

BCC Mtg. Date: August 21, 2018

# **Orange County Government**

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



## **Final BCC Meeting Minutes**

**Tuesday, July 17, 2018**

**9:00 AM**

**County Commission Chambers**

**Board of County Commissioners**

**Call to Order**

County Mayor Jacobs called the meeting to order at 9:04 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  
Deputy County Administrator Eric Gassman  
Assistant County Administrator Randy Singh  
Office of Management and Budget Manager Kurt Petersen  
Deputy County Attorney Joel Prinsell  
Deputy Clerk Katie Smith  
Senior Minutes Coordinator Craig Stopyra

**Invocation**

Maria Luisa Cruz, Commissioner's Office

**Pledge of Allegiance****Public Comment**

The following persons addressed the Board for public comment:

- Joe Carter
- Ninth Judicial Circuit Court Judge Fred Lauten
- Cynthia Harris
- Jada Smith
- Derrick McRae
- Michelle Ertel
- Wayne Golding
- Dick Batchelor
- Jacob Stuart
- Sandra Fatmi
- Woomy Michel
- Mandy Michel
- Julien O'Neil
- Trish Martin
- Ken Robinson
- Craig Swygert
- Kathy Booker

- Gail Timmons
- Kelvin Cobaris
- Marlin Daniels
- Frank Thompson

## **BUDGET WORK SESSION**

### **CONSTITUTIONAL OFFICERS**

- [18-929](#) Ninth Judicial Circuit Court Judge Fred Lauten addressed the Board, regarding an update and budget report, during Public Comment.

The Board took no action.

### **FAMILY SERVICES AND CHILDREN SERVICES**

- [18-930](#) Lonnie Bell, Director, Family Services Department, presented an update and budget report.

Randy Singh, Assistant County Administrator, presented an update and budget report on Children's Services and Trust Reports. Board Discussion ensued. Keith Carr, Principal Consultant, Forefront Consulting LLC, contributed to the report. Board Discussion ensued.

The Board took no action.

### **COUNTY ADMINISTRATOR**

- [18-931](#) Board Budget Discussion

County Mayor Jacobs addressed the Board regarding Commissioner's requests.

Commissioner VanderLey requested the Board consider \$182,000 to pay for a restroom facility that will be a part of the Town of Oakland's Arts and History Museum. These restrooms would serve citizens that use the West Orange Trail.

The Board chose to take up the motion to approve the Budget Consent Agenda, Tentative Millages and Countywide Budget before considering individual amendments.

A motion was made by Commissioner Clarke, seconded by Commissioner Thompson, to approve the Budget Consent Agenda items as follows: 1) Approval of the 2019 medical plan design and premium structure and eliminate the benefits 60 day waiting period effective date for newly hired employees on or after January 1, 2019; 2) Approval of fee resolution 2018-M-19 to include updated fire fees to take effect on October 1, 2018; 3) Approval and execution of Resolution 2018-M-20 of the Orange County Board of County Commissioners regarding certain services fees charged by Orange County Parks and Recreation to include the Deputy "Scott" Pine Community Park facility rental fees to take effect on August 1, 2018; 4) Approval of \$8 million transfer from the TDT Convention Center Reserves to the TDT ARC Capital Project;

further, approve the Tentative Millages for Fiscal Year 2018-2019; and further, approve the Tentative Countywide Budget for Fiscal Year 2018-2019, as amended below.

A motion was made by Commissioner VanderLey, seconded by Commissioner Love, to amend the main motion to include \$182,000 for the Town of Oakland for restrooms and their Arts and History Center. The motion carried by the following vote:

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

Commissioner Love requested the Board consider utilizing Invest dollars for the creation of the Adult Training and Children's Service Center.

A motion was made by Commissioner Love, seconded by VanderLey, to amend the main motion to utilize Invest dollars designated for District 2 in the amount of \$479,000 to build an Adult Training and Children's Service Center, contingent upon reaching an agreement with Orange County Public Schools. The motion carried by the following vote:

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

Commissioner Thompson requested the Board consider \$400,000 for the creation of a criminal mental health diversion pilot program, similar to the program established in Miami-Dade County by Judge Steve Leifman. County Mayor Jacobs indicated that the item would be brought before the Board at a future meeting in the form of a work session.

Commissioner Thompson requested the Board allocate \$572,742 into the Arts to restore the \$1 per capita funding from the General Fund, which will allow the Arts and Advisory Council through TDT (Tourist Development Tax) to put funding back into the Blockbuster Fund.

