

# **Orange County Government**

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



## **Final Meeting Minutes**

**Tuesday, October 16, 2018**

**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:** 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  
Assistant Deputy Clerk Jessica Vaupel  
Senior Minutes Coordinator Lakela Louis  
Senior Minutes Coordinator Craig Stopyra

**Recognition**

For the passing of Orange County Employee Jose Luis Diaz Diaz, Equipment Operator IV, Stormwater Management Division, Public Works.

**Invocation - District 5**

Pastor Joaquin Perez Aponte, Generation of Faith Church and Father Hector A. Vazquez Saad, St. Charles Borromeo Catholic Church

**Pledge of Allegiance****Presentation**

Proclamation recognizing October 23 through October 31, 2018 as Red Ribbon Week.

**Presentation**

Proclamation recognizing October 25, 2018 as Lights on After School Day.

**Presentation**

Art in the Chambers and Sculpture on the Lawn 2018.

**Public Comment**

The following person addressed the Board for public comment: David Siegal.

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 David Siegal.

## I. CONSENT AGENDA

### Approval of the Consent Agenda

The Mayor deferred action on County Attorney Item 1; further, deferred action on Community, Environmental and Development Services Department Item 5; and further, a motion was made by Commissioner Clarke, seconded by Commissioner VanderLey, to approve the balance of the Consent Agenda. The motion carried by the following vote:

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

### A. COUNTY COMPTROLLER

1. [18-1345](#) Approval of the minutes of the September 11 and September 18, 2018 meetings of the Board of County Commissioners. (Clerk's Office)
2. [18-1346](#) 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 28, 2018, to October 4, 2018; \$129,016,230.51  
-October 5, 2018, to October 11, 2018; \$41,879,924.62.  
  
(Finance/Accounting)
3. [18-1347](#) Disposition of Tangible Personal Property as follows.  
(Property Accounting)
  - a. Remove stolen asset from inventory.
  - b. Remove lost asset from inventory.

### B. COUNTY SHERIFF

1. [18-1348](#) Approval of U.S. Department of Justice Office of Justice Programs FY18 Paul Coverdell Forensic Science Improvement, Competitive Grants Program Award Number: 2018-CD-BX-0058 in the amount of \$250,000 for the period of January 1, 2019 through December 31, 2019.

### C. COUNTY ADMINISTRATOR

1. [18-1349](#) Approval of Contract #Y19-163 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 and Cultural Affairs Grants Program in the amount of \$6,152,677. (Arts and

Cultural Affairs Office)

2. [18-1350](#) Approval and execution of Resolution 2018-M-40 of the Orange County Board of County Commissioners regarding Kaman Precision Products, Inc. Qualified Target Industry Tax Refund. (Office of Economic, Trade and Tourism Development)
3. [18-1351](#) Approval to disburse payment for the Florida Association of Counties (FAC) membership fee totaling \$119,440 as provided in the FY 2018-19 adopted budget. (Office of Management and Budget)
4. [18-1352](#) Approval of budget amendments #18-55, #18-56, #18-57, and #18-58. (Office of Management and Budget)
5. [18-1353](#) Approval of budget transfers #18-1450, #19C-0008, #19C-0009, #19C-0010, and #19C-0012. (Office of Management and Budget)
6. [18-1354](#) Approval of CIP amendments #19C-0008, #19C-0009, #19C-0010, and #19C-0012. (Office of Management and Budget)

#### **D. COUNTY ATTORNEY**

1. [18-1355](#) Approval and execution of Eighth Addendum to 2007 Tourism Promotion Agreement between Orange County, Florida and Orlando/Orange County Convention & Visitors Bureau, Inc.

(This item was deferred.)

#### **E. ADMINISTRATIVE SERVICES DEPARTMENT**

1. [18-1356](#) Approval to award Invitation for Bids Y18-1129-MV, Aluminum Sulfate, to the low responsive and responsible bidder, ChemTrade Chemicals US, LLC. The estimated contract award amount is \$412,520 for a 1-year term. ([Community, Environmental and Development Services Department Environmental Protection Division] Procurement Division)
2. [18-1357](#) Approval to award Invitation for Bids Y18-776-TA, Winter Garden-Vineland Road (CR 535) Force Main Replacement Project, to the low responsive and responsible bidder, Prime Construction Group, Inc. The total contract award amount is \$3,064,303. ([Utilities Department Engineering Division] Procurement Division)
3. [18-1358](#) Approval to award Invitation for Bids Y18-780-TA, Berry Dease Water Main Extension and Force Main Replacement, to the low responsive and responsible bidder, PWC Joint Venture LLC. The total contract award amount is \$1,655,952. ([Utilities Department Engineering Division] Procurement Division)

