

BCC Mtg. Date: November 10, 2020

Orange County Government

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



Final Meeting Minutes

Tuesday, October 13, 2020

9:00 AM

Communications Media Technology

Board of County Commissioners

Call to Order

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

Present: 7 - Mayor Jerry L. Demings, Commissioner Betsy VanderLey, 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
Deputy County Administrator Chris Testerman
Deputy County Administrator Danny Banks
County Attorney Jeffrey J. Newton
Deputy County Attorney Joel Prinsell
Deputy Clerk Katie Smith

Invocation - District 1

Pastor Renaut Van Der Riet, Mosaic Community Church

Pledge of Allegiance**Public Comment**

The following persons addressed the Board for public comment:

- Melissa Simmons
- Jill Reverski
- Delaun Stokes
- Maria Gonzalez
- Joe Kilsheimer
- Justin Harvey
- Tara Hill
- Mark Staskus
- Manny Gross
- Tim Veigle
- Andrea Samson
- Robert Samson
- Nancy Prine
- Cheryl Collins
- Sam Zambito
- Jeremy Kinney
- Raquel Lozano

The following persons submitted written comments to the Board during public comment:

- Patricia Reverski
- Matt Dean
- Doug Benedict
- Jason Bagley
- Melisa Diolosa
- Mary Reynolds
- Shane Shirley
- Angela Pugh

I. CONSENT AGENDA

Approval of the Consent Agenda

A motion was made by Commissioner Uribe, seconded by Commissioner Gomez Cordero, to approve the Consent Agenda. The motion carried by the following vote:

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

A. COUNTY COMPTROLLER

1. **20-1411** Approval of the minutes of the September 1, 2020 meeting of the Board of County Commissioners. (Clerk's Office)
2. **20-1412** 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:
 - September 18, 2020, to September 24, 2020; \$42,430,577.69
 - September 25, 2020, to October 1, 2020; \$146,993,422.48
 - October 2, 2020 to October 8, 2020; \$61,999,972.15.(Finance/Accounting)
3. **20-1413** Approval to dispose of records held by the Comptroller in accordance with record retention schedules (GS1-SL and GS 11) as approved by the State of Florida, Bureau of Archives and Records Management.
4. **20-1414** Disposition of Tangible Personal Property as follows. (Property Accounting)
 - a. Sell assets through online auction.
 - b. Offer assets to nonprofits.
 - c. Scrap remaining assets.
 - d. Remove lost assets from inventory.
 - e. Scrap assets.
 - f. Remove stolen asset from inventory.

B. COUNTY ADMINISTRATOR

1. **20-1415** 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 Adam T. Woodhall to succeed Reinaldo Rodriguez in the real estate professional representative category with a term expiring June 30, 2022.

B. Arts and Cultural Affairs Advisory Council: Appointment of Mariah J. Evelyn-Roman to succeed Julie Coleman in the District 2 representative category with a term expiring June 30, 2022.

C. Environmental Protection Commission: Reappointment of Mark A. Ausley in the conservation organization representative category and the appointment of Elaine A. Imbruglia to succeed Jonathan Huels in the environmental specialist representative category, both with terms expiring December 31, 2021.

D. Fire and Life Safety Code Board of Adjustments and Appeals: Appointment Bill G. Graney to succeed John M. Spierto in the engineer representative category with a term expiring December 31, 2022.

E. International Drive CRA Advisory Committee: Appointment of Daniel P. Giordano to succeed Kevin Kennedy in the International Drive Resort Area Chamber of Commerce representative category with a term expiring January 1, 2022.

F. Orange Blossom Trail Development Board: Appointment of Carolyn McClendon to succeed Richard A. Fender in the Orange County representative category with a term expiring January 14, 2025.

G. Orange County Research and Development Authority: Reappointment of David L. Brewer in the at large representative category with a term expiring August 24, 2024.
2. **20-1416** Approval of the Membership and Mission Review Board recommendations for extending the existence of the Arts and Cultural Affairs Advisory Council, Building Codes Board of Adjustments and Appeals, Commission on Aging, Disability Advisory Board, and Fire and Life Safety Code Board of Adjustments and Appeals with a new sunset review date of 2025 and for the adoption of a resolution sunsetting the Public Works Advisory Board. (Agenda Development Office)

3. **20-1417** Confirmation of Commissioner Uribe's appointment of John Evertsen to the Lake Conway Water and Navigation Control District Advisory Board with a term expiring December 31, 2022. (Agenda Development Office)
4. **20-1418** Confirmation of the appointment of Juan Marcos Vilar to the Tourist Development Tax Grant Application Review Committee as the District 4 representative with a term expiring December 31, 2022. (Agenda Development Office)
5. **20-1419** Confirmation of the appointment of Sean L. McQuade to the Planning and Zoning Commission as the District 2 representative with a term expiring December 31, 2020. (Agenda Development Office)
6. **20-1420** Approval of Artwork Commission Agreement between Orange County and Studio JEFRE LLC. to be delivered by June 2021 and approval to issue the respective Purchase Order in the amount of \$200,000 to Studio JEFRE LLC. for the artwork. (Arts and Cultural Affairs Office)
7. **20-1421** Approval and execution of Agreement between Orange County, Florida and The Florida State Lodge Fraternal Order of Police, Inc. Lieutenants Fiscal Years 2020-21 through 2022-23. (Human Resources Division)
8. **20-1422** Approval and execution of Agreement between Orange County, Florida and The Jerry B. Haddock Lodge #86 of The Fraternal Order of Police, F.O.P. Lodge #86 Fiscal Years 2020-21 through 2022-23. (Human Resources Division)
9. **20-1423** Approval to disburse payment for the East Central Florida Regional Planning Council annual assessment totaling \$289,552 as provided in the FY 2020-21 adopted budget. (Office of Management and Budget)
10. **20-1424** Approval to disburse payment of \$146,094 to the Florida Association of Counties for the annual membership fee and the second installment of the Special Assessment for Public Awareness Fund. (Office of Management and Budget)
11. **20-1425** Approval for the Orange County Sheriff's Office to spend \$32,500 from the FY 2021 Law Enforcement Trust Fund to provide eligible contributions to Camaraderie Foundation (\$2,500); Victim Services (\$20,000); Holocaust Memorial Resource and Education Center of Florida (\$5,000); and IDignity (\$5,000). (Office of Management and Budget)
12. **20-1426** Approval and execution of Agreement between The Ninth Judicial Circuit Court of Florida and Orange County, Florida regarding Funding for Problem Solving Court Case Managers. (Office of Management and Budget)
13. **20-1427** Approval of budget amendments #20-94, #20-95, #20-96, #21-01, and

#21-02. (Office of Management and Budget)

14. **20-1428** Approval of budget transfers #21C-0001, #21C-0002, #21C-0003, #21C-0004, #21C-0005, #21C-0006, #21C-0007, #21C-0008, and #21C-0009. (Office of Management and Budget)
15. **20-1429** Approval of CIP amendments #21C-0001, #21C-0002, #21C-0003, #21C-0004, #21C-0005, #21C-0006, #21C-0007, #21C-0008, and #21C-0009. (Office of Management and Budget)
16. **20-1430** Ratification of payment of Intergovernmental claims of July 30, 2020, August 13, 2020, August 27, 2020, September 3, 2020 and September 17, 2020, totaling \$2,251,332.04. (Risk Management Division)

