

# **Orange County Government**

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



## **Draft Meeting Minutes**

**Tuesday, February 8, 2022**

**9:00 AM**

**County Commission Chambers**

**Board of County Commissioners**

**Call to Order**

County Mayor Jerry L. Demings called the meeting to order at 9:03 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  
County Attorney Jeffrey J. Newton  
Deputy County Attorney Joel Prinsell  
Senior Minutes Coordinator Jennifer Lara-Klimetz

**Invocation - District 5**

Reverend Vance Rains, First United Methodist Church of Orlando

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

Proclamation recognizing February as Black History Month

**Public Comment**

The following persons addressed the Board for public comment:

- Chuck O'Neal
- Roselyn Clouden
- Maria Bolton-Joubert
- Terri Falbo

The following material was presented to the Board during public comment: Exhibit 1, from Chuck O'Neal.

**I. CONSENT AGENDA****Approval of the Consent Agenda**

A motion was made by Commissioner Siplin, seconded by Commissioner Uribe, 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. **22-158** Confirmation of the Mayor's managerial appointment of Carla Bell Johnson as Deputy County Administrator.
2. **22-159** Confirmation of the Mayor's managerial appointment of Dale V. Mudrak, P.E., Manager, Development Engineering Division, Public Works Department.

**B. COUNTY COMPTROLLER**

1. **22-160** Approval of the minutes of the January 11, 2022 meeting of the Board of County Commissioners. (Clerk's Office)
2. **22-161** 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:
  - January 21, 2022 to January 27, 2022; \$49,074,284.16
  - January 28, 2022 to February 03, 2022; \$42,866,050.45(Finance/Accounting)
3. **22-163** Approval of Orange County, Florida Section 457(b) Deferred Compensation Plan Statement of Investment Policy, Objectives and Guidelines, February 8, 2022. (Finance Division)
4. **22-164** Disposition of Tangible Personal Property as follows. (Property Accounting)
  - a. Transfer assets to the following: Orange County Sheriff's Office, Orlando Fire Museum, and Jones High School.
  - b. Scrap assets.

**C. COUNTY ADMINISTRATOR**

1. **22-165** Approval of the Membership and Mission Review Board's recommendations for advisory board appointments and reappointments. (Agenda Development Office)
  - A. Animal Services Classification Committee: Reappointment of Master Deputy Sheriff Nicholas G. Blazina in the K-9 handler representative category and Adrienne Sears in the at large representative category with

terms expiring December 31, 2023.

B. Building Codes Board of Adjustments and Appeals: Appointment of David Washington to succeed Marissa N. John in the consumer representative category with a term expiring December 31, 2023.

C. Citizens' Commission for Children: Reappointment of Dick J. Batchelor and Brock Hankins in the at large representative category with terms expiring December 31, 2023 and the appointment of Seren Ozoglu to succeed Pamela Reister in the at large representative category with a term expiring December 31, 2022.

D. Citizens' Review Panel for Human Services: Reappointment of Taylor L. Duffy and Merissa J. Battle in the at large representative category with terms expiring December 31, 2024 and the appointment of Dr. Jacquleen Bido in the at large member-in-training representative category with a term expiring December 31, 2023.

E. Health Facilities Authority: Reappointment of Robert J. Szafranski in the at large representative category and the appointment of Jeff Hogan to succeed Leonard H. Habas in the at large representative category with terms expiring December 31, 2025.

F. International Drive CRA Advisory Committee: Reappointment of Marc S. Reicher in the Mayor's representative category and Chadwick Hardee in the at large representative category with terms expiring January 1, 2024.

2.     **22-166**     Approval and execution of Art in the Chambers Loan and Exhibition Agreement by and between Orange County, Florida and Robert Reedy for the period of February 18, 2022 through June 24, 2022. (Arts and Cultural Affairs Office)
3.     **22-167**     Approval for the Orange County Sheriff's Office to spend \$106,718.41 from the FY 2022 Law Enforcement Trust Fund-Federal Forfeitures for eligible expenses for high risk incident command equipment. (Office of Management and Budget)
4.     **22-168**     Approval for the Orange County Sheriff's Office to spend \$3,500 from the FY 2022 Law Enforcement Trust Fund-State Forfeitures for an eligible contribution to Running 4 Heroes, Inc. (\$1,000) and National Latino Peace Officers Association Central Florida Chapter (\$2,500). (Office of Management and Budget)
5.     **22-169**     Approval of budget amendment #22-20. (Office of Management and Budget)

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

1. **22-170** Approval of and execution of Resolution 2022-M-04 of the Orange County Board of County Commissioners Regarding Settlement with ENDO Health Solutions, Inc. and ENDO Pharmaceuticals, Inc. and authorizing Orange County (herein referred to as this "Governmental Unit") to join with the State of Florida and other Local Governmental Units in the State-Wide Settlement with ENDO and delegation of authority to Orange County Administrator to execute the required documentation to enter into the settlement with ENDO.

