

BCC Mtg. Date: November 14, 2017

Orange County Government

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



Final BCC Meeting Minutes

Tuesday, October 17, 2017

9:00 AM

County Commission Chambers

Board of County Commissioners

Call to Order

County Mayor Jacobs called the meeting to order at 9:07 a.m.

Present: 6 - Mayor Teresa Jacobs, Commissioner Bryan Nelson, Commissioner Jennifer Thompson, Commissioner Pete Clarke, Commissioner Betsy VanderLey, and Commissioner Victoria P. Siplin

Absent: 1 - Commissioner Emily Bonilla

Others Present:

County Comptroller Phil Diamond as Clerk
County Administrator Ajit Lalchandani
Assistant County Administrator Chris Testerman
County Attorney Jeffrey Newton
Deputy County Attorney Joel Prinsell
Senior Minutes Coordinator Craig Stopyra
Minutes Coordinator Lakela Louis

Invocation

Pastor Riva Tims, Majestic Life Ministries Church

Pledge of Allegiance**Presentation**

Proclamation designating October 23 through October 31, 2017 as Red Ribbon Week

Presentation

Proclamation designating October 26, 2017 as Lights on After School Day

Public Comment

The following persons addressed the Board for public comment:

- Michael Jones
- Phyllis Hall
- Charles Lee
- Deborah Green
- Scott Taylor
- Jay Exum
- David Siegel

The following materials were presented to the Board during public comment.

- Exhibit 1, from Michael Jones
- Exhibit 2, from Phyllis Hall

- Exhibit 3, from Charles Lee
- Exhibit 4, from Jay Exum

I. CONSENT AGENDA

Approval of the Consent Agenda

The Mayor deferred action on Community, Environmental and Development Services Department Item 2; and further, a motion was made by Commissioner Clarke, seconded by Commissioner Thompson, to approve the balance of the Consent Agenda. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bonilla

A. COUNTY COMPTROLLER

1. [17-1336](#) Approval of the minutes of the September 7, September 19, and September 21, 2017 meetings of the Board of County Commissioners. (Clerk's Office)
2. [17-1337](#) 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:
 - September 29, 2017, to October 5, 2017; \$108,435,786.15
 - October 6, 2017, to October 12, 2017; \$39,101,622.73.

(Finance/Accounting)

B. COUNTY ADMINISTRATOR

1. [17-1338](#) Approval of Contract #Y18-135 Orange County, Florida and United Arts of Central Florida, Inc. Management/Fiscal Agency Agreement for Orange County Arts & Cultural Affairs Tourist Development Tax (TDT) Revenue - Arts & Cultural Affairs Grants Program in the amount of \$5,388,065. (Arts and Cultural Affairs Office)
2. [17-1339](#) Approval of Contract #Y18-136 Orange County, Florida and United Arts of Central Florida Inc. in the amount of \$723,665 for fiscal year 2017-2018 from the General Fund. (Arts and Cultural Affairs Office)
3. [17-1340](#) Confirmation of the County Mayor's staff reappointments for the fourth quarter, July-September FY 2016-2017. (Human Resources Division)
 - O. Dianne Arnold, Manager, Citizens Resource & Outreach, Family Services

- Carol A. Burkett, Director, Drug Free, Health Services
- Angela A. Chestang, Manager, Citizens Commission for Children, Family Services
- Kelly A. Deutsch, Manager, Mosquito Control, Health Services
- Sheena D. Ferguson, Manager, Business Development, Administrative Services
- Paulette V. Julien, Deputy Chief, Corrections
- Troy E. Layton, Manager, Utilities Field Services, Utilities
- Bryan D. Lucas, Manager, Fleet Management, Administrative Services
- Alex J. Morales, Manager, Fiscal & Operational Support, Fire Rescue
- Yulita M. Osuba, Deputy Director, Convention Center
- John L. Petrelli, Jr., Director, Risk Management and Office of Professional Standards
- Kristopher S. Shoemaker, Deputy Director, Convention Center
- Richard F. Steiger Jr., Manager, Facilities Management, Administrative Services
- Kimberly B. Stewart-Horan, Division Chief, Communications, Fire Rescue
- Michael J. Wajada, Division Chief, Operations, Fire Rescue
- Raymond L. Williams, Manager, Engineering, Public Works
- Timothy J. Wood, Manager, Security, Convention Center

