

Orange County Government

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



Draft Meeting Minutes

Tuesday, April 26, 2022

9:00 AM

County Commission Chambers

Board of County Commissioners

Call to Order

County Mayor Jerry L. Demings called the meeting to order at 9:01 a.m.

Present: 7 - Mayor Jerry L. Demings, Commissioner Nicole Wilson, Commissioner Christine Moore, Commissioner Mayra Uribe, Commissioner Maribel Gomez Cordero, Commissioner Emily Bonilla, and Commissioner Victoria P. Siplin

Others present:

County Comptroller Phil Diamond as Clerk
County Administrator Byron Brooks
Deputy County Administrator Chris Testerman
County Attorney Jeffrey J. Newton
Senior Minutes Coordinator Noelia Perez

Invocation - District 3

Pastor Aaron Bamberg, Action Church

Pledge of Allegiance

Presentation

Proclamation recognizing May 2 through May 6, 2022 as Juror Appreciation Week

Presentation

Proclamation recognizing April 27, 2022 as Denim Day

Presentation

Proclamation recognizing May 1 through May 7, 2022 as National Corrections Officers and Employees Week

Public Comment

The following persons addressed the Board for public comment:

- Alex Perez
- Glenda Lewis

The following material was presented to the Board during public comment: Exhibit 1, from Alex Perez.

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

The Mayor deleted Planning, Environmental, and Development Services Consent Item 3; further, deferred action on Utilities Department Consent Item 1; further, modified Public Works Department Consent Item 1 to reflect as District 5; and further, a motion was made by Commissioner Moore, seconded by Commissioner Gomez Cordero, to approve the balance of the Consent Agenda. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bonilla

A. COUNTY MAYOR

1. **22-489** Confirmation of the Mayor's managerial appointment of Raul Pino as Director, of the Health Services Department.

B. COUNTY COMPTROLLER

1. **22-490** Approval of the minutes of the February 22 and March 22, 2022 meetings of the Board of County Commissioners. (Clerk's Office)
2. **22-540** Approval of the check register authorizing the most recently disbursed County funds, having been certified that same have not been drawn on overexpended accounts. Period are as follows:
 - April 1, 2022 to April 7, 2022; \$47,199,023.49
 - April 8, 2022 to April 14, 2022; \$33,433,392.65
 - April 15, 2022 to April 21, 2022; \$42,882,895.49(Finance/Accounting)
3. **22-492** Disposition of Tangible Personal Property as follows. (Property Accounting)
 - a. Remove stolen asset from inventory.
 - b. Dispose of assets totaled by our third party administrator for their salvage value.
 - c. Remove lost asset from inventory.

C. COUNTY ADMINISTRATOR

1. **22-493** Confirmation of the County Mayor's staff reappointments for the third quarter, April - June, FY 2021-2022. (Human Resources Division)

Eduardo Avellaneda, Division Manager, Roads and Drainage, Public Works
Lauraleigh Avery, Division Chief, Emergency Management, Fire Rescue
Yolanda Brown, Division Manager, Fiscal and Operational Support, Community and Family Services
Hector Clemente, Division Manager, Facility Operations, Convention Center
James Fitzgerald, Director, Fire Rescue
Mitchell Glasser, Division Manager, Housing and Community Development, Planning, Environmental, and Development Services
John Goodrich, Deputy Director, Health Services
David Gregory, Division Manager, Solid Waste, Utilities
Steve Harrison, Division Manager, Mosquito Control, Health Services
Reed Knowlton, Division Manager, Fiscal and Operational Support, Administrative Services
Anne Kulikowski, Director, Administrative Services
Kenneth Leeming, Division Manager, Highway Construction, Public Works
Carrie Mathes, Division Manager, Procurement, Administrative Services
Jennifer Moreau, Division Manager, Zoning, Planning, Environmental, and Development Services
Crystal Mudd, Division Manager, Capital Planning and Building Systems, Convention Center
Renzo Nastasi, Division Manager, Transportation Planning, Planning, Environmental, and Development Services
Kurt Petersen, Division Manager, Office of Management and Budget, Administration and Fiscal Services
Joel Prinsell, Deputy County Attorney, County Attorney's Office
Teresa Remudo, Deputy Director, Utilities
Anthony Rios, Division Chief, Planning and Technical Services, Fire Rescue
Pamela Schwarz, Division Manager, Regional History Center, Community and Family Services
Joshua Stephany, Medical Examiner, Health Services
Eduardo Torres, Director, Utilities
John Westmoreland, Division Chief, Logistics, Fire Rescue
Isiah White Jr., Division Manager, Guest and Facility Security, Convention Center
Lindy Wolfe, Division Manager, Utilities Engineering, Utilities

2. **22-494** Approval of budget transfer #22-0804. (Office of Management and Budget)

D. COUNTY ATTORNEY

1. **22-495** Approval and execution of Resolution 2022-M-14 of the Orange County Board of County Commissioners Regarding Settlement with TEVA Pharmaceutical Industries Ltd. 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 TEVA

Pharmaceutical Industries Ltd. and delegation of authority to Orange County Administrator to execute the required documentation to enter into the settlement with TEVA Pharmaceutical Industries Ltd.

