

Orange County Government

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



Final Meeting Minutes

Tuesday, September 18, 2018

9:00 AM

County Commission Chambers

Board of County Commissioners

Call to Order

County Mayor Jacobs called the meeting to order at 9:08 a.m.

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

Others present:

County Comptroller Phil Diamond as Clerk
County Administrator Ajit Lalchandani
Assistant County Administrator Chris Testerman
County Attorney Jeffrey J. Newton
Deputy County Attorney Joel Prinsell
Deputy Clerk Katie Smith
Senior Minutes Coordinator Jennifer Lara Klimetz
Senior Minutes Coordinator Noelia Perez

Invocation - District 2

Pastor Jimmy Siberio, Oasis International Ministries

Pledge of Allegiance**Presentation**

Proclamation recognizing Hispanic Heritage Month

Presentation

Proclamation recognizing the 75th Anniversary of the Florida Farm Bureau Federation

Public Comment

The following persons addressed the Board for public comment:

- George Dades
- Bruce Fingerson
- Mike Robenbaugh
- Denise Rodenbaugh
- Larry Meddock
- Kurt Ardaman
- Ric Keller
- Chelsea Ray Whitaker

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

I. CONSENT AGENDA

Approval of the Consent Agenda

A motion was made by Commissioner Love, seconded by Commissioner Clarke, to approve the Consent Agenda, including Addendum #1, County Administrator Item #9. The motion carried by the following vote:

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

Absent: 1 - Commissioner VanderLey

A. COUNTY COMPTROLLER

1. [18-1235](#) Approval of the minutes of the August 21, 2018 meeting of the Board of County Commissioners. (Clerk's Office)
2. [18-1236](#) Approval of the check register authorizing the most recently disbursed County funds, having been certified that same have not been drawn on overexpended accounts. Period as follows: September 7, 2018 to September 13, 2018; \$47,731,246.81. (Finance/Accounting)
3. [18-1237](#) Approval of Orange County, Florida Section 457(b) Deferred Compensation Plan Statement of Investment Policy, Objectives and Guidelines September 18, 2018. (Finance Division)

B. COUNTY ADMINISTRATOR

1. [18-1238](#) Approval to pay the first quarter billing for the Orange County Property Appraiser in the amount of \$3,985,640.59. (Office of Management and Budget)
2. [18-1239](#) Approval to advance \$2,846,484 to the Orange County Tax Collector on October 1, 2018. This advance is necessary to maintain the financial operation of the office during the month of October 2018. (Office of Management and Budget)
3. [18-1240](#) Approval to make monthly draws to the Orange County Supervisor of Elections as follows: October 2018, the amount of \$2,538,621; November 2018, the amount of \$2,538,621; and December 2018 through September 2019 in equal monthly amounts of \$507,724. (Office of Management and Budget)
4. [18-1241](#) Approval to make monthly draws to the Orange County Sheriff as follows: October 2018, the amount of \$27,557,760; November and December 2018,

equal amounts of \$20,256,060; January 2019, the amount of \$40,512,121; February 2019 through July 2019, equal amounts of \$20,256,060; and August 2019, the amount of \$20,256,063. (Office of Management and Budget)

5. [18-1242](#) Approval to make quarterly payments to the Orange County Comptroller from the General Fund, Fire Rescue/911, Parks and Recreation, Public Service Tax, Building, Convention Center/Tourist Development Tax, Water Utilities, Solid Waste/Recycle, and Public Works funds for fees beginning October 2018 through July 2019. (Office of Management and Budget)
6. [18-1243](#) Approval to pay the Clerk of Courts \$150,000 for FY 2018-19 communication expenses. (Office of Management and Budget)
7. [18-1244](#) 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. (Office of Management and Budget)
8. [18-1245](#) Approval and execution of Service Funding Agreements between Orange County, Florida and the Seniors First, Inc. (\$95,418), the Orange County Bar Association, Inc. (\$102,228), and the Legal Aid Society of the Orange County Bar Association, Inc. (\$1,267,017) Fiscal Year 2018-2019. (Office of Management and Budget)

ADDENDUM #1

9. [18-1282](#) Approval and execution of Seventh Addendum to 2007 Tourism Promotion Agreement between Orange County, Florida and Orlando/Orange County Convention & Visitors Bureau, Inc.

