

# **Orange County Government**

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



## **Final Meeting Minutes**

**Tuesday, October 30, 2018**

**9:00 AM**

**County Commission Chambers**

**Board of County Commissioners**

**Call to Order**

County Mayor Jacobs called the meeting to order at 9:06 a.m.

**Present:** 6 - Mayor Teresa Jacobs, Commissioner Rod A. Love, 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 J. Newton  
Deputy County Attorney Joel Prinsell  
Deputy Clerk Katie Smith  
Senior Minutes Coordinator Lakela Louis  
Senior Minutes Coordinator Craig Stopyra

**Remembrance**

For the Pittsburgh Synagogue victims

**Invocation - District 4**

Pastor Janelle Adorno, URChurch

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

Proclamation designating November 3 through November 10, 2018 as Week of the Family.

**Presentation**

Proclamation designating November 10, 2018 as Orange County Recycles Day.

**Presentation**

SolSmart Gold Award.

**Public Comment**

The following persons addressed the Board for public comment:

- Kimberly Buchheit
- Mary Dipboye
- Allie Braswell
- Tony Jackson
- Johnny Alderman
- Kathy Booker
- Charles Lee
- Tammie Holt
- Valerie Anderson
- Chuck O'Neal
- Dennis Hall
- Suzanne Arnold
- Wayne Golding

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

- Exhibit 1, from Kimberly Buchheit
- Exhibit 2, from Charles Lee
- Exhibit 3, from Suzanne Arnold

## **I. CONSENT AGENDA**

### **Approval of the Consent Agenda**

The Mayor deleted Administrative Services Department Item 20; further, deleted Health Services Department Item 3; further, deleted Public Works Department Item 3; and further, a motion was made by Commissioner Love, seconded by Commissioner Clarke, to approve the balance of the Consent Agenda. 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

### **A. COUNTY COMPTROLLER**

1. [18-1395](#) Approval of the minutes of the September 20 and October 2, 2018 meetings of the Board of County Commissioners. (Clerk's Office)
2. [18-1396](#) 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:

-October 12, 2018, to October 18, 2018; \$25,170,220.58

-October 19, 2018, to October 25, 2018; \$46,709,716.10.

(Finance/Accounting)

**B. COUNTY ADMINISTRATOR**

1. [18-1397](#) Approval and execution of (1) Grant Agreement between Orange County, Florida and Orlando Sports Foundation, Inc. 2018 and 2019 AutoNation Cure Bowl; (2) Agreement between Orange County, Florida and Florida Citrus Sports Events, Inc. 2019 NFL Pro Bowl TDT Sports Incentive Agreement; and (3) Agreement between Orange County, Florida and Florida Citrus Sports Events, Inc. 2018-2021 Florida Blue Classic Football Game.
2. [18-1398](#) Approval and execution of Contract #Y19-164 between Orange County, Florida and United Arts of Central Florida, Inc. regarding the provision of funding for art grants and services in the amount of \$1,313,880 for Fiscal Year 2018-2019 from the General Fund. (Arts and Cultural Affairs Office).
3. [18-1399](#) Approval and execution of Orange County, Florida and Central Florida Expressway Authority Agreement related to Production and Broadcast Services. (Communications Division)
4. [18-1400](#) Approval and execution of Resolution 2018-B-06 for the issuance of Multi Family Housing Mortgage Revenue Bonds to finance the acquisition and rehabilitation of Chapel Trace Apartments, a proposed development in Orange County, Florida, District 3, in an amount not to exceed \$34,000,000. (Housing Finance Authority)
5. [18-1401](#) Confirmation of the County Mayor's staff reappointments for the fourth quarter, July-September FY 2017-2018. (Human Resources Division)
  - O. Dianne Arnold, Manager, Citizens Resource & Outreach, Family Services
  - Deodat Budhu, Manager, Roads and Drainage, Public Works
  - 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
  - Michael Drozeck, Manager, Stormwater, Public Works
  - Sheena D. Ferguson, Manager, Business Development, Administrative Services
  - John Goodrich, Assistant Director, Health Services
  - David Jones, Manager, Environmental Protection, Community, Environmental & Development Services
  - 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, County Administration

-Paul Sladek, Manager, Real Estate Management, Administrative Services  
-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  
-Lavon Williams, Manager, Community Action, Family Services  
-Raymond Williams, Manager, Engineering, Public Works  
-Timothy Wood, Manager, Guest & Facility Security, Convention Center

