

BCC Mtg. Date: January 28, 2020

# Orange County Government

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



## Final Meeting Minutes

Tuesday, December 17, 2019

9:00 AM

County Commission Chambers

**Board of County Commissioners**

**Call to Order**

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

**Present:** 7 - Mayor Jerry L. Demings, Commissioner Betsy VanderLey, 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  
County Attorney Jeffrey J. Newton  
Deputy County Attorney Joel Prinsell  
Senior Minutes Coordinator Craig Stopyra  
Senior Minutes Coordinator Jennifer Lara Klimetz  
Senior Minutes Coordinator Noelia Perez

**Invocation - District 4**

Pastor Juan D. Hernandez, Casa de Restitucion of the Assembly of God

**Pledge of Allegiance**

**Presentation**

Great Oaks Village Caroling

**Public Comment**

The following persons addressed the Board during public comment:

- Don Fisher
- Andrew Cole
- Kimberly Buchheit
- Vincent Zuniaga
- Tina Sorbo
- Bob Turner
- Mary Dipboye
- Marta Northcutt
- Robert Stein
- Megan Sorbo
- Katrina Shadix
- Rachel Deming
- Nicole Wilson
- Felicity Gomer

- Dino D'Errico
- Janet D'Errico
- Harry Scott Boggs
- John Newstreet
- Gloria Pickar
- Thomas Pastore
- Jennifer Marvel
- Sally Baptiste
- Raymer Mogiuo (Phonetic)
- Jeff Fagan
- Cynthia Harris
- Trevor Sorbo
- Loudalia O'Bryan
- Jayce Burnside
- Charles Myers
- Lennon Chip Tatum
- Barbara Ventarola
- Nicole Paddock
- Valerie Anderson
- Fred Kittinger
- Jason Choy
- Chuck O'Neal
- Mike Lella
- Jess Kovach
- Richard Haase
- Val Mobley
- Javier Figueroa
- Sharon Robbins
- Suzanne Arnold
- Sharona Barnes
- Steve Meyers
- Reenie McHarg
- Caroline Chomarks (Phonetic)
- Clayton Ferrara
- Maria Isabel

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

- Exhibit 1, from Kimberly Buchheit
- Exhibit 2, from Katrina Shadix
- Exhibit 3, from Sally Baptiste
- Exhibit 4, from Raymer Mogiuo (Phonetic)
- Exhibit 5, from Jess Kovach
- Exhibit 6, from Sharon Robbins
- Exhibit 7; from Suzanne Arnold

The following materials were received by the Clerk during public comment. The materials referenced by the speaker were not presented to the Board:

- Submittal 1, from Andrew Cole
- Submittal 2, from Gloria Pickar
- Submittal 3, from Sharon Robbins
- Submittal 4, from Maria Isabel

## I. CONSENT AGENDA

### Approval of the Consent Agenda

The Mayor deferred action on Planning, Environmental, and Development Services Department Items 3 and 10; and further, a motion was made by Commissioner Uribe, seconded by Commissioner Moore, to approve the balance of the Consent Agenda. The motion carried by the following vote:

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

### A. COUNTY COMPTROLLER

1. **19-1884** Approval of the minutes of the July 15, September 5, September 19, and November 12, 2019 meetings of the Board of County Commissioners. (Clerk's Office)
2. **19-1885** 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:

- November 27, 2019, to December 5, 2019; \$68,396,632.29
- December 6, 2019, to December 12, 2019; \$29,215,259.84.

(Finance/Accounting)

### B. COUNTY ADMINISTRATOR

1. **19-1886** Reappointment to the Tourist Development Tax Sports Incentive Committee of Kevin Kennedy in the International Drive Resort Area Chamber of Commerce representative category and appointment of Don Engfer in the Visit Orlando representative category with terms expiring December 31, 2022. (Agenda Development Office)
2. **19-1887** Confirmation of the Mayor's reappointment of Commissioner Uribe to the Community Action Board with a term expiring December 31, 2023. (Agenda Development Office)

3. **19-1888** Approval and execution of Resolution 2019-B-08 for the issuance of Multi-Family Housing Mortgage Revenue Bonds to finance the acquisition, rehabilitation, and equipping of Jernigan Gardens Apartments, a proposed multi-family rental development in Orange County, Florida, District 6, in an amount not to exceed \$43,000,000. (Housing Finance Authority)
4. **19-1889** Approval and execution of Orange County, Florida and National Center for Simulation FY 2020 Grant Agreement and authorization to disburse \$37,885 as provided in the FY 2019-20 adopted budget. (Office of Economic, Trade and Tourism Development)
5. **19-1890** Approval and execution of Amended and Restated Interlocal Agreement between Orange County, Florida and The Florida Virtual School providing for disbursement of proceeds of the Dori Slosberg Driver Education Safety Act. (Office of Management and Budget)
6. **19-1891** Approval of budget amendments #20-15, #20-16, #20-17, and #20-18. (Office of Management and Budget)
7. **19-1892** Approval of budget transfer #20-0423. (Office of Management and Budget)

#### C. COUNTY ATTORNEY

1. **19-1893** Approval of proposed revisions to Administrative Regulation No.:7.13.02, titled "Employee and Volunteer Service Awards and Recognition."

#### D. ADMINISTRATIVE SERVICES DEPARTMENT

1. **19-1894** Approval to award Invitation for Bids Y19-1158-AV, Landscape and Grounds Maintenance - Central District and 33rd Street Buildings, to the low responsive and responsible bidder, Premier Lawn Maintenance, LLC. The estimated contract award amount is \$176,535 for a 1-year term. ([Administrative Services Department Facilities Management Division] Procurement Division)
2. **19-1895** Approval to award Invitation for Bids Y20-111-MV, Tree Trimming and Related Services Except Parks and Public Works - Zones 1 and 4, on a zone by zone basis, to the low responsive and responsible bidder, C & C Tree Pros, Inc. The estimated contract award amount is \$788,375 for a 1-year term. ([Administrative Services Department Facilities Management Division] Procurement Division)
3. **19-1896** Approval to award Invitation for Bids Y20-121-TJ, Class III Landfill for Disposal of Construction, Demolition & Vegetative Yard Waste Material, to the sole responsive and responsible bidder, Vista Landfill, LLC. The estimated contract award amount is \$768,000 for the base year. ([Public

Works Department Roads and Drainage Division] Procurement Division)

4. **19-1897** Approval to award Invitation for Bids Y19-702-CH, Gatlin Avenue and Kennedy Avenue, and Arrow Road from Gatlin Avenue Intersection Improvements - FPN: 435525-1-58-01 FAN: D518-090-B, to the low responsive and responsible bidder, Southern Development & Construction, Inc. The estimated contract award amount is \$997,777. ([Public Works Department Engineering Division] Procurement Division)
5. **19-1898** Approval to award Invitation for Bids Y20-718-TA, Orange County Southwest Marriot Pump Station #3597 Odor Control System, to the low responsive and responsible bidder, SGS Contracting Services, Inc. The total contract award amount is \$789,646. ([Utilities Department Engineering Division] Procurement Division)
6. **19-1899** Approval of Amendment No. 1, Contract Y18-1141, Web Based Individual Driver Records Checks and Risk Assessments, with Embark Safety, LLC in the amount of \$61,074, for a revised estimated contract amount of \$107,874. ([Administration and Fiscal Services Risk Management Division] Procurement Division)
7. **19-1900** Approval of Amendment No. 3, Contract Y19-2103, Children's Services Programming, with Central Florida Young Men's Christian Associations, Inc., in the amount of \$51,975, for a revised total contract amount of \$2,146,901. ([Community and Family Services Department Citizens' Commission for Children Division] Procurement Division)
8. **19-1901** Approval of Amendment No. 2, Contract Y19-2115, Children's Services Programming, with Teen Xpress, in the amount of \$216,534.91, for a revised total amount of \$291,845.58. ([Community and Family Services Department Citizens' Commission for Children Division] Procurement Division)
9. **19-1902** Approval of Amendment No. 1, Contract Y20-2040C, Primary Care Services, with Care Center for the Homeless, in the amount of \$439,530, for a revised contract amount of \$730,000. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
10. **19-1903** Approval of Contract Y19-810, Design Services for the Orange County Convention Center Phase V Multipurpose Venue and Grand Concourse Improvements, with Populous + C.T. Hsu a Joint Venture, LLC, in the total contract award amount of \$38,389,062.15. ([Convention Center Facility Operations Division] Procurement Division)
11. **19-1904** Approval to award Human Services Contracts for Fiscal Year 2019-2020, to Community Coordinated Care for Children, Inc. (Y20-2004) and Early Learning Coalition of Orange County (Y20-2005) for early childhood

education services, in the total amount of \$1,700,000 for 1-year terms.  
([Community and Family Services Department Citizens' Commission for  
Children Division] Procurement Division)