C. ADMINISTRATIVE SERVICES DEPARTMENT

1. [18-1246](#) Approval to award Invitation for Bids Y18-1090-PD, Polyethylene Pipes and Fittings, to the low responsive and responsible bidder, Ferguson Waterworks. The estimated contract award amount is \$238,082.70 for a 1-year term. ([Public Works Department Roads and Drainage Division] Procurement Division)
2. [18-1247](#) Approval to award Invitation for Bids Y18-1136-MV, Tree Trimming and Related Services for Parks and Recreation Division, to the three low responsive and responsible bidders:

<u>Bidders</u>	<u>Estimated Annual Contract Amount</u>
Blades of Green, Inc.	\$162,350.00
Seay Tree Service, Inc.	\$277,983.00
The Davey Tree Expert Company	\$287,361.44

([Community, Environmental and Development Services Department Parks and Recreation Division] Procurement Division)

3. [18-1248](#) Approval to award Invitation for Bids Y18-770-EB, Little Wekiva River Erosion Control Project North of Edgewater Drive, to the low responsive and responsible bidder, Condor Construction, Corp. The total contract award amount is \$2,325,883.50. ([Public Works Department Stormwater Management Division] Procurement Division)
4. [18-1249](#) Approval to award Invitation for Bids Y18-774-JS, Orange County Convention Center North/South Building Roofs Cap Replacement, to the sole responsive and responsible bidder, CORE Construction Services of Florida, LLC. The total contract award amount is \$866,511. ([Convention Center Capital Planning Division] Procurement Division)
5. [18-1250](#) Approval to award Invitation for Bids Y18-782-RC, Internal Operations Centre - II Restroom Upgrades, to the low responsive and responsible bidder, R L Burns, Inc. The total contract award amount is \$255,557, which includes the base bid and additive one and two. ([Administrative Services Department Capital Projects Division] Procurement Division)
6. [18-1251](#) Approval to award Invitation for Bids Y18-785-EB, Skylake Canal B-01-L Improvements, to the low responsive and responsible bidder, Pac Comm Inc. The total contract award amount is \$374,575. ([Public Works Department Stormwater Management Division] Procurement Division)
7. [18-1252](#) Approval of Amendment No. 3, Contract Y16-1082A-MR, Tree Trimming and Related Services - Roads and Drainage Division, with The Davey Tree Expert Company in the amount of \$50,000, for a revised total contract amount of \$1,667,540.17. ([Public Works Department Roads and Drainage Division] Procurement Division)
8. [18-1253](#) Approval of Amendment 3, Contract Y1082B-MR, Tree Trimming and Related Services - Roads and Drainage Division, with Blades of Green, Inc. in the amount of \$50,000, for a revised total contract amount of \$1,962,720. ([Public Works Department Roads and Drainage Division] Procurement Division)
9. [18-1254](#) Approval of Purchase Order M92209, Ice Pigging Services, with Utility Service Company, Inc., in the amount of \$270,000.05. ([Utilities Department Engineering Division] Procurement Division)
10. [18-1255](#) Approval of Amendment No. 3, Contract Y13-1039-LC, Group Dental Insurance Plan, with Cigna Health and Life Insurance Company for a 1-year extension. ([Office of Accountability Human Resources Division] Procurement Division)

11. [18-1256](#) Approval to award Human Service Contracts, Y19-2000 Series for Fiscal Year 2018-2019, for various services in the total amount of \$3,464,176.63 for 1-year terms. ([Family Services Department Citizens' Commission for Children Division] Procurement Division)
12. [18-1257](#) Approval to award Neighborhood Center for Families and Related Contracts, Y19-2100 Series for Fiscal Year 2018-2019, in the total amount of \$8,742,392 for 1-year terms. ([Family Services Department Citizens' Commission for Children Division] Procurement Division)
13. [18-1258](#) Approval and execution of Second Addendum to Parking Agreement between R & R Palmetto Avenue, Ltd. and Orange County, Florida and delegation of authority to the Real Estate Management Division to furnish notices and execute tenant estoppel certificates required or allowed by the agreement, if needed for Palmetto Parking Garage (R&R) 305 North Palmetto Avenue, Orlando, Florida, 32801 Lease File #3010. District 5. (Real Estate Management Division)
14. [18-1259](#) Approval and execution of Subordination of Utility Interests (Instrument: 163.2/963.2) from Duke Energy Florida, LLC, d/b/a Duke Energy, f/k/a Duke Energy Florida, Inc., f/k/a Florida Power Corporation, to Orange County and authorization to disburse funds to pay recording fees and record instrument for Taft-Vineland Road (Orange Blossom Trail to Orange Avenue). District 4. (Real Estate Management Division)
15. [18-1260](#) Approval and execution of Notice to Tax Collector of Application for Tax Deed on behalf of Orange County and authorization to pay all fees and costs and to perform all actions necessary and incidental to tax deed sales for Tax Certificates Held by Orange County. Districts 2, 5, and 6. (Real Estate Management Division)
16. [18-1261](#) Approval and execution of Four Notices to Tax Collector of Application for Tax Deed on behalf of Orange County and authorization to pay all fees and costs and to perform all actions necessary and incidental to tax deed sales for Tax Certificates held by Orange County (2011, 2012, 2013, and 2014). Districts 2 and 6. (Real Estate Management Division)

