

BCC Mtg. Date: April 27, 2021

Orange County Government

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



Final Meeting Minutes

Tuesday, March 23, 2021

9:00 AM

County Commission Chambers

Board of County Commissioners

Call to Order

County Mayor Demings called the meeting to order at 9:05 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
Deputy County Administrator Danny Banks
County Attorney Jeffrey J. Newton
Deputy County Attorney Joel Prinsell
Deputy Clerk Katie Smith
Senior Minutes Coordinator Noelia Perez

Invocation - District 5

Pastor Sarah Robinson, Audubon Park Church

Pledge of Allegiance**Moment of Silence**

To remember the victims of the Boulder, Colorado shootings and for the passing of City of Orlando Police Officer Kevin Valencia.

Presentation

Proclamation recognizing April as Water Conservation Month

Public Comment

The following people addressed the Board for public comment:

- Jim Moyer
- Kevin Rose
- Gwendolyn Turner
- Patricia Rumph
- Lisa Franchina
- Deborah Carwise
- Cheryl Soriano
- Eddie Moorner
- Richard Yates

- Michelle Dally
- Trevor Elizabeth Davies
- Mike Gonidakis
- Crystal Grastara
- Nanette Wagner
- Joseph Lafleur

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

I. CONSENT AGENDA

Approval of the Consent Agenda

The Mayor deleted County Attorney Consent Item 1; and further, a motion was made by Commissioner Uribe, seconded by Commissioner Siplin, 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 COMPTROLLER

1. **21-310** Approval of the minutes of the February 23, 2021 meeting of the Board of County Commissioners. (Clerk's Office)
2. **21-311** Approval of the check register authorizing the most recently disbursed County funds, having been certified that same have not been drawn on overexpended accounts. Periods are as follows:
 - March 5, 2021, to March 11, 2021; \$59,903,068.67
 - March 12, 2021, to March 18, 2021; \$19,306,831.07.(Finance/Accounting)
3. **21-312** Disposition of Tangible Personal Property as follows. (Property Accounting)
 - a. Scrap assets.
 - b. Dispose of assets totaled by our third party administrator for its salvage value.

B. COUNTY ADMINISTRATOR

1. **21-313** Confirmation of the appointment of Kenneth B. Hill as the District 5 representative on the Membership and Mission Review Board with a term expiring December 31, 2022. (Agenda Development Office)

2. **21-314** Approval and execution of Resolution 2021-B-02 for the issuance of Multi-Family Housing Mortgage Revenue Bonds, to finance the acquisition and rehabilitation of Crescent Club Apartments, a proposed development in Orange County, Florida, District 6, in an amount not to exceed \$19,623,940. (Housing Finance Authority)
3. **21-315** Confirmation of the County Mayor's staff reappointments for the third quarter, April - June, FY 2020-2021. (Human Resources Division)
- Lauraleigh Avery, Division Chief, Emergency Management, Fire Rescue
Yolanda Brown, Manager, Fiscal and Operational Support, Community and Family Services
Hector Clemente, Manager, Facility Operations, Convention Center
James Fitzgerald, Director, Fire Rescue
Carrie Fydenkevez Mathes, Manager, Procurement, Administrative Services
Mitchell Glasser, Manager, Housing and Community Development, Planning, Environmental, and Development Services
John Goodrich, Deputy Director, Health Services
David Gregory, Manager, Solid Waste, Utilities
Steve Harrison, Manager, Mosquito Control, Health Services
Reed Knowlton, Manager, Fiscal and Operational Support, Administrative Services
Anne Kulikowski, Director, Administrative Services
Yolanda Martinez, Director, Health Services
Jennifer Moreau, Manager, Zoning, Planning, Environmental, and Development Services
Crystal Mudd, Manager, Capital Planning and Building Systems, Convention Center
Renzo Nastasi, Manager, Transportation Planning, Planning, Environmental, and Development Services
Kurt Petersen, Manager, Office of Management and Budget, Administration and Fiscal Services
Joel Prinsell, Deputy County Attorney, County Attorney's Office
David Rathbun, Deputy Director, Fire Rescue
Teresa Remudo, Deputy Director, Utilities
Anthony Rios, Division Chief, Planning and Technical Services, Fire Rescue
Joshua Stephany, Medical Examiner, Health Services
Jacqueline Torbert, Manager, Water Operation, Utilities
Raymond Walls III, Manager, Fiscal and Operational Support, Convention Center
Isiah White Jr., Manager, Guest and Facility Security, Convention Center
Lindy Wolfe, Manager, Utilities Engineering, Utilities
4. **21-316** Approval for the Orange County Sheriff's Office to spend \$139,600 from the FY 2021 Law Enforcement Trust Fund-Federal Forfeitures for Rapid ID Scanners. (Office of Management and Budget)