4. [17-1341](#) Approval and execution of Interlocal Agreement between Orange County, Florida, Orange County Clerk of the Courts, and the Ninth Judicial Circuit Court regarding funding of Jury Services in the amount of \$356,220 for FY 2017-18. (Office of Management and Budget)
5. [17-1342](#) Approval to disburse payment for the Florida Association of Counties (FAC) membership fee totaling \$119,440 as provided in the FY 2017-18 adopted budget. (Office of Management and Budget)
6. [17-1343](#) Approval to disburse CRA funds totaling \$38,577,420 to Orange County's 15 Community Redevelopment Agencies. (Office of Management and Budget)
7. [17-1344](#) Approval of budget transfers #17-000001450, #18C-000000001, #18C-000000002, #18C-000000003, #18C-000000004, #18C-000000005, #18C-000000006, #18C-000000007, #18C-000000008, and #18C-000000009. (Office of Management and Budget)
8. [17-1345](#) Approval of CIP amendments #18C-001, #18C-002, #18C-003, #18C-004, #18C-005, #18C-006, #18C-007, #18C-008, and #18C-009. (Office of Management and Budget)

C. ADMINISTRATIVE SERVICES DEPARTMENT

1. [17-1347](#) Approval to award Invitation for Bids Y18-106-LC, Furnish Asphalt Products, to the low responsive and responsible bidder, Middlesex Asphalt, LLC. The

- estimated contract award amount is \$2,146,500 for a 1-year term. ([Public Works Department Roads and Drainage Division] Procurement Division)
2. [17-1346](#) Approval to award Invitation for Bids Y17-1122-KB, Head Start Child Care Food Program, to the low responsive and responsible bidder, G.A. Foods Services, Inc. The annual contract award amount is \$1,269,254.70. ([Family Services Department Head Start Division] Procurement Division)
 3. [17-1348](#) Approval to award Invitation for Bids Y17-781-PH, Pump Stations 3116 Martin Co, 3117 Millay Drive and 3216 Padgett Circle Improvements Package 10, to the low responsive and responsible bidder, Prime Construction Group, Inc. The total contract award amount is \$1,292,776. ([Utilities Department Engineering Division] Procurement Division)
 4. [17-1349](#) Approval to award Invitation for Bids Y18-700-CC, Orange County Corrections Horizons Elevator Modernization, to the low responsive and responsible bidder, Skyline Elevators, Inc. The total contract award amount is \$1,539,000, which includes additive bid items 1, 2, 3 and 4. ([Administrative Services Department Capital Projects Division] Procurement Division)
 5. [17-1350](#) Approval of Amendment No. 6, Contract Y14-1092C-DG, Landscape Management Services - Countywide, Lot C, with A.L.G. Landscaping and Concrete Work, Inc. in the amount of \$64,117.04, for a revised total contract amount of \$165,996.30. ([Administrative Services Department Facilities Management Division] Procurement Division)
 6. [17-1351](#) Approval of Amendment No. 5, Contract Y14-1092D-DG, Landscape Management Services - Countywide, Lot D, with A.L.G. Landscaping and Concrete Work, Inc. in the amount of \$41,150.89, for a revised total contract amount of \$111,438.13. ([Administrative Services Department Facilities Management Division] Procurement Division)
 7. [17-1352](#) Approval of Amendment No. 3, Contract Y16-2054, Prenatal Care with Florida Department of Health Orange County in the amount of \$100,000, for a revised total annual contract amount \$380,000. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
 8. [17-1353](#) Ratification of Contract Y17-779, Wyndham Lakes Boulevard Emergency Sewer Repair, to the low responsive and responsible bidder, Pospiech Contracting, Inc. in the contract award amount of \$258,310. ([Utilities Department Engineering Division] Procurement Division)
 9. [17-1354](#) Approval and execution of Resolution and authorization to initiate condemnation proceedings for Boggy Creek Rd (Osceola Cnty line to 600' N. of Central FI Greenway SR 417). District 4. (Real Estate Management Division)

