

Orange County Government

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



Final Meeting Minutes

Tuesday, July 2, 2019

2:00 PM

County Commission Chambers

Board of County Commissioners

Call to Order

County Mayor Demings called the meeting to order at 2:03 p.m.

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

Absent: 1 - Commissioner Christine Moore

Others present:

County Administrator Byron Brooks
Deputy County Administrator Chris Testerman
County Attorney Jeffrey J. Newton
Deputy County Attorney Joel Prinsell
Senior Minutes Coordinator Craig Stopyra
Senior Minutes Coordinator Noelia Perez

Invocation - District 1

Joseph Richardson, Central Florida Freethought Community

Pledge of Allegiance

Presentation

Art in the Chambers

Public Comment

The following persons addressed the Board for public comment:

- Patricia Helman
- Charles Myers
- Felicia Hunter
- Sharona Barnes

I. CONSENT AGENDA

Approval of the Consent Agenda

The Mayor deferred action on Planning, Environmental, and Development Services Department Items 11 and 12; and further, a motion was made by Commissioner Uribe, seconded by Commissioner VanderLey, to approve the balance of the Consent Agenda. The motion carried by the following vote:

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

Absent: 1 - Commissioner Moore

A. COUNTY MAYOR

1. **19-991** Confirmation of the Mayor's managerial appointment of Marc Cannata as Deputy Director, Utilities Department and Andres Salcedo as Deputy Director, Utilities Department.

B. COUNTY COMPTROLLER

1. **19-992** Approval of the minutes of the May 21 and June 4, 2019 meetings of the Board of County Commissioners. (Clerk's Office)

2. **19-993** Approval of the check register authorizing the most recently disbursed County funds, having been certified that same have not been drawn on overexpended accounts. Periods are as follows:

- June 14, 2019, to June 20, 2019; \$34,317,131.84
- June 21, 2019, to June 27, 2019; \$24,875,272.83.

(Finance/Accounting)

C. COUNTY ADMINISTRATOR

1. **19-994** Confirmation of Commissioner VanderLey's appointment to the Lake Rose Advisory Board of Celia Santini to succeed Paige Bertini with a term expiring December 31, 2020, and Linda Zygmunt to succeed Thomas Moore with a term expiring December 31, 2019. (Agenda Development Office)
2. **19-995** Approval of the Arts and Cultural Affairs Advisory Council's funding recommendation of an additional \$18,000 from the Blockbuster Fund for the Orlando Science Center's exhibition of "Pompeii: The Immortal City." (Arts and Cultural Affairs Office)
3. **19-996** Approval for the Orange County Sheriff's Office to spend \$152,817.79 from the FY 2019 Law Enforcement Trust Fund for the purchase of Recover Latent Fingerprint Technology (\$151,317.79) and to provide eligible contributions to Florida Missing Children's Day Foundation, Inc. (\$500) and Feeding Children Everywhere, Inc. (\$1,000). (Office of Management and Budget)
4. **19-997** Approval of budget amendments #19-33, #19-34, #19-35, #19-36, #19-37, and #19-38. (Office of Management and Budget)
5. **19-998** Ratification of payment of Intergovernmental claims of May 8, 2019, May 22, 2019, and June 5, 2019, totaling, \$1,126,688.85. (Risk Management

Division)

D. ADMINISTRATIVE SERVICES DEPARTMENT

1. **19-999** Approval to award Invitation for Bids Y19-1053-EB, Maintenance of Stormwater Ponds, to the low responsive and responsible bidder, Frank Gay Plumbing, Inc. The estimated contract award amount is \$293,522.50 for the base year. ([Administrative Services Department Facilities Management Division] Procurement Division)

2. **19-1000** Approval to award Invitation for Bids Y19-1063-RM, Stormwater Pipe Installation and Repair II, to the low responsive and responsible bidder, Stage Door II, Inc. The estimated contract award amount is \$4,562,100 for the base year. ([Public Works Department Roads and Drainage Division] Procurement Division)

3. **19-1001** Approval to award Invitation for Bids Y19-1095-PD, Web and Document Accessibility Services, to the low responsive and responsible bidder, Onix Networking Corporation. The estimated contract award amount is \$171,600 for a 1-year term. ([Administration and Fiscal Services Information Systems and Services Division] Procurement Division)

4. **19-1002** Approval to award Invitation for Bids Y19-747-RC, Sheriff's IT Service Area Remodel, to the low responsive and responsible bidder, Core Engineering & Construction, Inc. The total contract award amount is \$491,500. ([Administrative Services Department Capital Projects Division] Procurement Division)

