

Orange County Government

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



Draft Meeting Minutes

Tuesday, October 11, 2022

9:00 AM

County Commission Chambers

Board of County Commissioners

Call to Order

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

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

Others present:

County Comptroller Phil Diamond as Clerk
County Administrator Byron Brooks
Deputy County Administrator Chris Testerman
Deputy County Administrator Danny P. Banks
Deputy County Attorney Joel Prinsell
Public Works Director Joseph Kunkel
Senior Minutes Coordinator Noelia Perez

Invocation - Mayor

Dr. James R. Doggette, Sr., Patmos Chapel Seventh Day Adventist Church

Pledge of Allegiance

Presentation

Proclamation recognizing October as Energy Awareness Month

Presentation

Proclamation recognizing October 11, 2022 as Orange County Veterans Services Office Day

Public Comment

The following persons addressed the Board:

- Inho Choi
- Foo Pham
- Eric Grimmer
- Levi Williams
- Justin Harvey
- Shaniqua Rose
- Randall Sumner
- Cynthia Slaughter
- Jason McIntosh
- Kontara Sanders
- Lyzette Melendez
- Larry Brinson

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

I. CONSENT AGENDA

Approval of the Consent Agenda

A motion was made by Commissioner Uribe, seconded by Commissioner Gomez Cordero, to approve the Consent Agenda. The motion carried by the following vote:

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

A. COUNTY MAYOR

- 1. **22-1277** Confirmation of the Mayor’s managerial appointment of Yvette Best as the Director of the Human Resources Department.
- 2. **22-1278** Confirmation of the Mayor’s managerial appointment of Brett W. Blackadar, P.E., PMO, PTOE, Deputy Director, Public Works Department.

B. COUNTY COMPTROLLER

- 1. **22-1279** Approval and execution of the minutes of the September 8, 2022 meeting of the Board of County Commissioners. (Clerk’s Office)
- 2. **22-1280** Approval of the check register authorizing the most recently disbursed County funds, having been certified that same have not been drawn on overexpended accounts.

September 23, 2022 - September 29, 2022: \$99,346,013.11
September 30, 2022 - October 16, 2022: \$73,389,016.29

(Finance/Accounting)

C. COUNTY ADMINISTRATOR

- 1. **22-1281** Approval for the Orange County Sheriff’s Office to spend \$25,000 from the FY 2023 Law Enforcement Trust Fund-State Forfeitures for eligible contributions to the Legal Aid Society (\$5,000) and Victim Advocate Squad (\$20,000). (Office of Management and Budget)
- 2. **22-1282** Approval for the Orange County Sheriff’s Office to spend \$20,716.92 for LMT Short Barreled Rifles from the FY 2023 Law Enforcement Trust

Fund-Federal Forfeitures. (Office of Management and Budget)

3. **22-1283** Approval to disburse payment to the Florida Association of Counties for membership dues totaling \$130,039 as provided in the FY 2022-23 adopted budget. (Office of Management and Budget)
4. **22-1284** Approval and execution of Service Funding Agreements between Orange County and Seniors First, Inc. (\$95,418), the Orange County Bar Association, Inc. (\$102,228), and the Legal Aid Society of the Orange County Bar Association, Inc. (\$1,331,128) Fiscal Year 2022-2023. (Office of Management and Budget)
5. **22-1285** Approval of budget amendments #22-69, #22-70, #22-71, #22-72, #22-73, and #23-01. (Office of Management and Budget)
6. **22-1286** Approval of budget transfers #22-1270, #22-1272, #22-1309, #22-1310, #23C-0001, #23C-0002, #23C-0003, #23C-0004, #23C-0005, #23C-0006, #23C-0007, #23C-0008, #23C-0009, #23C-0010, and #23C-0011. (Office of Management and Budget)
7. **22-1287** Approval of CIP amendments #23C-0001, #23C-0002, #23C-0003, #23C-0004, #23C-0005, #23C-0006, #23C-0007, #23C-0008, #23C-0009, #23C-0010, and #23C-0011. (Office of Management and Budget)

D. COUNTY ATTORNEY

1. **22-1288** Approval of revised Administrative Regulation 7.10, titled "Local Mileage" and Administrative Regulation 7.12, titled "Non-Local Travel and Training."

