

Orange County Government

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



Draft Meeting Minutes

Tuesday, November 29, 2022

9:00 AM

County Commission Chambers

Board of County Commissioners

Call to Order

County Vice Mayor Mayra Uribe called the meeting to order at 9:03 a.m.

Present: 6 - Commissioner Nicole Wilson, Commissioner Christine Moore, Commissioner Mayra Uribe, Commissioner Maribel Gomez Cordero, Commissioner Emily Bonilla, and Commissioner Victoria P. Siplin

Absent: 1 - Mayor Jerry L. Demings

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 Lakela Louis
Minutes Coordinator Megan Fiocco

Invocation - District 3

Father Francisco J. Ojeda, St. John Vianney Catholic Church

Pledge of Allegiance

Presentation

Proclamation designating December 10, 2022 as Pine Hills Re-Establishment Day

Presentation

Proclamation recognizing November as Child Safety Month

Public Comment

The following persons addressed the Board for public comment:

- Florida State House Representative Anna Eskamani
- Roselyn Clouden
- Justin Harvey
- Nicole King
- Kerry Abrahamsen
- Jairo Serrano
- Andrea Montanez
- Felipe Lazaballet
- Gail Gardner

- Carmen Nova
- Rasi Chable Lara
- Miles Mulrain
- Charlotte Davis
- Isabel Sam
- Evelin Quen
- Ericka Gomez Tejeda
- Marquis McKenzie
- Dana Thomas
- Brit Galvin
- Chasman Barnes
- Charles T. Myers
- Cynthia Laurent
- William Steele
- Steve Simpson
- Ruth Desrosievs
- Wes Hodge
- Gina Brown

I. CONSENT AGENDA

Approval of the Consent Agenda

The Vice Mayor corrected the date, under the asset description for County Comptroller Item 3, to reflect a 2020 pickup truck; and further, a motion was made by Commissioner Bonilla, seconded by Commissioner Moore, to approve the balance of the Consent Agenda. The motion carried by the following vote:

Aye: 6 - Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

Absent: 1 - Mayor Demings

A. COUNTY MAYOR

1. **22-1486** Approval and execution of Orange County, Florida FY 2023 Grant Agreements for the period of October 1, 2022 through September 30, 2023 by and between 1) University of Central Florida Research Foundation, Inc. in the amount of \$200,000; 2) University of Central Florida Research Foundation, Inc. in the amount of \$230,000; 3) Black Business Community Development Corporation in the amount of \$157,432; 4) Black Orlando Tech, Inc. in the amount of \$200,000; 5) CFF I, LLC in the amount of \$100,000; 6) Starter Studio FL, Inc. in the amount of \$155,000; 7) National Center for Simulation in the amount of \$39,022; and 8) Social, Employment & Educational Impact Corp. in the amount of \$75,000, for a total amount of \$1,156,454. (Office of Economic, Trade and Tourism Development)

2. **22-1487** Approval and execution of 1) Agreement for Economic Development Services Orlando Economic Partnership, Inc. and Orange County Fiscal Year 2022-2023 and authorization to disburse \$756,403 as provided in the FY 2022-2023 adopted budget and 2) Orange County, Florida and Orlando Economic Partnership, Inc. Agreement related to an Industrial Development Authority Fiscal Year 2022-2023. (Office of Economic, Trade and Tourism Development)
3. **22-1488** Approval and execution of Orange County, Florida and University of Central Florida Research Foundation, Inc. Amendment to FY 2021-22 Grant Agreement to extend the terms of the FY21-22 grant agreements to December 31, 2022. (Office of Economic, Trade and Tourism Development)

B. COUNTY COMPTROLLER

1. **22-1489** Approval and execution of the minutes of the October 25, 2022 meeting of the Board of County Commissioners. (Clerk's Office)
2. **22-1490** Approval of the check register authorizing the most recently disbursed County funds, having been certified that same have not been drawn on overexpended accounts. Periods are as follows:
 - November 11, 2022, to November 17, 2022; \$47,185,849.94
 - November 18, 2022, to November 22, 2022; \$21,335,201.13(Finance/Accounting)
3. **22-1491** Disposition of Tangible Personal Property as follows. (Property Accounting)
 - a. Remove lost assets from inventory.
 - b. Scrap asset.
 - c. Allow vendor to repurchase asset.