10. [17-1355](#) Approval and execution of Memorandum of Understanding between Orange County and the USDA, Forest Service, National Forests in Florida for Florida National Scenic Trail MOU. Districts 4 and 5. (Real Estate Management Division)
11. [17-1356](#) Approval of As Is Residential Contract for Sale and Purchase with Addendum to Contract between Orange County and Leonardo Cruz Bernaldo and Dany E. Tomey Garcia, approval and execution of County Deed from Orange County to Leonardo Cruz Bernaldo and Dany E. Tomey Garcia and authorization to perform all actions necessary and incidental to closing of NSP Resale - 7861 Compass Drive, Orlando, FL 32810 (NCST). District 2. (Real Estate Management Division)
12. [17-1357](#) Approval of Utility Easement from Greenway Park DRI, LLC, successor by merger to Lake Nona IV, LLC f/k/a Airport II, LLC, to Orange County and Utility Easement from Crockett Development Property, LLC, to Orange County and authorization to record instruments for Airport S. PD Pcl 1 Master Infrastructure & Util. Permit: B17902360 OCU File #: 92946. District 4. (Real Estate Management Division)
13. [17-1358](#) Approval of Utility Easement from SCI Funeral Services of Florida, LLC, as successor by conversion to SCI Funeral Services of Florida, Inc., as successor by merger to Woodlawn Memorial Park, Inc., f/k/a Florida Park Cemetery Company to Orange County and authorization to record instrument for Woodlawn Cemetery Reclaimed Water Connection Permit: B17901363 OCU File # 92246. District 1. (Real Estate Management Division)

D. COMMUNITY, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

1. [17-1359](#) Approval and execution of Orange County, Florida, Resolutions Establishing Special Assessment Liens for Lot Cleaning Services and approval to record Special Assessment Liens on property cleaned by Orange County, pursuant to Orange County Code, Chapter 28, Nuisances, Article II, Lot Cleaning. All Districts. (Code Enforcement Division)

LC 17-0662	LC 17-0810	LC 17-0629	LC 17-0749	LC 17-0791
LC 17-0633	LC 17-0833	LC 17-0673	LC 17-0751	LC 17-0804
LC 17-0643	LC 17-0884	LC 17-0698	LC 17-0761	LC 17-0805
LC 17-0647	LC 17-0732	LC 17-0699	LC 17-0762	LC 17-0812
LC 17-0719	LC 17-0797	LC 17-0736	LC 17-0766	LC 17-0820
LC 17-0720	LC 17-0655	LC 17-0737	LC 17-0769	LC 17-0831
LC 17-0725	LC 17-0654	LC 17-0740	LC 17-0774	LC 17-0845
LC 17-0800	LC 17-0772	LC 17-0741	LC 17-0777	LC 17-0852

E. PUBLIC WORKS DEPARTMENT

1. [17-1361](#) Authorization to record the plat of Eagle Creek Hole 4 Office Park. District 4. (Development Engineering Division)
2. [17-1362](#) Approval and execution of (1) Interlocal Agreement between Orange County, Florida and City of Apopka, Florida regarding transfer of jurisdiction of East Sandpiper Street from Ustler Road to North Thompson Road; (2) County Deed by Orange County and the City of Apopka; and (3) Assignment of Drainage Easements by Orange County to the City of Apopka. District 2. (Administration)
3. [17-1363](#) Approval and execution of Utility Relocation Agreement by and between Orange County and Bright House Networks, LLC for the relocation of utility facilities on Avalon Park Boulevard in the amount of \$32,806. District 4. (Engineering Division)

II. INFORMATIONAL ITEMS**

A. COUNTY COMPTROLLER

1. [17-1364](#) Receipt of the following items to file for the record: (Clerk's Office)
 - a. Florida Public Service Commission Consummating Order. In re: Petition for approval of amended standard offer contract and amended interconnection agreement, by Duke Energy Florida, LLC.
 - b. Florida Public Service Commission Notice of Proposed Agency Action Order approving Florida Power and Light Company's depreciation class and rate for energy storage equipment. In re: Petition for approval of a new depreciation class and rate for energy storage equipment, by Florida Power and Light Company.
 - c. Florida Public Service Commission. RE: Docket No. 20170175-EU-Joint petition for approval of amended territorial agreement in Orange and Osceola Counties, by Duke Energy Florida, LLC and Reedy Creek Improvement District.
 - d. Florida Public Service Commission. Commission Conference Agenda. Conference Date and Time: Tuesday, October 3, 2017, 9:30 a.m. Location: Betty Easley Conference Center, Joseph P. Cresse Hearing Room 148.