5. **21-317** Approval for the Orange County Sheriff's Office to spend \$6,500 from the FY 2021 Law Enforcement Trust Fund-State Forfeitures for Victim Service Center of Central Florida (\$5,000) and National Alliance on Mental Illness of Greater Orlando (\$1,500). (Office of Management and Budget)
6. **21-318** Approval of budget amendments #21-25, #21-26, and #21-27. (Office of Management and Budget)
7. **21-319** Approval of budget transfer #21C-0064. (Office of Management and Budget)
8. **21-320** Approval of CIP amendment #21C-0064. (Office of Management and Budget)

C. COUNTY ATTORNEY

1. **21-321** Approval and execution of Settlement Agreement between Orange County, Florida and Yasmin A. Thariani and Yanila Thariani related to code violations at 3216 Butler Bay, Windermere, Florida and foreclosure case (9th Judicial Circuit Court Case No.: 2019-CA-006509-O).

(This item was deleted.)

D. ADMINISTRATIVE SERVICES DEPARTMENT

1. **21-322** Approval to award Invitation for Bids Y21-136-MV, MSBU and Non-MSBU Retention Pond Mowing and Maintenance - Three Points, to the low responsive and responsible bidder, Carol King Landscape Maintenance, Inc. The estimated contract award amount is \$250,460 for the base year. ([Public Works Department Stormwater Management Division] Procurement Division)
2. **21-323** Approval to award Invitation for Bids Y21-137-MV, Infrastructure Locator, to the low responsive and responsible bidder, High Tech Engineering Incorporated. The estimated contract award amount is \$2,961,268.20 for a three-year term. ([Utilities Department Field Services Division] Procurement Division)
3. **21-324** Approval to award Invitation for Bids Y21-712-FH, Campground Electric Upgrades at Kelly, Magnolia, and Trimble Parks, to the low responsive and responsible bidder, Café Construction & Development Inc. The total contract award amount is \$283,000. ([Administrative Services Department Capital Projects Division] Procurement Division)
4. **21-325** Approval and execution of Agreement regarding Orange County, Florida's Assignment of County Contract No. Y19-1036 from Event Technology, LLC d/b/a Etech to Xponet Corporation d/b/a Xpodigital. ([Convention Center

Fiscal and Operational Support Division] Procurement Division)

5. **21-326** Approval of Contract Y21-1008-TJ, Inmate Management System (IMS) Maintenance and Support, with DSI-ITI, Inc., in the amount of \$1,329,068.78 for a three-year term. ([Administration and Fiscal Services Information Systems and Services Division] Procurement Division)
6. **21-327** Approval of Contract Y21-1009, Lease Assistance Agreement, with Central Florida Family Health Center, Inc. dba True Health, in the estimated contract award amount of \$151,248 for a one-year term. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
7. **21-328** Ratification of Purchase Order M102146, Change Order No. 3, Temporary Staffing Services, with AUE Staffing, Inc., in the amount of \$304,379.94, for a revised not-to-exceed total amount of \$784,019.84. ([Planning, Environmental, and Development Services Department Housing and Community Development Division] Procurement Division)
8. **21-329** Ratification of Purchase Order M103134, Change Order No. 4, Data Management, Reporting and On-Site IT Equipment, with CDR Maguire, Inc., in the amount of \$134,000, for a revised not-to-exceed total amount of \$543,500. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
9. **21-330** Ratification of Purchase Order M103557, Change Order No. 1, COVID-19 Testing and Site Personnel, with CDR Maguire, Inc. dba CDR Health Care, Inc., in the amount of \$1,844,500, for a revised not-to-exceed total amount of \$3,509,500. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
10. **21-331** Ratification of Purchase Order M103606, Emergency Rental Assistance Software, with Neighborly Software, in the not-to-exceed amount of \$134,000. ([Planning, Environmental, and Development Services Department Housing and Community Development Division] Procurement Division)
11. **21-332** Ratification of Purchase Order M103677, Security Guard Services for Orange County Courthouse and Miscellaneous Sites, with G4S Secure Solutions USA, Inc., in the amount of \$478,485.28. ([Administrative Services Department Facilities Management Division] Procurement Division)
12. **21-333** Approval to Purchase Renewals of All Lines of Commercial Insurance Coverage under Contract Y20-1061, Insurance Broker and Consultant Services, with Arthur J. Gallagher Risk Management Services, Inc., for premiums not-to-exceed the amount of \$5,547,750. ([Administration and Fiscal Services Risk Management and Professional Standards Division] Procurement Division)

13. **21-334** Approval and execution of Resolution 2021-M-05 of the Orange County Board of County Commissioners regarding Authorization to Acquire an Easement Interest Over and Across State Owned Uplands for Wekiwa Springs State Park Entrance. District 2. (Real Estate Management Division)
14. **21-335** Approval of TIE -Temporary Ingress - Egress Easement from RESI LBV LLC, to Orange County and authorization to disburse funds to pay recording fees and record the instrument for Master Pump Station No. 3597 (Group 4A2). District 1. (Real Estate Management Division)

