

Orange County Government

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



Draft Meeting Minutes

Tuesday, June 21, 2022

9:00 AM

County Commission Chambers

Board of County Commissioners

Call to Order

County Mayor Jerry L. Demings called the meeting to order at 9:03 a.m.

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

Others present:

County Comptroller Phil Diamond as Clerk
County Administrator Byron Brooks
Deputy County Administrator Chris Testerman
County Attorney Jeffrey J. Newton
Deputy County Attorney Joel Prinsell
Minutes Coordinator Emily Rivera
Senior Minutes Coordinator Lakela Louis

Invocation - Mayor

Pastor Vance Rains, First United Methodist Church of Orlando

Pledge of Allegiance**Public Comment**

The following persons addressed the Board for public comment:

- May Beck
- Nicholas Beck
- Andrea Schekolin
- Connie O'Hanlon
- Cynthia Harris
- Angie Emerson
- Ron Smith
- Jim Callahan
- Jairo Serrano-Trivino
- Dialencia Cadette
- Kamahl Kimble

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

The Mayor deferred action on Planning, Environmental, and Development Services Department Item 5; and further, a motion was made by Commissioner Moore, seconded by Commissioner Uribe, to approve the balance of the Consent Agenda. The motion carried by the following vote:

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

A. COUNTY MAYOR

1. **22-733** Confirmation of the Mayor's managerial appointment of Lisa Snead as Assistant County Administrator.
2. **22-734** Approval and execution of ORANGE COUNTY, FLORIDA and ORLANDO ECONOMIC PARTNERSHIP, INC. Grant Agreement relating to Base Realignment & Closure Threat Mitigation to Modeling, Simulation & Training Industry and authorization to disburse \$25,000 as provided in the FY 20201-22 adopted budget. (Office of Economic, Trade and Tourism Development)

B. COUNTY COMPTRROLLER

1. **22-735** Approval of the revised minutes of the February 22 and May 24, 2022 meetings of the Board of County Commissioners. (Clerk's Office)
2. **22-736** 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:
 - June 03, 2022, to June 09, 2022; \$34,701,624.78
 - June 10, 2022, to June 16, 2022; \$37,477,617.17

(Finance/Accounting)

C. COUNTY ADMINISTRATOR

1. **22-737** Confirmation of Mayor Demings appointment of Charles Hawkins II to the Tourist Development Tax Grant Application Review Committee in the Mayor's representative category with a term expiring December 31, 2022. (Agenda Development Office)
2. **22-738** Approval and execution of Resolution 2022-B-03 authorizing the issuance of Homeowner Mortgage Revenue Bonds; Homeowner Subordinate Mortgage Revenue Bonds, and/or Homeowner Revenue Bonds in one or more series, in a combined aggregate principal amount not-to-exceed \$200,000,000. (Housing Finance Authority)
3. **22-739** Confirmation of the County Mayor's staff reappointments for the fourth quarter, July-September, FY 2021-2022. (Human Resources Division)

Alex Morales, Manager, Fiscal and Operational Support, Fire Rescue

Angela Chestang, Manager, Citizens' Commission for Children, Community and Family Services
Bryan Lucas, Manager, Fleet Management, Administrative Services
David Jones, Manager, Environmental Protection, Planning, Environmental, and Development Services
Diane Summers, Manager, Animal Services, Health Services
Edgar Cuartas, Manager, Customer Service, Utilities
Humberto Castellero, Manager, Traffic Engineering, Public Works
Jaime Salcedo, Deputy Director, Utilities
John Petrelli Jr., Director, Risk Management and Professional Standards, Administration and Fiscal Services
Kevin Camm, Manager, Cooperative Extension, Community and Family Services
Kimberly Stewart-Horan, Division Chief, Communications, Fire Rescue
Lavon Williams, Manager, Community Action, Community and Family Services
Marc Cannata, Deputy Director, Utilities
Michael Drozeck, Manager, Stormwater, Public Works
Opal Arnold, Manager, Citizens Resource and Outreach, Community and Family Services
Raymond Williams, Manager, Engineering, Public Works
Richard Steiger Jr., Manager, Facilities Management, Administrative Services
Sheena Ferguson, Manager, Business Development, Administrative Services
Thomas Hall, Director, Drug Free Office, Health Services
Troy Layton, Manager, Field Services, Utilities

