

Orange County Government

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



Final Meeting Minutes

Tuesday, August 9, 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
Deputy County Administrator Danny P. Banks
County Attorney Jeffrey J. Newton
Deputy County Attorney Joel Prinsell
Public Works Director Joseph Kunkel
Minutes Coordinator Emily Rivera
Senior Minutes Coordinator Jennifer Lara-Klimentz

Invocation - District 3

Pastor Gilbert Dertes, Grace Tabernacle of Praise

Pledge of Allegiance**Presentation**

Proclamation designating August 9, 2022 as John Peery Day

Public Comment

The following persons addressed the Board for public comment:

-Eric Grimmer
-David Sibila

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

The Mayor added an exhibit as part of the record for County Mayor Consent Item 2; further, the Mayor deleted Administrative Services Consent Item 6; and further, a motion was made by Commissioner Siplin, seconded by Commissioner Gomez Cordero, 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. **22-973** Confirmation of the Mayor's managerial appointment of Everett K. Neely as Deputy Chief of Operational Services, Corrections Department.
2. **22-974** Approval and execution of Orange County, Florida and Orlando Economic Partnership, Inc. agreement for Branding and Marketing and authorization to disburse \$500,000 as provided in the FY 2021-22 adopted budget. (Office of Economic, Trade and Tourism Development)

B. COUNTY COMPTROLLER

1. **22-975** Approval and execution of the minutes of the July 12, 2022 meeting of the Board of County Commissioners. (Clerk's Office)
2. **22-976** Approval of the check register authorizing the most recently disbursed County funds, having been certified that same have not been drawn on overexpended accounts.

- July 22, 2022 to July 28, 2022; \$64,987.232.12
- July 29, 2022 to August 4, 2022; \$47,073,838.02

(Finance/Accounting)

C. COUNTY ADMINISTRATOR

1. **22-977** Appointment of John Leonard to the Tourist Development Tax Sports Incentive Committee in the Central Florida Hotel & Lodging Association representative category with a term expiring December 31, 2023. (Agenda Development Office)
2. **22-978** Approval of the Membership and Mission Review Board's recommendations for advisory board appointments and reappointments. (Agenda Development Office)

A. Affordable Housing Advisory Board: Appointment of Trevor Sorbo to succeed Mohammed N. Abdallah in the local planning agency representative category with a term expiring June 30, 2024.

B. Animal Services Advisory Board: Appointment of Paul L. Wean to succeed Bradley Conway in the attorney representative category with a term expiring December 31, 2022.

C. Animal Services Classification Committee: Appointment of Holly B. Bobrowski to succeed Justin T. Duff in the at large representative category with a term expiring December 31, 2022.

D. Community Development Advisory Board: Reappointment of Victoria J. Laney in the District 2 representative category and Tiffany E. Hughes in the District 6 representative category with terms expiring June 30, 2024.

E. Disability Advisory Board: Reappointment of Taylor L. Duffy and Diana M. Font in the at large representative category with terms expiring June 30, 2024, the appointment of Daila Espeut-Jones to succeed Representative Daisy Morales in the at large representative category with a term expiring June 30, 2024, and the appointment of Nattacha P. Wyllie to succeed Tricia A. Dennis in the at large representative category with a term expiring June 30, 2023.

F. Tourist Development Council: Appointment of Jonathan McGavin to succeed Joerg Heyer in the owner subject to the tax representative category with a term expiring April 30, 2026.

3. **22-979** Approval and execution of Orange County, Florida and FusionFest, Inc. Funding Agreement relating to FusionFest 2022 and authorization to disburse \$200,000 as provided in the FY2021-22 adopted budget. (Arts and Cultural Affairs Office)
4. **22-980** Approval and execution of Funding Agreement between Orange County, Florida and United Arts of Central Florida, Inc. regarding An Arts Ecology Study and authorization to disburse \$25,000 as provided in the FY2021-22 budget. (Arts and Cultural Affairs Office)
5. **22-981** Approval of budget amendment #22-45. (Office of Management and Budget)

D. ADMINISTRATIVE SERVICES DEPARTMENT

1. **22-982** Approval to award Invitation for Bids Y22-1006-MV, Liquid Caustic Soda 50%, to the low responsive and responsible bidder, Allied Universal Corp. The estimated contract award amount is \$976,745 for a one-year term. ([Utilities Department Water Division] Procurement Division)
2. **22-983** Approval to award Invitation for Bids Y22-1008-AV, Right-of-Way Mowing - Three Points Area, Section IV, to the low responsive and responsible bidder, Lawnwalker Services, Inc. The estimated contract award amount is \$170,150 for the base year. ([Public Works Department Roads and Drainage Division] Procurement Division)
3. **22-984** Approval to award Invitation for Bids Y22-1012-AV, Right-of-Way Mowing -

Goldenrod Area, Section II, to the low responsive and responsible bidder, Aero Groundtek LLC. The estimated contract award amount is \$320,770 for the base year. ([Public Works Department Roads and Drainage Division] Procurement Division)

4. **22-985** Approval to award Invitation for Bids Y22-1014-AV, Right-of-Way Mowing - Taft Area, Section II, to the low responsive and responsible bidder, Lawnwalker Services, Inc. The estimated contract award amount is \$239,270 for the base year. ([Public Works Department Roads and Drainage Division] Procurement Division)
5. **22-986** Approval to award Invitation for Bids Y22-797-TA, Addition of Variable Frequency Drives for Water Supply Facilities-Oak Meadows and Hidden Springs, to the low responsive and responsible bidder, Prime Construction Group, Inc. The total contract award amount is \$5,969,690. ([Utilities Department Engineering Division] Procurement Division)
6. **22-987** Approval to award Invitation for Bids Y22-798-RC, Orange County Sheriff's Central Complex HVAC Air Handler Unit Replacement, to the sole responsive and responsible bidder, Air Mechanical & Service Corp. The total contract award amount is \$5,669,000. ([Administrative Services Department Capital Projects Division] Procurement Division)

(This item was deleted.)