E. COMMUNITY AND FAMILY SERVICES DEPARTMENT

1. **21-336** Approval and execution of Agreement between Orange County, Florida and Central Florida Regional Workforce Development Board, Inc. d/b/a Career Source Central Florida related to the Orange County Summer Youth Employment Program. The cost to the County is \$120,000. All Districts. (Community Action Division)
2. **21-337** Approval of Orange County Head Start Eligibility Priority Selection Criteria 2021-2022 to establish a formal selection process for eligible children and families. All Districts. (Head Start Division)
3. **21-338** Approval and execution of (1) Contract between State of Florida, Department of Juvenile Justice and Orange County, Florida Contract #10705 to provide administration and management services at the Circuit 9 Juvenile Assessment Center; (2) Contract Content Acknowledgement; and (3) Certification Regarding Scrutinized Companies; and authorization for the Mayor or designee to approve any increases, decreases, or amendments to this contract. (Youth and Family Services Division)

F. HEALTH SERVICES DEPARTMENT

1. **21-339** Approval and execution of the Paratransit Services License for Promotion Transportation Services to provide wheelchair/stretchers service. The term of this license is from April 1, 2021 through April 1, 2023. There is no cost to the County. (EMS Office of the Medical Director)
2. **21-340** Approval and execution of the renewal Certificate of Public Convenience and Necessity for the City of Apopka Fire Department to provide Advanced Life Support Transport Service. The term of this certificate is from April 1, 2021 through April 1, 2023. There is no cost to the County. (EMS Office of the Medical Director)
3. **21-341** Approval and execution of the renewal Certificate of Public Convenience and Necessity for the Greater Orlando Aviation Authority to provide Advanced Life Support Transport Service. The term of this certificate is from

April 30, 2021 through April 30, 2023. There is no cost to the County. (EMS Office of the Medical Director)

4. **21-342** Approval and execution of the renewal Certificate of Public Convenience and Necessity for Orlando Health to provide Advanced Life Support Transport Service. The term of this certificate is from April 30, 2021 through April 30, 2023. There is no cost to the County. (EMS Office of the Medical Director)
5. **21-343** Approval to accept the 2020 Paul Coverdell Forensic Sciences Improvement Grant in the amount of \$2,399 from the Florida Department of Law Enforcement/National Institute of Justice for the grant period of January 1, 2021 through December 31, 2021, and authorization for the Mayor or designee to approve any future amendments to this grant. No county match is required. (Medical Examiner)

G. PLANNING, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

1. **21-344** 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 21-0224 LC 21-0172 LC 21-0230 LC 21-0221 LC 21-0199
LC 21-0149 LC 21-0204 LC 21-0111 LC 21-0120 LC 21-0208
LC 21-0169 LC 21-0229 LC 21-0218 LC 21-0135 LC 21-0211
LC 21-0170 LC 21-0205 LC 21-0246 LC 21-0190 LC 21-0217
2. **21-345** Acceptance of the findings and recommendation of the Environmental Protection Commission and approval of the after-the-fact variance to Orange County Code, Chapter 15, Article IX, Section 15-342(d) (floor height) to allow the dock to remain as constructed with the conditions that the applicant enter into a Hold Harmless and Indemnification Agreement with Orange County, and make a payment of \$799 to the Conservation Trust Fund within 60 days of the decision of the Board of County Commissioners for the Thomas Hagood Dock Construction Permit BD-18-01-002. District 5. (Environmental Protection Division)
3. **21-346** 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 terminal platform size from 808 square feet to 1,098 square feet with the condition that the applicant make a payment of \$737 to the Conservation Trust Fund within 60 days of the decision of the Board of County Commissioners for the Khurram and Manijeh Sheik Dock Construction Permit BD-20-07-119. District 1. (Environmental Protection

Division)

4. **21-347** Acceptance of the findings and recommendation of the Environmental Protection Commission and approval of the request for an after-the-fact variance to Orange County Code, Chapter 15, Article IX, Section 15-342(e) to increase the allowable roof height from 12 feet to 13.24 feet with the condition that the applicant pay an administrative penalty of \$799 to the Conservation Trust Fund within 60 days of the decision of the Board of County Commissioners for the Daniel and Suzanne Burquist Dock Construction Permit BD-18-06-070. District 1. (Environmental Protection Division)
5. **21-348** Ratification of Change Order No. 2 to Contract Y20-767, with Carr and Collier, Inc., in the amount of \$72,042.55 for the Keystone Drive Nutrient Separating Baffle Box and Upflow Filter Water Quality Improvement Project, for a revised total contract amount of \$817,199.61. District 3. (Environmental Protection Division)