2. **22-496** Approval and execution of Resolution 2022-M-15 of the Orange County Board of County Commissioners Regarding Settlement with Allergan Finance, LLC 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 Allergan Finance, LLC and delegation of authority to Orange County Administrator to execute the required documentation to enter into the settlement with Allergan Finance, LLC.
3. **22-497** Approval and execution of Resolution 2022-M-16 of the Orange County Board of County Commissioners Regarding Settlement with CVS Health Corporation and CVS Pharmacy, 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 CVS Health Corporation and CVS Pharmacy, Inc. and delegation of authority to Orange County Administrator to execute the required documentation to enter into the settlement with CVS Health Corporation and CVS Pharmacy, Inc.

E. ADMINISTRATIVE SERVICES DEPARTMENT

1. **22-498** Approval to award Invitation for Bids Y22-128-TA, Term Contract for Cured In Place Gravity Main Lining, to the low responsive and responsible bidder, Miller Pipeline, LLC. The estimated contract award amount is \$792,222.50 for the base year. ([Utilities Department Field Services Division] Procurement Division)
2. **22-499** Approval to award Invitation for Bids Y22-755-RC, Orange County Fire Station #54 Metal Storage Building Replacement, to the low responsive and responsible bidder, APD Construction, LLC. The total contract award amount is \$433,000. ([Administrative Services Department Capital Projects Division] Procurement Division)
3. **22-500** Approval to award Invitation for Bids Y22-764-FH, Dr. Phillips/Orange County Public Schools (OCPS) Future Middle School Joint Ballfield Park, to the low responsive and responsible bidder, Oelrich Construction, Inc. The total contract award amount is \$7,498,687. ([Administrative Services Department Capital Projects Division] Procurement Division)
4. **22-501** Approval to award Invitation for Bids Y22-765-FH, Installation of Emergency Generator Systems at Various Orange County Emergency Shelters, to the low responsive and responsible bidder, Carter Electric, Inc. The total contract award amount is \$1,647,540. ([Administrative Services Department

Capital Projects Division] Procurement Division)

5. **22-502** Approval to award Invitation for Bids Y22-768-R2, L.B. McLeod Road Bridge Over Shingle Creek No. 755800 Slope Protection Deficiency Repairs Phase 1, to the sole responsive and responsible bidder, Proshot Concrete, Inc. The total contract award amount is \$294,350. ([Public Works Department Roads and Drainage Division] Procurement Division)
6. **22-503** Approval to award Invitation for Bids Y22-771-R2, Emergency South Water Reclamation Facility Southwest Aeration Basin Tank Coating and Aeration Grid, to the low responsive and responsible bidder, L7 Construction, Inc. The total contract award amount is \$3,017,000. ([Utilities Department Water Reclamation Division] Procurement Division)
7. **22-504** Approval of Amendment No. 9, Contract Y2-827, Richard Crotty Parkway (F.K.A. East West Road) Segment 1 from State Road 436 to West of Harrell Road, with Inwood Consulting Engineers, Inc., in the amount of \$757,456.35, for a revised contract amount of \$3,507,055.12. ([Public Works Department Engineering Division] Procurement Division)
8. **22-505** Approval of Amendment No. 5, Contract Y14-800, South Water Reclamation Facility Influent Pump Station Expansion and Upgrades, with CHA Consulting, Inc., in the amount of \$230,955.04, for a revised contract amount of \$2,988,036.04. ([Utilities Department Engineering Division] Procurement Division)
9. **22-506** Approval of Amendment No. 2, Contract Y21-135A, HVAC Installation and Repair Services Lot A: Facilities Management Division, with Climate Control Mechanical Services, in the amount of \$100,000, for a revised total contract amount of \$889,750. ([Administrative Services Department Facilities Management Division] Procurement Division)
10. **22-507** Approval of Purchase Order No. M107236, Ice Pigging Piping Maintenance, with American Pipeline Solutions, Inc., in the total amount of \$323,182. ([Utilities Department Field Services Division] Procurement Division)
11. **22-508** Approval of Purchase Order No. M107263, MetaSys Building Automation System Upgrade, with Johnson Controls, Inc., in the total amount of \$153,425. ([Fire Rescue Department Infrastructure and Asset Management Division] Procurement Division)
12. **22-509** Ratification of Emergency Purchase Order M107099, Purchase of Aeration Grid, with Xylem Water Solutions USA, Inc., in the not-to-exceed amount of \$335,000. ([Utilities Department Water Reclamation Division] Procurement Division)
13. **22-510** Ratification of Contract, Y22-767-TA, Eastern Regional Water Supply