12. **19-1905** Approval and execution of First Amendment to Lease Agreement by and between Orange County, Florida and Orlando Day Nursery Association, Inc. and delegation of authority to the Real Estate Management Division to execute termination notice and furnish notices, required or allowed by the lease, as needed for Orlando Day Nursery (A Place for Children) 425 North Orange Avenue, Orlando, Florida 32801 Lease File #5086. District 5. (Real Estate Management Division)

#### **E. COMMUNITY AND FAMILY SERVICES DEPARTMENT**

1. **19-1906** Approval and execution of License Agreement between Orange County, Florida and Second Harvest Food Bank of Central Florida related to Not-for-Profit Community Center Utilization for the Provision of Services Benefitting the Public License Agreement No. 20191001 for John Bridges Community Center and authorization for the Director of the Community and Family Services Department to execute any permitted renewals of the license agreement so long as those renewals do not substantively change or alter the terms and conditions of the license agreement. (Community Action Division)

#### **F. CORRECTIONS DEPARTMENT**

1. **19-1907** Approval and execution of Memorandum of Agreement between The Office of Public Defender, Ninth Judicial Circuit and Orange County, Florida, regarding Video Conferencing with Inmate/Clients to extend from the date of the last signature for a period of three years with the option to renew for two additional one-year terms.

#### **G. FIRE RESCUE DEPARTMENT**

1. **19-1908** Approval and execution of Memorandum of Understanding Implementation of Florida HB 441: E911 Systems by and between Orange County Sheriff's Office, City of Apopka, City of Belle Isle, Town of Eatonville, City of Edgewood, City of Maitland, Town of Oakland, City of Ocoee, City of Orlando, University of Central Florida Board of Trustees, Town of Windermere, City of Winter Garden, City of Winter Park, Orange County, Florida, School Board of Orange County, Florida, Greater Orlando Aviation Authority, and Reedy Creek Improvement District with an automatic renewal on a year-to-year basis. (Communications Division)
2. **19-1909** Approval and execution of Public Emergency Medical Transportation Letter of Agreement by and between Orange County and the State of Florida, Agency for Health Care Administration. (Fiscal and Operation Support)

- 3. **19-1910** Approval and execution of Modification #1 to State-Funded Grant Agreement between the Florida Division of Emergency Management and Orange County and authorization for the Mayor or designee to execute annual approvals to the re-occurring Emergency Management Preparedness and Assistance agreement. (Office of Emergency Management)

**H. HEALTH SERVICES DEPARTMENT**

- 1. **19-1911** Approval and execution of the Paratransit Services License for Angels on Earth PPEC to provide wheelchair/stretchers service. The term of this license is from January 1, 2020 through January 1, 2022. There is no cost to the County. (EMS Office of the Medical Director)
- 2. **19-1912** Approval and execution of the renewal Paratransit Services License for Falck Southeast II Corp d/b/a American Ambulance to provide wheelchair/stretchers service. The term of this license is from January 1, 2020 through January 1, 2022. There is no cost to the County. (EMS Office of the Medical Director)
- 3. **19-1913** Approval and execution of the Paratransit Services License for V World International LLC to provide wheelchair/stretchers service. The term of this license is from January 1, 2020 through January 1, 2022. There is no cost to the County. (EMS Office of the Medical Director)
- 4. **19-1914** Approval of proposed letter to the Orlando VA Medical Center regarding standing written request for release of protected health information and authorization for the Medical Examiner to sign the letter. (Medical Examiner)

**I. PLANNING, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT**

- 1. **19-1915** 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 1, 2, 3, 5 and 6. (Code Enforcement Division)

LC 20-0005	LC 20-0076	LC 19-1073	LC 19-1107	LC 20-0064
LC 20-0078	LC 19-1064	LC 19-1074	LC 19-1117	LC 20-0065
LC 19-1090	LC 19-1068	LC 19-1085	LC 20-0029	LC 20-0067
LC 19-1099	LC 20-0012	LC 20-0020	LC 20-0030	LC 20-0077
LC 20-0037	LC 20-0017	LC 19-0854	LC 20-0031	LC 20-0081
LC 20-0041	LC 20-0019	LC 19-1045	LC 20-0035	LC 20-0085
LC 20-0072	LC 20-0043	LC 19-1093	LC 20-0047	LC 20-0090
LC 20-0074	LC 20-0045	LC 19-1105	LC 20-0054	LC 20-0099



2. **19-1916** Approval and execution of Resolutions of the Orange County Board of County Commissioners regarding Claim of Special Assessment Liens Pursuant to Section 9-278 of the Orange County Code and approval to file Claim of Special Assessment Liens by Resolution for unsafe structures demolished by Orange County. Districts 2, 3, 5, and 6. (Code Enforcement Division)

<u>Case No.</u>	<u>Dist. #</u>	<u>Property Owner</u>	<u>Amount*</u>
A 16-0608	2	WRIGHT TYRONE S	\$ 9,144.35
A 18-0027	2	WRIGHT BEVERLY	\$ 35,317.61
A 18-0288	2	YAWN FRANCIS ESTATE	\$ 19,625.15
A 16-0347	3	HERNANDEZ GLORIA ESTATE	\$ 15,178.12
A 18-0090	5	HELMICK BARBARA	\$ 31,292.76
A 18-0186	6	GILBERT WILLIE C ESTATE; TRIM CYNTHIA GILBERT	\$ 22,854.15
A 18-0210	6	VEGAS DEALS LLC	\$ 13,418.58
A 18-0211	6	JOHNSON FREDERICK W	\$ 13,481.59
A 18-0212	6	TYMBER SKAN ON THE LAKE MASTER HOMEOWNERS ASSN INC	\$ 13,581.59
A 18-0213	6	RODRIQUEZ ALFREDO	\$ 13,481.58
A 18-0223	6	UNITED BRETHERN BUSINESS DEVELOPMENT CORP INC	\$ 5,307.51
A 1-8-0224	6	TYMBER SKAN ON THE LAKE HOMEOWNERS ASSN INC	\$ 5,307.52
A 18-0225	6	TAYLOR AMELIA A	\$ 7,795.51
A 18-0226	6	JIMENEZ FRANCISCO J	\$ 7,795.50
A 18-0227	6	TYMBER SKAN ON THE LAKE MASTER HOMEOWNERS ASSN INC	\$ 7,795.50
A 18-0228	6	EBURY FUND 2FL LLC	\$ 7,895.50
A 18-0241	6	GEBREGERGIS AZEMERA; MENGSTIAB DANIEL	\$ 16,250.54
A 18-0251	6	TYMBER SKAN ON THE LAKE OWNERS ASSOCIATION SECTION ONE	\$ 7,370.52
A 18-0271	6	TYMBER SKAN ON THE LAKE OWNERS ASSN SEC THREE INC	\$ 13,056.59

3. **19-1917** Acceptance of the findings and recommendation of Environmental Protection Division staff to approve the request for Conservation Area Impact Permit Modification No. CAI-14-08-025 for the Shoppes at Alafaya Project Site. District 4. (Environmental Protection Division)

(This item was deferred.)