H. PUBLIC WORKS DEPARTMENT

1. **21-349** Approval and execution of (1) Resolution 2021-M-06 of the Orange County Board of County Commissioners regarding the Local Agency Program Agreement with the Florida Department of Transportation for the Oakland Avenue Roundabout Project, and (2) State of Florida Department of Transportation Local Agency Program Agreement FPN: 444899-1-58-01 and 444899-1-68-01. District 1. (Transportation Planning Division)
2. **21-350** Approval and execution of Amended and Restated Joint Participation Agreement between Orange County and Osceola County for Contemplated Improvements at Ward Road and Simpson Road. The cost to the County is \$450,000. District 4. (Traffic Engineering Division)
3. **21-351** Approval and execution of Assignment of Railroad Reimbursement Agreements from Orange County to the City of Orlando for FDOT/ARR Crossing Number 22360-R (New Hampshire Avenue); FDOT/AAR Crossing Number 622309-T (Drennan Road); FDOT/AAR Crossing Number 622308-L (Pineloch Road); and FDOT/AAR Crossing Number 622173-H (Princeton Street and Rollins Avenue). Districts 3 and 5. (Traffic Engineering Division)
4. **21-352** Approval to decrease the speed limit on Lakeville Road between South Apopka Boulevard and Clarcona Ocoee Road from 50 and 45 mph to 35 mph. District 2. (Traffic Engineering Division)

II. INFORMATIONAL ITEMS**

A. COUNTY COMPTROLLER

1. **21-353** Receipt of the following items to file for the record: (Clerk's Office)
 - a. Florida Public Service Commission Order Approving Modifications to Duke Energy Florida, LLC's Fixedbill (FB-1) Rate Schedule. In re: Petition for approval of modifications to rate schedule FB-1, fixedbill program by Duke Energy Florida, LLC.
 - b. Florida Public Service Commission Order Granting Duke Energy Florida, LLC's Petition for Approval of Third Solar Base Rate Adjustment and Approving Tariff. In re: Petition for a limited proceeding to approve third solar base rate adjustment, by Duke Energy Florida, LLC.
 - c. City of Winter Garden Notice of Annexation Ordinance and Legal Description with Map; Ordinance 21-06, An Ordinance of the City of Winter Garden, Florida providing for the annexation of certain additional lands generally described as approximately 0.46 ± acres located at 1060 Tildenville School Road, West of Tildenville School Road, South of Civitas Way, North of E Oakland Ave, and East of Lake Brim Drive into the City of Winter Garden Florida; redefining the City boundaries to give the City jurisdiction over said property; providing for severability; providing for an effective date.

These items were received and filed.

III. DISCUSSION AGENDA

A. COUNTY SHERIFF

1. **21-354** Approval for the Orange County Sheriff's Office to spend \$115,103.40 from the FY 2021 Law Enforcement Trust Fund-State Forfeitures to cover salaries for the Devereux Advanced Behavioral Health of Florida clinicians for the Behavioral Health Pilot Program.

The following person addressed the Board: Orange County Sheriff John W. Mina.

A motion was made by Commissioner Uribe, seconded by Commissioner Moore, to approve the spending of \$115,103.40 from the FY 2021 Law Enforcement Trust Fund-State Forfeitures to cover salaries for the Devereux Advanced Behavioral Health of Florida clinicians for the Behavioral Health Pilot Program. 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. COUNTY ADMINISTRATOR

1. **21-355** Appointment to the Apopka Community Redevelopment Agency.

A motion was made by Commissioner Moore, seconded by Commissioner Uribe, to appoint Leigh Blackwelder Burritt to the Apopka Community Redevelopment Agency (CRA). 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. ADMINISTRATIVE SERVICES DEPARTMENT

1. **21-356** Selection of one firm and an alternate to provide Short Term Residential Program for Adult Victims of Human Trafficking, Request for Proposals Y21-107-AH, from the following two firms, listed alphabetically:

- Aspire Health Partners, Inc.
- The Lifeboat Project, Inc.

([Community and Family Services Department Youth and Family Services Division] Procurement Division)

A motion was made by Commissioner Wilson, seconded by Commissioner Gomez Cordero, to appoint Aspire Health Partners, Inc., 454.47 points, as the selected firm; and further, appoint The Lifeboat Project, Inc., 340 points, as the alternate. 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

IV. WORK SESSION AGENDA

A. HEALTH SERVICES DEPARTMENT

1. **21-357** Retail Pet Stores in Orange County.

County discussion ensued.

A motion made by Commissioner Bonilla, seconded by Commissioner Wilson to move forward to a public hearing with the Draft Ordinance from the Humane Society (no vote taken).

County discussion ensued regarding Commissioner Bonilla withdrawing her motion or modifying the language to motion.

Commissioner Bonilla wished to modify the motion to direct staff to write two draft Ordinances for a full ban option or grandfather clause.

The motion made by Commissioner Bonilla, seconded by Commissioner Wilson to move forward to a public hearing with the Draft Ordinance from the Humane Society was withdrawn.

A motion was made by Commissioner Bonilla, seconded by Commissioner Wilson, to direct staff

to draft two Ordinances with two potential courses of action: for a full ban or grandfathering clause; and further, bring both Ordinances for the Board's consideration at a work session in April or May before the Ordinance is advertised for a public hearing. 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. PLANNING, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

1. 21-358 Administrative Street Renaming Process. (Zoning Division)

The Board took no action.

