

Orange County Government

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



Final Meeting Minutes

Tuesday, April 21, 2020

9:00 AM

Communications Media Technology

Board of County Commissioners

Call to Order

County Mayor Demings called the meeting to order at 9:03 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
Deputy County Administrator Randy Singh
County Attorney Jeffrey J. Newton
Deputy County Attorney Joel Prinsell
Deputy Clerk Katie Smith

Invocation - District 5

Commissioner Emily Bonilla

Pledge of Allegiance**Public Comment**

The following person submitted a written comment to the Board during public comment: John. No last name provided on the record.

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

A motion was made by Commissioner Uribe, seconded by Commissioner Bonilla, to approve 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. **20-570** Approval of the minutes of the March 24, 2020 meeting of the Board of County Commissioners. (Clerk's Office)
2. **20-571** 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:

- April 3, 2020, to April 9, 2020; \$37,550,594.94
- April 10, 2020, to April 16, 2020; \$25,064,708.27.

(Finance/Accounting)

B. COUNTY ADMINISTRATOR

1. **20-572** Approval of Letter of Agreement authorizing the Central Florida Crimeline Program, Inc., to act as the County's agent for the purpose of applying, receiving, and disbursing Crime Stoppers Trust Fund monies.
2. **20-573** Approval and execution of Second Amendment to Art in the Chambers Loan and Exhibition Agreement by Orange County, Florida and Orlando Museum of Art for the period of February 14, 2020 through June 26, 2020. (Arts and Cultural Affairs)
3. **20-574** Approval to establish the Orange County Wellness for Life Flex Credit effective January 1, 2021. (Human Resources Division)
4. **20-575** Approval for the Orange County Sheriff's Office to spend \$17,000 from the FY 2020 Law Enforcement Trust Fund to provide eligible contributions to Boys & Girls Clubs of Central Florida (\$15,000) and Early Learning Coalition of Orange County (\$2,000). (Office of Management and Budget)
5. **20-576** Approval of budget amendments #20-44, #20-45, #20-46, #20-47, #20-48, and #20-49. (Office of Management and Budget)

C. COUNTY ATTORNEY

1. **20-577** Approval of proposed new Administrative Regulation No.:9.01.03, titled "Single-Use Products Policy on County Property No.: 9.01.03."
2. **20-578** Approval of the settlement of the case of *Orange County v. Affordable/Citrus Glen, Ltd, et al.*, Case No. 2018-CA-001169-O, Parcels 1024, 7024A and 7024B, Texas Avenue (Oak Ridge Road to Holden Avenue), and authorization for the County Attorney's Office to execute the Joint Motion for Entry of Stipulated Final Judgment agreeing to the entry of the proposed Stipulated Final Judgment on behalf of Orange County.

D. ADMINISTRATIVE SERVICES DEPARTMENT

1. **20-579** Approval and execution of modification to State Grant Agreement between the Division of Emergency Management and the Orange County Board of County Commissioners Contract Number: F0006 Project Number: DEM-SR00006 to amend the period of agreement from May 31, 2020 to December 31, 2020 for the Bithlo Community Center engineering study. (Fiscal and Operational Support Division)

2. **20-580** Approval to award Invitation for Bids Y20-123-TJ, Promotional Video Production Services for the Orange County Convention Center, to the low responsive and responsible bidder, Convention News Television, LLC. The estimated contract award amount is \$255,000 for a three-year term. ([Convention Center] Procurement Division)
3. **20-581** Approval to award Invitation for Bids Y20-159-MV, Water Pipes, Valves and Fittings, to the low responsive, responsible M/WBE compliant bidder, The Pipe Nipple & Supply Company, Inc. The estimated contract award amount is \$4,969,619.10 for a three-year term. ([Utilities Department Field Services Division] Procurement Division)
4. **20-582** Approval to award Invitation for Bids Y20-603-TJ, Orange County Convention Center Food Services Renovations Kitchen Equipment Food Court C & CAFÉ' E/F, to the low responsive and responsible bidder, HMAK, LLC for Lot 1 in the amount of \$217,907.84 and Lot 2 in the amount of \$528,952.44 for a total amount of \$746,860.28. ([Convention Center Facility Operations Division] Procurement Division)
5. **20-583** Approval to award Invitation for Bids Y20-712-RC, Orange County Michigan Campus Parking Improvement, to the low responsive and responsible bidder, Condor Construction, Corp. The total contract award amount is \$902,946.60. ([Administrative Services Department Capital Projects Division] Procurement Division)
6. **20-584** Approval to award Invitation for Bids Y20-713-RC, Orange County Corrections 5th and 6th Floor Door Control Upgrade, to the low responsive and responsible bidder, Southern Automated Systems, Inc. The total contract award amount is \$194,000. ([Administrative Services Department Capital Projects Division] Procurement Division)
7. **20-585** Approval to award Invitation for Bids Y20-727-RC, Orange County Corrections Cassady Building Roof Replacement, to the low responsive and responsible bidder, T&G Corporation dba T&G Constructors. The total contract award amount is \$787,971. ([Administrative Services Department Capital Projects] Procurement Division)
8. **20-586** Approval to award Invitation for Bids Y20-729-RM, Orange County Internal Operations Centre I Restrooms Renovations, to the low responsive and responsible bidder, R L Burns, Inc. The total contract award amount is \$164,274. ([Administrative Services Department Capital Projects Division] Procurement Division)
9. **20-587** Approval of Amendment No. 3, Contract Y19-1053-EB, Term Contract for Maintenance of Stormwater Ponds, with Frank Gay Plumbing, Inc., in the amount of \$75,000 for a revised total contract amount of \$418,522.50.

