

Orange County Government

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



Draft Meeting Minutes

Tuesday, August 6, 2019

9:00 AM

County Commission Chambers

Board of County Commissioners

Call to Order

County Mayor Demings called the meeting to order at 9:02 a.m.

Present: 7 - Mayor Jerry L. Demings, Commissioner Betsy VanderLey, Commissioner Christine Moore, Commissioner Mayra Uribe, Commissioner Maribel Gomez Cordero, Commissioner Emily Bonilla, and Commissioner Victoria P. Siplin

Others present:

County Comptroller Phil Diamond as Clerk
County Administrator Byron Brooks
Deputy County Administrator Chris Testerman
County Attorney Jeffrey J. Newton
Deputy County Attorney Joel Prinsell
Deputy Clerk Katie Smith
Senior Minutes Coordinator Noelia Perez
Senior Minutes Coordinator Lakela Louis

Invocation - District 3

Mr. Joseph Russell Sutton

Pledge of Allegiance

Presentation

2019 Telly Awards

Public Comment

The following persons addressed the Board for public comment:

- Bobby Beagles
- John Reber
- Drew Pommet
- Harry Boggs

The following material was presented to the Board during public comment: Exhibit 1, from John Reber.

I. CONSENT AGENDA

Approval of the Consent Agenda

The Mayor deferred action on Planning, Environmental, and Development Services Department Item 7; and further, a motion was made by Commissioner Bonilla, seconded by Commissioner

Uribe, to approve the balance of the Consent Agenda. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

A. COUNTY MAYOR

1. **19-1169** Confirmation of the Mayor's managerial appointment of Diane Summers as Manager, Animal Services Division, Health Services Department.

B. COUNTY COMPTROLLER

1. **19-1170** Approval of the minutes of the July 2, 2019 meeting of the Board of County Commissioners. (Clerk's Office)
2. **19-1171** 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 12, 2019, to July 18, 2019; \$35,160,299.54
 - July 19, 2019, to July 25, 2019; \$31,963,317.03
 - July 26, 2019, to August 1, 2019; \$59,574,392.35.

(Finance/Accounting)

C. COUNTY ADMINISTRATOR

1. **19-1172** Approval and execution of Resolution 2019-M-29 of the Orange County Board of County Commissioners regarding support for the transfer of portions of SR 528, SR 429 and SR 417 from the Florida Department of Transportation to the Central Florida Expressway Authority.
2. **19-1173** Approval of the Membership and Mission Review Board's recommendations for advisory board appointments and reappointments. (Agenda Development Office)

A. Affordable Housing Advisory Board: Appointment of Janae Moore to succeed Patricia A. Rice in the advocate for low income persons representative category with a term expiring June 30, 2021.

B. Arts and Cultural Affairs Advisory Council: Reappointment of Shelby L. Norwich in the City of Orlando representative category, Cecilia Bonifay in the United Arts of Central Florida representative category, and Karen E. Climer in the at large representative category with terms expiring June 30, 2021 and the appointment of Jeffrey Moore to succeed John "Rick" Schell, Ph.D. in the University of Central Florida representative category and Frank Santos to

succeed Sara M. Segal in the Tourist Development Council representative category with terms expiring June 30, 2021.

C. Citizens' Review Panel for Human Services: Appointment of Jeff Joachim to succeed Kelly Renier and Danielle Henry to succeed Luis Nieves-Ruiz in the at large member in training representative category with terms expiring December 31, 2020. NOTE: Kelly Renier, Maria E. Dodoll, and Luis Nieves-Ruiz will move from the at large member in training representative category to the at large representative category, succeeding Jason Sena, Denise M. Hammond, and Gloriann Gaston-Toussaint, respectively.

D. Housing Finance Authority: Appointment of Albert G. Hanks to succeed V. Marshall Siplin in the labor representative category with a term expiring December 31, 2020.

E. M/WBE Advisory Committee: Reappointment of Maurice L. Pearson and Skinner Louis in the at large representative category with terms expiring June 30, 2021.

F. MetroPlan Orlando Community Advisory Committee: Appointment of Roland H. Ball to succeed Fr. Jabriel S. Ballentine in the Orange County representative category with a term expiring December 31, 2019.

G. Nuisance Abatement Board: Appointment of Jennifer Harris to succeed Ali Kurnaz, Sonya Stevenson to succeed Robin D. Harris, and Merissa Battle to succeed Kevin Olney in the at large representative category with terms expiring January 1, 2020.

H. Orange Blossom Trail Development Board: Appointment of Jeff Robinson III to succeed Ceasar Santaliz in the Orange County representative category with a term expiring January 14, 2022.

I. Orange County Research and Development Authority: Appointment of Francois Didier Menard to succeed Curtis C. Hunter in the at large representative category with a term expiring August 24, 2023.

J. Parks and Recreation Advisory Board: Appointment of Tamaira Rivera to succeed Bobby R. Beagles in the District 5 representative category with a term expiring June 30, 2020.

K. Sustainability Advisory Board: Reappointment of Kenneth Peach in the social services or community health representative category and the appointment of Shana K. Carson to succeed Hal H. Kantor in the arts and cultural affairs representative category and Madeline Almodovar Ramirez to

succeed Christopher Rizzolo in the at large representative category with terms expiring June 30, 2021.

3. **19-1174** Approval for the Orange County Sheriff's Office to spend \$5,000 from the FY 2019 Law Enforcement Trust Fund to provide an eligible contribution to Florida Sheriff's Youth Ranches, Inc. (Office of Management and Budget)
4. **19-1175** Approval of budget amendments #19-40, #19-41, and #19-42. (Office of Management and Budget)
5. **19-1176** Approval and execution of Funding Agreement among Orange County, Florida and City of Orlando, Florida and Florida Citrus Sports Events, Inc. Camping World Stadium. (Fiscal and Business Services Division)
6. **19-1177** Approval and execution of Resolution 2019-B-03 for the issuance of Multi Family Housing Mortgage Revenue Bonds to finance the acquisition and rehabilitation of Baptist Terrace Apartments, a proposed development in Orange County, Florida, District 5, in an amount not to exceed \$17,000,000. (Housing and Finance Authority)
7. **19-1178** Approval and execution of Agreement between Orange County, Florida and Laborers' International Union of North America Local 517 Fiscal Years 2019-20 through 2021-22. (Human Resources Division)
8. **19-1179** Approval and execution of Memorandum of Agreement between Orange County and Orange County Fire Fighters Association, Local 2057 agreeing to Fiscal 2018-19 and 2019-20 base wage increases for all Dispatcher I, Dispatcher II, and Dispatcher Supervisor employees. (Human Resources Division)
9. **19-1180** Ratification of payment of Intergovernmental claims of June 19, 2019, June 26, 2019, and July 10, 2019, totaling \$1,669,219.46. (Risk Management Division)

D. ADMINISTRATIVE SERVICES DEPARTMENT

1. **19-1181** Approval and execution of Resolution 2019-M-30 of the Orange County Board of County Commissioners regarding increasing Orange County, Florida's Mandatory Bid Threshold. ([Administrative Services Department Procurement Division] Procurement Division)
2. **19-1182** Approval to award Invitation for Bids Y19-1006-CH, Electronic Highway Safety Devices, to the low responsive and responsible bidder, Siemens Mobility, Inc. The estimated contract award amount is \$632,825.36 for the base year. ([Public Works Department Traffic Engineering Division] Procurement Division)

3. **19-1183** Approval to award Invitation for Bids Y19-1011-MV, MSBU and Non-MSBU Retention Pond Mowing and Maintenance John Young, Taft I, Taft II, and Goldenrod/Bithlo, to the low responsive and responsible bidders by lot for the base year.