6. [18-1402](#) Approval for the Orange County Sheriff's Office to spend \$10,000 from the Law Enforcement Trust Fund to provide eligible contributions to Fraternal Order of Police (FOP) Lodge 93 "Cops and Kids" Program (\$5,000) and The Holocaust Memorial Resource and Education Center of Florida (\$5,000). (Office of Management and Budget)
7. [18-1403](#) Approval to disburse CRA funds totaling \$44,591,764 to Orange County's 15 Community Redevelopment Agencies. (Office of Management and Budget)
8. [18-1404](#) Approval of budget amendment #19-01. (Office of Management and Budget)
9. [18-1405](#) Approval of budget transfers #18-1511 and #18-1533. (Office of Management and Budget)

#### C. COUNTY ATTORNEY

1. [18-1406](#) Approval of the settlement in the case of *Orange County v. Chancellor Holding, LLC, et al.*, Case No. 2012-CA-012759-O, Parcels 1054, 7054A, 7054B, and 7054C, and authorization for the County Attorney's Office to execute the Joint Motion for Entry of Stipulated Final Judgment agreeing to the entry of the proposed Stipulated Final Judgment on behalf of Orange County.

#### D. ADMINISTRATIVE SERVICES DEPARTMENT

1. [18-1407](#) Approval to award Invitation for Bids Y18-1100-PD, Sealing Chemicals Items 3 and 4, to the low responsive and responsible bidder, Alchemy-Spetec, LLC. The estimated contract award amount is \$186,900 for a 1-year term. ([Utilities Department Field Services Division] Procurement Division)
2. [18-1408](#) Approval to award Invitation for Bids Y18-1142-TJ, Temporary Labor Services-Maintenance Technician, to the low responsive and responsible M/WBE compliant bidder, Moten Tate, Inc. The estimated annual contract award amount is \$165,637. ([Utilities Department Fiscal and Operational Support Division] Procurement Division)

3. [18-1409](#) Approval to award Invitation for Bids Y19-110-TA, Term Contract for Wastewater Gravity Cleaning and CCTV, to the low responsive and responsible bidder, EnviroWaste Services Group, Inc. The total contract award amount is \$1,216,851 for the basic year. ([Utilities Department Engineering Division] Procurement Division)
4. [18-1410](#) Approval to award Invitation for Bids Y18-772-TA, Gravity Wastewater System Improvements and Replacement-Package 1, to the low responsive and responsible bidder, SanPik, Inc. The total contract award amount is \$2,939,390. ([Utilities Department Engineering Division] Procurement Division)
5. [18-1411](#) Approval to award Invitation for Bids Y18-773-TA, South Water Reclamation Facility Building Improvements, to the low responsive and responsible bidder, S.A. Casey Construction, Inc. The total contract award amount is \$2,739,429.25. ([Utilities Department Engineering Division] Procurement Division)
6. [18-1412](#) Approval to award Invitation for Bids Y18-775-CH, Avalon Park Boulevard Safety Improvements, to the low responsive and responsible bidder, Florida Safety Contractors, Inc. The total contract award amount is \$674,591.30. ([Public Works Department Engineering Division] Procurement Division)
7. [18-1413](#) Approval to award Invitation for Bids Y18-790-JS, Orange County Barnett Park Site Lighting, to the low responsive and responsible bidder M/WBE compliant bidder, Café' Construction & Development, Inc. The total contract award amount is \$309,000. ([Administrative Services Department Capital Projects Division] Procurement Division)
8. [18-1414](#) Selection of SGM Engineering, Inc. to provide Design Services for the Orange County Convention Center Campus Lighting Relay Cabinets and Controls Replacements, Request for Proposals Y18-813-JS. ([Convention Center Capital Planning Division] Procurement Division)
9. [18-1415](#) Approval and execution of Resolution 2018-M-42 declaring County Property Surplus and authorization to sell County property by private sale to adjacent property owner and Limited Access Line Relocation Agreement between Orange County and Central Florida Expressway Authority and delegation of authority to the Real Estate Management Division to do all things necessary and proper to arrange the conveyance of such County property for Narcoossee Road @ S.R. 417, Right of Way Transfer (Surplus Property). District 4. (Real Estate Management Division)
10. [18-1416](#) Approval and execution of County Deed from Orange County to Central Florida Expressway Authority, approval of Quit Claim Deed from Central

Florida Expressway Authority to Orange County, authorization to disburse funds to pay closing costs, and delegation of authority to the manager of the Real Estate Management Division or designee to perform all actions necessary and incidental to closing for Hamlin Groves Trail Northerly Extension. District 1. (Real Estate Management Division)