4. [18-1359](#) Approval to Purchase Metered Postage for FY18-19 from the United States Postal Service Computerized Meter Resetting System (CMRS-PBP), a subsidiary of Pitney Bowes, in the estimated amount of \$848,850. ([Administrative Services Department Facilities Management Division] Procurement Division)
5. [18-1360](#) Approval of Contract Y19-2042, Child Protection Services, with Orlando Health, Inc. in the estimated contract award amount of \$210,000 for a 1-year term. ([Family Services Department Youth and Family Services Division] Procurement Division)
6. [18-1361](#) Approval and execution of Non-Exclusive Utility Easement between GOLDEN OAK DEVELOPMENT, LLC f/k/a Golden Oak Estates, LLC and Orange County and authorization to record instrument for North East Resort Parcel Support Facility Permit B17901103 OCU File #: 91466. District 1. (Real Estate Management Division)
7. [18-1362](#) Approval of Warranty Deed from Tract 5 Homeowners' Association, Inc. to Orange County and authorization to record instrument for The Reserve at Alafaya Tract 5 - Subdivision # 13-S-023. District 4. (Real Estate Management Division)
8. [18-1363](#) Approval of Utility Easement from JEP 'S Lawn Care Corp. to Orange County and Subordination of Encumbrance to Property Rights to Orange County from Bank of America, N.A. and authorization to record instruments for JEP 'S Business Park Permit #B17901265 OCU File #91246. District 5. (Real Estate Management Division)
9. [18-1364](#) Approval of Utility Easement from Orlando Health Central, Inc. to Orange County and authorization to record instrument for Orlando Health Horizon W. New Campus Emergency Dept. & MOB Permit #B16902679 OCU File #87266. District 1. (Real Estate Management Division)

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

1. [18-1365](#) 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 18-0799	LC 18-0595	LC 18-0756	LC 18-0820	LC 18-0463
LC 18-0827	LC 18-0623	LC 18-0907	LC 18-0825	LC 18-0477
LC 18-0832	LC 18-0670	LC 18-0631	LC 18-0847	LC 18-0530
LC 18-0840	LC 18-0680	LC 18-0638	LC 18-0813	LC 18-0659
LC 18-0854	LC 18-0688	LC 18-0693	LC 18-0815	LC 18-0665

LC 18-0471 LC 18-0736 LC 18-0705 LC 18-0816 LC 18-0669  
LC 18-0588 LC 18-0743 LC 18-0719 LC 18-0635 LC 18-0728  
LC 18-0594 LC 18-0746 LC 18-0721 LC 18-0759 LC 18-0802

2. [18-1366](#) Approval and execution of First Amendment to Fourth Amended and Restated Development Order for Avalon Park Development of Regional Impact to extend the build-out/termination date by five years from July 27, 2021 to July 27, 2026. District 4. (Development Review Committee)
3. [18-1367](#) Approval of First Amendment to Adequate Public Facilities Agreement for Sunbridge PD by and among Tavistock East Holdings, LLC and Orange County to provide for a delay in timing of the park conveyance. District 4. (Planning Division)
4. [18-1368](#) Approval and execution of First Amendment to the Transportation Agreement for Sunbridge Parkway (From Dowden Road to Osceola County Line) by and among Tavistock East Holdings, LLC and Orange County to adjust the right-of way widths, change the timing for conveyance for positions of Sunbridge Parkway, and provide for costs of the Orlando Utilities Commission railroad grade crossing to be included in the roadway improvements. District 4. (Roadway Agreement Committee)
5. [18-1369](#) Approval and execution of Transportation Impact Fee Agreement VOA-Nerbonne PD Wildwood Avenue and Westwood Boulevard by and among Westwood Vista Corporation, I-Drive Loan Associates, LLC, and Orange County for the conveyance of a total of 1.059 acres of right of way for Wildwood Avenue and Westwood Boulevard for \$794,685 in transportation impact fee credits. District 1. (Roadway Agreement Committee)

(This item was deferred.)