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

1. **22-171** Approval to award Invitation for Bids Y22-101-MV, Polygraph Services, to the sole responsive and responsible bidder, D. Craig Harper and Associates, LLC. The estimated contract award amount is \$495,825 for a three-year term. ([Administration and Fiscal Services Office of Professional Standards Division] Procurement Division)
2. **22-172** Approval to award Invitation for Bids Y22-102-MV, Median Tree Program, to the sole responsive and responsible bidder, James F. McCann, Inc. The estimated contract award amount is \$2,988,620 for a three-year term. ([Public Works Department Engineering Division] Procurement Division)
3. **22-173** Approval to award Invitation for Bids Y22-135-MV, MSBU and Non-MSBU Retention Pond Mowing and Maintenance - Apopka Zellwood, to the low responsive and responsible bidder, Aero GroundTek, LLC. The estimated contract award amount is \$315,600 for the base year. ([Public Works Department Stormwater Management Division] Procurement Division)
4. **22-174** Approval to award Invitation for Bids Y22-703-CH, Overland Road Sidewalk Improvements Project Installation, to the low responsive and responsible bidder, Schuller Contractors Incorporated. The total contract award amount is \$664,290.80. ([Public Works Department Engineering Division] Procurement Division)
5. **22-175** Approval to award Invitation for Bids Y22-724-FH, Radio Tower Amory Court Electrical Redundancy and Generator Renovations, to the low responsive and responsible bidder, Expert Construction Managers, Inc. The total contract award amount is \$1,612,000, inclusive of alternate one. ([Administrative Services Department Capital Projects Division] Procurement Division)
6. **22-176** Approval of Amendment No. 10, Contract Y7-802, Professional Engineering and Design Services for Boggy Creek Road (From County Line to S.R. 417), with DRMP, Inc., in the amount of \$99,962.64, for a revised contract amount of \$1,701,122.48. ([Public Works Department Engineering Division] Procurement Division)

7.     **22-177**     Approval of Purchase Order M106440, United States Postal Service Postage Pass Through for Mailing Billing Statements and Letters for Utilities Department, with Infosend, Inc., in the not-to-exceed amount of \$490,000. ([Utilities Department Customer Service Division] Procurement Division)
8.     **22-178**     Approval of Purchase Order M106443, Design Services for the Orange County Courthouse 15th Floor Courtrooms Buildout, with DLR Group, Inc., in the total amount of \$366,118.72. ([Administrative Services Department Capital Projects Division] Procurement Division)
9.     **22-179**     Approval of Purchase Order M106458, Economic Marketing, Outreach and Job Training in the Pine Hills Community, with African American Leadership Consortium, Inc., in the total amount of \$446,800. ([Community and Family Services Department Community Action Division] Procurement Division)
10.    **22-180**     Approval and execution of City of Orlando Callahan Neighborhood Center Orange County Head Start Program Lease Agreement for the purpose of conducting a Head Start Program and authorization to the Manager of the Head Start Division to exercise renewal options, and furnish notices, required or allowed by the agreement, as needed for Head Start Callahan Neighborhood Center, 101 North Parramore Avenue, Orlando Florida 32801. Lease File #10066. District 6. (Real Estate Management Division)
11.    **22-181**     Approval and execution of Orange County, Florida and Florida High Tech Corridor Council, Inc. Resident Service Provider Agreement and authorization for the Real Estate Management Division to exercise renewal options, execute a termination notice, and furnish notices, required or allowed by the agreement, as needed for NEC at Fashion Square Mall, 3201 East Colonial Drive, Orlando, Florida 32803. Lease File #2062-RSP11. District 5. (Real Estate Management Division)
12.    **22-182**     Approval and execution of Orange County, Florida and Florida State Minority Supplier Development Council, Inc. Resident Service Provider Agreement and authorization for the Real Estate Management Division to exercise renewal options, execute a termination notice, and furnish notices, required or allowed by the agreement, as needed for NEC at Fashion Square Mall, 3201 East Colonial Drive, Orlando, Florida 32803. Lease File #2062-RSP10. District 5. (Real Estate Management Division)
13.    **22-183**     Approval and execution of Orange County, Florida and Hispanic Business Initiative Fund of Florida, Inc. Resident Service Provider Agreement and authorization for the Real Estate Management Division to exercise renewal options, execute a termination notice, and furnish notices, required or allowed by the agreement, as needed for NEC at Fashion Square Mall, 3201 East Colonial Drive, Orlando, Florida 32803. Lease File #2062-RSP13. District 5. (Real Estate Management Division)