11. [18-1417](#) Approval and execution of Ground Lease between Orlando Health Central, Inc. and Orange County and delegation of authority to the Real Estate Management Division to exercise renewal options, furnish notices, execute Tenant Estoppel Certificates, and execute Memorandum of Lease, required or allowed by the lease, as needed for Temporary Fire Station 44 16596 Porter Road, Winter Garden, Florida 34787 Lease File #10004. District 1. (Real Estate Management Division)
12. [18-1418](#) Approval and execution of Lease Agreement between Orange County and Pet Alliance of Greater Orlando, Inc. and delegation of authority to the Real Estate Management Division to exercise renewal options and furnish notices required or allowed by the lease, as needed for Pet Alliance East Side Clinic 12050 East Colonial Drive, Orlando, Florida, 32826 Lease File #10015. District 4. (Real Estate Management Division)
13. [18-1419](#) Approval and execution of Subordination of Utility Interests (Instrument 1004.2/9004.2) from Duke Energy Florida, LLC, d/b/a Duke Energy, f/k/a Duke Energy Florida, Inc., f/k/a Florida Power Corporation, d/b/a Progress Energy Florida, Inc., to Orange County and authorization to disburse funds to pay recording fees and record instrument for Kennedy Boulevard (Forest City Road to Wymore Road). District 2. (Real Estate Management Division)
14. [18-1420](#) Approval and execution of Subordination of Utility Interests (Instrument 1017.4/1017A.4) from Duke Energy Florida, LLC, d/b/a Duke Energy, f/k/a Florida Power Corporation, d/b/a Progress Energy Florida, Inc., to Orange County and authorization to disburse funds to pay recording fees and record instrument for All American Boulevard (Forest City Road to Clarcona-Ocoee Road). District 2. (Real Estate Management Division)
15. [18-1421](#) Approval and execution of Encroachment Agreement between Florida Gas Transmission Company, LLC and Orange County and authorization to record instrument for Lake Lucie Equestrian Trailhead Parking Area. District 2. (Real Estate Management Division)
16. [18-1422](#) Approval and execution of Encroachment Agreement between Florida Gas Transmission Company, LLC and Orange County and authorization to record instrument for Lois Mae Court. District 6. (Real Estate Management Division)
17. [18-1423](#) Approval and execution of Commercial Account Right of Entry Agreement between Orange County and Bright House Networks, LLC for East Orange

## Homeless Center. District 5. (Real Estate Management Division)

18. [18-1424](#) Approval and execution of First Amendment to Conservation Easement between Bishop Landing Homeowners Association, Inc. and Orange County with Joinder and Consent to First Amendment to Conservation Easement from D.R. Horton, Inc. and authorization to record instrument for Creekstone Reserve (aka Bishop Property). District 4. (Real Estate Management Division)
19. [18-1425](#) 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 Golden Oak Phase 5 Permit #17-S-044 OCU File #93726. District 1. (Real Estate Management Division)
20. [18-1426](#) Approval of General Warranty Deed from Lennar Homes, LLC to Orange County, approval and execution of Resolution and County Deed from Orange County to the School Board of Orange County, Florida, and authorization to record instruments for Village H - Springhill APF Conveyance. District 1. (Real Estate Management Division)
- (This item was deleted.)
21. [18-1427](#) Approval of Utility Easement from Hark Associates, L.L.C. to Orange County and Subordination of Encumbrances to Property Rights to Orange County from Seacoast National Bank and authorization to record instruments for Econ Place PD-Econ Medical Plaza-Ph II Site Work Permit #B16903089 OCU File #89366. District 3. (Real Estate Management Division)
22. [18-1428](#) Approval of Drainage Easement from Meritage Homes of Florida, Inc. to Orange County and authorization to record instrument for Heritage Oaks - Twin Acres on Lake Underhill Case #PSP-15-12-373. District 4. (Real Estate Management Division)
23. [18-1429](#) Approval of Warranty Deed from Hawksmoor Community Owners Association, Inc. to Orange County and Quit-Claim Deed from Mattamy Orlando, LLC to Orange County and authorization to perform all actions necessary and incidental to closing for Hawksmoor Phase I Permit #16-S-046 OCU File #85927. District 1. (Real Estate Management Division)

**E. COMMUNITY, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT**

1. [18-1430](#) Approval and execution of Orange County, Florida, Resolutions Establishing Special Assessment Liens for Lot Cleaning Services and approval to record Special Assessment Liens on property cleaned by Orange County, pursuant to Orange County Code, Chapter 28, Nuisances, Article II, Lot Cleaning. Districts 2 and 6. (Code Enforcement Division)



LC 18-0675	LC 18-0751	LC 18-0834	LC 18-0774	LC 18-0795
LC 18-0725	LC 18-0752	LC 18-0660	LC 18-0780	LC 18-0818
LC 18-0729	LC 18-0762	LC 18-0768	LC 18-0781	LC 18-0819
LC 18-0742	LC 18-0821	LC 18-0772	LC 18-0794	LC 18-0836