This Item was received and filed.

III. DISCUSSION AGENDA

A. UTILITIES DEPARTMENT

1. [17-1365](#) J.D. Power 2017 Water Utility Residential Customer Satisfaction Study. All Districts. (Administration)

The following person addressed the Board: John Hazen.

The Board took no action.

B. COUNTY ADMINISTRATOR

1. [17-1366](#) Approval of the Arts and Cultural Affairs Advisory Council's funding recommendations for Arts and Cultural Affairs Grants for cultural tourism and Blockbuster events for FY 2018. (Arts and Cultural Affairs Office)

Clerk's Note:

Terry Olson from the Arts and Cultural Affairs office announced the following change be applied to the Agenda on page 340, box 2, No. 3, under Project Name to read as follows with the underlined change: "Repairs necessitated by Hurricane Irma damage and backstop payment on event losses in consultation with the ~~Comptroller~~ County Attorney's Office and County Administration on a case-by-case basis, subject for review by the Arts and Cultural Affairs Advisory Council."

Mayor Jacobs directed staff to present to the Board guidelines on how the Board will oversee and administer Hurricane Irma related funding in the amount of up to \$300,000 for repairs and event losses for Tourist Development Tax funded arts organizations; and further, funding will not be disbursed until the Board reviews such guidelines at the BCC Meeting of October 31, 2017.

A motion was made by Commissioner Thompson, seconded by Commissioner Clarke, to approve the Arts and Cultural Affairs Advisory Council's funding recommendations for FY 2018 cultural tourism in the amount of \$2,679,650 and Blockbuster funding for Visions of the Hispanic World (\$200,000), IMMERSE 2020 (\$200,000) and up to \$300,000 for Hurricane Irma repairs and event losses for TDT-funded arts organizations. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bonilla

2. [17-1367](#) Appointment of an individual to succeed Ulysses R. Gutierrez on the Code Enforcement Board with a term expiring December 31, 2017.

Commissioner Thompson nominated Jany Perez.

Aye votes cast by voice vote for Jany Perez as follows: Mayor Jacobs; Commissioners VanderLey, Nelson, Clarke, Thompson, and Siplin.

Member absent-Commissioner Bonilla

Jany Perez received a majority to be appointed to the Code Enforcement Board with a term

expiring December 31, 2017; no further votes were cast.

NONAGENDA

County staff provided the Board with an update on Hurricane Maria Recovery.

C. ADMINISTRATIVE SERVICES DEPARTMENT

1. [17-1368](#) Selection of one firm and an alternate to provide Adult Drug Court Substance Abuse Treatment and Case Management Program, Request for Proposals Y17-1134-LC, from the following two firms, listed alphabetically:

- Aspire Health Partners, Inc.
- The Transition House, Inc.

([Health Services Department Drug Free Office] Procurement Division)

A motion was made by Commissioner Nelson, seconded by Commissioner Clarke, to appoint Aspire Health Partners, Inc., 422.69 points, as the selected firm; and further, appoint The Transition House, Inc., 320 points, as the alternate. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bonilla

IV. WORK SESSION AGENDA

A. COMMUNITY, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

1. [17-1369](#) Rural Residential Enclaves Small Area Study. All Districts. (Planning Division)

The following persons addressed the Board:

- Craig Parks
- Mike Dugre

The following material was presented to the Board: Exhibit 1, from Craig Parks

The Board took no action.