#### **G. CORRECTIONS DEPARTMENT**

1. [18-1370](#) Approval and execution of Agreement between Orange County, Florida and Bridges International for Offender Reentry Program Services for a period of one year with the option for four one-year renewals for a cumulative total of five years from the date the last party signs the Agreement. (Inmate Administrative Services)

#### **H. FAMILY SERVICES DEPARTMENT**

1. [18-1371](#) Approval and execution of License Agreement between Orange County, Florida and Jewel's Family Success Center, Inc. related to Not-for-Profit Community Center Utilization for the Provision of Services Benefitting the Public License Agreement No. 20180902 for Holden Heights Community Center. (Community Action Division)

2. [18-1372](#) Approval and execution of Contract between State of Florida, Department of Juvenile Justice and Orange County Board of County Commissioners Contract # 10623 for The Youth POWER (Positive Outreach Wellness & Enrichment Resources) Project and approval to extend a preauthorized advance to the Central Florida Urban League for the implementation of the initiative in FY 18-19. The term of the contract is from the date of full execution until August 31, 2019 in the amount of \$75,000. There is not a matching funds requirement. (Neighborhood Preservation & Revitalization Office)

#### **I. FIRE RESCUE DEPARTMENT**

1. [18-1373](#) Approval and execution of State-Funded Grant Agreement Agreement Number: 19-CP-11-06-58-01-\_\_\_ by the State of Florida, Division of Emergency Management and Orange County for Fiscal Year 2018-2019 in the amount of \$28,663. There is no match required. (Office of Emergency Management)

#### **J. HEALTH SERVICES DEPARTMENT**

1. [18-1374](#) Approval and execution of the renewal Paratransit Services License for ProMotion Transportation Services Inc. to provide wheelchair/stretchers service. The term of this license is from October 31, 2018 through October 31, 2020. There is no cost to the County. (EMS Office of the Medical Director)
2. [18-1375](#) Approval and execution of Florida Department of Health Emergency Medical Services Program EMS County Grant Award Application for 2018-2019 in the amount of \$181,907 and approval for the County Mayor or designee to sign for the award payment. There is no county match required for this grant. (EMS Office of the Medical Director)

#### **K. PUBLIC WORKS DEPARTMENT**

1. [18-1376](#) Authorization to record the plat of Lake Buena Vista Village. District 1. (Development Engineering Division)
2. [18-1377](#) Approval of Farmland Reserve Borrow Pit and authorization to issue Excavation Permit #15-E4-0061 to Farmland Reserve, Inc. District 4. (Development Engineering Division)

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

#### **A. COUNTY COMPTROLLER**

1. [18-1378](#) Receipt of the following items to file for the record: (Clerk's Office)

a. City of Orlando Voluntary Annexation Request at 2158 Rayburn Street (ANX2018-10006. Notice of Proposed Enactment. Proposed Ordinance 2018-51, entitled: An Ordinance of the City Council of the City of Orlando, Florida, annexing to the corporate limits of the City certain land generally located south of Rayburn Street, east of Boggy Creek Road, and north of Trade Port Drive, and comprised of 9.5 acres of land, more or less, and amending the City's boundary description; amending the City's adopted Growth Management Plan to designate the property as Industrial and Industrial/Resource Protection on the City's Official Future Land Use Maps; designating the property as the Planned Development Zoning District, within the Air Commerce Park Planned Development on the City's Official Zoning Maps; amending the Air Commerce Park Planned Development to include the property in the legal description and the development plan; providing for amendment of the City's Official Future Land Use and Zoning Maps; providing for severability, correction of scrivener's errors, permit disclaimer, and an effective date. A public hearing on this Ordinance will be held during Council's regular meeting beginning at 2:00 p.m., in Council Chambers, 2nd floor, Orlando City Hall, 400 S. Orange Ave., Orlando, Florida.

b. Greater Orlando Aviation Authority Orlando International Airport Fiscal Budget and Greater Orlando Aviation Authority Orlando Executive Airport, Fiscal Budget 2018-2019.

This item was received and filed.