C. ADMINISTRATIVE SERVICES DEPARTMENT

1. **20-1431** Approval of Change Order No. 3, Contract Number Y18-783-RC, East Orange Community Center ADA Improvements Grant, with S.A. Casey Construction, in the amount of \$953.93, for a revised lump sum contract amount of \$881,056.87. (Capital Projects Division)
2. **20-1432** Approval of Change Order No. 1, Purchase Order Number M92362, Parks Dr. P. Phillips/OCPS Future Middle School Joint Ballfields, with Borelli & Partners Inc, in the amount of \$182,434.88, for a revised lump sum contract amount of \$282,299.03. (Capital Projects Division)
3. **20-1433** Ratification of Change Order No. 2, Contract C18714, OC Fire Rescue Headquarters Computer Room Modifications, with Comelco, Inc., in the amount of \$1,003.08, for a revised contract amount of \$705,486.46. (Capital Projects Division)
4. **20-1434** Approval of Change Order No. 2, Purchase Order Number M95283, Sheriff's K-9 Training Facility, with Mobile Modular Management Corp, in the amount of \$103,462.38, for a revised lump sum contract amount of \$1,579,789.09. (Capital Projects Division)
5. **20-1435** Approval to award Invitation for Bids Y20-1074-KB, Commercial Doors and Gates Preventative Maintenance and Repairs, to the low responsive and responsible bidder by lot for a 1-year term:

| <u>Lot</u> | <u>Bidder</u> | <u>Est. Contract Award Amt.</u> |
|-------------------|--------------------------------|--|
| Lot A | C&D Industrial Maintenance LLC | \$474,700 |
| Lot B | C&D Industrial Maintenance LLC | \$230,000 |

([Administrative Services Department Facilities Management Division]
Procurement Division)

6. **20-1436** Approval to award Request for Quotations Y20-606-NH, Vital Signs Monitors, to the low responsive and responsible bidder, Sterile Services Co. The estimated contract award amount is \$136,703. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
7. **20-1437** Approval to award Invitation for Bids Y20-768-RM, Orange County Bridge No. 754081 University Boulevard, Bridge No. 754103 Chickasaw Trail, and Bridge No. 754124 CR527 (South Orange Avenue) South Bound Deficiency Repairs, to the low responsive and responsible bidder, Proshot Concrete, Inc. The total contract award amount is \$341,532.50. ([Public Works Department Roads and Drainage Division] Procurement Division)
8. **20-1438** Approval to Purchase Metered Postage for Fiscal Year 20-21 from the United States Postal Service Computerized Meter Resetting System (CMRS-PBP), a subsidiary of Pitney Bowes, in the estimated amount of \$870,750. ([Administrative Services Department Facilities Management Division] Procurement Division)
9. **20-1439** Approval of Amendment No. 2, Contract Y18-1141, Web Based Individual Driver Records Checks and Risk Assessments, with Embark Safety, LLC, in the amount of \$48,996, for a revised estimated contract amount of \$157,870. ([Administration and Fiscal Services Risk Management Division] Procurement Division)
10. **20-1440** Approval of Amendment No. 6, Contract Y18-2000, Homeless Shelter Prevention/Diversion Services, with The Coalition for the Homeless of Central Florida, Inc., in the amount of \$250,000, for a revised total contract amount of \$880,000. ([Community and Family Services Department Mental Health and Homelessness Issues Division] Procurement Division)
11. **20-1441** Approval of Amendment No. 3, Contract Y19-2110, Provision of Community Services and Facility Use, with Goodwill Industries of Central Florida, in the amount of \$103,923.04, for a revised total contract amount of \$539,142.76. ([Community and Family Services Department Citizens' Commission for Children Division] Procurement Division)
12. **20-1442** Ratification of Purchase Order M101619, Two-Ounce Gel Hand Sanitizer Bottles, with Digital Gadgets, in a not-to-exceed amount of \$143,000. ([Health Services Department Fiscal and Operational Division] Procurement Division)
13. **20-1443** Ratification of Purchase Order M101913, Level Three Gowns, with Stran Promotional Solution, in a not-to-exceed amount of \$349,200. ([Fire Rescue Department Infrastructure and Asset Management Division] Procurement Division)
14. **20-1444** Ratification of Purchase Order M101968, COVID-19 Homeless Hygiene and

Outreach and Testing Project, with Clean the World Ventures, Inc., in a not-to-exceed amount of \$250,000. ([Community and Family Services Department Mental Health and Homelessness Issues Division] Procurement Division)

15. **20-1445** Approval and execution of First Amendment to Lease by and between G&C OC Investors, LLC and Orange County, Florida, and First Amendment to Sublease Agreement by and between Orange County, Florida and State of Florida, Department of Health and delegation of authority to the Real Estate Management Division to exercise renewal options and furnish notices, required or allowed by the agreements, as needed for Enterprise Building - OCHS Enterprise Building - FDOH, OC 1001 Executive Center Drive, Suite #200, Orlando, FL 32803 Lease File #2066. District 5. (Real Estate Management Division)
16. **20-1446** Approval and execution of Partial Assignment of Utility Easement between Orange County, Florida and Duke Energy Florida, LLC, d/b/a Duke Energy and authorization to record instrument for SSA/ESA J. Lawson Blvd Potable Water Re-pump Facility. District 4. (Real Estate Management Division)

D. COMMUNITY AND FAMILY SERVICES DEPARTMENT

1. **20-1447** Approval and execution of Affiliation Agreement between Orange County, Florida and Sistema Universitario Ana G. Mendez, Inc. related to Experiential Learning Placement Program. (Head Start Division)
2. **20-1448** Approval and execution of Florida Department of Children and Families Application for a License to operate a Child Care Facility at Mount Sinai Head Start. This application is only executed by Orange County. (Head Start Division)
3. **20-1449** Ratification of the Mayor's execution of Modification #9 of the Federally Funded Subgrant Agreement for the Low-Income Home Energy Assistance Program Number: 17EA-OF-12-00-01-22, by the State of Florida, Department of Economic Opportunity and Orange County, and delegation of signature authority to the Mayor or designee to execute any necessary modifications, amendments, and extensions of this contract. (Community Action Division)

E. CORRECTIONS DEPARTMENT

1. **20-1450** Approval and execution of Cooperative Agreement between The School Board of Orange County, Florida and Orange County, Florida for the Alternative Education Centers Juvenile Offenders Program effective July 1, 2020 through June 30, 2023. The Agreement may be automatically renewed for two additional one year periods, upon mutual agreement of both parties.

F. FIRE RESCUE DEPARTMENT

1. **20-1451** Approval of FY 2020-2021 payment to Valencia College Fire Rescue Institute in the amount of \$154,830 (Invoice #2110) for annual membership training services associated with Interlocal Agreement between Orange County, Florida and Central Florida Fire Consortium. (Operations Division)

G. PLANNING, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

1. **20-1452** 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. (Code Enforcement Division)

| | | | | |
|------------|------------|------------|------------|------------|
| LC 20-0651 | LC 20-0765 | LC 20-0737 | LC 20-0723 | LC 20-0747 |
| LC 20-0731 | LC 20-0770 | LC 20-0802 | LC 20-0725 | LC 20-0748 |
| LC 20-0784 | LC 20-0780 | LC 20-0690 | LC 20-0726 | LC 20-0753 |
| LC 20-0807 | LC 20-0805 | LC 20-0751 | LC 20-0728 | LC 20-0756 |
| LC 20-0808 | LC 20-0806 | LC 20-0758 | LC 20-0732 | LC 20-0771 |
| LC 20-0809 | LC 20-0750 | LC 20-0709 | LC 20-0739 | LC 20-0772 |
| LC 20-0810 | LC 20-0759 | LC 20-0720 | LC 20-0742 | LC 20-0774 |
| LC 20-0730 | LC 20-0766 | LC 20-0721 | LC 20-0743 | LC 20-0788 |