III. DISCUSSION AGENDA (Deferred)

B. COUNTY ADMINISTRATOR

2. 21-359 COVID-19 Update.

The Board took no action.

V. RECOMMENDATIONS

1. 21-360 March 4, 2021 Board of Zoning Adjustment Recommendations

A motion was made by Commissioner Siplin, seconded by Commissioner Gomez Cordero, to approve the recommendations, with the exception of Case SE-20-11-105, New Hope Road Holdings (Anna Long) (appeal filed) 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. Municipal Service Benefit Unit

1. 21-254 Estates at Sawgrass Plantation Area, amend for retention pond(s) maintenance; District 4

Consideration: Amend by resolution a Municipal Service Benefit Unit for retention pond(s) maintenance at Estates at Sawgrass Plantation Area

Location: District 4; Parcel ID (Multiple Parcels); Section 19, 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 as referenced in the staff report. 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. **21-255** Lake Barton PD / La Shore Subdivision, establish for streetlighting and retention pond(s) maintenance and for streetlighting; District 4

Consideration: Establish by resolution a Municipal Service Benefit Unit for streetlighting and retention pond(s) maintenance at Lake Barton PD / La Shore subdivision

Location: District 4; Parcel ID (Multiple Parcels); Sections 17, Township 24, Range 31; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Bonilla, to approve the request as referenced in the staff report. The motion carried by the following vote:

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

3. **21-256** Lakeshore Preserve Area, amend for retention pond(s) maintenance and for streetlighting; District 1

Consideration: Amend by resolution a Municipal Service Benefit Unit for streetlighting and retention pond(s) maintenance to include Lake Shore Preserve Phase 7 at Lakeshore Preserve Area

Location: District 1; Parcel ID (Multiple Parcels); Section 05, Township 24, Range 27; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Wilson, seconded by Commissioner Moore, to approve the request as referenced in the staff report. The motion carried by the following vote:

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

4. **21-257** Reserve at Sawgrass Plantation and Sawgrass Plantation Areas, amend for streetlighting; District 4

Consideration: Amend by resolution a Municipal Service Benefit Unit for streetlighting to include Estates at Sawgrass Plantation 2 at Reserve at Sawgrass and Sawgrass Plantation Areas

Location: District 4; Parcel ID (Multiple Parcels); Section 19, Township 24, Range 30; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Bonilla, to approve the request as referenced in the staff report. The motion carried by the following vote:

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

5. **21-258** Royal Estates Luxury Townhomes, establish for retention pond maintenance

and for streetlighting; District 1

Consideration: Establish by resolution a Municipal Service Benefit Unit for streetlighting and retention pond(s) maintenance at Royal Estates Luxury Townhomes

Location: District 1; Parcel ID (Multiple Parcels); Section 1, Township 24, Range 27; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Wilson, seconded by Commissioner Uribe, to approve the request as referenced in the staff report. The motion carried by the following vote:

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

6. **21-259** Sanctuary at Lakes of Windermere, establish for retention pond(s) maintenance and for streetlighting; District 1

Consideration: Establish by resolution a Municipal Service Benefit Unit for streetlighting and retention pond(s) maintenance at Sanctuary at Lakes of Windermere

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

A motion was made by Commissioner Wilson, seconded by Commissioner Moore, to approve the request as referenced in the staff report. The motion carried by the following vote:

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

B. Shoreline Alteration/Dredge and Fill

7. **21-156** SADF # 21-01-002

Elijah and Iryna Bailey, Davis Canal (Lake Down), permit; District 1

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit SADF # 21-01-002 to construct a new seawall along the shoreline of the property, pursuant to Orange County Code, Chapter 33, Article IV, Windermere Water and Navigational Control District.

Location: District 1; on property located adjacent to Davis Canal (Lake Down) located at 73 Oakdale St., Windermere, FL 34786; Orange County, Florida (legal property description on file in Environmental Protection Division)

The following person addressed the Board: Sheila Cichra.

A motion was made by Commissioner Wilson, seconded by Commissioner Uribe, to approve the Shoreline Alteration/Dredge and Fill Permit (SADF-21-01-002) subject to the twenty five (25) conditions of approval listed in the Staff Report. 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. Board of Zoning Adjustment Board-Called**8. 20-825 Case # VA-20-04-017**

Solange Dao, May 20, 2020; District 3 (Continued from July 28 and November 17, 2020)

Consideration: Request for a variance in the IND-2/IND-3 zoning district to allow for construction of 7 industrial buildings with a 15 ft. (east) setback from a residential zoning district in lieu of a setback of 60 ft.

Location: District 3, property located at 6682 Hoffner Ave; Orange County, Florida (legal property description on file in Zoning Division)

The following person addressed the Board: Solange Dao.