4. **22-740** Approval of budget amendments #22-38, #22-39, #22-40, #22-41, and #22-42. (Office of Management and Budget)
5. **22-741** Approval of Budget transfer #22-0970. (Office of Management and Budget)

D. ADMINISTRATIVE SERVICES DEPARTMENT

1. **22-742** Approval to award Invitation for Bids Y22-176-MM, Galvanized Steel Sign Posts and Related Items, to the low responsive and responsible bidder, Xcessories Squared Development & Manufacturing, Inc. The estimated contract award amount is \$320,575 for a one-year term. ([Public Works Department Traffic Engineering Division] Procurement Division)
2. **22-743** Approval to award Invitation for Bids Y22-189-TA, Term Contract for Cured In Place Lateral Lining, to the low responsive and responsible bidder, BLD Services, LLC. The estimated contract award amount is \$785,050 for the base year. ([Utilities Department Field Services Division] Procurement Division)

3. **22-744** Approval to award Invitation for Bids Y22-743-TJ, University Boulevard at Rouse Road Intersection Improvement, to the low responsive and responsible bidder, Condor Construction, Corp. The estimated contract award amount is \$2,501,460. ([Public Works Department Engineering Division] Procurement Division)
4. **22-745** Approval to award Invitation for Bids Y22-750-TA, Chickasaw Trail Forcemain, to the low responsive and responsible bidder, Schuller Contractors Incorporated. The estimated contract award amount is \$1,584,829. ([Utilities Department Engineering Division] Procurement Division)
5. **22-746** Approval to award Invitation for Bids Y22-763-R2, Corrections Horizon, Genesis, Phoenix, Female Detention Center Safety Rails, to the low responsive and responsible bidder, Axios Construction Services, LLC. The total contract award amount is \$1,563,579. ([Administrative Services Department Capital Projects Division] Procurement Division)
6. **22-747** Approval to award Invitation for Bids Y22-770-RC, Orange County Courthouse 16th Floor Buildout, to the sole responsive and responsible bidder, S.A. Casey Construction, Inc. The total contract award amount is \$179,000. ([Administrative Services Department Capital Projects Division] Procurement Division)
7. **22-748** Selection of Consultants, Request for Proposals Y22-115-WW, Outpatient Ambulatory Health Services for Persons with HIV (Ryan White Part A), with AIDS Healthcare Foundation, Inc. for Lot 1, in the overall total annual amount of \$1,998,254 for a one-year term, Florida Department of Health, Orange County for Lot 1, in the overall total annual amount of \$1,147,958 for a one-year term, Midway Specialty Care Center, Inc. for Lot 1, in the overall total annual amount of \$82,500 for a one-year term, Florida Department of Health, Osceola County for Lot 2, in the overall annual amount of \$500,000 for a one-year term, Florida Department of Health, Seminole County for Lot 3, in the overall total annual amount of \$398,761 for a one-year term, and Florida Department of Health Lake County for Lot 4, in the overall total annual amount of \$303,000 for a one-year term. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
8. **22-749** Approval of Amendment No. 5, Contract Y18-804, Professional Services for Utilities Operations Center-East Project, with Rhodes + Brito Architects, Inc. in the amount of \$357,420.42, for a revised contract amount of \$2,420,288.60. ([Utilities Department Engineering Division] Procurement Division)
9. **22-750** Approval of Amendment No. 2, Contract Y21-169, Boiler Preventative Maintenance and Repairs, with Mechanical Services of Central Florida, Inc.,

in the amount of \$340,000, for a revised total contract amount of \$1,296,190.
([Administrative Services Department Facilities Management Division]
Procurement Division)