<u>Lots</u>	<u>Bidders</u>	<u>Base Year</u>
Lot A	GroundTek of Central Florida, Inc.	\$168,550
Lot B	Carol King Landscape Maintenance, Inc.	\$177,100
Lot C	Carol King Landscape Maintenance, Inc.	\$223,200
Lot D	Carol King Landscape Maintenance, Inc.	\$291,400

([Public Works Department Stormwater Management Division] Procurement Division)

4. **19-1184** Approval to award Invitation for Bids Y19-1021-KB, Aerial Mosquito Control, to the low responsive and responsible bidder, Vector Disease Control International, LLC. The estimated contract award amount is \$203,000 for a 1-year term. ([Health Services Department Mosquito Control Division] Procurement Division)
5. **19-1185** Approval to award Invitation for Bids Y19-1078-PD, Recycling of Residential Yard Waste, to the low responsive and responsible bidder, Raynor Shine Services, LLC. The estimated contract award amount is \$2,880,000 for a 3-year term. ([Utilities Department Solid Waste Division] Procurement Division)
6. **19-1186** Approval to award Invitation for Bids Y19-1088-AV, Right-of-Way Mowing - Taft Area Section II, to the low responsive and responsible bidder, Lawnwalker Services, Inc. The estimated contract award amount is \$242,995 for the base year. ([Public Works Department Roads and Drainage Division] Procurement Division)
7. **19-1187** Approval to award Invitation for Bids Y19-1089-AV, Right-of-Way Mowing - Three Points Area Section IV, to the low responsive and responsible bidder, GroundTek of Central Florida, LLC. The estimated contract award amount is \$176,600 for the base year. ([Public Works Department Roads and Drainage Division] Procurement Division)
8. **19-1188** Approval to award Invitation for Bids Y19-1090-AV, Right-of-Way Mowing - Goldenrod Area Section II, to the low responsive and responsible bidder, GroundTek of Central Florida, LLC. The estimated contract award amount is \$317,310 for the base year. ([Public Works Department Roads and Drainage Division] Procurement Division)
9. **19-1189** Approval to award Invitation for Bids Y19-1115-PD, Fill Dirt and Natural Sand, to the low responsive and responsible bidder, G.W. Trucking, Inc. The estimated contract award amount is \$696,000 for the base year. ([Public

Works Department Stormwater Management Division] Procurement Division)

10. **19-1190** Approval to award Invitation for Bids Y19-1117-PD, Median Tree Program, to the low responsive and responsible bidder, James F. McCann, Inc. The estimated contract award amount is \$3,774,230 for a 3-year term. ([Public Works Department Engineering Division] Procurement Division)
11. **19-1191** Approval to award Invitation for Bids Y19-1125-AV, Community Center Security Alarm Monitoring, Inspection, Repair, and Installation Services, to the sole responsive and responsible bidder, J. Lane Enterprises dba Lane Electronics & Alarm Systems, Inc. The estimated contract award amount is \$157,527 for a 3-year term. ([Community and Family Services Department Community Action Division] Procurement Division)
12. **19-1192** Approval to award Invitation for Bids Y19-1130-PD, Operation and Service of Small Water and Waste Water Plants, to the sole responsive and responsible bidder, US Water Services Corporation. The estimated contract award amount is \$527,033.52 for a 3-year term. ([Administrative Services Department Facilities Management Division] Procurement Division)
13. **19-1193** Approval to award Invitation for Bids Y19-727-CH, North Econlockhatchee Trail at Lake Douglas Place Intersection Improvements, to the low responsive and responsible bidder, Atlantic Civil Constructors Corporation. The estimated contract award amount is \$932,445.50. ([Public Works Department Engineering Division] Procurement Division)
14. **19-1194** Approval to award Invitation for Bids Y19-765-EB, Winter Park Pines Outfall Canal E-03-H Improvements, to the low responsive and responsible bidder, Gregori Construction, Inc. The estimated contract award amount is \$384,140. ([Public Works Department Stormwater Management Division] Procurement Division)
15. **19-1195** Approval to award Invitation for Bids Y19-766-JS, Orange County Convention Center North/South Access Control System Replacement, to the low responsive and responsible bidder, Integrated Fire and Security Solutions, Inc. The total contract award amount is \$4,725,136, inclusive of bid additive. ([Convention Center Facility Operations Division] Procurement Division)
16. **19-1196** Approval to award Invitation for Bids Y19-769-RM, Capehart Park HVAC System Replacement, to the low responsive and responsible bidder, Key Mechanical Services, Inc. The total contract award amount is \$316,000. ([Administrative Services Department Capital Projects Division] Procurement Division)
17. **19-1197** Approval of Purchase Order M97297, Upgrades to 911 Equipment and

- Communications Infrastructure for the Public Safety Answering Points (PSAPs) on the Orange County Multinode, with AT&T, in the estimated amount of \$820,366.98 with an additional \$490,469.25 for maintenance and support for years two through five, in the total estimated amount of \$1,310,836.23. ([Administration and Fiscal Services Information Systems and Services Division] Procurement Division)
18. **19-1198** Ratification of Contract Y19-721-RC, Corrections Horizons First Floor Vestibule Door Replacement, with Café Construction & Development, Inc., in the total contract award amount of \$199,000, inclusive of additive one. ([Administrative Services Department Capital Projects Division] Procurement Division)
19. **19-1199** Ratification of Purchase Order M97166, Renewal of Software and Annual Maintenance for the Land Development and Management System, with CSDC, Inc., in the amount of \$365,536.79 for the period of July 31, 2019 through July 30, 2020. ([Planning, Environmental, and Development Services Department Fiscal and Operational Support Division] Procurement Division)
20. **19-1200** Approval of Amendment No. 4, Contract Y17-108A, EMS Equipment and Supplies, with Bound Tree, Inc., in the amount of \$160,000, for a revised total contract amount of \$1,139,653.50. ([Fire Rescue Department Infrastructure and Support Division] Procurement Division)
21. **19-1201** Approval of Amendment No. 1, Contract Y19-180A, Health and Support Services for Persons with HIV Spectrum Disease, Ryan White Part A, with Aspire Health Partners, Inc. in the amount of \$61,923, for a revised total contract amount of \$325,000. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
22. **19-1202** Ratification of Amendment No. 2, Contract Y18-1023, Federal Lobbying Services, with Cogent Strategies, LLC in the amount of \$30,000, for a revised total contract amount of \$200,000. ([Legislative Affairs Office] Procurement Division)
23. **19-1203** Selection of MidAtlantic Solid Waste Consultants, LLC dba MSW Consultants to provide Recycling Improvement Consulting Services, Request for Proposals Y19-1057-SW. Further request authorization for the Procurement Division to negotiate and execute a 1-year contract in the estimated contract amount of \$1,613,812 and to renew the contract for two additional 1-year terms. ([Utilities Department Solid Waste Division] Procurement Division)
24. **19-1204** Approval and execution of First Amendment to Orlando United Assistance Center License Agreement by and between Orange County, Florida and Heart of Florida United Way, Inc. for Orlando United Assistance Center 507 East Michigan Street, Orlando, Florida 32806 Lease File #8002. District 3.