7. **22-988** Approval of Amendment No. 3, Contract Y17-1068, Group Term Life, Accidental Death, Long and Short-Term Disability and Dismemberment, with The Standard Insurance Company, to extend the contract for one-year term. ([Administration and Fiscal Services Department Human Resources Division] Procurement Division)
8. **22-989** Approval of Amendment No. 1, Contract Y19-1131, Landscape Management and Irrigation at the Orange County Convention Center, with Aero Groundtek, LLC in the amount of \$1,065,405, for a revised estimated contract amount of \$8,813,805. ([Convention Center Facilities Operations Division] Procurement Division)
9. **22-990** Approval of Amendment No. 4, Contract Y19-2037, Arts Innovation Programming Sectors 2 & 3, Community Based Summer and School-Break Programming Sectors 2 & 3, with Boys and Girls Club of Central Florida, Inc., in the amount of \$64,000, for a revised estimated contract amount of \$364,000. ([Community and Family Services Department Citizens' Commission for Children Division] Procurement Division)
10. **22-991** Approval of Amendment No. 4, Contract Y19-2038, Reading/Math Coaches - Sector Two, with City Year, Inc., in the amount of \$200,000, for a revised estimated contract amount of \$500,000. ([Community and Family Services

Department Citizens' Commission for Children Division] Procurement Division)

11. **22-992** Approval of Amendment No. 4, Contract Y19-2039, Provision of Community Services and Facility Use, with The Devereux Foundation, Inc., in the amount of \$167,000, for a revised contract amount of \$667,000. ([Community and Family Services Department Citizens' Commission for Children Division] Procurement Division)
12. **22-993** Ratification of Purchase Order M108206, Liquid Caustic Soda 50%, with Allied Universal Corp., in a not-to-exceed amount of \$111,881.70. ([Utilities Department Water Division] Procurement Division)
13. **22-994** Selection of Chard Snyder & Associates, LLC, to provide COBRA, Retiree, Direct Bill and FSA Administrative Services, Request for Proposals Y22-178-MM. ([Administration and Fiscal Services Human Resources Division] Procurement Division)
14. **22-995** Selection of L.F. Harris & Associates, CPA, P.A., to provide Financial Audit Services for the Convention Center, Request for Proposals Y22-1015-PD. ([Convention Center Fiscal and Operational Support Division] Procurement Division)
15. **22-996** Approval and execution of License Agreement for the 2022 Election Year by and between SWVP Orlando Office LLC and Orange County and authorization for the Real Estate Management Division to furnish notices, required or allowed by the License Agreement, as needed for SOE Parking - Marks Street Senior Recreation Complex (800 N. Magnolia Ave.). Lease File #10003. District 5. (Real Estate Management Division)
16. **22-997** Approval and execution of Resolution and authorization to initiate condemnation proceedings, if a settlement cannot be reached for Michigan Street Parcel 850 (Corrective Drainage Easement). District 3. (Real Estate Management Division)

E. COMMUNITY AND FAMILY SERVICES DEPARTMENT

1. **22-998** Approval and execution of the Florida Department of Children and Families Applications for renewal of Licenses to Operate a Child Care Facility at Washington Shores Early Learning Center, Hungerford Elementary, Washington Shores Elementary, Engelwood, Dover Shores, South Orlando YMCA, Ventura Elementary, Lila Mitchell, Aloma Elementary, and Taft Head Start sites. (Head Start Division)
2. **22-999** Receipt and filing of Head Start Policy Council Meeting Minutes May 19, 2022, and Head Start Policy Council Program Information and Updates June 2022. (Head Start Division)

3. **22-1000** Approval and execution of Temporary License Agreement by and between Orange County and Duke Energy Florida, LLC permitting Duke Energy to access the Cady Way Trail and authorization for the Mayor or designee to execute any further necessary amendments to such Agreement that do not change the scope of the project or increase the overall project budget. District 5. (Parks and Recreation Division)
4. **22-1001** Approval and execution of Affiliation Agreement between Orange County, Florida and The Board of Regents of the University of Oklahoma related to Experiential Learning Placement Program to facilitate the placement of students and authorization for the Mayor or designee to execute any amendments to this contract. (Youth and Family Services Division)