E. ADMINISTRATIVE SERVICES DEPARTMENT

1. **22-1289** Approval and execution of Modification to Subgrant Agreement between the Division of Emergency Management and Orange County Board of County Commissioners Contract Number: F0005 Project Number: DEM-SR00005 to amend the period of agreement expiration date from December 31, 2022 to December 31, 2023, and modify the scope of work by removing the Goldenrod Recreation Gym and authorization for the Mayor or designee to execute any further necessary amendments to such Grant Agreement that do not change the scope of the project or increase the overall project budget. (Capital Projects Division)
2. **22-1290** Approval to award Invitation for Bids Y22-191-KK, Exterior Painting and Pressure Washing for Utilities Department, to the low responsive and responsible bidder, Directa, LLC. The estimated contract award amount is \$262,032.50 for a one-year term. ([Utilities Department Fiscal and Operational Support Division] Procurement Division)

3. **22-1291** Approval to award Invitation for Bids Y22-1007-KK, Mobile Dialysis Services for Orange County Corrections, to the sole responsive and responsible bidder, Mobil Dialysis, Inc. The estimated annual contract award amount is \$210,000 for a one-year term. ([Health Services Department Corrections Health Division] Procurement Division)
4. **22-1292** Approval to award Invitation for Bids Y22-1027-MV, Staff Augmentation - Manual Labor, to the low responsive and responsible bidder, Tampa Service Company, Inc. The estimated contract award amount is \$879,375 for a one-year term. ([Utilities Department Water Reclamation Division] Procurement Division)
5. **22-1293** Approval to award Invitation for Bids Y22-1059-AV, Bulk Rock Salt NOC-17F, to the low responsive and responsible bidder, Odyssey Manufacturing Company. The estimated contract award amount is \$230,625 for a one-year term. ([Utilities Department Water Division] Procurement Division)
6. **22-1294** Approval to award Invitation for Bids Y22-7018-CC, Parks Recreation Center Envelope Protection, to the low responsive and responsible bidder, CIC Construction Group USA, LLC. The total contract award amount is \$1,156,607. ([Administrative Services Department Capital Projects Division] Procurement Division)
7. **22-1295** Approval of Contract Y23-600, Multi-Site Upgrades for all Virtual Private LAN Service Sites, with Centurylink Communications, LLC dba Lumen Technologies Group, in the total contract award amount of \$668,304 for a three-year term. ([Administration and Fiscal Services Information Systems and Services Division] Procurement Division)
8. **22-1296** Approval of Contract Y23-131, Providing Parent Child Interaction Therapy (PCIT) Training, with Kinder Konsulting & Parents, Too, Inc., in the total contract award amount of \$294,000. ([Community and Family Services Department Mental Health and Homelessness Issues Division] Procurement Division)
9. **22-1297** Approval of Contract Y23-2500, Ending the HIV Epidemic (EHE) Short Term Housing Assistance and Case Management Services, with Hope and Help Center of Central Florida, Inc., in the contract award amount of \$273,913.04 for a one-year term. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
10. **22-1298** Approval of Contract Y23-2501, Ending the HIV Epidemic (EHE) Short Term Housing Assistance and Case Management Services, with Miracles of Love, Inc., in the contract award amount of \$426,086.96 for a one-year term. ([Health Services Department Fiscal and Operational Support Division]

Procurement Division)

11. **22-1299** Approval of Amendment No. 5, Contract Y19-186B, Removal and Processing Waste Tires, Lot B, with Empire Tire of Edgewater, LLC, in the amount of \$166,500, for a revised contract amount of \$185,000. ([Utilities Department Solid Waste Division] Procurement Division)
12. **22-1300** Approval of Amendment No. 1, Contract Y22-2404, Job Placement, Training, and Employment Related Services, Federal Subrecipient Agreement, with Central Florida Regional Workforce Development Board, Inc., in the amount of \$5,000,000, for revised total contract amount of \$15,294,215. ([Community and Family Services Department Fiscal and Operational Support Division] Procurement Division)
13. **22-1301** Ratification of Amendment No. 6, Contract Y18-1124, Motor Fuel Transport Deliveries, with Palmdale Oil Company, Inc., in the amount of \$282,708, for a revised total contract amount of \$2,277,708. ([Administrative Services Department Fleet Management Division] Procurement Division)
14. **22-1302** Selection of AVCON Inc. to provide Little Econ Phase 3 - S.R. 436 Pedestrian Bridge (South of Baldwin Park Street / Auvers Boulevard) - Independent Peer Review for Professional (I.P.R.) Services, Request for Proposals Y22-805-MB ([Public Works Department Engineering Division] Procurement Division)
15. **22-1303** Approval and execution of Lease Agreement between Adanson Opportunity Fund LLC ("Landlord") and Orange County, Florida ("Tenant") and authorization for the Real Estate Management Division to exercise renewal options, estoppel certificates, and furnish notices, required or allowed by the lease, as needed for Court Administration - Clerk of Courts Lease Agreement 5135 Adanson Street, Suite 900, Orlando, Florida 32804. Lease File #10152. District 5. (Real Estate Management Division)
16. **22-1304** Approval and execution of License Agreement between Orange County, Florida and Second Harvest Food Bank of Central Florida, Inc., related to Not-For-Profit Community Center Utilization for the Provision of Services Benefitting the Public and authorization for the Manager of the Community Action Division to exercise renewal options, and furnish notices, required or allowed by the license agreement, as needed for Second Harvest Food Bank of Central Florida, Inc. - East Orange Community Center (CAD) 12050 E Colonial Dr., Orlando, Florida 32826. Lease File #10017. District 4. (Real Estate Management Division)
17. **22-1305** Approval and execution of License Agreement between Orange County, Florida and Second Harvest Food Bank of Central Florida, Inc., related to Not-For-Profit Community Center Utilization for the Provision of Services Benefitting the Public and authorization for the Manager of the Community