**F. FAMILY SERVICES DEPARTMENT**

1. [18-1431](#) Receipt and filing of Head Start Policy Council Program Information and Updates September 2018 and Head Start Policy Council Meeting Minutes August 22, 2018 for the official county record. (Head Start Division)
2. [18-1432](#) Approval of the October 2018 Business Assistance for Neighborhood Corridors (BANC) Program Grant for Advanced Auto Care (\$5,000). District 6. (Neighborhood Preservation and Revitalization Office)
3. [18-1433](#) Approval of the October 2018 Business Assistance for Neighborhood Corridors (BANC) Program Grant for Aloma Kids Academy (\$3,491). District 5. (Neighborhood Preservation and Revitalization Office)
4. [18-1434](#) Approval of the October 2018 Business Assistance for Neighborhood Corridors (BANC) Program Grant for Orlando Treads and More (\$5,000). District 6. (Neighborhood Preservation and Revitalization Office)

**G. FIRE RESCUE DEPARTMENT**

1. [18-1435](#) Approval and execution of Interlocal Agreement between Orange County, Florida and Town of Oakland, Florida regarding Orange County's provision of Fire Prevention and Rescue Services for the Town of Oakland, Florida.
2. [18-1436](#) Approval and execution of Interlocal Agreement between Orange County, Florida and Town of Oakland, Florida regarding Joint Ownership of the Public Safety Facility in Oakland, Florida.

**H. HEALTH SERVICES DEPARTMENT**

1. [18-1437](#) Approval and execution of the renewal Certificate of Public Convenience and Necessity for LifeFleet Southeast Inc. d/b/a American Medical Response (AMR) to provide Advanced Life Support and Basic Life Support Transport Service. The term of this certificate is from November 1, 2018 through November 1, 2020. There is no cost to the County. (EMS Office of the Medical Director)
2. [18-1438](#) Approval of Orange County Health Services Department Physician Employment Agreement by and between Orange County and Boro Gavric, M.D., for the position of Corrections Health Services Psychiatrist effective November 4, 2018.

3. [18-1439](#) Approval and execution of Resolution of the Orange County Board of County Commissioners regarding Animal Services; updating and restating unchanged portions of Resolution 2005-M-17, pertaining to Animal Services; establishing fees for impoundment, veterinary services, Animal Services Clinic; dangerous and potentially dangerous dog registrations and associated fees; registration of commercial kennels and pet dealers and associated fees; establishing a schedule of civil penalties for violations of the Animal Services Ordinance; providing for a surcharge on citations issued pursuant to the Animal Services Ordinance; establishing an Animal Services Classification Committee; establishing an Animal Services Advisory Board; and providing for an effective date.

(This item was deleted.)

4. [18-1440](#) Approval and execution of (1) Orange County, Florida and Adventist Health Systems/Sunbelt, Inc. d/b/a Florida Hospital Agreement related to the 340b Drug Discount Program; and (2) Orange County, Florida and Orlando Health, Inc./Orlando Health Central, Inc. Agreement related to the 340b Drug Discount Program.

#### **I. PUBLIC WORKS DEPARTMENT**

1. [18-1441](#) Authorization to record the plat of Storage Units. District 2. (Development Engineering Division)
2. [18-1442](#) Approval to construct speed humps on 29th Street. District 3. (Traffic Engineering Division)
3. [18-1443](#) Approval and execution of Interlocal Agreement between Orange County, Florida and the Orange County Research and Development Authority regarding Traffic Signal Maintenance and Compensation in Central Florida Research Park. District 5. (Traffic Engineering Division)

(This item was deleted.)

4. [18-1444](#) Approval and execution of (1) State of Florida Department of Transportation Railroad Reimbursement Agreement Grade Crossing Traffic Control Devices - County Financial Project No. 44236115701 by and between the State of Florida Department of Transportation, Florida Central Railroad Company, Inc., and Orange County for RR Crossing No. 625278-G and (2) State of Florida Department of Transportation County Resolution 2018-M-43 Grade Crossing Traffic Control Devices and Future Responsibility. District 2. (Traffic Engineering Division)
5. [18-1445](#) Approval and execution of Joint Participation Agreement between Orange County, Florida and Central Florida Expressway Authority for New

Independence Parkway and S.R. 429 Ramps Traffic Signals Project. District  
1. (Traffic Engineering Division)

## II. INFORMATIONAL ITEMS\*\*

### A. COUNTY COMPTROLLER

1. [18-1446](#) Receipt of the following items to file for the record: (Clerk's Office)

a. City of Apopka Notice of Annexation Ordinances, Exhibits, and Vicinity Maps as follows:

- Ordinance 2664, An Ordinance of the City of Apopka, Florida, to extend its territorial and municipal limits to annex pursuant to Florida Statute 171.044 the hereinafter described lands situated and being in Orange County, Florida, owned by the City of Apopka; and located at 1680 S Lake Pleasant Road; providing for directions to the City Clerk, severability, conflicts, and an effective date.