10. **22-751** Approval and execution of Fourth Amendment to Lease by and between FGHP Triplex LLC and Orange County, and authorization for the Real Estate Management Division to exercise renewal options and furnish notices, required or allowed by the lease, as needed for FGHP Triplex - Correction Storage L B McLeod 4677 LB McLeod Road, Suite K, Orlando, Florida. Lease File #1010. District 6. (Real Estate Management Division)
11. **22-752** Approval and execution of Facility Use Agreement for the 2022 Election Year by and between Orange County, Florida and the Orange County Supervisor of Elections, and authorization for the Real Estate Management Division to update the election schedule exhibit, update the hours of operation exhibit, polling place contact information exhibit, and furnish notices, required or allowed by the use agreement, as needed for Supervisor of Elections Agreement 117-119 Kaley Street, Orlando, Florida 32806. Lease File #10018. Districts 1, 2, 3, 4, 5, and 6. (Real Estate Management Division)
12. **22-753** Approval and execution of License Agreement between Orange County, Florida and Simeon Resource and Development Center for Men, Inc., related to not-for-profit Community Center utilization for the provision of services benefitting the public and authorization for the Manager of the Community Action Division to exercise renewal options, and furnish notice, required or allowed by the license agreement, as needed for Simeon Resource and Development Center for Men - Holden Heights CC (CAD). Lease File #10116. District 6. (Real Estate Management Division)
13. **22-754** Approval and execution of Parking License Agreement by and between, the City of Orlando, Florida and Orange County, and authorization for the Real Estate Management Division to exercise renewal options and furnish notices, required or allowed by the agreement, as needed for Temp Construction Parking FDOH 925 W Church Street, Orlando, Florida 32805. Lease File #10160. District 6. (Real Estate Management Division)
14. **22-755** Approval and execution of Utility Easement between Orange County, Florida and T-Mobile South, LLC and authorization to record instrument for 4760 Sand Lake Road - T-Mobile Easement Parcel No.: 801.1. District 6. (Real Estate Management Division)
15. **22-756** Approval and execution of Boat Dock Restriction Agreement between Carmel By The Lake, LLC and Orange County and authorization to record instrument for Int Memo - BD-21-09-132 Carmel by the Lake. District 1. (Real Estate Management Division)

16. **22-757** Approval and execution` of Distribution Easement from Orange County Board of County Commissioners to Duke Energy Florida, LLC, d/b/a Duke Energy and authorization to record instrument for EWRF Curry Ford Access Road Improvements. District 4. (Real Estate Management Division)
17. **22-758** Approval and execution of Resolution 2022-M-31, Purchase Agreement, County Deeds, and Quit-Claim Easements transferring certain Orange County real property interests to the State of Florida Department of Transportation and authorization for the Real Estate Management Division to perform all actions necessary and incidental to closing for FDOT - S.R. 400 (Interstate 4) at Turkey Lake Road (Central Florida Parkway to Sand Lake Road). District 1. (Real Estate Management Division)
18. **22-759** 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 Lake Pickett Cluster Parcels 4 & 5 Phase 1 Permit No. BR-17-06-000. District 5. (Real Estate Management Division)
19. **22-760** Approval of Memorandum of Understanding by and between Orange County Public Works Department and Orange County Fire Rescue Department for real estate transactions related to the Three Points Maintenance Facility site, approval and execution of Notice of Reservation, and authorization to transfer funds from Orange County Fire Rescue Department to Orange County Public Works Department and disburse funds to pay recording fees and record instrument for Three Points Maintenance Facility. District 3. (Real Estate Management Division)

E. COMMUNITY AND FAMILY SERVICES DEPARTMENT

1. **22-761** Approval of the Orange County Head Start Self-Assessment Report 2022. (Head Start Division)
2. **22-762** Approval of Orange County Head Start Program Application for Federal Assistance Five-Year Grant (Year 3) FY 2022-2023 between the Department of Health and Human Services, Administration for Children and Families, Office of Head Start and Orange County in the amount of \$14,704,441 for the continued operation of the Head Start Program; and approval and execution of U.S. Department of Health and Human Services Compendium of Required Certifications and Assurances. The required non-federal match in the amount of \$3,676,269, is derived from parent volunteerism, donations of goods and services, lease agreements, and County support. (Head Start Division)
3. **22-763** Receipt and filing of Head Start Policy Council Meeting Minutes March 24, 2022, Head Start Policy Council Program Information and Updates April

2022, Head Start Policy Council Meeting Minutes April 21, 2022, Head Start Policy Council Program Information and Updates May 2022, and Head Start Policy Council Special Call Meeting Minutes June 1, 2022 for the official county record. (Head Start Division)