4. **19-1918** Approval and execution of School Concurrency Mitigation Agreement OC-19-025 Project Name: Vineland Pointe Parcel ID#:

14-24-28-4796-01-000 by The School Board of Orange County, Florida, Orange County, Florida, and Altis Vineland Pointe Realty, LLC for a proportionate share mitigation payment in the amount of \$216,451. District 1. (Fiscal and Operational Support Division)

5. **19-1919** Approval and execution of School Concurrency Mitigation Agreement OC-18-061 Project Name: Wetherbee Acres Parcel ID#: 20-24-30-0000-00-004 by The School Board of Orange County, Florida, Orange County, Florida, and DHIC-South Creek, LLC for a proportionate share mitigation payment in the amount of \$742,334.32. District 4. (Fiscal and Operational Support Division)
6. **19-1920** Approval and execution of Fourth Amendment to Amended and Restated Road Impact Fee Agreement Vineland Pointe Planned Development (Vineland Avenue) by and among Vineland Pointe Owner LLC, Altis Vineland Pointe Realty, LLC, and Orange County to modify restricted portions of the development prior to improvements to Vineland Avenue. District 1. (Roadway Agreement Committee)
7. **19-1921** Approval and execution of Hold Harmless and Indemnification Agreement Parcel ID: 02-22-30-2968-00-070 by and between Shannon D. Johannessen and Eric J. Johannessen and Orange County to construct an accessory structure (tree house) at 7849 Georgeann Street, Winter Park, Florida 32792. District 5. (Zoning Division)
8. **19-1922** Approval and execution of Hold Harmless and Indemnification Agreement Parcel ID: 22-20-27-4582-00-200 by and between Robert R. Rydberg and Martha M. Rydberg and Orange County for an existing residence, above ground pool, and deck and to construct an addition to the existing deck at 5849 Maggiore Trail, Zellwood, Florida 32798. District 2. (Zoning Division)
9. **19-1923** Approval and execution of Hold Harmless and Indemnification Agreement Parcel ID: 08-22-32-0000-00-007 by and between Christopher D. Bischoff and Rhoni Bischoff and Orange County to construct a pool and associated deck at 16970 Lake Pickett Road, Orlando, Florida 32820. District 5. (Zoning Division)
10. **19-1924** Approval and execution of Roadway and Infrastructure Agreement (Kirkman Road Extension) by and between Universal City Development Partners, Ltd., and Orange County for the extension of Kirkman Road. District 6. (Transportation Planning Division)

(This item was deferred.)

## J. PUBLIC WORKS DEPARTMENT

1. **19-1925** Approval and execution of (1) Resolution 2019-M-49 of the Orange County

Board of County Commissioners regarding authorization to convey certain county personal property interests in Lee Road weir and Lake Killarney drain wells to City of Winter Park, Florida; (2) Bill of Sale; and (3) Interlocal Agreement between Orange County, Florida and City of Winter Park, Florida regarding transfer of Lee Road weir and six drain wells. All Districts. (Stormwater Management Division)

## II. INFORMATIONAL ITEMS\*\*

### A. COUNTY COMPTROLLER

1. **19-1926** Receipt of the following items to file for the record: (Clerk's Office)
  - a. City of Orlando Voluntary Annexation Request - 4919 W Colonial Drive - ANX2019-10009. Proposed Ordinance # 2019-58, entitled an Ordinance of the City Council of the City of Orlando, Florida, annexing to the corporate limits of the City certain property generally located north of West Colonial Drive, east of North Pine Hills Road, south of Deauville Drive, and west of North Mission Road, and comprised of 4.64 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 Urban Activity Center on the City's Official Future Land Use Maps; designating the property as the Urban Activity Center District with the Wekiva Overlay District (AC-2/W) on the City's official zoning maps; 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. Florida Public Service Commission Consummating Order. In re: Petition for approval of revised underground residential distribution tariffs, by Duke Energy Florida, LLC.
  - c. City of Orlando Ordinance No. 2019-53 with Exhibit A (Verified Legal Description Forms), Exhibit B (Map), Exhibit C (Future Land Use Existing and Proposed Maps), Exhibit D (Zoning Existing and Proposed Maps), Fiscal Impact Statement, and Orlando Sentinel Notice of Proposed Enactment for Ordinance No. 2019-53 entitled: An Ordinance of the City Council of the City of Orlando, Florida, annexing to the corporate limits of the City certain property generally located north of Hoffner Avenue, south of Van Road, and west of Volusia Drive, and comprised of 1.105 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 Office Low Intensity on the City's Official Future Land Use Maps; designating the Property as the Office and Residential District with the Aircraft Noise Overlay

District (0-1/AN) on the City's Official Zoning Maps; 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.

d. Orlando Science Center's FY2019 Audited Financials

These items were received and filed.

**III WORK SESSION AGENDA**

**A. PLANNING, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT**

- 1. **19-1927** Acceptance of the Orange County Housing For All 10-Year Action Plan November 2019. (Planning Division)

The following persons addressed the Board:

- John Sproles
- Allan Keen
- Dan Kirby
- Ignacio Esteban
- Frankie Elliott
- Terry Prather

The following material was presented to the Board: Exhibit 1, from Allan Keen.

A motion was made by Commissioner Uribe, seconded by Commissioner Bonilla, to accept the Housing for All 10-Year Action Plan and its proposed recommendations, strategies and tools for the production and preservation of affordable and attainable housing units, as presented; and further, support future initiatives that are consistent with the goals of the Housing for All Action Plan. The motion carried by the following vote:

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

**IV. DISCUSSION AGENDA**

**A. COUNTY ADMINISTRATOR**

- 1. **19-1935** Election of Vice-Mayor.

Commissioner Siplin nominated Commissioner Bonilla.

Commissioner Bonilla accepted the nomination of Vice Mayor.

AYE vote cast by voice vote for Commissioner Bonilla as follows: County Mayor Demings, Commissioners VanderLey, Moore, Uribe, Gomez Cordero, Bonilla, and Siplin.

Commissioner Bonilla received a majority to be appointed as Vice Mayor for calendar year 2020; no further votes were cast.

## B. ADMINISTRATIVE SERVICES DEPARTMENT

1. **19-1929** Selection of one firm and two ranked alternates to provide Secondary State Lobbying Services, Request for Proposals Y20-145-AH, from the following seven firms, listed alphabetically:

- Becker & Poliakoff, P.A.
- Greenberg Traurig, P.A.
- J.E.J. & Associates, Inc.
- Peebles, Smith & Matthews, Inc.
- Pittman Law Group, P.L.
- Smith, Bryan & Myers, Inc.
- The Southern Group of Florida, Inc.

([County Mayor Legislative Affairs Office] Procurement Division)

A motion was made by Commissioner Gomez Codero, seconded by Commissioner Uribe, to appoint Peebles, Smith & Matthews, Inc., 430 points, as the selected firm; and further, appoint Smith, Bryan & Myers, Inc., 354 points, and Becker & Poliakoff, P.A., 345 points, as the selected ranked alternates. The motion carried by the following vote:

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

2. **19-1930** Selection of one firm and two ranked alternates to provide Engineering Services for Orange County Administration Center HVAC System Replacement, Request for Proposals Y20-805-TA, from the following three firms, listed alphabetically:

- Matern Professional Engineering, Inc.
- TLC Engineering, Inc.
- OCI Associates, Inc.