- Ordinance 2665, An Ordinance of the City of Apopka, Florida, to extend its territorial and municipal limits to annex pursuant to Florida Statute 171.044 the hereinafter described public rights-of-way known as Carnation Court, East Laurel Street, East Myrtle Street, West Myrtle Street, North Washington Avenue, North Central Avenue, North Lake Avenue (North and South of Myrtle Avenue), situated and being in Orange County, Florida, located generally west of North Park Avenue, South of West Summit Street and North of West Oak Street, and comprised of approximately 8.278 acres; owned by Orange County Board of County Commissioners; providing for directions to the City Clerk, severability, conflicts, and an effective date.

- Ordinance 2674, An Ordinance of the City of Apopka, Florida, to extend its territorial and municipal limits to annex pursuant to Florida Statute 171.044, Florida Statutes the hereinafter described lands situated and being in Orange County, Florida, owned by the City of Apopka; and located on the east side of N Hiawassee Road and south of US 441/Orange Blossom Trail; providing for directions to the City Clerk, severability, conflicts, and an effective date.

- Ordinance 2675, An Ordinance of the City of Apopka, Florida, to extend its territorial and municipal limits to annex pursuant to Florida Statute 171.044 the hereinafter described public rights-of-way know as North Hiawassee Road, Lust Road, East Votaw Road, North Christina Avenue, South Christina Avenue, Vick Road, West Martin Street, East Nancy Lee Lane, and West Nancy Lee Lane, situated and being in Orange County, Florida, and comprised of approximately 16.341 acres; owned by Orange County Board of County Commissioners; providing for directions to the City Clerk,

severability, conflicts, and an effective date.

These items were received and filed.

### III. WORK SESSION AGENDA

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

1. [18-1447](#) Split Oak Forest Wildlife Environmental Area Update and Osceola Parkway Extension Project Update. (Environmental Protection Division)

The Board took no action.

#### B. FAMILY SERVICES DEPARTMENT

1. [18-1448](#) Children's Services Council Update.

The following persons addressed the Board:

- Keith Carr
- Randy Nelson

The following material was presented to the Board: Exhibit 1, from Keith Carr.

A motion was made by Commissioner Love, seconded by Commissioner Siplin, to accept the Children's Services Study. 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

2. [18-1449](#) Approval and execution of Resolution of the Orange County Board of County Commissioners regarding the Citizens' Commission for Children; amending Resolution 97-M-03; increasing the number of members; allowing for the creation of subcommittees; updating meeting requirements; and providing an effective date.

A motion was made by Commissioner Clarke, seconded by Commissioner Siplin, to adopt Resolution 2018-M-44, amending Resolution 97-M-03; further, increasing the number of members; further, allowing for the creation of subcommittees; further, updating meeting requirements; further, include the Orange County Health Officer as a member of the Citizens Commission for Children (CCC) Board; and further, allow an additional member of the CCC Board only to vote in a tie.

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

**Absent:** 1 - Commissioner Bonilla

### IV. DISCUSSION AGENDA

**A. ADMINISTRATIVE SERVICES DEPARTMENT**

1. [18-1450](#) Request for Proposals Y19-100-TJ, Food and Beverage Services for the Orange County Convention Center. ([Convention Center] Procurement Division)
  - a. Selection of one firm and an alternate to provide food and Beverage Services for the Orange County Convention Center
  - b. Authorization for the Procurement Division to negotiate and execute a 4-year contract
  - c. Authorization for the Procurement Division to renew the contract for one additional 4-year term and one additional 3-year term

The following persons addressed the Board:

- Chris Verros
- Douglas Conner
- Kay Towner
- Nick Gillett
- Cindy Van Rensburg
- Rob Ellis

A motion was made by Commissioner Clarke, seconded by Commissioner VanderLey, to appoint Centerplate Hospitality Venture d/b/a Centerplate, as the selected firm; further, appoint Orange County LAC Group, LLC, as the selected alternate; further, authorization for the Procurement Division to negotiate and execute a 4-year contract; and further, authorization for the Procurement Division to renew the contract for one additional 4-year term and one additional 3-year term. The motion carried by the following vote:

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

**Nay:** 1 - Commissioner Siplin

**Absent:** 1 - Commissioner Bonilla

**B. COUNTY ADMINISTRATOR**

1. [18-1451](#) Approval and Execution of: 1) Agreement between Orange County, Florida and Orlando Ballet Inc. regarding Auditorium in Harriett's Orlando Ballet Centre; and 2) Agreement between Orange County, Florida and OnePULSE Foundation, Inc. regarding the Pulse Museum TDT Funding. (Fiscal and Business Services Division)