2. **20-1453** Accept the findings and recommendations of the Environmental Protection Commission and approve 1) the after-the-fact request for waiver to Section 15-342(b) (terminal platform size) to increase the allowable terminal platform size from 875 square feet to 1,679 square feet with a payment of \$1,160 to the Conservation Trust Fund within 60 days of the decision of the Board of County Commissioners; 2) the after-the-fact waiver to Section 15-343(b) (side setback) to reduce the required setback from 25 feet to six feet from the southern projected property line; 3) the after-the-fact request for variance to Section 15-342(g) (enclosed dock) to keep the existing enclosed dock structure; and 4) the requirement of an additional payment of \$200 to the Conservation Trust Fund for unauthorized modifications to the dock within 60 days of the decision of the Board of County Commissioners for the Dancaescu Dock Construction Permit BD-19-11-130. District 5. (Environmental Protection Division)
3. **20-1454** Accept the findings and recommendations of the Environmental Protection Commission and approve the request for waiver to Section 15-343(b) to reduce the side setback from 25 feet to 10.1 feet from the southeastern projected property line for the Thomas Dock Construction Permit BD-20-05-083. District 3. (Environmental Protection Division)
4. **20-1455** Accept the findings and recommendations of the Environmental Protection

Commission and approve the request for waiver to Section 15-342(b) to increase the maximum allowable terminal platform size from 551 square feet to 780 square feet with the payment of \$450 to the Conservation Trust Fund within 60 days of the decision of the Board of County Commissioners for the Saavedra Dock Construction Permit BD-20-06-104. District 1. (Environmental Protection Division)

5. **20-1456** Approval and execution of Cost-Share Agreement between the St. Johns River Water Management District and Orange County Contract No. 35743 for the Lake Pineloch Nutrient Separating Baffle Box Upflow Filter and Alum Treatment Project. District 3. (Environmental Protection Division)
6. **20-1457** Authorization for the Environmental Protection Division to submit the Comprehensive Structural Inventory Plan for Stormwater Infrastructure Orange County NPDES MS4 Permit to the Florida Department of Environmental Protection, recognizing that specific projects will be subject to available revenues and future budget appropriations as determined by the Board. All Districts. (Environmental Protection Division)

H. PUBLIC WORKS DEPARTMENT

1. **20-1458** Approval and execution of Interlocal Agreement between Orange County, Florida, and the Town of Oakland, Florida, regarding a Roundabout at the Intersection of Oakland Avenue and Old County Road 50 in the amount of \$2,371,100. District 1. (Transportation Planning Division)
2. **20-1459** Approval and execution of (1) Interlocal Agreement between Orange County, Florida and the Town of Oakland, Florida regarding the transfer of jurisdiction of Oakland Avenue and Old County Road 50 and (2) County Deed by Orange County and the Town of Oakland. District 1. (Roads and Drainage Division)
3. **20-1460** Approval and execution of Memorandum of Agreement by and between the State of Florida, Department of Transportation and Orange County for right-of-way acquisition and roadway improvements on S.R. 434 at Kennedy Boulevard. District 2. (Engineering Division)

I. UTILITIES DEPARTMENT

1. **20-1461** Approval and execution of: a) State of Florida Department of Transportation Utility Work by Highway Contractor Agreement (At Utility Expense), FDOT Financial Project ID: 437634-1-56-02 (State Road 551 (Goldenrod Road) from State Road 408 to State Road 50) by and between the State of Florida Department of Transportation and Orange County, including State of Florida Department of Transportation Utility Work by Highway Contractor Agreement (At Utility Expense) Appendix: "Change to Form Document" and "Required Contract Provisions for Federal Aid Contracts" between the State of Florida

Department of Transportation and Orange County, Financial Project Identification Number 437634-1-56-02 for \$2,847,006; b) Three Party Escrow Agreement by and between the State of Florida Department of Transportation, Orange County, and the State of Florida, Department of Financial Services Division of Treasury, Project #: 437634-1-56-02 (State Road 551 (Goldenrod Road) from State Road 408 to State Road 50); and c) State of Florida Department of Transportation Utility Work by Highway Contractor Agreement (At FDOT Expense), FDOT Financial Project ID: 437634-1-56-01 (State Road 551 (Goldenrod Road) from State Road 408 to State Road 50) by and between the State of Florida Department of Transportation and Orange County, including State of Florida Department of Transportation Utility Work by Highway Contractor Agreement (At FDOT Expense) Appendix: "Change to Form Document" and "Required Contract Provisions for Federal Aid Contracts" between the State of Florida Department of Transportation and Orange County, Financial Project Identification Number 437634-1-56-01. District 3. (Engineering Division)

2. **20-1462** Approval and execution of: a) State of Florida Department of Transportation Utility Work by Highway Contractor Agreement (At Utility Expense), FDOT Financial Project ID: 239422-1-56-01 (State Road 434 (Forest City Road) from Edgewater Drive to Seminole County Line) by and between the State of Florida Department of Transportation and Orange County, including State of Florida Department of Transportation Utility Work by Highway Contractor Agreement (At Utility Expense) Appendix: "Change to Form Document" and "Required Contract Provisions for Federal Aid Contracts" between the State of Florida Department of Transportation and Orange County, Financial Project Identification Number 239422-1-56-01 for \$3,148,000; and b) Three Party Escrow Agreement by and between the State of Florida Department of Transportation, Orange County, and the State of Florida, Department of Financial Services Division of Treasury, Project #: 239422-1-56-01 (State Road 434 (Forest City Road) from Edgewater Drive to Seminole County Line). Districts 2 and 5. (Engineering Division)
3. **20-1463** Approval and execution of First Amendment to Recycling Partnership Grant Agreement by and between The Recycling Partnership, Inc. and Orange County, Florida to extend the term of the grant agreement from October 31, 2020 to April 30, 2021. All Districts. (Solid Waste Division)

II. INFORMATIONAL ITEMS**

A. COUNTY COMPTROLLER

1. **20-1464** Receipt of the following items to file for the record: (Clerk's Office)
 - a. Town of Oakland Notice of Annexation: Ordinance with Exhibit A (Legal Description and Map); Ordinance No. 2020-09. An Ordinance of the Town of Oakland, Florida, annexing by voluntary petition certain real property owned

by CRA-MAR Groves Inc. bearing property tax parcel identification number (address) 29-22-27-0000-00-002, 29-22-27-0000-00-040, and 29-22-27-0000-00-019 (16610 West Colonial Drive, Oakland, Florida), and located contiguous to the Town of Oakland in accordance with the Voluntary Annexation provisions of Section 171.044, Florida Statutes, and other controlling law; redefining the boundaries of the Town of Oakland to include said property; providing for findings; providing for conditions; directing the Town Clerk to record the ordinance with the Clerk of the Circuit Court, with the Chief Administrative Officer of Orange County and with the Department of State; providing for legal description and a map; repealing all Ordinances in conflict herewith; providing for severability; providing for non-codification and the taking of administrative actions and providing for an effective date.

b. Stoneybrook West Community Development District Fiscal Year 2021 Meeting Dates.

c. Minutes of the May 27, 2020 Stoneybrook West Community Development District meeting.

d. East Park Community Development District Fiscal Year 2021 Meeting Dates.

e. City of Orlando Ordinance with Exhibit A (Legal Description Form), Exhibit B (Map), Exhibit C (Future Land Use Existing and Proposed Maps), Exhibit D (Zoning Existing and Proposed Maps), and Orlando Sentinel Notice of Proposed Enactment for Ordinance No. 2020-35. An ordinance of the city council, of the City Of Orlando, Florida, annexing to the corporate limits of the city certain land generally located east of Narcoossee Road, south of Kirby Smith Road, and west of Lake Whippoorwill, and comprised of 17.25 acres of land, more or less, amending the city's adopted growth management plan to designate the property as urban village, in part; and conservation, in part, and the city's official future land use map, and to establish a subarea policy to provide detailed development criteria; Providing for consent to the municipal services taxing unit for Lake Whippoorwill; providing for amendment of the city's growth management plan; providing for severability, correction of scrivener's errors and an effective date.

f. June 3, 2019 Grove Resort Community Development District Public Facilities Report

g. City of Ocoee Notice of Annexation: Ordinance with Exhibit A (Legal Description) Exhibit B (Map); Ordinance No. 2020-20 An ordinance of the City Of Ocoee, Florida, annexing into the corporate limits of the City Of Ocoee, Florida, certain real property containing approximately +/- 0.30 acres located to the northwest of west Ohio Street, southwest of McKey

Street and directly west of Bay Street, pursuant to the application submitted by the property owner; finding said annexation to be consistent with the Ocoee Comprehensive Plan, 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; providing for an effective date.

h. Florida Public Service Commission Order Approving Interim Rates and Suspending Proposed Final Rates. In re: Application for increase in water and wastewater rates in Charlotte, Highlands, Lake, Lee, Marion, Orange, Pasco, Pinellas, Polk, and Seminole Counties, by Utilities, Inc. of Florida.

i. Greater Orlando Aviation Authority, Orlando International Airport and Orlando Executive Airport Adopted Budgets Fiscal Year 2020-2021.