5. **19-1003** Approval to award Invitation for Bids Y19-748-EB, Bithlo Community Center HVAC Replacement, to the sole responsive and responsible bidder, Air Mechanical & Service Corp. The total contract award amount is \$440,500. ([Administrative Services Department Capital Projects Division] Procurement Division)

6. **19-1004** Approval to award Invitation for Bids Y19-749-RC, Orange County Fire Rescue Fuel Tank Automation and Replacement, to the low responsive and responsible bidder, Café Construction & Development, Inc. The total contract award amount is \$2,005,571 inclusive of additive one. ([Administrative Services Department Capital Projects Division] Procurement Division)

7. **19-1005** Approval to award Invitation for Bids Y19-753-RC, Parks Moss Park C-29 Boat Dock & Mooring Repairs, to the low responsive and responsible bidder, Construct Co. Inc. The total contract award amount is \$198,980 inclusive of additive one. ([Administrative Services Department Capital Projects Division] Procurement Division)

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8. **19-1006** Approval to award Invitation for Bids Y19-759-JS, Orange County Convention Center West Building Meeting Rooms Renovation, to the low responsive and responsible bidder, CORE Construction Services of Florida, LLC. The total contract award amount is \$30,599,000. ([Convention Center Capital Planning Division] Procurement Division)
 9. **19-1007** Approval of Amendment No. 3, Contract Y18-163E, Countywide Janitorial Services - West District Buildings, with Florida Cleaning Systems, Inc. in the amount of \$18,546.77, for a revised estimated contract amount of \$562,570.20. ([Administrative Services Department Facilities Management Division] Procurement Division)
 10. **19-1008** Approval of Contract Y19-1144, Health Care Services for Inmates, with Adventist Health System/Sunbelt, Inc. dba AdventHealth in the estimated contract award amount of \$2,100,000 for a 3-year term. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
 11. **19-1009** Approval of Purchase Order M95982, Purchase of LoJack Recovery Units, with LoJack Corporation, in the total amount of \$117,395. ([Public Works Department Fiscal and Operational Support Division] Procurement Division)
 12. **19-1010** Approval of Purchase Order M96752, Purchase of Software and Licensing for the 9-1-1 Information Management System (9IMS), with Essential Management Solutions LLC, in the amount of \$405,998. ([Administration and Fiscal Services Department Information Systems and Services Division] Procurement Division)
 13. **19-1011** Selection of RobinsonBush, Inc. to provide Consulting Services for Self-Funded Medical Plans, Group Insurance Plans, and Other Employee Benefits, Request for Proposals Y19-1032-AH. ([Administration and Fiscal Services Department Human Resources Division] Procurement Division)
 14. **19-1012** Approval of Warranty Deed from Hollywood Plaza Garage Realty, LLC, as successor by merger to Wallack Parking, LLC and 8050 I Drive Realty, LLC to Orange County and authorization to perform all actions necessary and incidental to closing for Right of Way Agreement Hollywood Plaza Parking Garage International Drive. District 6. (Real Estate Management Division)
 15. **19-1013** Approval of Utility Easement from Adventist Health System/Sunbelt Inc. to Orange County and authorization to record instrument for FH Lake Pickett ED - NC - Site Work Only Permit B18903546 OCU #97054. District 5. (Real Estate Management Division)
 16. **19-1014** Approval of Drainage Easement from New Cheney 1, LLC to Orange County and Subordination of Encumbrance to Property Rights to Orange County from Bright House Networks, LLC and authorization to record instruments for

Old Cheney Apartments/Condos Site, Permit #B18901395. District 5. (Real Estate Management Division)

17. **19-1015** Approval of Utility Easement from Ladybird Florida Properties LLC to Orange County and Subordination of Encumbrances to Property Rights to Orange County from Synovus Bank d/b/a Florida Community Bank, N.A. and authorization to record instruments for Ladybird Academy - 7324 Bentonshire Avenue Permit Number B17904861 OCU File #95287. District 1. (Real Estate Management Division)
18. **19-1016** Approval of Utility Easement from Interlaken Family Holdings LLC to Orange County and Subordination of Encumbrances to Property Rights to Orange County from IBERIABANK and authorization to record instruments for AIT Life Safety Headquarters Permit B18903403 OCU File #97176. District 2. (Real Estate Management Division)