14. **22-184** Approval and execution of Orange County, Florida and Veteran Entrepreneurship Initiative, Inc. Resident Service Provider Agreement and authorization for the Real Estate Management Division to exercise renewal options, execute a termination notice, and furnish notices, required or allowed by the agreement, as needed for NEC at Fashion Square Mall, 3201 East Colonial Drive, Orlando, Florida 32803. Lease File #2062-RSP12. District 5. (Real Estate Management Division)
15. **22-185** Approval and execution of Contract for Purchase and Sale by and between Carol Jean Bowerman f/k/a Carol Jean Dell and Orange County, approval of Warranty Deed from Carol Jean Bowerman f/k/a Carol Jean Dell and Brandon Brown to Orange County, approval of Holdover Agreement from Orange County to Carol Jean Bowerman, f/k/a Carol Jean Dell, authorization to the Manager of the Real Estate Management Division to exercise all delegations of authority expressly provided for by the Agreement for Sale and Purchase, and authorization for disburse funds to pay purchase price in the amount of \$550,000 and perform all actions necessary and incidental to closing for Green PLACE Parcel 153. District 5. (Real Estate Management Division)
16. **22-186** Approval of Special Warranty Deeds from D.R. Horton, Inc. to Orange County, approval and execution of Resolution 2022-M-05 regarding authorization to convey certain county property interests to the School Board of Orange County, Florida, approval and execution of County Deeds from Orange County to the School Board of Orange County, Florida, and authorization to perform all actions necessary and incidental to closing for Waterleigh PD APF Agreement (Village H). District 1. (Real Estate Management Division)
17. **22-187** Approval and execution of Administrative Complaint Case Number 2022002760 - License Number 5495 License Type 2101 - Elevator Approval of Settlement Option 1: Accept the conditions of the Stipulation and Consent Order as written including the fine of \$250. (Facilities Management Division)

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

1. **22-188** Acceptance of University of Florida's appointment of Hillary Ayers as Orange County Extension Agent I, Family and Consumer Sciences. All Districts. (Cooperative Extension Division)
2. **22-189** Acceptance of University of Florida's appointment of Calvin Gardner as Orange County Extension Agent I, Urban Horticulture. All Districts. (Cooperative Extension Division)

#### **G. HEALTH SERVICES DEPARTMENT**

1. **22-190** Approval and execution of the renewal Paratransit Services License for Unique NEMTS to provide wheelchair/stretchers service. The term of this license is from February 1, 2022 through February 1, 2024. There is no cost to the County. (EMS Office of the Medical Director)

#### **H. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT**

1. **22-191** Acceptance of the findings and recommendation of the Environmental Protection Commission and approval of the request for waiver to Section 15-342(b) to increase the maximum allowable terminal platform size from 1,000 to 1,230 square feet with a mitigation payment of \$508 to the Conservation Trust Fund within 60 days of the decision of the Board of County Commissioners for the Peter Melley Dock Construction Permit BD-21-08-119. District 4. (Environmental Protection Division)
2. **22-192** Acceptance of the findings and recommendation of the Environmental Protection Commission and approval of the request for waiver to Section 15-342(b) to increase the maximum allowable terminal platform size from 570 square feet to 676 square feet with a mitigation payment of \$489 to the Conservation Trust Fund within 60 days of the decision of the Board of County Commissioners for the Gautam and Tarulata Desai Dock Construction Permit BD-21-09-125. District 1. (Environmental Protection Division)
3. **22-193** Acceptance of the findings and recommendation of the Environmental Protection Commission and approval of the request for waiver to Section 15-342(b) to increase the maximum allowable terminal platform size from 640 to 816 square feet with a mitigation payment of \$198 to the Conservation Trust Fund within 60 days of the decision of the Board of County Commissioners for the Kenneth and Adrienne Fuhr Dock Construction Permit BD-21-08-118. District 1. (Environmental Protection Division)
4. **22-194** Approval and execution of Project Administration Subrecipient Agreements between Orange County, Florida and public service agencies regarding the Community Development Block Grant ("CDBG") Program and Emergency Solutions Grant ("ESG") Program FY 2021-2022. All Districts. (Housing and Community Development Division)
5. **22-195** Approval of the November 2021 Business Assistance for Neighborhood Corridors (BANC) Program Grant for Lily C. Chan (\$9,500). District 3. (Neighborhood Services Division)
6. **22-196** Approval and execution of Proportionate Share Agreement for Chick-Fil-A Lake Buena Vista #4907 Vineland Avenue and Winter Garden-Vineland Road by and between 585 Associates, LLC and Orange County for a