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

A motion was made by Commissioner Gomez Codero, seconded by Commissioner Moore, to appoint Matern Professional Engineering, Inc., 340 points, as the selected firm; and further, appoint TLC Engineering, Inc., 287.50 points, and OCI Associates, Inc., 234.50 points, as the selected ranked alternates. The motion carried by the following vote:

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

**3. 19-1931** Selection of one firm and an alternate to provide Design Services for the Orange County Courthouse 13th Floor Courtrooms Build Out, Request for Proposals Y20-808-RM, from the following two firms, listed alphabetically:

- CBRE Heery, Inc.
- DLR Group Inc.  
 ([Administrative Services Department Capital Projects Division]  
 Procurement Division)

A motion was made by Commissioner Gomez Codero, seconded by Commissioner Bonilla, to appoint DLR Group Inc., 445.50 points, as the selected firm; and further, appoint JCBRE Heery, Inc., 353.50 points, as the alternate. The motion carried by the following vote:

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

**C. PLANNING, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT**

**1. 19-1932** Approval and execution of Resolution of the Orange County Board of County Commissioners regarding approval of the Central Florida Expressway (CFX) Authority preferred alternative for the Osceola Parkway Extension Project Development and Environment (PD&E) Study Re-evaluation and petitioning the Florida Communities Trust for a modification of the Grant Award Agreement, Interagency Agreement, and Management Plan. (Environmental Protection Division)

The following persons addressed the Board:

- Glenn Pressimone
- Woody Rodriguez

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

Based upon input from County staff, the following modification to the title block of the resolution should read as follows:

RESOLUTION of the ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS regarding SUPPORT ~~APPROVAL~~ OF THE CENTRAL FLORIDA EXPRESSWAY (CFX) AUTHORITY PREFERRED ALTERNATIVE FOR THE OSCEOLA PARKWAY EXTENSION PROJECT DEVELOPMENT AND ENVIRONMENT (PD&E) STUDY REEVALUATION AND PETITIONING THE FLORIDA COMMUNITIES TRUST FOR A MODIFICATION OF THE GRANT AWARD

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**AGREEMENT, INTERAGENCY AGREEMENT, AND MANAGEMENT PLAN**

A motion was made by Commissioner VanderLey, seconded by Mayor Demings, to approve Resolution 2019-M-50 of the Orange County Board of County Commissioners regarding Support of the Central Florida Expressway Authority Preferred Alternative for the Osceola Parkway Extension Project Development and Environment (PD&E) Study Re-Evaluation and petitioning the Florida Communities Trust for a Modification of the Grant Award Agreement, Interagency Agreement, and Management Plan, as presented. The motion carried by the following vote:

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

**Nay:** 2 - Commissioner Gomez Cordero, and Commissioner Bonilla

**V. RECOMMENDATIONS****1. 19-1933 November 21, 2019 Planning and Zoning Board Recommendations**

A motion was made by Commissioner VanderLey, seconded by Commissioner Uribe, to approve the recommendations, with the exception of Case # RZ-19-10-045, Edward Durruthy (Board Called), which was 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 Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

**VI. PUBLIC HEARINGS****1. 19-1678 Municipal Service Taxing Unit**

Big Sand Lake, amend general lake cleaning, maintenance and aquatic plant control and navigational improvements; District 1

**Consideration:** Amend by resolution a Municipal Service Taxing Unit for general lake cleaning maintenance, aquatic plant control and navigational improvements using a millage assessment to include Granada Loop, Sand Lake Sound and Sand Lake Vista and provide revised legal description of properties for the metes and bounds parcels, condominiums, and subdivisions within the boundaries of the Big Sand Lake Municipal Service Taxing Unit.

**Location:** District 1; Parcel ID (multiple parcels); Sections 02 & 35, Townships 23 & 24, Range 28, Orange County Florida (legal property description on file)

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

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

**2. 19-1786 Petition to Vacate**

Daniel T. O'Keefe, Shutts & Bowen LLP, on behalf of Diamond Resorts Corporation f/k/a Sunterra Corp and Diamond Resorts Cypress Pointe III Dev LLC., Petition to Vacate 19-06-023, vacate four portions of unopened, unimproved rights-of-ways and five portions of unopened, unimproved and unnamed alleyways; District 1

**Consideration:** Resolution granting Petition to Vacate # 19-06-023, vacating four portions of unopened, unimproved 50 foot wide rights-of-way known as 11th Street, Commercial Street, Pine Street, and Orange Street and five portions of unopened, unimproved and unnamed 16 foot wide alleyways, containing a total of approximately 4.29 acres.

**Location:** District 1; Six of the parcel addresses are 8648 10th Street, 11907 Ruby Lake Road, 11991 Ruby Lake Road, 11936 Pine Street, 11991 Pine Street, and 11910 Oak Street. The remaining parcels are unaddressed; S15/T24/R28; Orange County, Florida (legal property description on file)

The following person addressed the Board: Dan O'Keefe.

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

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

**3. 19-1790 Shoreline Alteration/Dredge and Fill**

St. Johns River Water Management District, Lake Apopka, permit, SADF #19-02-002; District 1 and 2

**Consideration:** Request for a Shoreline Alteration/Dredge and Fill Permit SADF # 19-02-002 to conceptually authorize hydraulic dredging and associated restoration activities of certain portions of Lake Apopka; Orange County Code, Chapter 15, Article VI, Section 15-218(d)

**Location:** Districts 1 and 2; on property located adjacent to Lake Apopka, located at 3451 Lust Road, Apopka; Orange County, Florida (legal property description on file in Environmental Protection Division)

The following persons addressed the Board:

- Bob Nalewey
- Shelley Stocksdale
- Joe Dunn

A motion was made by Commissioner Moore, seconded by Commissioner VanderLey, to accept the findings and recommendation of the Environmental Protection Division; and further, approve the Shoreline Alteration/Dredge and Fill Permit Application (SADF-19-02-002) for the St. Johns River Water Management District, subject to the conditions of approval listed in the Staff Report. The motion carried by the following vote:



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

**4. 19-1667 Resolution**

Disposition of Publicly Owned Properties that are Suitable for Affordable Housing; All Districts

**Consideration:** RESOLUTION OF THE ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE DISPOSITION OF PUBLICLY OWNED PROPERTIES THAT SUITABLE FOR AFFORDABLE HOUSING, AND EXHIBIT

A motion was made by Mayor Demings, seconded by Commissioner Siplin, to adopt and execute Resolution 2019-M-51 of the Orange County Board of County Commissioners regarding the Disposition of Publicly Owned Properties that are Suitable for Affordable Housing. The motion carried by the following vote:

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

**5. 19-1638 Planning and Zoning Commission Appeal**

Mike Alderman

Max Sabeti, New Earth Properties, LLLP, Case # RZ-19-10-046, October 17, 2019; District 3

**Case:** Planning and Zoning Commission Case # RZ-19-10-046; October 17, 2019

**Consideration:** This request is to consider the rezoning and appeal of the October 17, 2019 Planning and Zoning Commission (PZC) Recommendation of Approval for Rezoning Case # RZ-19-10-046, in the name of Max Sabeti with New Earth Properties, LLLP, to rezone 31.51 gross acres from R-1A (Single-Family Dwelling District) to R-2 (Residential District), in order to allow for the development of fifty-four (54) Single-Family Residential Dwelling Units.