F. HEALTH SERVICES DEPARTMENT

1. **22-764** Approval and execution of State of Florida Department of Health Amendment #A1 between the State of Florida, Department of Health, and the Orange County Board of County Commissioners and authorization for the Mayor or designee to sign any future amendments to this agreement.
2. **22-765** Approval and execution of Data Sharing Agreement between the State of Florida, Department of Health and Orange County, Florida for three years effective upon approval of the parties and authorization for the Mayor or designee to sign any amendments to the agreement. (Fiscal and Operational Support Division)
3. **22-766** Approval and execution of Rabies Control Program Memorandum of Agreement Orange County and State of Florida Department of Health Orange County Health Department. (Animal Services Division)
4. **22-767** Approval to accept the 2021 Paul Coverdell Forensic Sciences Improvement Grant in the amount of \$2,111.45 from the Florida Department of Law Enforcement/National Institute of Justice for the grant period of January 1, 2022 through December 31, 2022, and authorization for the Mayor or designee to approve any future amendments to this grant. No county match is required. (Medical Examiner's Office)
5. **22-768** Approval to pay Orange County's Medicaid share of cost in accordance with Florida Statute 409.915 for state fiscal year 2022-2023 in the amount of \$19,402,504.

G. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

1. **22-769** Approval and execution of Governmental Contract State of Florida Florida Fish and Wildlife Conservation Commission Contract No. FWC21148 by and between the Florida Fish and Wildlife Conservation Commission and Orange County for controlling invasive aquatic plants in specific Orange County lakes, and authorization for the Environmental Protection Division Contract Manager to sign annual task assignments. All Districts. (Environmental Protection Division)
2. **22-770** Acceptance of the findings and recommendation of the Environmental Protection Commission and approval of the request for variance to Section 15-342(d) to reduce the required floor elevation from one foot above to 0.87-foot below the Normal High Water Elevation with the condition that the

applicants enter into a Hold Harmless and Indemnification Agreement with Orange County for the Haidar and Ziena Rahal Dock Construction Permit BD-22-02-031. District 5. (Environmental Protection Division)

3. **22-771** Acceptance of the findings and recommendation of the Environmental Protection Commission and approval of the request for waiver to Section 15-342(b) to increase the maximum allowable terminal platform size from 734 to 768 square feet with a mitigation payment of \$438 to the Conservation Trust Fund within 60 days of the decision of the Board for the Bruce and Nancy Klawinski Dock Construction Permit BD-21-12-166. District 1. (Environmental Protection Division)
4. **22-772** Acceptance of the findings and recommendation of the Environmental Protection Commission and approval of the request for waiver to Orange County Code, Chapter 15, Article IX, Section 15-342(b) to increase the maximum allowable terminal platform size from 590 square feet to 624 square feet with a mitigation payment of \$351.25 to the Conservation Trust Fund within 60 days of the decision of the Board for the Maria Richardson Dock Construction Permit BD-21-07-104. District 1. (Environmental Protection Division)
5. **22-773** Approval and execution of Resolution of the Orange County Board of County Commissioners regarding Air Quality and Air Pollution Control; adopting a fee schedule for asbestos removal projects; providing for severability; and providing for an effective date. All Districts. (Environmental Protection Division)

(This item was deferred.)

6. **22-774** Approval and execution of Resolution 2022-M-32 of the Orange County Board of County Commissioners regarding amending the membership of the Big Sand Lake Advisory Board. District 1. (Environmental Protection Division)
7. **22-775** Approval and execution of U.S. Environmental Protection Agency Assistance Amendment Grant Number (FAIN): PM-01D05820-2 Modification Number: 2 between the U.S. EPA, Region 4, Air and Radiation Division and Orange County Board of County Commissioners for the Particulate Matter (PM 2.5) Ambient Monitoring Network and authorization for the Environmental Protection Division Manager to make non-substantial amendments to the agreement, including additional service periods. All Districts. (Environmental Protection Division)
8. **22-776** Approval of the Neighborhood Grants Advisory Board recommendations for April 2022 Neighborhood Beautification Grants for Brentwood Club Community (\$3,500), Citrus Chase Subdivision (\$3,500), Magnolia Lakes

Subdivision (\$10,000), Plymouth Community Improvement, Inc. (\$10,000), South Lake Holden Homeowners' Association (\$3,500), Lake Sybelia Estates Subdivision (\$10,000), and Winter Hill Subdivision (\$3,500) and authorization for the Director of Planning, Environmental, and Development Services to execute the associated grant agreements. Districts 1, 2, 3, 5, and 6. (Neighborhood Services Division)