- Facility Laboratory Building Air Handlers and Chillers Emergency Replacement, with Advanced Roofing, Inc., in the total award amount of \$2,053,258.32. ([Utilities Department Engineering Division] Procurement Division)
14. **22-511** Selection of Big City Catering, Inc. to provide Management and Operation of Cypress Grove and Guest House for Weddings, Corporate Events and Other Occasions, Requests for Proposals, Y22-153-AV. ([Community and Family Services Department Parks and Recreation Division] Procurement Division)
15. **22-512** Approval and execution of First Amendment to Lease between Denholtz UCC LLC and Orange County, Florida and authorization for the Real Estate Management Division to exercise renewal options and furnish notices, required or allowed by the lease, as needed for Denholtz UCC LLC 7071-7085 University Boulevard, Winter Park, Florida. Lease File #8006. District 5. (Real Estate Management Division)
16. **22-513** Approval and execution of Conservation and Access Easement by Laura L. Beytes and Christopher K. Beytes and Orange County and authorization for the Real Estate Management Division to disburse funds to pay recording fees and record instrument for Beytes - Single Family Residence (CAI-20-12-074). District 5. (Real Estate Management Division)
17. **22-514** Approval and execution of Resolution and authorization for the Real Estate Management Division to initiate condemnation proceedings for East-West Road (SR 436 to Dean Rd) n/k/a Richard Crotty Parkway, Parcels 1003, 9003, 9003B, 9003C, 1140, 8140, 9140, 1142, 8142, and 9142. District 5. (Real Estate Management Division)
18. **22-515** Approval of Special Warranty Deed by Watermark at Horizon West Homeowners' Association, Inc. to Orange County and authorization for the Real Estate Management Division to disburse funds to pay all recording fees and record instrument for Watermark (Phase 3 ROW Dedication / PSP-21-05-143 Village F Master PD / Parcel S-21. District 1. (Real Estate Management Division)
19. **22-516** Approval and execution of Resolution 2022-M-17 and Subordinations of County Utility Interests and County Subordination Agreement by and between Orange County, Florida and the State of Florida Department of Transportation for FDOT - SR 400 (I-4) at Turkey Lake Road (Central Florida Parkway to Sand Lake Road) (F.P. # 242484 7), FDOT Parcels 102.2A, 104.5, 117.3B, 801.3, 803.2, 808.3, and 809.4. District 6. (Real Estate Management Division)
20. **22-517** Approval and execution of Resolution 2022-M-18 and approval of Quitclaim Deed by and between the State of Florida by and through the State of

Florida Department of Transportation to Orange County for FDOT - SR 482, Pump Station 3142 at Sand Lake Road (from Turkey Lake Road to Presidents Drive) (F.P. # 407143-3), FDOT Parcels 108, 117, 118 PART, 119, 120, 121, and 122. District 6. (Real Estate Management Division)

21. 22-518 Approval and execution of Orlando Utilities Commission Utility Easement from Orange County to Orlando Utilities Commission and the City of Orlando and authorization to record instrument for Orange County Cultural Community Center WR#717401 - Water Easement. District 6. (Real Estate Management Division)
22. 22-519 Approval and execution of Developer's Agreement (Construction of a Semi-Private Boat Ramp Facility) by and between Orange County, Florida and Pulte Home Company, LLC and authorization to record instrument for Sunset Preserve Semi-Private Boat Ramp Permit No. BR-20-04-001. District 5. (Real Estate Management Division)
23. 22-520 Approval and execution of Donation Agreement between Foundation Academy of Winter Garden, Inc. and Orange County, and approval of Sidewalk and Drainage Easement between Foundation Academy of Winter Garden, Inc. and Orange County, and authorization to disburse funds to pay all recording fees and perform all actions necessary and incidental to closing for Tilden Road & Tiny Road Intersection Improvements Parcel 8002D. District 1. (Real Estate Management Division)
24. 22-521 Approval and execution of Resolution and authorization to initiate condemnation proceedings for University Boulevard and Dean Road Intersection Improvements Parcels 1013, 8013, and 7013. District 5. (Real Estate Management Division)

F. CONVENTION CENTER DEPARTMENT

1. 22-522 Approval of the Tourist Development Tax Sports Incentive Committee's recommendations for sports incentive funding pursuant to the terms and conditions of funding agreements between Visit Orlando and the following applicants and authorization for Visit Orlando to enter into such agreements as follows: 1) \$1,200,000 to the Greater Orlando Sports Commission in three annual \$400,000 increments as bid fees for the 2022-2024 Amateur Athletic Union Junior National Volleyball Championships to be held at the Orange County Convention Center; 2) \$120,000 to the Greater Orlando Sports Commission in three annual \$40,000 increments as bid fees for the 2022-2024 AAU Track & Field Primary/Club National Championships to be held at Dr. Phillips High School; 3) \$90,000 to the Greater Orlando Sports Commission in three annual \$30,000 increments as bid fees for the 2022-2024 AAU Wrestling Scholastic Duals National Championships contingent upon the events being held at the Orange County Convention Center; and 4) payment of \$137,500 to Florida Citrus Sports as bid fees for

the 2021 Florida Cup held at Camping World Stadium in lieu of the \$750,000 that was previously approved for the event. (Fiscal and Operational Support Division)

