

Orange County Government

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



Final Meeting Minutes

Tuesday, June 8, 2021

9:00 AM

County Commission Chambers

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 Nicole Wilson, Commissioner Christine Moore, Commissioner Mayra Uribe, Commissioner Maribel Gomez Cordero, Commissioner Emily Bonilla, and Commissioner Victoria P. Siplin

Others present:

County Comptroller Phil Diamond as Clerk
County Administrator Byron Brooks
Deputy County Administrator Chris Testerman
Deputy County Administrator Danny Banks
County Attorney Jeffrey J. Newton
Deputy County Attorney Joel Prinsell
Senior Minutes Coordinator Jennifer Lara-Klimetz

Invocation - District 3

Pastor Matt Sanders, Real Life Christian Church

Pledge of Allegiance**Public Comment**

The following persons addressed the Board for public comment:

- Helmut Wyzisk
- Fred Washington

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

The Mayor deferred action on Planning, Environmental, and Development Services Department Items 1, 2, and 3; and further, a motion was made by Commissioner Uribe, seconded by Commissioner Siplin, to approve the balance of the Consent Agenda. The motion carried by the following vote:

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

A. COUNTY COMPTROLLER

1. **21-632** Approval of the minutes of the April 27, 2021 meeting of the Board of County Commissioners. (Clerk's Office)

2. **21-633** 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:
- May 14, 2021, to May 20, 2021; \$42,487,339.85
 - May 21, 2021, to May 27, 2021; \$19,680,863.01
 - May 28, 2021, to June 03, 2021; \$59,415,294.55
- (Finance/Accounting)
3. **21-634** Disposition of Tangible Personal Property as follow. (Property Accounting)
- a. Demolish assets.
 - b. Remove stolen asset from inventory.
 - c. Scrap assets.
 - d. Trade-in assets.

B. COUNTY ADMINISTRATOR

1. **21-635** Approval of the Membership and Mission Review Board's recommendations for advisory board appointments and reappointments. (Agenda Development Office)
- A. Agricultural Advisory Board: Appointment of Michael Sterner to succeed Caitlyn Glatting in the cattle industry representative category and Jeff Hogan to succeed Robert A. Worthington in the at large representative category with terms expiring December 31, 2022.
- B. Arts and Cultural Affairs Advisory Council: Appointment of Nathan Hill to succeed Cecilia Bonifay in the United Arts of Central Florida, Inc. representative category with a term expiring June 30, 2023.
- C. Building Codes Board of Adjustments and Appeals: Reappointment of Alejandra Gallagher in the consumer representative category with a term expiring December 31, 2022 and the appointment of Walter A. Pavon to succeed Michael R. Holloway in the plumbing contractor representative category with a term expiring December 31, 2021.
- D. Disability Advisory Board: Appointment of Diana M. Font to succeed Joe Waczewski in the at large representative category with a term expiring June 30, 2022.
- E. International Drive CRA Advisory Committee: Reappointment of Melanie Becker in the Universal Boulevard Property Owners Association, Inc. representative category with a term expiring January 1, 2022; the

reappointment of Samuel Butler Jr. in the Tangelo Park Civic Association representative category, Robert Haywood in the I-Drive Master Transit and Improvement District representative category, and Tim Swan in the ETC of Central Florida representative category with terms expiring January 1, 2023; and the appointment of Chadwick Hardee to succeed Joelle Konze in the at large representative category with a term expiring January 1, 2022.

F. Tourist Development Council: Reappointment of Jodi Bainter and David Bartek in the owner subject to the tax representative category and Jesse Martinez in the owner or non-owner representative category and the appointment of Mayor Edward Cole in the elected municipal official representative category with terms expiring April 30, 2025.