([Administrative Services Department Facilities Management Division]
Procurement Division)

10. **20-588** Approval of Amendment No. 1, Contract Y14-905, Task Authorization No. 7, Project Control Services for Contract Compliance and Quality Assurance for the South Water Reclamation Facility (SWRF) Phase V Expansion, Continuing Water and Wastewater Program Management Services, with Carollo Engineers, Inc., in the total not-to-exceed amount of \$164,187.17, for a revised total amount of \$627,463. ([Utilities Department Engineering Division] Procurement Division)
11. **20-589** Ratification of Purchase Order M100337, Medical Supplies, with SafeWare, Inc., in the not-to-exceed amount of \$130,137.40. ([Health Services Department Fiscal and Operational Division] Procurement Division)
12. **20-590** Approval to Execute Release of Claim, Bond Number 1001128682 for Contract Y19-724-RC, Moss Park Restroom. ([Administrative Services Department Capital Projects Division] Procurement Division)
13. **20-591** Approval and execution of Third Renewal to License Agreement by and between Orange County, Florida and Aspire Health Partners, Inc. and delegation of authority to the Real Estate Management Division to exercise extension option and furnish notices, required or allowed by the agreement, as needed for Aspire - Juvenile Assessment Center 823 West Central Boulevard, Orlando, Florida 32805 Lease File #5091. District 6. (Real Estate Management Division)
14. **20-592** Approval of Utility Easement from Heaven IV, LLC to Orange County and authorization to record instrument for Presidents Drive (Sand Lake Road to PS #3177) Wastewater System Improvements - Additional UE. District 6. (Real Estate Management Division)

E. COMMUNITY AND FAMILY SERVICES DEPARTMENT

1. **20-593** Acceptance of University of Florida's appointment of Kevin F. Camm as Manager of Orange County Cooperative Extension Division. All Districts. (Cooperative Extension Division)

F. HEALTH SERVICES DEPARTMENT

1. **20-594** Approval and execution of the renewal Paratransit Services License for Daylight Transportation to provide wheelchair/stretchers service. The term of this license is from April 30, 2020 through April 30, 2022. There is no cost to the County. (EMS Office of the Medical Director)
2. **20-595** Approval and execution of Seminole County Sheriff's Office Subrecipient Agreement for the Overdose Detection Mapping Application Program

(ODMAP) Statewide Expansion and Response Project Cross Sector Partnership Local Site by and between Dennis M. Lemma and Orange County, Florida in the amount of \$80,000 beginning on May 1, 2020 through April 30, 2022, and approval for the County Mayor or designee to approve any increases or decreases in the award amount. No county match is required. (Health Services Department)

3. **20-597** Approval to accept the Federal Health Resources and Services Administration Grant Award for Ending the HIV Epidemic: A Plan for America - Ryan White HIV/AIDS Program Parts A and B for grant years 2020-2025 in an estimated amount of \$5,000,000, including the grant award of \$1,000,000 for the period of March 1, 2020 through February 28, 2021 and approval for the County Mayor or designee to approve any increases or decreases in the award amount. No county match is required. (Fiscal and Operational Support Division)

G. PUBLIC WORKS DEPARTMENT

1. **20-598** Approval of "No Parking" signs installation on Rose Ridge Circle and Coral Way at the fence line of the retention pond. District 6. (Traffic Engineering Division)
2. **20-599** Approval of "No Parking" signs installation on both sides of Hermit Smith Road between West Orange Blossom Trail and Valeview Drive. District 2. (Traffic Engineering Division)
3. **20-600** Approval and execution of (1) Locally Funded Agreement between the State of Florida Department of Transportation and Orange County Financial Management No. 439237-1-52-01 for State Road 535 (South Apopka-Vineland Road) and (2) Financial Management Number 439237-1-52-01 Resolution 2020-M-15 of the Orange County Board of County Commissioners regarding the Locally Funded Agreement with the State of Florida Department of Transportation concerning the resurfacing of State Road 535/South Apopka-Vineland Road from north of Lake Bryan Beach Boulevard to Vineland Avenue in the amount of \$463,571 to upgrade from standard concrete strain poles to galvanized mast arm structures at the intersections of State Road 535 (South Apopka-Vineland Road) and Vistana Avenue; Vistana Center Drive; Meadow Creek Drive/Lake Vining Drive; and Chick-Fil-A driveway. District 1. (Traffic Engineering Division)
4. **20-601** Approval and execution of (1) Resolution 2020-M-16 of the Orange County Board of County Commissioners regarding the Local Agency Program Agreement with the Florida Department of Transportation for the Shingle Creek Trail Phase I Segment 3 Project from W. Taft Vineland Rd. to State Road 528; and (2) State of Florida Department of Transportation Local Agency Program Agreement FPN: 430225-4-58-01/430225-4-68-01. District 1. (Transportation Planning Division)