G. FIRE RESCUE DEPARTMENT

1. **22-523** Approval and execution of 2021 Memorandum of Agreement for participating Orlando/Orange Urban Area Security Initiative Agencies by and between the Orange County Sheriff's Office and the Orlando/Orange Urban Area Participants in the amount of \$3,610,000. There is no cost to the County. (Office of Emergency Management)

H. HEALTH SERVICES DEPARTMENT

1. **22-524** Approval and execution of Orange County Health Services Department Physician Employment Agreement by and between Orange County and Maurice Mascoe, M.D. for the position of Medical Director, Corrections Health Services, effective May 6, 2022.

I. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

1. **22-525** 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. All Districts. (Neighborhood Services Division)

LC 22-0164 LC 22-0169 LC 22-0154 LC 22-0123 LC 22-0146
 LC 21-0652 LC 22-0148 LC 22-0157 LC 22-0129 LC 22-0147
 LC 22-0163 LC 22-0149 LC 22-0158 LC 22-0143 LC 22-0151
 LC 22-0166 LC 22-0159 LC 22-0177 LC 22-0145 LC 22-0152

2. **22-526** Approval to process a payment in the amount of \$15,000 to the Kissimmee/Osceola County Chamber of Commerce for 2022 activities for the Four Corners/One Vision Project. District 1. (Planning Division)
3. **22-527** Approval and execution of Proportionate Share Agreement for Avalon Groves PD Avalon Road by and between Prose Horizons West Venture, LP and Orange County for a proportionate share payment in the amount of \$687,193. District 4. (Roadway Agreement Committee)

(This item was deleted).

J. PUBLIC WORKS DEPARTMENT

1. **22-528** Approval and execution of (1) Resolution 2022-M-19 of the Orange County Board of County Commissioners regarding the Local Agency Program

Agreement with the State of Florida Department of Transportation for the Little Econ Trail Phase 3 Project from Baldwin Park Street to Richard Crotty Parkway and (2) State of Florida Department of Transportation Local Agency Program Agreement FPN: 444993-1-38-01. District 5. (Engineering Division)

(This item was modified).

2. **22-529** Approval of the City of Belle Isle's proposal to adopt Ordinance No. 22-05 imposing truck weight restrictions and reducing the speed limit on Judge Road and Daetwyler Drive. District 3. (Roads and Drainage Division)
3. **22-530** Approval of "No Parking" signs installation on Reams Road and Golden Creek Trail. District 1. (Traffic Engineering Division)
4. **22-531** Approval of "No Parking" signs installation on Watercrest Place. District 1. (Traffic Engineering Division)
5. **22-532** Approval to decrease the speed limit on South Rio Grande Avenue between Gore Street and Holden Avenue from 45 mph to 35 mph. District 6. (Traffic Engineering Division)
6. **22-533** Approval of "No Parking" signs installation on both sides of Azalea Cove Circle at its entrance and the interior curves of the circle. District 3. (Traffic Engineering Division)
7. **22-534** Approval of "No Parking" signs installation on Oglesby Avenue. District 5. (Traffic Engineering Division)
8. **22-535** Approval of a multi-way stop installation at Caneel Bay Boulevard and Stonewyck Street. District 4. (Traffic Engineering Division)

K. UTILITIES DEPARTMENT

1. **22-536** Approval and execution of Hold Harmless and Indemnification Agreement (Grand Cypress) by and Among LWP Cypress Hotel LLC, Grand Cypress Orlando LLC, and Orange County. District 1. (Engineering Division)

(This item was deferred).

II. INFORMATIONAL ITEMS**

A. COUNTY COMPTROLLER

1. **22-537** Receipt of the following items to file for the record: (Clerk's Office)
 - a. Minutes of the February 21, 2022, Meeting in the Sunshine,

Commissioners Emily Bonilla and Maribel Gomez Cordero met to discuss redistricting.

b. Minutes of the February 21, 2022, Meeting in the Sunshine, Commissioners Emily Bonilla and Nicole Wilson met to discuss redistricting.

c. Greater Orlando Aviation Authority Annual Comprehensive Financial Report for the years ended September 30, 2021 and 2020.

d. Florida Public Service Commission, Commission Conference Agenda for Tuesday, April 5, 2022 at 9:30 a.m. The location: Betty Easley Conference Center, Joseph P. Cresse Hearing Room 148.