These items were received and filed.

III. DISCUSSION AGENDA

A. ADMINISTRATIVE SERVICES DEPARTMENT

1. **20-1465** Approval and execution of First Amendment to Promissory Note and Mortgage by and between University of Central Florida Real Estate Foundation, L.L.C. and Orange County, Florida; approval of Unanimous Written Consent to Material Loan Action Pursuant to Amended and Restated Funding Parties Agreement by and among Orange County Florida, City of Orlando, and Lake Nona Land Company, LLC and authorization for the County Administrator to execute the agreement; approval of Notice of Approval of Amended and Restated Master Lease; authorization to record instrument; and authorization for the County Administrator or designee to do all other things necessary and incidental for the performance of County obligations under the foregoing instruments. (Real Estate Management Division)

The following person addressed the Board: Deborah German.

A motion was made by Commissioner Gomez-Cordero, seconded by Commissioner Moore, to approve and execute the First Amendment to Promissory Note and Mortgage by and between University of Central Florida Real Estate Foundation, L.L.C. and Orange County, Florida; further, approve Unanimous Written Consent to Material Loan Action Pursuant to Amended and Restated Funding Parties Agreement; further, authorize the County Administrator to execute the Agreement by and among Orange County Florida, City of Orlando, and Lake Nona Land Company, LLC and authorization for the County Administrator to execute the agreement; and further, approve the Notice of Amended and Restated Master Lease. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Codero, Commissioner Bonilla, and Commissioner Siplin

A motion was made by Commissioner Gomez-Cordero, seconded by Commissioner Bonilla, to authorize to record instrument; and further, authorize the County Administrator or designee to do all other things necessary and incidental for the performance of County obligations under the foregoing instruments. The motion carried by the following vote:

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

2. **20-1466** Selection of one firm and two ranked alternates to provide Professional Transportation Planning and Engineering Services for Chuluota Road Roadway Conceptual Analysis, Request for Proposals Y20-830-CH, from the following five firms, listed alphabetically:

- Dewberry Engineers, Inc.
- HDR Engineering, Inc.
- Inwood Consulting Engineers, Inc.
- Johnson, Mirmiran & Thompson, Inc.
- WSP USA, Inc.

([Planning, Environmental, and Development Services Department Transportation Planning Division] Procurement Division)

A motion was made by Commissioner Moore, seconded by Commissioner Uribe, to appoint Johnson, Mirmiran & Thompson, Inc., 434.50 points, as the selected firm; and further, appoint Inwood Consulting Engineers, Inc., 411.67 points, and WSP USA, Inc., 385.83 points as the selected ranked alternates. The motion carried by the following vote:

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

3. **20-1467** Selection of one firm and an alternate to provide Professional Construction Engineering and Inspection (CEI) and Compliance Services for the Oakland Roundabout Construction Project, Request for Proposals Y20-833-CH, from the following two firms, listed alphabetically:

- AE Engineering, Inc.
- CDM Smith, Inc.

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

A motion was made by Commissioner Moore, seconded by Commissioner VanderLey, to appoint CDM Smith, Inc., 413.67 points, as the selected firm; and further, appoint AE Engineering, Inc., 307.50 points as the selected alternate. The motion carried by the following vote:

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

B. COUNTY ADMINISTRATOR

1. **20-1469** Danny Banks

COVID-19 Update.

Board discussion ensued.

A motion was made by Mayor Demings, seconded by Commissioner Moore, to affirm the proposed spending plan outlined in the Coronavirus Relief Fund Distribution Categories presented to the Board. The motion carried by the following vote:

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

IV. WORK SESSION AGENDA

A. PLANNING, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

1. **20-1471** Orange County Public Schools School Impact Fee Study Update. (Zoning Division)

The following persons addressed the Board:

- Nilgun Kamp
- Steve Tindale
- Steven Thorp

The Board took no action.

B. UTILITIES DEPARTMENT

1. **20-1472** Wekiwa Springs Septic to Sewer Retrofit Program - Phase 1. District 2.

The Board took no action.

V. RECOMMENDATIONS

1. **20-1473** September 17, 2020 Planning and Zoning Commission Recommendations

A motion was made by Commissioner Uribe, seconded by Commissioner VanderLey, to approve the recommendations, with the exception of Case # RZ-20-09-058, Cyril M. Cruzada (Board Called), 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 VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

VI. PUBLIC HEARINGS

1. **20-1270** Petition to Vacate

Sami-Uz Zaman, Petition to Vacate 19-11-034, vacate portions of an unopened, unimproved and unnamed alleyway and unopened and unimproved right-of-way; District 1

Consideration: Resolution granting Petition to Vacate #19-11-034, vacating a portion of a 20 foot wide unopened, unimproved and unnamed alleyway, and a 50 foot wide unopened and unimproved right-of-way known as 6th Street, containing a total of approximately 0.34 acres.

Location: District 1; The parcel addresses are 8600 5th Street, 11603 Pine Street and one parcel is unaddressed; S15/T24/R28; Orange County, Florida (legal property description on file)

The following person addressed the Board: Imtiaz Ahmend.

A motion was made by Commissioner VanderLey, seconded by Commissioner Gomez Cordero, to approve the request. The motion carried by the following vote:

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

2. **20-1272** Shoreline Alteration/Dredge and Fill

James and Kathy Zimmerman, Lake Tibet, permit, SADF # 20-08-018; District 1

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit SADF # 20-08-018 to construct a replacement seawall with riprap along the shoreline of Lake Tibet, pursuant to Orange County Code, Chapter 33, Article IV, Windermere Water and Navigational Control District

Location: District 1; on property located adjacent to Lake Tibet, located at 9210 Bay Point Drive, Orlando, FL 32819; Orange County, Florida (legal property description on file in Environmental Protection Division)

A motion was made by Commissioner VanderLey, seconded by Commissioner Gomez Cordero, to accept the findings and recommendation of the Environmental Protection Division; and further, approve the Shoreline Alteration/Dredge and Fill Permit (SADF-20-08-018) for James and Kathy Zimmerman, subject to the thirty (30) conditions of approval listed in the Staff Report. The motion carried by the following vote:

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

3. 20-1273 Board of Zoning Adjustment Board-Called

Kory Schmidt for Northern Tool + Equipment, Case # VA-20-08-074, August 6, 2020; District 3

Consideration: Request for a variance to allow a total of 225 sq. ft. sign copy area in lieu of 211.2 sq. ft.

Location: District 3; property located at 795 W. Sand Lake Road; Orange County, Florida. (The legal description of the property is on file in the Zoning Division.)

The following person addressed the Board: Greg Gimbert.