D. COMMUNITY, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

1. [18-1262](#) 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 18-0622 LC 18-0605 LC 18-0691 LC 18-0577 LC 18-0612

LC 18-0627	LC 18-0615	LC 18-0573	LC 18-0581	LC 18-0613
LC 18-0629	LC 18-0619	LC 18-0695	LC 18-0583	LC 18-0614
LC 18-0633	LC 18-0625	LC 18-0634	LC 18-0584	LC 18-0642
LC 18-0574	LC 18-0672	LC 18-0694	LC 18-0585	LC 18-0661
LC 18-0589	LC 18-0673	LC 18-0502	LC 18-0586	LC 18-0668
LC 18-0599	LC 18-0676	LC 18-0564	LC 18-0596	LC 18-0683
LC 18-0601	LC 18-0636	LC 18-0575	LC 18-0610	LC 18-0698

2. [18-1263](#) Approval and execution of Interlocal Agreement for Street Sweeping Services by and between the City of Belle Isle and Orange County, Florida for additional street sweeping services within the Lake Conway Water and Navigation Control District. District 3. (Environmental Protection Division)

E. FAMILY SERVICES DEPARTMENT

1. [18-1264](#) Acceptance of recommendation of the University of Florida's appointment of Virgilia Zabala as Orange County Extension Agent II, Family and Consumer Sciences. All Districts. (Cooperative Extension Division)
2. [18-1265](#) Receipt and filing of Head Start Policy Council Program Information and Updates August 2018 and Head Start Policy Council Meeting Minutes July 19, 2018 for the official county record. (Head Start Division)

F. HEALTH SERVICES DEPARTMENT

1. [18-1266](#) Approval and execution of the renewal Paratransit Services License for Access LYNX to provide wheelchair/stretchers service. The term of this license is from October 1, 2018 through October 1, 2020. There is no cost to the County. (EMS Office of the Medical Director)
2. [18-1267](#) Approval and execution of the renewal Paratransit Services License for ANM Wheelchair Transportation, LLC to provide wheelchair/stretchers service. The term of this license is from October 1, 2018 through October 1, 2020. There is no cost to the County. (EMS Office of the Medical Director)
3. [18-1268](#) Approval and execution of the renewal Paratransit Services License for BrightStart Pediatrics, LLC to provide wheelchair/stretchers service. The term of this license is from October 1, 2018 through October 1, 2020. There is no cost to the County. (EMS Office of the Medical Director)
4. [18-1269](#) Approval and execution of Low Income Pool Letters of Agreement by and between Orange County and the State of Florida, Agency for Healthcare Administration on behalf of Community Health Centers (\$1,083,524), Central Florida Family Health Centers (\$264,011), and Health Care for the Homeless (\$581,250), for an overall total of \$1,928,785 through the Intergovernmental Transfer Program. (Medical Clinic)

G. PUBLIC WORKS DEPARTMENT

1. [18-1270](#) Approval of "No Parking" Zones installation on the curves of Rex Hill Trail on both sides of the roadway. District 2. (Traffic Engineering Division)
2. [18-1271](#) Approval and execution of Agreement regarding driveway and drainage at corner of Waltham Avenue and Marinell Drive, Pine Castle, Florida between Luke J. Daly and Amy E. Daly and Orange County, Florida. District 3. (Roads & Drainage Division)
3. [18-1272](#) Approval and execution of (1) Interlocal Agreement between Orange County, Florida and the City of Ocoee, Florida regarding improvements to and the transfer of the Intersection of Fullers Cross Road and Ocoee-Apopka Road and (2) County Deed by Orange County and City of Ocoee. District 2. (Roads & Drainage Division)