e. City of Winter Garden, Florida Annual Comprehensive Financial Report for the year ended September 30, 2021

f. Financial Statements and Independent Auditor's Report, Community Redevelopment Agency Winter Garden, Florida September 30, 2021.

g. Orange County Convention Center, Orange County, Florida, Annual Financial Report for the years ended September 30, 2021 and 2020.

h. Orange County Solid Waste System, Orange County, Florida, Annual Financial Report for the years ended September 30, 2021 and 2020.

i. Orange County Water Utilities System, Orange County, Florida, Annual Finance Report for the years ended September 30, 2021 and 2020.

j. Town of Oakland Notice of Annexation Ordinance 2022-03: An Ordinance of the Town of Oakland, Florida, annexing by voluntary petition certain real property owned by Jefferson R. Voss, Jefferson Rich Voss Trust, and Voss Family Holdings, LLC bearing property tax parcel identification numbers 20-22-27-0000-00-005; 20-22-27-0000-00-004; 20-22-27-0000-00-009; 20-22-27-0000-00-036; 20-22-27-0000-00-021; 20-22-27-0000-00-078; 20-22-27-0000-00-003; and 20-22-27-0000-00-010, and located contiguous to the Town of Oakland in accordance with the voluntary annexation provisions of Section 171.044, Florida Statutes, and other controlling laws; redefining the boundaries of the Town of Oakland to include said property; providing for findings; providing for conditions; directing the Town Clerk to record the Ordinance with the Clerk of the Circuit Court, with the Chief Administrative officer of Orange County and with the Department of State; providing for legal description and a map; repealing all Ordinances in conflict herewith; providing for severability; providing for non-codification and the taking of administrative actions and providing for an effective date.

- k. Audit Report No. 494 - Audit of Procurement Card Usage - Orange County Parks and Recreation Division

These items were received and filed.

III. DISCUSSION AGENDA

A. PLANNING, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

1. **22-538** Dock Construction Ordinance. (Environmental Protection Division)

The Board took no action.

IV. RECOMMENDATIONS

1. **22-539** April 7, 2022 Board of Zoning Adjustment Recommendations

A motion was made by Commissioner Uribe, seconded by Commissioner Gomez Cordero, to approve the recommendations, with the exception of Case # SE-21-11-115, Rob Garrett For Discovery Church (Board Called), and Case # VA-22-04-013, Liz Castillo For the Licking Orlando (Board Called), which were pulled from the recommendations; subject to the usual right of appeal by any aggrieved party. The motion carried by the following vote:

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

V. PUBLIC HEARINGS

A. Petition to Vacate

1. **22-348** PTV-20-09-029

David Evans, on behalf of Grand Cypress Orlando, LLC, vacate a potable water utility easement; District 1

Consideration: Resolution granting Petition to Vacate # 20-09-029, vacating a 20 foot wide potable water utility easement.

Location: District 1; The parcel addresses are 1 Grand Cypress Boulevard and 1 N Jacaranda Street; Section 08, Township 24, Range 28; Orange County, Florida (legal property description on file)

The following person addressed the Board: David Evans.

A motion was made by Commissioner Wilson, seconded by Commissioner Uribe, to approve the request listed in the staff report dated April 26, 2022; and further, approve and execute the Hold Harmless and Indemnification Agreement. The motion carried by the following vote:

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

and

I. CONSENT AGENDA (Deferred)

K. UTILITIES DEPARTMENT

22-536 Approval and execution of Hold Harmless and Indemnification Agreement (Grand Cypress) by and Among LWP Cypress Hotel LLC, Grand Cypress Orlando LLC, and Orange County. District 1. (Engineering Division)

This item was approved.

V. PUBLIC HEARINGS (Continued)

2. 22-349 PTV-21-09-050

Lourdes Cosme, vacate two utility easements; District 1

Consideration: Resolution granting Petition to Vacate # 21-09-050, vacating two 5 foot wide utility easements along the side property lines and a 10 foot wide utility easement along the rear property line of her residential lot located at 1212 Shelter Rock Road within The Hamptons Subdivision in west Orange County.

Location: District 1; The parcel address is 1212 Shelter Rock Road; Section 34, Township 22, Range 28; Orange County, Florida (legal property description on file)

The following persons addressed the Board:

- Lourdes Cosme
- Sean Fitzpatrick

A motion was made by Commissioner Wilson, seconded by Commissioner Gomez Cordero, to approve the request listed in the staff report dated April 26, 2022. The motion carried by the following vote:

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

B. Board of Zoning Adjustment Board-Called

3. 22-286 Case # SE-22-02-141

Jose Ramirez for Massey Street Apartments, February 3, 2022; District 4

Consideration: Request for a Special Exception in the R-2 zoning district to allow a 2-story multi-family development to be located within 100 ft. of the property line of a single-family dwelling district and use, as follows: 63.7 ft. from the east property line in lieu of 100 ft.; 30 ft. from the south property line in lieu of 100 ft.