V. RECOMMENDATIONS

1. [17-1370](#) September 21, 2017 Planning and Zoning Commission Recommendations

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

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

Absent: 1 - Commissioner Bonilla

VI. PUBLIC HEARINGS

1. [17-1286](#) Petition to Vacate

Alton H. Hopkins and Kit L. Hopkins, Petition to Vacate 16-08-023, vacate a portion of right-of-way, District 2

Consideration: Resolution granting Petition to Vacate # 16-08-023, vacating a portion of a 30 ft wide right-of-way, containing approximately 7,548 square feet (0.17 acres)

Location: District 2; property located at 7161 Dudley Avenue and 7181 Dudley Avenue; Orange County, Florida (legal property description on file)

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

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

Absent: 1 - Commissioner Bonilla

2. [17-1247](#) Board of Zoning Adjustment Board-Called

Marco Loleit, Case # VA-17-08-077, August 3, 2017; District 3

Consideration: Request for a zoning variance to erect a 6 ft. high fence in the front yard in lieu of the maximum height of 4 ft.

Location: District 3; property generally located west side of the Parkdale Drive, south of W. Mary Jess Rd.; Orange County, Florida (legal property description on file in Zoning Division)

The following person addressed the Board: Brent Spain.

A motion was made by Commissioner Clarke, seconded by Commissioner VanderLey, to uphold the Board of Zoning Adjustment recommendation of August 3, 2017, for Case # VA-17-08-077. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bonilla

3. [17-1246](#) Planning and Zoning Commission Board-Called

Quang Lam, Lam Civil Engineering, Inc., Case # RZ-17-07-017, July 20, 2017; District 5 (Continued from October 17, 2017)

Consideration: Request to consider a rezoning of 3.56 gross acres located at 3200 Lake Twylo

Road from A-2 (Farmland Rural District) to R-1A (Single-Family Dwelling District) with the intent to split and reconfigure the existing parcels into a ten (10) unit single-family subdivision.

Location: District 5; property located at 3200 Lake Twylo Road; generally on the west side of Lake Twylo Road, approximately 800 feet north of Buck Road; Orange County, Florida (legal property description on file)

The following persons addressed the Board:

- Quang Lam
- Dolores Elvira Osegueda (phonetic)

The following material was received by the Clerk prior to the close of the public hearing. The material referenced by the speaker was not presented to the Board: Submittal 1, from Quang Lam.

A motion was made by Mayor Jacobs, seconded by Commissioner Thompson, to continue the public hearing until October 31, 2017, at 2 p.m. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bonilla

4. [17-1249](#) Preliminary Subdivision Plan

Marc Stehli, Poulos & Bennett, LLC, Hickory Nut Estates Planned Development / Hickory Nut Estates Preliminary Subdivision Plan, Case # PSP-16-06-222; District 1

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

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

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

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

Absent: 1 - Commissioner Bonilla

and

I. CONSENT AGENDA (Deferred)

D. COMMUNITY, ENVIRONMENTAL AND DEVELOPMENT SERVICES

2. [17-1360](#) Approval and execution of Agreement for Proportionate Share Contribution for Road Mitigation Cost Hickory Nut Estates C.R. 545: From South Leg of Loop Road to Schofield Road also known as Karl Kahlert Parkway by and between Horizon West Investment Group, LLC and Orange County for a proportionate share payment in the amount of \$155,920, the amount of which will then be delivered by the County to the Village H Escrow Agent within 180 days. District 1. (Roadway Agreement Committee)

A motion was made by Commissioner VanderLey, seconded by Commissioner Clarke, to approve and execute the Agreement for Proportionate Share Contribution for Road Mitigation Cost Hickory Nut Estates C.R. 545: From South Leg of Loop Road to Schofield Road also known as Karl Kahlert Parkway by and between Horizon West Investment Group, LLC and Orange County for a proportionate share payment in the amount of \$155,920. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bonilla

VI. PUBLIC HEARINGS

5. [17-1292](#) Preliminary Subdivision Plan

Adam Smith, VHB, Inc., Eagle Creek Planned Development (PD) / Villages J and K Preliminary Subdivision Plan (PSP), Case # PSP-17-02-048; District 4

Consideration: Eagle Creek PD / Villages J and K Preliminary Subdivision Plan (PSP), Case # PSP-17-02-048, submitted in accordance with Sections 34-69 and 30-89, Orange County Code; This Preliminary Subdivision Plan (PSP) is a request to subdivide 198.83 acres in order to construct 607 single-family residential dwelling units (attached and detached). The project is proposed to be gated and shall comply with the minimum requirements of the Gated Community Ordinance, Orange County Code Sections 34-280, 34-290, and 34-291, as they may be amended from time to time. This request also includes the following waiver from Orange County Code: A waiver from Orange County Code Section 34-15(c) is required to allow Lots 221-236 to front a new, park open space, etc., in lieu of the 20-foot access to a dedicated public paved street. Legal access to these lots will be through an ingress/egress easement and/or alley tract.