A motion was made by Commissioner Uribe, seconded by Commissioner Gomez Cordero, to make a finding of consistency with the Comprehensive Plan; further, approve the request subject to the five (5) conditions of approval with the Board of Zoning Adjustment recommendation. The motion carried by the following vote:

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

4. 20-1092 Development Review Committee Appeal

Jonathan Huels, Lowndes, Drosdick, Doster, Kantor & Reed, P.A., Little Lake Bryan Planned Development / Parcel 4 - Lot 1 - Little Lake Bryan Center Development Plan, Case # DP-19-11-377; District 1 (Continued from September 1, and September 22, 2020)

Consideration: Little Lake Bryan Planned Development / Parcel 4 - Lot 1 - Little Lake Bryan Center Development Plan submitted in accordance with Article II of the Orange County Subdivision Regulations. This request is an appeal of the May 27, 2020 decision of the Development Review Committee to approve the Parcel 4 - Lot 1 - Little Lake Bryan Center Development Plan with certain conditions, specifically condition of approval #7, which required dedications of certain easements associated with the proposed widening of Vineland Avenue prior to construction plan approval.

Location: District 1; property generally located south of Interstate 4 and east of State Road 535; Orange County, Florida. (The legal description of the property is on file in the Planning Division.)

This public hearing was withdrawn.

5. 20-1274 Planning and Zoning Commission Rezoning Board-Called

S. Brent Spain, Esq. Theriaque & Spain, Case # RZ-20-07-051, August 20, 2020; District 2

Consideration: Request to rezone 0.21 gross acre from R-1A (Single-Family Dwelling District) to R-T-1 (Mobile Home Subdivision District) in order to permit one (1) manufactured home.

Location: District 2; property located at 3605 Cilia Street; or generally north of Willow Street and approximately 435 feet west of Day Care Center Road (legal property description on file in

Planning Division)

The following person addressed the Board: Brent Spain.

A motion was made by Commissioner Moore, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; and approve the requested R-T-1 (Mobile Home Subdivision District) zoning. The motion carried by the following vote:

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

6. 20-1267 Substantial Change

Jay Jackson, Kimley-Horn & Associates, Juan Rodriguez, Kimley-Horn & Associates, National Spa Planned Development / Land Use Plan (PD / LUP), Case # CDR-20-01-017, amend plan; District 1

Consideration: A PD substantial change to amend the development program to increase the number of hotel rooms from 120 to 122, increase the shopping center square footage from 148,600 square feet to 170,000 square feet, and reduce the spa area square footage from 60,000 square feet to 26,500 square feet. Additionally, the following waiver from Orange County Code is included in this request: 1. A waiver from Orange County Code Section 38-1272(a)(1) to allow a maximum impervious area coverage not to exceed seventy-eight (78) percent of the net land area, in lieu of the seventy (70) percent of the net land area on lot 5b; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 1; property generally located South of Sand Lake Road / West of Turkey Lake Road; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Matthew Gillespie.

A motion was made by Commissioner VanderLey, seconded by Commissioner Siplin, to make a finding of consistency with the Comprehensive Plan; and approve the substantial change request subject to the thirteen (13) conditions of approval listed under the Development Review Committee recommendation in the Staff Report. The motion carried by the following vote:

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

7. 20-1269 Substantial Change

Jenny Baez, Bowman Consulting Group, Universal Boulevard Planned Development / Land Use Plan (PD / LUP), Case # CDR-20-04-114, amend plan; District 6

Consideration: A PD substantial change to modify the approved Master Sign Plan to allow for 131.25 square feet of wall sign copy area on a new Chick-Fil-A building. In addition, the applicant has requested the following waiver from Orange County Code: 1. A waiver from Section

31.5-163(a)(2) to allow for 131.25 square feet of wall sign copy area in lieu of 84.25 square feet. This request is for a portion of Lot 3 of the OEP East PSP only; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 6; property generally located at the northwest corner of McKenna Drive and Universal Boulevard, west of Destination Parkway; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Jenny Baez.

A motion was made by Commissioner Siplin, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; and approve the substantial change request subject to the twelve (12) conditions of approval listed under the Development Review Committee recommendation in the Staff Report. The motion carried by the following vote:

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

8. 20-1379 Substantial Change

Christina Baxter, Poulos & Bennett, LLC, Orangewood (Neighborhood 2)
Planned Development / Grande Pines Parcel 11D Preliminary Subdivision
Plan, Case # CDR-20-02-045, amend plan; District 1

Consideration: A PD substantial change request to expand Park Tract P-1 to include additional parking, revise phase lines to total five phases, to decrease the number of units from 423 to 385, increase townhome lot width from 20-feet to 22-feet, revise gate entrance access point, remove open space tracts along boundary, add parking and parking tracts along boundary, add a guard house along the entrance road in the median at the gated entrance, revise townhome building elevations, add guard house elevations, and request modification / removal of COA #7 regarding approval of a CDD for the project and modify COA #9 to accommodate the additional phase; pursuant to Orange County Code, Chapter 34, Article III, Section 34-69 and Chapter 30, Article III, Section 30-89

Location: District 1; property generally located South of Central Florida Parkway / West of International Drive; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Christina Baxter.

A motion was made by Commissioner VanderLey, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; and approve the substantial change request subject to the fourteen (14) conditions of approval listed under the Development Review Committee recommendation in the Staff Report. The motion carried by the following vote:

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

9. 20-1268 Substantial Change

Brooks A. Stickler, Kimley-Horn & Associates, Inc., Waterford Lakes
Multi-Family Planned Development / Land Use Plan (PD / LUP), Case #
CDR-20-07-202, amend plan; District 4 (Continued from October 13, 2020)

Consideration: A PD substantial change to adjust the southern access location. Additionally, the following waivers from Orange County Code are included in this request: 1. A waiver from Section 38-1254(2)(a) to allow a building setback of twelve (12) feet from the property line of the right-of-way dedication, in lieu of twenty-five (25) feet. 2. A waiver from Section 38-1479(b) to allow a regular parking space to be a minimum 162 square feet (9' x 18'), in lieu of the required 180 square feet (either 9' x 20' or 10' x 18'). 3. A waiver from Section 24-4(a)(1)(a) to allow a landscape strip to be five (5) feet in width along the northwestern most 569 feet of the west property line, in lieu of seven (7) feet in width. 4. A waiver from Section 38-1253(b) to allow both active and passive recreation areas at a ratio of 2.25 acres per 1,000 projected population, in lieu of 2.50 acres per 1,000 projected population. 5. A waiver from Section 38-1426(a)(3)(b)(4) to allow a detached accessory structure used for parking to be located between the primary structure and the right-of-way five (5) feet from the property line, in lieu of detached accessory structures used for enclosed parking not being located between the primary building and right-of-way; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 4; property generally located South of East Colonial Drive / East of Woodbury Road; Orange County, Florida (legal property description on file in Planning Division)

The following persons addressed the Board:

- Tom Sullivan
- Olu Aduloju

Board discussion ensued.

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Bonilla, to continue the public hearing until November 10, 2020, at 2 p.m. The motion carried by the following vote:

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

and

10. 20-1266 Development Plan

Brooks A. Stickler, Kimley-Horn & Associates, Inc., Waterford Lakes
Multi-Family Planned Development / Waterford Lakes Multi-Family
Development Plan, Case # DP-19-11-393; District 4 (Continued from
October 13, 2020)

Consideration: Waterford Lakes Multi-Family Planned Development / Waterford Lakes

Multi-Family Development Plan submitted in accordance with Article II of Chapter 34 of the Orange County Subdivision Regulations. This request proposes to construct 256 multi-family residential dwelling units on a total of 10.08 acres; pursuant to Sections 34-69 and 30-89 Orange County Code.

Location: District 4; property generally located South of East Colonial Drive / East of Woodbury Road; Orange County, Florida. (The legal description of the property is on file in the Planning Division.)