Location: District 4; property located at 10002 and 10014 Massey St., Orlando, Florida 32815; Orange County, Florida (legal property description on file in Zoning Division)

The following person addressed the Board: Tinna Crowley.

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Moore, to continue the public hearing until May 24, 2022 at 2 p.m. The motion carried by the following vote:

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

4. **22-391** Case # SE-21-09-069

Thomas Sullivan for Devereux School, March 3, 2022; District 2

Consideration: Request for a Special Exception and Variances in the A-1 zoning district, as follows: 1) Special Exception to allow a private school with dormitory facilities and the construction of a 5,070 sq. ft. classroom building. 2) Variance to allow an existing classroom building with a 44 ft. north rear setback in lieu of 50 ft. 3) Variance to allow 5 grass parking spaces in lieu of paved. 4) Variance to allow a basketball court in front of the principal structure. 5) Variance to allow a basketball court with a 9.66 ft. east side setback in lieu of 10 ft. 6) Variance to allow a basketball court with a 4.35 ft. north rear setback in lieu of 10 ft. 7) Variance to allow a basketball court with a 8.32 ft. east side setback in lieu of 10 ft.

Location: District 2; property located at 6147 Christian Way, Orlando, Florida 32818; Orange County, Florida (legal property description on file in Zoning Division)

The following persons addressed the Board:

- Tom Sullivan
- Duane Green
- Cashe Lawson

New Conditions of Approval:

8. All new shrubs shown on the proposed landscape plan shall be in a minimum 7-gallon container and a minimum of 36 inches high at the time of planting.

9. No parking shall be permitted within the Christian Way right-of-way.

A motion was made by Commissioner Moore, seconded by Commissioner Wilson, to make a finding of consistency with the Comprehensive Plan; further, approve the request subject to the seven (7) conditions of approval with the Board of Zoning Adjustment recommendation in the staff report dated March 31, 2022; and further, approve new conditions of approval #8 and #9 as

presented. The motion carried by the following vote:

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

C. Land Use Plan Amendment

5. 22-347 Case # LUPA-21-06-170

Jennifer Stickler, Kimley-Horn and Associates, Inc., Granada PD; District 1

Consideration: A request to rezone a 12.92 acre parcel from R-CE (Country Estate District) to PD (Planned Development District) and incorporate it into the existing Granada PD - Northwest Tract M, with no increase to the number of dwelling units currently permitted; pursuant to Orange County Code, Chapter 30

Location: District 1; property located at 5835 Emerington Cres (legal property description on file in Planning Division)

The following person addressed the Board: Brooks Stickler.

A motion was made by Commissioner Wilson, seconded by Commissioner Uribe, 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 Planning and Zoning Commission recommendation in the Staff Report dated April 18, 2022. The motion carried by the following vote:

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

D. Rezoning

6. 22-392 Case # LUP-21-08-247

Brent Lenzen, Kimley-Horn and Associates, Inc., Long Lake PD; District 5

Consideration: A request to rezone two (2) parcels containing 18.15 gross acres from I-2 / I-3 (Industrial District General) to PD (Planned Development District), in order to construct 363 multiple-family units. The request also includes the following waivers from Orange County Code: 1. A waiver from Section 38-1258(b) to allow buildings to be four stories (65' maximum height), in lieu of varying in building height with a maximum of fifty (50) percent of buildings being three (3) stories (not to exceed forty (40) feet) in height, with the remaining buildings being one (1) story or two (2) stories in height, when located between one hundred plus (100+) feet to one hundred and fifty (150) feet of single-family zoned property. 2. A waiver from Section 38-1258(c) to allow a building height of 65' and four stories, in lieu of not exceeding three (3) stories (40 feet) in height, when located within one hundred and fifty (150) feet of single-family zoned property. 3. A waiver from Section 38-1258(d) to allow a building height of 65' and four stories in lieu of 40' and three stories. 4. A waiver from Section 38-1258(j) to allow buildings to be constructed with 20'

separation in lieu of 30' separation for two-story buildings, 40' separation for three-story buildings, and height increases in proportion to additional structure height; pursuant to Orange County Code, Chapter 30

Location: District 5; property located at 6730 Hanging Moss Road and 2308 Mercator Drive; generally south of Hanging Moss Road and west of Mercator Drive, approximately 2,200 feet east of N. Semoran Blvd. (legal property description on file in Planning Division)

The following persons addressed the Board:

- Brent Lenzen
- Erick Aguirre

New Condition of Approval:

14. The Park Dedication and Park Impact Fee Agreement (Little Econ Greenway Trail Dedication) for the Long Lake PD must be approved by the BCC prior to approval of the Development Plan.