9. **22-777** Approval and execution of (1) State of Florida Department of Transportation Community Aesthetic Feature Agreement between the State of Florida, Department of Transportation and Orange County, Florida and (2) Resolution 2022-M-33 of the Orange County Board of County Commissioners regarding the Community Aesthetic Feature Agreement between the State of Florida Department of Transportation and Orange County, Florida. Districts 3, 5, and 6. (Neighborhood Services Division)
10. **22-778** Approval and execution of Proportionate Share Agreement for VW Orlando Orange Blossom Trail & Sand Lake Road by and between BHA Real Estate Holdings, LLC and Orange County for a proportionate share payment in the amount of \$67,710. District 3. (Roadway Agreement Committee)
11. **22-779** Approval and execution of Memorandum of Agreement between Orange County and Central Florida Regional Transportation Authority D/B/A LYNX for Transit Planning In Kind Services. District 6. (Roadway Agreement Committee)

H. PUBLIC WORKS DEPARTMENT

1. **22-780** Authorization to record the plat of Landings at Boggy Creek. District 4. (Development Engineering Division)
2. **22-781** Authorization to record the plat of Spring Isle Storage. District 4. (Development Engineering Division)
3. **22-782** Authorization to record the plat of Orlando Storage. District 1. (Development Engineering Division)
4. **22-783** Approval and execution of Right of Way Transfer and Continuing Maintenance Agreement between Central Florida Expressway Authority and Orange County, Florida (Wekiva Parkway) and approval to record the Quit Claim Deed for a portion of Wekiva Parkway. District 2. (Roads and Drainage Division)
5. **22-784** Approval and execution of Right of Way Transfer and Continuing Maintenance Agreement between Central Florida Expressway Authority and Orange County, Florida (Clarcona-Ocoee Road/West Road) and approval to record the Quit Claim Deed for Clarcona-Ocoee Road/West Road. District 2. (Roads and Drainage Division)

6. 22-785 Approval and execution of (1) Resolution 2022-M-34 of the Orange County Board of County Commissioners regarding authorization to convey certain County property interest to the City of Winter Garden, Florida and (2) Assignment of Drainage Easements from Orange County to the City of Winter Garden. District 1. (Roads and Drainage Division)

I. UTILITIES DEPARTMENT

1. 22-786 Approval and execution of Seventh Amendment to Memorandum of Agreement between City of St. Cloud, Tohopekaliga Water Authority, Orange County, Polk County and Reedy Creek Improvement District for Cost Sharing and Permit Compliance Coordination. All Districts.

II. INFORMATIONAL ITEMS**

A. COUNTY COMPTROLLER

1. 22-787 Receipt of the following items to file for the record: (Clerk's Office)
- a. Myrtle Creek Improvement District FY 2023 Proposed Operations & Maintenance Budget.
 - b. Boggy Creek Improvement District FY 2023 Proposed Operations & Maintenance Budget.
 - c. Midtown Improvement District FY 2023 Proposed Operations & Maintenance Budget.
 - d. Poitras East Community Development District FY 2023 Proposed Operations & Maintenance Budget.
 - e. Greenway Improvement District FY 2023 Proposed Operations & Maintenance Budget.
 - f. Winter Garden Village at Fowler Groves Community Development District FY 2023 Proposed Operations/Maintenance Budget and Debt Service Budget.
 - g. Stoneybrook West Community Development District Annual Operating and Debt Service Budget Fiscal Year 2023 Approved Budget May 25, 2022.
 - h. East Park Community Development District Annual Operating and Debt Service Budget Fiscal Year 2023 Approved Tentative Budget.

These items were received and filed.

III. DISCUSSION AGENDA

A. COUNTY ADMINISTRATOR

1. **22-788** Visit Orlando Board of Directors Appointment.

The following nominations were presented:

Mayor Demings nominated Evelyn Cardenas.

Commissioner Uribe nominated Chris Jaskiewicz.

Commissioner Wilson nominated Stephen Facella.

AYE vote cast by voice vote for Evelyn Cardenas as follows: Mayor Demings, Commissioner Moore, Commissioner Gomez Cordero, and Commissioner Siplin.

NAY vote cast by voice vote for Evelyn Cardenas as follows: Commissioner Wilson, Commissioner Uribe, and Commissioner Bonilla.

Evelyn Cardenas received the majority vote to be appointed to the Visit Orlando Board of Directors; no further votes were cast.

2. **22-789** Value Adjustment Board Appointment.

The following nominations were presented:

Mayor Demings nominated Ruye H. Hawkins.

Commissioner Gomez Cordero nominated Jorge Peticari.