F. CONVENTION CENTER

1. **22-1002** Approval and execution of 2022-2023 Fiscal Year Funding Agreement by and between Orange County and the International Drive Master Transit and Improvement District. (Fiscal and Operational Support Division)
2. **22-1003** Approval of the Tourist Development Tax Sports Incentive Committee's recommendations for sports incentive funding pursuant to the terms and conditions of funding agreements between Visit Orlando and the following applicants and authorization for Visit Orlando to enter into such agreements as follows: 1) Up to \$150,000 to the Greater Orlando Sports Commission (\$75,000 per each year the event is staged) if Orlando is chosen to host the 2023 and/or 2025 CONCACAF Men's Gold Cup Matches with funding contingent upon Canada, or the United States, or Costa Rica being in the field of teams playing in Orlando; and funding reduced to \$25,000 if only one or two matches are played in Orlando, or reduced to \$50,000 if only three or four matches are played in Orlando; 2) \$50,000 to the Greater Orlando Sports Commission if Orlando is chosen to host the 2024 CONCACAF Women's Gold Cup Matches with funding contingent upon the United States being in the field of teams playing in Orlando; and funding reduced to \$25,000 if only one or two matches are played in Orlando; 3) \$120,000 to the Greater Orlando Sports Commission in three annual increments of \$40,000 as bid fees if the ASICS Florida Volleyball Challenge is held at the Orange County Convention Center in 2024, 2025, and 2026; and 4) \$100,000 to the Greater Orlando Sports Commission as a bid fee for the 2024 USA Track & Field U.S. Olympic Team Trials Marathon if it is held in Downtown Orlando. (Fiscal and Operational Support Division)

G. HEALTH SERVICES DEPARTMENT

1. **22-1004** Approval and execution of the renewal Certificate of Public Convenience and Necessity for LifeFleet Southeast Inc. d/b/a American Medical Response to provide Advanced Life Support, Basic Life Support, and

interfacility transport and non-transport services. The term of this certificate is from November 1, 2022 through November 1, 2024. There is no cost to the County. (EMS Office of the Medical Director)

2. **22-1005** Approval and execution of the renewal Certificate of Public Convenience and Necessity for Winter Garden Fire Rescue Department to provide Advanced Life Support, Basic Life Support, and interfacility transport and non-transport services. The term of this certificate is from October 31, 2022 through October 31, 2024. There is no cost to the County. (EMS Office of the Medical Director)
3. **22-1006** Approval and execution of the Paratransit Services License for K & G Transport LLC to provide wheelchair/stretchers service. The term of this license is from August 1, 2022 through August 1, 2024. There is no cost to the County. (EMS Office of the Medical Director)

H. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

1. **22-1007** Acceptance of the findings and recommendations 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 427 to 540 square feet with a mitigation payment of \$345 to the Conservation Trust Fund within 60 days of the decision of the Board of County Commissioners, approval of the request for variance to Section 15-343(a) to reduce the side setback from the eastern projected property line from 10 to zero feet, and approval of the variance to Section 15-342(e) to increase the maximum roof height from 12 feet to 14 feet for the Patrick Wik and Elizabeth Dovec Dock Construction Permit BD-22-03-070. District 1. (Environmental Protection Division)
2. **22-1008** 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 420 to 540 square feet with a mitigation payment of \$345 to the Conservation Trust Fund within 60 days of the decision of the Board of County Commissioners, approval of the request for variance to Section 15-343(a) to reduce the side setback from the western projected property line from 10 to zero feet, and approval of the variance to Section 15-342(e) to increase the maximum roof height from 12 feet to 14 feet for the Paul and Nick Stann Dock Construction Permit BD-22-03-069. District 1. (Environmental Protection Division)
3. **22-1009** Acceptance of the findings and recommendation of the Environmental Protection Commission and approval of the after-the-fact request for variance to Orange County Code, Chapter 15, Article IX, Section 15-343(a) to allow the dock to remain as constructed with a side setback distance of 1.8 feet in lieu of 10 feet from the eastern projected property line for the

David and Erica Cerione Dock Construction Permit BD-21-05-077-MOD.
District 1. (Environmental Protection Division)

4. **22-1010** Approval of 2022-2026 Consolidated Plan, 2022-2023 Annual Action Plan, Orange County Citizen Participation Plan, and approval and execution of: 1) Certifications, 2) Specific Community Development Block Grant Certifications, 3) Specific HOME Certifications, 4) Emergency Solutions Grants Certifications, 5) Application for Federal Assistance SF-424 and Assurances - Construction Programs for Community Development Block Grant (CDBG)/Entitlement Grant, 6) Application for Federal Assistance SF-424 and Assurances - Construction Programs for HOME Investment Partnerships Program (HOME)/Entitlement Grant; and 7) Application for Federal Assistance SF-424 and Assurances - Construction Programs for Emergency Solutions Grant (ESG)/ Entitlement Grant. All Districts. (Housing and Community Development Division)

5. **22-1011** 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. 1(Neighborhood Services Division)

LC 22-0310 LC 22-0296 LC 22-0302 LC 22-0236 LC 22-0282

LC 22-0297 LC 22-0249 LC 22-0312 LC 22-0237 LC 22-0286

LC 22-0315 LC 22-0267 LC 22-0314 LC 22-0258 LC 22-0291

LC 22-0287 LC 22-0292 LC 22-0318 LC 22-0270 LC 22-0295

6. **22-1012** Approval and execution of Proportionate Share Agreement for Waterford Oaks Alafaya Trail, Colonial Drive, and Woodbury Road by and between Blurock Development, LLC f/k/a Bluerock Development, LLC and Orange County for a proportionate share payment in the amount of \$602,016. District 4. (Roadway Agreement Committee)

7. **22-1013** Approval and execution of Proportionate Share Agreement for Collegiate Village CVC - Retail Alafaya Trail and University Boulevard by and between Collegiate Square, LLC and Orange County for a proportionate share payment in the amount of \$173,064. District 5. (Road Agreement Committee)