(This item was corrected.)

C. COUNTY ADMINISTRATOR

1. **22-1492** Confirmation of Commissioner Wilson's reappointment to the Big Sand Lake Advisory Board of Nate Douglas with a term expiring December 31, 2023 and John D. Jennings, Alan C. Charron, Rick Barry, Victor Jaworski, and Christopher J. Scott with terms expiring December 31, 2024. (Agenda Development Office)
2. **22-1493** Confirmation of Commissioner Bonilla's reappointment of Heath C. Costantine to the Lake Killarney Advisory Board with a term expiring December 31, 2024. (Agenda Development Office)

3. **22-1494** Confirmation of Commissioner Bonilla's reappointment of Elizabeth M. Gray to the Lake Pearl Advisory Board with a term expiring December 31, 2024. (Agenda Development Office)
4. **22-1495** Confirmation of Commissioner Bonilla's reappointment to the Lake Price Advisory Board of Amanda Bova and Linda E. Gooch with terms expiring December 31, 2023 and KC Keller with a term expiring December 31, 2024. (Agenda Development Office)
5. **22-1496** Confirmation of Commissioner Bonilla's reappointment of Mike D. Ossmer to the Little Lake Fairview Advisory Board with a term expiring December 31, 2024. (Agenda Development Office)
6. **22-1497** Approval for the Orange County Sheriff's Office to spend \$25,000 from the FY 2023 Law Enforcement Trust Fund-State Forfeitures for an eligible contribution to the Heart of Florida United Way. (Office of Management and Budget)
7. **22-1498** Approval of budget amendment #23-03. (Office of Management and Budget)

D. COUNTY ATTORNEY

1. **22-1499** Approval and execution of Resolution 2022-M-59 of the Orange County Board of County Commissioners Regarding Settlement with Walmart, 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 Walmart, Inc. and delegation of authority to Orange County Administrator to execute the required documentation to enter into the settlement with Walmart, Inc.

E. ADMINISTRATIVE SERVICES DEPARTMENT

1. **22-1500** Approval to award Invitation for Bids Y22-1069-GO, Class III Landfill for Disposal of Construction, Demolition & Vegetative Yard Waste Material, to the low responsive and responsible bidder, Hubbard Construction Company dba Mid Florida Materials. The estimated contract award amount is \$1,379,280 for the base year. ([Public Works Department Roads and Drainage Division] Procurement Division)
2. **22-1501** Approval to award Invitation for Bids Y22-1087-MV, Cleaning of Catch Basin Sediment Filter Baskets, to the low responsive and responsible bidder, Aristocuts Lawn & Garden Services, Inc. The estimated contract award amount is \$215,423 for a one-year term. ([Planning, Environmental, and Development Services Department Environmental Protection Division] Procurement Division)

3. **22-1502** Approval to award Invitation for Bids Y22-7009-EB, Orlo Vista Flood Mitigation Construction, to the low responsive and responsible bidder, Thalle Construction Co., Inc. The total contract award amount is \$21,551,322. ([Public Works Department Stormwater Management Division] Procurement Division)
4. **22-1503** Approval to award Invitation for Bids Y22-7034-CC, Courthouse Complex Mechanical and Fire Protection Upgrades Phase I, to the low responsive and responsible bidder, Air Mechanical & Service Corp. The total contract award amount is \$11,972,000. ([Administrative Services Department Capital Projects Division] Procurement Division)
5. **22-1504** Approval to award Invitation for Bids Y22-7040-ZR, Force Main East Area Package 1, to the low responsive and responsible bidder, Cathcart Construction Company - Florida, LLC. The total contract award amount is \$2,135,180. ([Utilities Department Engineering Division] Procurement Division)
6. **22-1505** Approval to award Invitation for Bids Y22-7045-RC, Orange County Convention Center Campus Dry Sprinkler Pipe Replacement, to the low responsive and responsible bidder, J. Kokolakis Contracting, Inc. dba Kokolakis Contracting. The total contract award amount is \$14,627,940, inclusive of additives number one and two. ([Convention Center Facilities Operations Division] Procurement Division)
7. **22-1506** Approval to award Invitation for Bids Y22-7046-R2, Mable Butler Building Chiller Replacement, to the low responsive and responsible bidder, Air Mechanical & Service Corp. The total contract award amount is \$478,000. ([Administrative Services Department Facilities Management Division] Procurement Division)
8. **22-1507** Approval to award Invitation for Bids Y22-7052-CR, Internal Operations Center I Chiller Replacement, to the low responsive and responsible bidder, Air Mechanical & Service Corp. The total contract award amount is \$865,832. ([Administrative Services Department Capital Projects Division] Procurement Division)
9. **22-1508** Approval to award Invitation for Bids Y23-728-CC, Emergency Michigan Campus Juvenile Justice Center Roof Replacement and Heating Ventilation and Air Conditioning, to the low responsive and responsible bidder, Advanced Roofing, Inc. The total contract award amount is \$3,403,372, inclusive of additive numbers one and two. ([Administrative Services Department Capital Projects Division] Procurement Division)
10. **22-1509** Approval of Amendment No. 12, Contract Y17-1095C, Fire Rescue HazMat Supplies and Equipment, with Fisher Scientific Company, LLC, in the amount of \$756,000, for a revised total contract amount of \$3,708,050. ([Fire