(Real Estate Management Division)

25. **19-1205** Approval and execution of Lease Agreement by and between Orange County, Florida and Walter Flores and Chantelle Flores (nee Fernandez) and delegation of authority to the Real Estate Management Division to exercise renewal option, furnish notices, and execute tenant estoppel certificates, required or allowed by the lease, as needed for Sheriff Mounted Patrol Facility - Berry Dease 9650 Berry Dease Road, Orlando, Florida 32825 Lease File #10044. District 3. (Real Estate Management Division)
26. **19-1206** Approval and execution of Resolution 2019-M-31 regarding Authorization to Convey Certain County Property Interests to the Town of Oakland and Assignment of Easement between Orange County and the Town of Oakland and authorization to disburse funds to pay recording fees and record instrument for Retention Pond Transfer - Oakland. District 1. (Real Estate Management Division)
27. **19-1207** Approval and execution of Distribution Easement from Orange County to Duke Energy Florida, LLC, d/b/a Duke Energy and authorization to record instrument for Moss Park PD Parcel J Park (Duke Energy). District 4. (Real Estate Management Division)
28. **19-1208** Approval and execution of Distribution Easement from Orange County to Duke Energy Florida, LLC, d/b/a Duke Energy and authorization to record instrument for Orange County Porter Transfer Station Site Improvements. District 2. (Real Estate Management Division)
29. **19-1209** Approval and execution of First Amendment to Non-Exclusive Drainage Easement between Taylor Morrison of Florida, Inc., SLF IV / Boyd Horizon West JV, LLC, and Orange County with Joinder and Consent to First Amendment to Non-Exclusive Drainage Easement from IberiaBank, as successor by merger to New Traditions Bank, f/k/a NT Interim Bank, successor by merger to New Traditions National Bank and authorization to record instrument for Hamlin Groves Trail North Extension (RAC). District 1. (Real Estate Management Division)
30. **19-1210** Approval and execution of Potable Water Line Easement from City of Maitland, Florida to Orange County, Florida and authorization to disburse funds to pay recording fees and record instrument for Burmese Drive - Potable Water Main Utility Easement. District 5. (Real Estate Management Division)
31. **19-1211** Approval and execution of Subordination of Utility Interests between Duke Energy Florida, LLC, d/b/a Duke Energy, f/k/a Duke Energy Florida, Inc., f/k/a Florida Power Corporation, d/b/a Progress Energy Florida, Inc. and Orange County and authorization to record instrument for Granada Loop 17-E-030 Case #PSP-16-11-380. District 1. (Real Estate Management Division)

Division)

32. **19-1212** Approval of Access, Drainage, and Utility Easement from SLF IV / Boyd Horizon West JV, LLC to Orange County with Joinders and Consents to Access, Drainage, and Utility Easement from IberiaBank, as successor by merger to New Traditions Bank, f/k/a NT Interim Bank, successor by merger to New Traditions National Bank and Taylor Morrison of Florida, Inc. and authorization to record instrument for Enclave at Hamlin (Hamlin PD/UNP/Hamlin North PSP/DP Case #PSP-16-02-067). District 1. (Real Estate Management Division)
33. **19-1213** Approval of Utility Easement from Alta Headwaters, LLC to Orange County and Subordination of Encumbrances to Property Rights to Orange County from Branch Banking and Trust Company and authorization to record instruments for Grande Lakes III Site Work Only Permit B18905401 OCU File #97334. District 1. (Real Estate Management Division)
34. **19-1214** Approval of Utility Easement from Colonial Pickett, LLC to Orange County and Subordination of Encumbrances to Property Rights to Orange County from Private Financing Alternatives, LLC and authorization to record instruments for Lake Pickett Center Parcel 1 - Site Work Only Permit B18903763 OCU File #97059. District 5. (Real Estate Management Division)
35. **19-1215** Approval of Utility Easement from P8/Dalfen Hoffner, LP to Orange County and Subordination of Encumbrances to Property Rights to Orange County from Inwood National Bank and authorization to record instruments for Hoffner Industrial Park - NC - Site Work Only Permit B18901741 File #96798. District 3. (Real Estate Management Division)
36. **19-1216** Approval of Utility Easement from Sarai Lake Buena Vista LLC to Orange County and Subordination of Encumbrances to Property Rights to Orange County from Ameris Bank and authorization to record instruments for Holiday Inn Express Site Work Permit B16902517 OCU File #87086. District 1. (Real Estate Management Division)

E. COMMUNITY AND FAMILY SERVICES DEPARTMENT

1. **19-1217** Approval and execution of Florida Department of Children and Families Application for a License to operate a Child Care Facility at South Orlando YMCA Head Start. This application is only executed by Orange County. (Head Start Division)
2. **19-1218** Approval and execution of Fourth Amendment to Facility and Land Use Agreement between The School Board of Orange County, Florida and Orange County, Florida regarding Head Start Program 2019-2020. The lease will terminate on July 31, 2020. (Head Start Division)

3. **19-1219** Approval to process payment of Department of Juvenile Justice Invoices for FY 2019/2020 up to \$5,184,372. (Fiscal Division)
4. **19-1220** Approval and execution of Third Amendment to Interlocal Agreement between The School Board of Orange County, Florida and Orange County, Florida to use a meeting room and associated facilities at Bithlo Community Park for a suspension center for an additional one-year term. District 5. (Parks and Recreation Division)

F. CONVENTION CENTER DEPARTMENT

1. **19-1221** Approval and execution of Agreement between Orange County, Florida and Central Florida Sports Commission, Inc. 2022 and 2026 USA Volleyball Open National Championships and Corporate Annual Meetings. (Fiscal and Operational Support Division)
2. **19-1222** Approval and execution of 2019-2020 Fiscal Year Funding Agreement by and between Orange County and the International Drive Master Transit and Improvement District. (Fiscal and Operational Support Division)

G. CORRECTIONS DEPARTMENT

1. **19-1223** Approval and execution of Facility Use Agreement between The First Baptist Church of Orlando, Inc. and Orange County, Florida regarding Emergency Shelter for a period of one year to continue to provide an emergency shelter facility for Orange County employees and family.

H. FIRE RESCUE DEPARTMENT

1. **19-1224** Approval and execution of State-Funded Grant Agreement Agreement Number: A0007 by the State of Florida, Division of Emergency Management and Orange County for Fiscal Year 2019-2020 in the amount of \$105,806. There is no match required. (Office of Emergency Management)

I. HEALTH SERVICES DEPARTMENT

1. **19-1225** Approval and execution of Agreement between Orange County, Florida and the Florida State University Board of Trustees related to Community-Based Training of Florida State University College of Medicine Students and authorization for the Mayor or designee to sign future amendments to this Agreement. The agreement period is one year commencing upon the date of signature by both parties with up to six one-year renewals.

J. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

1. **19-1226** Ratification of revision to the Fee Directory Fiscal Year 2018-2019 adding a note reducing applicable permit fees for the use of a private provider

consistent with Section 553.791, Florida Statutes. All Districts. (Building Safety Division)

2. **19-1227** 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, 4, 5, and 6. (Code Enforcement Division)
- LC 19-0552 LC 19-0606 LC 19-0699 LC 19-0598 LC 19-0645
 LC 19-0589 LC 19-0624 LC 19-0701 LC 19-0618 LC 19-0647
 LC 19-0591 LC 19-0661 LC 19-0593 LC 19-0619 LC 19-0651
 LC 19-0622 LC 19-0684 LC 19-0649 LC 19-0620 LC 19-0653
 LC 19-0633 LC 19-0437 LC 19-0707 LC 19-0626 LC 19-0655
 LC 19-0634 LC 19-0607 LC 19-0722 LC 19-0632 LC 19-0657
 LC 19-0639 LC 19-0663 LC 19-0581 LC 19-0642 LC 19-0659
 LC 19-0640 LC 19-0695 LC 19-0595 LC 19-0644 LC 19-0667
3. **19-1228** Acceptance of recommendation of the Environmental Protection Commission to approve the after-the-fact request for variance from Orange County Code, Chapter 15, Article IX, Section 15-342(a) (water depth) for the Hunt Family V, LLC Dock Construction Permit BD 12-05-036. District 1. (Environmental Protection Division)
4. **19-1229** Approval and execution of School Concurrency Mitigation Agreement OC-19-002 Project Name: Enclave at Lake Ellenor Parcel ID#: 21-23-29-5361-00-481 by The School Board of Orange County, Florida, Orange County, Florida, and Enclave at Lake Ellenor II for a proportionate share mitigation payment in the amount of \$45,449.04. District 6. (Fiscal and Operational Support Division)
5. **19-1230** Approval of 2019-2020 One-Year Action Plan and approval and execution of: 1) Application for Federal Assistance SF-424 and Assurances - Construction Programs for Community Development Block Grant (CDBG)/Entitlement Grant; 2) Application for Federal Assistance SF-424 and Assurances - Construction Programs for HOME Investment Partnerships Program (HOME)/Entitlement Grant; 3) Application for Federal Assistance SF-424 and Assurances - Construction Programs for Emergency Solutions Grant (ESG)/ Entitlement Grant; 4) Certifications; 5) Specific Community Development Block Grant Certifications; 6) Specific HOME Certifications; and 7) Emergency Solutions Grants Certifications. All Districts. (Housing and Community Development Division)
6. **19-1231** Approval of the August 2019 Business Assistance for Neighborhood Corridors (BANC) Program Grants for Orlando Grocery (\$1,995) and Alilin Family Medicine (\$3,250). Districts 5 and 6. (Neighborhood Services Division)

7. **19-1232** 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).

K. PUBLIC WORKS DEPARTMENT

1. **19-1233** Approval of a Stop Controlled one-way roadway on Taylor Creek Road from 185 feet north to 185 feet south of culvert headwall #BISJR054. District 5. (Traffic Engineering Division)
2. **19-1234** Approval of multi-way stop installation at the intersection of Lakeside Drive and Lakeside Drive. District 5. (Traffic Engineering Division)
3. **19-1235** Approval to construct speed humps on Overlake Avenue and March Avenue. District 3. (Traffic Engineering Division)
4. **19-1236** Approval and execution of School Impact Fee Agreement regarding an alternative impact fee calculation for Orange and Robinson Apartments #19-001 by and among Mid-America Apartments, L.P.; City of Orlando; The School Board of Orange County, Florida; and Orange County. District 6. (Traffic Engineering Division)
5. **19-1237** Ratification of Change Order Request No. 5-PW, Contract Y18-703-CH, Sherry Drive Bridge Replacement, with Schuller Contractors, Inc., in the amount of \$467,128.77, for a revised total contract amount of \$1,694,209.78. District 2. (Highway Construction Division)

L. UTILITIES DEPARTMENT

1. **19-1238** Approval of commercial refuse license for Schwartz Family Venture, LLC dba Redbox+ of Orlando to provide solid waste hauling services to commercial generators in Orange County. All Districts. (Solid Waste Division)
2. **19-1239** Approval and execution of Utility Line Construction Reimbursement Agreement for Sunbridge Reclaimed Water Transmission Main by and between Orange County and Tavistock East Holdings, LLC in the total payment obligation amount of \$4,205,430. District 4. (Engineering Division)
3. **19-1240** Approval and execution of Change Order Number 3, Contract No. Y18-734-TA, Utilities East Area Force Main Improvements-Package 2, with Schuller Contractors, Inc., in the amount of \$63,585, for a revised total contract amount of \$1,498,380. District 4. (Field Services Division)

4. 19-1241 Approval and execution of Change Order Number 10, Contract No. Y15-771-PH, South Water Reclamation Facility Phase V Improvements, with MWH Contractors, Inc., in the amount of \$629,133.54, for a revised total contract amount of \$66,763,643.22. District 6. (Field Services Division)

II. INFORMATIONAL ITEMS**

A. COUNTY COMPTROLLER

1. 19-1242 Receipt of the following items to file for the record: (Clerk's Office)
- a. Florida Public Service Commission Consummating Order. 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.
 - b. Florida Public Service Commission Order Approving Interim Storm Recovery Charge. In re: Petition for limited proceeding for recovery of incremental storm restoration costs relates to Hurricane Michael and approval of second implementation stipulation, by Duke Energy Florida, LLC.
 - c. Florida Public Service Commission Notice of Proposed Agency Action Order Approving Florida Power & Light Company's Standard Offer Contract and Schedule QS-2. In re: Petition for approval of renewable energy tariff and standard offer contract, by Florida Power & Light Company.
 - d. Florida Public Service Commission Consummating Order. In re: Petition for approval to amend street lighting, outdoor lighting and LED lighting pilot tariffs, by Florida Power & Light Company.
 - e. City of Ocoee Ordinance No. 2019-021, with Exhibit A (Legal Description), (Location Map). Ordinance No. 2019-021 (Annexation Ordinance for RusTeak - 11077 Roberson Road), Tax Parcel ID 31-22-28-0000-00-014; Case No. AX-04-19-81: RusTeak - 11077 Roberson Road. An Ordinance of the City of Ocoee, Florida, annexing into the corporate limits of the City of Ocoee, Florida, certain real property containing approximately +/-2.88 acres, located on north side of Roberson Road, approximately 280 feet west of the intersection of Maguire Road and Roberson Road, pursuant to the application submitted by the property owner; finding said annexation to be consistent with the Ocoee Comprehensive Plan, the Ocoee City Code, and the Joint Planning Area Agreement; providing for and authorizing the updating of Official City Maps; providing direction to the City Clerk; providing for severability; repealing inconsistent ordinances; providing for an effective date.

These items were received and filed.

III. DISCUSSION AGENDA

A. ADMINISTRATIVE SERVICES DEPARTMENT

1. **19-1047** Selection of one firm and an alternate to provide Engagement of Counsel for Opioid Epidemic Litigation, Request for Proposals Y19-1151-AH, from the following firms, listed alphabetically:

- Napoli Shkolink PLLC
- Romano Law Group, P.A.

([County Attorney's Office] Procurement Division)

A motion was made by Commissioner Siplin, seconded by Commissioner VanderLey, to appoint Romano Law Group, P.A., 360 points, as the selected firm; and further, appoint Napoli Shkolink PLLC, 355 points, as the alternate. The motion carried by the following vote:

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

Absent: 1 - Commissioner Uribe

2. **19-1050** Selection of two firms and two ranked alternates to provide Master Pump Station Improvements, Request for Proposals Y19-817-TA, from the following nine firms, listed alphabetically:

- AECOM Technical Services, Inc.
- Atkins North America, Inc.
- Black & Veatch Corporation
- CPH, Inc.
- Dewberry Engineers, Inc.
- Jacobs Engineering Group, Inc.
- Reiss Engineering, Inc.
- Tetra Tech, Inc.
- Wright-Pierce, Inc.