### **III. DISCUSSION AGENDA**

#### **A. COUNTY ADMINISTRATOR**

1. [18-1379](#) Approval of the Arts and Cultural Affairs Advisory Council's funding recommendations for Arts and Cultural Affairs Grants for cultural tourism for FY 2019. (Arts and Cultural Affairs Office)

A motion was made by Commissioner VanderLey, seconded by Commissioner Love, to approve the Arts and Cultural Affairs Advisory Council's recommendations for FY19 Cultural Tourism funding in the amount of \$2,929,150. The motion carried by the following vote:

**Aye:** 6 - Commissioner Love, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

**Absent:** 1 - Mayor Jacobs

#### **B. ADMINISTRATIVE SERVICES DEPARTMENT**

1. [18-1380](#) Selection of four firms and two ranked alternates to provide Continuing Architectural Services, Request for Proposals Y18-907-EB, from the following seven firms, listed alphabetically:



- Architectural Design Collaborative, Inc. (ADC)
- Borrelli + Partners, Inc.
- KLPNstudio, LLC
- KZF Design LLC dba KMF Architects
- MRI Architectural Group, Inc.
- Rhodes + Brito Architects Inc.
- Zyscovich, Inc

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

A motion was made by Commissioner Love, seconded by Commissioner VanderLey, to appoint Rhodes + Brito Architects Inc., 487 points, KZF Design LLC dba KMF Architects, 474 points, MRI Architectural Group, Inc., 450 points, and Architectural Design Collaborative, Inc. (ADC), 414.5 points as the selected firms; and further, appoint Borrelli + Partners, Inc., 407 points, and Zyscovich, Inc., 402.5 points, as the selected ranked alternates. The motion carried by the following vote:

**Aye:** 6 - Commissioner Love, Commissioner Thompson, Commissioner Clarke,  
Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

**Absent:** 1 - Mayor Jacobs

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

1. [18-1381](#) Approval and execution of Resolution of the Orange County Board of County Commissioners designating Hawthorne Park by Wendover Housing Partners, for Local Government Areas of Opportunity Funding, under the Florida Housing Finance Corporation's Request for Applications 2018-112. District 6. (Housing and Community Development Division)

A motion was made by Commissioner Siplin, seconded by Commissioner Love, to approve and execute Resolution 2018-M-41 of the Orange County Board of County Commissioners designating Hawthorne Park by Wendover Housing Partners for Local Government Opportunity Funding under the Florida Housing Finance Corporation's Request for Application. The motion carried by the following vote:

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

### **Presentation**

Employee Service Awards to: Jamie Batiz (20), Facilities Management, Administrative Services; Lena Brinson (20), Housing and Community Development, Ivan Simon (20), Jon Spitale (20), Donald Mann, II (20), Parks and Recreation, Community, Environmental and Development Services; Carrie Wainwright (25), Security Operations, Evelyn McKay (20), Corrections Health Services, Corrections; Rachel McCoy (25), Community Action, Family Services; James Crum Jr. (25), Joseph Wood (30), Fire Operations, Fire Rescue; Debra Villella (30), Animal Services, Health Services; James Douglas (30), Roads and Drainage, Luis Alvan (20), Development Engineering; Public Works, Oscar Ramos (30), Solid Waste, Michael Cadieux, (20), Utilities Field Services; Utilities.

#### IV. RECOMMENDATIONS

1. [18-1382](#) September 20, 2018 Planning and Zoning Commission Recommendations

A motion was made by Commissioner Clarke, seconded by Commissioner Thompson, to approve the recommendations, with the exception of Case # RZ-18-09-045, Daljit S. Pabla (Appeal filed) and Case # RZ-18-09-044, Audee Sneek (Board Called), which were pulled from the recommendations; subject to the usual right of appeal by any aggrieved party. 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. [18-1155](#) Municipal Service Taxing Unit

Lake Pickett, amend for general lake cleaning maintenance and aquatic plant control; District 5

**Consideration:** Amend by resolution a Municipal Service Taxing Unit for general lake cleaning maintenance and aquatic plant control at Lake Pickett to include the lots in the Estates at Lake Pickett - Phase 2 subdivision.

**Location:** District 5; Parcel ID (multiple parcels); Section 09, Township 22, Range 32; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Bonilla, seconded by Commissioner Thompson, to approve the request as referenced in the staff report. The motion carried by the following vote:

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

2. [18-1280](#) Shoreline Alteration/Dredge and Fill Permit

Henry and Karilyn Tap, Lake Irma Canal, permit, SADF # 18-07-019; District 5

**Consideration:** Request for a Shoreline Alteration/Dredge and Fill Permit SADF # 18-07-019 to construct a replacement seawall without rip rap on Lake Irma Canal, pursuant to Orange County

Code, Chapter 15, Article VI. Pumping and Dredging Control; Section 15-218(d)