Rescue Department Infrastructure and Asset Management Division]
Procurement Division)

11. **22-1510** Approval of Amendment No. 12, Contract Y17-1095D, Fire Rescue HazMat Supplies and Equipment, with Municipal Emergency Services, Inc., in the amount of \$535,000, for a revised total contract amount of \$1,070,000. ([Fire Rescue Department Infrastructure and Asset Management Division] Procurement Division)
12. **22-1511** Approval of Amendment No. 8, Contract Y17-1095H, Fire Rescue HazMat Supplies and Equipment, with Ten-8 Fire Equipment, Inc., in the amount of \$225,000, for a revised total contract amount of \$970,000. ([Fire Rescue Department Infrastructure and Asset Management Division] Procurement Division)
13. **22-1512** Approval of Amendment No. 1, Contract Y19-1153, Yard Trash Grinding, with Camo Farms, Inc., in the amount of \$119,385.90, for a revised estimated contract amount of \$2,460,285.90. ([Utilities Department Solid Waste Division] Procurement Division)
14. **22-1513** Approval of Amendment No. 2, Contract Y20-1055, Meter Boxes, with Core & Main LP, in the amount of \$487,840.45, for a revised estimated contract amount of \$5,090,687.65. ([Utilities Department Field Services Division] Procurement Division)
15. **22-1514** Approval of Amendment No. 5, Contract Y20-1059, Safety-Toed Footwear, with Safety Shoe Distributors LLP, in the amount of \$50,000, for a revised total contract amount of \$210,683.05. ([Utilities Department Fiscal and Operational Support Division] Procurement Division)
16. **22-1515** Approval of Amendment No. 4, Contract Y20-2007, Provision of Community Services and Facility Use, with Big Brothers Big Sisters of Central Florida, Inc., in the amount of \$325,000, for a revised contract total amount of \$975,000. ([Community and Family Services Department Citizens' Commission for Children Division] Procurement Division)
17. **22-1516** Approval of Amendment No. 4, Contract Y20-2019, Provision of Community Services and Facility Use, with Employ U, Inc., in the amount of \$150,000, for a revised contract total amount of \$450,000. ([Community and Family Services Department Citizens' Commission for Children Division] Procurement Division)
18. **22-1517** Approval of Purchase Order M109328, Renewal of Software Support and Licensing for Geographic Information System Software, with Environmental Systems Research Institute, Inc. (ESRI), in the amount of \$183,992.60. ([Administration and Fiscal Services Information Systems and Services Division] Procurement Division)