Action Division to exercise renewal options, and furnish notices, required or allowed by the license agreement, as needed for Second Harvest Food Bank of Central Florida, Inc. - Holden Heights Community Center (CAD) 1201 20th Street, Orlando, Florida 32805. Lease File #10176. District 6. (Real Estate Management Division)

18. **22-1306** Approval and execution of License Agreement between Orange County, Florida and Second Harvest Food Bank of Central Florida, Inc., Related to Not-For-Profit Community Center Utilization for the Provision of Services Benefitting the Public and authorization for the Manager of the Community Action Division to exercise renewal options, and furnish notices, required or allowed by the license agreement, as needed for Second Harvest Food Bank of Central Florida, Inc. - Taft Community Center (CAD) 9450 S. Orange Ave., Orlando, Florida 32824. Lease File #10016. District 3. (Real Estate Management Division)

F. CONVENTION CENTER DEPARTMENT

1. **22-1307** Approval and execution of Transit Station License Agreement LYNX Agreement Number A-55 by and between Orange County and the Central Florida Regional Transportation Authority, d/b/a LYNX and Transit Station License Agreement (Destination Parkway Intermodal Center) by and between Orange County and the International Drive Master Transit and Improvement District. (Facility Operations Division)

G. FIRE RESCUE DEPARTMENT

1. **22-1308** Approval and execution of State-Funded Grant Agreement Urban Search and Rescue Grant Agreement Number: T0229 by the State of Florida, Division of Emergency Management and Orange County Fire Rescue in the amount of \$1,178,315.85. There is no local match required. (Operations Division)

H. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

1. **22-1309** Approval of a One-Year Time Extension of After-the-Fact Shoreline Alteration/Dredge and Fill Permit SADF-18-09-024 for DCML Enterprises, LLC. District 5. (Environmental Protection Division)
2. **22-1310** Approval and execution of Developer's Agreement for the Construction of Affordable Townhomes between Orange County, Florida and Hannibal Square Community Land Trust, Inc. regarding the Cornerstone at Sixth providing gap financing in the amount of \$750,000 from the Housing Trust Fund and \$750,000 from the Hurricane Housing Recover Program. District 2. (Housing and Community Development Division)
3. **22-1311** Approval and execution of Release of Restrictive Covenant by Orange

County, Florida to and for the benefit of NCBCP Limited Partnership for a Multi-family Affordable Housing Developer's Agreement. District 6. (Housing and Community Development Division)

I. PUBLIC WORKS DEPARTMENT

1. **22-1312** Authorization to record the plat of O-Town Town Center North. District 1. (Development Engineering Division)
2. **22-1313** Authorization to record the Right-of-way Declaration and Maintenance Map for Winona Drive. District 3. (Roads and Drainage Division)
3. **22-1314** Approval and execution of Interlocal Agreement between Orange County, Florida and the Ranger Drainage District regarding Improvements to and Maintenance of Drainage Infrastructure and Roads. District 5. (Roads and Drainage Division)

J. UTILITIES DEPARTMENT

1. **22-1315** Approval of commercial refuse license for Trash Taxi Corp to provide solid waste hauling services to commercial generators in Orange County for a five-year term. All Districts. (Solid Waste Division)
2. **22-1316** Approval of commercial refuse license for We Got This Hauling LLC to provide solid waste hauling services to commercial generators in Orange County for a five-year term. All Districts. (Solid Waste Division)
3. **22-1317** Approval of commercial refuse license for Liberty Hauling Service, LLC to provide solid waste hauling services to commercial generators in Orange County for a five-year term. All Districts. (Solid Waste Division)
4. **22-1318** Approval and execution of Change Order Number 1, Contract Y20-731 Pump Station Package 23 Improvements, with Prime Construction Group Inc. in the amount of \$194,191.61, for a revised total contract amount of \$2,359,191.61. Districts 1, 4, and 6. (Field Services Division)

