

Orange County Government

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



Final Meeting Minutes

Tuesday, March 24, 2020

1:30 PM

County Commission Chambers

Board of County Commissioners

Call to Order

County Mayor Demings called the meeting to order at 1:35 p.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
County Attorney Jeffrey J. Newton
Deputy County Attorney Joel Prinsell

Invocation - District 2

Reverend Kevin Bartle, St. Mary of the Angels Episcopal Church

Pledge of Allegiance

Non Agenda

Update on the Coronavirus (COVID-19)

Public Comment

The following person addressed the Board during public comment: Jose Colom.

I. CONSENT AGENDA

A. COUNTY COMPTROLLER

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

- 1. **20-433** Approval of the minutes of the February 25, 2020 meeting of the Board of County Commissioners. (Clerk’s Office)
- 2. **20-434** 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:

- March 6, 2020, to March 12, 2020; \$49,668,972.75
- March 13, 2020, to March 19, 2020; \$23,761,426.25.

(Finance/Accounting)

3. **20-435** Disposition of Tangible Personal Property as follows.
 - a. Scrap assets.
 - b. Remove stolen asset from inventory.
 - c. Dispose of assets totaled by our Third Party Administrator for its salvage value.

(Property Accounting)

B. COUNTY ADMINISTRATOR

1. **20-436** Approval of appointment of John Grady, CTP to the Audit Committee.
2. **20-437** Approval and execution of Resolution 2020-B-01 for the issuance of Multi-Family Housing Mortgage Revenue Bonds to finance the acquisition and rehabilitation of Baptist Terrace Apartments, a proposed development in Orange County, Florida, District 5, in an amount not to exceed an aggregate principal amount of \$6,000,000 to be added to the \$17,000,000 previously adopted under Resolution # 2019-B-03 for a total amount not to exceed \$23,000,000. (Housing Finance Authority)
3. **20-438** Approval and execution of Certification of County Matching Funds to Federal Grant Trust Funds under the Help America Vote Act; and approval to make a one-time payment of \$3,960.22 to the Orange County Supervisor of Elections as matching funds. (Office of Management and Budget)
4. **20-439** Approval of budget amendments #20-39, #20-40, and #20-41. (Office of Management and Budget)
5. **20-440** Approval of budget transfers #20-0774 and #20C-0085. (Office of Management and Budget)
6. **20-441** Approval of CIP amendment #20C-0085. (Office of Management and Budget)

C. ADMINISTRATIVE SERVICES DEPARTMENT

1. **20-442** Approval and execution of (1) Federally-Funded Subaward and Grant Agreement by the State of Florida, Division of Emergency Management and Orange County Agreement Number: H0411 Project Number: 4337-313-R in the amount of \$187,853.25 with the period of performance ending on November 30, 2021; (2) Request for Advance or Reimbursement of Hazard Mitigation Assistance Program Funds; (3) Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion; and (4) Federal Funding Accountability and Transparency Act for an emergency generator at the Goldenrod Park Recreation Center. There is a required 25% project cost match in the amount of \$62,617.75, for a total project cost

of \$250,471. (Fiscal and Operational Support Division)

2. **20-443** Approval and execution of (1) Federally-Funded Subaward and Grant Agreement by the State of Florida, Division of Emergency Management and Orange County Agreement Number: H0412 Project Number: 4337-318-R in the amount of \$225,247.50 with the period of performance ending on November 30, 2021; (2) Request for Advance or Reimbursement of Hazard Mitigation Assistance Program Funds; (3) Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion; and (4) Federal Funding Accountability and Transparency Act for an emergency generator at the West Orange Recreation Center. There is a required 25% project cost match in the amount of \$75,082.50, for a total project cost of \$300,330. (Fiscal and Operational Support Division)
3. **20-444** Approval and execution of (1) Federally-Funded Subaward and Grant Agreement by the State of Florida, Division of Emergency Management and Orange County Agreement Number: H0437 Project Number: 4337-317-R in the amount of \$187,808.25 with the period of performance ending on December 31, 2021; (2) Request for Advance or Reimbursement of Hazard Mitigation Assistance Program Funds; (3) Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion; and (4) Federal Funding Accountability and Transparency Act for an emergency generator at the Meadow Woods Recreation Center. There is a required 25% project cost match in the amount of \$62,602.75, for a total project cost of \$250,411. (Fiscal and Operational Support Division)
4. **20-445** Approval to award Invitation for Bids Y20-113-AH, Radiological Examination Services for the Orange County Medical Clinic, to the sole responsive and responsible bidder, OHRI, LLC dba Orlando Health Imaging Centers. The estimated contract award amount is \$100,000 for a two-year term. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
5. **20-446** Approval to award Invitation for Bids Y20-734-EB, Orange County ISS Regional Computing Complex Control Gate Improvements, to the low responsive and responsible bidder, Mar-Con Construction, LLC dba Marbek Construction. The total contract award amount is \$107,800. ([Administrative Services Department Facilities Management Division] Procurement Division)
6. **20-447** Approval of Contract Y19-815-JS, Construction Manager at Risk Services for the Orange County Convention Center Phase V Multi-Purpose Venue and Grand Concourse Improvements, Design Assist Phase, with PCL Construction Services, Inc. in the not-to-exceed contract award amount of \$4,839,788.07. ([Convention Center Facilities Operations Division] Procurement Division)