A motion was made by Commissioner Bonilla, seconded by Commisisoner Siplin, to make a finding of consistency with the Comprehensive Plan; further, approve the rezoning request to rezone two (2) parcels containing 18.15 gross acres from I-2 / I-3 (Industrial District General) to PD (Planned Development District), in order to construct 363 multiple-family units, subject to the thirteen (13) conditions of approval listed under the Planning and Zoning Commission recommendation in the staff report dated April 18, 2022; and further, approve new condition of approval #14 as presented. The motion carried by the following vote:

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

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

7. **22-346** Adoption of Future Land Use Map Amendment SS-22-02-006, Ordinance and Concurrent Rezoning RZ-22-02-007, Imran Chaudhry

a. Amendment SS-22-02-006

Consideration: A request to change the Future Land Use designation from Commercial (C) to Low-Medium Density Residential (LMDR) to allow up to two (2) dwelling units; pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code Chapter 30

Location: District 5 property located at 1825 Proctor Avenue; generally located north and east of Proctor Avenue, approximately 250 feet west of North Dean Road (legal property description on file in the 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. Rezoning RZ-22-02-007

Consideration: A request to change the zoning district from R-1A (Single-Family Dwelling District) to R-2 (Residential District) for the purpose of constructing two (2) residential units as attached or detached units; pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code Chapter 30

Location: District 5; property located at 1825 Proctor Avenue; generally located north and east of Proctor Avenue, approximately 250 feet west of North Dean Road. (legal property description on file in Planning Division)

The following person addressed the Board: Imran Chaudry.

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-22-02-006, Low-Medium Density Residential (LMDR) Future Land Use; further, adopt the associated Small-Scale Ordinance 2022-13; and further, approve the rezoning request to change the zoning district from R-1A (Single-Family Dwelling District) to R-2 (Residential District) for the purpose of constructing two (2) residential units as attached or detached units subject to the staff report dated April 18, 2022. The motion carried by the following vote:

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

8. **22-390** Adoption of Future Land Use Map Amendment SS-22-01-103 and Ordinance, Jonathan Martin, Kimley-Horn and Associates, Inc.

a. Amendment SS-22-01-103

Consideration: A request to change the Future Land Use Map designation from Commercial (C) to Planned Development - High Density Residential - Student Housing (PD-HDR-Student Housing) to allow for student housing apartment development; pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code

Location: District 5; property located at 11731 E. Colonial Drive; generally located north of E. Colonial Drive, approximately 250 feet west of N. Alafaya Drive (legal property description on file in the 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.

The following persons addressed the Board:

- Jonathan Martin
- Margery Jervey
- Sonia Rodriguez
- Mickey Grindstaff

A motion was made by Commissioner Bonilla, seconded by Commissioner Uribe, to continue the public hearing until June 21, 2022, at 2 p.m. The motion carried by the following vote:

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

F. Ordinance

9. **22-473** Relating to taxation in Orange County, Florida; levying on all Taxable Transactions a One Percent (1%) Charter County and Regional Transportation System Sales Surtax ("Transportation Surtax") For a Period of 20 years, Calling a Referendum; Providing Ballot Language All Districts

Consideration: AN ORDINANCE RELATING TO TAXATION IN ORANGE COUNTY, FLORIDA; PROVIDING A SHORT TITLE AND LEGISLATIVE FINDINGS; LEVYING ON ALL TAXABLE TRANSACTIONS A ONE PERCENT (1%) CHARTER COUNTY AND REGIONAL TRANSPORTATION SYSTEM SALES SURTAX ("TRANSPORTATION SURTAX") FOR A PERIOD OF 20 YEARS PURSUANT TO SECTIONS 212.054 AND 212.055(1), FLORIDA STATUTES; CREATING A SEGREGATED TRUST FUND INTO WHICH ALL TRANSPORTATION SURTAX PROCEEDS SHALL BE DEPOSITED; PROVIDING THAT THE TRANSPORTATION SURTAX WILL TAKE EFFECT ONLY UPON APPROVAL BY THE ELECTORATE; CALLING A REFERENDUM; PROVIDING BALLOT LANGUAGE; REQUIRING PUBLIC NOTICE OF SUCH REFERENDUM; AND PROVIDING FOR AMENDMENTS, SEVERABILITY, CODIFICATION, AN EFFECTIVE DATE, AND EXPIRATION OR "SUNSET" DATES.