**Location:** District 5; on property located adjacent to Lake Irma Canal, located at 2809 Tech Drive, Orange County, Florida (legal property description on file in Environmental Protection Division)

A motion was made by Commissioner Bonilla, seconded by Commissioner Thompson, to approve the Shoreline Alteration/Dredge and Fill Permit (SADF-18-07-019) 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. [18-1281](#) Preliminary Subdivision Plan

Claude L. Cassagnol, GTC Engineering Corporation, Plunk Property Planned Development / Plunk Property Preliminary Subdivision Plan, Case # PSP-18-01-023; District 3

**Consideration:** Plunk Property Planned Development / Plunk Property Preliminary Subdivision Plan, Case # PSP-18-01-023, submitted in accordance with Sections 34-69 and 30-89 Orange County Code; This request proposes to subdivide 17.20 acres in order to construct 51 single-family detached residential dwelling units.

**Location:** District 3; property generally located North of Berry Dease Road / West of Dean Road; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Claude Cassagnol.

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

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

4. [18-1234](#) Land Use Plan Amendment

Kathy Hattaway, Poulos & Bennett, LLC, San Lorenzo Townhomes Planned Development / Land Use Plan Amendment (PD / LUPA) - Case # LUPA-17-10-316; District 3

**Consideration:** A PD substantial change to add 3.62 gross acres from the Goldenrod Townhomes PD into the San Lorenzo Townhomes PD and revise the development program to allow for the development of up to 72 single-family detached dwelling units. This request also includes the following waivers from Orange County Code:

1. A waiver from Orange County Code Section 38-1501 to allow a minimum lot width of 40 feet, in lieu if the minimum lot size of 45 feet for single-family residential;
2. A waiver from Orange County Code Section 38-1501 to allow a minimum lot size of 3,600 square feet in lieu of the minimum lot size of 4,500 square feet for single-family residential; and

3. A waiver from Orange County Code Section 38-1501 to allow a minimum front setback of 10 feet for the principal structure only, in lieu of the minimum front setback of 20 feet for single-family residential. The garage of the principal structure is not included in this waiver and the driveway of the principal structure must be of sufficient length to accommodate two (2) vehicles; 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 3; property located at 3522 S. Goldenrod Road and 3412 S. Goldenrod Road; or generally located west of S. Goldenrod Road, approximately 900 feet south of Pershing Avenue; Orange County, Florida (legal property description on file in Planning Division)

The following persons addressed the Board:

- Kathy Hattaway
- Kimberly Newton
- Jay Baker

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

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

5. [18-1232](#) Substantial Change

Adam Smith, VHB, Inc., Eagle Creek Planned Development / Land Use Plan  
(PD / LUP) - Case # CDR-17-10-325, amend plan; District 4

**Consideration:** A PD substantial to assign the Parcel O-1 hotel entitlements to Parcel M-1, assign Parcel O-1 to the "Residential" entitlement program, reallocate commercial and office entitlements between Parcel M and N based the approved entitlement program, expand the area of Parcel DC, modify location of internal multi-tenant signs within Parcel N, and extend the temporary sales trailer use. Additionally, the following two (2) waivers from Orange County Code are being requested: 1) A waiver from Section 38-79(20)(j) is requested within Parcels J & K to allow a minimum distance separation between buildings, rear to rear of 40 feet, in lieu of 60 feet; and 2) A waiver from Section 38-1272(a)(3) is requested to allow an interior side setback of zero (0) feet for commercial parcels in lieu of ten (10) feet as required by code; 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 east of Narcoossee Road, south of Tyson Road, and north of Clapp Simms Duda Road; Orange County, Florida (legal property description on file in Planning Division)

The following persons addressed the Board:

- Chris Carmody
- John Elwin

- Lang Sun
- Adam Smith

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

(This public hearing was tabled until later in the afternoon.)

