

Orange County Government

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



Clerk's Agenda and Records Report - Final

Tuesday, October 12, 2021

1:30 PM

County Commission Chambers

Board of County Commissioners

Call to Order**Invocation - District 4****Pledge of Allegiance****Presentation**

2021 Achievement of Excellence in Procurement Award

Presentation

Proclamation recognizing the week of October 23 through October 31, 2021 as Red Ribbon Week

Public Comment**I. CONSENT AGENDA****A. COUNTY MAYOR**

1. 21-1204 Approval and execution of First Amended and Restated Cosponsorship Agreement for the National Entrepreneur Center Between Orange County, Florida and Disney Worldwide Services, Inc. and University of Central Florida Board of Trustees Joined for limited purposes by University of Central Florida Research Foundation, Inc. (Office of Economic, Trade and Tourism Development)

B. COUNTY COMPTROLLER

1. 21-1205 Approval of the minutes of the September 9 and September 14, 2021 meetings of the Board of County Commissioners. (Clerk's Office)
2. 21-1206 Approval of the check register authorizing the most recently disbursed County funds, having been certified that same have not been drawn on overexpended accounts. (Finance/Accounting)
3. 21-1207 Disposition of Tangible Personal Property as follows. (Property Accounting)
 - a. Scrap assets.
 - b. Donate EMS assets purchased with grant funds to multiple agencies.
 - c. Sell assets through online auction.
 - d. Offer assets to non-profits.
 - e. Scrap remaining assets.

C COUNTY ADMINISTRATOR

1. 21-1208 Approval of the Membership and Mission Review Board's recommendations for advisory board appointments and reappointments. (Agenda Development Office)

 A. Environmental Protection Commission: Appointment of Peter J. Fleck to succeed Perry S. Bamasi in the regulated business or municipality representative category with a term expiring December 31, 2023.

 B. Health Council of East Central Florida: Reappointment of Jason Lovern in the health care provider representative category, Anthony J. Hutton in the health care consumer representative category, and Donovan Pyle in the health care purchaser representative category with terms expiring September 30, 2023.

 C. Tourist Development Council: Appointment of Michael Stewart to succeed Frederick G. Pullum in the non-owner not subject to the tax representative category with a term expiring April 30, 2025.
2. 21-1209 Appointment of Anees A. Tanoli to the Pine Hills Local Government Neighborhood Improvement District Advisory Council in the District 6 representative category with a term expiring June 30, 2023. (Agenda Development Office)
3. 21-1210 Approval to designate Taunya Harris as the 911 Coordinator for Orange County in accordance with the State E911 Plan, F.A.C. Rule 60FF-6.004(3)(a) and F.S. 365.171(10). (Information Systems and Services Division)
4. 21-1211 Approval of budget amendments #21-66, #22-01, #22-02, and #22-03. (Office of Management and Budget)
5. 21-1212 Approval of budget transfers #22C-0001, #22C-0002, #22C-0003, #22C-0004, #22C-0006, #22C-0007, #22C-0008, and #22C-0009. (Office of Management and Budget)
6. 21-1213 Approval of CIP amendments #22C-0001, #22C-0002, #22C-0003, #22C-0004, #22C-0006, #22C-0007, #22C-0008, and #22C-0009. (Office of Management and Budget)
7. 21-1214 Ratification of payment of Intergovernmental claims of July 29, 2021, August 5, 2021, August 19, 2021, September 2, 2021, and September 16, 2021, totaling \$2,239,238.25. (Risk Management Division)

D. COUNTY ATTORNEY

1. 21-1215 Approval of the Negotiated Settlement Agreement in the case Orange County v. Valencia Trace of Orlando, Ltd, et al., Case No. 2018-CA-001262-O, Parcel 1002, Project: Econlockhatchee Trail and authorization for the County Attorney's Office to execute the proposed Stipulated Final Judgment as to Parcel 1002 on behalf of Orange County.
2. 21-1216 Approval of proposed New Administrative Regulation 2.12.12, titled "Firefighter: Death Benefits."