proportionate share payment in the amount of \$62,019. District 1. (Roadway Agreement Committee)

7. **22-197** Approval and execution of Proportionate Share Agreement for Hamlin SW Medical Office Building D Avalon Road/CR 545 by and between SLF IV/Boyd Horizon West JV, LLC and Orange County directing both the proportionate share payment in the amount of \$273,654 and future transportation impact fee payments that may be associated with the project to be utilized towards the completion of Avalon Road/CR 545 improvements pursuant to the Amended and Restated Escrow Agreement for Town Center West (Silverleaf). District 1. (Roadway Agreement Committee)

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

1. **22-198** Approval and execution of Agreement for Traffic Law Enforcement on Private Roads by and between Orange County, Florida, and Pulte Home Company LLC, at Del Webb Oasis. District 1. (Development Engineering Division)
2. **22-199** Approval and execution of Mitigation Credits Purchase Agreement (Kennedy Boulevard - From Forest City to Wymore Road) by and between Wekiva River Mitigation Bank, L.L.C. and Orange County. District 2. (Engineering Division)
3. **22-200** Approval to decrease the speed limit on North Shore Golf Club Boulevard between Kirby Smith Road and Moss Park Road from 30 mph to 25 mph. District 4. (Traffic Engineering Division)
4. **22-201** Approval and execution of Termination of School Impact Fee Agreements regarding an Alternative Impact Fee Calculation for Radius f/k/a Banner #18-001; Creative Village Parcel M Apartments #18-006; Orange and Robinson Apartments #19-001; X Orlando #19-002; Modera at Creative Village #19-004; Alta at Health Village #19-005; and Broadstone Lakehouse #20-002 by and between City of Orlando, The School Board of Orange County, Florida, Orange County, and the owners. All Districts. (Traffic Engineering Division)

#### **J. UTILITIES DEPARTMENT**

1. **22-202** Approval of Irrevocable Standby Letter of Credit No. 18135500-00-000, issued by PNC Bank, National Association on behalf of Lennar Homes, LLC in favor of Orange County in the amount of \$89,250 for the required security to guarantee compliance with the terms of the International Drive Resort, Phase 1 (20-E-066) Wastewater Capital Charge Letter of Credit Agreement and authorization for the Utilities Director or Utilities Deputy Director to release the Letter of Credit to the issuing institution upon completion of the term of the Agreement or upon the Board's acceptance of a replacement

letter of credit. District 6. (Engineering Division)

2. **22-203** Approval and execution of International Drive Resort, Phase 1 (20-E-066) Wastewater Capital Charge Letter of Credit Agreement by and between Lennar Homes, LLC and Orange County. District 6. (Engineering Division)
3. **22-204** Approval of Irrevocable Standby Letter of Credit No. 70005601, issued by Truist Bank on behalf of Pulte Home Corporation, LLC in favor of Orange County in the amount of \$182,070 for the required security to guarantee compliance with the terms of the Poitras East Parcel N-6 Wastewater Capital Charge Letter of Credit Agreement and authorization for the Utilities Director or Utilities Deputy Director to release the Letter of Credit to the issuing institution upon completion of the term of the Agreement or upon the Board's acceptance of a replacement letter of credit. District 4. (Engineering Division)
4. **22-205** Approval and execution of Poitras East Parcel N-6 Wastewater Capital Charge Letter of Credit Agreement by and between Pulte Home Company, LLC and Orange County. District 4. (Engineering Division)