II. INFORMATIONAL ITEMS**

A. COUNTY COMPTROLLER

1. **22-1319** Receipt of the following items to file for the record: (Clerk's Office)
 - a. City of Orlando Council Agenda Item for the meeting of September 12, 2022. City of Orlando Ordinance with Exhibit A (Map), Orlando Sentinel Notice of Proposed Enactment for Proposed Ordinance No. 2022-51 entitled: An Ordinance of the City Council of the City of Orlando, Florida, relating to a street name change; renaming "Marquise Court" which is

described in the plat of Clear Lake Cove, according to the plat thereof, as recorded in Plat Book 1, Page 88, of the public records of Orange County, Florida, generally located between Monte Carlo Trail and Piedmont Street, to Nelson Pinder Circle; directing amendments to the official maps of the City of Orlando, Florida; providing for severability, correction of scrivener' errors, and an effective date.

b. City of Orlando Ordinance No. 2022-51 adopted by City Council on September 12, 2022. City of Orlando Ordinance with Exhibit A (Map), Orlando Sentinel Notice of Proposed Enactment for Proposed Ordinance 2022-51 entitled: An Ordinance of the City Council of the City of Orlando, Florida, relating to a street name change; renaming "Marquise Court" which is described in the plat of Clear Lake Cove, according to the plat thereof, as recorded in Plat Book 1, page 88, of the public records of Orange County, Florida, generally located between Monte Carlo Trail and Piedmont Street, to Nelson Pinder Circle; directing amendments to the official maps of the City of Orlando, Florida; providing for severability, correction of scrivener' errors, and an effective date.

These items were received and filed.

III. DISCUSSION AGENDA

A. COUNTY ADMINISTRATOR

1. 22-1320 Hurricane Ian Update.

The following person addressed the Board: Charles Williams.

The Board took no action.

B. COMMUNITY AND FAMILY SERVICES DEPARTMENT

1. 22-1321 Head Start Annual Program Update. (Head Start Division)

The Board took no action.

C. PLANNING, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

1. 22-1322 Acceptance of North East Orange County Areawide Transportation Study (NEOCATS) Needs Plan Study Report. District 5. (Transportation Planning Division)

A motion was made by Commissioner Bonilla, seconded by Commissioner Uribe, to approve the North East Orange County Areawide Transportation Study (NEOCATS) Needs Plan Study Report. The motion carried by the following vote:

Aye: 5 - Mayor Demings, Commissioner Moore, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

Nay: 1 - Commissioner Wilson

Absent: 1 - Commissioner Uribe

Meeting Starts at 2:00 p.m.

IV. RECOMMENDATIONS

1. **22-1323** September 15, 2022 Planning and Zoning Commission Recommendations

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

Aye: 4 - Mayor Demings, Commissioner Moore, Commissioner Uribe, and Commissioner Siplin

Absent: 3 - Commissioner Wilson, Commissioner Gomez Cordero, and Commissioner Bonilla

V. PUBLIC HEARINGS

A. Petition to Vacate

1. **22-1184** PTV-22-08-020

Mr. Brock Fanning, on behalf of Toll FL Limited Partnership, vacate a portion of a wide emergency access easement; District 1

Consideration: Resolution granting Petition to Vacate # 22-08-020, vacating 14 portions of a 20 foot wide emergency access easement, containing a total of approximately 0.37 acres.

Location: District 1; The parcel addresses are 10486 Royal Cypress Way, 10480 Royal Cypress Way, 10462 Royal Cypress Way, 10444 Royal Cypress Way, 10582 Royal Cypress Way, 10576 Royal Cypress Way, 10570 Royal Cypress Way, 10558 Royal Cypress Way, 10552 Royal Cypress Way, 10540 Royal Cypress Way, 10534 Royal Cypress Way, 10528 Royal Cypress Way, 10522 Royal Cypress Way, and 10492 Royal Cypress Way; S08/T24/R28; Orange County, Florida (legal property description on file-see enclosed map)

The following person addressed the Board: James Faile (phonetic).

A motion was made by Commissioner Wilson, seconded by Commissioner Moore, to approve the request listed in the staff report dated October 11, 2022. The motion carried by the following vote:

Aye: 5 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, and Commissioner Siplin

Absent: 2 - Commissioner Gomez Cordero, and Commissioner Bonilla

2. 22-1185 PTV 21-11-063

Christopher and Christine Jaehne, vacate a portion of a wide drainage and utility easement; District 5

Consideration: Resolution granting Petition to Vacate # 21-11-063, vacating a 15 foot wide by 270 foot long portion of a 30 foot wide drainage and utility easement that lies along the western property line of the petitioner's residential lot located at 19649 Seaview Street in the Wedgefield Community, containing approximately 4,050 square feet.