5. **20-602** Approval to issue Mass Grading/Fill Permit #20-MGF-0018. District 1. (Development Engineering Division)
6. **20-603** Authorization to record the plat of Central Florida Research Park Section IV - Block 23 Replat. District 5. (Development Engineering Division)
7. **20-604** Approval to issue Mass Grading/Fill Permit #20-MGF-0022. District 1. (Development Engineering Division)
8. **20-605** Approval and execution of (1) Resolution 2020-M-17 of the Orange County Board of County Commissioners regarding the Local Agency Program Agreement with the Florida Department of Transportation for the acquisition of right-of-way for intersection improvements at Tiny Road and Tilden Road; and (2) State of Florida Department of Transportation Local Agency Program Agreement FPN: 444788-1-48-01. District 1. (Transportation Planning Division)
9. **20-606** Approval and execution of (1) Resolution 2020-M-18 of the Orange County Board of County Commissioners regarding the Local Agency Program Agreement with the Florida Department of Transportation for the acquisition of right-of-way for intersection improvements at University Boulevard and Dean Road; and (2) State of Florida Department of Transportation Local Agency Program Agreement FPN: 441490-1-48-01. District 5. (Transportation Planning Division)

H. UTILITIES DEPARTMENT

1. **20-607** Approval and execution of Resolution 2020-M-19 of the Orange County Board of County Commissioners regarding the Reimbursement of Certain Costs and Repayment of Interfund Loans relating to the Acquisition, Construction and Equipping of Capital Improvements to its Existing Water and Wastewater Facilities; Providing for an Effective Date. All Districts. (Fiscal and Operational Support Division)
2. **20-608** Approval and execution of Fourth Amendment to the Tohopekaliga Water Authority/Orange County Water and Wastewater Service Territorial Agreement. District 1.

II. INFORMATIONAL ITEMS**

A. COUNTY COMPTROLLER

1. **20-609** Receipt of the following items to file for the record: (Clerk's Office)
 - a. City of Orlando Voluntary Annexation Request: 2217 W. Central Blvd. - ANX2019-10015. Notice of Proposed Enactment, Ordinance 2020-22,

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 of west Central Boulevard, west of Barlow Street, and east of North Ohio Street, and addressed as 2217 Central Boulevard and comprised of 0.327 acres of land, more or less; amending the City's adopted Growth Management Plan to designate the property as Industrial on the City's Official future land use maps; designating the property as Industrial-Commercial 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. The Florida Public Service Commission Consummating Order. In re: Petition for approval of a new depreciation class and for energy storage equipment, by Duke Energy Florida, LLC.

c. Florida Public Service Commission Order Approving Florida Power & Light Company's Light Emitting Diode (LED) Streetlight Tariff and Led Streetlight Agreement. In re: Petition for approval of a permanent optional LED streetlight tariff, by Florida Power & Light Company.

d. Greater Orlando Aviation Authority Comprehensive Annual Financial Report for the Years Ended September 30, 2019 and 2018.

e. Orange County, Florida Comprehensive Annual Financial Report Year Ended September 30, 2019.

f. City of Orlando Voluntary Annexation Request: 5001-5051-5053-5121 -5147 Hoffner Avenue - ANX2019-10011- Ordinance 2020-10. Notice of Proposed Enactment, Ordinance 2020-10, 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, east of Conway Road, south of Simmons Road, and west of South Semoran Boulevard, and comprised of 24.05 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 and Residential Low Intensity on the City's Official Future Land Use Maps; designating the Property as the Low Intensity Office-Residential with the aircraft Noise Overlay District and special plan for Conway Road and Residential Low Development with the Aircraft Noise Overlay District 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

g. City of Orlando Voluntary Annexation Request: Boggy Creek Road Property with Parcel ID 30-24-17-0000-00-030 (ANX2019-10016). Notice of Proposed Enactment, Ordinance 2020-12, 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 Wetherbee Road, south of Tradeport Drive, and west of Boggy Creek Road, and comprised of 1.078 acres of land, more or less; amending the City's boundary description; amending the City's adopted Growth Management Plan to designate the property as Industrial on the City's Official Future Land Use Maps; designating the property as general Industrial with the Aircraft Noise Overlay District 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.