**Location:** District 3; property located at 754 N. Forsyth Road; generally located west of N. Forsyth Road, east of Dennis Avenue, south of Curtis Street, and north of Heather Road (legal property description on file in Planning Division)

The following persons addressed the Board:

- Keith Walls
- Mike Alderman
- Sam Sebaali
- Chelsea Taylor

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

Based upon input from the appellant, and agreed upon by applicant, Condition #1 was modified as follows:

1. Development shall be limited to a maximum of ~~fifty four (54)~~ fifty (50) detached single-family dwelling units.

Based upon input from the appellant, and agreed upon by applicant, the following new conditions were added as follows:

2. The minimum lot width for lots fronting on Dennis Avenue and Heather Road shall be 55 feet, and the minimum lot width for lots fronting on Forsyth Road shall be 45 feet.

3. Specific plans for fencing and landscaping the area surrounding the borrow pit and the perimeter of the project shall be proposed as part of the Preliminary Subdivision Plan approval.

4. The project shall not include a trail around the borrow pit or any active recreation areas.

Based upon input from the District Commissioner, the following new condition was added:

5. 1600 hundred square foot minimum homes.

A motion was made by Commissioner Uribe, seconded by Commissioner VanderLey, to approve the request subject to the conditions of approval under the Planning and Zoning Commission recommendation in the Staff Report; further, modify condition of approval #1; and further, approve new conditions of approval #2 through #5. The motion carried by the following vote:

**Aye:** 6 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, and Commissioner Siplin

**Absent:** 1 - Commissioner Bonilla

**6. 19-1639 Planning and Zoning Commission Appeal**

James Catan Case # RZ-19-09-037, October 17, 2019; District 1

**Case:** Planning and Zoning Commission Case # RZ-19-09-037; October 17, 2019

**Consideration:** This request is to consider the rezoning and appeal of the October 17, 2019 Planning and Zoning Commission (PZC) Recommendation of Denial for Rezoning Case # RZ-19-09-037, in the name of James Catan to rezone Lots 8-28 of the Brentwood Club Phase II Subdivision from R-1AA (Single-Family Dwelling District) to R-1AA (Single-Family Dwelling District), in order to modify restriction #6 from the previous zoning approval to reduce the required vegetative buffer width along the western property line, and to remove restriction #7 which required a 6 foot high fence where no natural vegetation existed along the western boundary.

**Location:** District 1; property located at Brentwood Club Phase 2 Lots 8-28; or generally located on the west side of Castleford Point and Camberley Circle, north of Darlene Drive, and east of Kilgore Road; Orange County, Florida (legal property description on file in Planning Division)

**Court Reporter:** Lisa Craft U.S. Legal Support

The following persons addressed the Board:

- Jim Catan
- Kurt Ardaman
- John Smogor
- Mohammad Afzal
- Elise Vissers
- Gary Gentry
- John Link

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

The material referenced by the speaker was not received by the Clerk prior to the close of the public hearing from Jim Catan.

The following material was presented to the Board prior to the close of the public hearing: Exhibit 2, from Kurt Ardaman.

A motion was made by Commissioner VanderLey, seconded by Commissioner Uribe, to make a finding of inconsistency with the Comprehensive Plan; and further deny the requested R-1AA (Single-Family Dwelling District) zoning. The motion carried by the following vote:

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

**and**

7. **19-1785** Substantial Change

James Catan, Brentwood Club Preliminary Subdivision Plan - Case # CDR-19-08-267, amend plan; District 1

**Consideration:** This request is to remove the October 16, 1989, BCC condition of approval #10 regarding installation of a fence along the western boundary where no natural vegetation exists, and to modify condition of approval #3 regarding CC&R's that prohibit clearing and removal of vegetation on the western thirty-five feet of the project; pursuant to Sections 34-69 and 30-89 Orange County Code.

**Location:** District 1; property generally located North of Darlene Drive / West of South Apopka Vineland Road; Orange County, Florida (legal property description on file in Planning Division)

**Court Reporter:** Lisa Craft U.S. Legal Support

A motion was made by Commissioner VanderLey, seconded by Commissioner Moore, to make a finding of inconsistency with the Comprehensive Plan; and further, deny the substantial change request # CDR-19-08-267. The motion carried by the following vote:

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

**8. 19-784 Substantial Change**

James H. McNeil Jr., Akerman, LLP, Ivey Groves Planned Development / Land Use Plan (PD / LUP) - Case # CDR-18-08-258, amend plan; District 1  
(Continued from June 4, 2019)

**Consideration:** A PD substantial change to allow the ability for the developer to use one of the single-family residences on Platted Lot 59 / Lot 201 of the Ivey Groves Subdivision Preliminary Subdivision Plan (PSP) as a corporate guest house for a period of 3 years from the date of Board of County Commissioners approval or sixty (60) days after the developer sells the land / home in the subdivision, whichever is sooner. Pursuant to Orange County Code, Chapter 30, Article III, Section 30-89 and Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-120.

**Location:** District 1; property located at 10110 Royal Island Court, generally located west of Winter Garden Vineland Road and north of Vista Boulevard; Orange County, Florida (legal property description on file in Planning Division)

This public hearing was withdrawn.

**9. 19-1441 Substantial Change**

David Evans, Evans Engineering, Inc., Zellwood Station Planned Development/Land Use Plan (PD/LUP), Case # CDR-18-12-418, amend plan; District 2 (Continued from October 22, 2019)

**Consideration:** A PD substantial change to remove the age-restriction on the northwest 71.34 gross acres of the Zellwood Station Planned Development to allow for the development of 277 single-family dwelling units with school-age children; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207

**Location:** District 2; property located at 2600 Fairbluff Road, or generally located south of W. Ponkan Road and west of State Road 429; Orange County, Florida (legal property description on file in Planning Division)

The following persons addressed the Board:

- David Evans
- Dan O'Keefe
- Art Perreault
- John Goller

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

A motion was made by Commissioner Moore, seconded by Commissioner Uribe, 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; with the developer's responsibility to maintain the six foot high wall and plant trees which shall be addressed at the Preliminary Subdivision Plan. The motion carried by the following vote:

**Aye:** 6 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, and Commissioner Siplin

**Absent:** 1 - Commissioner Bonilla

**10. 19-1677 Substantial Change**

Leigh Newton, Habitat of Greater Orlando & Osceola County, Silver Pines Planned Development / Land Use Plan (PD / LUP), Case # CDR-18-08-259, amend plan; District 6

**Consideration:** A PD substantial change request to create "Perimeter Lots" in Phase 3 on lots 5, 6, and 70-77, renumber the lots from 5, 6, and 58-65 to lots 200-214, and reduce the minimum lot width of lots 200-214 from 75 feet to 50 feet, resulting in an increase of five (5) lots; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

**Location:** District 6; property generally located south of Spruce Ridge Drive and west of Golf Club Parkway; Orange County, Florida (legal property description on file in Planning Division)

The following persons address the Board:

- Lucie Ghioto
- Joseph Boston
- Floretta Jones
- Patricia Rumph
- Catherine McManus

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

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

**and**

**11. 19-1669 Substantial Change**

Danielle Van De Loo, Dewberry Engineers, Inc., Silver Pines Planned

Development / Silver Pines Preliminary Subdivision Plan, Case #  
CDR-18-08-260, amend plan; District 6

**Consideration:** This request is to change ten (10) lots that are seventy-five (75) feet wide to fifteen (15) lots that are fifty (50) feet wide, to remove the requirement for a community center and a tot lot in Phase III, and to remove the existing basketball court within Tract 5 of Phase III and convert it to passive open space; pursuant to Orange County Code, Chapter 34, Article III, Section 34-69 and Chapter 30, Article III, Section 30-89.