The following persons addressed the Board:

- Sibille Pritchard
- Jonathan Ledden

- Shane Jewel
- Sue Book
- Earl Crittenden
- Barbara Poma

The following materials were presented to the Board:

- Exhibit 1, from Sibille Pritchard
- Exhibit 2, from Earl Crittenden

A motion was made by Mayor Jacobs, seconded by Commissioner Clarke, to approve and execute an Agreement between Orange County, Florida and Orlando Ballet, Inc. regarding Auditorium in Harriett's Orlando Ballet Centre; and further, approve and execute an Agreement between Orange County, Florida and OnePULSE Foundation, Inc. regarding Pulse Museum TDT Funding. 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. RECOMMENDATIONS

1. [18-1452](#) October 4, 2018 Board of Zoning Adjustment Recommendations

A motion was made by Commissioner VanderLey, seconded by Commissioner Love, to approve the recommendations, with the exception of Case # VA-18-09-119, Aracelia Cuevas (Appeal filed) and Case # VA-18-10-125, Alexis De Jesus (Appeal filed), 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:** 5 - Commissioner Love, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, and Commissioner Siplin

**Absent:** 2 - Mayor Jacobs, and Commissioner Bonilla

## VI. PUBLIC HEARINGS

1. [18-1284](#) Petition to Vacate

Jeff Hartley, on behalf of MCO Custom Homes LLC, Petition to Vacate  
18-04-013, vacate a portion of an easement; District 1

**Consideration:** Resolution granting Petition to Vacate # 18-04-013, vacating a portion of a 15 foot wide utility easement containing approximately 347 square feet.

**Location:** District 1; property located at 8842 Trout Road, S32/T23/R28; Orange County, Florida (legal property description on file)

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

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

**Absent:** 2 - Mayor Jacobs, and Commissioner Bonilla

**2. [18-1343](#) Petition to Vacate**

Vincent and Janneth Robinson, Petition to Vacate 18-02-005, vacate a portion of a right-of-way; District 6

**Consideration:** Resolution granting Petition to Vacate # 18-02-005, vacating a portion of a 60 foot wide right-of-way containing approximately 1,327 square feet.

**Location:** District 6; property located at 902 N. Pine Hills Road; S19/T22/R29; Orange County, Florida (legal property description on file)

County staff announced approval of the request is subject to the dedication of a utility easement over the area to be vacated.

A motion was made by Commissioner Siplin, seconded by Commissioner Clarke, to approve the request subject to a utility easement dedicated over the area to be vacated. The motion carried by the following vote:

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

**Absent:** 2 - Mayor Jacobs, and Commissioner Bonilla

**3. [18-1285](#) Preliminary Subdivision Plan**

Eric Warren, Poulos & Bennett, LLC, Spring Grove - Jaffers Planned Development / Village I - Phase 1 & 2 - Parcel W-16 & a portion of W-17 Preliminary Subdivision Plan, Case # PSP-17-12-370; District 1

**Consideration:** Spring Grove - Jaffers Planned Development / Village I - Phase 1 & 2 - Parcel W-16 & a portion of W-17 Preliminary Subdivision Plan, Case # PSP-17-12-370, submitted in accordance with Sections 34-69 and 30-89 Orange County Code; This request proposes to subdivide 71.33 acres in order to construct 139 single-family detached residential dwelling units. The request also includes the following waivers from Orange County Code: 1.) A waiver from Section 34-152(c) to allow lots to front a mew, park, open space, etc., instead of a County roadway. Legal access to these lots will be through an ingress/egress alley easement or tract shown on the plat, in lieu of 20 feet fee simple as required by code; 2.) A waiver from Section 38-1382(h)(4) to allow alleys to be designed as a tract in lieu of the requirement that they shall be designed as a private easement; 3.) A waiver from Section 38-1384(g)(1) to allow garage access to be setback from an alley tract in lieu of an easement; 4.) A waiver from Section 38-1384(g)(2) to allow the reference to pertain to an alley tract in lieu of an easement; 5.) A waiver from Section 38-1384(i)(2) to allow vehicular access to garages or other off-street parking to be from a rear alley tract in lieu of an easement; and 6.) A waiver from Section 38-1384 (i)(4) to allow front loaded lots to face a neighborhood square or park in lieu of the requirement that all lots greater than fifty (50) feet in width that face neighborhood squares and parks shall provide vehicular

access from a rear alley or from a front driveway where the garages are located at or beyond the rear wall of the primary structure. This waiver is limited to a single park/recreation area within PSP-17-12-370 for lots 81-85.