19. **22-1518** Approval of Purchase Order M109335, 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 \$700,000. ([Utilities Department Customer Service Division] Procurement Division)
20. **22-1519** Ratification of Amendment No. 5, Contract Y19-1138, Emergency and Temporary Heating, Ventilation and Air Conditioning (HVAC) Equipment Rental and Installation Services, with Portable Air L.C., in the amount of \$50,000, for a revised contract total amount of \$795,820. ([Administrative Services Department Facilities Management Division] Procurement Division)
21. **22-1520** Approval of Task Authorization No. 10, Contract Y20-905D, Utilities Continuing Engineering Services, with Tetra Tech, Inc., in the total amount of \$501,614.27. ([Utilities Department Engineering Division] Procurement Division)
22. **22-1521** Approval of Task Authorization No. 12, Contract Y20-905E, Engineering and Construction Administration Services for Pump Station Package 49 Improvements, with Barnes, Ferland, and Associates, Inc., in the total amount of \$535,135.39. ([Utilities Department Engineering Division] Procurement Division)
23. **22-1522** Approval and execution of Option and Land Lease Agreement between Beck Agricultural Holdings, LLLP and Orange County, Florida and authorization for the Real Estate Management Division to exercise the initial Option, execute the Memorandum of Lease, exercise renewal options, execute estoppel certificates, furnish notices, and execute amendments, required or allowed by the Land Lease Agreement, as needed for Emergency Services Radio Tower 13608 Overstreet Road, Windermere, Florida 34786. Lease File #10157. District 1. (Real Estate Management Division)
24. **22-1523** Approval and execution of Contract for Purchase and Sale by and between Jo Ann Reynolds, as Personal Representative of the Estate of Jack W. Reynolds, Thomas A Norris, as Trustee of the Thomas A. Norris Revocable Trust dated August 8, 2003, Donald T. Youngs, Sr. and Barbara E. Youngs, as Co-Trustees under agreement dated January 10, 2001 and known as the Youngs Living Trust, and RM Properties, Incorporated, and Orange County, and authorization for the Manager of the Real Estate Management Division to exercise all delegations of authority expressly provided for by the Contract for Purchase and Sale, and to disburse funds to pay purchase price in the amount of \$1,453,000, and perform all actions necessary and incidental to closing for Green PLACE Parcel 159. District 5. (Real Estate Management Division)

25. **22-1524** Approval and execution of Contract for Purchase and Sale by and between Narut Land Company Inc and Orange County and authorization for the Manager of the Real Estate Management Division to exercise all delegations of authority expressly provided for by the Contract for Purchase and Sale, and to disburse funds to pay purchase price in the amount of \$3,356,840 and perform all actions necessary and incidental to closing for Green PLACE Parcel 172. District 5. (Real Estate Management Division)
26. **22-1525** Approval and execution of Temporary Easement Agreement by Woodward Ave. MHP LLC and Orange County, Florida and authorization to disburse funds to pay the purchase price and recording fees, and record instrument for Fire Station #20 - Groundwater Remediation. District 2. (Real Estate Management Division)

F. COMMUNITY AND FAMILY SERVICES DEPARTMENT

1. **22-1526** Approval and execution of Low-Income Household Water Assistance Program Vendor Agreement between Orange County, Florida and Town of Eatonville, Florida. All Districts. (Community Action Division)
2. **22-1527** Approval and execution of Low-Income Household Water Assistance Program Vendor Agreement between Orange County, Florida and City of Winter Garden, Florida. All Districts. (Community Action Division)

G. CONVENTION CENTER DEPARTMENT

1. **22-1528** Approval and execution of Electric Vehicle DC Fast Charging Site Host Agreement between the Orlando Utilities Commission and Orange County, Florida. (Facility Operations Division)

H. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

1. **22-1529** Acceptance of the findings and recommendation of the Environmental Protection Commission and approval of the request for waiver to Orange County Code, Chapter 15, Article IX, Section 15-342(b) to increase the maximum allowable terminal platform size from 350 square feet to 486 square feet with a mitigation payment of \$325.38 to the Conservation Trust Fund within 60 days of the decision of the Board of County Commissioners for the Calvin Wimbish Dock Construction Permit BD-21-10-140. District 1. (Environmental Protection Division)
2. **22-1530** Approval and execution of Orange County, Florida, Resolutions Establishing Special Assessment Liens for Lot Cleaning Services and approval to record Special Assessment Liens on property cleaned by Orange County, pursuant to Orange County Code, Chapter 28, Nuisances, Article II, Lot Cleaning. Districts 1, 2, 3, and 6. (Neighborhood Services Division)

LC 22-0439	LC 23-0006	LC 22-0395	LC 22-0428	LC 22-0443
LC 22-0433	LC 22-0468	LC 22-0409	LC 22-0430	LC 22-0444
LC 22-0446	LC 23-0008	LC 22-0417	LC 22-0431	LC 22-0452
LC 22-0484	LC 22-0279	LC 22-0426	LC 22-0432	LC 22-0477