These items were received and filed.

III. DISCUSSION AGENDA

A. ADMINISTRATIVE SERVICES DEPARTMENT

1. **20-610** Selection of one firm and three ranked alternates to provide Engineering Services for Hamlin Water Reclamation Facility Phase 2 Improvements, Request for Proposals Y20-812-TA, from the following four firms, listed alphabetically:

-Atkins North America, Inc.
-Hazen and Sawyer, P.C.
-Jacobs Engineering Group, Inc.
-Tetra Tech, Inc.

([Utilities Department Engineering Division] Procurement Division)

A motion was made by Mayor Demings, seconded by Commissioner Moore, to appoint Hazen and Sawyer, P.C., 505 points, as the selected firm; and further, appoint Atkins North America, Inc., 455 points, Tetra Tech, Inc., 442 points, and Jacobs Engineering Group, Inc., 365 points, as the selected ranked alternates. The motion carried by the following vote:

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

Absent: 1 - Commissioner Uribe

B. COUNTY ADMINISTRATOR

1. **20-611** Covid-19 County Fiscal Update.

The Board took no action.

C. UTILITIES DEPARTMENT

1. **20-612** Wekiwa Springs Septic to Sewer Retrofit Project - Phase 1. District 2.

The Board took no action.

IV. PUBLIC HEARINGS

1. **20-482** Municipal Service Benefit Unit

Hawksmoor Area, amend for streetlighting and for retention pond(s) maintenance; District 1

Consideration: Amend by resolution a Municipal Service Benefit Unit for streetlighting and retention pond(s) maintenance to include Hawksmoor Phase 2 at Hawksmoor Area

Location: District 1; Parcel ID (Multiple Parcels); Section 31, Township 23, Range 27; Orange County, Florida (legal property description on file)

A motion was made by Commissioner VanderLey, seconded by Commissioner Gomez Cordero, 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. **20-483** Municipal Service Benefit Unit

Lakeside Village Area, amend for streetlighting; District 1

Consideration: Amend by resolution a Municipal Service Benefit Unit for streetlighting to include North of Alberts - Westside Replat Subdivision at Lakeside Village Area

Location: District 1; Parcel ID (Multiple Parcels); Section 25, Township 23, Range 27; 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

3. **20-484** Municipal Service Benefit Unit

North of Alberts - Westside and Westside Village Area; District 1

Consideration: Amend by resolution a Municipal Service Benefit Unit for retention pond(s) maintenance to include the one Lot of North of Alberts - Westside Replat at North of Alberts - Westside and Westside Village Area

Location: District 1; Parcel ID (Multiple Parcels); Section 25, Township 23, Range 27; Orange County, Florida (legal property description on file)

A motion was made by Commissioner VanderLey, seconded by Commissioner Uribe, 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

4. **20-485** Municipal Service Benefit Unit

Orlando Central Park Area, amend for streetlighting; District 6

Consideration: Amend by resolution a Municipal Service Benefit Unit for streetlighting to include Presidents Drive Commerce Center and World Design Center Phase 3 at Orlando Central Park Area

Location: District 6; Parcel ID (Multiple Parcels); Sections 28 and 33, Township 23, Range 29; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Siplin, seconded by Commissioner Gomez Cordero, 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

5. **20-486** Municipal Service Benefit Unit

Reserve at Sawgrass and Sawgrass Plantation Areas, amend for streetlighting; District 4

Consideration: Amend by resolution a Municipal Service Benefit Unit for streetlighting to include Reserve at Sawgrass Plantation Phase 6 subdivision at Reserve at Sawgrass and Sawgrass Plantation Areas

Location: District 4; Parcel ID (Multiple Parcels); Sections 20, Township 24, Range 30; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner VanderLey, 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

6. **20-487** Municipal Service Benefit Unit

Reserve at Sawgrass Area, amend for retention pond(s) maintenance;
District 4

Consideration: Amend by resolution a Municipal Service Benefit Unit for retention pond(s) maintenance to include Reserve at Sawgrass Phase 6 at Reserve at Sawgrass Area

Location: District 4; Parcel ID (Multiple Parcels); Section 20, Township 24, Range 30; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Bonilla, 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

7. **20-488** Municipal Service Benefit Unit

Somerset Crossings and Somerset Crossings Tract F Replat, amend for streetlighting and for retention pond(s) maintenance; District 4

Consideration: Amend by resolution a Municipal Service Benefit Unit for streetlighting and retention pond(s) maintenance at Somerset Crossings and Somerset Crossings Tract F Replat

Location: District 4; Parcel ID (Multiple Parcels); Section 28, Township 24, Range 30; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Bonilla, 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

8. **20-420** Board of Zoning Adjustment Board Called

Ocoee Church of God (Pastor Thomas Odom), Case # SE-20-02-164,
February 6, 2020; District 2

Case No.: Board of Zoning Adjustment, Case # SE-20-02-164; February 6, 2020

Consideration: Request for an amendment to an existing Special Exception in the R-2 zoning district to allow for up to 175 students for a K-12 school and to add two additional modular buildings for classrooms.