([Utilities Department Engineering Division] Procurement Division)

A motion was made by Commissioner Bonilla, seconded by Commissioner Siplin, to appoint Reiss Engineering, Inc., 474.95 points, and Black & Veatch Corporation, 459.95 points, as the selected firms; and further, appoint Tetra Tech, Inc., 436.95 points, and CPH, Inc., 425.95 points, as the selected ranked alternates. The motion carried by the following vote:

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

Absent: 1 - Commissioner Uribe

3. **19-1052** Selection of one firm and two ranked alternates to provide Engineering Services for Eastern Water Reclamation Facility (EWRF) Phase 6A Plant Reclaimed Water System Expansion, Request for Proposals Y19-818-TA, from the following five firms, listed alphabetically:

- CDM Smith, Inc.
- Hazen and Sawyer (Hazen and Sawyer, P.C.)
- Jacobs Engineering Group, Inc.
- Reiss Engineering, Inc.
- Wright-Pierce, Inc.

([Utilities Department Engineering Division] Procurement Division)

A motion was made by Commissioner Siplin, seconded by Commissioner Gomez Cordero, to appoint CDM Smith, Inc., 495.95 points, as the selected firm; and further, appoint Jacobs Engineering Group, Inc., 451.95 points, and Reiss Engineering, Inc., 429.95 points, as the selected ranked alternates. The motion carried by the following vote:

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

Absent: 1 - Commissioner Uribe

4. **19-1055** Selection of one firm and an alternate to provide Design Services for the Orange County Cultural Community Center, Request for Proposals Y19-821-RC, from the following two firms, listed alphabetically:

- C.T. Hsu & Associates, P.A.
- Rhodes + Brito Architects, Inc.

([Administrative Services Department Capital Projects Division] Procurement Division)

A motion was made by Commissioner Siplin, seconded by Commissioner Bonilla, to appoint Rhodes + Brito Architects Inc., 482 points, as the selected firm; and further, appoint C.T. Hsu & Associates, P.A., 345 points, as the alternate. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

5. **19-1058** Selection of one firm and an alternate to provide Design Services Fire Rescue Emergency Operations Center (EOC) Renovation, Request for Proposals Y19-819-EB, from the following two firms, listed alphabetically:

- Architects Design Group, Inc.
- KMF Architects

([Administrative Services Department Capital Projects Division]
Procurement Division)

A motion was made by Commissioner Siplin, seconded by Commissioner VanderLey, to appoint KMF Architects, 391.50 points, as the selected firm; and further, appoint Architects Design Group Inc., 382 points, as the alternate. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

6. 19-1059 Request for Proposals Y19-810-JS, Design Services for the Orange County Convention Center Phase V Multi-Purpose Venue and Grand Concourse Improvements. ([Convention Center Facility Operations Division] Procurement Division)

a. Selection of one firm and an alternate to provide Design Services for the Orange County Convention Phase V Multi-Purpose Venue and Grand Concourse Improvements

b. Authorization for the Procurement Division to commence contract negotiations with the selected firm

The following persons addressed the Board:

- C.T. Hsu
- Michael Lockwood
- Alan Helman
- Janet Simpson
- Mike Chatham
- Randy Dwarkck
- Jay Thomson
- Veronica Anderson
- Andy McLean

Board discussion ensued.

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Siplin, to select Populous + C.T. Hsu a Joint Venture, as the selected firm; and further, select HHCP-tvsdesign-Rhodes+Brito, as alternate, to provide Design Services for the Orange County Convention Phase V Multi-Purpose Venue and Grand Concourse Improvements. The motion carried by the following vote:

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

Nay: 1 - Commissioner Moore

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Siplin, to select Populous + C.T. Hsu a Joint Venture to authorize the Procurement Division to commence contract negotiations with the selected firm. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

B. COUNTY MAYOR

1. **19-1243** Open discussion on issues of interest to the Board.

The Board took no action.

Presentation

Employee Service Awards to:

Administrative Services

James L. Buys (30), Facilities Management

Community and Family Services

David Clay Baker (20), Lora A. Bryant (20), Parks and Recreation; Rackel L. Beckett (20), Community Action; Luisa M. Gonzalez (20), Head Start

Convention Center

Hector O. Clemente (20), Facility Operations

Corrections

Angeli F. Williams (30), Community Corrections; Cutrena L. Ball (20), In-Custody Support Services

County Administrator

Lauren A. Buckner (40), Administration

Fire Rescue

Anthony Rios (20), Fire Infrastructure Support

Planning, Environmental, and Development Services

Carolyn D. McFadden (35), Building Safety

Utilities

Alex Roberts (30), Customer Service; Klell D. Hollar (30), Field Services

IV. RECOMMENDATIONS

1. **19-1244** July 8, 2019 Board of Zoning Adjustment Recommendations

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

Aye: 7 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

V. PUBLIC HEARINGS

1. 19-1075 Petition to Vacate

Adam Smith, on behalf of DHIC - South Creek, LLC, Petition to Vacate 18-05-017, vacating a 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)

The following person addressed the Board: John Prowell.

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Uribe, to approve the request subject to the recordation of a temporary drainage easement over the area requested for vacation which will terminate at the time of platting. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

2. 19-1078 Shoreline Alteration/Dredge and Fill

George Sullivan, Lake Down, after-the-fact permit, SADF # 18-02-004; District 1

Consideration: Request for an After-the-fact Shoreline Alteration/Dredge and Fill Permit SADF-18-02-004 to authorize a new, vinyl seawall and placement of riprap on Lake Down pursuant to Chapter 33, Article IV, Section 33-129(d) Windermere Water and Navigation Control District

Location: District 1; property located adjacent to Lake Down; 10545 Down Lakeview Circle, Windermere, Florida; Orange County, Florida (legal property description on file in Environmental Protection Division)

Staff announced this public hearing was cancelled.

3. 19-1247 Board of Zoning Adjustment Board Called

Rod Billette, Case #VA-19-04-015, April 4, 2019; District 2 (Continued from June 4, 2019)

Case No.: Board of Zoning Adjustment, Case # VA-19-04-015; April 4, 2019

Consideration: Request for variances in the R-CE zoning district to allow a lot split with minimum lot widths as follows:

- 1) To allow a minimum lot width of 85 ft. in lieu of 130 ft.
- 2) To allow a minimum lot width of 52 ft. in lieu of 130 ft.

Location: District 2; property located at 7751 Sadler Rd., Mount Dora, FL 32757, north side of Sadler Rd., west of N. Orange Blossom Trail on Lake Ola; Orange County, Florida (legal property description on file in Zoning Division)

The following persons addressed the Board:

- Rod Billette
- Cindy Sonne
- George Lapierre
- Scott Rhodes
- Lynn Bucklew
- Harrison Bucklew
- John Grinnell
- Dwindia Grinnell

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

The following material was received by the Clerk during public comment. The material referenced by the speaker was not presented to the Board: Submittal 1, from Rod Billette.

A motion was made by Commissioner Moore, seconded by Commissioner Uribe, to deny the request by applicant for variances in the R-CE zoning district to allow a lot split with minimum lot widths. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bonilla

4. 19-1073 Board of Zoning Adjustment Board-Called

Greyfox Construction Corp, Case # VA-19-06-058, June 6, 2019; District 1

Case No.: Board of Zoning Adjustment, Case # SE-19-06-058; June 6, 2019

Consideration: Request for variances in the R-CE zoning district to construct a single family home as follows:

- 1) To allow a minimum lot width of 45 ft. in lieu of 130 ft.
- 2) To allow a minimum lot size of .14 acres in lieu of 1 acre
- 3) To allow a front setback of 15 ft. in lieu of 35 ft.