AYE vote cast by voice vote for Ruye H. Hawkins as follows: Mayor Demings, Commissioner Wilson, Commissioner Uribe, and Commissioner Siplin.

NAY vote cast by voice vote for Ruye H. Hawkins as follows: Commissioner Moore, Commissioner Gomez Cordero, and Commissioner Bonilla.

Ruye H. Hawkins received the majority vote to be appointed to the Value Adjustment Board; no further votes were cast.

3. **22-790** Appointment to the Winter Garden Community Redevelopment Agency.

A motion was made by Commissioner Wilson, seconded by Commissioner Moore, to appoint Charlie Mae Wilder to the Winter Garden Community Redevelopment Agency Board. 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. FIRE RESCUE DEPARTMENT

1. **22-791** 2022 Hurricane Season Update. (Office of Emergency Management)

The Board took no action.

IV. WORK SESSION AGENDA

A. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

1. **22-792** Chapter 30 Concurrency Ordinance Update.

The Board took no action.

B. UTILITIES DEPARTMENT

1. **22-793** Septic Tank Subgroup B. All Districts. (Engineering Division)

The Board took no action.

V. RECOMMENDATIONS

1. **22-794** June 2, 2022 Board of Zoning Adjustment Recommendations

A motion was made by Commissioner Uribe, seconded by Commissioner Moore, to approve the recommendations, with the exception of Case # VA-22-06-044, Daniel Wagner (Appeal), which was pulled from the recommendations; subject to the usual right of appeal by any aggrieved party. The motion carried by the following vote:

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

VI. PUBLIC HEARINGS

A. Shoreline Alteration Dredge and Fill Permit

1. **22-477** Case # SADF-21-08-020

Clay and Susan Townsend, Lake Conway, permit; District 3

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit SADF # 21-08-020 to construct a new seawall, pursuant to Orange County Code, Chapter 33, Article II, Lake Conway Water and Navigational Control District.

Location: District 3; on property located adjacent to Lake Conway, located at 4751 Rosewood,

Orlando, FL 32806; Orange County, Florida (legal property description on file in Environmental Protection Division)

A motion was made by Commissioner Uribe, seconded by Commissioner Moore, to accept the findings and recommendation of the Environmental Protection Division; and further, approve the Shoreline Alteration/Dredge and Fill Permit (SADF-21-08-020) subject to the thirty-three (33) conditions of approval listed in the staff report dated May 10, 2022. The motion carried by the following vote:

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

2. **22-603** Case # SADF-22-02-004

Shaun Murray, Lake Whippoorwill, after-the-fact permit; District 4

Consideration: Request for an After-the-fact Shoreline Alteration/Dredge and Fill Permit SADF # 22-02-004 to keep 150 feet of riprap along Lake Whippoorwill, pursuant to Orange County Code, Chapter 15, Article VI. Pumping and Dredging Control.

Location: District 4; on property located adjacent to Lake Whippoorwill, located at 12310 Kirby Smith Road, Orlando, FL 32832; Orange County, Florida (legal property description on file in Environmental Protection Division)

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Uribe, to accept the findings and recommendation of the Environmental Protection Division; and further, approve the Shoreline Alteration/Dredge and Fill Permit (SADF-22-02-004) subject to the twenty-three (23) conditions of approval listed in the staff report dated May 10, 2022. The motion carried by the following vote:

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

3. **22-606** Case # SADF-22-03-007

John Mader, Willoughby Canal leading to Lake Conway, permit; District 3

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit SADF # 22-03-007 to authorize the construction of a replacement vinyl seawall for a boat basin along a portion of the shoreline, pursuant to Orange County Code, Chapter 33, Article II, Lake Conway Water and Navigational Control District.

Location: District 3; on property located adjacent to Willoughby Canal leading to Lake Conway, located at 7009 Willoughby Lane, Belle Isle, FL. 32812; Orange County, Florida (legal property description on file in Environmental Protection Division)

A motion was made by Commissioner Uribe, seconded by Commissioner Gomez Cordero, to accept the findings and recommendation of the Environmental Protection Division; and further, approve the Shoreline Alteration/Dredge and Fill Permit (SADF-22-03-007) subject to the

twenty-five (25) conditions of approval listed in the staff report dated May 23, 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. Petition to Vacate

4. 22-607 PTV-22-02-008

Jonathan P. Huels, on behalf of Adventist Health System/Sunbelt, Inc., vacate a drainage easement; District 4

Consideration: Resolution granting Petition to Vacate #22-02-008, vacating a 20 foot wide drainage easement, containing approximately 0.64 acres.