Location: District 4, property generally located South of Tyson Road and East of Narcoossee Road; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Adam Smith.

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

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

Absent: 1 - Commissioner Bonilla

6. [17-1287](#) Substantial Change

Jennifer Stickler, Kimley-Horn & Associates, Inc., North of Albert's
Planned Development / Land Use Plan (PD / LUP), Case #
CDR-17-04-126, amend plan; District 1

Consideration: A PD Substantial change request to incorporate a Master Sign Plan (MSP) and request thirteen (13) sign waivers from Orange County Code. The following waivers are applicable to PSP Lot 1 only: 1) Section 31.5-193(1)b.1.i to allow a maximum of three (3) ground signs per principle parcel in lieu of two (2) ground signs per principle parcel; 2) Section 31.5-193(1)b.2. for a total of one and a half (1.5) square foot of copy area allowed for each one (1) linear foot of building frontage per establishment in lieu of one (1) square foot of copy area may be allowed for each one (1) linear foot of building frontage per establishment; and 3) Section 31.5-193(1)b.2.i.A. and B. to allow a maximum copy area of seventy five (75) square feet in lieu of the maximum copy area requirement of twenty (20) square feet for establishments of up to five thousand (5,000) square feet and thirty (30) square feet for establishments with five thousand one (5,001) to fifteen thousand (15,000) square feet of building area. The following waivers are applicable to Sign A within PSP Lot 1 only: 1) Section 31.5-67(i) to allow the minimum allowable copy area for each individual tenant on a multitenant ground sign of ten and one half (10.5) square feet per sign face in lieu of twelve (12) square feet per sign face; 2) Section 31.5-193(1)b.1.i. to allow ground signs not to exceed one hundred and twenty seven (127) square feet per sign in lieu of one ground sign not to exceed sixty (60) square feet per sign; 3) Section 31.5(193)(1)b.1.iii. to allow a maximum height of a ground sign to be twelve (12) feet in lieu of eight (8) feet; and 4) Section 31.5-193(1)b.1.iv. to allow a minimum setback of zero (0) feet from the right-of-way on any property line in lieu of ten (10) feet from the right-of-way or any property line. The following waivers are applicable to Sign B within PSP Lot 1 only: 1) Section 31.5-67(i) to allow the minimum allowable copy area for each individual tenant on a multitenant ground sign of ten and one half (10.5) square feet per sign face in lieu of twelve (12) square feet per sign face; 2) Section 31.5-193(1)b.1.i. to allow ground signs not to exceed two hundred and fifty four (254) square feet per sign in lieu of one ground sign not to exceed sixty (60) square feet per sign; 3) Section 31.5(193)(1)b.1.iii. to allow a maximum height of a ground sign to be twelve (12) feet in lieu of eight (8) feet; and 4) Section 31.5-193(1)b.1.iv. to allow a minimum setback of zero (0) feet from the right-of-way on any property line in lieu of ten (10) feet from the right-of-way or any property

line. The following waiver is applicable to PSP Lot 2 only: 1) Section 31.5-193(1)b.2.i.A. to allow a maximum copy area of seventy five (75) square feet in lieu of twenty (20) square feet for establishments up to five thousand (5,000) square feet of building area. The following waiver is applicable to PSP Lot 4 only: 1) Section 31.5-67(b) to allow a maximum height of a ground sign in a residential district to be nine (9) feet in lieu of eight (8) feet; pursuant to Orange County Code, Chapter 30, Article III, Section 30-89 and Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 1; property generally located west of Winter Garden Road / north of Lakeside Village Lane; Orange County, Florida (legal property description on file)

The following person addressed the Board: Jennifer Stickler.

