and Grant Agreement Contract Number: 18-FG-_-06-58-01-_ by the State of Florida, Division of Emergency Management and Orange County for Fiscal Year 2017-2018 in the amount of \$234,405. A match in the amount of \$234,405 is required.

H. HEALTH SERVICES DEPARTMENT

1. [17-1021](#) 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, 2017 through August 1, 2019. There is no cost to the County. (EMS Office of the Medical Director)
2. [17-1022](#) Approval and execution of the Paratransit Services License for Faithful Mobility Transport, LLC to provide wheelchair/stretchers service. The term of this license is from August 1, 2017 through August 1, 2019. There is no cost to the County. (EMS Office of the Medical Director)
3. [17-1023](#) Approval and execution of (1) Antiterrorism and Emergency Assistance Program Grant (Grant Period 06/12/2016 to 09/30/2018) Agreement between the State of Florida Department of Legal Affairs Office of the Attorney General and Orange County Grant No. Z0003 in the amount of \$1,275,306.75; (2) Victims of Crime Act (VOCA) Section 539, Consolidated and Further Continuing Appropriations Act, 2013, Special Conditions Certification Form; (3) Certification Form Compliance with the Equal Employment Opportunity Plan (EEOP) Requirements; (4) Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion Lower Tier Covered transactions (Sub-Recipient); and (5) Related Parties Questionnaire; and approval for the County Mayor or designee to approve any budget changes through September 30, 2018. (Mental Health & Homeless Issues Division) (Mental Health & Homelessness Issues Division)

I. PUBLIC WORKS DEPARTMENT

1. [17-1024](#) Approval and execution of (1) Resolution 2017-M-25 of the Orange County Board of County Commissioners regarding Authorization to convey certain County property to Fisher Plantation Homeowners Association, Inc. regarding the transfer of Retention Pond Tract A PID 31-20-28-2833-00-001; (2) Storm Water Tract Maintenance Agreement between the Fisher Plantation Homeowner's Association, Inc. and Orange County, Florida; and (3) County Deed for conveyance of the retention pond Tract A PID 31-20-28-2833-00-001 to the Fisher Plantation Homeowners

Association. District 2. (Public Works Administration)

2. [17-1025](#) Approval to install a "No Parking" zone on the east and west sides of N. Apopka Road from Brownell Street extending north 500 feet and in the cul-de-sac at 3070 N. Apopka Boulevard. District 2. (Traffic Engineering Division)
3. [17-1026](#) Approval to install an All-Way "Stop" condition at the intersection of Tanja King Boulevard and Honey Locust Drive/Peppervine Drive. District 4. (Traffic Engineering Division)
4. [17-1027](#) Approval of Traffic Control Devices and installations in Rio Pinar Woods. District 3. (Traffic Engineering Division)
5. [17-1028](#) Approval to construct speed humps on Groveoak Drive. District 2. (Traffic Engineering Division)
6. [17-1029](#) Approval to construct speed humps on Jason Street. District 3. (Traffic Engineering Division)
7. [17-1030](#) Approval to construct speed humps on Barber Road. District 6. (Traffic Engineering Division)
8. [17-1031](#) Approval and execution of Third Amendment to the Homeowner's Association Agreement for Orchard Hills Subdivision Traffic Control Devices by Orchard Hills Homeowners' Association, Inc. and Orange County, Florida that provides for the Association to maintain decorative street name and traffic control signposts. District 1. (Traffic Engineering Division)
9. [17-1032](#) Approval to install a "No Parking" zone on Highridge Court from Tyler Lake Circle extending 175 feet south on the west side. District 3. (Traffic Engineering Division)
10. [17-1033](#) Approval to install a "No Parking" zone on Bluebird Park Road in the curve east of Segari Way on the south and east sides. District 1. (Traffic Engineering Division)
11. [17-1034](#) Approval and execution of License Agreement For Potable Water Line by and between Orange County and the City of Apopka. District 2. (Public Administration)
12. [17-1035](#) Approval and execution of Resolution 2017-M-26 of the Orange County Board of County Commissioners regarding affirming its support for designating that portion of State Road 438 between John Young Parkway and Pine Hills Road in Orange County as the "Lieutenant Debra Clayton Memorial Highway," and that portion of County Road 431/Pine Hills Road between Silver Star Road and State Road 50 as "Deputy First Class Norman Lewis Memorial Highway," and for the erection by the Florida