4) To allow a side setback (east) of 7 ft. in lieu of 10 ft.

5) To allow a rear setback of 7 ft. in lieu of 50 ft.

Location: District 1; property located at Downs Cove Rd., Windermere, FL 34786, south of Downs Cove Rd., east of S. Apopka Vineland Rd.; Orange County, Florida (legal property description on file in Zoning Division)

County staff indicated the public hearing case number is as follows: #VA-19-06-058

The following persons addressed the Board:

- Erich McCartney
- John Florio
- Jeff Patterson
- Kristy Keaugh Bonyay (Phonetic)

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

A motion was made by Commissioner VanderLey, seconded by Commissioner Siplin, to deny the variance request for case # VA-19-06-058, based on the findings that it does not meet the variance criteria; and further, waive the nine month waiting period to reapply. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

5. 19-978 Development Plan

Scott Gentry, Kelly, Collins & Gentry, Inc., Hamlin Planned Development - Unified Neighborhood Plan / (RW-2) Hamlin SEC Commercial Preliminary Subdivision Plan / Master Development Plan, Case # DP-18-12-394; District 1

Consideration: Hamlin Planned Development - Unified Neighborhood Plan / (RW-2) Hamlin SEC Commercial Preliminary Subdivision Plan / Master Development Plan - Case # DP-18-12-394 submitted in accordance with Article II of the Orange County Subdivision Regulations; This request is to approve a Master Development Plan for future building sites within the project limits so as to allow for the subsequent submittal of building permit applications for each building in lieu of needing a Development Plan and go through the Development Review Committee process for each building. The request also includes the following waivers from Orange County Code:

1. A waiver from Section 38-1476 and 38-1478 to allow shared parking per the shared parking analysis allowing 4.53 spaces per 1,000 square feet [per Section 38-1390.52(b) and Section 38-1389(d)(4)(f)], in lieu of 5 spaces per 1,000 square feet.
2. A waiver from Section 38-1390.48(b) & (c) to allow 1.00 Floor Area Ratio (FAR) in the Retail / Wholesale District (RW) and Corporate Campus Mixed Use District (CCM) within the Hamlin PD, in lieu of a maximum 0.40 FAR; pursuant to Orange County Code, Chapter 34, Article III, Section

34-69 and Chapter 30, Article III, Section 30-89

Location: District 1; property generally located East of Hamlin Groves Trail / South of New Independence Parkway; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Scott Gentry.

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

6. 19-987 Land Use Plan Amendment

Dan O'Keefe, Shutts & Bowen LLP, Sunterra Resorts Planned Development (PD), Case # LUPA-18-12-393; District 1

Consideration: To rezone 0.325 acres from R-CE (Country Estate District) to PD (Planned Development District) and incorporate the property into the Sunterra Resorts PD. The request is also to change the approved uses of the Sunterra Resorts PD from 30,000 square feet of commercial uses and 420 timeshare units to 400 multi-family dwelling units. The request also includes the following waivers from Orange County Code:

1. A waiver from Section 38-1393 to allow a multifamily and/or non-residential building with a maximum height of sixty-five (65) feet to have a minimum setback of 25 feet from single family residential development within the BVN district, single family zoned land outside the BVN district, or lands outside the BVN district designated as Low-Density Residential on the Future Land Use Map, in lieu of the Code's graduated building height/setback requirements.
2. A waiver from Section 38-1258(j) to allow a minimum building separation of twenty (20) feet in lieu of a minimum separation of thirty (30) feet for two-story buildings, and forty (40) feet for buildings three (3) stories.
3. A waiver from Section 38-1251(b) to allow the maximum coverage of all buildings to not exceed 75% of the gross land area, in lieu of the allowable maximum coverage of 30% of the gross land area.
4. A waiver from Section 38-1258(e) to allow (i) parking and other paved areas for multi-family development to be located no closer than 7.5 feet from any single family zoned property internal to the project only, in lieu of the requirement that parking and other paved areas for multi-family development be located no closer than 25 feet from any single family zoned property, and (ii) a minimum 7.5-foot landscape buffer consistent with Type C landscape buffer requirements, in lieu of a minimum 25-foot landscape buffer.
5. A waiver from section 38-830(12)(c) to allow refuse or solid waste areas to be located zero (0) feet from the north property line, wherever a wall is proposed, in lieu of the requirement that refuse or solid waste areas be located at least five (5) feet from any side or rear property line; pursuant to Orange County Code, Chapter 30.

Location: District 1; property generally located north of Lake Street, east of Ruby Lake Road,

and south of Lemon Lake Boulevard; Orange County, Florida (legal property description on file in Planning Division)

The following persons addressed the Board:

- Dan O'Keefe
- Iqbal Gagan

A motion was made by Commissioner VanderLey, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; and approve the request subject to the conditions of approval listed under the Planning and Zoning Commission Recommendation in the Staff Report. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

7. **19-988** Substantial Change

Abdul Alkadry, Harris Civil Engineers, LLC, Vineland Pointe Planned Development / Land Use Plan (PD / LUP), Case # CDR-19-04-124, amend plan; District 1

Consideration: A PD substantial change request to create a Master Sign Plan within Phases II and III. In addition, the applicant is requesting following five (5) waivers from Orange County Code:

1. A waiver from Section 31.5-163(a)(2) to allow for a total of one and one-half (1 1/2) square feet of copy area for signage for each one (1) linear foot of building frontage per establishment, provided the total copy area for all signage shall not exceed four hundred (400) square feet per establishment, with the exception of the building identified on sheet AS-100 as "Special Signage Exception", which shall have a maximum copy area for all signage not to exceed five hundred and forty (540) square feet per establishment, in lieu of a total of one (1) square foot of copy area for signage may be allowed for each one (1) linear foot of building frontage per establishment, provided that the total copy area for signage shall not exceed two hundred (200) square feet per establishment.
2. A waiver from Orange County Code Sec. 31.5-168(b), to allow multiple wall signs per building face for a single tenant, in lieu of a maximum number of one wall sign per building face per establishment.
3. A waiver from Orange County Code Sec. 31.5-172(a), to allow that on-site directional signs serving an intersection of two public rights-of-way, where such intersection functions as a vehicular access point to the Vineland Pointe development, shall be permitted a maximum allowable copy area of sixteen (16) square feet per sign face in lieu of six (6) square feet per sign face.
4. A waiver from Orange County Code Sec. 31.5-172(b), to allow that on-site directional signs serving an intersection of two public rights-of-way, where such intersection functions as a vehicular access point to the Vineland Pointe development, shall be permitted a maximum height of ten (10) feet in lieu of eight (8) feet.
5. A waiver from Orange County Code Sec. 31.5-67(i), to allow the minimum area of individual tenant panels on ground signs (also known as monument signs) to be three (3) square feet per

sign face in lieu of twelve (12) square feet per sign face; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 1; property generally located north of Lake Street, south of Lake Willis Drive, and east of Interstate 4; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Abdul Alkadry.