7. **20-448** Approval of Purchase Order M99963, Software Support and Annual Maintenance for Fire Rescue 911 Dispatch and Records Management System, with Tritech Software Systems, Inc. in the amount of \$224,328.30. ([Administration and Fiscal Services Department Information Systems and Services Division] Procurement Division)
8. **20-449** Approval to Purchase Renewals of All Lines of Commercial Insurance Coverage under Contract Y15-192, Insurance Broker and Consultant Services, with Arthur J. Gallagher Risk Management Services, Inc., for premiums not-to-exceed \$5,000,000. ([Administration and Fiscal Services Risk Management and Professional Division] Procurement Division)
9. **20-450** Selection of Grower, Ketcham, Eide, Telan & Meltz, P.A. to provide Secondary General Liability/Tort Legal Counsel, Request for Proposals Y20-160-AH. ([Administration and Fiscal Services Risk Management Division] Procurement Division)
10. **20-451** Selection of Barnes, Ferland and Associates, Inc. to provide Engineering Services for Wekiwa Springs Septic Tank Retrofit Project, Request for Proposals Y20-815-TA. ([Utilities Department Engineering Division] Procurement Division)
11. **20-452** Approval and execution of Lease Agreement and Addendum to Lease File No. 2046 by and between 701 E South, LLC and Orange County, Florida and delegation of authority to the Real Estate Management Division to exercise renewal options and furnish notices, required or allowed by the lease, as needed for Housing and Community Development, 701 East South Street Orlando, Florida 32801 Lease File #2046. District 5. (Real Estate Management Division)
12. **20-453** Approval and execution of Written Consent to Restrictive Covenant Pursuant to Declaration of Restrictive Covenants by Orange County, Florida and authorization to record instrument for Pulse Museum TDT Funding. District 6. (Real Estate Management Division)
13. **20-454** Approval and execution of Resolutions, 2020-M-09, 2020-M-10, 2020-M-11, 2020-M-12, 2020-M-13; County Deed, and Subordinations of County Utility Interests between Orange County and State of Florida Department of Transportation and authorization to record instruments for FDOT - S.R. 551 (Goldenrod Road) From S.R. 408 to S.R. 50. District 3. (Real Estate Management Division)
14. **20-455** Approval and execution of First Amendment to Temporary Drainage and Slope and Fill Easement between Hanover Hickory Nut, LLC and Orange County and authorization to record the instrument for Village H (Avalon Road - CR 545) RAC. District 1. (Real Estate Management Division)

15. **20-456** Approval of Signalization and Sidewalk Easement from South Orange Industrial Properties, LLC to Orange County with Joinder and Consent to Signalization and Sidewalk Easement from The Carter-Southmeadow Land Trust, dated February 27, 2001 and authorization to disburse funds to pay all recording fees and record instrument for Town Center Blvd and Southmeadow Dr. District 4. (Real Estate Management Division)

D. COMMUNITY AND FAMILY SERVICES DEPARTMENT

1. **20-457** Approval and execution of Florida Department of Children and Families Application for a License to Operate a Child Care Facility at Engelwood Elementary Head Start. This application is only executed by Orange County. (Head Start Division)
2. **20-458** Approval and execution of Florida Department of Children and Families Application for a License to Operate a Child Care Facility at Ventura Elementary Head Start. This application is only executed by Orange County. (Head Start Division)
3. **20-459** Approval and execution of Florida Department of Children and Families Application for a License to Operate a Child Care Facility at Washington Shores Early Learning Center (ELC) Head Start. This application is only executed by Orange County. (Head Start Division)
4. **20-460** Approval and execution of Florida Department of Children and Families Application for a License to Operate a Child Care Facility at Washington Shores Elementary Head Start. This application is only executed by Orange County. (Head Start Division)
5. **20-461** Receipt and filing of Head Start Policy Council Program Information and Updates February 2020 and Head Start Policy Council Meeting Minutes January 16, 2020 for the official county record. (Head Start Division)

E. FIRE RESCUE DEPARTMENT

1. **20-462** Approval and execution of Volunteer Florida Contract Agreement 2019-2020 by and between the Florida Commission on Community Service, doing business as Volunteer Florida, and Orange County Emergency Management in the amount of \$7,000. These funds will require a dollar-for-dollar or in-kind match.