E. COMMUNITY AND FAMILY SERVICES DEPARTMENT

1. **19-1017** Approval and execution of License Agreement between Orange County, Florida and Children's Home Society of Florida related to Not-for-Profit Community Center Utilization for the Provision of Services Benefitting the Public License Agreement No. 20190506 for John Bridges Community Center and authorization for the Director of the Community and Family Services Department to execute any permitted renewals of the license agreement so long as those renewals do not substantively change or alter the terms and conditions of the license agreement. (Community Action Division)
2. **19-1018** Approval and execution of License Agreement between Orange County, Florida and Central Florida Diaper Bank, Inc. related to Not-for-Profit Community Center Utilization for the Provision of Services Benefitting the Public License Agreement No. 20190501 for Holden Heights Community Center and authorization for the Director of the Community and Family Services Department to execute any permitted renewals of the license agreement so long as those renewals do not substantively change or alter the terms and conditions of the license agreement. (Community Action Division)
3. **19-1019** Acceptance of University of Florida's appointment of Tiare Silvasy as Orange County Extension Agent II, Residential Horticulture/Florida Friendly Landscaping Coordinator. All Districts. (Cooperative Extension Division)
4. **19-1020** Approval and execution of Off System Project Agreement ("Agreement") Between State of Florida, Department Of Transportation, an agency of the State of Florida ("FDOT") and Orange County, Florida, a charter county and political subdivision of the State of Florida ("Orange County") and St. Johns River Water Management District, a special district created under Chapter

373, Florida Statutes ("SJRWMD") for Project Number FM 430975-5. (Parks and Recreations Division)

F. HEALTH SERVICES DEPARTMENT

1. **19-1021** Approval and execution of the renewal Certificate of Public Convenience and Necessity for the Falck Southeast II Corp, d/b/a American Ambulance to provide Interfacility Advanced Life Support Transport Service. The term of this certificate is from August 1, 2019 through August 1, 2021. There is no cost to the County. (EMS Office of the Medical Director)

G. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

1. **19-1022** 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 19-0543	LC 19-0574	LC 19-0603	LC 19-0522	LC 19-0566
LC 19-0572	LC 19-0575	LC 19-0604	LC 19-0529	LC 19-0567
LC 19-0580	LC 19-0577	LC 19-0605	LC 19-0536	LC 19-0568
LC 19-0585	LC 19-0578	LC 19-0623	LC 19-0537	LC 19-0571
LC 19-0587	LC 19-0592	LC 19-0576	LC 19-0545	LC 19-0597
LC 19-0614	LC 19-0600	LC 19-0436	LC 19-0562	LC 19-0610
LC 19-0615	LC 19-0601	LC 19-0460	LC 19-0563	LC 19-0612
LC 19-0617	LC 19-0602	LC 19-0521	LC 19-0565	LC 19-0621

2. **19-1023** Approval of Streamlined Annual PHA Plan and approval and execution of (1) Certifications of Compliance with PHA Plans and Related Regulations; (2) Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan or State Consolidated Plan; and (3) Civil Rights Certification. All Districts. (Housing and Community Development Division)
3. **19-1024** Approval and execution of Funding Agreement between Orange County, Florida and Grand Avenue Economic Community Development Corp. for the specific purpose of providing pre-development funds for low-income homes in the amount \$75,000. District 3. (Housing and Community Development Division)
4. **19-1025** Approval of the July 2019 Business Assistance for Neighborhood Corridors (BANC) Program Grants for Café Caobana (\$5,000) and Portillo Immigration Law (\$10,000). District 3. (Neighborhood Services Division)
5. **19-1026** Approval of the Neighborhood Grants Advisory Board's recommendation of Neighborhood Pride Landscaping Grant to Southern Acres Homeowners Association (\$2,494) and authorization for the Director of the Planning,

Environmental, and Development Services Department to execute the associated grant agreement. District 1. (Neighborhood Services Division)