Location: District 5; The parcel address is 19649 Seaview Street; S26/T23/R32; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Wilson, seconded by Commissioner Siplin, to approve the request listed in the staff report dated October 11, 2022. The motion carried by the following vote:

Aye: 5 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, and Commissioner Siplin

Absent: 2 - Commissioner Gomez Cordero, and Commissioner Bonilla

3. 22-1187 PTV 21-06-038

Elliot Jamison, on behalf of Jamison Commercial Properties III LLC, vacate a portion of unopened, unimproved and unnamed alley; District 2

Consideration: Resolution granting Petition to Vacate # 21-06-038, vacating a 16 foot wide portion of unopened, unimproved and unnamed alley, containing approximately 1,587 square feet.

Location: District 2; The parcel address is 3792 Old Winter Garden Road; S28/T22/R28; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Moore, seconded by Commissioner Wilson, to approve the request listed in the staff report dated October 11, 2022. The motion carried by the following vote:

Aye: 5 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, and Commissioner Siplin

Absent: 2 - Commissioner Gomez Cordero, and Commissioner Bonilla

B. Board of Zoning Adjustment Appeal**4. 22-1121 Case # VA-22-08-067**

Angela Hamlett, August 4, 2022; District 6

Consideration: Request for variance in the R-1A zoning district to allow a separation distance of 528 ft. between a residence that meets the definition of a community residential home and another such home, in lieu of 1,000 ft.

Location: District 6; property located at 4527 San Sebastian Circle, Orlando, Florida 32808; Orange County, Florida (legal property description on file in Zoning Division)

The following persons addressed the Board:

- Angela Hamlett
- Tanisha Swaby

A motion was made by Commissioner Siplin, seconded by Commissioner Uribe, to uphold the Board of Zoning Adjustment Recommendation; and further, deny the request as there is no special conditions and circumstances particular to the land and the need of the variance is self created and it does not meet the purpose and intent of the Code. The motion carried by the following vote:

Aye: 4 - Mayor Demings, Commissioner Uribe, Commissioner Bonilla, and Commissioner Siplin

Nay: 2 - Commissioner Wilson, and Commissioner Moore

Absent: 1 - Commissioner Gomez Cordero

C. Shoreline Alteration Dredge and Fill Permit

5. 22-1123 Case # SADF-22-07-020

Jeffrey and Bonnie Yarmuth, Howell Branch Creek leading to Lake Maitland, permit; District 5

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit SADF # 22-07-020 to authorize the construction of a replacement vinyl seawall along a portion of the shoreline, pursuant to Orange County Code, Chapter 15, Article VI, Pumping and Dredging Control.

Location: District 5; on property located adjacent to Howell Branch Creek, leading to Lake Maitland, located at 1056 Howell Branch Road, Winter Park, FL 32789; Orange County, Florida (legal property description on file in Environmental Protection Division)

A motion was made by Commissioner Bonilla, seconded by Commissioner Siplin, to accept the findings and recommendation of the Environmental Protection Division; and further, approve the Shoreline Alteration Dredge and Fill Permit (SADF-22-07-020) subject to the twenty-five (25) conditions of approval listed in the staff report dated September 14, 2022. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Bonilla, and Commissioner Siplin

Absent: 1 - Commissioner Gomez Cordero

D. Preliminary Subdivision Plan

6. 22-1030 Case # PSP-21-10-314

David Kelly, Poulos & Bennett, LLC, Oasis Reserve Preliminary Subdivision Plan; District 3 (Continued from August 30, 2022 and September 27, 2022)

Consideration: Oasis Reserve Preliminary Subdivision Plan, Case # PSP-21-10-314,

submitted in accordance with Orange County Code, Chapter 34, Article III, Section 34-69 and Chapter 30, Article III, Section 30-89; This Preliminary Subdivision Plan (PSP) is a request to subdivide 14.59 gross acres in order to construct 56 single-family residential dwelling units.

Location: District 4; property generally located South of Curry Ford Road / West of Econlockhatchee Trail; Orange County, Florida (legal property description on file in Planning Division)

A motion was made by Commissioner Uribe, seconded by Commissioner Wilson, to continue the public hearing until October 25, 2022 at 2 p.m. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Bonilla, and Commissioner Siplin

Absent: 1 - Commissioner Gomez Cordero

E. Substantial Change

7. **22-1122** Case # CDR-22-04-147

Julie Salvo, Tavistock Development Company, Ginn Property Planned Development (PD), amend plan; District 4