I. PUBLIC WORKS DEPARTMENT

1. **22-1531** Approval and execution of Project Addendum to Master Agreement by and between CSX Transportation, Inc. and Orange County for the construction engineering work of the grade crossing surface at CSX Railroad Crossing No. 643865F on Presidents Drive, north of West Sand Lake Road and authorization to disburse \$345,235 for the construction engineering work. District 6. (Roads and Drainage Division)

2. **22-1532** Approval of Change Order No. 3, Contract Y21-715, Avenue C Canal Drainage Improvements Project Phase I, with Valencia Construction Group in the amount of \$96,412.53, for a revised total contract amount of \$1,388,793.03. District 3. (Roads and Drainage Division)

Clerk's Note: For Comptroller Consent Item 3, an additional correction was made regarding the original cost for Asset Number 016687. The cost should reflect \$56,324.00 as opposed to \$55,974.00.

II. INFORMATIONAL ITEMS**

A. COUNTY COMPTROLLER

1. **22-1533** Receipt of the following items to file for the record: (Clerk's Office)
 - a. Florida Public Service Commission Order Implementing Duke Energy Florida, LLC's Return on Equity Trigger. In re: Petition for limited proceeding to implement return on equity trigger provision of 2021 settlement agreement, by Duke Energy Florida, LLC.

 - b. Florida Public Service Commission Order Implementing Florida Power & Light Company's Return on Equity Trigger In re: Petition for rate increase by Florida Power & Light Company.

 - c. Florida Public Service Commission Amended Order Implementing Florida Power & Light Company's Return On Equity Trigger. In re: Petition for rate increase by Florida Power & Light Company.

 - d. Florida Public Service Commission Consummating Order. In re: Petition for approval of modifications to rate schedule tariff sheet No. 4.122 and determination under Rule 25-6.115(12), F.A.C, Duke Energy Florida, LLC.

e. Riverwalk Community Development District Proposed Budget Fiscal Years 2022 & 2023.

f. Randal Park Community Development District Fiscal Year 2023 Meeting Schedule.

g. Riverwalk Community Development District Map, attached Legal Description which will serve as the Charter for the District, as shown in attached Ordinance No. 2022-44 entitled: An Ordinance granting petition of Pulte Home Company, LLC, establishing and naming the Riverwalk Community Development District pursuant to Chapter 190, Florida Statutes; describing the external boundaries, the functions and the powers of the District; designating five persons to serve as the initial members of the District's Board of Supervisors; providing a severability clause and an effective date., attached Resolution 2022-04 entitled: A Resolution adopted by the Riverwalk Community Development Districts designating a registered agent and registered office of the district and providing for an effective date, attached notice of meeting schedule of the Board of Supervisors for Fiscal Year 2023.

These items were received and filed.

III. DISCUSSION AGENDA

A. ADMINISTRATIVE SERVICES DEPARTMENT

1. **22-1534** Selection of one firm and an alternate to provide Construction Engineering Inspection (CEI) Services for the Buck Road Bridge Project, Request for Proposals Y22-808-TA, from the following two firms, listed alphabetically:

- CDM Smith, Inc.
- Civil/Site Engineering, Inc.

([Public Works Department Highway Construction Division] Procurement Division)

A motion was made by Commissioner Uribe, seconded by Commissioner Gomez Cordero, to appoint Civil/Site Engineering, Inc., 466.25 points, as the selected firm; and further, appoint CDM Smith, Inc., 391.67 points, as the selected alternate. The motion carried by the following vote:

Aye: 6 - Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

Absent: 1 - Mayor Demings

B. COMMISSIONER'S REPORT

1. **22-1535** Commissioner Wilson would like to discuss Community IDs.

Board discussion ensued.

AYE vote cast by voice vote for County staff to move forward on research regarding community IDs as follows: Vice Mayor Uribe, Commissioner Wilson, Commissioner Moore, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin.

C. COUNTY ADMINISTRATOR

1. **22-1536** Reappointment to the Maitland Community Redevelopment Agency.

A motion was made by Commissioner Bonilla, seconded by Commissioner Siplin, to reappoint Teresa Garrett to the Maitland Community Redevelopment Agency. The motion carried by the following vote:

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

Absent: 2 - Mayor Demings, and Commissioner Wilson

D. PLANNING, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

1. **22-1537** Tenant Bill of Rights Draft Ordinance.

The Board took no action.