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

1. [18-1273](#) Receipt of the following items to file for the record: (Clerk's Office)
 - a. City of Winter Garden Notice of Annexation Ordinance, Attachment A (Legal Description) and Attachment B (Location Map). Ordinance 18-26, An Ordinance of the City of Winter Garden, Florida providing for the annexation of certain additional lands generally described as approximately 1.00 ± acres located at 1220 East Story Road, east of Garden Commerce Parkway, west of Carter Road, and south of Story Road into the City of Winter Garden, Florida; redefining the city boundaries to give the city jurisdiction over said property; providing for severability; providing for an effective date.
 - b. Legal Notice - Notice of application for original certificate of authorization for existing utility currently charging for water and wastewater service. In re: Application for certificates to provide water and wastewater service in Orange County by RSPI MHC, LLC.
 - c. Florida Public Service Commission Consummating Order. In re: Petition for approval of modifications to Section No. IV, general rules and regulations governing electric service, Part VIII billing, residential and non-residential budget billing, by Duke Energy Florida, LLC.
 - d. Florida Public Service Commission Order granting Duke Energy Florida, LLC's petition for approval of a smart meter opt-out tariff. In re: Petition for limited proceeding for approval of a smart meter opt-out tariff, by Duke Energy Florida, LLC.

This item was received and filed.

III. DISCUSSION AGENDA

A. PUBLIC WORKS DEPARTMENT

1. [18-1274](#) Approval and execution of (1) Interlocal Agreement between Orange County, Florida and City of Maitland, Florida regarding Transfer of Jurisdiction of Maitland Avenue from South Orlando Avenue to the Seminole County Line; (2) County Deed with authorization to have it recorded; and (3) Assignment of Drainage Easements with authorization to have it recorded after it is executed by the City of Maitland. District 5.

The following person addressed the Board: Mayor of Maitland Dale McDonald.

A motion was made by Commissioner Bonilla, seconded by Commissioner Love, to approve and execute the following documents:

1. Interlocal Agreement between Orange County and the City of Maitland regarding the Transfer of Jurisdiction of Maitland Avenue from South Orlando Avenue to the Seminole County Line;
2. The County Deed; further authorize to have it recorded;
3. The Assignment of Drainage Easement; and further, authorize to have it recorded after it is executed by the City of Maitland. The motion carried by the following vote:

Aye: 5 - Mayor Jacobs, Commissioner Love, Commissioner Clarke, Commissioner Bonilla, and Commissioner Siplin

Absent: 2 - Commissioner Thompson, and Commissioner VanderLey

B. ADMINISTRATIVE SERVICES DEPARTMENT

1. [18-1275](#) Selection of one firm and two ranked alternates to provide Owner's Representative Program Manager Services for the Orange County Convention Center Phase V Multipurpose Venue and Grand Concourse Improvements, Request for Proposals Y18-811-JS, from the following three firms, listed alphabetically:

- AECOM Technical Services, Inc.
- CBRE Heery, Inc.
- Hill International, Inc.

([Convention Center Capital Planning Division] Procurement Division)

A motion was made by Mayor Jacobs, seconded by Commissioner Clarke, to appoint AECOM Technical Services, Inc., 424.13 points, as the selected firm; and further, appoint CBRE Heery, Inc., 341 points, and Hill International, Inc., 317 points, as the selected ranked alternates. The motion carried by the following vote:

Aye: 5 - Mayor Jacobs, Commissioner Love, Commissioner Thompson, Commissioner Clarke, and Commissioner Siplin

Absent: 2 - Commissioner VanderLey, and Commissioner Bonilla

2. [18-1276](#) Selection of one firm and an alternate to provide Design Services for the Orange County Convention Center West Building Meeting Rooms Renovation, Request for Proposals Y18-812-JS, from the following two firms, listed alphabetically:

- Architectural Design Collaborative, Inc.
- Helman Hurley Charvat Peacock/Architects, Inc.

([Convention Center Capital Planning Division] Procurement Division)

A motion was made by Mayor Jacobs, seconded by Commissioner Thompson, to appoint Architectural Design Collaborative, Inc., 355.74 points, as the selected firm; and further, appoint Helman Hurley Charvat Peacock/Architects, Inc., 346.97 points, as the alternate. The motion carried by the following vote:

Aye: 5 - Mayor Jacobs, Commissioner Love, Commissioner Thompson, Commissioner Clarke, and Commissioner Siplin

Absent: 2 - Commissioner VanderLey, and Commissioner Bonilla

C. FAMILY SERVICES DEPARTMENT

1. [18-1277](#) Head Start Division Five-Year Grant Progress Report Update. (Head Start Division)

The Board took no action.