Department of Transportation of suitable markers proclaiming those designations. District 6. (Traffic Engineering Division)

J. UTILITIES DEPARTMENT

1. [17-1036](#) Approval and execution of Landfill Gas Sale and Purchase Agreement between Orange County, Florida (County) and Orlando Utilities Commission (OUC). District 4. (Solid Waste Division)
2. [17-1037](#) Approval and execution of First Renewal of Water Conserv II Lease Agreement by and amongst the City of Orlando, Florida, Orange County, and Orange County FFA Alumni, Inc. to allow Orange County FFA Alumni, Inc. to use approximately 80 acres of Water Conserv II property for hay production. District 1. (Engineering Division)

II. INFORMATIONAL ITEMS**

A. COUNTY COMPTROLLER

1. [17-984](#) Receipt of the following items to file for the record: (Clerk's Office)
 - a. Florida Public Service Commission. In re: Docket No. 160075-WU - Joint application for authority to transfer assets and Certificate No. 623 -W in Orange and Lake Counties from Oak Springs, LLC to Oak Springs MHC, LLC.
 - b. Florida Public Service Commission. In re: Commission Conference Agenda.
 - c. Florida Public Service Commission. In re: Case Management System Upgrade.
 - d. Florida Public Service Commission Consummating Order. In re: Petition for approval of revised customer security deposit tariff sheets, by Florida Power and Light Company.
 - e. Florida Public Service Commission Consummating Order. In re: Petition for approval of revisions to tariff sheet Nos. 4.070 and 4.080, deposit requirements and customer billing, by Duke Energy Florida, LLC.
 - f. City of Orlando Voluntary Annexation Request - 4550 Ponderosa Drive - ANX2017-00003. Notice of Proposed Enactment. Proposed Ordinance 2017-40, entitled: An Ordinance of the City Council of the City of Orlando, Florida, annexing to the corporate limits of the City certain land generally located north of Hoffner Avenue, west of Ponderosa Drive and south of Van Road, and comprised of 0.402 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 Mixed Used Corridor Medium Intensity on the City's Official Future Land Use Maps; designating the property as the Medium Intensity Mixed Used Corridor District with the aircraft noise Overlay District on the City's Official Zoning Maps; providing for amendment of the City's Official Future Land Use and Zoning Maps; providing for severability, correction of scrivener's errors, 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.

- g. Reedy Creek Improvement District Resolution Nos. 590 and 591.
- h. Jurisdictional Boundary Map Update in reference to Ordinance No. 2017-26, 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 east of Lake Baldwin Lane, south of Rixey Street, west of Jamajo Boulevard and north of Hargrave Street and comprised of 0.57 acres, more or less; amending the City's adopted Growth Management Plan to designate the property as Residential Low Intensity on the City's official Future Land Use Maps; providing for amendment of the City's official Future Land Use Maps; providing for findings, amendment of the City's boundary description and for the amendment of the City's official maps; providing for severability, correction of scrivener's errors and an effective date.
- i. Jurisdictional Boundary Map Update in reference to Ordinance No. 2017-14, 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, east of Formosa Avenue and north of Crandon Avenue and comprised of 0.242 acres, more or less; providing findings, amendment of the City's boundary description and for the amendment of the City's official maps; providing for severability, correction of scrivener's errors and an effective date.

This item was received and filed.

III. DISCUSSION AGENDA

Adjourn as the Orange County Board of County Commissioners and convene as the Pine Hills Local Government Neighborhood Improvement District Board of Directors

A. FAMILY SERVICES DEPARTMENT

- 1. [17-1038](#) Acceptance of 2016-2017 Pine Hills Neighborhood Improvement District Annual Report and 2017-18 Communications Plan for the Pine Hills

Neighborhood Improvement District. (Neighborhood Preservation and Revitalization Division)

The following person addressed the Board: Michelle Owens.

A motion was made by Commissioner Siplin, seconded by Commissioner Nelson, to accept the Pine Hills Neighborhood Improvement District (NID) 2016-2017 Annual Report and 2017-2018 Communications Plan. The motion carried by the following vote:

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

Adjourn as the Pine Hills Local Government Neighborhood Improvement District Board of Directors and reconvene as the Orange County Board of County Commissioners

B. ADMINISTRATIVE SERVICES DEPARTMENT

1. [17-1039](#) Selection of one firm and an alternate to provide Business Center Services for the Orange County Convention Center, Request for Proposals Y17-1027-DG, on a revenue sharing basis for a 5-year term from the following two firms, listed alphabetically:

- Docubox, Inc. dba The UPS Store
- FedEx Office and Print Services, Inc.