The following persons addressed the Board:

- Aaron Powell
- Anne Lott
- Chris Messina

- Barbara Lanning
- Khalid Muneer
- Gaby Ortigoni
- Tim Giuliani
- Maria Triscari
- Jonathan Aman
- Sean Rapp
- Sandy Hostetter
- Ben Chalone
- Sarah Elbadri
- Robert Agrusa
- Cliff Long
- Steven Hogan
- Diana Quiroga
- Joanna DeRosa
- Nicholas Thiemann
- Gerry Glynn
- Debbie Rodriguez
- Tony Jenkins
- Casandra Matej
- Tanisha Nunn Gary
- Jason Choy
- Michael Perkins
- Christopher Paige
- Beverly Glenn
- Nelson Betancourt
- Israel Pagan
- Eric Grimmer
- Theo Webster
- Bill Brooks
- Chayen McMullen
- Kelly Semrad
- Eliza Harris Juliano
- Krista Carter
- Sophia Glover
- Eugene Stoccardo
- Dialencia Cadette
- Juan Velez

Modification to Resolution as follows:

- Page 5; Section 4, Subsection (D), i - Chair and Vice Chair. ~~One or the Orange County Mayor's designees shall serve at the Chair of the Oversight Board. The Vice Chair shall be nominated and appointed by the members at large.~~ The Chair and Vice Chair shall be nominated and appointed by the Oversight Board members.

- Page 5; Section 4, Subsection (B), i - Two (2) individuals appointed by the Orange County Mayor, ~~one of whom shall serve as the Chair of the Oversight Board, and~~ one of whom shall be a consumer of public transportation.

A motion was made by Commissioner Uribe, seconded by Commissioner Moore, to modify the Resolution regarding the Orange County Transportation Initiative Report as follows:

- Page 5; Section 4, Subsection (D), i - The Chair and Vice Chair. The Chair and Vice Chair shall be shall be nominated and appointed by the Oversight Board members.

- Page 5; Section 4 Subsection (B) i - Two (2) individuals appointed by the Orange County Mayor, one of whom shall be a consumer of public transportation. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla

Nay: 1 - Commissioner Siplin

Modification to Resolution as follows:

Section 4, Subsection (A), vi.- The COB (Citizens Oversight Board) will review past and future projects.

A motion was made by Commissioner Uribe, seconded by Commissioner Moore, to modify the Resolution regarding the Orange County Transportation Initiative Report as follows:

Section 4, Subsection (A), vi.- The COB (Citizens Oversight Board) will review past and future projects. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla

Nay: 1 - Commissioner Siplin

Modification to Resolution as follows:

- Page 5, Subsection (D), iv - Citizens Oversight Board shall follow Roberts Rules of Order

A motion was made by Commissioner Uribe, seconded by Commissioner Moore, to modify the Resolution regarding the Orange County Transportation Initiative Report as follows:

- Page 5, Subsection (D), iv - Citizens Oversight Board shall follow Roberts Rules of Order. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla

Nay: 1 - Commissioner Siplin

Modification to Resolution as follows:

Page 2, Section 2, Subsection (A), - Expenditure Categories and Allocation, County Transportation Improvements (Category 1), General Summary - Safety improvements to include pedestrian and bicycle safety, ADA compliance, lighting, intersections, and technology and operations; major roadway improvements (including county roads that run through cities), complete streets, widening projects; intersection capacity improvements; new traffic signals, and mast arm upgrades; operations and maintenance to include roadway resurfacing and grading, bridge repair and maintenance, railroad crossing repair, roadway pond/drainage improvements and maintenance; associated transit accommodations and passenger amenities

A motion was made by Commissioner Wilson, seconded by Commissioner Moore, to modify the Resolution regarding the Orange County Transportation Initiative Report as follows:

Page 2, Section 2, Subsection (A) - Expenditure Categories and Allocation, County Transportation Improvements (Category 1), General Summary - Safety improvements to include pedestrian and bicycle safety, ADA compliance, lighting, intersections, and technology and operations; major roadway improvements (including county roads that run through cities), complete streets, widening projects; intersection capacity improvements; new traffic signals, and mast arm upgrades; operations and maintenance to include roadway resurfacing and grading, bridge repair and maintenance, railroad crossing repair, roadway pond/drainage improvements; maintenance; associated transit accommodations and passenger amenities. The motion carried as follows:

Aye: 6 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla

Nay: 1 - Commissioner Siplin

Discussion ensued regarding project studies/lists and allocation of percent ranges.

A motion was made by Commissioner Uribe, seconded by Commissioner Moore, to adopt Ordinance 2022-14 relating to taxation in Orange County, Florida; providing a short title and legislative findings; levying on all taxable transactions a one percent (1%) Charter County and Regional Transportation System Sales Surtax ("Transportation Surtax") for a period of 20 years pursuant to sections 212.054 and 212.055(1), Florida Statutes; creating a segregated trust fund into which all transportation surtax proceeds shall be deposited; providing that the Transportation Surtax will take effect only upon approval by the electorate; calling a referendum; providing ballot language; requiring public notice of such referendum; and providing for amendments, severability, codification, an effective date, and expiration or "sunset" dates; further, approve and execute Resolution 2022-M-20 of the Orange County Board of County Commissioners regarding the Orange County Transportation initiative report as amended above. The motion carried as follows:

Aye: 4 - Mayor Demings, Commissioner Moore, Commissioner Uribe, and Commissioner Gomez Cordero

Nay: 3 - Commissioner Wilson, 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: 8:10 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.