F. PLANNING, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

1. **20-463** 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 2, 3, 4, 5, and 6. (Code Enforcement Division)

LC 20-0288	LC 20-0350	LC 20-0379	LC 20-0345	LC 20-0390
LC 20-0297	LC 20-0363	LC 20-0385	LC 20-0346	LC 20-0391
LC 20-0300	LC 20-0370	LC 20-0009	LC 20-0347	LC 20-0392
LC 20-0301	LC 20-0334	LC 20-0091	LC 20-0348	LC 20-0394
LC 20-0342	LC 20-0359	LC 20-0289	LC 20-0371	LC 20-0413
LC 20-0393	LC 20-0378	LC 20-0322	LC 20-0372	LC 20-0414
LC 20-0206	LC 20-0353	LC 20-0328	LC 20-0373	LC 20-0415
LC 20-0287	LC 20-0376	LC 20-0338	LC 20-0383	LC 20-0418

2. **20-464** Approval and execution of Amendment No. 1 to Project Administration Agreement (#2018-12-10) between Orange County, Florida and Coalition for the Homeless of Central Florida, Inc. regarding the Emergency Solutions Grant Program FY 2018-2019. All Districts. (Housing and Community Development Division)
3. **20-465** Approval and execution of Termination of Road Impact Fee Agreement (Pavilion at Sand Lake/Mandarin Drive Extension) by and between Orange County and Universal City Development Partners, LTD., to terminate the original agreement approved on June 6, 2013. District 1. (Planning, Environmental and Development Services Department)
4. **20-466** Approval and execution of Proportionate Share Agreement for Hamlin Reserve Medical Office Units 3, 4 and 6 Avalon Road/CR 545 by and between NNOM1, LLC and Orange County directing both the proportionate share payment in the amount of \$242,426 and future transportation impact fee payments that may be associated with the project pursuant to the Escrow Agreement for the Hamlin West Amended and Restated Road Network Agreement to be utilized towards the completion of Avalon Road/CR 545 improvements. District 1. (Roadway Agreement Committee)

G. PUBLIC WORKS DEPARTMENT

1. **20-467** Approval of "No Parking" signs installation on Ferguson Drive starting at Old Winter Garden Road extending south 440 feet to the west. District 6. (Traffic Engineering Division)
2. **20-468** Approval of Traffic Control Devices and "No Parking" signs installation in Winding Bay Phase 2. District 1. (Traffic Engineering Division)
3. **20-469** Approval of Traffic Control Devices and "No Parking" signs installation in Flora Gardens. District 3. (Traffic Engineering Division)
4. **20-470** Approval of Traffic Control Devices and "No Parking" signs installation in Highlands at Summerlake Groves Phase 3C. District 1. (Traffic Engineering Division)

Division)

5. **20-471** Approval to prohibit specific Federal Highway Administration Vehicle Classifications 6, 7, 8, 9, 10, 11, 12, and 13 from using Sunflower Trail and to install appropriate signage. District 4. (Traffic Engineering Division)
6. **20-472** Approval of the recommended Application Fee in the amount of \$250 and Registration Fee in the amount of \$25 for permitting the use of golf carts on designated public roads and streets in unincorporated Orange County. All Districts. (Traffic Engineering Division)

H. UTILITIES DEPARTMENT

1. **20-473** Approval and execution of Recycling Partnership Grant Agreement by and between The Recycling Partnership, Inc. and Orange County, Florida in the amount of \$181,000 with a \$30,000 commitment from Orange County of staff time and resources. All Districts. (Solid Waste Division)
2. **20-474** Approval and execution of First Amendment to Agreement for Establishing the Retail Rate for Reclaimed Water for Flamingo Crossings East by and between Orange County, Flamingo Crossings, LLC, and ACC OP DCP LLC. District 1.

II. INFORMATIONAL ITEMS**

A. COUNTY COMPTROLLER

1. **20-475** Receipt of the following items to file for the record: (Clerk's Office)
 - a. Florida Public Service Commission Notice of Proposed Agency Action Order Approving Duke Energy Florida, LLC's New Depreciation Class and Rate for Energy Storage Equipment. In re: Petition for approval of a new depreciation class and for energy storage equipment, by Duke Energy Florida, LLC.
 - b. Florida Public Service Commission Order Approving Duke Energy Florida, LLC's Request for An Interim Charge to Recover Costs Related to Hurricane Dorian and Tropical Storm Nestor. In re: Petition for limited proceeding for recovery of incremental storm restoration costs related to Hurricane Dorian and Tropical Storm Nestor, by Duke Energy Florida, LLC.
 - c. City of Winter Park Ordinance 3165-20, with Exhibit A (Legal Description), and Exhibit B (Location Map). An Ordinance of the City of Winter Park, Florida, providing for the annexation of approximately 2.06 +/- acres of real property generally located south of Monroe Avenue, north of