6. [18-1233](#) Substantial Change

Erika Hughes, VHB, Inc., Village F Master Planned Development / Land Use Plan (PD / LUP) - Case # CDR-17-06-207, amend plan; District 1

**Consideration:** A PD substantial change to allow the development of a 75-bed Assisted Living Facility (ALF) on PD Parcel N-5 (Townhome District), Parcel 34-23-27-0000-00-002; 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 Seidel Road approximately 1,600 feet south of Summerlake Park Boulevard; Orange County, Florida (legal property description on file)

The following persons addressed the Board:

- George Lasko
- Keith Pickett

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

A motion was made by Commissioner VanderLey, seconded by Commissioner Love, to continue the public hearing until December 18, 2018, at 2 p.m. The motion carried by the following vote:

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

**Absent:** 2 - Commissioner Thompson, and Commissioner Bonilla

7. [18-1140](#) Substantial Change

Jay R. Jackson, P.E., Kimley-Horn and Associates, Inc., VOA-Nerbonne Planned Development / Land Use Plan (PD / LUP), Case # CDR-18-03-076, amend plan; District 1 (Continued from October 2, 2018)

**Consideration:** A Change Determination Request (CDR) to amend the current Land Use Plan (LUP) to add a conversion matrix for Tract 3 to allow a self-storage use, and convert twenty-three (23) hotel rooms to 94,500 square feet of self-storage uses. This request is also associated with a Transportation Impact Fee Agreement; pursuant to Orange County Code, Chapter 30.

**Location:** District 1; property generally located south of International Drive, east of Daryl Carter Parkway extension; Orange County, Florida (legal property description on file in Planning

Division)

The following persons addressed the Board:

- Jay Jackson
- Robert Haywood

A motion was made by Commissioner VanderLey, seconded by Commissioner Love, 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; and further, approve and execute the Transportation Impact Fee Agreement VOA-Nerbonne PD Wildwood Avenue and Westwood Boulevard by and among Westwood Vista Corporation, I-Drive Loan Associates, LLC, and Orange County for the conveyance of a total of 1.059 acres of right of way for Wildwood Avenue and Westwood Boulevard for \$794,685 in transportation impact fee credits. The motion carried by the following vote:

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

**Absent:** 2 - Commissioner Thompson, and Commissioner Bonilla

and

#### I. CONSENT AGENDA (Deferred)

#### F. COMMUNITY, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

5. [18-1369](#) Approval and execution of Transportation Impact Fee Agreement VOA-Nerbonne PD Wildwood Avenue and Westwood Boulevard by and among Westwood Vista Corporation, I-Drive Loan Associates, LLC, and Orange County for the conveyance of a total of 1.059 acres of right of way for Wildwood Avenue and Westwood Boulevard for \$794,685 in transportation impact fee credits. District 1. (Roadway Agreement Committee)

This item was approved.

#### V. PUBLIC HEARING

8. [18-1143](#) Ordinance
- Amending Orange County Code, Chapter 38, pertaining to Zoning regulations to allow Dog Friendly Dining - 2nd hearing (1st hearing on September 18, 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.

County staff made the following changes to the proposed ordinance as follows:

Line No. 162:

Payment of a non-refundable application fee of ~~forty six dollars (\$46.00)~~ an amount set by the Orange County Board of County Commissioners.

Line No. 258-261:

Failure to obtain a current permit within five (5) days of a previous permit's expiration will require a late fee payment of ~~twenty five (\$25.00) for the new permit in addition to the permit fee~~ in an amount set by the Orange County Board of County Commissioners.

Line No. 270-271:

In accordance with Section 509.233(~~65~~), Florida Statutes...

Line No. 276-278:

The county shall also provide the DHR with a copy of all approved applications and permits issued ~~on a quarterly basis.~~

Line No. 325-326:

Section 4. Effective date. This ordinance shall take effect on ~~MONTH, YEAR~~ November 9, 2018.

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

A motion was made by Commissioner Clarke, seconded by Commissioner VanderLey, to amend the fee schedule to include the application and late payment renewal fees (\$46 application, \$25 late payment); further, allow staff to correct any non-substantial grammatical or scrivener's errors; further, make a finding of consistency with the Comprehensive Plan; further, adopt Ordinance 2018-21 amending Chapter 38 regarding Dog Friendly Dining subject to the changes in the proposed ordinance on Lines 162, 258-261, 270-271, 276-278 and 325-326; and further, providing an effective date. The motion carried by the following vote:

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

**Absent:** 1 - Commissioner Bonilla

## V. PUBLIC HEARING (Tabled)

### 5. [18-1232](#) Substantial Change

Adam Smith, VHB, Inc., Eagle Creek Planned Development / Land Use Plan  
(PD / LUP) - Case # CDR-17-10-325, amend plan; District 4