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

### **A. COUNTY COMPTROLLER**

1. **22-206** Receipt of the following items to file for the record: (Clerk's Office)
  - a. The Florida Public Service Commission Consummating Order. In re: Joint petition for approval of modification to territorial agreement in Orange County, by City of Winter Park and Duke Energy Florida, LLC.
  - b. City of Orlando Council Agenda Item for the meeting of January 10, 2022. City of Orlando Ordinance with Exhibit A(Legal Description), Exhibits B, C, and D (Location, Future Land Use and Zoning Maps), Fiscal Impact Statement, and Orlando Sentinel Notice of Proposed Enactment for Ordinance No. 2022-2 entitled: An Ordinance of the City Council of the City of Orlando, Florida, annexing to the corporate limits of the city certain land generally located north and south of Hoffner Avenue, east of Conway Road, south of Simmons Road, and west of South Semoran Boulevard, and comprised of 29.288 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, residential low intensity, and industrial on the city's official future land use maps; designating the property as the low intensity office-residential, residential low development and industrial park zoning districts, with the aircraft noise and Conway Road special plan overlay districts, in part, 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.

c. City of Orlando Council Agenda Item for the meeting of January 10, 2022. City of Orlando Ordinance with Exhibit A (Legal Description ), Exhibit B (Map), Fiscal Impact Statement, and Orlando Sentinel Notice of Proposed Enactment for Ordinance No. 2022-3 entitled: An Ordinance of the City Council of the City of Orlando, Florida, annexing to the corporate limits of the city certain land generally located east of Narcoossee Road, south of Falcon Parc Boulevard, and north of Central Florida Greenway (SR 417) and compromised of 67.28 acres of land, more or less; providing for severability, correction of scrivener's errors, and an effective date.

d. Town of Oakland Ordinance No. 2021-24. Town of Oakland Ordinance with Exhibit A (Annexation Site), entitled: An Ordinance of the Town of Oakland, Florida, annexing by voluntary petition certain real property owned by New Horizon Investments, LLC bearing property tax parcel identification number (address) 21-22-27-0000-00-017 (15738 State Road 438), and located contiguous to the Town of Oakland in accordance with the voluntary annexation provisions of Section 171.044, Florida Statutes, and other controlling law; redefining the boundaries of the Town of Oakland to include said property; providing for findings; providing for conditions; directing the Town Clerk to record the Ordinance with the Clerk of the Circuit Court, with the Chief Administrative Officer of Orange County and with the Department of State; providing for legal description and a map; repealing all ordinances in conflict herewith; providing for severability; providing for non-codification and the taking of administrative actions and providing for an effective date.

e. Florida Public Service Commission Notice of Application for Original Certificate of Authorization for Existing Utility currently charging for Wastewater Service. Docket No. 20210191-SU; Application for Certificate to provide wastewater service in Orange County by Gulfstream Utility LLC.

These items were received and filed.

### **III. DISCUSSION AGENDA**

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

1. **22-207** ***Adjourned as the Orange County Board of County Commissioners and convened as the Orange County Library District Governing Board***

Reappointment of Nicole Benjamin to the Library Board of Trustees as a City of Orlando representative with a term effective February 8, 2022 and expiring December 31, 2025

-and-

Approval of the January 12, July 15, September 13, and September 28, 2021, meeting minutes of the Library District Governing Board. (Agenda Development Office)

***Adjourned as the Orange County Library District Governing Board  
and reconvened as the Orange County Board of County  
Commissioners***

The Orange County Board of County Commissioners took no action. Refer to the Orange County Library District Governing Board Minutes appended to Legislative File 22-207, for action taken by the Orange County Library District Governing Board.

2. **22-208** Orange County Sustainability and Resilience Update.

The following person addressed the Board: Madeline Ramirez.

The Board took no action.

**B. COMMUNITY AND FAMILY SERVICES DEPARTMENT**

1. **22-209** Cooperative Extension Division Update.

The following person addressed the Board: Bobby Beagles.

The Board took no action.

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

1. **22-210** MetroPlan Orlando Board Meeting Briefing.

The Board took no action.

**IV. RECOMMENDATIONS**

1. **22-211** January 20, 2022 Planning and Zoning Board Recommendations

A motion was made by Commissioner Siplin, seconded by Commissioner Gomez Cordero, to approve the recommendations, with the exception of Case # RZ-21-11-075, Alison M. Yurko (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 Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

**V. PUBLIC HEARINGS**

**A. Shoreline Alteration Dredge and Fill Permit**

**1. 22-017**

Case # SADF-21-09-023

Kristin Skolnik, Lake Gatlin, permit; District 3

**Consideration:** Request for a Shoreline Alteration/Dredge and Fill Permit SADF # 21-09-023 to construct a new (replacement) seawall directly in front of an existing seawall, pursuant to Chapter 33, Article II, Lake Conway Water and Navigational Control District.