([Convention Center Fiscal and Operations Support Division]
Procurement Division)

A motion was made by Commissioner Bonilla, seconded by Commissioner Thompson, to appoint FedEx Office and Print Services, Inc., 354 points, as the selected firm; and further, appoint Docubox, Inc. dba The UPS Store, 310 points, as the alternate. The motion carried by the following vote:

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

C. COUNTY ADMINISTRATOR

2. [17-1041](#) Employee Attrition. (Human Resources Division)

The Board took no action.

1. [17-1040](#) Orange County United Way Campaign Update. All Districts.

The Board took no action.

D. COUNTY MAYOR

1. [17-1042](#) Open discussion on issues of interest to the Board.

The Board took no action.

IV. RECOMMENDATIONS

1. [17-1043](#) July 6, 2017 Board of Zoning Adjustment Recommendations

A motion was made by Commissioner Clarke, seconded by Commissioner Thompson, to approve the recommendations; subject to the usual right of appeal by any aggrieved party. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bonilla

Announcement

Assistant County Administrator Chris Testerman announced a Brownfield Public Hearing. Brixton Landing Limited and Wellington Park Limited requested the County designate certain properties, that they own, as Brownfield areas. The properties are located at 442 East 13th Street and the northeast corner of North Thompson Road and East 1st Street within unincorporated Orange County. Section 376.80(1)(c)(4)(b) Florida Statutes requires the County to announce the public hearing at its scheduled meeting of the local governing body before the actual public hearing. The first public hearing for both Brownfield area designations will be held at 6:00 p.m., on August 15, 2017, at the John Bridges Community Center located at 445 West 13th Street, Apopka, Florida 32703.

V. PUBLIC HEARINGS

1. [17-970](#) Petition to Vacate

Dennis Abbate, on behalf of Perrihouse Development, LLC., Petition to Vacate # 17-03-014, vacate a right-of-way; District 1

Consideration: Resolution granting Petition to Vacate # 17-03-014, vacating a portion of a 60 ft right-of-way known as Vista Oaks Court, containing approximately 1.497 acres.

Location: District 1; The parcel addresses are: 10304 Vista Oaks Court, 10330 Vista Oaks Court, 10324 Vista Oaks Court, 10336 Vista Oaks Court, 10405 Vista Oaks Court, 10450 Vista Oaks Court, and 10417 Vista Oaks Court, Orlando, Florida 32836; S08/T24/R28; Orange County, Florida (legal property description on file)

County staff announced approval of the request is subject to the two separate utility easements executed and recorded in favor of Spectrum and Century Link prior to recordation of the vacation.

The following person addressed the Board: Tara Tedrow.

A motion was made by Commissioner VanderLey, seconded by Commissioner Nelson, to approve the request subject to the dedication of two utility easements prior to recordation of the

vacation. The motion carried by the following vote:

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

2. [17-969](#) Plat Vacation

Dennis Abbate on behalf of Perrihouse Development, LLC, Petition to Vacate Tract A (Retention) of the Vista Oaks plat; District 1

Consideration: Vista Oaks Plat Vacation Petition to Vacate Tract "A" (Retention) of the Vista Oaks Plat

Location: District 1; The parcel address is 10275 Winter Garden Vineland Road, Orlando, FL 32836; S08/T24/R28; Orange County, Florida (legal property description on file in Development Engineering Division)

Clerk's Note: County staff indicated the request is a Petition to Vacate for the Vista Oaks Plat Vacation Tract "A" retention containing approximately 1.42 acres.

The following person addressed the Board: Tara Tedrow.

A motion was made by Commissioner VanderLey, seconded by Commissioner Nelson, to approve the Vista Oaks Plat Vacation - Tract A (Retention). The motion carried by the following vote:

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

3. [17-856](#) Land Use Plan Amendment

Dennis Seliga, Boyd Development Corporation, Hamlin Planned Development / Unified Neighborhood Plan (PD / UNP), Land Use Plan Amendment Case # LUPA-17-03-086; District 1

Consideration: A Land Use Plan Amendment (LUPA) to expand the Hamlin PD / UNP through the aggregation of the adjacent 53.9-acre Avalon Woods I PD and by establishing new PD Parcel CCM-3b. The associated Hamlin PD/UNP development program is also being updated to reflect an additional 325 residential dwelling units (formerly assigned to the Avalon Woods I PD) and to redistribute 726,100 square feet of previously approved non-residential square footage within PD Parcels CCM-1, CCM-2, CCM-3, and CCM-3b; pursuant to Orange County Code, Chapter 30, Article III, Section 30-89 and Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 1; property generally located east of State Road 429, along both sides of New Independence Parkway; Orange County, Florida (legal property description on file)

The following person addressed the Board: Geoff McNeill.