8. **22-1014** Approval and execution of Proportionate Share Agreement for "Airport South PD Parcel 3 aka Lake Nona Logistics Center" Boggy Creek Road & Wetherbee Road by and between Crockett Development Property, LLC and Orange County for a proportionate share payment in the amount of

\$159,092. District 4. (Road Agreement Committee)

9. **22-1015** Approval and execution of Proportionate Share Agreement for PAC Grande Pines Turkey Lake Road by and between PAC I-Drive Apartments, LLC and Orange County for a proportionate share payment in the amount of \$324,951. District 1. (Road Agreement Committee)
10. **22-1016** Approval and execution of Proportionate Share Agreement for Lone Palm Planned Development Colonial Drive by and between KB Home Orlando LLC and Orange County for a proportionate share payment in the amount of \$288,747. District 4. (Road Agreement Committee)
11. **22-1017** Approval and execution of Proportionate Share Agreement for NWC Commercial Building I Avalon Road/CR 545 by and between Hamlin Retail Partners North, LLC and Orange County directing both the proportionate share payment in the amount of \$83,877 and future transportation impact fee payments that may be associated with the project to be utilized towards the completion of Avalon Road/CR 545 improvements pursuant to the Amended and Restated Escrow Agreement for Town Center West (Silverleaf). District 1. (Roadway Agreement Committee)
12. **22-1018** Approval and execution of Proportionate Share Agreement for Rave Commercial Hamlin Avalon Road/CR 545 by and between Rave Commercial Hamlin LLC and Orange County directing both the proportionate share payment in the amount of \$27,959 and future transportation impact fee payments that may be associated with the project to be utilized towards the completion of Avalon Road/CR 545 improvements pursuant to the Amended and Restated Escrow Agreement for Town Center West (Silverleaf). District 1. (Road Agreement Committee)
13. **22-1019** Approval and execution of Proportionate Share Agreement for Anytime Fitness Plaza Hamlin Avalon Road/CR 545 by and between Hamlin Retail LLC and Orange County directing both the proportionate share payment in the amount of \$27,959 and future transportation impact fee payments that may be associated with the project to be utilized towards the completion of Avalon Road/CR 545 improvements pursuant to the Amended and Restated Escrow Agreement for Town Center West (Silverleaf). District 1. (Road Agreement Committee)

I. PUBLIC WORKS DEPARTMENT

1. **22-1020** Authorization to record the plat of Kadmar Plaza. District 1. (Development Engineering Division)
2. **22-1021** Approval and execution of Modification Number Five to Subgrant Agreement between the Division of Emergency Management and Orange County for Orlo Vista Neighborhood Drainage Project Phase I Contract Number:

H0121 Project Number: 4337-23-R. District 6. (Stormwater Management Division)

3. **22-1022** Approval and execution of Second Amendment to Traffic Signal Maintenance and Compensation Agreement by and between the State of Florida Department of Transportation and Orange County for roles and responsibilities of traffic control devices. All Districts. (Traffic Engineering Division)
4. **22-1023** Approval and execution of Modification Number Two to Subgrant Agreement between the Division of Emergency Management and Orange County Contract Number: H0288 Project Number: 4337-210-R for improvements to the intersection of Bumby Avenue and Kaley Avenue. District 3. (Traffic Engineering Division)
5. **22-1024** Approval and execution of Modification Number Two to Subgrant Agreement between the Division of Emergency Management and Orange County Contract Number: H0282 Project Number: 4337-202-R for improvements to the intersection of Powers Drive and Balboa Drive. District 6. (Traffic Engineering Division)

II. INFORMATIONAL ITEMS**

A. COUNTY COMPTROLLER

1. **22-1025** Receipt of the following items to file for the record: (Clerk's Office)
 - a. Winter Garden Interlocal Agreement for Annexation of Enclave between City of Winter Garden, Florida and Orange County, Florida.
 - b. City of Orlando Voluntary Annexation Request: 2620 Homeland St. and 2207 E. Michigan St. - ANX2021-10018. Notice of Proposed Enactment: On August 15, 2022, the Orlando City Council will consider proposed Ordinance #2022-33, entitled an Ordinance of the city council of the City of Orlando, Florida, annexing to the corporate limits of the city certain land generally located north of east Michigan Street, east of Marlboro Street, south of East Jersey Avenue, and west of Gowen Street, and comprised of 0.88 acres of land, more or less, and amending the city's boundary description; amending the city's adopted growth management plan to designate the property as residential low intensity and mixed use corridor medium intensity on the city's official future land use maps; designating the property as the 1-2 family residential and medium intensity mixed use corridor zoning districts, both with the traditional city overlay district, on the city's official zoning maps; providing for amendment of the city's official future land use and zoning maps; providing for severability, correction of scrivener's errors, permit disclaimer, and an effective date.

- c. Florida Public Service Commission Consummating Order. In re: Application for certificate to provide wastewater service in Orange County by Gulfstream Utility LLC.

These items were received and filed.

III. DISCUSSION AGENDA

A. COUNTY COMPTROLLER

1. **22-1026** Tourist Development Tax Reserves.

Orange County Comptroller Phil Diamond presented to the Board recommendations for Tourist Development Tax Reserves.

Chief Deputy Comptroller Eric Gassman was present during the board discussion.