6. **19-1027** Approval of the Neighborhood Grants Advisory Board's recommendation of Neighborhood Pride Capital Improvement Grant to Deer Lake Run Homeowners Association (\$6,575) and authorization for the Director of the Planning, Environmental, and Development Services Department to execute the associated grant agreement. District 2. (Neighborhood Services Division)
7. **19-1028** Approval of the Neighborhood Grants Advisory Board's recommendation of Neighborhood Pride Entranceway Grants to Country Grove Subdivision (\$5,000), Sand Lake Village Condominium Association (\$4,297), and Tuscany Homeowners Association (\$4,730) and authorization for the Director of the Planning, Environmental, and Development Services Department to execute the associated grant agreements. District 1. (Neighborhood Services Division)
8. **19-1029** Approval of the Neighborhood Grants Advisory Board's recommendation of Neighborhood Pride Mini Grants to Lake Hiawassa Terrace (\$1,500) and Rio Pinar Woods (\$1,500) and authorization for the Director of the Planning, Environmental, and Development Services Department to execute the associated grant agreements. Districts 1 and 3. (Neighborhood Services Division)
9. **19-1030** Authorization to fund the repairs to the damaged community entrance wall signs at Reflections at Spring Lake Home Owners' Association in the amount of \$25,800. District 2. (Neighborhood Services Division)
10. **19-1031** Approval and execution of Proportionate Share Agreement for River Run Lake Underhill Road and Dean Road by and between RRAD Phase I, LLC and Orange County for a proportionate share payment in the amount of \$343,665. District 3. (Roadway Agreement Committee)
11. **19-1032** Approval and execution of Transportation Impact Fee Agreement The Registry on Grass Lake Avalon Road/CR 545 by and between 18 Avalon Road LLC and Orange County for the conveyance of 0.313 acres of right-of-way for \$107,985 in transportation impact fee credits. District 1. (Roadway Agreement Committee)

(This item was deferred).

12. **19-1033** Approval and execution of Second Amendment to Amended and Restated Development Order (Ninth Amendment) Meadow Woods Development of Regional Impact. District 4. (Planning Division)

(This item was deferred).

H. PUBLIC WORKS DEPARTMENT

1. **19-1034** Approval of Traffic Control Devices and “No Parking” signs installation in Winding Bay Preserve. District 1. (Traffic Engineering Division)
2. **19-1035** Approval of Traffic Control Devices and “No Parking” signs installation in Heritage Oaks. District 4. (Traffic Engineering Division)
3. **19-1036** Approval of Traffic Control Devices and “No Parking” signs installation in Vineyards of Horizons West Phase 4. District 1. (Traffic Engineering Division)
4. **19-1037** Approval and execution of Agreement for Traffic Law Enforcement on Private Roads by and between Orange County, Florida and Pulte Home Company, LLC. District 5.
5. **19-1038** Approval to issue Change Order Request No: 3-PW to Document No.: Y18-777-CH for Project: Little Egypt Sidewalk Improvements to RMS Constructors Group, LLC in the amount of \$135,800, for a revised total contract amount of \$823,407.72. District 6. (Highway Construction Division)

II. INFORMATIONAL ITEMS****A. COUNTY COMPTROLLER**

1. **19-1039** Receipt of the following items to file for the record: (Clerk's Office)
 - a. Florida Public Service Commission Order Suspending Proposed Tariffs. In re: Petition for approval of 2019 revisions to underground residential and commercial differential tariffs, by Florida Power & Light Company.
 - b. Florida Public Service Commission Order Suspending Proposed Tariffs. In re: Petition for approval of revised underground residential distribution tariffs, by Duke Energy Florida, LLC.
 - c. Florida Public Service Commission Order Approving AFUDC Rate for Florida Power & Light Company. In re: Request for approval of change in rate used to capitalize allowance for funds used during construction (AFUDC) from 5.97% to 6.22%, effective January 1, 2019, by Florida Power & Light Company.
 - d. Florida Public Service Commission Notice of Proposed Agency Action Order Approving AFUDC rate for Duke Energy Florida, LLC. In re: Request for approval of change in rate used to capitalize allowance for funds used during construction (AFUDC) from 7.44% to 6.46%, effective January 1, 2019, by Duke Energy Florida, LLC d/b/a Duke Energy.

e. Florida Public Service Commission Order Approving Petition For Optional Three-Year Supplemental Power Services Program and Tariffs. In re: Petition for approval of optional supplemental power services pilot program and rider, by Florida Power & Light Company.

f. Florida Public Service Commission Order Granting Florida Power & Light Company's Petition For Approval To Amend Street Lighting, Outdoor Lighting and LED Lighting Pilot Tariffs. In re: Petition for approval to amend street lighting, outdoor lighting and LED lighting pilot tariffs, by Florida Power & Light Company.

These items were received and filed.

III. DISCUSSION AGENDA

A. COUNTY ADMINISTRATOR

1. **19-1040** FY 2020 State of the Arts and Budget Recommendations. (Arts and Cultural Affairs Office)

The Board took no action.