**Location:** District 3; on property located adjacent to Lake Gatlin, located at 4872 Waterwitch Point Drive, Orlando FL 32806; Orange County, Florida (legal property description on file in Environmental Protection Division)

A motion was made by Commissioner Uribe, seconded by Commissioner Moore, to approve the Shoreline Alteration/Dredge and Fill Permit SADF-21-09-023 subject to the twenty eight (28) conditions of approval listed in the Staff Report dated January 7, 2022. 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

**2. 22-090 Case # SADF-21-08-022**

Peter Melley, Lake Hart, permit; District 4

**Consideration:** Request for a Shoreline Alteration/Dredge and Fill Permit SADF # 21-08-022 to authorize the construction of a new vinyl seawall with the installation of riprap directly in front of an existing, unpermitted seawall along the shoreline, pursuant to Orange County Code, Chapter 15, Article VI, Pumping and Dredging Control.

**Location:** District 4; on property located adjacent to Lake Hart, located at 11421 Tindall Road, Orlando, Florida 32832; Orange County, Florida (legal property description on file in Environmental Protection Division)

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Uribe, to approve the Shoreline Alteration/Dredge and Fill Permit SADF-21-08-022 subject to the twenty eight (28) conditions of approval listed in the Staff Report dated January 10, 2022. 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

**B. Substantial Change****3. 22-018 Case # CDR-21-09-279**

Brent Lenzen, Kimley-Horn and Associates, Inc., Kingsland Grande Planned Development / Land Use Plan (PD / LUP), amend plan; District 1

**Consideration:** A PD substantial change to convert 1,044 hotel rooms to 310,300 square feet of amusement / commercial use through the conversion matrix and add cross access connection to the north. In addition, the applicant has requested the following waiver from Orange County Code:

1. A waiver from Section 38-1476 to calculate required parking for amusement or assembly places without fixed seats at 1 space per each 3.46 patrons (0.289 spaces per patron), plus 1 space per each employee, in lieu of 1 space per each 3 patrons (0.333 spaces per patron), plus 1 space per each employee; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207

**Location:** District 1 property generally located northwest of the Lake Street and Regency Village Drive intersection; Orange County, Florida (legal property description on file in Planning Division

Revised Condition of Approval # 8:

~~8. New pole signs and billboards shall be prohibited. All other signage shall comply with approved master sign plan. If no master sign plan has been approved, all other signage shall comply with Chapter 31.5 of the Orange County Tourist Commercial Code.~~

8. Prior to the first preliminary subdivision/development plan, a master sign plan shall be approved. New billboards and pole signs shall be prohibited. All signage shall comply with the approved master sign plan, or Chapter 31.5, Tourist Commercial Developments, of the Orange County Code where applicable.

County staff stated Condition of Approval #12.a is being replaced with revised condition #8 and #12.b becomes #12.a.

The following person addressed the Board: Brent Lenzen.

A motion was made by Commissioner Wilson, seconded by Commissioner Gomez Cordero, to make a finding of consistency with the Comprehensive Plan; and approve the substantial change request subject to the twelve (12) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated January 14, 2022; and further, approve revised condition of approval #8 and the deletion of condition of 12a as presented. 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

### C. Development Plan

#### 4. 22-019 Case # DP-21-07-224

Jarod Stubbs, Kimley-Horn & Associates, Inc., The Quadrangle Planned Development / The Quadrangle Preliminary Subdivision Plan / Tract 5B - Student Housing Development Plan; District 5

**Consideration:** The Quadrangle Planned Development / The Quadrangle Preliminary Subdivision Plan / Tract 5B - Student Housing Development Plan; Case # DP-21-07-224 submitted in accordance with Orange County Code, Chapter 34, Article III, Section 34-69 and

Chapter 30, Article III, Section 30-89; This Development Plan (DP) is a request to construct a 188 unit / 750 bed student housing complex on a total of 6.25 acres.

**Location:** District 5; property generally located North of Corporate Boulevard / West of North Alafaya Trail; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Jarod Stubbs.

A motion was made by Commissioner Bonilla, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; and approve the request subject to the eighteen (18) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated January 20, 2022. 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

#### **D. Board of Zoning Adjustment Board-Called**

**5.      22-003              Case # VA-21-11-109**

Walgreen's (Mark Brenchley), November 4, 2021; District 2 (Continued from January 11, 2022)

**Case No.:** Board of Zoning Adjustment, Case # VA-21-11-109; November 4, 2021

**Consideration:** Request for Variance in the P-D zoning district to allow 265.83 sq. ft. of wall signage in lieu of 207 sq. ft.