Location: District 2; property located at 1105 N. Lakewood Avenue, Ocoee, FL; Orange County, Florida (legal property description on file in Zoning Division)

The following person addressed the Board: Thomas Odom.

A motion was made by Commissioner Moore, seconded by Commissioner Siplin, to uphold the recommendation of the Board of Zoning Adjustment; and approve the request subject to the Conditions of Approval with the Board of Zoning Adjustment recommendation. 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

9. **20-212** Petition to Vacate

Matt Suedmeyer, on behalf of Orange County Parks and Recreation Division, Administrative Petition to Vacate 19-01-005, vacate a strip of land; District 6 (Continued from March 10, 2020)

Consideration: Resolution granting Administrative Petition to Vacate # 19-01-005, vacating a strip of land designated as a "Beach".

Location: District 6; The parcel is unaddressed; S22/T22/R28; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Siplin, seconded by Commissioner Gomez Cordero, to approve the request subject to the dedication of a drainage easement over a portion of the 'beach' to be recorded prior to or concurrent with the vacation. 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

10. **20-424** Preliminary Subdivision Plan

Major Stacy, B&S Engineering Consultants, LLC, Lake Steer Subdivision Preliminary Subdivision Plan, Case # PSP-18-09-295; District 1

Consideration: Lake Steer Subdivision Preliminary Subdivision Plan, Case # PSP-18-09-295, submitted in accordance with Orange County Code, Chapter 34, Article III, Section 34-69 and Chapter 30, Article III, Section 30-89; This Preliminary Subdivision Plan (PSP) is a request to subdivide 16.96 acres in order to construct 13 single-family residential dwelling units; This request also includes the following waivers from Orange County Code:

1) A waiver from Orange County Code Section 34-209, Roadway Screen Walls, to allow for a combination of solid six foot (6') masonry wall with wrought iron look fence and pillars adjacent to retention areas with increased landscaping along the right-of-way of South Apopka Vineland Road in lieu of a continuous six foot (6') masonry wall.

2) A waiver from Orange County Code Section 34-250(b), Open Drainage Facilities, to allow for a 5' pond maintenance berm in lieu of a 20' maintenance berm adjacent to the proposed masonry wall and wrought iron fence along the right of way of South Apopka Vineland Road.

Location: District 1; property generally located South of Lexington View Lane / East of South Apopka Vineland Road; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: John Florio.

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 twenty-seven (27) 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

11. **20-426** Preliminary Subdivision Plan

Brian H. Warren, NV5, Inc., Grassmere Reserve Planned Development / Grassmere Reserve Preliminary Subdivision Plan, Case # PSP-19-07-244; District 2

Consideration: Grassmere Reserve Planned Development / Grassmere Reserve Preliminary Subdivision Plan, Case # PSP-19-07-244, submitted in accordance with Orange County Code, Chapter 34, Article III, Section 34-69 and Chapter 30, Article III, Section 30-89; This Preliminary Subdivision Plan (PSP) is a request to subdivide 124.08 acres in order to construct 98 single-family residential dwelling units.

Location: District 2; property generally located South of West Ponkan Road / East of Junction Road; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Brian Warren.

A motion was made by Commissioner Moore, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; and approve the request subject to the twenty-five (25) 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

12. **20-425** Preliminary Subdivision Plan

Val P. Taylor, Hamilton Engineering & Surveying, Inc., Valencia Subdivision Planned Development / Valencia College Lane Subdivision Preliminary Subdivision Plan, Case # PSP 17-11-357; District 3

Consideration: Valencia Subdivision Planned Development / Valencia College Lane Subdivision Preliminary Subdivision Plan, Case # PSP-17-11-357, submitted in accordance with submitted in accordance with Orange County Code, Chapter 34, Article III, Section 34-69 and Chapter 30, Article III, Section 30-89; This Preliminary Subdivision Plan (PSP) is a request to subdivide 7.91 acres in order to construct 60 single-family attached residential dwelling units.

Location: District 3; property generally located North of Valencia College Lane / East of State Road 417; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Dana Crosby-Collier.