Consideration: A PD substantial change to request the following waivers from Orange County Code: 1) A waiver from Orange County Code Section 38-1258(c) to allow for a maximum building height of fifty-five (55) feet/four (4) stories for multifamily development in Parcel 6C, in lieu of a maximum building height of forty (40) feet/three (3) stories. 2) A waiver from Orange County Code Section 38-1254(2) (a) to allow for a minimum building setback of twelve (12) feet on the south side of J. Lawson Blvd and on the east side of Wyndham Lakes Blvd in Parcel 6C, in lieu of a minimum building setback of twenty-five (25) feet. 3) A waiver from Orange County Code Section 38-1479(b) to allow for a minimum parking space size of one hundred sixty-two (162) square feet (nine (9) feet x eighteen (18) feet) in Parcel 6C, in lieu of a minimum parking space size of one hundred eighty (180) square feet (either nine (9) feet x twenty (20) feet or ten (10) feet x eighteen (18) feet); pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 4; property generally located north of SR 417 and east of Wyndham Lakes Boulevard; Orange County, Florida (legal property description on file in Planning Division)

The following persons addressed the Board:

- Jorge Berrios
- Jeffrey Tuell

A motion was made by Commissioner Bonilla, seconded by Commissioner Uribe, to continue the public hearing until November 15, 2022, at 2 p.m; and further, include a mailed notice to the citizens. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Bonilla, and Commissioner Siplin

Absent: 1 - Commissioner Gomez Cordero

8. 22-1188 Case # CDR-22-06-212

Sam J. Sebaali, Florida Engineering Group, Inc., Buena Vista Park Planned Development / Buena Vista Park Parcel 2 Preliminary Subdivision Plan; District 1

Consideration: Substantial change request to convert 33,565 square feet of commercial use to add 136 hotel rooms, using the trip equivalency matrix on Lots 2 and 3; pursuant to Orange County Code, Chapter 34, Article III, Section 34-69 and Chapter 30, Article III, Section 30-89.

Location: District 1; property generally located North of Lake Street / West of Palm Parkway; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Sam Sebaali.

A motion was made by Commissioner Wilson, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; and further, approve the request subject to the nine (9) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated September 20, 2022. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Bonilla, and Commissioner Siplin

Absent: 1 - Commissioner Gomez Cordero

F. Ordinance/Comprehensive Plan - Adoption of Regular Cycle Amendments, Ordinance and Concurrent Rezoning Request**9. 22-1273 Adoption of Future Land Use Map Amendment 2021-1-A-4-1, FLU8.1.4 Text Amendment, FLU1.2.4 Text Amendment, Ordinance, and Concurrent Rezoning LUP-21-01-006 (Continued from October 11, 2022)****a. Amendment 2021-1-A-4-1**

Consideration: A request to change the Future Land Use Designation from Rural/Agricultural (R) to Planned Development-Commercial/Medium Density Residential (PD-C/MDR) and Urban Service Area (USA) Expansion; pursuant to Part 11, Chapter 163, Florida Statutes and Orange County Code

Location: District 4; property located at 14727 and 14831 Boggy Creek Rd.; generally located on the east side of Boggy Creek Rd., south of Whispering Pines Rd., north of Simpson Rd., and west of Happy Ln. (legal property description on file in Planning Division)

And

b. Amendment 2021-1-B-FLUE-4

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

with Amendment 2021-1-A-4-1; District 4

And

c. Amendment 2021-1-B-FLUE-5

Text amendment to Future Land Use Element Policy FLU1.2.4 regarding allocation of additional lands to the Urban Service Area (USA), associated with Amendment 2021-1-A-4-1; District 4

And

d. Ordinance for Proposed Amendments

Consideration: An Ordinance pertaining to comprehensive planning in Orange County, Florida; amending the Orange County Comprehensive Plan, commonly known as the 2010-2030 Comprehensive Plan, as amended, by adopting amendments pursuant to Section 163.3184(3), Florida Statutes, for the 2021 calendar year (first cycle); and providing effective dates.

And

e. Rezoning LUP-21-01-006

Consideration: A request to Rezone Case # LUP-21-01-006 from A-2 (Farmland Rural District) to PD (Planned Development District) (Bennett Place PD). Also requested are fifteen (15) waivers from Orange County Code: Waivers 1-5 are requested within Transition Zone 5, as shown on the Land Use Plan: 1) A waiver from Section 38-1254, to allow a 25' minimum building setback from an arterial street, in lieu of a 50' setback for multifamily; 2) A waiver from Section 38-1272, to allow a 25' minimum building setback from an arterial street, in lieu of a 40' setback for commercial; 3) A waiver from Section 38-1258(a), to allow five (5) story multi-family buildings eighty (80) feet from single-family zoned property, in lieu of multi-family buildings located within one hundred (100) feet of single-family zoned property being restricted to a single story in height; 4) A waiver from Section 38-1258(b), to allow multi-family buildings located eighty (80) feet from single-family zoned property with a maximum of one hundred (100) percent of the buildings being five (5) stories (not to exceed eighty (80) feet) in height in lieu of multi-family buildings located between one hundred plus (100+) feet to one hundred and fifty (150) feet of single-family zoned property to vary in building height with a maximum of fifty (50) percent of the buildings being three (3) stories (not to exceed forty (40) feet) in height with the remaining buildings being one (1) story or two (2) stories in height; 5) A waiver from Section 38-1258(c), to allow five (5) story, eighty (80) feet in height multi-family buildings eighty (80) feet from single-family zoned property, in lieu of multi-family buildings located within one hundred and fifty (150) feet of single-family zoned property not exceeding three (3) stories forty (40) feet in height; Waivers 6-8 are requested within Transition Zone 4, as shown on the Land Use Plan: 6) A waiver from Section 38-1258(a), to allow four (4) story multi-family buildings eighty (80) feet from single-family zoned property, in lieu of multi-family buildings located within one hundred (100) feet of single-family zoned property being restricted to single story in height; 7) A waiver from Section 38-1258(b), to allow multi-family