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

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

Absent: 1 - Commissioner Bonilla

7. [17-1291](#) Ordinance

Amending Orange County Code, Chapter 33, Article VIII, pertaining to create a new division regulating the operation of Non-Motorized Vehicles-For Hire

Consideration: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY, FLORIDA, AMENDING CHAPTER 33, ARTICLE VIII OF THE ORANGE COUNTY CODE OF ORDINANCES TO CREATE A NEW DIVISION REGULATING THE OPERATION OF NON-MOTORIZED VEHICLES-FOR-HIRE IN THE INTERNATIONAL DRIVE MASTER TRANSIT AND IMPROVEMENT DISTRICT; AND PROVIDING AN EFFECTIVE DATE.

The following persons addressed the Board:

- Jeremy Martin
- Bryan Caniff
- Robert Harlan
- Jose Juaristi
- Jessica Myers
- Jon Forgione
- Maria Triscari
- John Stine
- Catherine Ojeda
- R.P. Mohnacky
- Crissy Foglesong

County staff presented the following changes to the Board:

Sec. 33-285. - Non-Motorized Vehicle-for-Hire Decal.

(3) Except as otherwise provided in this subsection, decals shall be valid for one (1) year, beginning on January 1. A fee shall be paid in advance for each decal. The fee shall be established by resolution of the county commission and shall reasonably represent the costs, work, time, and process necessary to perform such administrative task. Decal applications submitted during the first quarter of the calendar year shall be subject to the entire decal fee. Decal applications submitted during the second quarter of the calendar year shall be subject to three-quarters (3/4) of the decal fee. Decal applications submitted during the third quarter of the calendar year shall be subject to one-half (1/2) of the decal fee. Decal applications submitted during the fourth quarter of the calendar year shall be subject to one-quarter (1/4) of the decal fee. All decals, regardless of date of issuance, shall expire on December 31 of each year.

Sec. 33-291. - Driver's Permit.

(3) Term of Driver's Permit. Except as otherwise provided in this subsection, driver's permits shall be valid for one (1) year, beginning on January 1. A fee shall be paid in advance for each driver's permit. The fee shall be established by resolution of the county commission and shall reasonably represent the costs, work, time, and process necessary to perform such administrative task. Driver's permit applications submitted during the first quarter of the calendar year shall be subject to the entire driver's permit fee. Driver's permit applications submitted during the second quarter of the calendar year shall be subject to three-quarters (3/4) of the driver's permit fee. Driver's permit applications submitted during the third quarter of the calendar year shall be subject to one-half (1/2) of the driver's permit fee. Driver's permit applications submitted during the fourth quarter of the calendar year shall be subject to one-quarter (1/4) of the driver's permit fee. All driver's permits, regardless of date of issuance, shall expire on December 31 of each year.

A motion was made by Commissioner Siplin, seconded by Commissioner VanderLey, to adopt Ordinance 2017-17 pertaining to create a new division regulating the operation of non-motorized vehicles-for-hire in the International Drive Master Transit and Improvement District; futher, amending Orange County Code Chapter 33, Article VIII; and further, changes to Sec. 33-285 - Non-Motorized Vehicle-for-Hire Decal and Sec. 33-291 - Driver's Permit.

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

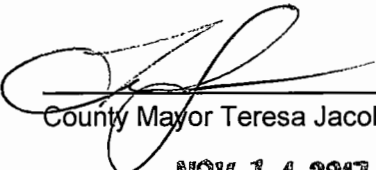
Absent: 1 - Commissioner Bonilla

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

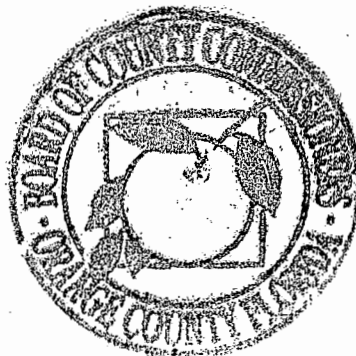
Information regarding meetings held at the County Administration Building between any member of the Board and an outside party may be obtained at <http://www.orangecountyfl.net/visitors/reports/MeetingsReportPage.asp>.

ADJOURNMENT: 3:05 p.m.

ATTEST:



County Mayor Teresa Jacobs

Date: NOV 14 2017



ATTEST SIGNATURE:

Phil Diamond
County Comptroller as Clerk


Katje 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.