IV. WORK SESSION AGENDA**A. PUBLIC WORKS DEPARTMENT**

1. **22-1538** Rio Grande Pedestrian/Bicycle Safety Project. (Traffic Engineering Division)

The Board took no action.

V. RECOMMENDATIONS

1. **22-1539** November 3, 2022 Board of Zoning Adjustment Recommendations

A motion was made by Commissioner Siplin, seconded by Commissioner Gomez Cordero, to approve the recommendations, with the exception of Case # VA-22-08-060, Michael Miles for Orlando Commerce Center (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: 6 - Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

Absent: 1 - Mayor Demings

VI. PUBLIC HEARINGS

A. Shoreline Alteration Dredge and Fill Permit

1. **22-1335** Case # SADF-22-05-017

John and Carrie Russo, Lake Down, permit; District 1

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit SADF # 22-05-017 to authorize the construction of a replacement vinyl seawall, faced with riprap and plantings, along the shoreline of the property; pursuant to Orange County Code, Chapter 33, Article IV, Windermere Water and Navigation Control District

Location: District 1; on property located adjacent to Lake Down, property located at 10844 Bayshore Drive, Windermere, FL 34786, Orange County, Florida (legal property description on file in Environmental Protection Division)

A motion was made by Commissioner Wilson, seconded by Commissioner Moore, to accept the findings and recommendation of the Environmental Protection Division; and further, approve the Shoreline Alteration/Dredge and Fill Permit (SADF-22-05-017) subject to the twenty-eight (28) conditions of approval listed in the staff report dated October 28, 2022. The motion carried by the following vote:

Aye: 6 - Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

Absent: 1 - Mayor Demings

2. **22-1394** Case # SADF-22-04-014

Preston and Vicki Wade, Lake Speer, permit; District 1

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit SADF # 22-04-014 to authorize the construction of a new vinyl seawall to support a cantilevered boat dock along a portion of the shoreline; pursuant to Orange County Code, Chapter 15, Article VI, Pumping and Dredging Control

Location: District 1; on property located along a canal leading to Lake Speer, property located at 6232 Crescent Moon Court, Windermere, FL 34786; Orange County, Florida (legal property description on file in Environmental Protection Division)

A motion was made by Commissioner Wilson, seconded by Commissioner Moore, to accept the findings and recommendation of the Environmental Protection Division; and further, approve the Shoreline Alteration/Dredge and Fill Permit (SADF-22-04-014) subject to the twenty-six (26) conditions of approval listed in the staff report dated October 28, 2022. The motion carried by the following vote:

Aye: 6 - Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

Absent: 1 - Mayor Demings

B. Conservation Area Impact

3. **22-1336** Case # CAI-22-03-023

Banksville of Florida, Inc. and Nivesa of Florida, Inc.; The Grow; permit; District 5

Consideration: A request for a Conservation Area Impact (CAI) permit to impact wetlands in order to construct portions of a development known as The Grow (North).

Location: District 5; property located at 2513 S. Tanner Road and 16562 Lake Pickett Road, Orlando, FL 32820; Orange County, Florida (legal property description on file in Planning Division)

A motion was made by Commissioner Bonilla, seconded by Commissioner Gomez Cordero, to continue the public hearing until January 10, 2023, at 2 p.m. The motion carried by the following vote:

Aye: 6 - Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

Absent: 1 - Mayor Demings

and

C. Preliminary Subdivision Plan

4. **22-1395** Case # PSP-22-03-087

Adam Smith, VHB, Inc., The Grow Planned Development - Regulating Plan / The Grow - Parcels F1 & F2 Preliminary Subdivision Plan; District 5

Consideration: The Grow Planned Development - Regulating Plan / The Grow - Parcels F1 & F2 Preliminary Subdivision Plan, Case # PSP-22-03-087, submitted in accordance with Orange County Code, Chapter 34, Article III, Section 34-69 and Chapter 30, Article III, Section 30-89; This request is to subdivide 732.52 acres in order to construct 1,070 single-family detached residential dwelling units and 122 single-family attached residential dwelling units. In addition, a waiver from Orange County Code Section 34-152(c) is requested to allow lots to front a mew, park, open space, etc., instead of a County roadway.

Location: District 5; property generally located north of East Colonial Drive / East of Chuluota Road; Orange County, Florida (legal property description on file in Planning Division)

This public hearing was continued.