E. ADMINISTRATIVE SERVICES DEPARTMENT

1. 21-1217 Approval to award Invitation for Bids Y21-7024-FH, Clarcona Park Lift Station and Electrical Upgrades, to the low responsive and responsible bidder, Felix Associates of Florida, Inc. The total contract award amount is \$859,889. ([Administrative Services Department Capital Projects Division] Procurement Division)
2. 21-1218 Approval to award Invitation for Bids Y21-7028-FH, Capehart Park Roof Replacement, to the low responsive and responsible bidder, Alpha Roofing and Sheet Metal, LLC. The total contract award amount is \$190,000. ([Administrative Services Department Capital Projects Division] Procurement Division)
3. 21-1219 Approval of Amendment No. 11, Contract Y9-820, Professional Engineering Design Services for Taft-Vineland Road (Orange Blossom Trail to Orange Avenue), with HNTB Corporation, in the amount of \$425,077.05, for a revised total contract amount of \$3,334,725.47. ([Public Works Department Engineering Division] Procurement Division)
4. 21-1220 Approval of Amendment No. 5, Contract Y15-1050-LC, COBRA, Retiree and Flexible Spending Accounts Administrative Services, with Chard, Snyder & Associates, Inc., in the amount of \$100,000, for a revised total contract amount of \$225,000. ([Administrative and Fiscal Services Human Resources Division] Procurement Division)
5. 21-1221 Approval of Amendment No. 1, Contract Y20-1092, Prenatal Care Services, with the Department of Health, Orange County, in the amount of \$250,000, for a revised contract amount of \$630,000. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
6. 21-1222 Approval and execution of new parking agreement by and between R & R Palmetto Avenue, Ltd. and Orange County, Florida, and authorization for the Real Estate Management Division to exercise renewal options, to increase the number of parking spaces up to a specified maximum of 300, and furnish notices, required or allowed by the agreement, as needed for Palmetto Parking Garage (R&R) 305 Palmetto Avenue, Orlando, Florida 32801 Lease File #3010. District 5. (Real Estate Management Division)

7. 21-1223 Approval and execution of First Amendment to Lease Agreement by and between 701 E South, LLC and Orange County, Florida and authorization for the Real Estate Management Division to exercise renewal options and furnish notices, required or allowed by the agreement, as needed for Housing and Community Development, 701 East South Street, Orlando, Florida 32801 Lease File #2046. District 5. (Real Estate Management Division)
8. 21-1224 Approval and execution of Non-Exclusive Permanent Utility Easement Agreement by and between Flamingo Crossings, LLC and Orange County, Non-Exclusive Permanent Utility Easement Agreement by and between Speedway LLC, successor in interest by that certain Certificate of Merger with Hess Retail Stores LLC and Orange County and authorization to record instruments for Flamingo Crossings LLC, RCID, Speedway Non-Excl UE's OCU File #98030. District 1. (Real Estate Management Division)
9. 21-1225 Approval and execution of First Amendment to Declaration of Restrictive Covenants from Orange County, Florida to Department of Environmental Protection and authorization to disburse funds to pay recording fees and record instrument for Orange County Historic Little Econ. District 5. (Real Estate Management Division)
10. 21-1226 Approval of Warranty Deed from D.R. Horton, Inc. to Orange County and Partial Release of Master Declaration of Covenants, Conditions, Easements, and Restrictions for Waterleigh Development to Orange County from D.R. Horton, Inc. and authorization to record instruments for Waterleigh Parcels 10 and 11 Ph 2 DP 18-04-112/CDR-20-03-071 B16904099. District 1. (Real Estate Management Division)
11. 21-1227 Approval of Special Warranty Deed from RaceTrac Petroleum, Inc. to Orange County, Florida and authorization to disburse funds to pay all recording fees and to record the instrument for Taft-Vineland Road (Orange Blossom Trail to Orange Avenue). District 4. (Real Estate Management Division)

F. COMMUNITY AND FAMILY SERVICES DEPARTMENT

1. 21-1228 Approval and execution of 1) Florida Department of Health Child Care Food Program Budget Authorization #734; 2) Management Plan; and 3) Delegation of Signatory Authority for the Child Care Food Program; and approval of 1) Projected Earnings Worksheet for Current Affiliated Sponsors (S-A-H) - FY 2021-2022; and 2) Florida Department of Health Child Care Food Program Claim Data Summary FY 2022 which will allow reimbursement to Orange County up to an estimated amount of \$1,474,552 for nutritional meals served to eligible children in the Head