buildings located eighty (80) feet from single-family zoned property with a maximum of one hundred (100) percent of the buildings being four (4) stories (not to exceed sixty-five (65) feet) in height in lieu of multi-family buildings located between one hundred plus (100+) feet to one hundred and fifty (150) feet of single-family zoned property to vary in building height with a maximum of fifty (50) percent of the buildings being three (3) stories (not to exceed forty (40) feet) in height with the remaining buildings being one (1) story or two (2) stories in height; 8) A waiver from Section 38-1258(c), to allow four (4) story, sixty-five (65) feet in height multi-family buildings eighty (80) feet from single-family zoned property, in lieu of multi-family buildings located within one hundred and fifty (150) feet of single-family zoned property not exceeding three (3) stories forty (40) feet in height; Waivers 9-10 are requested within Transition Zone 4 and 5, as shown on the Land Use Plan: 9) A waiver from Section 38-1258(d), to allow a maximum building height of five (5) stories, eighty (80) feet for multi-family buildings, in lieu of three (3) stories, forty (40) feet; 10) A waiver from Section 38-1234(3), in Transition Zone 5 to allow a 15% minimum open space requirement for multifamily development in lieu of a 25% minimum, as well as a 15% minimum open space requirement for commercial development, in lieu of a 20% minimum. In Transition Zone 4 a request is made to allow a 20% minimum open space requirement for multifamily development, in lieu of a 25% minimum; Waivers 11-13 are requested within Transition Zone 3 and 4, as shown on the Land Use Plan: 11) A waiver from Section 38-1258(a), to allow four (4) story, sixty-five (65) feet in height multi-family buildings ten (10) feet from single-family zoned property along the southern and southwestern property lines, in lieu of multi-family buildings located within one hundred (100) feet of single-family zoned property being restricted to single story in height; 12) A waiver from Section 38-1258(b), to allow four (4) story, sixty-five (65) feet in height multi-family buildings ten (10) feet from single-family zoned property along the southern and southwestern property lines with a maximum of one hundred (100) percent of the buildings being four (4) stories (not to exceed sixty-five (65) feet) in height, in lieu of multi-family buildings located between one hundred plus (100+) feet to one hundred and fifty (150) feet of single-family zoned property to vary in building height with a maximum of fifty (50) percent of the buildings being three (3) stories (not to exceed forty (40) feet) in height with the remaining buildings being one (1) story or two (2) stories in height; 13) A waiver from Section 38-1258(c), to allow four (4) story, sixty-five (65) feet in height multi-family buildings ten (10) feet from single-family zoned property along the southern and southwestern property lines, in lieu of multi-family buildings located within one hundred and fifty (150) feet of single-family zoned property not exceeding three (3) stories forty (40) feet in height; Waivers 14-15 are requested within Transition Zone 3, 4 and 5 as shown on the Land Use Plan: 14) A waiver from Section 38-1258(e), to allow parking and other paved areas for multi-family developments to be located a minimum of fifteen (15) feet from any single-family zoned property, in lieu of twenty-five (25) feet; and 15) A waiver is requested from Section 38-1476(a), to allow for a 5% parking reduction, in lieu of parking being required at a rate of one and a half (1.5) spaces per one (1) bedroom dwelling unit and two (2) spaces for two (2) and three (3) bedroom dwelling units; pursuant to Part 11, Chapter 163, Florida Statutes and Orange County Code

Location: District 4; property located at 14727 and 14831 Boggy Creek Rd.; generally located on the east side of Boggy Creek Rd., south of Whispering Pines Rd., north of Simpson Rd., and west of Happy Ln. (legal property description on file in Planning Division)

The following person addressed the Board: Mary Wilson.