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Siplin, to continue the public hearing until November 10, 2020, at 2 p.m. The motion carried by the following vote:

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

11. 20-1166 Comprehensive Plan

Transmittal of the 2020-2 Regular Cycle Amendments to the 2010-2030 Comprehensive Plan (Continued from October 13, 2020)

Regular Cycle Privately-Initiated Future Land Use Map Amendment

Amendment 2020-2-A-2-1

Momtaz Barq, P.E., Terra-Max Engineering, Inc., for Bailey's Real Estate, LLP

Rural Settlement 1/2 (RS 1/2) and Rural Settlement 1/5 (RS 1/5) to Planned Development-Commercial/Assisted Living Facility
(Rural Settlement) (PD-C/ALF) (RS); District 2

Consideration: Rural Settlement 1/2 (RS 1/2) and Rural Settlement 1/5 (RS 1/5) to Planned Development-Commercial/Assisted Living Facility (Rural Settlement) (PD-C/ALF) (RS)

Location: 8001 Clarcona-Ocoee Road and 5850 and 5854 Gilliam Road; Generally located north of Clarcona-Ocoee Road, west of Gilliam Road, and east of N. Apopka-Vineland Road; Parcel ID #'s: 34-21-28-0000-00-064/090/097/100/108/110/114; 47.94 gross ac.

A motion was made by Commissioner Moore, seconded by Commissioner Bonilla, to continue Amendment 2020-2-A-2-1 and Amendment 2020-2-B-FLUE-1 until November 10, 2020, at 2 p.m. The motion carried by the following vote:

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

and

11. 20-1169 Regular Cycle Staff-Initiated Amendment

Amendment 2020-2-B-FLUE-1

Text amendment to Future Land Use Element Policy FLUB.1.4 establishing the maximum densities and intensities for proposed Planned Developments within Orange County; Countywide

The public hearing was continued.

11. 20-1171 Amendment 2020-2-B-CP-4

Comprehensive Plan Administrative Clean-up to the Aquifer Recharge Element, Stormwater Element, Potable, Waste, and Reclaimed Water Element, and Solid Waste Element; Countywide

A motion was made by Commissioner Bonilla, seconded by Commissioner Uribe, that Amendment 2020-2-B-CP-4 be transmitted to the reviewing agencies. The motion carried by the following vote:

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

12. 20-1377 Comprehensive Plan

Transmittal of the 2020-2 Out-of-Cycle Regular Cycle Staff-Initiated Text Amendment to the 2010-2030 Comprehensive Plan

Out-of-Cycle Regular Cycle Staff-Initiated Text Amendment

Amendment 2020-2-C-CP-5

Comprehensive Plan Administrative Clean-up to the Future Land Use Element, Economic Element, Public Schools Facilities Element, Intergovernmental Coordination Element, and Capital Improvements Element; Countywide

A motion was made by Commissioner Uribe, seconded by Commissioner Bonilla, that Amendment 2020-2-C-CP-5 be transmitted to the reviewing agencies. The motion carried by the following vote:

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

13. 20-1275 Amending Orange County Code, adopting Small-Scale Development Amendments to the 2010-2030 Comprehensive Plan (CP), and where applicable Concurrent Rezoning and Adoption of Ordinance (Continued from October 13, 2020)

Small-Scale Land Use Map Amendments to Future Land Use Map and
Concurrent Rezoning Request

Amendment SS-20-07-040

Hans Pistor, Hanlex Development, LLC.,

Consideration: A Small Scale Comprehensive Plan Amendment request to change the subject property's Future Land Use Map designation from RS 1/1 (Rural Settlement 1 Unit / 1 Acre) to C-RS (Commercial - Rural Settlement), in order to construct a Dollar General Store; pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code, Chapter 30

Location: District 5; property located at 24926 and 24918 E. Colonial Drive; or generally located on the southwest corner of the E. Colonial Drive and St. Catherine Avenue intersection, east of Cupid Avenue. (The legal description is on file in the Planning Division.)

The following person addressed the Board: Jeremy Anderson.

A motion was made by Commissioner Bonilla, seconded by Commissioner Moore, to continue Amendment SS-20-07-040 and Concurrent Rezoning RZ-20-07-041 until October 27, 2020, at 2 p.m. The motion carried by the following vote:

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

and

13. **20-1276** Concurrent Rezoning Request

Rezoning RZ-20-07-041

Consideration: A rezoning request to change the subject property's zoning from A-2 (Farmland Rural District) and C-2 (General Commercial District) to C-1 (Retail Commercial District), in order to allow for commercial retail uses; pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code, Chapter 30

Location: District 5; property located at 24926 and 24918 E. Colonial Drive; or generally located on the southwest corner of the E. Colonial Drive and St. Catherine Avenue intersection, east of Cupid Avenue. (The legal description is on file in the Planning Division.)

The public hearing was continued.

13. **20-1277** Amendment SS-20-08-054

Gonzalo Ochoa

Consideration: A Small Scale Comprehensive Plan Amendment request to change the subject property's Future Land Use Map designation from O (Office) to C (Commercial); pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code, Chapter 30

Location: District 1; property located at 6645 Vineland Rd Unit 2 & 6651 Vineland Rd Unit 1;

generally located on the northeast corner of Vineland Rd and Turkey Lake Rd, south of Lake Cane Dr. (The legal property description on file in the Planning Division.)

The following persons addressed the Board:

- Gonzalo Ochoa
- Allison Yurko
- Jerome Madigon
- Carolyn Ragans
- Michael Denny

A motion was made by Commissioner VanderLey, seconded by Commissioner Uribe, to make a finding of inconsistency with the Comprehensive Plan (see Future Land Use Element Objective FLU8.2, and Policies FLU1.4.2, FLU1.4.4, FLU8.1.1, FLU8.2.1, and FLU8.2.11); further, determine that the proposed amendment is not in compliance; and further, deny Amendment SS-20-08-054, Office (O) to Commercial (C). The motion carried by the following vote:

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

and

13. 20-1278 Concurrent Rezoning Request

Rezoning RZ-20-08-055

Consideration: A rezoning request to change the subject property's zoning from P-O (Professional Office District) to C-1 (Retail Commercial District), in order to allow for a yoga studio in addition to professional office uses; pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code ,Chapter 30

Location: District 1; property located at 6645 Vineland Rd Unit 2 & 6651 Vineland Rd Unit 1; generally located on the northeast corner of Vineland Rd and Turkey Lake Rd, south of Lake Cane Dr. (The legal property description on file in the Planning Division.)

A motion was made by Commissioner VanderLey, seconded by Commissioner Uribe, to make a finding of inconsistency with the Comprehensive Plan; and further, deny the requested C-1 (Retail Commercial District) zoning. The motion carried by the following vote:

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

13. 20-1279 Small Scale Development Ordinance

Amending Orange County Code, adopting Small-Scale Amendments to the 2010-2030 Comprehensive Plan (CP), adopting amendments pursuant to Section 163.3187, F.S.

Consideration: AN ORDINANCE PERTAINING TO COMPREHENSIVE PLANNING IN ORANGE COUNTY, FLORIDA; AMENDING THE ORANGE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "2010-2030 COMPREHENSIVE PLAN." AS AMENDED, BY ADOPTING SMALL-SCALE DEVELOPMENT AMENDMENTS PURSUANT TO SECTION 161.3187, FLORIDA STATUTES; AND PROVIDING EFFECTIVE DATES

The Board took no action on the Comprehensive Plan Ordinance public hearing due to Amendment SS-20-08-054 and the concurrent rezoning being denied.