**Location:** District 2; property located at 5601 N. Hiawasse Road, Orlando, FL 32818; Orange County, Florida (legal property description on file in Zoning Division)

A motion was made by Commissioner Moore, seconded by Commissioner Uribe, to approve the variance request subject to the four (4) conditions of approval listed under the Board of Zoning Adjustment recommendation dated January 13, 2022. 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

#### **E. Agreement**

**6.      22-135              Interlocal Agreement for Annexation of an Enclave between the City of Winter Garden and Orange County; District 1**

**Consideration:** Interlocal Agreement for Annexation of Enclaves Between City of Winter Garden, Florida and Orange County, Florida.

The following persons addressed the Board:

-Steve Pash

-Ricky Reynolds  
-Byron Stevenson  
-Chanell Northern  
-John Strates

A motion was made by Commissioner Wilson, seconded by Commissioner Moore, to approve and execute the Interlocal Agreement for Annexation of Enclaves between the City of Winter Garden, Florida and Orange County, Florida (Enclave Area #3 of 3). 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

#### **F. Comprehensive Plan - Transmittal of Regular Cycle Amendments**

7. **22-139** Transmittal of Regular Cycle Future Land Map Amendment M. Rebecca Wilson, Lowndes, Drosdick, Doster, Kantor & Reed, P.A., for Rita J. Friedman

a. Amendment 2022-1-A-1-1

**Consideration:** Activity Center Mixed Use (ACMU) to Activity Center Residential (ACR)

**Location:** Generally located south of International Drive S., east of Wildwood Ave., and west of Vistana Palm Beach Dr.; Parcel ID#: 23-24-28-5844-00-680; 14.43 gross ac.

The following person addressed the Board: Rebecca Wilson.

A motion was made by Commissioner Wilson, seconded by Commissioner Uribe, to make a finding that the information contained in the application for the proposed amendment is sufficiently complete; further, make a finding that the proposed amendment has the potential to be found "in compliance," as defined by Section 163.3184(1)(b), Florida Statutes; and further, transmit Amendment 2022-1-A-1-1 to the state reviewing agencies. 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

8. **22-140** Transmittal of Regular Cycle Future Land Map Amendment M. Rebecca Wilson, Lowndes, Drosdick, Doster, Kantor & Reed, P.A., for Susie Simpson Gilbert and Wayne P. Simpson

b. Amendment 2022-1-A-2-1

**Consideration:** Low Density Residential (LDR) to Medium Density Residential (MDR)

**Location:** 1255 and 1277 Plymouth Sorrento Rd.; Generally located north of W. Orange Blossom Trl., east of Plymouth Sorrento Rd., west of Schopke Lester Rd., and south of W. Ponkan Rd.; Parcel ID#s: 06-21-28-7172-04-010 and 06-21-28-7172-05-050; 34.58 gross ac.



The following person addressed the Board: Rebecca Wilson.

A motion was made by Commissioner Moore, seconded by Commissioner Siplin, to make a finding that the information contained in the application for the proposed amendment is sufficiently complete; further, make a finding that the proposed amendment has the potential to be found "in compliance," as defined by Section 163.3184(1)(b), Florida Statutes; and further, transmit Amendment 2022-1-A-2-1 to the state reviewing agencies. 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

#### **G. Comprehensive Plan - Transmittal of Regular Cycle Amendments**

9. **22-141** Transmittal of Regular Cycle Future Land Use Map Amendment and FLU8.1.4 Text Amendment Jonathan P. Huels, Lowndes, Drosdick, Doster, Kantor & Reed, P.A., for CJD Property Hold CO, LLC; Alafaya TH Tract 4, LLC; Alafaya COM Tract 7, LLC; and Alafaya TH Tract 9, LLC.

a. Amendment 2022-1-A-4-1

**Consideration:** Mixed Use Tract: Planned Development-Commercial/Low-Medium Density Residential/Parks and Recreation/Open Space (PD-C/LMDR/PR-OS), Planned Development-Commercial (PD-C), Commercial (C), and Low-Medium Density Residential (LMDR) to Planned Development-Commercial/Low-Medium Density Residential/Medium Density Residential/Parks and Recreation/Open Space (PD-C/LMDR/MDR/PR-OS) Multi-Family Tract: Planned Development-Low-Medium Density Residential/Medium Density Residential (PD-LMDR/MDR) and Low-Medium Density Residential (LMDR) to Medium Density Residential (MDR)

**Location:** 3100 S. Alafaya Trl.; Generally located south of S. Alafaya Trl., north and west of Innovation Wy.; Parcel ID#s: 12-23-31-0000-00-006/011/012/013; 114.17 gross ac.