**Consideration:** A PD substantial to assign the Parcel O-1 hotel entitlements to Parcel M-1,



assign Parcel O-1 to the "Residential" entitlement program, reallocate commercial and office entitlements between Parcel M and N based the approved entitlement program, expand the area of Parcel DC, modify location of internal multi-tenant signs within Parcel N, and extend the temporary sales trailer use. Additionally, the following two (2) waivers from Orange County Code are being requested: 1) A waiver from Section 38-79(20)(j) is requested within Parcels J & K to allow a minimum distance separation between buildings, rear to rear of 40 feet, in lieu of 60 feet; and 2) A waiver from Section 38-1272(a)(3) is requested to allow an interior side setback of zero (0) feet for commercial parcels in lieu of ten (10) feet as required by code; 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 east of Narcoossee Road, south of Tyson Road, and north of Clapp Simms Duda Road; Orange County, Florida (legal property description on file in Planning Division)

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:** 6 - Mayor Jacobs, Commissioner Love, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, and Commissioner Siplin

**Absent:** 1 - Commissioner Bonilla

## V. PUBLIC HEARING

### 9. [18-1288](#) Ordinance

Amending Orange County Code, Article IV, Chapter 25, Section 25-140, pertaining to Taxation in Orange County, Florida

**Consideration:** AN ORDINANCE PERTAINING TO TAXATION IN ORANGE COUNTY, FLORIDA; AMENDING ARTICLE IV OF CHAPTER 25 OF THE ORANGE COUNTY CODE SECTION 25-140, TOURIST DEVELOPMENT PLAN; PROVIDING FOR AN EFFECTIVE DATE.

The following persons addressed the Board:

- George Aguel
- Bill Diamond
- Steve Hogan
- Tom Sittema

A motion was made by Commissioner Siplin, seconded by Commissioner VanderLey, to adopt Ordinance 2018-22 of the Board of County Commissioners of Orange County, Florida, pertaining to taxation in Orange County, Florida; further, amend Article IV of Chapter 25 of the Orange County Code Section 25-140, Tourist Development Plan to extend and increase funding for Visit Orlando; and further, authorize \$60 million for improvements to Camping World Stadium and allow capital spending and carryover for the Orange County Regional History Center. The motion carried by the following vote:



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

**Absent:** 1 - Commissioner Bonilla

and

**I. CONSENT AGENDA (Deferred)**

**D. COUNTY ATTORNEY**

1. [18-1355](#) Approval and execution of Eighth Addendum to 2007 Tourism Promotion Agreement between Orange County, Florida and Orlando/Orange County Convention & Visitors Bureau, Inc.

A motion was made by Commissioner Siplin, seconded by Commissioner VanderLey, to approve and execute the Eighth Addendum to 2007 Tourism Promotion Agreement between Orange County, Florida and Orlando/Orange County Convention & Visitors Bureau, Inc. The motion carried by the following vote:

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

**Absent:** 1 - Commissioner Bonilla

**V. PUBLIC HEARINGS**

10. [18-1146](#) Comprehensive Plan

Transmittal of 2018-2 Regular Cycle Out-of-Cycle Privately-Initiated Comprehensive Plan Amendment to the 2010-2030 Comprehensive Plan (CP) (School Site #82-H-N-7)

Regular Cycle Out-of-Cycle Privately-Initiated Future Land Use Map Amendment (School Site #82-H-N-7)

Amendment 2018-2-C-2-1

Julie Salvo, AICP, Orange County Public Schools for School Board of Orange County

**Consideration:** Rural/Agriculture (R) to Educational (EDU)

**Location:** 5207 Sadler Road; Generally located north of Sadler Rd., east of N. Orange Blossom Trl., south of W. Kelly Park Rd., and west of Round Lake Rd; Parcel ID#: 15-20-27-0000-00-004 (portion of); 89.5 ac. of the 161.32 gross ac. parcel

The following persons addressed the Board:

- Julie Salvo

- Thomas Mack

A motion was made by Commissioner Love, seconded by Commissioner VanderLey, to transmit Privately-Initiated Future Land Use Map Amendment 2018-2-C-2-1, Rural/Agriculture (R) to Educational (EDU). The motion carried by the following vote:

**Aye:** 6 - Commissioner Love, Commissioner Thompson, Commissioner Clarke,  
Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

**Absent:** 1 - Mayor Jacobs

**11.**     [18-1148](#)     Ordinance/Comprehensive Plan

Amending Orange County Code, adopting 2018-2 Regular Cycle Out-of-Cycle Staff-Initiated Comprehensive Plan Amendment to the 2010-2030 Comprehensive Plan (CP) (Rocking Horse Rural Residential Enclave)

and

Adoption of Ordinance

Regular Cycle Out-of-Cycle Staff-Initiated Future Land Use Map Amendment (Rocking Horse Residential Rural Enclave)

Amendment 2018-2-C-FLUE-2

This is a Future Land Use Map and Policy amendment regarding the proposed Rocking Horse Rural Residential Enclave. The proposed policy language would establish a formal boundary, minimum lot sizes, and development guidelines for the Rocking Horse Rural Residential Enclave and which are intended to recognize and protect the Enclave's existing rural character.