**Location:** District 6; property generally located South of Silver Star Road / West of North Pine Hills Road; Orange County, Florida (legal property description on file in Planning Division)

A motion was made by Commissioner Siplin, seconded by Commissioner Gomez Cordero, to continue the public hearing until February 25, 2020, at 2 p.m. The motion carried by the following vote:

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

**12. 19-1781 Substantial Change**

Thomas R. Sullivan, Gary Robinson, P.A.; Redditt Property Planned  
Development / Land Use Plan (PD / LUP) - Case # CDR-19-03-098, amend  
plan; District 4 (Continued from December 17, 2019)

**Consideration:** A PD substantial change to modify the development program to include 350 multi-family dwelling units and 110,647 square feet of industrial uses; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

**Location:** District 4; property located at 4450 Innovation Way, or generally located on the northeast corner Innovation Way and Watsons Crossing; Orange County, Florida (legal property description on file in Planning Division)

The following persons addressed the Board:

- Tom Sullivan
- Bouik Koshmer
- Dana Koshmer

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 Bouik Koshmer.

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Siplin, to continue the public hearing until January 28, 2020, at 2 p.m. The motion carried by the following vote:

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

**13. 19-1782 Substantial Change**

Stephen Allen, Civil Corp Engineering, Inc.; Lake Sparling Planned Development / Land Use Plan (PD / LUP) - Case # CDR-19-07-247, amend plan; District 2

**Consideration:** Substantial change request to add an 18,000 square foot, 250 student daycare and early education use to the PD. No waivers from Orange County Code are requested; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

**Location:** District 2; property located at 5850 Clarcona Ocoee Road, or generally south of Clarcona Ocoee Road, east of Lake Sparling Road; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Rene Baez.

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

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

**14. 19-1436 Substantial Change**

Brooks Stickler, Kimley-Horn and Associates, Inc., Alafaya Trail Property Planned Development / Land Use Plan (PD / LUP), Case # CDR-14-05-144, amend plan; District 4 (Continued from October 22, 2019, December 3, and 17, 2019)

**Consideration:** A PD substantial change request to increase retail / commercial (C-1) square footage from 174,000 to 304,000 (an increase of 130,000 square feet), while retaining 6,000 square feet of previously approved Professional Office (P-O) uses. Additionally, this request also reflects the conversation, impact, and mitigation of on-site wetlands per proposed Conservation Area Impact (CAI) permit #CAI-14-08-025. Lastly, the applicant has requested the following waiver from Orange County Code: 1. A waiver from Section 38-1476(a) to allow a parking calculation of four (4) spaces per 1,000 square feet, in lieu of five (5) spaces per 1,000 square feet; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

**Location:** District 4; property generally located south of E. Colonial Drive and west of Alafaya Trail; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Brooks Stickler.

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Bonilla, to continue the public hearing until January 28, 2020, at 2 p.m. The motion carried by the following vote:

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

and

### I. CONSENT AGENDA (Deferred)

#### I. PLANNING, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

3. **19-1917** Acceptance of the findings and recommendation of Environmental Protection Division staff to approve the request for Conservation Area Impact Permit Modification No. CAI-14-08-025 for the Shoppes at Alafaya Project Site. District 4. (Environmental Protection Division)

This item was continued based upon the continuation of substantial change public hearing, Case # CDR-14-05-144.

### VI. PUBLIC HEARINGS (Continued)

15. **19-1783** Land Use Plan Amendment

Brian Denham, Denham Engineering LLC, Lake Reams Neighborhood Center Planned Development (PD), Case # LUPA-19-08-269; District 1

**Consideration:** A request to rezone one (1) parcel containing 0.76 gross acres from PD (Planned Development District) to PD (Planned Development District) and aggregate the parcel into the Lake Reams Neighborhood Center PD, in order to construct a stormwater pond serving PD Parcel 3 (Neighborhood Commercial District). The request also includes the following waiver from Orange County Code: 1. A waiver from Section 38-1388(e)(10) is requested to allow for a maximum rate of 5.35 spaces / one thousand (1,000) square feet of building area, in lieu of three (3) spaces / one thousand (1,000) square feet of building area; pursuant to Orange County Code, Chapter 30.

**Location:** District 1; property generally located on the east side of Reams Road and north side of Taborfield Avenue; Orange County, Florida (legal property description on file in Planning Division)

The following persons addressed the Board:

- Brian Denham
- Griselda Telles

A motion was made by Commissioner VanderLey, seconded by Commissioner Moore, to make a finding of consistency with the Comprehensive Plan; and approve the request subject to the



conditions listed under the DRC Recommendation in the Staff Report. The motion carried by the following vote:

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

**16. 19-1789** Transmittal of the 2019-2 Out-of-Cycle Regular Cycle Staff-Initiated Text Amendment to the 2010-2030 Comprehensive Plan (CP) (Comp Plan Clean-up Part 3 - Urban Design Element, Recreation Element, Open Space Element, and Conservation Element) (Continued from December 17, 2019)

Out of Cycle Regular Cycle Staff-Initiated Text Amendment (Comp Plan Clean-up to the Urban Design Element, Recreation Element, Open Space Element, and Conservation Element)

Amendment 2019-2-C-CP-3

Comprehensive Plan Administrative Clean-up to the Urban Design Element, Recreation Element, Open Space Element, and Conservation Element

A motion was made by Mayor Demings, seconded by Commissioner Gomez Cordero, to continue the public hearing until January 14, 2020, at 2 p.m. The motion carried by the following vote:

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

**17. 19-1666** Amending Orange County Code, adopting 2019-2 Small Scale Development Amendments to the 2010-2030 Comprehensive Plan (CP) and where applicable concurrent rezoning request and Adoption of Ordinance (Continued from December 3, 2019)

Small-Scale Development Privately-Initiated Comprehensive Plan Amendment

Amendment 2019-2-S-6-1

Al Tehrani, P.E., Tehrani Consulting Engineering, for Powder Coating Factory, LLC; District 6

**Consideration:** Commercial (C) and Low Density Residential (LDR) to Commercial (C)

**Location:** 5200 Old Winter Garden Rd.; Generally located south of Old Winter Garden Rd., west of S. Pine Hills Rd., north of W. South St., and east of Ring Rd.; Parcel ID#: 30-22-29-0000-00-059; 3.96 gross ac.

The following person addressed the Board: Al Tehrani.

A motion was made by Commissioner Siplin, seconded by Commissioner Bonilla, to make a

finding of consistency with the Comprehensive Plan (see Future Land Use Element Goal FLU2; Objective FLU8.2; Policies FLU1.1.5, FLU1.4.4, FLU8.2.1, and FLU8.2.10; and Neighborhood Element Objective N1.1); further, determine that the proposed amendment is in compliance; further, adopt Amendment 2019-2-S-6-1, Commercial (C) and Low Density Residential (LDR) to Commercial (C) to allow for the development of commercial warehouse buildings and a 2,500 square-foot covered carport; further, make a finding of consistency with the Comprehensive Plan; and further, approve the rezoning request Case RZ-19-10-024, C-3 (Wholesale Commercial District) to C-3 (Wholesale Commercial District) (Restricted), subject to the three (3) restrictions listed in the staff report. The motion carried by the following vote:

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

and

**17. 19-1670 Concurrent Rezoning Request**

Rezoning RZ-19-10-024

Al Tehrani, P.E., Tehrani Consulting Engineering, for Powder Coating Factory, LLC

**Consideration:** Rezone from C-3 (Wholesale Commercial District) to C-3 (Wholesale Commercial District) (Restricted)

**Location:** 5200 Old Winter Garden Rd.; Generally located south of Old Winter Garden Rd., west of S. Pine Hills Rd., north of W. South St., and east of Ring Rd.; Parcel ID#: 30-22-29-0000-00-059; 3.96 gross ac.

The Board approved this item.