It was the consensus of the board that the County will not commit any new major funding commitments until \$300 million in annual collections is reached, and further, a \$300 million TDT reserve is established and maintained.

The Board took no action.

B. ADMINISTRATIVE SERVICES DEPARTMENT

1. **22-1027** Selection of one firm and two ranked alternates to provide Continuing Professional Engineering Design Services, Request for Proposals Y22-905-TJ, from the following three firms, listed alphabetically:

- A2 Group, Inc.
- CDM Smith, Inc.
- Tierra, Inc.

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

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Moore, to appoint CDM Smith, Inc., 433.67 points, as the selected firm; and further, appoint Tierra, Inc., 408.33 points, and A2 Group, Inc., 378.67 points, as the selected ranked alternates. 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. PUBLIC WORKS DEPARTMENT**

1. **22-1028** Approval and execution of Resolution of the Orange County Board of County Commissioners regarding Orange County's Adoption of a Vision Zero Plan with a goal of eliminating all traffic-related fatalities and serious injuries by 2040. All Districts. (Traffic Engineering Division)

A motion was made by Commissioner Bonilla, seconded by Commissioner Wilson, to approve and execute Resolution 2022-M-42 of the Orange County Board of County Commissioners regarding Orange County's adoption of a Vision Zero Plan with a goal of eliminating all traffic related fatalities and serious injuries by 2040. 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. **22-1029** Tree Preservation and Removal Ordinance Draft Framework.

The Board took no action.

Meeting Starts at 2:00 p.m.

V. PUBLIC HEARINGS**A. Board of Zoning Adjustment Appeal**

1. **22-805** Case # VA-22-06-044

Munivenkatappa & Sumanth Padmanabh
Daniel Wagner, June 2, 2022; District 1

Consideration: Appeal of the recommendation of the Board of Zoning Adjustment of a request for a Variance in the R-CE zoning district to allow a ground mounted solar system in the front yard in lieu of the side or rear yard.

Location: District 1; property located at 9470 Kilgore Road, Orlando, FL 32836; Orange County, Florida (legal property description on file in Zoning Division)

A motion was made by Commissioner Wilson, seconded by Commissioner Moore, 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

B. Development Review Committee Appeal

2. **22-809** Case # DP-21-06-198

Solange M. Switzer, Wonsetler & Webner, P.A., Heritage Place Planned Development / Big Dan's Car Wash Development Plan; District 1

Consideration: Appeal of the decision by the Orange County Development Review Committee, dated December 15, 2021, on a request to approve the Big Dan's Car Wash Development Plan.

Location: District 1; property generally located North of State Road 417 / West of South John Young Parkway; Orange County, Florida (legal property description on file in Planning Division)

The following persons addressed the Board:

-McGregor Love

-Bill Hensley

The following material was presented to the Board:

-Exhibit 1 - McGregor Love

A motion was made by Commissioner Wilson, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; further, uphold the DRC action of December 15, 2021; and further, approve the request subject to the fifteen (15) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated July 28, 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. Resolution

3. **22-856** Adopting a revised fee structure for solid waste disposal at Orange County disposal facilities; All Districts

Consideration: A Resolution regarding Solid Waste Disposal; adopting a Revised Fee Schedule for solid waste disposal at County disposal facilities; revising certain solid waste disposal fees; providing for severability; and providing for an effective date.

A motion was made by Mayor Demings, seconded by Commissioner Uribe, to approve Resolution 2022-M-43 adopting a Revised Fee Schedule for solid waste disposal at County disposal facilities; revising certain solid waste disposal fees; providing for severability; and providing for an effective date. The motion was carried by the following vote:

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

D. Ordinance/Comprehensive Plan - Adoption of Regular Cycle Amendment, Ordinance and Concurrent Rezoning Request

4. **22-892** Adoption of Regular Cycle Future Land Use Map Amendment 2022-1-A-1-1 M. Rebecca Wilson, Lowndes, Drosdick, Doster, Kantor & Reed, P.A. for

Rita J. Friedman, Ordinance, and Concurrent Rezoning LUP-21-11-353
The Villages at Westwood PD/LUP

a. Amendment 2022-1-A-1-1

Consideration: Activity Center Mixed Use (ACMU) to Activity Center Residential (ACR).

Location: District 1; Generally located south of International Drive S., east of Wildwood Ave., and west of Vistana Palm Beach Dr.; Parcel ID#: 23-24-28-5844-00-680; 14.43 gross ac.

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 amendments pursuant to Section 163.3184(3), Florida Statutes, for the 2022 calendar year (First Cycle); and providing effective dates.

And

c. Rezoning LUP-21-11-353

Consideration: R-CE (Country Estate District) to PD (Planned Development District) (The Villages at Westwood PD/ LUP). Also requested are three (3) waivers from Orange County Code: 1) A waiver from Section 38-1300 to allow a maximum building height of sixty (60) feet in height for buildings located no closer than seventy-five (75) feet from the single-family residential zoned property to the east and west in lieu of a maximum building height of thirty-five (35) feet in height within one hundred (100) feet of single-family residential; 2) A waiver from Section 38-1476(a) to allow 1.65 spaces per unit in lieu of the required 2 spaces per unit for each dwelling unit that are two (2) and three (3) bedrooms for apartments of three (3) dwelling units or more; and 3) A waiver from Section 38-1476(a) to allow 1.4 spaces per unit in lieu of the required 1.5 spaces for each dwelling unit that are efficiencies and one-bedrooms for apartments of three (3) dwelling units or more.