Elvin Avenue, east of Bennett Avenue and west of Orlando Avenue, and having Orange County Tax Parcel Identification numbers 01-22-29-3712-15-010, 01-22-29-3712-16-072, 01-22-29-3712-16-070, 01-22-29-3712-16-092 and 01-22-29-3712-16-091 and certain portions of the Lewis Drive and Bennett Avenue public rights-of-way as more specifically described herein into the municipal boundaries of the City of Winter Park; redefining the City boundaries to give the City of Winter Park jurisdiction over said property; providing for severability; providing for an effective date.

- d. Orange County Solid Waste System, Orange County, Florida, Annual Financial Report for the years ended September 30, 2019 and 2018.
- e. Orange County Convention Center, Orange County Florida, Annual Financial Report for the years ended September 30, 2019 and 2018.
- f. Audit Report No. 483 - Follow-up Audit of the Orange County Red Light Camera Program.

These items were received and filed.

III. DISCUSSION AGENDA

A. ADMINISTRATIVE SERVICES DEPARTMENT

1. **20-476** Selection of firms for Financial Legal Counsel, Request for Proposals Y20-186-KB, from the following firms:
SEC Disclosure Counsel (select one firm and two ranked alternates)
 - Greenberg Traurig, P.A.
 - Nabors, Giblin & Nickerson P.A.
 - Watson Sloane PLLCSales Tax and Utilities revenue Bond Counsel (select two firms)
 - Greenberg Traurig, P.A.
 - Nabors, Giblin & Nickerson P.A.Special Services Bond Counsel (select one firm and an alternate)
 - Greenberg Traurig, P.A.
 - Nabors, Giblin & Nickerson P.A.

([Administration and Fiscal Services Fiscal and Business Services Division]
Procurement Division)

SEC Disclosure Counsel (select one firm and two ranked alternates)

A motion was made by Commissioner VanderLey, seconded by Commissioner Uribe, to appoint Greenberg Traurig, P.A., 480 points, as the selected firm; and further, appoint Watson Sloane PLLC, 360 points, and Nabors, Giblin & Nickerson P.A., 335 points, as the selected ranked alternates. The motion carried by the following vote:

Aye: 7 - Mayor Jerry L. Demings, Commissioner Betsy VanderLey, Commissioner Christine Moore, Commissioner Mayra Uribe, Commissioner Maribel Gomez Codero, Commissioner Emily Bonilla, and Commissioner Victoria P. Siplin

Sales Tax and Utilities revenue Bond Counsel (select two firms)

A motion was made by Commissioner VanderLey, seconded by Commissioner Uribe, to appoint Greenberg Traurig, P.A., 440 points, and Nabors, Giblin & Nickerson P.A., 435 points, as the selected firms. The motion carried by the following vote:

Aye: 7 - Mayor Jerry L. Demings, Commissioner Betsy VanderLey, Commissioner Christine Moore, Commissioner Mayra Uribe, Commissioner Maribel Gomez Codero, Commissioner Emily Bonilla, and Commissioner Victoria P. Siplin

Special Services Bond Counsel (select one firm and an alternate)

A motion was made by Commissioner VanderLey, seconded by Commissioner Uribe, to appoint Greenberg Traurig, P.A., 480 points, as the selected firm; and further, appoint Nabors, Giblin & Nickerson P.A., 355 points, as the selected ranked alternate. The motion carried by the following vote:

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

IV. RECOMMENDATIONS**1. 20-007 March 5, 2020 Board of Zoning Adjustment Recommendations**

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

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

V. PUBLIC HEARINGS**1. 20-347 Municipal Service Benefit Unit**

Lakeshore Preserve 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 Lakeshore Preserve Phase 4 at Lakeshore Preserve Area

Location: District 1; Parcel ID (Multiple Parcels); Section 05, Township 24, 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

2. **20-348** Municipal Service Benefit Unit

Landing Bay, establish for streetlighting and for retention pond(s) maintenance; District 3

Consideration: Establish by resolution a Municipal Service Benefit Unit for streetlighting and retention pond(s) maintenance at Landing Bay

Location: District 3; Parcel ID (Multiple Parcels); Section 15, Township 23, Range 30; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Uribe, seconded by Commissioner Siplin, 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. **20-346** Municipal Service Benefit Unit

Holly Estates Phase1, establish for streetlighting and for retention pond(s) maintenance; District 2

Consideration: Establish by resolution a Municipal Service Benefit Unit for streetlighting and retention pond(s) maintenance at Holly Estates Phase 1