B. ADMINISTRATIVE SERVICES DEPARTMENT

1. **19-1041** Selection of one firm and an alternate to provide Digital Advertising Services Orange County Convention Center, Request for Proposals Y19-1036-TJ, from the following two firms, listed alphabetically:

- Event Technology LLC, dba Etech
- Smart City Solutions, LLC

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

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Bonilla, to appoint Event Technology LLC, dba Etech, 426.25 points, as the selected firm; and further, appoint Smart City Solutions, LLC, 421 points, as the alternate. The motion carried by the following vote:

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

Absent: 1 - Commissioner Moore

C. COUNTY MAYOR

1. **19-1042** Open Discussion on issues of interest to the Board.

The Board took no action.

IV. RECOMMENDATIONS

1. **19-1045** June 6, 2019 Board of Zoning Adjustment Recommendations

Court Reporter: Annie Zuccarell, Orange Legal

A motion was made by Commissioner VanderLey, seconded by Commissioner Uribe, to approve the recommendations with the exception of Case # VA-19-06-058, Greyfox Construction Corp. (Board Called), which was pulled from the recommendations; subject to the usual right of appeal by any aggrieved party. The motion carried by the following vote:

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

Absent: 1 - Commissioner Moore

V. PUBLIC HEARINGS

1. **19-923** Petition to Vacate

Lawrence B. Pitt, on behalf of Hanover Hickory Nut LLC, Petition to Vacate 18-11-034, portion of an unopened, unimproved and unnamed right-of-way; District 1

Consideration: Resolution granting Petition to Vacate #18-11-034, vacating a portion of a 30 foot wide unopened, unimproved and unnamed right-of-way containing approximately 1.367 acres.

Location: District 1; The parcel address is 10150 Avalon Road; S08/T24/R27; Orange County, Florida (legal property description on file)

The following person addressed the Board: Scott Stearns.

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

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

Absent: 1 - Commissioner Moore

2. **19-924** Petition to Vacate

Adam Smith, on behalf of Wetherbee Acres LLC, Petition to Vacate 18-05-017, variable width drainage and access easement; District 4

Consideration: Resolution granting Petition to Vacate #18-05-017, vacating a variable width drainage and access easement containing approximately 3.64 acres

Location: District 4; The parcel address is 4402 E. Wetherbee Road; S20/T24/R30; Orange

County, Florida (legal property description on file)

This public hearing was cancelled.

3. 19-594 Board of Zoning Adjustment Appeal

Fernando Mariano

Francelis Gonzalez/Frank Case, Case # VA-19-03-010, March 7, 2019;

District 1 (Continued from May 21, 2019)

Case: Board of Zoning Adjustment Case # VA-19-03-010; March 7, 2019

Consideration: Appeal of the recommendation of the Board of Zoning Adjustment on a request by applicant for a variance in the R-L-D zoning district to allow a rear (north) setback of 31 ft. in lieu of 50 ft.

Location: District 1; property generally located East end of Scenic Oak Court, north of Boca Point Drive and west of South Apopka Vineland Road; Orange County, Florida (legal property description on file at the Zoning Division)

The following persons addressed the Board:

- Fernando Mariano
- Frank Chase
- Francelis Gonzalez
- Victor Pantoja

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

Exhibit 1, from Fernando Mariano

Exhibit 2, from Frank Chase

A motion was made by Commissioner VanderLey, seconded by Commissioner Uribe, to overrule the decision of the Board of Zoning Adjustment and deny the request by applicant for a variance in the R-L-D zoning district to allow a rear (north) setback of 31 ft. in lieu of 50 ft. The motion carried by the following vote:

Aye: 3 - Commissioner VanderLey, Commissioner Uribe, and Commissioner Bonilla

Nay: 2 - Commissioner Gomez Cordero, and Commissioner Siplin

Absent: 1 - Commissioner Moore

Abstain: 1 - Mayor Demings

4. 19-914 Board of Zoning Adjustment Board-Called

House of Prayer Church of the Living God, Case # SE-19-05-041; May 2, 2019; District 6

Case No.: Board of Zoning Adjustment Case # SE-19-05-041; May 2, 2019

Consideration: Request for a Special Exception and Variance in the R-1A zoning district to allow for a religious use facility as follows:

1. Amendment to an existing Special Exception to allow an addition to an existing religious use facility.
2. Variance to allow 12 parking spaces in lieu of 33 spaces.