Start Program from October 1, 2021 through September 30, 2022. (Head Start Division)

G. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

1. 21-1229 Approval of Second Amendment to the 2019-2020 One-Year Action Plan Budget and authorization for the County Administrator to execute Subrecipient Agreements consistent with the Second Amendment to the 2019-2020 One-Year Action Plan Budget. All Districts. (Housing and Community Development Division)
2. 21-1230 Approval and execution of Amended and Restated Proportionate Share Agreement for Woodspring Suites Colonial Drive and Woodbury Road by and between DI Development, LLC and Orange County for a proportionate share payment in the amount of \$111,362. District 4. (Roadway Agreement Committee)
3. 21-1231 Approval and execution of First Amendment to Proportionate Share Agreement for Restaurant at Hamlin NEC Avalon Road/CR 545 by and among Hamlin Retail Partners East NEC, LLC and Orange County to update the Parcel Identification number, replace two exhibits and apply the funds paid from the prior Parcel Identification Number to the revised Parcel Identification Number. District 1. (Roadway Agreement Committee)
4. 21-1232 Approval and execution of Proportionate Share Agreement for Kiddie Academy Narcoossee Road by and between Florida Retail Partnership LLC and Orange County for a proportionate share payment in the amount of \$203,744. District 4. (Roadway Agreement Committee)
5. 21-1233 Approval and execution of Resolution of the Orange County Board of County Commissioners regarding declaring October 15, 2021 as "Blind Americans Equality Day" in Orange County, Florida. All Districts. (Transportation Planning Division)

H. PUBLIC WORKS DEPARTMENT

1. 21-1234 Approval to record the Right-of-Way Declaration and Maintenance Map for Simpson Road. District 4. (Roads and Drainage Division)
2. 21-1235 Approval of "No Parking" signs installation on Oliver Twist Way. District 1. (Traffic Engineering Division)
3. 21-1236 Approval of "No Parking, Stopping, Standing" signs installation on Narcoossee Road. District 4. (Traffic Engineering Division)
4. 21-1237 Approval and execution of Memorandum of Agreement for Construction, Engineering, Cost Sharing & Oversight for Belco Drive Improvements (From Silver Star Road to Pine Hills Road) between Orange County and

the Central Florida Regional Transportation Authority. District 2. (Highway Construction Division)

I. UTILITIES DEPARTMENT

1. 21-1238 Approval and execution of Cost-Share Agreement between the St. Johns River Water Management District and Orange County a political subdivision of the State of Florida, Contract # 36907 for construction of a central sanitary sewer system in the total not-to-exceed amount of \$1,721,784 and authorization for the County Administrator to approve scheduling or other administrative changes and execute minor amendments or other modifications to the agreement which do not affect the total aggregate amount of the budget or intent of the project. District 2. (Engineering Division)
2. 21-1239 Approval of commercial refuse license for Weaver & Sons Enterprise, LLC dba Central Florida Dumpsters to provide solid waste hauling services to commercial generators in Orange County. All Districts. (Solid Waste Division)
3. 21-1240 Approval and execution of Cost Share Agreement between the St. Johns River Water Management District and Orange County, a political subdivision of the State of Florida Contract 37151 for the Water Wise Neighbor Program in the amount of \$62,800 for 2021/2022. All Districts. (Water Division)

II. INFORMATIONAL ITEMS**

A. COUNTY COMPTROLLER

1. 21-1241 Receipt of the following items to file for the record: (Clerk's Office)
 - a. City of Ocoee Notice of Annexations Ordinances, with Exhibit A (Legal Descriptions) and Exhibit B (Location Maps) as follows:
 - Ordinance 2021-024. (Annexation Ordinance for 499 2nd Street - Ocoee Rental Trust Properties) Tax Parcel ID: 17-22-28-0000-00-056. Case NO. AX-04-21-07: 499 2nd Street - Ocoee Rentals Trust Properties Annexation. An Ordinance of the City of Ocoee, Florida, annexing into the corporate limits of the City of Ocoee, Florida, certain real property containing approximately +/-0.26 acres located on the east side of 2nd Street, approximately 670 feet south of Center Street and southeast of the intersection of Nay Street and 2nd Street, pursuant to the application submitted by the property owner; finding said annexation to be consistent with the Ocoee Comprehensive Plan and the Ocoee city code; providing for and authorizing the updating of official city maps; providing direction to the City Clerk; providing direction to the City Clerk; providing for

severability; repealing inconsistent ordinances providing for an effective date.