A motion was made by Commissioner Uribe, seconded by Commissioner Bonilla, to continue the public hearing until June 2, 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. 20-480 Preliminary Subdivision Plan

Ronald Henson, AVID Group, Epic Retail Clarcona Planned Development / Epic Retail Clarcona Preliminary Subdivision Plan / Lot 1-Wawa Development Plan, Case # PSP 19-01-039; District 2

Consideration: Epic Retail Clarcona Planned Development / Epic Retail Clarcona Preliminary Subdivision Plan / Lot 1 - Wawa Development Plan, Case # PSP-19-01-039, submitted in accordance with Orange County Code, Chapter 34, Article III, Section 34-69 and Chapter 30, Article III, Section 30-89; This Preliminary Subdivision Plan (PSP) is a request to subdivide 9.79 acres into three lots and construct a 6,119 square foot Wawa on Lot 1

Location: District 2; property generally located South of Clarcona Ocoee Road / East of Apopka Vineland Road; Orange County, Florida (legal property description on file in Planning Division)

A motion was made by Commissioner Moore, seconded by Commissioner VanderLey, to make a finding of consistency with the Comprehensive Plan; and approve the request subject to the nineteen (19) 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. 20-234 Planning and Zoning Commission Rezoning Board-Called

Stephen Allen, Civil Corp Engineering, Inc., Case # RZ-19-10-044, December 19, 2019; District 3 (Continued from March 10, 2020)

Case No.: Planning and Zoning Commission, Case # RZ-19-10-044; December 19, 2019

Consideration: Request to consider a rezoning of 3.90 gross acres located at 5177 Hoffner Avenue; or generally located on the west side of Petroff Avenue, 230 feet north of Hoffner Avenue, from R-2 (Residential District) (Restricted) to R-2 (Residential District) in order to construct thirty-eight (38) townhomes.

Location: District 3; property located at 5177 Hoffner Ave; or generally located on the west side of Petroff Avenue, 230 feet north of Hoffner Avenue; Orange County, Florida (legal property description on file in Planning Division)

A motion was made by Commissioner Uribe, seconded by Commissioner Siplin, to continue the public hearing until June 2, 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

15. 20-493 Planning and Zoning Commission Rezoning Board-Called

Kathy Hattaway, Poulos & Bennett, LLC., Case # RZ-19-11-055, February 20, 2020; District 5

Case No.: Planning and Zoning Commission, Case # RZ-19-11-055; February 20, 2020

Consideration: Request is to rezone 292.79 gross acres from R-CE-C (Country Estate Cluster District) to R-CE-C (Country Estate Cluster District) to amend the Lake Pickett Cluster Plan to allow non-lakefront lot size to be a minimum one-third acre within Phases 2, 3, 5, and 6.

Location: District 5; property generally located on the west side of TV Tower Road, north of Lake Pickett Road, and southwest of North Fort Christmas Road; Orange County, Florida (legal property description on file in Planning Division)

The rezoning Board called public hearing #RZ-19-11-055 was canceled and will be re-advertised for a future date.

16. 20-421 Shoreline Alteration/Dredge and Fill

John and Rebecca Madonna, Lake Conway, permit, SADF-20-02-003; District 3

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit SADF # 20-02-003 to construct a new seawall and the placement of riprap along the shoreline of Lake Conway, pursuant to Orange County Code, Chapter 33, Article II, Lake Conway Water and Navigation Control District

Location: District 3; on property located adjacent to Lake Conway, located at 3324 Carla Street, Orlando, FL 32806; Orange County, Florida (legal property description on file in Environmental Protection Division)

The following person submitted a written comment to the Board: Sheila Cichra.

A motion was made by Commissioner Uribe, seconded by Commissioner Gomez Cordero, to accept the findings and recommendation of the Environmental Protection Division; and further, approve the Shoreline Alteration/Dredge and Fill Permit (SADF-20-02-003) for John and Rebecca Madonna, 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

17. 20-508 Shoreline Alteration/Dredge and Fill

Jeremy Spalding and Jessica Smallwood, Lake Fairview, permit, SADF-20-02-004; District 2

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit SADF # 20-02-004 to construct a replacement seawall with the placement of riprap along the shoreline of Lake

Fairview, pursuant to Orange County Code, Chapter 15, Article VI, Pumping and Dredging Control.

Location: District 2; located at 1108 Meadows Avenue, Orlando, FL and adjacent to Lake Fairview; Orange County, Florida (legal property description on file in Environmental Protection Division)

The following person submitted a written comment to the Board: Sheila Cichra.

A motion was made by Commissioner Moore, seconded by Commissioner Uribe, to accept the findings and recommendation of the Environmental Protection Division; and further, approve the Shoreline Alteration/Dredge and Fill Permit (SADF-20-02-004) for Jeremy Spalding and Jessica Smallwood, 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

18. 20-359 Substantial Change

Peter Pensa, AVID Group, Vista Centre Planned Development / Land Use Plan (PD/LUP), Case # CDR-19-10-328, amend plan; District 1