2. [18-1278](#) Mayor's Youth Leadership Employment and Development Success Program (OCLEADS). (Community Action Division)

This discussion item was not considered and will be rescheduled.

IV. WORK SESSION AGENDA

A. COMMUNITY, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

1. [18-1279](#) Public Boat Ramps. (Parks and Recreation Division)

The Board took no action.

III. DISCUSSION AGENDA (Deferred)

D. COUNTY ATTORNEY

ADDENDUM #2

1. [18-1283](#) Approval and execution of Resolution of the Orange County Board of County Commissioners regarding Vessel Operation During High Water Conditions; Marking of Potential Navigational Hazards; and Temporary Informational Signage at County-Operated Boat Ramps.

A motion was made by Commissioner VanderLey, seconded by Commissioner Love, to approve Resolution 2018-M-35 regarding vessel operation during high water conditions; marking of potential navigational hazards; and temporary informational signage at county-operated boat ramps. The motion carried by the following vote:

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

V. PUBLIC HEARINGS

1. [18-1138](#) Petition to Vacate

Scott Gentry, on behalf of Reds Market Inc., Petition to Vacate 17-07-032, vacate portions of an unopened, unimproved and unnamed right-of-way; District 6

Consideration: Resolution granting Petition to Vacate # 17-07-032, vacating two portions of a 30 foot wide unopened, unimproved and unnamed right-of-way containing approximately 0.530 acres, and a 20 foot wide utility easement containing approximately 0.294 acres

Location: District 6; one parcel is located at 8801 Exchange Drive, the other parcels are unaddressed, S33 & 34/23/29; Orange County, Florida (legal property description on file)

The following person addressed the Board: Scott Gentry.

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

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

2. [18-1144](#) Shoreline Alteration/Dredge and Fill

Phillip and Kelley Lillo, Lake Down, permit SADF # 18-06-017; District 1

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit SADF # 18-06-017 to construct a new seawall, pursuant to Orange County Code, Chapter 33, Article IV, Windermere Water and Navigation Control District; Section 33-129(d)

Location: District 1; on property located adjacent to Lake Down, located at 9722 Wildoak Drive, on Lake Down; Orange County, Florida (legal property description on file in Environmental Protection Division)

The following person addressed the Board: Alan Horn (phonetic).

A motion was made by Commissioner VanderLey, seconded by Commissioner Love, to approve the Shoreline Alteration/Dredge and Fill Permit (SADF-18-06-017) subject to the conditions of approval listed in the Staff Report. The motion carried by the following vote:

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

3. [18-844](#) Board of Zoning Adjustment Appeal

Mohammad Ali, Case # VA-18-06-060, June 7, 2018; District 1 (Continued from July 31, 2018)

Case: Board of Zoning Adjustment Case # VA-18-06-060; June 7, 2018

Consideration: Appeal of the recommendation of the Board of Zoning Adjustment on a request by appellant for a variance in the R-CE zoning district to allow a chicken coop 12 ft. from the property line in lieu of 30 ft.

Location: District 1; property generally located West S. Apopka Vineland Rd., East of Kilgore Rd.; Orange County, Florida (legal property description on file in Zoning Division)

The following persons addressed the Board:

- Mohammad Ali
- Mohammad Afzal
- Jim Gauger
- Gisele Gauger
- David Wilson
- Pasquale Marra
- Penny Marra
- Rick Baldocchi

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

- Exhibit 1, from Mohammad Ali
- Exhibit 2, from Mohammad Afzal

The following exhibits were referenced to the Board and were not submitted to the Clerk prior to the close of the public hearing:

- Exhibit 3, from Gisele Gauger
- Exhibit 4, from David Wilson

A motion was made by Commissioner VanderLey, seconded by Commissioner Thompson, to deny the request consistent with the Board of Zoning Adjustment Recommendation of June 7, 2018. The motion carried by the following vote:

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

4. [18-1081](#) Substantial Change

Rick Baldocchi, Avcon, Inc., Butte Planned Development / Land Use Plan
(PD / LUP), Case # CDR-17-04-127; District 4

Consideration: A PD substantial change to add a communication tower as a permitted use on Tract B. A waiver from Orange County Code is requested to reduce the distance separation requirement from 700 feet to 580 feet to the nearest residential building (memory care facility); 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 Lake Underhill Road, approximately 970 feet west of Rouse Road; Orange County, Florida (legal property description on file)

The following person addressed the Board: Rick Baldocchi.