**17. 19-1671 Small-Scale Development Privately-Initiated Comprehensive Plan Amendment**

Amendment 2019-2-S-6-2

Dianand Persaud for Persaud Brothers Holding, LLC; District 6

**Consideration:** Low Density Residential (LDR) to Commercial (C)

**Location:** 118 Ring Rd.; Generally located on the west side of Ring Rd., south of Old Winter Garden Rd., north of W. South St., and east of Tremont Ave.; Parcel ID#: 30-22-29-6244-09-100; 0.80 gross ac.

The following person addressed the Board: Dianand Persaud.

A motion was made by Commissioner Siplin, seconded by Commissioner Gomez Cordero, to make a finding of consistency with the Comprehensive Plan (see Future Land Use Element Objective FLU8.2, and Policies FLU1.1.5, FLU1.4.4, FLU1.4.6, and FLU8.2.1); further, determine that the proposed amendment is in compliance; and further, adopt Amendment 2019-2-S-6-2, Low Density Residential (LDR) to Commercial (C) to continue to use the existing 3,000-square-foot warehouse building for an automotive repair business. The motion carried by

the following vote:

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

17. **19-1672** Small-Scale Development Privately-Initiated Comprehensive Plan Amendment

Amendment 2019-2-S-6-4

Scott Glass and George Dennison, Shutts & Bowen LLP, for Colonial Storage Holdings, LLC; District 6

**Consideration:** Planned Development-Medium Density Residential (PD-MDR) to Commercial (C)

**Location:** 4815 W. Colonial Dr.; Generally located north of W. Colonial Dr. and Home Folks Dr., east of La Grange Ave.; Parcel ID#: 19-22-29-0000-00-038 (portion of); 0.25 gross ac.

The following person addressed the Board: George Dennison.

A motion was made by Commissioner Siplin, seconded by Commissioner Bonilla, to make a finding of consistency with the Comprehensive Plan (see Future Land Use Element Goal FLU2; Objectives FLU2.1 and FLU8.2, and Policies FLU1.1.5, FLU1.4.2, FLU1.4.4, and FLU8.2.1); further, determine that the proposed amendment is in compliance; further, adopt Amendment 2019-2-S-6-4, Planned Development-Medium Density Residential (PD-MDR) to Commercial (C) of a driveway and buffer area for a drive-through self-storage facility (proposed repurposing of the former Orlando Office Furniture store to the south); further, make a finding of consistency with the Comprehensive Plan; and further, approve the rezoning request Case # RZ-19-10-043, PD (Planned Development District) (Villages at Lake Lawne PD/LUP) to C-3 (Wholesale Commercial District), subject to the three (3) restrictions listed in the staff report. The motion carried by the following vote:

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

and

17. **19-1673** Concurrent Rezoning Request

Rezoning RZ-19-10-043

Scott Glass and George Dennison, Shutts & Bowen LLP, for Colonial Storage Holdings, LLC

**Consideration:** Rezone from PD (Planned Development District) (Villages at Lake Lawne PD/LUP) to C-3 (Wholesale Commercial District)

**Location:** 4815 W. Colonial Dr.; Generally located north of W. Colonial Dr. and Home Folks Dr., east of La Grange Ave.; Parcel ID#: 19-22-29-0000-00-038 (portion of); 0.25 gross ac.

The Board approved this item.

**17. 19-1934 Small Scale Development Amendments Ordinance**

Amending Orange County Code, adopting 2019-2 Regular Cycle Amendments to the 2010-2030 Comprehensive Plan (CP), adopting amendments pursuant to Section 163.3187, F.S.

**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 SMALL SCALE DEVELOPMENT AMENDMENTS AND RELATED TEXT AMENDMENTS PURSUANT TO SECTION 163.3187, FLORIDA STATUTES; AND PROVIDING EFFECTIVE DATES

A motion was made by Commissioner VanderLey, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; further, determine that the amendments are in compliance; and further, adopt Ordinance 2019-20 approving the proposed Future Land Use Map and Text Amendments, consistent with today's actions. The motion carried by the following vote:

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

**18. 19-1883 Land Use Plan Amendment**

John McReynolds, Universal City Development Partners LP, Universal Boulevard Planned Development / Land Use Plan Amendment (PD / LUPA), Case # LUPA-19-09-300; District 6

**Applicant:** John McReynolds, Universal City Development Partners LP, Universal Boulevard Planned Development / Land Use Plan Amendment (PD / LUPA) - Case # LUPA-19-09-300

**Consideration:** To rezone two parcels totaling 108.78 gross acres from PD (Pavilion at Sand Lake Planned Development) to incorporate it into the Universal Boulevard (AKA U.S.I. South Campus) PD and to integrate the 1,000,000 square feet of retail commercial land uses from the Pavillion at Sand Lake PD Universal Boulevard (AKA U.S.I. South Campus) PD. The request is also to remove Parcel ID 29-23-29-0000-00-007 from the PD boundary; and to remove the Convention Plaza District & Equivalency Zone standards from the PD. In addition, the applicant has requested the following waivers from Orange County Code:

- 1) A Waiver from Section 38-1479(b) of the code to allow a minimum parking space of 7'x17' in lieu of 9'x20' or 10'x18' spaces.
- 2) A Waiver from Section 38-1235(b)(9) of the code to zero percent in lieu of a minimum of 3 percent of parking areas to be landscaped to allow flexibility in landscape design in and around parking areas to facilitate safe, efficient parking circulation and design.
- 3) A Waiver from Section 38-1235(b)(11) of the code to allow portions of the vehicular and pedestrian passageways in the PDP perimeter to be together in lieu of separated.
- 4) A Waiver from Section 38-1291 (d) of the code to remove the standardized regulations

requiring screen hedges and/or berms for all paved areas and fenced stormwater retention facilities to allow more flexibility in landscape design in lieu of having to meet this requirement.

5) A Waiver from Section 38-1291(e) of the code to allow zero percent in lieu of 5 percent of total paved parking areas in the PDP perimeter to be landscaped to allow flexibility in landscape design in and around parking areas in the PDP perimeter to facilitate safe, efficient parking circulation and design.

6) A Waiver from Section 38-1298 of the code to allow flexibility in sidewalk design adjacent to the row in the PDP perimeter in lieu of requiring sidewalks along all rows.

7) In the event a perimeter development plan (PDP) is approved for any portion of the universal property pursuant to Section 38-30 of the code, A Waiver from the applicability of all of Chapters 9, 19, 24, 30, 34, 37, and 38, except for (i) Section 38-30 and (ii) the building and fire codes, as those determinations are the authority of the building and fire marshal, respectively, of the code for that portion of the universal property located inward of any established PDP perimeter as shown on an applicable PDP (the "PDP interior") in lieu of the applicability of those chapters of the code to the PDP interior.

8) A Waiver from Section 38-1230(a) and article xi of chapter 38 of the code for the universal property in lieu of compliance with Section 38-1230(a) and article xi of chapter 38 of the code.

9) A Waiver from Section 38-1234 of the code for the universal property in lieu of compliance with Section 38-1234 of the code.

10) A Waiver from Section 38-1287(1) of the code for the universal property to allow reduced building setbacks along certain right-of-ways as stated in the building setback table for the universal property on sheet 3 of the land use plan in lieu of compliance with the standard building setbacks found in Section 38-1287 (1) of the code.

11) A Waiver from Section 38-1287(2) of the code for the universal property to allow for an internal side property line setback between lots with different ownership of twenty-five (25) feet in lieu of the standard thirty (30) foot setback found in Section 38-1287(2) of the code.

12) A Waiver for the universal property from Sections 38-1287(2) and (3) to allow for internal side and rear property line setbacks between lots with common ownership or between lots owned by affiliated entities; of zero (0) feet in lieu of the required thirty (30) foot setback and twenty (20) foot setback, respectively. For purposes of this waiver, affiliated entities shall have the same meaning ascribed to "affiliated entity" defined in Section 38-30(b) of the code.