Modified Conditions of Approval for Conditions # 1, and # 6 as follows:

1. Development shall be in accordance with the ~~architecture elevations and site plan~~ dated April 16, 2020, and the site plan dated July 27, 2020, as modified by conditions 6, 7, and 8 below, subject to the conditions of approval and all applicable laws, ordinances, and regulations. Any proposed non-substantial deviation, change, or modification shall be subject to the Zoning Manager's review and approval. Any proposed substantial deviation, change, or modification shall be subject to a public hearing before the Board of Zoning Adjustment (BZA) where the BZA makes a recommendation to the Board of County Commissioners (BCC).

6. The applicant shall provide a 6 ft. tall masonry wall starting 25 ft. south of the northeast corner of the property, running south along the east property line for 425 feet. The required plantings for a "Type B" buffer yard shall be provided between the wall and the proposed buildings and parking areas, and the screen walls shown on the site plan between buildings #1-#2 and #2-#3 shall be removed. The applicant shall provide a "Type B" buffer along the east property line.

New Conditions # 7 and # 8 as follows:

7. A 3 ft. tall masonry street wall shall be installed along the northern edge of the parking lot adjacent to Hoffner Avenue and extended south along the east property line to connect to the 6 ft. tall masonry wall. The street wall shall be painted to match the color of the buildings. Landscaping, as required per. Chapter 24, shall be installed between the street wall and the street.

8. The existing nonconforming pole sign shall be removed prior to issuance of permits for the redevelopment of the site.

A motion was made by Commissioner Uribe, seconded by Commissioner Moore, to approve the applicant's variance request Case # VA-20-04-017 with the conditions of approval recommended by Board of Zoning Adjustment; further, consistent with the conditional approval of the variance request to overturn the Zoning Manager's Determination Case # ZM-20-09-080; further, modify

conditions of approval # 1 and # 6; and further, approve new conditions of approval # 7 and # 8 as shown in the power point presentation. 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

D. Zoning Manager Determination Appeal

9. **20-826** Solange Dao; appeal of the determination of the Zoning Manager on Section 24-5(a)(2) - Type B Buffer; District 3 (Continued from July 28 and November 17, 2020)

Consideration: Zoning Manager Determination Appeal on Section 24-5(a)(2) - Type B Buffer

Location: District 3; property located at 6682 Hoffner Ave; Orange County, Florida (legal property description on file in Zoning Division)

This appeal was overturned.

E. Substantial Change

10. **21-221** Case # CDR-20-11-315

Jennifer Stickler, Kimley-Horn & Associates, Hannah Smith Property
Planned Development / Land Use Plan (PD/LUP), amend plan; District 1

Consideration: A PD substantial change to add a Master Sign Plan and to add the use of pet boarding facilities with outdoor runs to Tract 1 of the approved Land Use Plan. In addition, the applicant has requested the following waivers from Orange County Code: 1. A waiver from Section 31.5-195(1)(a) is requested within tracts 2, 3 and 4 to allow a maximum height of a multiple tenant ground sign to be ten (10) feet in lieu of eight (8) feet; 2. A waiver from Section 31.5-195(1)(b) is requested within tracts 1, 2, 3 and 4 to allow multiple wall signs on a primary façade, and to allow signage to be placed on secondary facades, in lieu of only 1 sign per establishment being placed on the primary façade, and no signs being placed on a secondary façade; 3. A waiver from Section 31.5-67(e) is requested within tract 2 to allow a maximum number for two (2) ground signs permitted per parcel, in lieu of a maximum number of one (1) ground sign permitted per parcel, provided that any pole signs and ground signs on the parcel shall be separated by a distance of not less than one hundred (100) feet on parcels 2, 3, and 6; 4. A waiver from Section 31.5-67(f) is requested within Tracts 1, 2, 3, and 4 to allow a maximum number of three (3) ground signs permitted per parcel with a right-of-way frontage in excess of four hundred (400) linear feet, in lieu of two (2) ground signs per parcel with a right-of-way frontage in excess of four hundred (400) linear feet; 5. A waiver from Section 31.5-67(g) is requested within Tracts 2 and 3 to allow a minimum setback of zero (0) feet from the right-of-way or any property line in lieu of ten (10) feet from the right-of-way or any property line; 6. A waiver from Section 31.5-67(1) is requested within Tracts 2 and 3 to allow the minimum allowable copy area for each individual tenant on a multitenant ground sign shall be one (1) square foot per sign

face and within tract 4 to allow the minimum allowable copy area for each individual tenant on a multitenant ground sign to be two (2) square feet per sign face in lieu of twelve (12) square feet per sign face; 7. A waiver from Section 31.5-76(b) is requested within Tracts 1, 2, 3, and 4 to allow for a maximum copy area of fifteen (15) square feet in lieu of a maximum allowable copy area of six (6) square feet per sign face for any directional sign; 8. A waiver from Section 31.5-195(1)(a) is requested within tracts 1, 2, 3, and 4 to allow for internal illumination in lieu of external illumination only for ground signs; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 1; property located east of Palm Parkway, west of Interstate 4, and south of Daryl Carter Parkway; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Chuck Whittall.