Consideration: A PD substantial change to the Vista Centre PD to permit a Fast Food restaurant on Parcel 1A, and request the following waivers from Orange County Code: 1. A waiver from Section 24-4(a)(2) to provide no landscape strip and no hedge or tree plantings, in lieu of a seven (7) foot landscape strip and tree/hedge plantings along the east boundary of Parcel ID 22-24-28-0000-00-045 and the west boundary of Parcel ID 22-24-28-0000-00-021 (both Parcel 1a), where both abut parcel ID 22-24-28-5112-00-030 (Days Inn Lake Buena Vista PD); 2. A waiver from Section 24-4(a)(2) to provide no landscape strip and no hedge or tree plantings, in lieu of a seven (7) foot landscape strip and tree/hedge plantings on each side of the common boundary between Parcel ID's 22-24-28-0000-00-021 (Parcel 1a) & 22-24-28-0000-00-020 (Parcel 1b) (internal to the PD); 3. A waiver from Section 24-4(a)(2) to provide a three (3) foot minimum/seven (7) foot average landscape strip, in lieu of a seven (7) foot landscape strip along the north boundary of Parcel ID's 22-24-28-0000-00-021 & 22-24-28-0000-00-045 (both Parcel 1a); 4. A waiver from Section 38-1272(a)(3) to allow a rear yard setback reduction from twenty-five (25) feet to twenty (20) feet (for the building) and five (5) feet (for the drive-thru facility porte-cochere) on Parcel ID 22-24-28-0000-00-021 (Parcel 1a); 5. A waiver from PD boundary rear setback to allow a rear yard setback reduction from twenty (20) feet to five (5) feet for the drive-thru facility porte-cochere on Parcel id # 22-24-28-0000-00-021 (Parcel 1a); 6. A waiver from Section 38-1287(4) to allow a side yard pavement setback of zero (0) feet, in lieu of thirty (30) feet along the east boundary of Parcel ID 22-24-28-0000-00-045 and the west boundary of Parcel ID 22-24-28-0000-00-021 (both Parcel 1a), where both abut Parcel ID 22-24-28-5112-00-030 (Days Inn Lake Buena Vista PD); 7. A waiver from Section 38-1287(4) to allow a side yard pavement setback of zero (0) feet, in lieu of thirty (30) feet on each side of the common boundary between Parcel ID's 22-24-28-0000-00-021 (Parcel 1a) & 22-24-28-0000-00-020 (Parcel 1b) (internal to the PD); 8. A waiver from Section 38-1287(4) to

allow a rear yard pavement setback reduction from twenty (20) feet to three (3) foot minimum/seven (7) foot average along the north boundary of Parcel ID's 22-24-28-0000-00-021 & 22-24-28-0000-00-045 (both Parcel 1a); 9. A waiver from Section 38-1287(4) to allow a front yard pavement setback reduction from twenty-five (25) feet to twenty (20) feet on Parcel ID's 22-24-28-0000-00-021 & 22-24-28-0000-00-045 (both Parcel 1a). pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 1; property generally located north of Palm Parkway and east of S. Apopka Vineland Road, Orange County, Florida (legal property description on file in Planning Division)

The following persons addressed the Board:

-Peter Pensa
-Vivien Monaco
-Tom Sullivan

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

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 Vivien Monaco.

A motion was made by Commissioner VanderLey, seconded by Commissioner Siplin, to make a finding of consistency with the Comprehensive Plan; and approve the substantial change request subject to the fourteen (14) 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

19. 20-363 Substantial Change

Peter Pensa, AVID Group, Days Inn Lake Buena Vista Planned Development / Land Use Plan (PD/LUP), Case # CDR-19-10-327, amend plan; District 1

Consideration: A PD substantial change to the Days Inn Lake Buena Vista PD to request the following waivers from Orange County Code: 1. A waiver from Chapter 24-4(a)(2) to provide no landscape strip and no hedge or tree plantings, in lieu of a seven (7) foot landscape strip and hedge/tree plantings along the west and east boundaries that abut Parcel ID's 22-24-28-0000-00-021 and 22-24-28-0000-00-045 (Vista Centre PD); 2. A waiver from Chapter 38-1278(4) to allow a side yard pavement setback of zero (0) feet, in lieu of thirty (30) feet along the west and east boundaries that abut Parcel ID's 22-24-28-0000-00-021 and 22-24-28-0000-00-045 (Vista Centre PD); pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 1; property generally located north of Palm Parkway and east of S. Apopka Vineland Road; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Peter Pensa.

A motion was made by Commissioner VanderLey, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; and approve the substantial change request subject to the fifteen (15) 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

20. 20-428 Substantial Change

Jonathan Huels, Lowndes, Drosdick, Doster, Kantor & Reed, P.A., Little Lake Bryan Planned Development / Land Use Plan (PD / LUP), Case # CDR-20-02-046, amend plan; District 1

Consideration: A PD substantial change request to the Little Lake Bryan PD to modify BCC Condition of Approval #4 from August 4, 2015, to relocate the required dedication of a 15-foot transit easement and 20-foot landscape, pedestrian and utility easement on Vineland Avenue to International Drive, as originally approved by the BCC on March 8, 1994; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 1; property generally located east of Vineland Avenue, west of International Drive, and south of Little Lake Bryan Parkway; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Jonathan Huels.