A motion was made by Commissioner VanderLey, seconded by Commissioner Nelson, 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: 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

4. [17-151](#) Preliminary Subdivision Plan

Marc Stehli, Poulos & Bennett, LLC, Hickory Nut Estates Planned Development / Hickory Nut Estates Preliminary Subdivision Plan, Case # PSP-16-06-222; District 1 (Continued from March 21, 2017, June 20, 2017 and August 1, 2017)

Consideration: Hickory Nut Estates Planned Development / Hickory Nut Estates Preliminary Subdivision Plan, Case # PSP-16-06-222, submitted in accordance with Sections 34-69, 30-89, and 38-181 Orange County Code; This Preliminary Subdivision Plan (PSP) is a request to subdivide 99.9 acres in order to construct forty (40) single-family residential dwelling units. The request also includes the following waiver from Orange County Code: 1. A waiver from Orange County Code Section 38-1384(i)(4) is requested to not require vehicular access to garages or other off street parking surfaces on all lots greater than (50) feet in width that face neighborhood squares and parks be provided from a rear alley easement or from a front driveway where the garages are located at or beyond the rear wall of the primary structure for Lots 17-21.

Location: District 1; property generally located East of the Lake County - Orange County line / South of Old YMCA Road; Orange County, Florida (legal property description on file in Planning Division)

A motion was made by Commissioner VanderLey, seconded by Commissioner Thompson, to continue the public hearing until August 22, 2017, at 2 p.m. The motion carried by the following vote:

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

and

I. CONSENT AGENDA (Deferred)

E. COMMUNITY, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

4. [17-1015](#) Approval and execution of Agreement for Proportionate Share Contribution for Road Mitigation Cost Hickory Nut Estates C.R. 545: From South Leg of Loop Road to Schofield Road also known as Karl Kahlert Parkway by and between Horizon West Investment Group, LLC and Orange County for a proportionate share payment in the amount of \$155,920, the amount of which will then be delivered by the County to the Village H Escrow Agent within 180 days. District 1. (Roadway Agreement Committee)

This item was continued.

V. PUBLIC HEARINGS**5. [17-860](#) Preliminary Subdivision Plan**

Mark Kinchla, Mission Homes, LLC, Old Cheney 10 Preliminary Subdivision Plan (PSP), Case # PSP-16-08-235; District 5

Consideration: Old Cheney 10 Preliminary Subdivision Plan, Case # PSP-16-08-235 submitted in accordance with Sections 34-69 and 30-89, Orange County Code; This request is to subdivide 0.87 acres in order to construct 10 single-family attached residential dwelling units.

Location: District 5; property generally located North of Old Cheney Highway / West of North Semoran Boulevard; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Mark Kinchla.

A motion was made by Commissioner Bonilla, seconded by Commissioner VanderLey, 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 Thompson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

Absent: 1 - Commissioner Nelson

6. [17-932](#) Preliminary Subdivision Plan

Darren Pellegrin, Greenway Park, LLC, Ginn Property Planned Development (PD) / Greenway Park Parcel 4 Preliminary Subdivision Plan, Case # PSP-17-01-019; District 4

Consideration: Ginn Property Planned Development (PD) / Greenway Park Parcel 4 Preliminary Subdivision Plan, Case # PSP-17-01-019, submitted in accordance with Sections 34-69 and 30-89, Orange County Code; This Preliminary Subdivision Plan (PSP) is a request to subdivide 32.1 acres in order to create six (6) commercial lots and an associated conservation tract, to accommodate up to 350 hotel rooms, 5,000 square feet of office and 150,000 square feet of commercial uses. The request also includes the following waiver from Orange County Code:

A waiver from Orange County Code Chapter 34-152(c) is requested to allow access to a landlocked parcel via an ingress / egress easement in lieu of a twenty (20) foot access to a dedicated public paved road.

Location: District 4; property generally located South of SR 417 / West of Boggy Creek Road / North of Lake Nona Boulevard; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Heather Isaacs.