A motion was made by Commissioner VanderLey, seconded by Commissioner Moore, 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. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

8. 19-989 Substantial Change

Norberto Duarte, Norberto Rodrigues Duarte Trust, Buena Vista Cay
Planned Development / Land Use Plan (PD / LUP), Case #CDR-18-10-329,
amend plan; District 1

Consideration: A PD substantial change request to amend the existing December 15, 2015 BCC Condition of Approval #11 to allow for a minimum stay of six (6) days instead of two (2) weeks and modify the previously approved setback from fifteen (15) feet to twelve (12) feet. In addition, the applicant has requested the following two (2) waivers from Orange County Code:

1. A waiver from Section 38-1394.1(a) to allow a minimum width of building base green space for two (2) story structures of zero (0) feet for buildings that are attached and/or separated by ten (10) feet or less, in lieu of a minimum width of thirteen (13) feet.
2. A waiver from Section 38-1394.1(a)(2) to allow tree planting requirements within the building base landscape area to require one (1) canopy tree and one (1) understory tree for each six hundred (600) square feet of green space, in lieu of one (1) canopy tree per one hundred (100) square feet of green space; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 1; property located at 11753 Ruby Lake Road, or generally located southeast of the intersection of Ruby Lake Road and 8th Street; Orange County, Florida (legal property description on file in Planning Division)

The following persons addressed the Board:

- Russell Maynard
- Iqbal Gagan
- Ismail Natsheh

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

Aye: 7 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

9. **19-1248** 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, 18, and July 2, 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.

Based upon input from the applicant and agreed upon by County staff additional new conditions were presented as follows:

1. Applicant has agreed that the uses on Parcel 2.1 and Parcel 3.2 shall be limited to only the following C-1 uses: office, retail, restaurant (including drive-thru), bank, preschool, and convenience store (including gas; provided that no more than one gas station shall be allowed on either or site).
2. Prior to any site work permit for Parcel 2.1 and Parcel 3.2, the Developer must obtain a South Florida Water Management District Permit.
3. Developer has agreed that at Development Plan approval by DRC, it shall demonstrate that the buffers between Commercial and Single-Family zoned property exceed the County buffer requirements.
4. Development of Parcel 2.1 and 3.2 shall not impact the existing wetlands and flood way.
5. Development on Parcel 2.1 and 3.2 shall not exceed one-story in height.

The following person addressed the Board: Audrey Watterson.

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

- Exhibit 1, from Kathy Hattaway

- Exhibit 2, from Audrey Watterson
- Exhibit 3, from Kathy Hattaway

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner VanderLey, to make a finding of consistency with the Comprehensive Plan; further, approve the substantial change request subject to the conditions of approval listed under the Development Review Committee Recommendation in the Staff Report; further, approve additional new conditions of approval; and further, approve and execute the Second Amendment to Amended and Restated Development Order (Ninth Amendment) Meadow Woods Development of Regional Impact. The motion carried by the following vote:

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

Nay: 1 - Commissioner Bonilla

and

I. CONSENT AGENDA (Deferred)

J. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

7. **19-1232** 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 approved.

V. PUBLIC HEARINGS

10. **19-1151** Certificate of Public Convenience and Necessity Application

Affordable Transport Inc., Certificate of Public Convenience and Necessity Application to provide Advanced Life Support transport services; All Districts

Consideration: A request by Affordable Transport, Inc., for a Certificate of Public Convenience and Necessity, to provide interfacility Advanced Life Support transport services, pursuant to Orange County Code, Chapter 20, Article III, Emergency and Nonemergency Medical Care and Transportation.

The following persons addressed the Board:

- Richard Jensen
- Robert Eberhart
- Jordan Miller

The following material was received by the Clerk during public comment. The material referenced

by the speaker was not presented to the Board: Submittal 1, from Jordan Miller.

A motion was made by Mayor Demings, seconded by Commissioner Uribe, to grant the limited COPCN (Certificate of Public Convenience and Necessity) to ATI (Affordable Transportation Inc.) at this time; and further, come back and perfect the process regarding determination of need going forward. 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. 19-1150 Ordinance

Creating Section 38-30, in Chapter 38, Orange County Code, regarding Major Economic Development Projects

Consideration: AN ORDINANCE AFFECTING THE USE OF LAND IN ORANGE COUNTY, FLORIDA BY CREATING IN CHAPTER 38, ORANGE COUNTY CODE, SECTION 38-30 MAJOR ECONOMIC DEVELOPMENT PROJECT PROGRAM; AND PROVIDING AN EFFECTIVE DATE

A motion was made by Mayor Demings, seconded by Commissioner Gomez Cordero, to make a finding of consistency with the comprehensive plan; further, adopt Ordinance 2019-12 affecting the use of land in Orange County, Florida by creating in Chapter 38, Orange County Code, Section 38-30, Major Economic Development Project Program; and providing an effective date; further, allow staff to correct any non-substantial grammatical or scrivener's errors; and further, establish fees associated with MEDP (Major Economic Development Project) applications. 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

12. 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: Teri Bowley.

A motion was made by Commissioner VanderLey, seconded by Commissioner Uribe, to continue the public hearing for Regular Cycle Privately-Initiated Comprehensive Plan Map Amendment 2018-2-A-1-2 until November 12, 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

12. 19-1076 Regular Cycle Privately Staff-Initiated Comprehensive Plan Map Amendment

Amendment 2018-2-B-FLUE-3

Text amendments 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 Uribe, seconded by Commissioner Bonilla, to continue the public hearings for Regular Cycle Privately Staff-Initiated Comprehensive Plan Map Amendment 2018-2-B-FLUE-3 and Regular Cycle State-Expedited Review Comprehensive Plan Amendments Ordinance until November 12, 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

12. 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 public hearing was continued.

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

Absent: 1 - Commissioner Moore

13. 19-1245 Amending Orange County Code, adopting 2019-1 Continued Regular Cycle

Comprehensive Plan Amendment to the 2010-2030 Comprehensive Plan (CP)

and

Adoption of Ordinance

Regular Cycle Privately-Initiated Comprehensive Plan Map Amendment

Amendment 2019-1-A-6-1

Erika Hughes, VHB, Inc., for Central Florida Investments, Inc.
Low-Medium Density Residential (LMDR) to Medium Density Residential (MDR); District 6

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

Location: Generally located on the west side of S. Texas Ave., south of Wakulla Wy., east of S. John Young Pkwy., and north of W. Oak Ridge Rd.; Parcel ID#s: 21-23-29-5361-00-170/171/172; 19.40 gross ac.

County staff announced the applicant proposed increased to the development program from 366 to 388 multi-family dwelling units.

The following person addressed the Board: Erika Hughes.