13) A Waiver from Section 38-1287(4) of the code for the universal property to allow a zero (0) foot paving setback in lieu of all of the standard paving setbacks set forth in Section 38-1287(4) of the code.

14) For any portion of the universal property approved as a perimeter development plan (PDP) pursuant to Section 38-30 of the code, A Waiver from Section 38-1427(g) and Section 38-1427(o) to allow the installation of communication antennas, including antennas that are a part of a distributive antenna system (das), small wireless facility, two-way radio system, or other similar communication facilities, on any buildings, structures, poles or pole type structures located within the approved PDP in lieu of having to meet the code's minimum height, design and siting requirements contained in these Sections.

15) For any portion of the universal property approved as a perimeter development plan (PDP) pursuant to Section 38-30 of the code, A Waiver from Sections 38-1236 and 38-1427 of the code to allow the installation of communication towers at various locations within the approved PDP to be determined at the time of permitting and construction in lieu of having to meet the minimum

siting and separation requirements found in Sections 38-1236 and 38-1427 of the code; pursuant to Orange County Code, Chapter 38, Article II, Section 38-30

**Location:** District 6; property generally located North and South of Sand Lake Road / West of South John Young Parkway; Orange County Florida (legal property description on file in Planning Division)

The following persons addressed the Board:

- John McReynolds
- Heather Himes
- Hal McEvoy
- Kevin Rohwer
- Jenny Tiveles (phonetic)

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 Heather Himes.

A motion was made by Commissioner Siplin, seconded by Commissioner VanderLey, to make a finding of consistency with the Comprehensive Plan; and approve the request, subject to the conditions listed under the recommendation in the Staff Report; and further, allow staff to swap out Sheet # 2 to correct the Scrivener’s error as presented. The motion carried by the following vote:

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

**Adjourn as the Orange County Board of County Commissioners and convene as the Orange County International Drive Community Redevelopment Agency Governing Board**

**19-1936** Consideration of recommendation regarding modification of the International Drive Community Redevelopment Plan

Based upon input from County Staff, the following modifications to the International Drive Community Redevelopment Plan were presented as follows:

**PROJECT**

~~Rail Transit Turnpike Central Florida Pkwy and / or Beach Line Route~~ Throughout CRA \$42M

**Activity**

<u>Kirkman Road Extension</u>	<u>Sand Lake Rd. To Universal Rd.</u>	<u>\$60M</u>
	<u>CRA Incentive</u>	<u>\$40M</u>
<u>Tradeshaw Boulevard</u>	<u>Universal Blvd. to Destination Parkway</u>	<u>\$16M</u>
		<u>\$405.5M</u>

Lines 37-41:

WHEREAS, the Board, sitting as the International Drive Community Redevelopment Agency, has

recommended modification to the Plan to authorize additional community redevelopment projects in the International Drive Community Redevelopment Area and to extend the duration of the Plan until the year 2040 in order to provide sufficient time to complete implementation of redevelopment projects in the Area; and

Lines 51-58:

Section 1. It is hereby found and determined that the International Drive Community Redevelopment Plan adopted by the Board on September 29, 1998 pursuant to Resolution 98-M-43, as modified by Resolution No. 03-M-17, adopted by the Board on June 3, 2003, Resolution No. 06-M-59, adopted by the Board on September 12, 2006 and Resolution 2009-M-39 adopted by the Board on September 1, 2009 (collectively, the "Plan") shall be modified to extend the duration of the Plan to January 1, 2040 to provide sufficient time to complete implementation of redevelopment in the Area and shall be further modified as shown on Exhibit "A" to this Resolution.

Exhibit A:

PROJECT

Rail Transit Turnpike-Central Florida Pkwy and /or Beach Line Route Throughout CRA \$42M

Activity

<u>Kirkman Road Extension</u>	<u>Sand Lake Rd. To Universal Rd.</u>	<u>\$60M</u>
	<u>CRA Incentive</u>	<u>\$40M</u>
<u>Tradeshaw Boulevard</u>	<u>Universal Blvd. to Destination Parkway</u>	<u>\$16M</u>
		<u>\$405.5M</u>

A motion was made by Mayor Demings, seconded by Commissioner Siplin, convening as the International Drive Community Redevelopment Agency recommends the Board of County Commissioners approve modification of the Redevelopment Plan as presented, without a change to the existing sunset date of the CRA (Community Redevelopment Agency). The motion carried by the following vote:

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

**Adjourn as the Orange County International Drive Community Redevelopment Agency Governing Board and reconvene as the Orange County Board of County Commissioners**

19. 19-1882 Resolution

Modification of the International Drive Community Redevelopment Plan;  
Districts 1 and 6

**Consideration:** RESOLUTION OF THE ORANGE COUNTY BOARD OF COUNTY

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COMMISSIONERS REGARDING MODIFICATION OF THE  
INTERNATIONAL DRIVE COMMUNITY REDEVELOPMENT PLAN.

The following persons addressed the Board:

- Diego Henry
- Xiomara Sifuentes
- Kerby Louis Baptiste
- Nadia Missaoui
- Jacquelyne Stevens
- Marie Ciaravino
- Karen Broussard
- Maria Triscari
- Aura Inman
- Leslie Rodriguez
- Jean Julionex Louis
- Crissy Martin Foglesong
- Luann Brooks
- Jonas Nazaire
- Wilma Destin
- Hal McEvoy
- Adam Beaton
- Yanidsi Velez
- Don Petersen
- Jose Rodriguez
- Sami Marrero
- Wes Hodge
- Chris Carmody
- Rico Pasamba
- Rennie Mcharg
- Nicolette Springer
- Robert Finfrock
- Sally Baptiste
- Marc Reicher
- Kevin Rohwer
- Sharon Smoley
- John McReynolds
- Jared Billings
- Francisco Alvarado
- Lawanna Gelzer
- Sean Snaith
- Gabriella Alcantera (Phonetic)

Discussion ensued.



A motion was made by Mayor Demings, and seconded by Commissioner Siplin, to approve and execute Resolution 2019-M-52 of the Orange County Board of County Commissioners regarding modification of the International Drive Community Redevelopment Plan as presented with changes reflecting deletion of the proposed extension of the sunset date.

**Aye: 6** - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, and Commissioner Siplin

**No: 1** - Commissioner Bonilla

A motion was made by Mayor Demings, seconded by Commissioner Siplin, to approve and execute the Roadway Infrastructure Agreement (Kirkman Road Extension) by and between Universal City Development Partners, Ltd., and Orange County for the extension of Kirkman Road. The motion carried by the following vote:

**Aye:** 4 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, and Commissioner Siplin

**Nay:** 3 - Commissioner Uribe, Commissioner Gomez Cordero, and Commissioner Bonilla

and

**I. CONSENT AGENDA (Deferred)**

**I. PLANNING, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT**

- 10. 19-1924** Approval and execution of Roadway and Infrastructure Agreement (Kirkman Road Extension) by and between Universal City Development Partners, Ltd., and Orange County for the extension of Kirkman Road. District 6. (Transportation Planning Division)

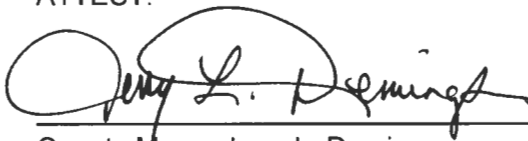
This item was approved.

√ 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: 11:42 p.m.

ATTEST:



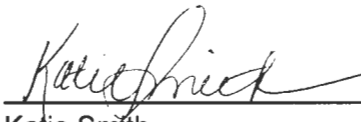
County Mayor Jerry L. Demings

Date: 1/28/20



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.