2. **21-636** Approval of the nomination of Allyn W. Maycumber for reappointment in the at large representative of Orange County east of Goldenrod Road representative category by the Greater Orlando Aviation Authority to the Aviation Noise Abatement Committee with a term expiring April 4, 2025. (Agenda Development Office)
3. **21-637** Approval and execution of Art in the Chambers Loan and Exhibition Agreement by and between Orange County, Florida and Pam Crotty for the period of June 29, 2021 through September 29, 2021. (Arts and Cultural Affairs Office)
4. **21-638** Approval and execution of Amendment No. 1 Contract No. Y19-163 Management/Fiscal Agency Agreement for Orange County Arts & Cultural Affairs Tourist Development Tax (TDT) Revenue - Arts & Cultural Affairs Grants Program through May 31, 2022. (Arts and Cultural Affairs Office)
5. **21-639** Approval for the Orange County Sheriff's Office to spend \$20,000 from the FY 2021 Law Enforcement Trust Fund-State Forfeitures for an eligible contribution to Orlando Community and Youth Trust, Inc. (Office of Management and Budget)
6. **21-640** Approval of budget amendments #21-31, #21-32, #21-33, #21-34, and #21-35. (Office of Management and Budget)
7. **21-641** Approval of budget transfer #21-0931. (Office of Management and Budget)
8. **21-642** Approval of the sufficiency of the public officials' bonds provided by Travelers Casualty and Surety Company and Liberty Mutual Insurance Company for all public officials currently holding office in Orange County, Florida. (Risk Management Division)
9. **21-643** Ratification of payment of Intergovernmental claims of March 25, 2021, April 8, 2021, April 22, 2021, May 6, 2021, and May 20, 2021, totaling \$2,119,691.14. (Risk Management Division)

C. ADMINISTRATIVE SERVICES DEPARTMENT

1. **21-644** Approval and execution of Modification to Subgrant Agreement between the Division of Emergency Management and Orange County Board of County Commissioners Contract Number: F0005 Project Number DEM-SR00005 to amend the period of agreement expiration date from September 30, 2021 to December 31, 2022 and increase funding by \$800,000 for a maximum amount payable of \$1,830,000 and authorization for the Mayor or designee to execute any further necessary amendments to such Grant Agreement that do not change the scope of the project or increase the overall project budget. (Capital Projects Division)
2. **21-645** Approval to award Invitation for Bids Y21-131-MV, Street Sweeping Services for Roads and Drainage, Lots A and B, to the low responsive and responsible bidder, USA Services of Florida, Inc. The estimated contract award amount is \$1,227,552 for the base year. ([Public Works Department Roads and Drainage Division] Procurement Division)
3. **21-646** Approval to award Invitation for Bids Y21-135-AH, HVAC Installation and Repair Services, to the low responsive and responsible bidders by lot. Lot A, Climate Control Mechanical Services, Inc., in an estimated contract award amount of \$739,750 for a one-year term, Lot B, SHAW Mechanical Services, LLC, in an estimated contract award amount of \$609,625 for a one-year term, and Lot C, Climate Control Mechanical Services, Inc., in an estimated contract award amount of \$433,500 for a one-year term. ([Administrative Services Department Facilities Management Division] Procurement Division)
4. **21-647** Approval to award Invitation for Bids Y21-149-AH, Secondary Canal and Ditches Mowing, to the low responsive and responsible bidder by lot. Lot A, Aero Groundtek, LLC, in an estimated contract award amount of \$736,000 for the base year and Lot B, Aero Groundtek, LLC, in an estimated contract award amount of \$613,900 for the base year. ([Public Works Department Roads and Drainage Division] Procurement Division)
5. **21-648** Approval to award Invitation for Bids Y21-156-AH, Stormwater Primary Canal Mowing and Maintenance, to the sole responsive and responsible bidder, Ameriscapes Landscape Management Services, LLC. The estimated contract award amount is \$245,420 for the base year. ([Public Works Department Stormwater Management Division] Procurement Division)
6. **21-649** Approval to award Invitation for Bids Y21-184-AV, Bulk Rock Salt NOC-17F, to the low responsive and responsible bidder, Odyssey Manufacturing Company. The estimated contract award amount is \$177,750 for a one-year term. ([Utilities Department Water Division] Procurement Division)