The following persons addressed the Board:

- Betty Jarrell
- Richard Grace
- Michael Garvey
- Charlie Skelton
- Eugenio Rodriguez
- Hank Fishkind
- Beth Brunner
- Jonathan Ditges
- Frank Rohrer
- Mike Dugre
- Allison Turnbull
- Paul Partyka
- Samantha Bellaire

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

County Staff and the District Commissioner recommended the following changes to Policy FLU2.5.8:

New land use, zoning, and development applications proposed within or in close proximity to a Rural Residential Enclave boundary, ~~and~~ or which rely on vehicular access to/from a designated rural residential corridor, ~~shall~~ must be reviewed for compatibility in the context of the Enclave's rural character.

A motion was made by Commissioner Bonilla, seconded by Commissioner Clarke, to make a finding of consistency with the Comprehensive Plan; further, determine that the proposed text and map amendments are in compliance; further, adopt Amendment 2018-2-C-FLUE-2 related to the Rocking Horse Rural Residential Enclave, and as transmitted by the Board on June 19, 2018; and further, approve modifications to Policy FLU2.5.8. The motion carried by the following vote:

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

A motion was made by Commissioner Bonilla, seconded by Commissioner VanderLey, to direct Staff to evaluate and bring back before the Board any requests to be included or excluded in the enclave and whether or not there will be a charge. The motion carried by the following vote:

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

**and**

11. [18-1149](#) Regular Cycle Out-of-Cycle Large Scale State-Expedited Review  
Amendment Ordinance (Rocking Horse Residential Rural Enclave)

Amending Orange County Code, adopting amendments pursuant to  
Section 163.3184(3), F.S., for the 2018 Calendar Year (Second Cycle)

**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; AND PROVIDING EFFECTIVE DATES.

A motion was made by Commissioner Bonilla, seconded by Commissioner VanderLey, to make a finding of consistency with the Comprehensive Plan; further, determine that the proposed text and map amendments are in compliance; and further, adopt Ordinance 2018-23, as amended, for Amendment 2018-C-FLUE-2, related to the Rocking Horse Rural Residential Enclave. The motion carried by the following vote:

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

**12.** [18-1077](#) Ordinance

Amending Orange County Code, Chapter 38, pertaining to Zoning regulations to regulate the package sale vendors in the I-Drive Overlay District - 1st hearing (2nd hearing on October 30, 2018)

**Consideration:** AN ORDINANCE AFFECTING THE USE OF LAND IN ORANGE COUNTY, FLORIDA, REGARDING THE PACKAGE SALE OF ALCOHOLIC BEVERAGES; AMENDING SECTION 38-1414 OF THE ORANGE COUNTY CODE RELATING TO PROHIBITED AREAS FOR THE PACKAGE SALE OF ALCOHOLIC BEVERAGES; AMENDING SECTION 38-865 AND SECTION 38-869 OF THE ORANGE COUNTY CODE RELATING TO THE PACKAGE SALE OF ALCOHOLIC BEVERAGES IN THE I-DRIVE DISTRICT OVERLAY ZONE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

The following person addressed the Board:

- Maxim Dureev
- Chuck Whittall
- Alina Budisteanu
- Sergry Pershin
- Art Sequra
- Kurt Ardaman
- Chas Bailes
- Artem Voznesenskyi


The Board took no action.

√ **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: 5:36 p.m.

ATTEST:

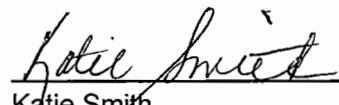
  
\_\_\_\_\_  
County Mayor Teresa Jacobs

Date: NOV 13 2018



ATTEST SIGNATURE:

Phil Diamond  
\_\_\_\_\_  
County Comptroller as Clerk

  
\_\_\_\_\_  
Katie Smith  
Deputy Clerk

\* \* \*

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

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

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

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

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