5. 22-1403 Case # PSP-22-06-220

Robert Paymayesh, PE Group, LLC, Ten Acres International Orlando Planned Development / Ten Acres International Orlando Preliminary Subdivision Plan; District 1

(Continued from November 29, 2022)

Consideration: Ten Acres International Orlando Planned Development / Ten Acres International Orlando Preliminary Subdivision Plan, Case # PSP-22-06-220, submitted in accordance with Orange County Code, Chapter 34, Article III, Section 34-69 and Chapter 30, Article III, Section 30-89; This request is to subdivide 29.89 acres in order to create one (1) lot.

Location: District 1; property generally located Northwest of South International Drive / East of Interstate 4; Orange County, Florida (legal property description on file in Planning Division)

A motion was made by Commissioner Wilson, seconded by Commissioner Moore, to continue the public hearing until December 13, 2022, at 2 p.m. The motion carried by the following vote:

Aye: 6 - Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

Absent: 1 - Mayor Demings

6. 22-1404 Case # PSP-21-09-276

Momtaz Barq, Terra-Max Engineering, Inc., Sable Village Preliminary Subdivision Plan; District 2 (Continued from November 29, 2022)

Consideration: Sable Village Preliminary Subdivision Plan, Case # PSP-21-09-276, 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 6.83 acres in order to construct 24 single-family residential dwelling units.

Location: District 2; property generally located Northwest of Beggs Road / East of North Orange Blossom Trail; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Chris Sturm.

A motion was made by Commissioner Moore, seconded by Commissioner Bonilla, to continue the public hearing until December 13, 2022, at 2 p.m. The motion carried by the following vote:

Aye: 6 - Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

Absent: 1 - Mayor Demings

7. 22-1334 Case # PSP-21-06-167

Brian Forster, Land Design, Ward Property Planned Development / Nona West Townhomes Preliminary Subdivision Plan; District 4 (Continued from November 15, 2022)

Consideration: Ward Property Planned Development / Nona West Townhomes Preliminary

Subdivision Plan, Case # PSP-21-06-167, submitted in accordance with Orange County Code, Chapter 34, Article III, Section 34-69 and Chapter 30, Article III, Section 30-89; This request is to subdivide 17.25 acres in order to construct 188 single-family attached residential dwelling units.

Location: District 4; property generally located North of Simpson Road / West of Boggy Creek Road, 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 Gomez Cordero, seconded by Commissioner Bonilla, to make a finding of consistency with the Comprehensive Plan; and further, approve the request subject to the twenty-five (25) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated November 15, 2022. The motion carried by the following vote:

Aye: 6 - Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

Absent: 1 - Mayor Demings

D. Rezoning

8. **22-1398** Case # LUP-21-12-377

Dwight Saathoff, Project Finance & Development, LLC, Shenandoah Reserve PD; District 3

Consideration: A request to rezone 11.31 acres from A-2 and PD to PD in order to construct 90 single-family attached residential dwelling units; pursuant to Orange County Code, Chapter 30.

Location: District 3; property generally South of Pershing Avenue / West of South Goldenrod Road; Orange County, Florida (legal property description on file in Planning Division)

Revised Condition of Approval 16.b.

16.b. A waiver from Orange County Code Section 34-209 to provide a min.—~~6~~ 4 ft. tall black wrought-iron style fence and columns along Pershing Avenue in lieu of the 6 ft. high masonry wall required by code.

New Condition of Approval #17:

17. A minimum of 4 feet on the rod fence shall be installed along the western PD boundary in the rear yards of lots 71-80 of the Preliminary Subdivision Plan. A 5' wide fence easement for the PVC fence shall be included on the construction plans and plat and shall be dedicated to the HOA.

The following person addressed the Board: Dwight Saathoff.