7. **21-650** Approval to award Invitation for Bids Y21-1005-AV, Hydraulic and Pneumatic Hose Repair, to the low responsive and responsible bidder, Bridgestone Hosepower, LLC. The estimated contract award amount is \$1,155,300 for a three-year term. ([Administrative Services Department Fleet Management Division] Procurement Division)
8. **21-651** Approval to award Invitation for Bids Y21-715-RM, Avenue C Canal Drainage Improvement Project Phase I, to the low responsive and responsible bidder, Valencia Construction Group, Inc. The total contract award amount is \$1,292,380.50. ([Public Works Department Roads and Drainage Division] Procurement Division)
9. **21-652** Approval to award Invitation for Bids Y21-737-JS, Health Department Buildings 1 & 2 Roof and Window Replacement, to the low responsive and responsible bidder, Gomez Construction Co. The total contract award amount is \$2,492,015. ([Administrative Services Department Capital Projects Division] Procurement Division)
10. **21-653** Approval to award Invitation for Bids Y21-745-FH, Fire Station No. 41 Fuel Storage System Replacement, to the low responsive and responsible bidder, Café Construction & Development Inc. The total contract award amount is \$138,000. ([Administrative Services Department Capital Projects Division] Procurement Division)
11. **21-654** Approval of Amendment No. 2, Contract Y20-1041, Youth Mental Health Management Network Pilot, with Embrace Families Solutions, Inc., in the amount of \$686,964.18, for a revised total contract amount of \$1,018,815.95. ([Community and Family Services Department Mental Health and Homelessness Issues Division] Procurement Division)
12. **21-655** Approval of Amendment No. 3, Contract Y20-2055, Provision of Community Services and Facility Use, with Rollins College in the amount of \$84,235, for a revised estimated total contract amount of \$182,985. ([Community and Family Services Department Citizens' Commission for Children Division] Procurement Division)
13. **21-656** Ratification of Purchase Order M104177, Turnkey COVID-19 Testing and Vaccination Services at Barnett Park, with CDR Maguire, Inc. dba CDR Health Care, Inc. in the not-to-exceed amount of \$2,160,000. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
14. **21-657** Approval of Task Authorization No. 17, Contract Y16-900B, Innovation Way South Segments 1 and 2 (from Wewahootee Road to John Wycliffe Boulevard) Continuing Professional Engineering Design Services, with TLP Engineering Consultants, Inc., in the total not-to-exceed contract amount of

\$663,082.46. ([Public Works Department Engineering Division]
Procurement Division)

15. **21-658** Approval to execute Master Agreement Y21-1039, Spectrum Enterprise Service Agreement between Orange County, Florida and Charter Communications Holdings, LLC, in the total estimated amount of \$684,177 for a three-year term. ([Administration and Fiscal Services Information Systems and Services Division] Procurement Division)
16. **21-659** Approval and execution of Entry Agreement among Orange County, Florida, Atlanta Gas Light Company, Duke Energy Florida, Inc., Peoples Gas System, Continental Holdings, Inc., and City of Orlando, 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 Orlando Gasification Plant Site (Blue Lot) 222 Lake Avenue, Orlando, Florida 32801 Lease File #10118. District 5. (Real Estate Management Division)
17. **21-660** Approval and execution of Lease Termination Agreement by and between Pinar Center, LLC and Orange County, Florida for Pinar Plaza Shopping Center (Goldenrod Service Center) 684 S. Goldenrod Road, Orlando, Florida 32822 Lease File #2050. District 3. (Real Estate Management Division)
18. **21-661** Approval and execution of Subordination of Utility Interests from Duke Energy Florida, LLC, d/b/a Duke Energy, f/k/a Duke Energy Florida, Inc., f/k/a Florida Power Corporation to Orange County and authorization to disburse funds to pay recording fees and record instrument for CR 545 (Avalon Rd) (Osceola County Line to Porter Road). District 1. (Real Estate Management Division)
19. **21-662** Approval of Purchase Agreement between City of Orlando and Orange County, City Deed from City of Orlando, Slope Easement from City of Orlando, Temporary Construction Easement between City of Orlando and Orange County, Memorandum of Understanding Between Orange County Utilities Department and Orange County Public Works Department for Real Estate Transactions related to CR 545 (Avalon Road) (Osceola County Line to Porter Road), Subordination of Encumbrance to Property Rights to Orange County and Partial Release of Unrecorded Lease between Orange County National Golf Club, LLC and Orange County; approval and execution of Notice of Reservation to the City Deed, Notice of Reservation to the Slope Easement, and Subordination of Utility Interests from Duke Energy Florida, LLC, d/b/a Duke Energy, f/k/a Duke Energy Florida, Inc., f/k/a Florida Power Corporation to Orange County and authorization to disburse funds, pay recording fees, record instruments, and perform all actions necessary and incidental to closing for CR 545 (Avalon Rd) (Osceola County Line to Porter Road). District 1. (Real Estate Management Division)