Location: District 2; Parcel ID (Multiple Parcels); Section 21, Township 20, Range 27; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Moore, 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. **20-349** Municipal Service Benefit Unit

Latham Park Area, amend for streetlighting; District 1

Consideration: Amend by resolution a Municipal Service Benefit Unit for streetlighting to include Latham Park North Addition at Latham Park Area

Location: District 1; Parcel ID (Multiple Parcels); Section 03, Township 24, 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

5. 20-351 Municipal Service Benefit Unit

Taft Area, establish for streetlighting; District 4

Consideration: Establish by resolution a Municipal Service Benefit Unit for streetlighting at Taft Area

Location: District 4; Parcel ID (Multiple Parcels); Multiple Sections, Townships 23 & 24, Range 29; Orange County, Florida (legal property description on file)

The following person addressed the Board: Wayne Sekula.

A motion was made by Commissioner Gomez Cordero, 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

6. 20-350 Municipal Service Benefit Unit

Lukas Estates, amend for streetlighting; District 5

Consideration: Amend by resolution a Municipal Service Benefit Unit for streetlighting at Lukas Estates

Location: District 5; Parcel ID (Multiple Parcels); Section 09, Township 22, Range 32; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Bonilla, seconded by Commissioner Siplin, 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. 20-352 Special Assessment Resolution

Resolution for the collection of special assessment liens for one time only lot cleaning; All Districts

Consideration: Establish a Resolution for Special Assessments for one-time only lot cleaning assessments

Location: All Districts; Multiple parcels and Sections, Townships and Ranges; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Siplin, seconded by Commissioner Uribe, to adopt Resolution 2020-M-14, for Special Assessments for one-time only lot cleaning assessments. 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. **20-300** Petition to Vacate

Dean and Margaret Fogg, Petition to Vacate 19-05-020, vacate a portion of a drainage and utility easement; District 5

Consideration: Resolution granting Petition to Vacate # 19-05-020, vacating a 3 foot wide portion of an 8 foot wide drainage and utility easement located along the north property line, and a 3 foot wide portion of a 6 foot wide drainage and utility easement located along the east property line, containing a total of approximately 120.22 square feet.

Location: District 5; The parcel address is 20233 Macon Parkway; S01/T23/R32; Orange County, Florida (legal property description on file)

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

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

9. **20-301** Petition to Vacate

Noemi I. Menendez, Petition to Vacate 19-06-024, vacate a portion of a utility easement; District 2

Consideration: Resolution granting Petition to Vacate # 19-06-024, vacating a portion of 7.50 foot wide utility easement, containing approximately 487.50 square feet.

Location: District 2; The parcel address is 4903 Pierce Arrow Drive; S17/T20/R28; Orange County, Florida (legal property description on file)

The following person addressed the Board: Noemi I. Menendez.

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

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

10. 20-302 Petition to Vacate

Jeff Garner, on behalf of A Song Inc., Aquatic Eco-Systems Inc., and Gene and Helen L. Showers, Petition to Vacate 19-04-013, vacate a portion of an unopened and unimproved right-of-way and a portion of an unopened, unimproved and unnamed right-of-way; District 2

Consideration: Resolution granting Petition to Vacate # 19-04-013, vacating a portion of an unopened and unimproved 30 foot wide right-of-way known as Morrison Boulevard and a portion of an unopened, unimproved and unnamed 25 foot wide right-of-way, containing a total of approximately 1.07 acres.

Location: District 2; The parcel addresses are 2312 Morrison Boulevard, 2395 Apopka Boulevard and 2477 Golden Eagle Drive; S24/T21/R28; Orange County, Florida (legal property description on file)

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

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

11. 20-297 Preliminary Subdivision Plan

Christopher Wrenn, D.R. Horton, Inc., Zellwood Station Planned Development / Riviera Hills Preliminary Subdivision Plan, Case # PSP-18-08-275; District 2

Consideration: Zellwood Station Planned Development / Riviera Hills Preliminary Subdivision Plan, Case # PSP-18-08-275 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 71.68 acres in order to construct 277 single-family residential dwelling units

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

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 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. 20-298 Preliminary Subdivision Plan

Eric Warren, Poulos & Bennett, LLC, Spring Grove - Jaffers Planned Development / Phase 3 - Parcel W-16 & a portion of Parcel W-17 Preliminary Subdivision Plan / Development Plan, Case # PSP-18-11-384; District 1

Consideration: Spring Grove - Jaffers Planned Development / Phase 3 - Parcel W-16 & a portion of Parcel W-17 Preliminary Subdivision Plan / Development Plan, Case # PSP-18-11-384 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 65.98 acres in order to construct 169 single-family residential dwelling units and Park Tracts P-3, and P-4. This request also includes the following waiver from Orange County Code:

1. A waiver from Orange County Code Section 34-152(c) is requested, for Tract R-2 only, to remove the requirement to provide a 20' fee simple access to a paved street, subject to approval by the County Engineer.