Location: District 1; Generally located south of International Drive S., east of Wildwood Ave., and west of Vistana Palm Beach Dr.; Parcel ID#: 23-24-28-5844-00-680; 14.43 gross ac.

The following person addressed the Board:

-Jonathan Huels

A motion was made by Commissioner Wilson, seconded by Commissioner Gomez Cordero, to continue the public hearing until September 13, 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

E. Ordinance/Comprehensive Plan - Adoption of Regular Cycle Amendments, Ordinance and Concurrent Substantial Change Request

5. **22-893** Adoption of Future Land Use Map Amendment 2022-1-A-4-1 Jonathan P. Huels, Lowndes, Drosdick, Doster, Kantor & Reed, P.A., for CJD Property Hold CO, LLC; Alafaya TH Tract 4, LLC; Alafaya COM Tract 7, LLC; and Alafaya TH Tract 9, LLC, FLU8.1.4 Text Amendment, Ordinance, and Concurrent Substantial Change Request CDR-21-04-131

a. Amendment 2022-1-A-4-1

Consideration: Mixed Use Tract: Planned Development-Commercial/Low-Medium Density Residential/Parks and Recreation/Open Space (PD-C/LMDR/PR-OS), Planned Development-Commercial (PD-C), Commercial (C), and Low-Medium Density Residential (LMDR) to Planned Development-Commercial/Low-Medium Density Residential/Medium Density Residential/Parks and Recreation/Open Space (PD-C/LMDR/MDR/PR-OS); Multi Family Tract: Planned Development-Low-Medium Density Residential/Medium Density Residential (PD-LMDR/MDR) and Low-Medium Density Residential (LMDR) to Medium Density Residential (MDR). **Location:** District 4; 3100 S. Alafaya Trl.; Generally located south of S. Alafaya Trl., north and west of Innovation Wy.; Parcel ID#s: 12-23-31-0000-00-006/011/012/013; 114.17 gross ac.

And

b. Amendment 2022-1-B-FLUE-1

Consideration: Text amendment to Future Land Use Element Policy FLU8.1.4 establishing the maximum densities and intensities for proposed Planned Developments within Orange County associated with Amendment 2022-1-A-4-1.

And

c. 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 amendments pursuant to Section 163.3184(3), Florida Statutes, for the 2022 calendar year (First Cycle); and providing effective dates.

And

d. Substantial Change CDR-21-04-131

Consideration: Substantial Change Request to the Reserve at Alafaya PD to increase multi-family units from 950 to 1,750 and add 100 townhomes through a conversion from 100,000 square feet of commercial uses; combine Tracts 4A and 4B into a single Tract 4; revise access points; allow for 40' wide single-family lots and reduce lot size to 4,200 square feet; revise the layout for the Park Tract and decrease the Park acres; and request to remove Condition of Approval #24 from December 16, 2008 which provided the development program maximums. Also requested are twelve (12) waivers from Orange County Code: 1) A waiver from Section 38-1258(a) is requested to allow for a maximum building height of 60 feet (4 stories) for multifamily buildings located within 20 feet of singlefamily zoned property on Tract 4, in lieu of single story in height located within 100 feet of singlefamily zoned property; 2) A waiver from Section 38-1258(b) is requested to allow for a maximum building height of 60 feet (4 stories) for all multifamily buildings located within 20 feet of singlefamily zoned property within Tract 4, in lieu of varying building height with a maximum of 50% of the buildings being three-stories (not to exceed 40 feet) in height with the remaining buildings being one story or two stories in height located between 100+ feet to 150 feet of single-family zoned property; 3) A waiver from Section 38- 1258(c) to allow for a maximum building height of 60 feet for multi-family buildings located within 20 feet of single-family zoned property within Tract 4, in lieu of three stories, 40 feet in height located within 150 feet of single-family zoned property; 4) A waiver from Section 38-1258(d) to allow for a maximum building height of 60 feet (4 stories) for multi-family buildings on Tract 4 and Tract 9, in lieu of 3-stories or 40 feet; 5) A waiver from Section 38-1258(j) to allow for a minimum building separation of 20 feet between all multifamily buildings on Tract 4 with no increase in proportion to additional structural height, in lieu of 30 feet for two-story buildings, and 40 feet for buildings three-stories, and separation increases in proportion to additional structural height; Waivers 6 through 9 are for detached singlefamily dwellings on Tract 1, 2, 3 and 5: 6) A waiver from Section 38-1501 to allow a minimum lot size of 4,200 square feet for a detached, rear loaded, single-family dwelling, in lieu of 4,500 square feet; 7) A waiver from Section 38-1501 to allow a minimum lot width of 40 feet for a detached, rear loaded, single family dwelling, in lieu of 45 feet; 8) A waiver from Section 38-1501 to allow for a minimum front yard setback of 15 feet for a detached, rear loaded, single-family dwelling, in lieu of 20 feet; 9) A waiver from Section 38-1501 to allow a minimum side street setback of 10 feet for a detached, rear loaded, single-family dwelling, in lieu of 15 feet; Waiver 10 and 11 are for townhome buildings on Tracts 1, 2, 3, 4 and 5: 10) A waiver from Section 38.79(20)(j) to allow for a minimum distance of 40 feet between buildings, front to front or rear to rear, in lieu of 60 feet; 11) A waiver from Section 38.1501 to allow a minimum side street setback of 10 feet for townhome buildings, in lieu of 15 feet; and Waiver 12 is for all tracts: 12) A waiver from Section 30-248(b)(2)(P) to allow a full access intersection separation of 660+/- feet along Alafaya Trail, in lieu of 1/2-mile, or 2,640 feet.