14. 20-1393 Ordinance/Comprehensive Plan

Amending Orange County Code, adopting 2020-1 Regular Cycle Amendment to the 2010-2030 Comprehensive Plan (CP), and where applicable Concurrent Rezoning and Adoption of Ordinance

Regular Cycle Privately-Initiated Comprehensive Plan Map Amendment And Concurrent Rezoning Request

Amendment 2020-1-A-3-1

Hugh Jacobs, The Partnership, Inc., for Orlando Leased Housing Associates, XIII, LLP

Consideration: Commercial (C) to Medium-High Density Residential (MHDR) (Senior Housing)

Location: Generally located north of Millinockett Lane, east of SR 417, south of Donnybrook Dr., and west of Constantine St.; Parcel ID#'s: 24-22-30-0000-00-029/035/051/084; 10.60 gross ac.

The following persons addressed the Board:

- Rebecca Wilson
- Marie Boyle
- Lucian Conte

The motion made by Commissioner Uribe, to make a finding of inconsistency with the Comprehensive Plan (see Future Land Use Element Goal FLU 1 and Future Land Use Element Objectives FLU1.1, and Policies FLU1.1.1, 1.1.2, FLU1.4.1, FLU1.4.2, FLU8.2.1, FLU8.2.2, and FLU8.2.11; Housing Element Goal H 1. And Housing Element Objective H 1.1, Housing Element Policies H 1.3.11 and H.1.3.15); further, determine that the proposed amendment is not in compliance; and further, deny Amendment 2020-1-A-3-1 Commercial to Medium-High Density Residential (MHDR) (Senior Housing). The motion died for a lack of a second.

A motion was made by Commissioner Bonilla, seconded by Commissioner Moore, to make a finding of consistency with the Comprehensive Plan (see Future Land Use Element Goal FLU 1 and Future Land Use Element Objectives FLU1.1, and Policies FLU1.1.1, 1.1.2, FLU1.4.1, FLU1.4.2, FLU8.2.1, FLU8.2.2, and FLU8.2.11; Housing Element Goal H 1. And Housing Element Objective H 1.1, Housing Element Policies H 1.3.11 and H.1.3.15); further, determine

that the proposed amendment is in compliance; further, adopt Amendment 2020-1-A-3-1 Commercial to Medium-High Density Residential (MHDR) (Senior Housing), and further, approve rezoning Case LUP-20-01-004, Colonial Greens Planned Development/Land Use Plan (PD/LUP), subject to the fifteen (15) conditions listed in the staff report. The motion carried by the following vote:

Aye: 5 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Bonilla, and Commissioner Siplin

Nay: 2 - Commissioner Uribe, and Commissioner Gomez Cordero

and

14. 20-1394 Concurrent Rezoning Request

Rezoning LUP-20-01-004

Consideration: C-1 (Retail Commercial District) and A-2 (Farmland Rural District) to PD (Planned Development District) (Colonial Greens PD) Also requested are seven waivers from Orange County Code: 1) A waiver from Section 38-1254(2) to allow a right-of-way setback of eight (8) feet for no more than fifty (50) percent of the linear right-of-way frontage, in lieu of a twenty (20) foot setback from the entire right-of-way; 2) A waiver from Section 38-1258(b) to allow the entire senior affordable housing complex to be a maximum of four (4) stories, forty-four (44) feet, in lieu of the restriction that fifty (50) percent of the building being a maximum height of three (3) stories, forty (40) feet and the remaining fifty (50) percent be one (1) story or two (2) stories in height; 3) A waiver from Section 38-1258(c) to allow the senior affordable housing complex to be a maximum of four (4) stories, forty-four (44) feet, in lieu of the maximum height of three (3) stories, forty (40) feet; 4) A waiver from Section 38-1258(f) to allow a six (6)-foot composite screening wall or a precast concrete wall system in lieu of a six (6)-foot high masonry, brick or block wall; 5) A waiver from Section 38-1255 to allow shade trees at a ratio of one (1) shade tree per two (2) units in lieu of the required one (1) shade tree per unit; 6) A waiver from Section 38-1476 to allow 1.4 parking spaces per unit in lieu of the required two (2) parking spaces per unit; and 7) A waiver from Section 38-1258(g) to access a multi-family site from a right-of-way serving a platted single family residential.

Location: Generally located north of Millinockett Lane, east of SR 417, south of Donnybrook Dr., and west of Constantine St.; Parcel ID#'s: 24-22-30-0000-00-029/035/051/084; 10.60 gross ac.

The public hearing was approved.

14. 20-1395 Regular Cycle State-Expedited Comprehensive Plan Amendment Ordinance

Amending Orange County Code, adopting 2020-1 Regular Cycle Amendments to the 2010-2030 Comprehensive Plan (CP), adopting amendments pursuant to Section 163.3184(3), F.S.

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 AN AMENDMENT PURSUANT TO SECTION 163.3184(3), FLORIDA STATUTES, FOR THE 2020 CALENDAR YEAR (FIRST CYCLE); AND PROVIDING AN EFFECTIVE DATE

A motion was made by Commissioner VanderLey, seconded by Commissioner Bonilla, to make a finding of consistency with the Comprehensive Plan; further, determine that the amendment is in compliance; and further, adopt Ordinance 2020-27 approving the proposed Future Land Use Map Amendment, consistent with today's action. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

Nay: 1 - Commissioner Uribe

15. 20-1356 Ordinance

Amending Orange County Code, Chapter 28, Pertaining to Drug Sales and Nuisance Abatement.

Consideration: AN ORDINANCE RELATING TO PUBLIC NUISANCES IN ORANGE COUNTY, FLORIDA; AMENDING THE DEFINITIONS IN CHAPTER 28 OF THE ORANGE COUNTY CODE PERTAINING TO DRUG SALES AND NUISANCE ABATEMENT TO ALLOW FOR A COMBINATION OF CERTAIN VIOLENT OFFENSES OCCURRING ON MORE THAN TWO OCCASIONS WITHIN A SIX-MONTH PERIOD TO BE DECLARED A PUBLIC NUISANCE; AND PROVIDING AN EFFECTIVE DATE.

A motion was made by Mayor Demings, seconded by Commissioner Bonilla, to adopt Ordinance 2020-28 amending the definition of public nuisance in Chapter 28, Orange County Code. The motion carried by the following vote:

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

16. 20-1380 Ordinance

Amending Orange County Code, Chapter 16, Article I; Chapter 21, Articles I and III; Chapter 30, Article XIII; and Chapter 34, Article I, Pertaining to Public Works Department Administrative Provisions.

Consideration: AN ORDINANCE AFFECTING THE USE OF LAND IN ORANGE COUNTY, FLORIDA, RELATED TO CERTAIN COUNTY ADMINISTRATIVE PROVISIONS BY AMENDING THE FOLLOWING PARTS OF THE ORANGE COUNTY CODE: CHAPTER 16 ("EXCAVATION AND FILL"), ARTICLE I ("IN GENERAL"); CHAPTER 21 ("HIGHWAYS, BRIDGES AND MISCELLANEOUS PUBLIC PLACES"), ARTICLE I ("IN GENERAL") AND ARTICLE III ("VACATING ROADS, RIGHTS OF WAY AND EASEMENTS"); CHAPTER 30 ("PLANNING AND DEVELOPMENT"), ARTICLE XIII ("EMINENT DOMAIN WAIVERS, EXCEPTIONS, AND VARIANCES"); AND CHAPTER 34 ("SUBDIVISION REGULATIONS"), ARTICLE I ("IN GENERAL"); AND PROVIDING AN EFFECTIVE DATE.

Proposed change to Sec. 21-7(b)(3):

Sec. 21-7. Unopened unimproved rights-of-way.

(b)(3) Roadway improvements, including planning, right-of-way, survey, design, and permitting, mitigation, and construction, shall be at no cost to the County.

A motion was made by Commissioner Bonilla, seconded by Commissioner Uribe, to adopt Ordinance 2020-29, amending Chapters 16, 21, 30, and 34 of Orange County Code, with such ordinance to include a change to Sec. 21-7(b)(3), addressing a scrivener's error. The motion carried by the following vote:

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

17. 20-1381 Ordinance

Amending Orange County Code, Chapter 9, Article XIII; Chapter 21, Article VI; Chapter 30, Article VIII; Chapter 34, Articles IV, V, VI; Chapter 38, Articles I, IV, VII, VIII, XI, XVI, and XVII Pertaining to the Pedestrian Safety/Americans with Disabilities Act (ADA) development and performance standards.