A motion was made by Commissioner Siplin, seconded by Commissioner Gomez Cordero, to make a finding of consistency with the Comprehensive Plan (see Future Land Use Element Goal FLU2, Objectives FLU2.1 and FLU8.2, and Policies FLU1.1.1, FLU1.1.5, FLU1.4.1, and FLU8.2.1; Housing Element Goal H1 and Objective H1.1); further, determine that the proposed amendment is in compliance; and further, adopt Amendment 2019-1-A-6-1, Low-Medium Density Residential (LMDR) to Medium Density Residential (MDR), up to 388 multi-family dwelling units. 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

13. 19-1246 Regular Cycle State-Expedited Review Comprehensive Plan Amendment Ordinance

Amending Orange County Code, adopting 2019-1 Continued Regular Cycle Comprehensive Plan Amendment 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 2019 CALENDAR YEAR (FIRST CYCLE); AND PROVIDING EFFECTIVE DATES

A motion was made by Commissioner Uribe, seconded by Commissioner VanderLey, to make a finding of consistency with the Comprehensive Plan; further, determine that the amendment is in compliance; and further, adopt Ordinance 2019-13, 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

14. 19-1046 Comprehensive Plan

Transmittal of 2019-2 Regular Cycle Amendments to the 2010-2030 Comprehensive Plan (CP)

Regular Cycle Privately-Initiated Future Land Use Map Amendment

Amendment 2019-2-A-1-1

David Evans, Evans Engineering, Inc. for Hartzog Road Property, LLC/Westport Capital Partners
Growth Center/Planned Development-Commercial/Low-Medium Density Residential (GC-PD-C/LMDR) and Growth Center/Planned Development-Low Medium Density Residential(GC-PD-LMDR) to Growth Center-Planned Development-Commercial/Medium Density Residential (GC-PD-C/MDR); District 1

Consideration: Growth Center - Planned Development - Commercial / Low-Medium Density Residential (GC-PD-C/LMDR) and Growth Center - Planned Development - Low -Medium Density Residential (GC-PD-LMDR) to Growth Center - Planned Development - Commercial / Medium Density Residential (GC-PD-C/MDR)

Location: Generally located on the east side of Avalon Rd., south of Hartzog Rd., north of Arrowhead Blvd., and west of Vista Del Lago Blvd.; Parcel ID#'s: 31-24-27-0000-00-016/039/040/044; 37.83 gross ac.

The following person addressed the Board: David Evans.

A motion was made by Commissioner VanderLey, seconded by Commissioner Uribe, to make a finding that the information contained in the application for the proposed amendment is sufficiently complete; and further, transmit Privately-Initiated Future Land Use Map Amendment 2019-2-A-1-1, Growth Center - Planned Development - Commercial / Low-Medium Density Residential (GC-PD-C/LMDR) and Growth Center - Planned Development - Low -Medium Density Residential (GC-PD-LMDR) to Growth Center - Planned Development - Commercial / Medium Density Residential (GC-PD-C/MDR), to the reviewing agencies. 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

14. 19-1048 Regular Cycle Privately-Initiated Future Land Use Map Amendment

Amendment 2019-2-A-4-2

Tom Sullivan, Gray Robinson, P.A., for Chuck Hollow, Inc. et al
Commercial (C) to Planned Development-Medium High Density Residential (PD-MHDR); District 4

Consideration: Commercial (C) to Planned Development - Medium-High Density Residential (PD-MHDR)

Location: 12400 and 12464 E. Colonial Dr., Generally located north of Waterford Wood Cir., east of Woodbury Rd., south of E. Colonial Dr., and west of SR 408; Parcel ID#s: 23-22-31-0000-00-012/013; 10.08 gross ac.

The following person addressed the Board: Tom Sullivan.

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Uribe, to make a finding that the information contained in the application for the proposed amendment is sufficiently complete; and further, transmit Privately-Initiated Future Land Use Map Amendment 2019-2-A-4-2, Commercial (C) to Planned Development - Medium-High Density Residential (PD-MHDR), to the reviewing agencies. 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

14. 19-1049 Regular Cycle Privately-Initiated Future Land Use Map Amendment

Amendment 2019-2-A-4-3 (fka 2019-1-A-4-2)

Jim Hall, Hall Development Services, Inc., for SBEGC, LLC
Parks and Recreation/Open Space (PR/OS) to Medium Density Residential (MDR); District 4

Consideration: Parks and Recreation / Open Space (PR/OS) to Medium Density Residential (MDR)

Location: 2900 Northampton Ave.; Generally located north of S. Alafaya Trl., west of Northampton Ave., south of Stoneybrook Blvd.; Parcel ID: 01-23-31-0000-00-001 (portion of); 14.50 gross ac.

The following persons addressed the Board:

- Rebecca Wilson

- Lorie Ingraham
- Whitney Russell
- Neil Kynaston
- Jason Joyce
- Stacy Heffner
- Jerry Airier (Phonetic)

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

- Exhibit 1, from Rebecca Wilson
- Exhibit 2, from Lorie Ingraham
- Exhibit 3, from Rebecca Wilson

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner VanderLey, to make a finding that the information contained in the application for the proposed amendment is sufficiently complete; and further, transmit Privately-Initiated Future Land Use Map Amendment 2019-2-A-4-3, Parks and Recreation / Open Space (PR/OS) to Medium Density Residential (MDR), to the reviewing agencies. 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

14. 19-1051 Regular Cycle Staff-Initiated Amendment

Amendment 2019-2-B-FLUE-1

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

A motion was made by Commissioner Uribe, seconded by Commissioner VanderLey, to transmit Staff-Initiated Amendment 2019-2-B-FLUE-1, Text amendment to Future Land Use Element Policy FLU8.1.4 establishing the maximum densities and intensities for proposed Planned Developments within Orange County, 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

14. 19-1053 Regular Cycle Staff-Initiated Amendment

Amendment 2019-2-B-FLUE-3

Text amendment to Future Land Use Element addressing Accessory Dwelling Units (ADUs) not to be counted as density

A motion was made by Commissioner VanderLey, seconded by Commissioner Bonilla, to transmit Staff-Initiated Amendment 2019-2-B-FLUE-3, Text amendment to Future Land Use Element addressing Accessory Dwelling Units (ADUs) not to be counted as density, to the reviewing agencies. 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

14. 19-1054 Regular Cycle Staff-Initiated Amendment

Amendment 2019-2-B-FLUE-4

Text amendment to Future Land Use Element regarding Assisted Living Facilities (ALFs)

A motion was made by Commissioner Uribe, seconded by Commissioner VanderLey, to transmit Staff-Initiated Amendment 2019-2-B-FLUE-4, Text amendment to Future Land Use Element regarding Assisted Living Facilities (ALFs), to the reviewing agencies. 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

14. 19-1056 Regular Cycle Staff-Initiated Amendment

Amendment 2019-2-B-FLUM-1

Map Amendment removing Future Land Use Map designations for parcels previously annexed by incorporated jurisdictions within Orange County

A motion was made by Commissioner Bonilla, seconded by Commissioner Uribe, to transmit Staff-Initiated Amendment 2019-2-B-FLUM-1, Map Amendment removing Future Land Use Map designations for parcels previously annexed by incorporated jurisdictions within Orange County, to the reviewing agencies. 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

14. 19-1164 Regular Cycle Staff-Initiated Text and Future Land Use Map Amendment

Amendment 2019-2-B-FLUM-2 (fka 2019-2-A-5-1)

Map Amendment to the Future Land Use Map to change the designation for a Green PLACE property from Rural/Agricultural (R) to Preservation

(PRES)

A motion was made by Commissioner Bonilla, seconded by Commissioner Uribe, to make a finding that the information contained in the application for the proposed amendment is sufficiently complete; and further, transmit Staff-Initiated Amendment 2019-2-B-FLUM-2, Map Amendment to the Future Land Use Map to change the designation for a Green PLACE property from Rural/Agricultural (R) to Preservation (PRES), to the reviewing agencies. 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

14. 19-1057 Regular Cycle Staff-Initiated Amendment

Amendment 2019-2-C-CP-1

Comprehensive Plan Administrative Clean-up to the Transportation Element

A motion was made by Commissioner Uribe, seconded by Commissioner VanderLey, to transmit Staff-Initiated Amendment 2019-2-C-CP-1, Comprehensive Plan Administrative Clean-up to the Transportation Element, to the reviewing agencies. 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

√ **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: 7:01 p.m.

ATTEST:

County Mayor Jerry L. Demings

Date: _____

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.