**Location:** District 1; property generally located South of Flemings Road / West of CR 545; Orange County, Florida (legal property description on file in Planning Division)

County staff announced that the sixth waiver referenced in the Staff Report as Condition of Approval #29f should be eliminated due to the applicant submitting a revised Site Plan after the Development Review Committee (DRC) meeting.

Condition of Approval #29f:

~~A waiver from Section Sec. 38-1384(i)(4) to allow front loaded lots to face a neighborhood square or park, in lieu of the requirement that all lots greater than fifty (50) feet in width that face neighborhood squares and parks shall provide vehicular access from a rear alley or from a front driveway where the garages are located at or beyond the rear wall of the primary structure. This waiver is limited to a single park/recreation area within PSP 17 12 370 for lots 81-85.~~

County staff announced a change to Condition of Approval #7 as follows:

Condition of Approval #7:

The project shall comply with the terms and conditions of that certain Village I Spring Grove PD ROW APF recorded at Official Records Document ~~#20160390723~~ 20160429794, Public Records of Orange County, Florida, as may be amended.

The following person addressed the Board: Lance Bennett.

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

The applicant proposed modification to Condition of Approval #21 as follows. County staff did not object to the modification.

Condition of Approval #21:

A Development Plan, in conformance with the CH. 34-131(20) Group type provided with the PSP is required for the park / recreation tract(s) within this Preliminary Subdivision Plan (PSP). The park / recreation tract(s) shall be constructed as part of the subdivision infrastructure and completed prior to issuance of the Certification of Completion (C of C) for the infrastructure. ~~Temporary addressing must be provided for permits and the C of C must be issued prior to approval and recording of a plat.~~ All required inspections shall be complete and approved prior to issuance of a Certificate of Occupancy or Certification of Completion, as applicable.

A motion was made by Commissioner VanderLey, 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; further, modify Condition of Approval #7; further, modify Condition of Approval #21; and further, delete Condition of Approval #29f. The motion carried by the following vote:



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

**Absent:** 2 - Mayor Jacobs, and Commissioner Bonilla

4. [18-1286](#) Substantial Change

Mark Marsh, Orlando Health Central, Inc., Orlando Health Central Porter Road Medical Campus Planned Development / Land Use Plan (PD / LUP), Case # CDR-18-04-104, amend plan; District 1

**Consideration:** A PD substantial change to modify locations, dimensions, and copy area of various signage on the Master Sign Plan (MSP). Additionally, the following two (2) Master Sign Plan (MSP) waivers are being requested: 1. A waiver from Orange County Code Section 31.5-76 is requested to allow directional signs to have a maximum height of ten (10) feet and a copy area of 26 feet; in lieu of maximum height of (6) feet and a maximum copy area of (6) feet; and 2. A waiver from Orange County Code Section 31.5-15(a)(2) is requested to allow 1,397 square feet of wall signage in lieu of 400 square 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 on the south side of Porter Road, east of the Western Beltway (SR 429) and Avalon Road (CR 545); (legal property description on file in Planning Division)

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. The motion carried by the following vote:

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

**Absent:** 2 - Mayor Jacobs, and Commissioner Bonilla

5. [18-1287](#) Substantial Change

Kathy Hattaway, Poulos & Bennett, LLC, Flamingo Crossings Planned Development / Land Use Plan (PD / LUP), Case # CDR-18-04-113, amend plan; District 1

**Consideration:** A PD substantial change to increase the multi-family development program from 2,600 dwelling units to 2,614 dwelling units (an overall increase of 14 multi-family dwelling units), update wetland delineations based on approved Conservation Area Determination (CAD-17-07-099), and revise existing Condition of Approval #8 to apply for and obtain a Capacity Encumbrance Letter (CEL) prior to building permit submittal, instead of applying prior to construction plan submittal; 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 east and west of Flamingo Crossings Boulevard and south of Western Way; Orange County, Florida (legal property description on file in Planning

Division)

The following person addressed the Board: Kathy Hattaway.

A motion was made by Commissioner 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. The motion carried by the following vote:

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

**Absent:** 2 - Mayor Jacobs, and Commissioner Bonilla

6. [18-1289](#) Substantial Change

Adam Smith, VHB, Inc., Waterleigh Planned Development / Waterleigh Phase 2C-1, 2C-2, 2C-3 and a portion of Parcel 21 Preliminary Subdivision Plan, Case #CDR-18-04-101, amend plan; District 1

**Consideration:** Substantial change request to the Waterleigh Phase 2C-1, 2C-2, 2C-3 and a portion of Parcel 21 PSP to add 81 units to Phases 2C-2 and 2C-3, previously identified as future development tracts, and to modify a previously approved condition of approval, to include Lots 567 - 569 in the waiver, in order to allow these lots to front a new, in lieu of the 20-foot access to a dedicated public paved street; pursuant to Orange County Code, Sections 38-1381, 34-69 and 30-89.