A motion was made by Commissioner Thompson, seconded by Commissioner Clarke, to amend the main motion to allocate \$572,742 into the Arts to restore the \$1 per capita funding from the General Fund, allowing the Arts and Advisory Council through TDT (Tourist Development Tax) to take the money and put funding back into the Blockbuster Fund. The motion carried by the following vote:

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

Commissioner Bonilla requested the Board support funding of \$100,000 for a period of 3 years to Solar and Energy Loan Fund (SELF), to supplement full-time positions and overhead for SELF in Orange County. County Mayor Jacobs suggested that the item would be brought back before the Board at a future meeting so the organization can address the Board.

Commissioner Clarke requested the Board consider, if the opportunity arises, purchasing 30 acres on the Econ. Commissioner Clarke indicated that he will keep track of the status.

The main motion to approve the Budget Consent Agenda items, to approve the Tentative Millages for Fiscal Year 2018-2019 and to approve the Tentative Countywide Budget for Fiscal Year 2018-2019, as amended, carried by the following vote:

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

## **ANNOUNCEMENT**

County Mayor Jacobs announced the first public hearing to approve the tentative budget is scheduled for Thursday, September 6, 2018 and the final public hearing to approve the budget is scheduled for Thursday, September 20, 2018. The public hearings will begin at 5:01 p.m., in the BCC Chambers.

## **I. CONSENT AGENDA**

### **Approval of the Consent Agenda**

A motion was made by Commissioner Thompson, seconded by Commissioner VanderLey, to approve 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. [18-932](#) Approval of the minutes of the June 19, 2018 meeting of the Board of County Commissioners. (Clerk's Office)
2. [18-933](#) Approval of the check register authorizing the most recently disbursed County funds, having been certified that same have not been drawn on overexpended accounts. Period is as follows: July 6, 2018, to July 12, 2018; \$29,456,669.77. (Finance/Accounting)
3. [18-934](#) Disposition of Tangible Personal Property as follows.  
(Property Accounting)
  - a. Trade in assets towards the purchase of new equipment

### **B. COUNTY ADMINISTRATOR**

1. [18-935](#) Confirmation of the appointment of Jan C. Clanton as the District 5 representative on the Tourist Development Tax Grant Application Review Committee with a term expiring December 31, 2020. (Agenda Development Office)
2. [18-936](#) Approval and execution of Resolution 2018-B-03 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 Orange County, Florida, District 2, in an amount not to exceed \$20,000,000. (Housing Finance Authority)

3. [18-937](#) Approval and execution of Agreement between Orange County Board of County Commissioners, Orange County, Florida and The Charles E. Brookfield Lodge #86 of The Fraternal Order of Police, Fiscal Years 2018-19 through 2019-20. (Human Resources Division)
4. [18-938](#) Approval and execution of Agreement between Orange County, Florida and The Florida State Lodge Fraternal Order of Police, Inc. Lieutenants Fiscal Years 2018-19 through 2019-20. (Human Resources Division)
5. [18-939](#) Approval for the Orange County Sheriff's Office to spend \$10,000 from the FY 2018 Law Enforcement Trust Fund for the cost of conference materials and training expenses for the Florida FBI National Academy Associates, Inc. Training Conference. (Office of Management and Budget)
6. [18-940](#) Approval of budget amendment #18-45. (Office of Management and Budget)
7. [18-941](#) Approval of Ratification of payment of Intergovernmental claims of May 3, 2018, May 10, 2018 and May 24, 2018 totaling \$853,744.94. (Risk Management Division)

#### C. ADMINISTRATIVE SERVICES DEPARTMENT

1. [18-942](#) Approval of Change Order No. 5, Contract No. Y17-750-RM, with RD Michaels in the amount of \$52,193.68 for the Orange County Fire Station 67 Project. The revised lump sum contract amount is \$3,588,041.75. (Capital Projects Division)
2. [18-943](#) Approval of Change Order No. 3, Contract No. Y17-744, with Air Mechanical & Service Corporation in the amount of \$3,854.26, for the Orange County Fire Rescue-Stations Vehicle Exhaust Removal System (Grant No. EMW-2014-FO-05426) Project. The revised lump sum contract amount is \$1,285,468.32. (Capital Projects Division)
3. [18-944](#) Approval to award Invitation for Bids Y18-173-RM, Sidewalk Repair and Replacement, to the low responsive and responsible bidders for the base year:

<u>Bidders</u>	<u>Estimated Award Amount</u>
EnviroWaste Services Group, Inc.	\$1,595,675
Schuller Contractors, Incorporated	\$1,622,850
Condor Construction, Corp.	\$1,644,600
Stage Door II, Inc.	\$1,711,100

RMS Constructors Group, LLC \$1,765,100

([Public Works Department Roads and Drainage Division]  
Procurement Division)

4. [18-945](#) Approval to award Invitation for Bids Y18-1056-AV, Lot Cleaning Services for Code Enforcement, to the low responsive and responsible bidders by Lot for a 1-year term:

<u>Lot</u>	<u>Bidders</u>	<u>Estimated Award Amount</u>
A	A.L.G. Landscaping and Concrete Work Inc.	\$406,658.50
B	D3 Enviroscape, LLC	\$527,700.00
C	ABL Land Services, Inc.	\$697,850.00

([Community, Environmental and Development Services Department  
Code Enforcement Division] Procurement Division)

5. [18-946](#) Approval to award Invitation for Bids Y18-757-RC, Barber Park Multipurpose Field and Splash Pad Improvement, to the low responsive and responsible bidder, Jordan Brothers Construction, LLC. The total contract award amount is \$3,235,568. ([Administrative Services Department Capital Projects Division] Procurement Division)

6. [18-947](#) Approval to award Invitation for Bids Y18-765-EB, Lake Jennie Jewel Baffle Box Project, to the low responsive and responsible bidder, Uribe Site Development, Inc. The total contract award amount is \$278,250. ([Public Works Department Engineering Division] Procurement Division)

7. [18-948](#) Approval of Purchase Order M91203, Caterpillar Compactor Power Train Rebuild, with Ring Power Corporation, in the amount of \$337,557.14. ([Utilities Department Solid Waste Division] Procurement Division)

8. [18-949](#) Ratification of Invitation For Bids Y18-761-TA, Orange County Utilities University Boulevard and Rouse Road Emergency Repair, to Metro Equipment Service, Inc., in the amount of \$878,400. ([Utilities Department Field Services Division] Procurement Division)

9. [18-950](#) Approval and execution of Subordination of Utility Interests (Instrument 1006.3) from Duke Energy Florida, LLC, d/b/a Duke Energy, f/k/a Duke Energy Florida, Inc., f/k/a Florida Power Corporation, to Orange County and authorization to disburse funds to pay recording fees and record instrument for Boggy Creek Road (Osceola Cnty line to 600' N. of Central FI Greenway SR 417). District 4. (Real Estate Management Division)

10. [18-951](#) Approval and execution of Subordination of Utility Interests (Instruments

1008.3) from Duke Energy Florida, LLC, d/b/a Duke Energy, f/k/a Duke Energy Florida, Inc., f/k/a Florida Power Corporation, to Orange County and authorization to disburse funds to pay recording fees and record instrument for Boggy Creek Road (Osceola Cnty line to 600' N. of Central FI Greenway SR 417). District 4. (Real Estate Management Division)

11. [18-952](#) Approval of Contract for Sale and Purchase and Warranty Deed between GGH 37, LLC and Orange County and Donation Agreement and Quit Claim Deed between Avanzar Condominium Association, Inc. and Orange County and authorization to disburse funds to pay purchase price and closing costs and perform all actions necessary and incidental to closing for Texas Avenue RCA (Oak Ridge Rd to Holden Ave.). District 6. (Real Estate Management Division)
12. [18-953](#) Approval of Utility Easement from Genesis KC Development, LLC to Orange County and Subordination of Encumbrance to Property Rights to Orange County from Total Renal Care, Inc. and authorization to record instruments for Davita-Clarcona Dialysis Permit #B17902307 OCU File #: 94251. District 2. (Real Estate Management Division)
13. [18-954](#) Approval of Utility Easement from Moss Park Properties, LLLP to Orange County and authorization to record instrument for Innovation Place Project - CIP - OCU File #: 87107. District 4. (Real Estate Management Division)

#### **D. COMMUNITY, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT**

1. [18-955](#) 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 2, 3, 5, and 6. (Code Enforcement Division)

LC 18-0375	LC 18-0445	LC 18-0407	LC 18-0413	LC 18-0431
LC 18-0376	LC 18-0467	LC 18-0408	LC 18-0414	LC 18-0433
LC 18-0395	LC 18-0400	LC 18-0411	LC 18-0419	LC 18-0436
LC 18-0451	LC 18-0406	LC 18-0412	LC 18-0430	LC 18-0437