Location: District 4; 3100 S. Alafaya Trl.; Generally located south of S. Alafaya Trl., north and west of Innovation Wy.; CDR Parcel ID#s: 12-23-31-0000-00-001, 12-23-31-0000-00-006, 12-23-31-0000-00-007, 12 23-31-0000-00-008, 12-23-31-0000-00-010, 12-23-31-0000-00-011, 12-23-31-0000-00-012, 12-23-31-0000 00-013, 12-23-31-0000-00-017; 512.90 gross ac.

The following persons addressed the Board:

-Jonathan Huels
-Eric Grimmer

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; (see Future Land Use Element Goal FLU2, Objectives FLU2.2 and FLU8.2, and Policies FLU1.1.1, FLU1.1.2.A, FLU1.4.4, FLU8.1.4, FLU8.2.1, and FLU8.2.2; Housing Element Goal H1 and Objective H1.1; and Conservation Element Objective C1.4); further, determine that the proposed amendment is in compliance; further, adopt Amendment 2022-1-A-4-1, Mixed Use Tract: Planned Development-Commercial/Low-Medium Density Residential/Parks and Recreation/Open Space (PD-C/LMDR/PR/OS), Planned Development-Commercial (PD-C), Commercial (C), and Low-Medium Density Residential (LMDR) to Planned Development-Commercial/Low-Medium Density Residential/Medium Density Residential/Parks and Recreation/Open Space (PD-C/LMDR/MDR/PR/OS); and Multi-Family Tract: Planned Development-Low-Medium Density Residential/Medium Density Residential (PD-LMDR/MDR) and Low-Medium Density Residential (LMDR) to Medium Density Residential (MDR), Mixed-Use Tract: 200,000 sq. ft. of commercial, 50,000 sq. ft. of office, 597 multi-family units, 100 townhome units, 20-acre park, and 3-acre recreation trail Multi-Family Tract: Up to 350 multi-family units; further, make a finding of consistency with the Comprehensive Plan; further, determine that the proposed amendment is in compliance; further, adopt amendment 2022-1-B-FLUE-1, consistent with today's actions; further, make a finding of consistency with the Comprehensive Plan; further, determine that the amendments are in compliance; further, adopt Ordinance 2022-28, approving the proposed Future Land Use Map and associated staff-initiated Text Amendment, consistent with today's actions; further, make a finding of consistency with the Comprehensive Plan; and further, approve the substantial change request subject to the twenty four (24) conditions of approval listed in the Staff Report dated August 9, 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

F. Comprehensive Plan – Transmittal of Regular Cycle Privately-Initiated Text Amendment

6. **22-894** Transmittal of Future Land Use Privately-Initiated Text Amendment 2022-2-P-FLUE-1 Jim Hall, HDSi, for City Center at O-town West, LLC

a. Amendment 2022-2-P-FLUE-1

Consideration: Text amendment to Future Land Use Element Policy FLU8.1.4 amending the maximum density/intensity of the Hannah Smith Property PD through the modification of the development program of the portion of the PD designated as Tract 4 on the PD Land Use Plan; District 1

This public hearing was canceled.

G. Comprehensive Plan – Transmittal of Regular Cycle Staff-Initiated Map and Text Amendment

7. **22-895** Transmittal of Future Land Use Staff-Initiated Map and Text Amendment
2022-2-B-CP-1

a. Amendment 2022-2-B-CP-1

Consideration: Text and map amendments to the International Drive Element, Future Land Use Element, and Future Land Use Map Series to create a new mixed-use Future Land Use Map designation of I-Drive District-Regional Center (IDD-RC) and related goals, objectives and policies and update the Future Land Use and Zoning Correlation Table; to allow residential development within the IDD-RC with increased densities (dwelling units per acre) for mixed-income housing; to modify easement requirements consistent with the I-Drive District Overlay Zone standards; and to correlate the IDD-RC with the adopted I-Drive District Overlay Zone. The following map amendments are proposed: (1) the deletion of "Map 23, I-Drive District Conceptual Regulating Plan" from the Future Land Use Map Series; (2) the addition of two new maps to the Future Land Use Map Series: "Map 23a, I-Drive District Overlay" to incorporate the I-Drive District Overlay boundary changes, and "Map 23b, International Drive Activity Center" consisting of properties designated Activity Center Mixed Use (ACMU) and Activity Center Residential (ACR), with the exception of those ACMU- and ACR-designated properties located within the I-Drive District Overlay; and (3) change to the Future Land Use Map designation of Parcel ID Number 06-24-29-7169-00-040, generally located at 5980 Destination Parkway on approximately 14.34 acres within the I-Drive District, FROM Industrial (IND) TO I-Drive District-Regional Center (IDD-RC); District 1.

This public hearing was canceled.