And

b. Amendment 2022-1-B-FLUE-1

**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 2022-1-A-4-1

The following persons addressed the Board:

-Jonathan Huels  
-Eric Grimmer

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Siplin, to make a finding that the information contained in the application for the proposed amendment is sufficiently complete; further, make a finding that the proposed amendment has the potential to be found "in compliance," as defined by Section 163.3184(1)(b), Florida Statutes; further, transmit Amendment 2022-1-A-4-1 to the state reviewing agencies; further, make a finding that the proposed amendment has the potential to be found "in compliance," as defined by Section 163.3184(1)(b), Florida Statutes; and further, transmit Amendment 2022-1-B-FLUE-1 to the state reviewing agencies. 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

#### **H. Comprehensive Plan - Transmittal of Regular Cycle Staff-Initiated Text Amendment**

##### **10. 22-142 Transmittal of Future Land Use Staff-Initiated Text Amendment**

###### **a. Amendment 2022-1-B-FLUE-3**

**Consideration:** Text amendment to Future Land Use Element to allow for properties within the Lake Avalon Rural Settlement with a Future Land Use designation of Rural Settlement 1/5 (RS 1/5) and with acreages between nine (9) and fifteen (15) acres to split into up to three lots whereas each lot is not less than four and one-half (4½) acres

A motion was made by Commissioner Wilson, seconded by Commissioner Moore, to make a finding that the information contained in the application for the proposed amendment is sufficiently complete; and further, transmit Amendment 2022-1-B-FLUE-3 to the state reviewing agencies. 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

##### **11. 22-143 Transmittal of Future Land Use Staff-Initiated Text Amendment**

###### **b. Amendment 2022-1-B-WSFWP-1**

**Consideration:** Proposed text amendments to the Potable Water, Wastewater and Reclaimed Water Element and related elements, incorporating changes to the Orange County ten-year Water Supply Facilities Work Plan (WSFWP), and adopting the WSFWP by reference

A motion was made by Commissioner Wilson, seconded by Commissioner Moore, to make a finding that the information contained in the application for the proposed amendment is sufficiently complete; further, the amendments are consistent with s. 163.3177, the Orange County Comprehensive Plan and the recommendations of the 2020 CFWI RWSP; and further, transmit Amendment 2022-1-B-WSFWP-1 to the reviewing agencies. 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

**I. Ordinance**

**12.     22-136**         Amending Orange County Code, Chapter 15, Article XVII, pertaining to Fertilizer Management Ordinance; All Districts

**Consideration:** An Ordinance amending the Orange County Code, Chapter 15, Article XVII, pertaining to fertilizer management; and providing an effective date.

Revised Section 15-808. Exemptions; exceptions.

(a) ~~Section 15-804~~ Sections 15-803 through 15-805 of this article shall not apply to golf courses when fertilizers are applied by or under the direction of a professional with a valid certification from the Florida Golf Course Best Management Practices Certification Training. or its successor program, by UF/IFAS, and the fertilizer must be applied following the most current version of the FDEP Best Management Practices for the Enhancement of Environmental Quality on Florida Golf Courses. Golf courses shall provide proof of valid certification to Orange County Environmental Protection Division prior to June 1 each year.

The following persons addressed the Board:

- Jeremy LaPlanche
- Eric Rollings
- Nick Hansen
- Gabrielle Milch
- Terri Falbo
- Susan Thome-Barreti
- Billy Butterfield
- Angela Young
- Michael McGrath
- James Helmers
- Nancy Prine
- Mike Cliburn
- Jim Erwin
- Margaret Atkins
- Katrina Shadix
- Maria Bolton-Joubert
- Susan Gilman
- Steve Brown
- Adam Jones
- Eric Brown
- Jill Giese
- Kathrein Markle

- Marjorie Holt
- Dr. Katz (phonetic)

The following materials were presented to the Board:

- Exhibit 1, Michael McGrath
- Exhibit 2, Adam Jones
- Exhibit 3, Eric Brown

A motion was made by Commissioner Wilson, seconded by Commissioner Bonilla, to adopt Ordinance 2022-03 Amending the Orange County Code, Chapter 15, Article XVII pertaining to Fertilizer Management; further, provide for an effective date; and further, approve revised Section 15-808. Exemptions; exceptions as presented. 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

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

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

ADJOURNMENT: 5:26 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.