Location: District 6; property located at 1401 25th St., Orlando, FL 32805, northwest corner of 25th St. and S. Nashville Ave; Orange County, Florida (legal property description on file in Zoning Division)

A motion was made by Commissioner Siplin, seconded by Commissioner Gomez Cordero, to remand Board of Zoning Adjustment Case # SE-19-05-041 back to the Board of Zoning Adjustment for another public hearing regarding the applicant's request, due to the issues related to parking that are unresolved. The motion carried by the following vote:

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

Absent: 2 - Commissioner Moore, and Commissioner Bonilla

5. **19-985** Conservation Area Impact

Phosphorus Free Water Solutions LLC, permit; District 2

Consideration: Conservation Area Impact (CAI) Permit requesting 0.90 acre of temporary Class I wetland impacts in order to construct a proprietary phosphorus removal system along the north shore of Lake Apopka.

Location: District 2; property located within the St. Johns River Water Management District (SJRWMD) Lake Apopka North Shore (LANS) project area. The project site is approximately 268 acres and is located primarily south of Hooper Farms Road and west of South Binion Road.

A motion was made by Mayor Demings, seconded by Commissioner VanderLey, to approve the Conservation Area Impact Permit (CAI-19-05-022) subject to the conditions of approval listed in the Staff Report. The motion carried by the following vote:

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

Absent: 1 - Commissioner Moore

6. **19-925** Preliminary Subdivision Plan

Jeff A. Sedloff, June Engineering Consultants, Inc., Orange Lake Country Club Planned Development / Orange Lake - Village NW1 Preliminary Subdivision Plan, Case # PSP-18-05-159; District 1

Consideration: Orange Lake Country Club Planned Development / Orange Lake - Village NW1 Preliminary Subdivision Plan, Case # PSP-18-05-159, submitted in accordance with Sections 34-69 and 30-89 Orange County Code; This Preliminary Subdivision Plan (PSP) is a request to subdivide 198.02 acres in order to construct 422 age-restricted single-family residential dwelling units.

Location: District 1; property generally located West of SR 429 / North of Hartzog Road; Orange County, Florida (legal property description on file in Planning Division)

The following persons addressed the Board:

- Greg Lee
- Adriana Skoll (phonetic)

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

Based upon input from the applicant and agreed upon by County staff, Condition of Approval # 21 was modified as follows:

21. The stormwater management system shall be designed to retain the 100-year/24 hour storm event onsite, unless documentation with supporting calculations is submitted which demonstrates that a positive outfall is available. If the applicant can show the existence of a positive outfall for the subject basin, then in lieu of designing for the 100-year/24-hour storm event, the developer shall comply with all applicable state and local stormwater requirements and regulations. An emergency high water relief outfall shall be provided to assure overflow does not cause flooding of surrounding areas. Prior to commencement of construction, the Developer will execute and satisfy conditions of a Drainage Agreement for this property with Reedy Creek Improvement District (RCID) in accordance with the Stipulated Settlement Agreement between RCID and Orange County, dated September 29, 1966.

A motion was made by Commissioner VanderLey, seconded by Commissioner Siplin, to make a finding of consistency with the Comprehensive Plan; further, approve the request subject to the conditions of approval listed under the Development Review Committee recommendation in the Staff Report; and further, modify Condition of Approval # 21. The motion carried by the following vote:

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

Absent: 1 - Commissioner Moore

7. 19-926 Preliminary Subdivision Plan

Constance A. Owens, Tri3 Civil Engineering Design Studio, Inc., South
Orlando Urban Center PD/Sandlake Station PSP / DP, Case #
PSP-18-05-173; District 3

Consideration: South Orlando Urban Center PD / Sandlake Station PSP / DP, Case # PSP-18-05-173, submitted in accordance with Sections 34-69 and 30-89 Orange County Code; This Preliminary Subdivision Plan (PSP) is a request to subdivide 18.03 acres in order to construct 196 multi-family residential dwelling units on Lot 1, 38,000 square feet of commercial (19,000 square feet retail / commercial on the first floor and 19,000 square feet professional office on the second floor) on Lot 2, and future development tracts (Tracts 1 and 2). In addition, the

following waiver from Orange County Code is being requested: A waiver from Orange County Code Section 34-171 (7) to provide sidewalk on only one side of the street (on the townhome side) in lieu of both sides.

Location: District 3; property generally located East of South Orange Avenue / North of Sand Lake Road; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Constance Silver.

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

Absent: 1 - Commissioner Moore

8. **19-913** Rezoning

Robert Reese, Brossier Corporation, The Registry at Grass Lake PD, Case # LUP -18-12-417; District 1

Consideration: Request to rezone one (1) parcel containing 18.33 gross acres from A-1 (Citrus Rural District) to PD (Planned Development District), in order to construct 360 multi-family residential dwelling units.