H. Ordinance

8. **22-968** Enacting a New Article XIII, Division 2 of Orange County Code regarding
Rent Stabilization in Orange County; All Districts

Consideration: An Ordinance related to Rent Stabilization in Orange County; enacting a new Article XIII, Division 2 of the Orange County Code of Ordinances ("Code"), Section 25-380 through Section 25-449; providing a short title and legislative findings and purpose; limiting rent increases for certain rental units in multifamily structures for a period of one (1) year; requiring certain residential landlords to submit a rental unit registration statement; providing penalties for violation; calling for a referendum; providing ballot language; requiring public notice of such referendum; providing that the Rent Stabilization Ordinance will take effect only upon approval by the electorate; providing for repeal of laws in conflict; providing for severability; and providing for an effective date.

County staff modified the following Ordinance sections:

Section 25-380. Short Title and Scope.

This division shall be known and may be cited to as the "Rent Stabilization Ordinance." The Rent Stabilization Ordinance shall be effective in both the incorporated and unincorporated areas within Orange County, except that this ordinance will not be effective within those incorporated areas that have enacted a duly adopted ordinance exempting such incorporated area from this

ordinance.

Section 25-384. Limitations on rent increases.

(b) No landlord shall demand, charge, or accept from a tenant a rent increase that is in excess of the existing rent multiplied by the Consumer Price Index ~~of the existing rent~~ for any residential rental unit except as otherwise allowed under section 25-388 of this ordinance.

Section 25-386. Vacancy.

This ordinance's ~~The~~ limitations on rent increases ~~the amount of annual rent~~ shall apply regardless of change of occupancy in a residential rental unit except as otherwise allowed under section 25-388 of this ordinance.

Section 5. Official Ballot

Ballot title and summary substantially in the following form:

RENT STABILIZATION ORDINANCE TO LIMIT RENT INCREASE FOR CERTAIN RESIDENTIAL RENTAL UNITS

Shall the Orange County Rent Stabilization Ordinance, which limits rent increases for certain residential rental units in multifamily structures to the average annual increase in the Consumer Price Index, and requires the County to create a process for landlords to request an exception to the limitation on the rent increase based on an opportunity to receive a fair and reasonable return on investment, be approved for a period of one year?

 Yes
 No

The following persons addressed the Board:

- Senator Randolph Bracy
- Robert Arnold
- Scott Glass
- Deidre Graybill
- Andrea Schekolin
- Joe Lafleur
- Ginny Bolling
- Monica Ramsey
- Chris Messina
- Chris Paige
- Ray Srour
- Amanda White
- Jessy Correa

-Rachelle Hundley
-Ray Flores
-Jordan Jones
-Sarah Hawthorne
-Steven Ogier
-Maria Martin
-Laura Heredia
-Justin Frost
-Cliff Long
-Stephanie Porta
-Sheena Rolle
-Terri Falbo
-Letitia Harmon
-Ronda Wallace
-Barbara Valcarcel
-Annie Sierra
-Edwin Rivera
-Cynthia Laurent
-Ivanna Gonzalez
-Chris Furino
-Sophia Glover
-Sam Delgado
-Ellio Emmanuel (on behalf of Erica Gomez-Tajera)
-Briston Scott
-Christopher Baugh
-Karroll Marroni
-Mildred Wright
-David Maldonado
-Maria Bolton-Joubert
-Heather Grooms
-Luke Wickham
-Celicia Merdelus
-Kelly Semrad
-Eric Jorzak
-Kimberly M.
-Eric Fieldler
-Kayla Martin
-Robin Harris
-Kristell Miles

The following material was presented to the Board:

-Exhibit 1 - Scott Glass

A motion was made by Commissioner Bonilla, seconded by Commissioner Uribe, to adopt Ordinance 2022-29, relating to Rent Stabilization in Orange County; Enacting a new Article XIII

Division 2 of the Orange County Code of Ordinances ("Code"), Section 25-380 through Section 25-449; providing a short title and legislative findings and purpose; limiting rent increases for certain rental units in multifamily structures for a period of one (1) year; requiring certain residential landlords to submit a rental unit registration statement; providing penalties for violation; calling for a referendum; providing ballot language; requiring public notice of such referendum; providing that the Rent Stabilization Ordinance will take effect only upon approval by the Electoral; providing for repeal of laws in conflict; providing for severability; and providing for an effective date; further, approve modified Section 25-380. Short Title and Scope; Section 25-384. Limitation on Rent Increases; Section 25-386. Vacancy; Section 5. Official Ballot; further, authorize County staff to make changes consistent with direction from today's public hearing; and further, correct any scrivener's errors. The motion carried by the following vote:

Aye: 4 - Commissioner Wilson, Commissioner Uribe, Commissioner Gomez Cordero, and Commissioner Bonilla

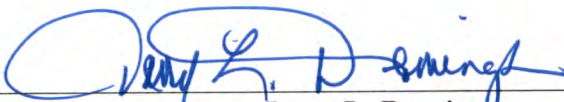
Nay: 3 - Mayor Demings, Commissioner Moore, and Commissioner Siplin

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

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

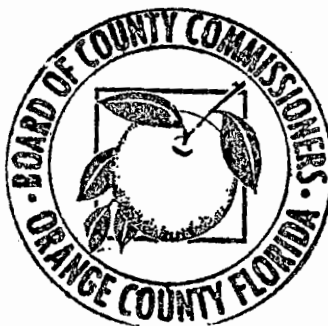
ADJOURNMENT: 6:55 p.m.

ATTEST:



County Mayor Jerry L. Demings

Date: September 13, 2022



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.

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