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

The following person addressed the Board: Eric Warren.

Modified Condition #24 to read as follows:

Prior to issuance of a Certificate of Completion for this phase, if Segment 5 of Flemings Road has not been upgraded or widened pursuant to the Village I Road Network Agreement approved by the Board of County Commissioners on January 28, 2020, and recorded as Document # 20200109451 in the Public Records of Orange County, Florida, then Sheet C5.10 of this PSP shall apply and that portion of Flemings Road from the subdivision entrance to the APF access road shall be reconstructed to County standards as a two-lane rural section with a minimum of twenty (20) feet pavement width and a five (5) foot sidewalk along the south side of the roadway. The APF access road, if required, shall be constructed to County standards and shall connect to Avalon Road / C.R. 545. Additionally, the rural segment of the APF access road shall be improved to an urban section prior to or concurrently with any future PSP/DP within this PD that is proposed beyond Phase 4 single-family residential development, and the storm water from such urban segment shall be incorporated into a master storm water facility or an individual storm water pond at no cost to the County.

A motion was made by Commissioner VanderLey, seconded by Commissioner Siplin, to make a finding of consistency with the Comprehensive Plan; and approve the request subject to the conditions of approval listed under the Development Review Committee recommendation in the Staff Report; and further, modify condition of approval #24. 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. 20-354 Shoreline Alteration/Dredge and Fill

Marcy Rosenberg and Nhan-Anh Nguyen-Khon, Lake Sue, after-the-fact permit, SADF-19-10-013; District 5

Consideration: Request for an After-the-Fact Shoreline Alteration/Dredge and Fill Permit SADF # 19-10-013 to authorize an unpermitted, existing seawall and install riprap and plantings; pursuant to Orange County Code, Chapter 15, Section 15-218, Article VI.

Location: District 5; on property located adjacent to Lake Sue, located at 2121 Lakeside Drive, Orlando, Florida 32803; Orange County, Florida (legal property description on file in Environmental Protection Division)

A motion was made by Commissioner Bonilla, seconded by Commissioner Uribe, to accept the findings and recommendation of the Environmental Protection Division; and further, approve the After the fact Shoreline Alteration/Dredge and Fill Permit (SADF-19-10-013) for Marcy Rosenberg and Nhan-Anh Nguyen-Khon, 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

14. **20-353** Shoreline Alteration/Dredge and Fill

Matthew and Amy Immerfall, Lake Down, permit, SADF-19-12-021; District 1

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit SADF # 19-12-021 to construct a new seawall on a canal to Lake Down; 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, located at 10905 Bayshore Drive, Windermere, Florida 34786; Orange County, Florida (legal property description on file in Environmental Protection Division)

A motion was made by Commissioner VanderLey, 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-19-12-021) for Matthew and Amy Immerfall, 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

15. **20-357** Shoreline Alteration/Dredge and Fill

William and Mary Peacock, Lake Bulter, after-the-fact permit, SADF-20-01-000; District 1

Consideration: Request for an After-the-Fact Shoreline Alteration/Dredge and Fill Permit SADF # 20-01-000 to replace an unpermitted, existing seawall and placement of riprap on Lake Butler;

pursuant to Orange County Code, Chapter 33, Article IV, Windermere Water and Navigation Control District

Location: District 1; on property located adjacent to Lake Butler; located at 12202 Park Avenue, Windermere, Florida 34786; Orange County, Florida (legal property description on file in Environmental Protection Division)

A motion was made by Commissioner VanderLey, 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-20-01-000) for William and Mary Peacock, 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

16. 20-356 Planning and Zoning Commission Rezoning Board-Called

Mustapha Moutchou, Case # RZ-20-01-070, January 16, 2020; District 6

Case No.: Planning and Zoning Commission, Case # RZ-20-01-070; January 16, 2020

Consideration: Request is to consider a rezoning of three (3) parcels totaling 0.97-gross acre located at 6011 Old Winter Garden Road, 130 Condor Road and 134 Condor Road; or generally northwest of the intersection of Old Winter Garden Road and Condor Road, from C-1 (Retail Commercial District) and R-3 (Multiple-Family Dwelling District) to C-1 (Retail Commercial District) and C-2 (General Commercial District) to allow a gas station, auto sales, and auto repair.