Consideration: AN ORDINANCE AFFECTING THE USE OF LAND IN ORANGE COUNTY, FLORIDA, RELATED TO DEVELOPMENT AND PERFORMANCE STANDARDS THAT ADDRESS PEDESTRIAN SAFETY AND ACCESSIBILITY BY AMENDING THE FOLLOWING PARTS OF THE ORANGE COUNTY CODE: CHAPTER 9 ("BUILDING AND CONSTRUCTION REGULATIONS"), ARTICLE XIII ("ARCHITECTURAL STANDARDS AND GUIDELINES FOR COMMERCIAL BUILDINGS AND PROJECTS"); CHAPTER 21 ("HIGHWAYS, BRIDGES AND MISCELLANEOUS PUBLIC PLACES"), ARTICLE VI ("RIGHT-OF-WAY UTILIZATION REGULATIONS"); CHAPTER 30 ("PLANNING AND DEVELOPMENT"), ARTICLE VIII ("SITE DEVELOPMENT"); CHAPTER 34 ("SUBDIVISION REGULATIONS"), ARTICLE IV ("SPECIFICATIONS FOR PLANS AND PLATS"), ARTICLE V ("DESIGN STANDARDS"), ARTICLE VI ("REQUIRED IMPROVEMENTS"); AND CHAPTER 38 ("ZONING"), ARTICLE I ("IN GENERAL"), ARTICLE IV ("ZONING DISTRICTS ESTABLISHED; ZONING MAP"), ARTICLE VII ("COMMERCIAL DISTRICTS"), ARTICLE VIII, ("P-D PLANNED DEVELOPMENT DISTRICT"), ARTICLE XI, ("OFF-STREET PARKING AND LOADING REGULATIONS"), ARTICLE XVI ("U-V URBAN VILLAGE DISTRICT"), AND ARTICLE XVII ("NEIGHBORHOOD DISTRICTS"); AND PROVIDING AN EFFECTIVE DATE.

Proposed changes as follows:

Sec. 30-250(c)

(5) Pedestrian walkways shall be separated from vehicular use areas by curbs or curb stops wherever possible. Curb stops shall be required whenever parking facilities directly abut pedestrian walkways. Where motor vehicle overhang encroaches on the walkway, such walkways, generally five (5) feet wide, shall be seven (7) feet wide. Pedestrian walkways shall utilize shade

trees, with a minimum of one (1) shade tree for every forty (40) feet of walkway, or alternative cover along the full extent of walkways from the site to the external sidewalks, outparcels, and transit stop, if a transit stop is adjacent to the site, with the exception of areas crossing driveways, parking, and other vehicular areas.

(7) Shared walkways are encouraged between adjacent commercial, office, industrial, and mixed-use projects. Unless prevented by physical limitations of the site or adjacent sites, these pedestrian connections shall also be required of projects in the Alternative Mobility Area or an Urban Area Transportation Impact Fee District, whichever one is applicable and governs.

(8) Within the Alternative Mobility Area or an Urban Area Transportation Impact Fee District, whichever one is applicable and governs, pedestrian-scaled lighting shall be provided along all pedestrian walkways consistent with Section 9-649.

Sec. 38-1230

(b) Vehicular and pedestrian passageways shall be separated on public rights-of-way and within parking facilities and shall meet all accessibility requirements of applicable federal and state standards. A system of ~~walkways~~ pedestrian and bicycle ~~paths~~ facilities connecting buildings, common open spaces, recreation areas, community facilities and parking areas, and transit stops shall be provided and adequately lighted for nighttime use. Within the ~~a~~Alternative ~~m~~Mobility ~~a~~Area or an Urban Area Transportation Impact Fee District, whichever one is applicable and governs, pedestrian and bicycle access between adjacent commercial, multifamily, and office uses ~~may~~ will be required to promote accessibility. On parcels more than six hundred sixty (660) feet deep, vehicular connections between adjacent commercial and office projects are required, whenever practicable.

Sec. 38-1484

(b) For developments that require ten (10) or more vehicular parking spaces, two (2) bicycle parking spaces shall be required, plus one (1) additional bicycle parking space for each ten (10) vehicular parking spaces above ten (10); provided that no more than eight (8) bicycle parking spaces are required for any one (1) establishment within any zoning district other than a Planned Development. A planned development may be required to have more than eight (8) bicycle parking spaces. The Zoning Manager may approve reductions in the number of required bicycle parking spaces when bicycle lockers or other long-term bicycle parking alternatives are proposed at a ratio of six (6) bicycle parking spaces for every one (1) bicycle locker or other long-term bicycle parking alternative, provided that such reduction shall not result in any establishment providing less than the minimum eight (8) bicycle parking spaces. Bicycle lockers and other long-term bicycle parking alternatives shall be designed for the protection of bicycles from theft and weather. If eight (8) or more bicycle parking spaces are required, replacing a vehicle space with all or part of required bicycle parking in a "bicycle corral" configuration or replacing six (6) required bicycle parking spaces with a bicycle locker or other long-term bicycle parking alternative approved by the Zoning Manager shall be permitted, notwithstanding the requirements of ~~s~~Section 38-1485.

Sec. 38-1484

(c) For developments within the an Alternative Mobility Area or an Urban Transportation Impact Fee District, whichever one is applicable and governs, that require ten (10) or more vehicular parking spaces, two (2) bicycle parking spaces shall be required, plus one (1) additional bicycle parking space for every five (5) vehicular parking spaces above ten (10); provided that no more than twelve (12) bicycle parking spaces are required for any one (1) establishment within any zoning district other than a planned development. The Zoning Manager may approve reductions in the number of required bicycle parking spaces when bicycle lockers or other long-term bicycle parking alternatives are proposed at a ratio of six (6) bicycle parking spaces for every one (1) bicycle locker or other long-term bicycle parking alternative, provided that such reduction shall not result in any establishment providing less than the minimum eight (8) bicycle parking spaces. Bicycle lockers and other long-term bicycle parking alternatives shall be designed for the protection of bicycles from theft and weather. If eight (8) or more bicycle parking spaces are required, replacing a vehicle space with all or part of such required bicycle parking in a "bicycle corral" configuration or replacing six (6) of the required bicycle parking spaces with a bicycle locker or other long-term bicycle parking alternative approved by the Zoning Manager shall be permitted, notwithstanding the requirements of Section 38-1485.

Board discussion ensued.

A motion was made by Commissioner Uribe, seconded by Commissioner Moore, to adopt Ordinance 2020-30, amending Chapters 9, 21, 30, 34, and 38 of Orange County Code, with such ordinance to include the proposed changes to Section 30-250(c)(5), Section 30-250(c)(7), Section 30-250(c)(8), Section 38-1230(b), Section 38-1484(b), and Section 38-1484(c). The motion carried by the following vote:

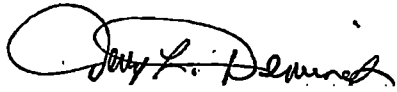
Aye: 7 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

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

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

ADJOURNMENT: 5:53 p.m.

ATTEST:



County Mayor Jerry L. Demings

Date: 11/10/2020

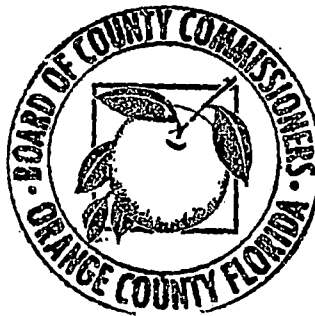
ATTEST SIGNATURE:

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.