-Ordinance No. 2021-026. (Annexation Ordinance for 437 2nd Street Ocoee Rentals Trust Properties). Tax Parcel ID: 17-22-28-0000-00-140. Case No. AX-04-21-08: 437 2nd Street - Ocoee Rentals Trust Properties Annexation. An Ordinance of the City of Ocoee, Florida, annexing into the corporate limits of the City of Ocoee, Florida, certain real property containing approximately +/- 0.25 acres located on the east side of 2nd Street, approximately 745 feet south of Center Street and about 87 feet southeast from the intersection of Nay Street and 2nd Street, pursuant to the application submitted by the property owner; finding said annexation to be consistent with the Ocoee Comprehensive Plan and the Ocoee city code; providing for and authorizing the updating of official city maps; providing direction to the City Clerk; providing for severability; repealing inconsistent Ordinances; and providing for an effective date.

b. The Florida Public Service Commission Consummating Order. In re: Petition for establishment of an approved AFUDC rate, by Utilities, Inc. of Florida.

c. Greater Orlando Aviation Authority Orlando International Airport & Orlando Executive Airport Adopted Budgets Fiscal Year 2021-2022.

III. DISCUSSION AGENDA

A. ADMINISTRATIVE SERVICES DEPARTMENT

1. 21-1242 Selection of one firm and two ranked alternates to provide Design Services for Clerk of Courts Winter Park Courthouse at Metric Drive, Request for Proposals Y21-812-FH, from the following three firms, listed alphabetically:

-DLR Group Inc.
-Rhodes + Brito Architects, Inc.
-Silling Associates, Inc.

([Administrative Services Department Capital Projects Division]
Procurement Division)

2. 21-1243 Selection of one firm and an alternate to provide Design Services for the Public Works Administration Building Window Replacement, Request for Proposals Y21-813-R2, from the following two firms, listed alphabetically:

-A/R/C Associates, Incorporated
-KZF Design, LLC, d.b.a. KMF Architects

([Administrative Services Department Capital Projects Division]
Procurement Division)

3. 21-1244 Selection of one firm and two alternates to provide Continuing Professional Engineering Design Services for Federally Funded Construction Projects, Request for Proposals Y21-902-CH, from the following seven firms, listed alphabetically:

-AVCON, Inc.
-Dewberry Engineers, Inc.
-DRMP, Inc.
-Exp U.S. Services, Inc.
-Inwood Consulting Engineers, Inc.
-Pegasus Engineering, LLC
-Vanasse Hangen Brustlin, Inc.

([Public Works Department Engineering Division] Procurement Division)

B. COUNTY ADMINISTRATOR

1. 21-1245 COVID-19 Update.

IV. RECOMMENDATIONS

1. 21-1246 September 16, 2021 Planning and Zoning Commission
Recommendations

V. PUBLIC HEARINGS

A. Shoreline Alteration Dredge and Fill

1. 21-1044 Case # SADF-21-03-010

David Nguyen, Lake Holden Point, permit; District 3
2. 21-1119 Case # SADF-21-03-009

Kimberly Ann Sterling and Brian Stehli, Lake Conway, permit; District 3

B. Substantial Change

3. 21-1123 Case # CDR-21-02-038

Nicole Stalder, Dewberry, Village F Master Planned Development /
Magnolia Estates Preliminary Subdivision Plan, amend plan; District 1

4. 21-1120 Case # CDR-21-06-193

James G. Willard; Shutts & Bowen, LLP, Silverleaf Planned Development /
Regulating Plan (PD / RP), amend plan; District 1

C Preliminary Subdivision

5. 21-1118 Case # PSP-21-06-192

Scott Gentry, Kelly, Collins & Gentry, Inc., Silverleaf Planned Development -
Regulating Plan / Silverleaf South Infrastructure Preliminary Subdivision
Plan / Mass Grading Development Plan; District 1