**Location:** District 1; property generally located South of Old YMCA Road / West of Avalon Road; Orange County, Florida (legal property description on file in Planning Division)

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. The motion carried by the following vote:

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

**Absent:** 2 - Mayor Jacobs, and Commissioner Bonilla

7. [18-1081](#) Substantial Change

Rick Baldocchi, Avcon, Inc., Butte Planned Development / Land Use Plan (PD / LUP), Case # CDR-17-04-127; District 4 (Continued from September 18, 2018)

**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 persons addressed the Board:

- Miranda Fitzgerald
- Janice Lunn
- Julia Peach
- Joanne Cooper
- John Calabrese
- Lorrie Weatherford
- Oscar Vargas

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

- Exhibit 1, from Miranda Fitzgerald
- Exhibit 2, from Julia Peach

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 Miranda Fitzgerald.

Based on all the relevant and competent evidence, letters, documentation, and testimony received at today's hearing, a motion was made by Commissioner Thompson, seconded by Commissioner Siplin, to deny the Butte PD Substantial Change request to permit a monopole communication tower at the Lake Underhill location because, first, the proposed tower would have a substantial adverse aesthetic visual impact on single family homes to the southeast, and second, the proposed tower would have a substantial adverse economic impact by diminishing the property values of those homes and reducing their marketability. The motion carried by the following vote:

**Aye:** 4 - Commissioner Love, Commissioner Thompson, Commissioner Clarke, and Commissioner Siplin

**Nay:** 1 - Mayor Jacobs

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

8. [18-914](#) Substantial Change

Linda Dodge, Orlando Executive Park, LLC., The Home Depot at Lee Road and I-4 Preliminary Subdivision Plan (PSP), Case # CDR-18-01-006, amend plan; District 2 (Continued from July 31, August 21, and October 2, 2018)

**Consideration:** This Preliminary Subdivision Plan (PSP) substantial change is a request to remove the September 18, 2001, BCC Condition of Approval #3, which among other things required the existing billboard to be removed at the termination of the lease agreement (July 13,

2013), with no lease options permitted; pursuant to Orange County Code, Sections 34-69 and 30-89.

**Location:** District 2, property generally located north of Lee Road/ West of Interstate 4; Orange County, Florida (legal property description in Planning Division)

The following persons addressed the Board:

- Craig Swygert
- Tom Wilkes

A motion was made by Commissioner Love, seconded by Commissioner Clarke, to approve Clear Channel's Compensation Waiver Agreement; and further, approve the substantial change request to remove the Billboard Condition (September 18, 2001, BCC Condition of Approval #3 / August 23, 2016, BCC Condition of Approval #14a). 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

9. [18-1389](#) Conservation Area Impact

Farmland Reserve Inc., Borrow Pit Project Site, permit; District 4

**Consideration:** Request for a Conservation Area Impact Permit (CAI-18-02-008) to impact 2.47 acres of Class I wetlands and 1.69 acres of Class III wetlands. A total of 0.79 acre of secondary wetland impacts are also included. The impacts are associated with construction of a borrow pit to provide fill material for construction of the adjacent All-Aboard Florida passenger rail project.

**Location:** District 4; property generally located within a portion of 15122 Wewahootee Road (Parcel ID#: 01-24-32-0000-00-001); Orange County, Florida (legal property description on file in Environmental Protection Division)

A motion was made by Commissioner Thompson, seconded by Commissioner Clarke, to approve the Conservation Area Impact Permit (CAI-18-02-008) subject to the conditions of approval listed in the Staff Report. 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

10. [18-1147](#) Ordinance

Amending Orange County Code, Chapter 38, pertaining to Zoning regulations to regulate the package sale vendors in the I-Drive Overlay District - 2nd hearing (1st hearing on October 16, 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 persons addressed the Board:

- Alex Nikitin
- Chuck Whittall

A motion was made by Commissioner Siplin, seconded by Commissioner Love, to make a finding of consistency with the Comprehensive Plan; further, adopt Ordinance 2018-24, affecting the use of land in Orange County, Florida, regarding the Package Sale of Alcoholic Beverages; further, amending Section 38-1414 of the Orange County Code relating to prohibited areas for the Package Sale of Alcoholic Beverages; further, 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; further, providing for severability; and further, providing an effective date of November 5, 2018. 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

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

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

ADJOURNMENT: 4:10 p.m.

ATTEST:



County Mayor Jerry L. Demings

Date: 12/4/18



ATTEST SIGNATURE:

Phil Diamond  
County Comptroller as Clerk

*Jennifer Jan-Klimentz*  
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.