A motion was made by Commissioner VanderLey, seconded by Commissioner Siplin, to make a finding of consistency with the Comprehensive Plan; and approve the substantial change request subject to the seven (7) 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

21. 20-427 Rezoning

Jonathan Martin, Kimley-Horn and Associates, Inc., Waterstar Orlando Planned Development / Land Use Plan (PD / LUP), Case # LUP-19-04-119; District 1

Consideration: A PD substantial change to rezone 33.638 gross acres from PD (Black Lake Parcel PD), PD (Imported Gifts PD), and PD (Samuel Grimes PD) to PD in order to create the Waterstar Orlando PD with a development program of 250,000 square feet of Commercial uses, 250 Hotel Rooms, and 320 Multi-Family Dwelling Units.

In addition, the applicant has requested the following waivers from Orange County Code:

- 1) A waiver from Section 24-4(a)(2), to allow all landscape buffer widths reduced to zero (0) feet between internal parcels of the PD in lieu of a 7' wide landscape buffer for Parcels A and B.
- 2) A waiver from Section 24-5(a)(3) is requested to allow for no buffer between internal uses within the PD in lieu of the requirement for a Type C, opaque buffer.
- 3) A waiver from Section 38-1251(b) is requested to allow a maximum building coverage of all buildings up to thirty five percent (35%) for Parcel A in lieu of thirty percent (30%).
- 4) A waiver from Section 38-1251(d) is requested to allow multi-family buildings within Parcel A a maximum height of sixty (60) feet / four (4) stories in lieu of a maximum height of 35 feet.
- 5) A waiver Section 38-1253 is requested to allow all of the Parcel B plaza adjacent to Parcel A to be used as a portion of the required Active and Passive recreation facilities for Parcel A in lieu of being located solely on the Multi-Family Parcel A.
- 6) A waiver from Section 38-1254 (1) to allow no increase in the twenty-five foot (25') PD boundary building setback for structures in excess of two (2) stories for Parcel A in lieu of increase to reflect additional structural height.
- 7) A waiver from Section 38-1258(j) is requested to allow no increase in building separation for Parcel A in lieu of proportional increase due to increased structural height and allow minimum setbacks between three (3) story buildings be twenty feet (20') for Parcel A in lieu of forty feet (40').
- 8) A waiver from Section 38-1272 (a)(1) is requested to allow eighty (80) percent impervious coverage for Parcel B in lieu of seventy (70) percent.
- 9) A waiver is requested from Section 38-1272 (3), to allow all paving setbacks reduced to zero (0) feet between internal parcels of the PD in lieu of a 10' side and rear setback for commercial abutting commercial and a 25' setback for commercial abutting residential for Parcel B.
- 10) A waiver is requested from Section 38-1476(A) to allow for multi-family parking at a ratio of one and six-tenths (1.6) spaces per multi-family unit regardless of bedroom count, in lieu of one and one-half (1.5) spaces for efficiencies and one-bedroom units and two (2) spaces for two (2) and three (3) bedroom units; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 1; property generally located north of Irlo Bronson Memorial Highway and east of East Orange Lake Boulevard; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Jonathan Martin.

A motion was made by Commissioner VanderLey, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; and approve the rezoning request from PD (Black Lake Parcel PD), PD (Imported Gifts PD), and PD (Samuel Grimes PD) to PD in order to create the Waterstar Orlando PD with a development program of 250,000 square feet of Commercial uses, 250 Hotel Rooms, and 320 Multi-Family Dwelling Units, subject to the eighteen (18) conditions of approval listed under the Planning and Zoning Commission 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

22. 20-478 Agreement

Eighth Amendment to the Restated Interlocal Agreement for Joint Planning Area between Orange County and City of Winter Garden; District 1

Consideration: Eighth Amendment to the Restated Interlocal Agreement for Joint Planning Area between Orange County and City of Winter Garden

A motion was made by Commissioner VanderLey, seconded by Commissioner Siplin, to approve and execute the Eighth Amendment to the Restated Interlocal Agreement for Joint Planning Area between Orange County and the City of Winter Garden. 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

√ **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>.

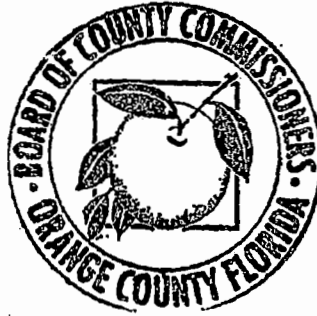
ADJOURNMENT: 3:31 p.m.

ATTEST:

Jerry L. Demings

for County Mayor Jerry L. Demings

Date: MAY 19 2020



ATTEST SIGNATURE:

Phil Diamond
County Comptroller as Clerk

Katie Smith

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.