A motion was made by Commissioner Thompson, 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: 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

7. [17-859](#) Shoreline Alteration/Dredge and Fill

Richard P. and Jeanne Varley Richbourg, Lake Holden, permit, District 3

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit to reconstruct a seawall with rip rap on Lake Holden, pursuant to Orange County Code, Chapter 15, Article VI. Pumping and Dredging Control; Section 15-218(d).

Location: District 3; on property located adjacent to Lake Holden, located at 899 W. Lake Holden Point; Orange County, Florida (legal property description on file in Environmental Protection Division)

The following person addressed the Board: Rick Richbourg.

A motion was made by Commissioner Clarke, seconded by Commissioner Thompson, to approve the Shoreline Alteration/Dredge and Fill Permit (SADF-17-05-004) subject to the conditions of approval listed in the Staff Report. The motion carried by the following vote:

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

8. [17-857](#) Substantial Change

Kathy Hattaway, Poulos and Bennett, LLC, Black Lake Parcel Planned Development / Land Use Plan (PD/LUP), Case # CDR-17-03-071, amend plan; District 1

Consideration: A PD Substantial change request to add "Off-Site Employee Parking" as a permitted use within PD Parcel C. In addition, the applicant is requesting the following seven (7) waivers from Orange County Code:

- 1) A waiver from Section 24-4(a)(1) to eliminate the requirement for landscaping for a vehicular use area within seventy-five (75) feet of the roadway;
- 2) A waiver from Section 24-4(a)(2) to eliminate the requirement for landscaping to be installed to screen the vehicular use area from the adjacent properties;
- 3) A waiver from Section 24-4(a)(3) to eliminate the requirement for landscaped areas in interior vehicular use areas;
- 4) A waiver from Section 38-1235(8) to eliminate the requirement for a landscape, tree planting and screening concept plan;
- 5) A waiver from Section 38-1206(b)(9) to eliminate the requirement for a minimum of three (3) percent of all commercial parking areas to be landscaped;
- 6) A waiver from Section 38-1287(4) to allow a zero (0) foot side paving setback, in lieu of the requirement for a 7.5-foot side paving setback; and

7) A waiver from Section 38-1291 to eliminate the tourist commercial development landscaping plan requirements at the construction plan submission stage; pursuant to Orange County Code, Chapter 30, Article III, Section 30-89 and Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207

Location: District 1; property generally located North of West Irlo Bronson Memorial Highway (U.S. 192) and east of State Road 429; Orange County, Florida (legal property description on file)

Modification of Condition of Approval #6:

6. The following waivers from Orange County Code are granted for Parcel C only:

The following person addressed the Board: Kathy Hattaway.

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

A motion was made by Commissioner VanderLey, seconded by Commissioner Nelson, 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, modify Condition of Approval #6. The motion carried by the following vote:

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

9. [17-858](#) Substantial Change

Rick Baldocchi, Avcon, Inc., Thompson Road Planned Development / Land Use Plan (PD/LUP), Case # CDR-17-05-142, amend plan; District 2
(Continued from August 1, 2017)

Consideration: A PD substantial change to grant the following two (2) waivers from Orange County Code to eliminate the requirement to construct a wall or fence between the designated multi-family area of the PD adjacent to (or on the opposite side of a right-of-way from) single-family zoned property:

1. A waiver from Orange County Code Section 38-1258(f) to allow multi-family residential buildings to be located adjacent to single-family residential zoned property without a six foot (6') high masonry, brick, or block wall; in lieu of the requirement that a six foot (6') high masonry, brick, or block wall be constructed between multi-family development that is adjacent to single-family zoned property.

2. A waiver from Orange County Code Section 38-1258(i) to allow multi-family residential buildings to be located across a right-of-way from single-family zoned property without a fence adjacent to the right-of-way, in lieu of the requirement that a fence be placed adjacent to the right-of-way when multi-family development is located across the right-of-way from single-family zoned property; 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 2; property generally located east of N. Thompson Road, approximately 1,300 feet north of E. Semoran Boulevard; Orange County, Florida (legal property description on file)

The following persons addressed the Board:

- Rick Baldocchi
- Filip Edstrom
- Bill Manther
- Francis Andrews
- Kathrein Markle

A motion was made by Commissioner Nelson, seconded by Commissioner VanderLey, to continue the public hearing until August 22, 2017, at 2 p.m. The motion carried by the following vote:

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

10. [17-861](#) Resolution

Designating certain land within unincorporated Orange County as the Pine Castle Urban Center: ROCC (Redeveloping Orange County Communities) and as a Brownfield Area for the purpose of Environmental Remediation, Rehabilitation, and Economic Development

Consideration: DESIGNATING CERTAIN LAND WITHIN UNINCORPORATED ORANGE COUNTY AS THE PINE CASTLE URBAN CENTER: ROCC (REDEVELOPING ORANGE COUNTY COMMUNITIES) AND AS A BROWNFIELD AREA FOR THE PURPOSE OF ENVIRONMENTAL REMEDIATION, REHABILITATION, AND ECONOMIC DEVELOPMENT

A motion was made by Commissioner Clarke, seconded by Commissioner Thompson, to approve Resolution 2017-M-27 of the Orange County Board of County Commissioners regarding designating certain land within unincorporated Orange County as the Pine Castle Urban Center: ROCC (Redeveloping Orange County Communities) and as a Brownfield Area for the purposes of environmental remediation, rehabilitation, and economic development. The motion carried by the following vote:

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

Nay: 1 - Commissioner Nelson

11. [17-933](#) Resolution

Adopting a revised fee structure for solid waste disposal at Orange County disposal facilities; All Districts

Consideration: A RESOLUTION PERTAINING TO SOLID WASTE DISPOSAL; ADOPTING A REVISED FEE SCHEDULE FOR SOLID WASTE DISPOSAL AT COUNTY DISPOSAL FACILITIES; REVISING CERTAIN SOLID WASTE DISPOSAL FEES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Commissioner Nelson, seconded by Commissioner VanderLey, to approve Resolution 2017-M-28, pertaining to solid waste disposal; further, adopt a revised fee schedule for solid waste disposal at County disposal facilities; further, revise certain solid waste disposal fees; further, provide for severability; and further, provide for an effective date of October 1, 2017. The motion carried by the following vote:

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

12. [17-936](#) Ordinance/Comprehensive Plan

Amending Orange County Code, adopting 2017-1 Small-Scale Cycle
Amendment to the 2010-2030 Comprehensive Plan (CP)

Small Scale Development Staff-Initiated Text Amendment

Amendment 2017-1-S-FLUE-3

Text amendment to Future Land Use Element Policy FLU8.1.4 establishing
the maximum densities and intensities for proposed Planned Developments
within Orange County - Countywide

A motion was made by Commissioner VanderLey, seconded by Commissioner Nelson, to make a finding of consistency with the Comprehensive Plan; further, determine that the proposed amendment is in compliance; and further, adopt Small Scale Development Staff-Initiated Text Amendment 2017-1-S-FLUE-3. The motion carried by the following vote:

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

12. [17-937](#) Small Scale Development Ordinance

Amending Orange County Code, adopting 2017-1 Small Scale
Development Amendments to the 2010-2030 Comprehensive Plan (CP),
adopting amendments pursuant to Section 163.3184, F.S.

CONSIDERATION: AN ORDINANCE PERTAINING TO COMPREHENSIVE PLANNING IN ORANGE COUNTY, FLORIDA; AMENDING THE ORANGE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "2010-2030 COMPREHENSIVE PLAN," AS AMENDED, BY ADOPTING SMALL SCALE DEVELOPMENT AMENDMENTS AND RELATED TEXT AMENDMENTS PURSUANT TO SECTION 163.3187, FLORIDA STATUTES; AND PROVIDING EFFECTIVE DATES

A motion was made by Commissioner Clarke, seconded by Commissioner VanderLey, to make a finding of consistency with the Comprehensive Plan; further, determine that the amendments are in compliance; and further, adopt Ordinance 2017-15, consistent with today's actions, approving the proposed Future Land Use Map and Text Amendments. The motion carried by the following vote:

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

Public Comment (Continued)

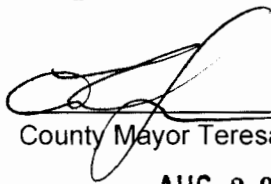
The following person addressed the Board for public comment: State House District 91 Representative Emily Slosberg regarding the issue of texting and driving.

✓ **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: 3:11 p.m.

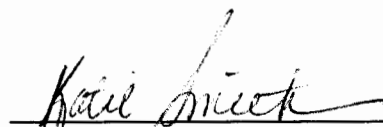
ATTEST:


County Mayor Teresa Jacobs
Date: AUG 29 2017



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.