County staff stated new condition of approval # 9 and existing conditions be renumbered accordingly.

New condition of approval # 9 to read as follows:

9. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, Dated June 23, 2020 shall apply:

a. The project shall comply with the terms and conditions of The Palm Parkway to Apopka - Vineland Connector Road Agreement recorded at Official Records Book 8387, Page 3416, Public Records of Orange County, Florida, as may amended and shall dedicate the necessary right-of-way and easements prior to or concurrently with the approval for this project.

b. Hotel and Office entitlements shall only be allocated to Tract 4, consistent with FLU Policy 8.1.4.

c. Multi-Family entitlements shall be prohibited from being allocated to Tract 4, consistent with FLU 8.1.4.

d. A waiver from Orange County Code Section 38-1393 is granted to allow for a maximum height of 200 feet for non-residential development for Tract 4, in lieu of the proximity based requirements is granted.

A motion was made by Commissioner Wilson, seconded by Commissioner Moore, to make a finding of consistency with the Comprehensive Plan; and approve the substantial change request subject to the eleven (11) conditions of approval listed under the Development Review Committee recommendation in the Staff Report; and further, new condition # 9. 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. 21-223 Case # CDR-20-03-093

Eric Papalini, Cambridge Group, Inc., Faircloth Planned Development / Land Use Plan (PD/LUP), amend plan; District 6 (Continued from March 23, 2021)

Consideration: A PD substantial change to revise the permitted uses from C-1 and C-2 uses to "All C-1 Uses; All C-2 Uses; C-3 Uses: Outdoor Storage of Heavy Construction Equipment/Vehicles and Materials. All Other C-3 Uses Shall Be Prohibited." and revise Condition of Approval 8.C to prohibit outdoor sales only; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 6; property generally located south of State Road 408, east of Goodland Street, and north of W. Livingston Street; Orange County, Florida (legal property description on file in Planning Division)

The following persons addressed the Board:

- Steve Charran
- Paula Reeves
- Andrew Lamothe

A motion was made by Commissioner Siplin, seconded by Commissioner Bonilla, to continue the public hearing until April 13, 2021, 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. Planning and Zoning Commission Rezoning Board-Called**12. 21-207 Case # RZ-21-01-083**

Lance Jackson, January 18, 2021; District 2

Consideration: Request to rezone from A-1 (Citrus Rural District) to R-1 (Single-Family Dwelling District) in order construct 120 single-family residential units on 45.23 gross acres.

Location: District 2; property located at 1615 Schopke Lester Road, generally south of W. Lester road, west of Schopke Lester Road and east of Plymouth Sorrento Road; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Lance Jackson.

Modified Restriction # 2:

2. No less than ~~three (3)~~ two (2) access points shall be provided;

New Restrictions # 6, #7, and # 8 to read as follows:

6. Minimum living area shall be no less than 1,800 square feet;

7. A "tot lot" shall be provided; and

8 In an effort to preserve the existing trees along the southern property boundary, the rear yard setback for homes located along the southern property boundary shall be a minimum of thirty (30) feet in lieu of twenty (20) feet.

A motion was made by Commissioner Moore, seconded by Commissioner Uribe, to approve the rezoning request from A-1 (Citrus Rural District) to R-1 (Single-Family Dwelling District) in order to construct 120 single-family residential units on 45.23 gross acres subject to the five (5) restrictions of approval listed under the Planning and Zoning Commission recommendation in the Staff Report; further, modify restriction # 2; and further, approve new restriction # 6, # 7 and # 8. 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. Comprehensive Plan - Transmittal of Regular Cycle Amendments

13. 21-093 Transmittal of Regular Cycle Future Land Use Map Amendment and FLU8.1.4 Text Amendment and FLU1.2.4 Text Amendment

a. Amendment 2021-1-A-4-1

Matthew Gillespie, P.E., Kimley-Horn and Associates, Inc., for Shirley I Bennett, Trustee of the Bennett Family Revocable Trust;
Rural/Agricultural (R) to Planned Development-Commercial/Medium Density Residential (PD-C/MDR) and Urban Service Expansion (USA);
District 4 (Continued from February 9, 2021)

And

b. Amendment 2021-1-B-FLUE-4

Text Amendment to Future Land Use Element Policy FLU8.1.4 establishing the maximum densities and intensities for proposed Planned Development within Orange County; Countywide (Continued from February 9, 2021)

And

c. Amendment 2021-1-B-FLUE-5

Text amendment to Future Land Use Element Policy FLU1.2.4 regarding allocation of additional lands to the Urban Service Area (USA); Countywide (Continued from February 9, 2021)

Consideration: Rural/Agricultural (R) to Planned Development-Commercial/Medium Density Residential (PD-C/MDR) and Urban Service Area (USA) Expansion

Location: 14727 and 14831 Boggy Creek Rd.; Generally located on the east side of Boggy Creek Rd., south of Whispering Pines Rd., north of Simpson Rd., and west of Happy Ln.; Parcel ID#'s: 34-24-30-6368-00-560/561/571; 22.66 gross ac.