The request also includes the following waivers from Orange County Code:

1. A waiver from Section 38-1258(a) to allow two (2) story multi-family buildings no less than twenty-five (25) feet from single-family zoned property, in lieu of multi-family buildings located within one hundred (100) feet of single-family zoned property being restricted to a single story in height;
2. A waiver from Section 38-1258(b) to allow 100% of multi-family buildings to be five (5) stories, 70 feet in height, no less than eighty (80) feet from single-family zoned property, in lieu of a maximum of fifty (50) percent of the buildings being three (3) stories (not to exceed forty (40) feet in height with the remaining buildings being one (1) story or two (2) stories in height located between 100 and 150 feet from single-family zoned property;
3. A waiver from Section 38-1258(c) to allow multi-family buildings to be five (5) stories, seventy (70) feet in height no less than eighty (80) feet from single-family zoned properties, in lieu of multi-family buildings located within one hundred and fifty (150) feet of single-family zoned property not exceeding three (3) stories, forty (40) feet in height; and
4. A waiver from Section 38-1258(d) to allow two (2) story multi-family buildings no less than twenty-five (25) feet from single-family zoned properties and multi-family buildings five (5) stories, seventy (70) feet in height no less than eighty (80) feet from single-family zoned properties, in lieu of multi-family buildings located within one hundred (100) feet of single-family zoned property being restricted to a single story in height and multi-family buildings located within one hundred and fifty (150) feet of single-family zoned property not exceeding (3) stories (forty (40) feet) in height.

Location: District 1; property located at 14544 Avalon Road; or generally located on the west

side of Avalon Road, approximately 1,800 feet north of W. Irlo Bronson Memorial Highway; Orange County, Florida (legal property description on file in Planning Division)

A motion was made by Commissioner VanderLey, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; further, approve the rezoning request to rezone one (1) parcel containing 18.33 gross acres from A-1 (Citrus Rural District) to PD (Planned Development District), in order to construct 360 multi-family residential dwelling units subject to the conditions of approval listed under the Planning and Zoning Commission recommendation in the Staff Report; and further, approve and execute the Transportation Impact Fee Agreement The Registry on Grass Lake Avalon Road/CR 545 by and between 18 Avalon Road LLC and Orange County for the conveyance of 0.313 acres of right-of-way for \$107,985 in transportation impact fee credits. The motion carried by the following vote:

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

Absent: 1 - Commissioner Moore

and

I. CONSENT AGENDA (Deferred)

G. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

11. **19-1032** Approval and execution of Transportation Impact Fee Agreement The Registry on Grass Lake Avalon Road/CR 545 by and between 18 Avalon Road LLC and Orange County for the conveyance of 0.313 acres of right-of-way for \$107,985 in transportation impact fee credits. District 1. (Roadway Agreement Committee)

This item was approved.

V. PUBLIC HEARINGS

9. **19-662** Substantial Change

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

Consideration: A PD substantial change request to change the use on PD Parcels 2.1 and 3.2 from Open Space and Fire / Police, respectively, to Community Commercial and utilize existing unused commercial entitlements within the PD for the proposed commercial development, which will be assigned at the Preliminary Subdivision Plan (PSP) / Development Plan (DP); pursuant to Orange County Code, Chapter 30, Article III, Section 30-89 and Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 4; property generally located South of Wetherbee Road and east of Orange

Avenue; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Kathy Hattaway.

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Siplin, to continue the public hearing until August 6, 2019, at 2 p.m. The motion carried by the following vote:

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

Absent: 1 - Commissioner Moore

and

I. CONSENT AGENDA (Deferred)

G. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

12. **19-1033** Approval and execution of Second Amendment to Amended and Restated Development Order (Ninth Amendment) Meadow Woods Development of Regional Impact. District 4. (Planning Division)

This item was continued.

V. PUBLIC HEARINGS

10. **19-701** Amending Orange County Code, adopting 2019-1 Small Scale Development Amendment to the 2010-2030 Comprehensive Plan (CP) and Adoption of Ordinance (Continued May 21, 2019)

Small Scale Development Privately-Initiated Amendment

Amendment 2019-1-S-5-5

Bryan Potts, P.E., for Florida Housing Affordability, Inc.; District 5

Consideration: Low Density Residential (LDR) to Low-Medium Density Residential (LMDR)

Location: 2460 Rouse Rd.; Generally located north of E. Colonial Dr., east of N. Dean Rd., south of J. Blanchard Trl., and west of Rouse Rd.; Parcel ID#: 16-22-31-8972-00-080; 4.99 gross ac.