A motion was made by Commissioner Thompson, seconded by Commissioner Love, to continue the public hearing until October 30, 2018, at 2 p.m. The motion carried by the following vote:

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

5. [18-1139](#) Substantial Change

Darren Pellegrin, Greenway Park I, LLC, Ginn Property Planned
Development / Land Use Plan (PD / LUP), Case # CDR-18-05-181, amend
plan; District 4

Consideration: A PD substantial change to allow for a Master Sign Plan for Parcel 4. The request also includes the following two (2) waiver requests from Orange County Code: 1. A waiver from Section 31.5-67(f) to allow three (3) ground signs in lieu of two (2) ground signs on Lot 1 with right-of-way frontage in excess of four hundred (400) linear feet, provided that any pole signs and ground signs on the parcel shall be separated from each other by a distance of net less than one hundred (100) feet, and that any ground sign shall be separated from any other ground sign on the parcel by a distance of not less than one hundred (100) feet; 2. A waiver from Section 31.5-15(a) (1) to allow for a copy area for Lot 2 on the multi-tenant ground sign, in lieu of no ground sign copy area for Lot 2 due to its lack of right-of-way frontage; 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 S.R. 417 and west of Boggy Creek Road; Orange County, Florida (legal property description on file)

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

6. [18-1080](#) Ordinance

Amending Orange County Code, Chapter 7, pertaining to Aviation and repealing it in its entirety and creating new language in its place to be known as the Orange County Airport Zoning Regulations.

Consideration: AN ORDINANCE REGARDING CHAPTER 7, AVIATION, OF THE ORANGE COUNTY CODE; REPEALING IT IN ITS ENTIRETY AND CREATING NEW LANGUAGE IN ITS PLACE TO BE KNOWN AS THE ORANGE COUNTY AIRPORT ZONING REGULATIONS; AND PROVIDING AN EFFECTIVE DATE.

A motion was made by Commissioner Clarke, seconded by Commissioner Thompson, to approve an amendment to the Board of Zoning Adjustment's fees to include applications associated with the Airport Zoning ordinance; further, allow staff to correct any non-substantial grammatical or scrivener's errors; further, make a finding of consistency with the comprehensive plan; and further, adopt Ordinance 2018-20 pertaining to the Airport Zoning Ordinance repealing and replacing Chapter 7 of the Orange County Code and providing an effective date. The motion carried by the following vote:

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

7. [18-1142](#) Ordinance

Amending Orange County Code, Chapter 38, pertaining to Zoning regulations to allow Dog Friendly Dining - 1st hearing (2nd hearing on October 16, 2018)

Consideration: AN ORDINANCE AFFECTING THE USE OF LAND IN ORANGE COUNTY, FLORIDA, AMENDING CHAPTER 38 OF THE ORANGE COUNTY CODE (ZONING) BY AMENDING SECTION 38-79(86) ("CONDITIONS FOR PERMITTED USES AND SPECIAL EXCEPTIONS") REGARDING OUTDOOR SEATING; CREATING SECTION 38-1402 ESTABLISHING A LOCAL EXEMPTION TO THE FOOD AND DRUG ADMINISTRATION'S FOOD CODE FOR DOGS IN DESIGNATED OUTDOOR PORTION OF PUBLIC FOOD SERVICE ESTABLISHMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

The following person addressed the Board: Stina D'Uva.

The Board took no action.

By consensus, the Board adjourned as the Orange County Board of County Commissioners and convened as the Orange County Library District Governing Board

SECOND LIBRARY BUDGET PUBLIC HEARING**8. [18-1231](#) Adopt final Orange County Library District Millage and Budget for Fiscal Year 2018-2019**

The Orange County Board of County Commissioners took no action. Refer to the Orange County

Library District Governing Board Minutes appended to Legislative File 18-1231, for action taken by the Orange County Library District Governing Board.

✓ 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: 5:13 p.m.

ATTEST:


County Mayor Teresa Jacobs

Date: OCT 16 2018



ATTEST SIGNATURE:

Phil Diamond
County Comptroller as Clerk

for 
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.