Location: District 4; property generally located at 14314 Boggy Creek Road; Section 33, Township 24, Range 30; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Uribe, to approve the request listed in the staff report dated June 21, 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

5. 22-608 PTV-21-04-021

Mitchell and Tara Hill, vacate a portion of a utility easement; District 4

Consideration: Resolution granting Petition to Vacate #21-04-021, vacating a 5 foot wide portion of a 10 foot wide utility easement located at the rear property line of the petitioners residential lot located in the Pepper Mill Subdivision at 2726 Bay Leaf Drive containing 375 square feet.

Location: District 4; property generally located at 2726 Bay Leaf Drive; Section 21, Township 24, Range 29; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Wilson, to approve the request listed in the staff report dated June 21, 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

C. Substantial Change

6. 22-657 Case # CDR-22-03-079

Tom Daly, Daly Design Group, Tyson Ranch Planned Development / Land Use Plan (PD / LUP); amend plan; District 4

Consideration: A PD substantial change to request a waiver from Orange County Code Section 38-79(84)(c) to allow a 0' (zero foot) side setback on screen enclosures, in lieu of a 5' (five foot) side setback for screen enclosures on PD Parcel 4; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 4; property located at 14650 New Creek Avenue; generally west of Boggy Creek Road and north of Simpson Road; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Tom Daly.

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Bonilla, to make a finding of consistency with the Comprehensive Plan; and approve the substantial change request subject to the eight (8) conditions of approval listed under the Development Review Committee recommendation in the staff report dated June 13, 2022. The motion carried by the following vote:

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

D. Development Plan

7. **22-609** Case # DP-21-09-287

Jenny Baez, Bowman Consulting Group, Ltd., Hamlin Planned Development - Unified Neighborhood Plan / Hamlin East Proton Therapy Center Preliminary Subdivision Plan / Chick-Fil-A Development Plan; District 1

Consideration: Hamlin Planned Development - Unified Neighborhood Plan / Hamlin East Proton Therapy Center Preliminary Subdivision Plan / Chick-Fil-A Development Plan; Case # DP-21-09-287 submitted in accordance with Orange County Code, Chapter 34, Article III, Section 34-69 and Chapter 30, Article III, Section 30-89; This Development Plan (DP) is a request to construct a 4,848 square feet fast food restaurant with drive-thru on a total of 1.82 acres. The request also includes a waiver from Orange County Code: 1. A waiver from Orange County Code Section 38-1390.53(a)(2) is requested to allow decorative screen fencing as an alternative to the masonry knee wall along framework streets in lieu of providing a decorative masonry knee wall in accordance with the standards described in Section 38-1390.52(b)(3).

Location: District 1; property generally located North of Independence Parkway / East of Hamlin Groves Trail; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Wilson, seconded by Commissioner Moore, to make a finding of consistency with the Comprehensive Plan; and approve the request subject to the nineteen (19) conditions of approval listed under the Development Review Committee recommendation in the staff report dated May 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

E. Planning and Zoning Commission Rezoning Board-Called

8. **22-659** Case # RZ-22-03-015

Jonathan Dorman, Colonial Storage Associates LLC, April 21, 2022;
District 5

Case No.: Planning and Zoning Commission, Case # RZ-22-03-015; April 21, 2022

Consideration: A request to rezone the affected portion of 2.26-gross acres from A-2 (Farmland Rural District) to R-2 Restricted (Residential District) in order to construct up to 22 single-family attached dwelling units.

Location: District 5; property located at 14545 E. Colonial Drive; generally located east of Lake Pickett Rd, west of S. Tanner Rd, approximately 600 ft. west of Pilgrim St. Orange County, Florida (legal property description on file)

A motion was made by Commissioner Bonilla, seconded by Commissioner Uribe, to continue the public hearing until July 26, 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/Comprehensive Plan - Adoption of Small-Scale Amendments and Ordinance

9. **22-796** 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.