6. 21-1117 Case # PSP-21-03-079

Carlos Alberto Rivero, Yucatan Gardens Preliminary Subdivision Plan;
District 3

D. Comprehensive Plan - Transmittal of Regular Cycle Amendment

7. 21-1039 Transmittal of Regular Cycle Future Land Use Map Amendment

a. Amendment 2021-2-A-2-1

Thomas R. Sullivan, GrayRobinson, P.A., for ECP Grassmere, LLC. Rural
Settlement 1/1 (RS 1/1) to Rural Settlement Low Density (RSLD 2/1);
District 2 (Continued from September 14, 2021)

**E. Ordinance/Comprehensive Plan - Adoption of Out-of-Cycle Regular Cycle
Staff-Initiated Text Amendment and Ordinance**

8. 21-1187 Adoption of Out-of-Cycle Regular Cycle Staff-Initiated Comprehensive Plan
Text Amendment and Ordinance

a. Amendment 2021-1-C-OS-1

Text Amendment to Open Space Element Policy OS1.3.6 deleting the
open space requirements for residential land uses in Rural Settlement
expansions within the Wekiva Study Area, consistent with Future Land Use
Element Policy FLU6.2.1, and amending the open space requirements for
residential land uses in Growth Centers within the Wekiva Study Area;
Countywide

And

b. Ordinance for Proposed Amendment

F. Agreement

9. 21-1185 First Amendment to the Joint Planning Area (JPA) Interlocal Agreement between Orange County and the City of Mount Dora; District 2

G. Ordinance/Comprehensive Plan – Adoption of Regular Cycle Amendments, Ordinance, and Concurrent Rezoning Request

10. 21-1188 Adoption of Regular Cycle Future Land Use Map Amendment, FLU8.1.4 Text Amendment, Ordinance, and Concurrent Rezoning Request

a. Amendment 2021-1-A-2-1

Timothy W. Green, Green Consulting Group, Inc., for Timothy J. Bailey Growth Center-Planned Development-Office/Low-Medium Density Residential (GC-PD-O/LMDR) to Growth Center-Planned Development-Low-Medium Density Residential (GC-PD-LMDR); District 2

And

b. Amendment 2021-1-B-FLUE-3

Text Amendment to Future Land Use Element Policy FLU8.1.4 establishing the maximum densities and intensities for proposed Planned Developments within Orange County

And

c. Ordinance for Proposed Amendments

And

d. Rezoning LUP-21-04-119

A-1 (Citrus Rural District) to PD (Planned Development District) (Parks of Mt. Dora PD); District 2

H. Comprehensive Plan – Transmittal of Regular Cycle Amendments

11. 21-1189 Transmittal of Regular Cycle Future Land Use Map Amendment and FLU8.1.4 Text Amendment

a. Amendment 2021-2-A-4-1 (fka 2021-1-A-4-3)

Jason Searl, GrayRobinson, P.A., for Bent Tree Holdings, LLC

Planned Development-Office/Commercial/
Institutional/Industrial/Conservation (PD-O/C/INST/IND/CONS) and
Industrial (IND) to Planned Development-Commercial/Office/High Density
Residential/Parks and Recreation/Open Space/Conservation
(PD-C/O/HDR/PR/OS/CONS) ; District 4

And

b. Amendment 2021-2-B-FLUE-1

Text Amendment to Future Land Use Element Policy FLU8.1.4
establishing the maximum densities and intensities for proposed Planned
Developments within Orange County

12. 21-1190

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
Planned Rural/Agricultural (R) to Planned
Development-Commercial/Medium Density Residential (PD-C/MDR) and
Urban Service Area (USA) Expansion; District 4

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
Developments within Orange County

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)

III. DISCUSSION AGENDA (Continued)

C. HEALTH SERVICES DEPARTMENT

1. 21-1247

Chapter 20, Article III, Orange County Code Emergency and
Nonemergency Medical Care and Transportation Certificate of Public

Convenience and Necessity (COPCN). (EMS Office of the Medical Director)

D. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

1. 21-1248 Micromobility Devices. (Transportation Planning Division)

√ 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>.

* * *

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.