The following persons addressed the Board:

- Bryan Potts
- Larry Marks
- Joseph Savino (phonetic)

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

- Exhibit 1, from Bryan Potts

- Exhibit 2, from Joseph Savino (phonetic)

A motion made by Commissioner Bonilla to make a finding of inconsistency with the Comprehensive Plan; and further, deny Amendment 2019-1-S-5-5 died for lack of a second.

A motion was made by Commissioner VanderLey, seconded by Commissioner Siplin, to make a finding of consistency with the Comprehensive Plan (see Future Land Use Element Goal FLU1, Objectives FLU1.1, FLU1.2, and Policies FLU1.1.1, FLU1.4.2, FLU2.3.1, FLU8.2.1, FLU8.2.11; Housing Element Goal H1, and Objective H1.1); further, determine that the proposed amendment is in compliance; and further, adopt Amendment 2019-1-S-5-5, Low Density Residential (LDR) to Low-Medium Density Residential (LMDR), up to 54 single-family homes(townhomes). The motion carried by the following vote:

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

Nay: 1 - Commissioner Bonilla

Absent: 1 - Commissioner Moore

10. 19-1043 Small-Scale Development Ordinance

Amending Orange County Code, adopting 2019-1 Small Scale Development Amendments to the 2010-2030 Comprehensive Plan (CP), adopting amendments pursuant to Section 163.3184 and 163.3187 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 Siplin, seconded by Commissioner Uribe, make a finding of consistency with the Comprehensive Plan; further, determine that the amendments are in compliance; and further, adopt Ordinance 2019-09 approving the proposed Future Land Use Map Amendment, consistent with today's actions. The motion carried by the following vote:

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

Absent: 1 - Commissioner Moore

11. 19-673 Amending Orange County Code, adopting Session IV 2018-2 Regular Cycle Amendments to the 2010-2030 Comprehensive Plan (CP) (Continued from June 4, and July 2, 2019) and Adoption of Ordinance

Regular Cycle Privately-Initiated Comprehensive Plan Map Amendment

Amendment 2018-2-A-1-2

Kathy Hattaway, Poulos & Bennett; District 1

Consideration: Growth Center/Resort/Planned Development (GC/R/PD) to Growth Center-Planned Development-Resort/Low-Medium Density Residential (GC-PD-R/LMDR)

Location: Generally located west of Avalon Rd., and north and south of Grove Blossom Wy.; Parcel ID#s: 30-24-27-0000-00-003 (portion of) and 31-24-27-0000-00-036; 108.03 gross ac.

The following person addressed the Board: Kathy Hattaway.

A motion was made by Commissioner VanderLey, seconded by Commissioner Uribe, to continue public hearings for Regular Cycle Privately-Initiated Comprehensive Plan Map Amendment 2018-2-A-1-2, Regular Cycle State-Expedited Review Comprehensive Plan Amendments Ordinance and Amendment 2018-2-B-FLUE-3 until August 6, 2019, at 2 p.m. The motion carried by the following vote:

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

Absent: 1 - Commissioner Moore

11. 19-1044 Regular Cycle State-Expedited Review Comprehensive Plan Amendments Ordinance

Amending Orange County Code, adopting Session IV 2018-2 Regular Cycle Amendments to the 2010-2030 Comprehensive Plan (CP), adopting amendments pursuant to Section 163.3184(3), 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 AMENDMENTS PURSUANT TO SECTION 163.3184(3), FLORIDA STATUTES, FOR THE 2018 CALENDAR YEAR (SECOND CYCLE); AND PROVIDING EFFECTIVE DATES

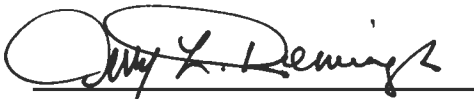
This item was continued.

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

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

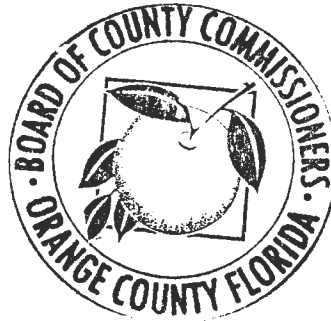
ADJOURNMENT: 4:20 p.m.

ATTEST:



County Mayor Jerry L. Demings

Date: 8/6/2019



ATTEST SIGNATURE:

Phil Diamond

County Comptroller as Clerk



Katie Smith
Deputy Clerk

* * *

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

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

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

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

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