A motion was made by Commissioner Bonilla, seconded by Commissioner Gomez Cordero, to continue the public hearing until September 27, 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

10. 22-658 Adoption of Future Land Use Map Amendment SS-22-03-019, Ordinance and Concurrent Rezoning RZ-22-03-020

a. Amendment SS-22-03-019

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

Location: District 3; property located at S. Goldenrod Road; generally located on the west side of S. Goldenrod Road, and north of Sun Vista Way; Orange County, Florida (legal property description on file in Planning Division)

AND

b. Ordinance for Proposed Amendment

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

AND

c. Concurrent Rezoning RZ-22-03-020

Consideration: A request to change the zoning district from A-2 (Farmland Rural District) to C-2 Restricted (General Commercial District) to allow for C-1 uses plus the C-2 use of automotive repair and service; pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code Chapter 30

Location: District 3; property located at S. Goldenrod Road; generally located on the west side of S. Goldenrod Road, and north of Sun Vista Way; Orange County, Florida (legal property description on file in Planning Division)

A motion was made by Commissioner Uribe, seconded by Commissioner Gomez Cordero, to continue the public hearing until August 30, 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

11. 22-660 Adoption of Future Land Use Map Amendment SS-21-10-072, Ordinance and Concurrent Rezoning RZ-22-03-018

a. Amendment SS-21-10-072

Consideration: A request to change the Future Land Use Map designation from Commercial (C) to Medium Density Residential (MDR); pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code Chapter 30

Location: District 3; property located at 4893 S. Orange Blossom Trail; generally located on the east side of S. Orange Blossom Trail, south of Redman Street and north of Americana Boulevard; Orange County, Florida (legal property description on file in Planning Division)

And

b. Ordinance for Proposed Amendment

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

And

c. Concurrent Rezoning RZ-22-03-018

Consideration: A request to change the zoning district from C-1 (Retail Commercial District) to R-3 (Multiple-Family Dwelling District) to allow for up to 154 multi-family units (20 units per acre); pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code Chapter 30

Location: District 3; property located at 4893 S. Orange Blossom Trail; generally located on the east side of S. Orange Blossom Trail, south of Redman Street and north of Americana Boulevard; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Rick Baldocchi.

A motion was made by Commissioner Uribe, seconded by Commissioner Gomez Cordero, to make a finding of consistency with the Comprehensive Plan; further, adopt Amendment SS-21-10-072, Medium Density Residential (MDR) Future Land Use; further, adopt the

associated Small-Scale Ordinance 2022-22; and further, approve concurrent rezoning RZ-22-03-018, from C-1 (Retail Commercial District) to R-3 (Multiple-Family Dwelling District) listed in the staff report dated June 13, 2022. The motion carried by the following vote:

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

G. Ordinance

12. **22-661** Amending Orange County Code, Chapter 15, Article III, pertaining to Air Quality Control; All Districts

Consideration: An Ordinance in Orange County, Florida, pertaining to Air Quality and Air Pollution Control; amending Section 15-70, Definitions; amending Section 15-89.1, Air Pollution Prohibited; amending Section 15-90, adoption of State and Federal Rules by reference; amending Section 15-110, Inspection And Notification Fees; and providing an effective date.

A motion was made by Commissioner Uribe, seconded by Commissioner Moore, to determine that the proposed Ordinance will not have a substantial impact on the development of real property within Orange County; further, adopt Ordinance 2022-23, pertaining to Air Quality and Air Pollution Control; Amending Section 15-70, Definitions; Amending Section 15-89.1, Air Pollution Prohibited; Amending Section 15-90, Adoption of State and Federal Rules by Reference; Amending Section 15-110, Inspection and Notification Fees; and Providing an Effective Date; and further, approve and execute Resolution 2022-M-35 of the Orange County Board of County Commissioners regarding Air Quality and Air Pollution Control; adopting a fee schedule for asbestos removal projects; providing for severability; and providing for an effective date. 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)

G. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

5. **22-773** Approval and execution of Resolution of the Orange County Board of County Commissioners regarding Air Quality and Air Pollution Control; adopting a fee schedule for asbestos removal projects; providing for severability; and providing for an effective date. All Districts. (Environmental Protection Division)

This consent item was approved.

III. DISCUSSION AGENDA (Continued)**C. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT**

1. **22-795** Approval and execution of Memorandum of Understanding regarding a Traffic Operations Project at the intersection of Orange Avenue and Holden Avenue by and between Orange County and the State of Florida Department of Transportation; authorization to proceed with the short-term improvements; and direction to staff on long-term improvements including selection of a preferred alternative (if any) and project delivery option. (Transportation Planning Division)

This discussion item was canceled.

√ **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: 2:49 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.