Location: District 6; property located at 6011 Old Winter Garden Road, 130 Condor Road and 134 Condor Road; or generally northwest of the intersection of Old Winter Garden Road and Condor Road; Orange County, Florida (legal property description on file in Planning Division)

A motion was made by Commissioner Siplin, seconded by Commissioner Uribe, to continue the public hearing until May 5, 2020, at 2 p.m. The motion carried by the following vote:

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

17. 20-046 Rezoning

Quang Lam, Lam Civil Engineering, Inc., Golden Keys Condo PD, Case # LUP-18-06-204; District 3 (Continued from February 11, 2020)

Consideration: Request to rezone 4.35 gross acres from R-1A (Single-Family Dwelling District) to PD (Planned Development District), in order to construct thirty (30) multi-family dwelling units. In addition, the following two (2) waivers are requested from Orange County Code: 1. A waiver from Section 38-1258(a) to allow 2-story units, in lieu of 1-story units within 100 feet of single-family zoned property. 2. A waiver from Section 38-1258(j) to allow a twenty (20) foot minimum building separation, in lieu of a thirty (30) foot minimum building separation where doors, windows or other openings in the wall of a living unit back up to a wall of another building with doors, windows or

openings; pursuant to Orange County Code, Chapter 30.

Location: District 3; property located at 2143 S. Goldenrod Road; or generally located on the east side of S. Goldenrod Road, approximately 740 feet north of Curry Ford Road; Orange County, Florida (legal property description on file in Planning Division)

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

18. 20-130 Preliminary Design Study

Vineland Avenue - Preliminary Design Study (PDS); District 1

Consideration: Preliminary Design Study for the widening of Vineland Avenue from two to four lanes. The purpose of the study was to develop the most appropriate road alignment with stormwater facilities and pedestrian accommodations while minimizing environmental impacts. Need for this roadway is based on a variety of factors including future traffic operations, safety and social and economic demands.

Location: Vineland Avenue located in southern Orange County within the International Drive Activity Center. The project limits are from Marriott Village at Lake Buena Vista to the Basilica of the National Shrine of Mary, Queen of the Universe, a distance of approximately 0.65 miles (legal property description on file in Transportation Planning Division)

A motion was made by Commissioner VanderLey, seconded by Commissioner Uribe, to find the Vineland Avenue Preliminary Design Study consistent with the Comprehensive Plan; and further, recommend for approval the Study and proceed with design, right-of-way acquisition and construction. 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. 20-129 Roadway Conceptual Analysis

Orange Avenue - Roadway Conceptual Analysis (RCA); District 4

Consideration: Preliminary Design Study for the widening of Orange Avenue from two to four lanes. The purpose of the study was to develop the most appropriate road alignment with stormwater facilities and bicycle and pedestrian accommodations while minimizing environmental impacts. Need for this roadway is based on a variety of factors including future traffic operations, safety and social and economic demands.

Location: Orange Avenue is located in south-central Orange County. The project limits are from Orange - Osceola county line to the Florida's Turnpike (State Road 91) overpass, a distance of approximately 0.61 miles (legal property description on file in Transportation Planning Division)

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Uribe, to find the Orange Avenue Roadway Conceptual Analysis Study consistent with the Comprehensive

Plan; further, approve the study; and further, approve to Initiate design, right-of-way acquisition and construction. 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. 20-361 Ordinance/Comprehensive Plan

Amending Orange County Code, 2019-2 Out-of-Cycle Regular Cycle Staff-Initiated Comprehensive Plan Amendment to the 2010-2030 Comprehensive Plan (CP) and Adoption of Ordinance

Out-of-Cycle Regular Cycle Staff Initiated Text Amendment

Amendment 2019-2-C-FLUE-1

Text Amendment to the Future Land Use Element Horizon West Town Center Policies to permit form-based development through a Planned Development/Regulating Plan (PD/RP) as an alternative to processing a Planned Development/Unified Neighborhood Plan (PD/UNP) under the Town Center Code; District 1

A motion was made by Commissioner VanderLey, seconded by Commissioner Uribe, to adopt Amendment 2019-2-C-FLUE-1; further, to make a finding of consistency with the Comprehensive Plan; further, determine that the amendment is in compliance; and further, adopt Ordinance 2020-08 approving the proposed Comprehensive Plan Amendment, consistent with today's actions. The motion carried by the following vote:

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

and

20. 20-362 Out-of-Cycle Regular Cycle State-Expedited Review Comprehensive Plan Amendment Ordinance

Amending Orange County Code, adopting 2019-2 Out of Cycle Regular Cycle Staff-Initiated Amendment to the 2010-2030 Comprehensive Plan (CP), adopting amendments pursuant to Section 163.3184(3), F.S.

This item was approved.