A motion was made by Commissioner Bonilla, seconded by Commissioner Uribe, to continue the Public Hearings F.9 and G.10 until October 25, 2022, at 2 p.m., and further, include a mailed notice for the residents in area for the continued meeting. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Bonilla, and Commissioner Siplin

Absent: 1 - Commissioner Gomez Cordero

and

G. Comprehensive Plan - Transmittal of Regular Cycle Staff-Initiated Map and Text Amendment

10. **22-1274** Transmittal of Future Land Use Staff-Initiated Map and Text Amendment
2022-2-B-FLUE-7

a. Amendment 2022-2-B-FLUE-7

Consideration: Text and map amendments to the Future Land Use Element and Future Land Use Map Series of the Comprehensive Plan implementing the recommendations of the Boggy Creek Small Area Study, including establishing the Boggy Creek USA Expansion Area to the Urban Service Area (USA) boundary, adding Map 5a, Boggy Creek USA Expansion Area to the Future Land Use Map Series, and adopting guidelines and principles for Future Land Use Map (FLUM) amendments and development within the USA expansion area. The text and map amendments also create the Orlando-Kissimmee Farms Rural Residential Enclave and add Map 25(e), Orlando-Kissimmee Farms Rural Residential Enclave, to the Future Land Use Map Series; District 4

This public hearing was continued until October 25, 2022, at 2 p.m.

H. Comprehensive Plan - Transmittal of Regular Cycle Amendments

11. **22-1275** Transmittal of Regular Cycle Future Land Use Map Amendment
2022-2-A-4-2, FLU8.1.4 Text Amendment and FLU1.2.4 Text Amendment

a. Amendment 2022-2-A-4-2

Consideration: A request to change the Future Land Use Designation from Rural/Agricultural (R) to Planned Development-Medium-High Density Residential/ Commercial (PD-MHDR/C) and Urban Service Area (USA) Expansion

Location: District 4; Generally located east of the Boggy Creek Road corridor, at the intersection of Boggy Creek Rd. and the Simpson Rd. right-of-way, north of the Orange County-Osceola County line.

And

b. Amendment 2022-2-B-FLUE-5

Consideration: Text Amendment to Future Land Use Element Policy FLU8.1.4 establishing the maximum densities and intensities for proposed Planned Developments within Orange County, associated with Amendment 2022-2-A-4-2; District 4

And

c. Amendment 2022-2-B-FLUE-6

Consideration: Text amendment to Future Land Use Element Policy FLU1.2.4 regarding allocation of additional lands to the Urban Service Area (USA), associated with Amendment 2022-2-A-4-2; District 4

A motion was made by Commissioner Uribe, seconded by Commissioner Wilson, to continue the public hearing until October 25, 2022, at 2 p.m. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Bonilla, and Commissioner Siplin

Absent: 1 - Commissioner Gomez Cordero

III. DISCUSSION AGENDA (Continued)

C. PLANNING, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

2. 22-1324 Approval and execution of Memorandum of Understanding regarding a Traffic Operations Project at the intersection of Orange Avenue and Holden Avenue by and between Orange County and the State of Florida Department of Transportation; authorization to proceed with the short-term improvements; and direction to staff on long-term improvements including selection of a preferred alternative (if any) and project delivery option. District 3. (Transportation Planning Division)

The following persons addressed the Board:

- Ellen Hardgrove
- Doris Click
- Randall Sumner
- Former Orange County Mayor Linda Chapin
- Mayor of Edgewood John Dowless
- Mayor of Belle Isle Nick Fouraker
- Chris Rader
- John Freeburg
- Pete Clarke
- Millie Sheldon
- Arlene Grant
- Susan Lomas

- Kay Hudson
- Jim Erwin
- Jerry Townsend
- Mark Hardgrove
- Kelly Semrad
- James Muzinski
- Sandy De Porter
- Amy Beskar
- Nancy Evans
- Emily Handy
- Randall Horn
- Larry Meddock
- Erin Sterk
- Mary Cozak
- Tina Demostene
- Eugene Stoccardo

The following material was presented to the Board prior to the close of the public hearing: Exhibit 1, Ellen Hardgrove.

The following materials were received by the Clerk prior to the close of the public hearing:

- Submittal 1, from Doris Click
- Submittal 2, from Randall Horn

A motion was made by Commissioner Uribe, seconded by Commissioner Bonilla, to accept the short-term improvements; further, reject the three alternative options as presented by staff; and further, direct staff to continue to evaluate more long term options for better outcomes. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Bonilla, and Commissioner Siplin

Absent: 1 - Commissioner Gomez Cordero

√ 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: 6:04 p.m.

ATTEST:

County Mayor Jerry L. Demings

Date: _____

ATTEST SIGNATURE:

Phil Diamond
County Comptroller as Clerk

Katie Smith
Deputy Clerk

* * *

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

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

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

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

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