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Bonilla, to continue the public hearing until May 11, 2021, 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

H. Ordinance

14. 21-361 Amending Orange County Code Chapter 23, Impact Fees - Relating to School Impact Fees; All Districts

CONSIDERATION: An Ordinance amending the Orange County school impact fee Ordinance, codified at Article V, Chapter 23, of the Orange County code; amending Section 23-121 ('Definitions'), Section 23-141 {"Imposition"}, and Section 23-142 {"Payment"}; providing for updated school impact fees, including new and increased fees in certain land use categories; making an economic impact determination; providing effective dates; and directing the posting of notices of new and increased school impact fees.

The following persons addressed the Board:

- Lee Steinhauer
- Michael Mulhall

A motion was made by Commissioner Bonilla, seconded by Commissioner Siplin, to make a finding of consistent with the Comprehensive Plan; further, adopt Ordinance 2021-15 amending the Orange County School Impact Fee Ordinance, codified at Article V, Chapter 23 of the Orange County Code; amending Section 23-121 ("Definitions"), Section 23-141 ("Imposition"), and Section 23-142 ("Payment"); providing for updated School Impact Fees, including new and increased fees in certain land use categories; making an economic impact determination; providing effective dates; and directing the posting of notices of new and increased impact fees; and further, allow staff to make amendments consistent with Board direction and to correct scriveners errors. 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

15. 21-362 Amending Orange County Code Chapter 23, Impact Fees - Relating to Transportation Impact Fees; All Districts

CONSIDERATION: An Ordinance amending the Orange County Transportation Impact Fee

Ordinance, codified at Article IV, Chapter 23, of the Orange County Code; amending Section 23-92 ("Transportation Impact Fee Schedule"); providing for updated transportation impact fees, including new and increased fees in certain land use categories; making an economic impact determination; providing effective dates; and directing the posting of notices of new and increased transportation Impact fees

Modifications to the Ordinance as follows:

Amends Sec. 23-92 by:

- ~~— Reducing the annual indexing rate to 3.0%, beginning January 1, 2022 (keep 3.4% indexing effective January 1, 2023)~~
- Deleting ** footnote relating to AMA/Non-AMA to Urban/Sub-Urban/Rural tiers that is no longer necessary
- Add new ** footnote: The impact of a development for which the County received a legally sufficient application prior to June 27, 2021, shall be calculated at the impact fee rates set forth in Section 23-92(a)1. hereof; the impact of all other development shall be calculated at the time of issuance of the building permit (language clarifies statutory requirements and mirrors existing language in school impact fee ordinance)
- Deleting scheduled rates for the period from July 4, 2021 to July 2, 2022 (first half of the increase to 75%)
- Amending scheduled rates for the period on or after July 3, 2022 by:
- Making rates effective June 27, 2021
- Eliminating policy discount factor rate of 75% and reflecting rates at 100% of Study
 - Ordinance shall become effective March 26, 2021, except for increases shown in Section 1.C of the ordinance, which will go into effect June 27, 2021

The following person addressed the Board: Michael Mulhall.

A motion was made by Mayor Demings, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; further, adopt Ordinance 2021-16 amending Codified at Article IV, Chapter 23, amending Section 23-92 ("Transportation Impact Fee Schedule"), Providing for Updated Transportation Impact Fees, Including New and Increased Fees in Certain Land Use Categories; further, make an economic impact determination; further, provide effective dates; further, direct the posting of notices of new and increased Transportation Impact Fees; and further, allow staff to make amendments consistent with Board direction and to correct scriveners errors. 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

WORK SESSION AGENDA (Continued)

B. PLANNING, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

2. **21-363** Woodbury Road Roadway Conceptual Analysis Study. (Transportation

Planning Division)

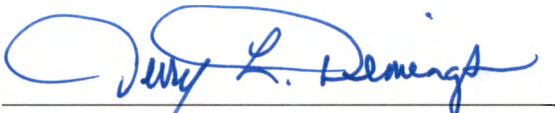
The Board took no action.

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

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

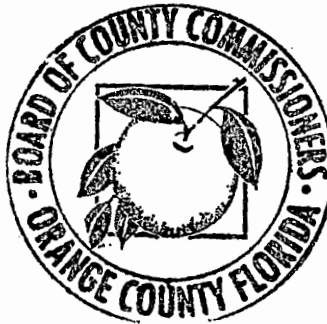
ADJOURNMENT: 4:58 p.m.

ATTEST:



County Mayor Jerry L. Demings

Date: APR 27 2021



ATTEST SIGNATURE:

Phil Diamond
County Comptroller as Clerk



Katie Smith

* * *

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.