A motion was made by Commissioner Uribe, seconded by Commissioner Wilson, to make a finding of consistency with the Comprehensive Plan; further, approve the rezoning request to rezone 11.31 acres from A-2 (Farmland Rural District) and PD (Planned Development District) in

order to construct 90 single-family attached residential dwelling units, subject to the sixteen (16) conditions of approval listed under the Planning and Zoning Commission recommendation in the Staff Report November 2, 2022; further, approve revised condition of approval #16.b; and further, approve new condition of approval #17. The motion carried by the following vote:

Aye: 6 - Commissioner Wilson, Commissioner Moore, Commissioner Uribe,
Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

Absent: 1 - Mayor Demings

E. Ordinance/Comprehensive Plan - Adoption of Small-Scale Amendments and Ordinance

9. **22-1396** Adoption of Future Land Use Map Amendment SS-22-06-060, Ordinance and Concurrent Rezoning RZ-22-06-061, Emily Brown, M.L. Carter Development, Inc.

a. Amendment SS-22-06-060

Consideration: To change the Future Land Use designation from Low Density Residential (LDR) to Commercial (C); pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code Chapter 30

Location: District 5; property located at 5100 Davisson Avenue; generally located south of Lee Road and west of Davisson Avenue; Orange County, Florida (legal property description on file in Planning Division)

And

b. Ordinance for Proposed Amendment

Consideration: An Ordinance pertaining to Comprehensive Planning in Orange County, Florida; amending the Orange County Comprehensive Plan, commonly known as the "2010-2030 Comprehensive Plan," as amended, by adopting Small-Scale Development Amendments pursuant to Section 163.3187, Florida Statutes; and providing effective dates.

And

c. Concurrent Rezoning RZ-22-06-061

Consideration: Request to change the Zoning district from R-1 (Single-Family Dwelling District) to C-1 Restricted (Retail Commercial District); pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code Chapter 30

Location: District 5; property located at 5100 Davisson Avenue; generally located south of Lee Road and west of Davisson Avenue; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Jason Mahoney.

A motion was made by Commissioner Bonilla, seconded by Commissioner Siplin, to make a finding of consistency with the Comprehensive Plan; further, adopt Amendment SS-22-06-060, Commercial (C) Future Land Use; further, adopt the associated Small-Scale Ordinance 2022-40; and further, approve concurrent rezoning RZ-22-06-061, from R-1 (Single-Family Dwelling District) to C-1 Restricted (Retail Commercial District) zoning, subject to two (2) restrictions listed in the staff report dated November 29, 2022. The motion carried by the following vote:

Aye: 6 - Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

Absent: 1 - Mayor Demings

10. **22-1397** Adoption of Future Land Use Map Amendment SS-22-04-023, Ordinance and Concurrent Rezoning RZ-22-04-024, Ali Tehrani, Tehrani Consulting Engineering, Inc.

a. Amendment SS-22-04-023

Consideration: To change the Future Land Use designation from Low Density Residential (LDR) to Office (O); pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code Chapter 30

Location: District 3; property located at 803 W. Oak Ridge Rd; generally north of W. Oak Ridge Road and west of Padgett Circle; Orange County, Florida (legal property description on file in Planning Division)

And

b. Ordinance for Proposed Ordinance

Consideration: An Ordinance pertaining to Comprehensive Planning in Orange County, Florida; amending the Orange County Comprehensive Plan, commonly known as the "2010-2030 Comprehensive Plan," as amended, by adopting Small-Scale Development Amendments pursuant to Section 163.3187, Florida Statutes; and providing effective dates.

And

c. Concurrent Rezoning RZ-22-04-024

Consideration: Request to change the Zoning district from R-1AA (Single-Family Dwelling District) to P-O Restricted (Professional Office District); pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code Chapter 30

Location: District 3; property located at 803 W. Oak Ridge Rd; generally north of W. Oak Ridge Road and west of Padgett Circle; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Ali Tehrani.

A motion was made by Commissioner Uribe, seconded by Commissioner Moore, to make a

finding of consistency with the Comprehensive Plan; further, adopt Amendment SS-22-04-023, Office (O) Future Land Use; further, adopt the associated Small-Scale Ordinance 2022-41; and further, approve concurrent rezoning RZ-22-04-024, from R-1AA (Single-Family Dwelling District) to P-O Restricted (Professional Office District) zoning, subject to six (6) restrictions listed in the staff report dated November 29, 2022. The motion carried by the following vote:

Aye: 6 - Commissioner Wilson, Commissioner Moore, Commissioner Uribe,
Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

Absent: 1 - Mayor Demings

IV. WORK SESSION AGENDA (Continued)

B. PLANNING, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

1. **22-1399** New Independence Parkway Preliminary Design Study. (PDS)
(Transportation Planning Division)

The Board took no action.

√ **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: 3:09 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.