21. 20-358 Ordinance

Amending Orange County Code, Article VIII, Chapter 2, Creating Division 2, pertaining to Affordable Housing Program in Orange County, Florida

CONSIDERATION: AN ORDINANCE PERTAINING TO AFFORDABLE HOUSING; AMENDING ARTICLE VIII OF CHAPTER 2, ORANGE COUNTY CODE, BY CREATING DIVISION 2; PROVIDING A TITLE; DECLARING THE INTENT, PURPOSE AND FINDINGS; PROVIDING DEFINITIONS; ESTABLISHING THE ORANGE COUNTY AFFORDABLE HOUSING TRUST FUND PROGRAM AND DESCRIBING THE PURPOSE THEREOF; ESTABLISHING THE ORANGE COUNTY AFFORDABLE HOUSING TRUST FUND; PROVIDING FOR ADOPTION OF AN AFFORDABLE HOUSING TRUST FUND PLAN; PROVIDING FOR ADMINISTRATION OF THE PROGRAM; PROVIDING FOR ANNUAL BUDGET REQUIREMENTS; PROVIDING FOR THE ALLOCATION AND USE OF PROGRAM FUNDS; PROVIDING FOR DONOR CONTRIBUTIONS; PROVIDING AN EFFECTIVE DATE.

A motion was made by Commissioner Uribe, seconded by Commissioner Siplin, to adopt Ordinance 2020-09, pertaining to Affordable Housing; amending Article VIII of Chapter 2, Orange County Code, by creating Division 2; providing for an effective date. 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. 20-360 Ordinance

Amending Orange County Code, Establishing a Moratorium on the use of Micromobility Devices within unincorporated area of Orange County

CONSIDERATION: AN ORDINANCE ESTABLISHING A MORATORIUM ON THE USE OF MICROMOBILITY DEVICES, INCLUDING MOTORIZED SCOOTERS AND MOTORIZED BICYCLES, WITHIN THE UNINCORPORATED AREA OF ORANGE COUNTY; AND PROVIDING AN EFFECTIVE DATE.

Based upon input from county staff proposed change to Section 35-84 of the Ordinance is as follows:

Sec. 35-84. Penalties and Remedies ~~Seizure and Impoundment~~.

- Any person who violates Section 35-81(a) shall be subject to any one or more of the following penalties and/or remedies:

(a) A violation of Section 35-81(a) may be enforced through the code enforcement process as described in Chapter 11 of the Orange County Code and Chapter 162 of the Florida Statutes;

(b) Orange County may bring a lawsuit in a court of competent jurisdiction to pursue temporary or permanent injunctive relief or any other legal or equitable remedy authorized by law to cure, remove, prevent, or end a violation of Section 35-81(a);

(c) A violation of Section 35-81(a) may be punished as provided in Section 1-9 of the Orange County Code; and

(d) Orange County may seize and impound any micromobility device found on public property- in violation of Section 35-81(a), and the micromobility device will be released to the lawful owner only after all towing and storage fees have been satisfied.

The following person addressed the Board: Alec Dian.

A motion was made by Commissioner Siplin, seconded by Commissioner VanderLey, to adopt Ordinance 2020-10 imposing a moratorium on micromobility devices in unincorporated Orange County, Florida from April 3, 2020, until Jan. 15, 2021, or until an ordinance is adopted addressing such devices, whichever is sooner; further, approve the modifications to Section 35-84 of the Ordinance; and further, to include the I-Drive Chambers of Commerce letter of support. 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

23. 20-288 Ordinance

Enacting Orange County Code, New Section 29-58, affecting use of public boat ramps and associated recreational areas and facilities (Continued from March 10, 2020)

CONSIDERATION: AN ORDINANCE AFFECTING PUBLIC BOAT RAMPS IN ORANGE COUNTY; ENACTING A NEW SECTION 29-58 OF THE ORANGE COUNTY CODE OF ORDINANCES ENTITLED "USE OF PUBLIC BOAT RAMPS AND ASSOCIATED RECREATIONAL AREAS AND FACILITIES;" PROVIDING AN EFFECTIVE DATE.

A motion was made by Commissioner Uribe, seconded by Commissioner VanderLey, to continue the public hearing until May 5, 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

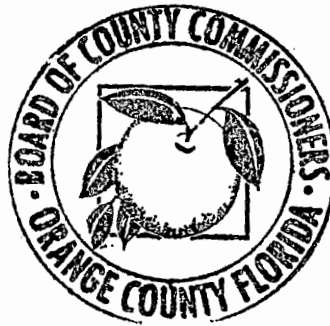
√ **The notated public hearing is quasi-judicial in nature. As such, any verbal or written communication with a member of the Board of County Commissioners prior to today's quasi-judicial hearing should be disclosed on the record or made a part of the record during the public hearing by or on behalf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

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

ADJOURNMENT: 5:00 p.m.

ATTEST:

Jerry L. Demings
for County Mayor Jerry L. Demings
Date: **APR 21 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.