#### **E. FAMILY SERVICES DEPARTMENT**

1. [18-956](#) Approval and execution of License Agreement between Orange County, Florida and Seniors First, Inc. related to Not-for-Profit Community Center Utilization for the Provision of Services Benefitting the Public License Agreement No. 20180506 for East Orange Community Center. (Community Action Division)
2. [18-957](#) Approval and execution of License Agreement between Orange County, Florida and Seniors First, Inc. related to Not-for-Profit Community Center



Utilization for the Provision of Services Benefitting the Public License Agreement No. 20180507 for Hal P. Marston Community Center. (Community Action Division)

3. [18-958](#) Approval and execution of License Agreement between Orange County, Florida and Seniors First, Inc. related to Not-for-Profit Community Center Utilization for the Provision of Services Benefitting the Public License Agreement No. 20180508 for John Bridges Community Center. (Community Action Division)
4. [18-959](#) Approval and execution of License Agreement between Orange County, Florida and Seniors First, Inc. related to Not-for-Profit Community Center Utilization for the Provision of Services Benefitting the Public License Agreement No. 20180509 for Maxey Community Center. (Community Action Division)
5. [18-960](#) Approval and execution of License Agreement between Orange County, Florida and Seniors First, Inc. related to Not-for-Profit Community Center Utilization for the Provision of Services Benefitting the Public License Agreement No. 20180510 for Taft Community Center. (Community Action Division)
6. [18-961](#) Receipt and filing of Head Start Policy Council Program Information and Updates June 2018 and Head Start Policy Council Meeting Minutes May 17, 2018 for the official county record. (Head Start Division)

## **F. HEALTH SERVICES DEPARTMENT**

1. [18-962](#) 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 and approval for the Mayor or designee to sign future amendments to this Agreement. (Mental Health and Homeless Issues Division)

## **II. INFORMATIONAL ITEMS\*\***

### **A. COUNTY COMPTROLLER**

1. [18-963](#) Receipt of the following items to file for the record: (Clerk's Office)
  - a. City of Ocoee Ordinance No. 2018-001, with Exhibit A (Legal Description), and Exhibit B (Location Map). Ordinance No. 2018-001 (Annexation Ordinance for Inspiration PUD), Tax Parcel ID: 30-22-28-0000-00-004; this document is recorded to correct the legal description included with document 20180216694, recoded on April 11,

2018; Case No. AX-08-17-64: Inspiration 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 +/-10.66 acres located south of Florida's Turnpike and west of Maguire Road, pursuant to the application submitted by the property owners; 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.

b. Florida Public Service Commission Consummating Order. In re: Petition for approval of modifications to rate schedule LS-1, lighting service and for approval of revisions to lighting service contract, by Duke Energy Florida, LLC.

The item was received and filed.

### III. PUBLIC HEARINGS

1. [18-843](#) Preliminary Subdivision Plan

Robert Paymayesh, Bargrove LLC, Bargrove Property Planned Development/ Bargrove Preliminary Subdivision Plan, Case # PSP-18-02-046; District 2

**Consideration:** Bargrove Property Planned Development / Bargrove Preliminary Subdivision Plan, Case # PSP-18-02-046, submitted in accordance with Sections 34-69 and 30-89 Orange County Code; This Preliminary Subdivision Plan is a request to subdivide 192.92 acres in order to construct 188 single-family detached residential dwelling units.

**Location:** District 2, property generally located North of Sadler Road / East of North Orange Blossom Trail; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Robert Paymayesh.

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

2. [18-756](#) Substantial Change

David E. Axel, Axel Real Estate, Lake Pickett Cluster Parcels 1, 2, & 3 Preliminary Subdivision Plan, Case # CDR-18-02-062, amend plan; District 5 (Continued from July 10, July 17, and August 7, 2018)

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

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

A motion was made by Commissioner Bonilla, seconded by Commissioner Thompson, to continue the public hearing until August 7, 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

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

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

ADJOURNMENT: 2:11 p.m.

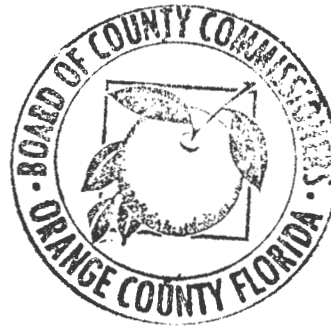
ATTEST:

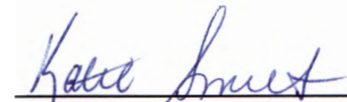
  
County Mayor Teresa Jacobs

Date: AUG 21 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.