20. **21-663** Approval and execution of Distribution Easement from Orange County to Duke Energy Florida, LLC, d/b/a Duke Energy and authorization to record instrument for Pump Station 3499 (South Central). District 4. (Real Estate Management Division)
21. **21-664** Approval and execution of Trail Relocation Easement Agreement between Duke Energy Florida, LLC d/b/a Duke Energy and Orange County and authorization to record instrument for Little Econ Greenway (Duke Energy). District 3. (Real Estate Management Division)
22. **21-665** Approval and execution of Boat Dock Restriction Agreement between North Shore at Lake Hart Homeowners Association, Inc. and Orange County and authorization to record instrument for North Shore at Lake Hart HOA Semi-Private Boat Dock Construction Permit BD-20-07-126. District 4. (Real Estate Management Division)
23. **21-666** Approval of Quit-Claim Deed between State of Florida Department of Transportation and Orange County and authorization to disburse funds to pay recording fees and record instrument for Kennedy Boulevard (Forest City Road to Wymore Road). District 2. (Real Estate Management Division)
24. **21-667** Approval of Subordination of Encumbrances to Property Rights to Orange County and authorization to disburse funds to pay recording fees and record instrument for Kennedy Boulevard (Forest City Road to Wymore Road). District 2. (Real Estate Management Division)

D. COMMUNITY AND FAMILY SERVICES DEPARTMENT

1. **21-668** Approval of Orange County Head Start to accept the Supplemental Federal Assistance related to Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act FY 2021-2023 in the amount of \$462,289. (Head Start Division)
2. **21-669** Receipt and filing of Head Start Policy Council Meeting Minutes January 21, 2021, Head Start Policy Council Program Information and Updates February 2021, Head Start Meeting Minutes February 18, 2021, Head Start Council Program Information and Updates March 2021, Head Start Policy Council Meeting Minutes March 25, 2021, and Head Start Policy Council Program Information and Updates April 2021 for the official county record. (Head Start Division)
3. **21-670** Approval of Orange County Transportation Plan In accordance with Florida Statute 394, Florida Mental Health Act Florida Statute 397, Hal S. Marchman Alcohol and Other Drug Services Act Three-Year 2020-2023 to allow law enforcement to bypass the nearest Baker Act Receiving Facility and take individuals with mental health and/or substance use disorders to the Central

Receiving Center at 1800 Mercy Drive, Orlando, Florida with reevaluations of the plan as needed per Florida Statute. (Mental Health and Homelessness Division)

4. **21-671** Approval and execution of Florida Department of Agriculture and Consumer Services Division of Administration Federal Financial Assistance Subrecipient Agreement Contract #27663 and authorization for the Mayor or designee to execute any further necessary amendments to such Agreement that do not change the scope of the project or increase the overall project budget. There is a \$20,000 match required. (Parks and Recreation Division)

E. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

1. **21-672** Approval and execution of First Amendment to Adequate Public Facilities Agreement for Hamlin PD by and between SLF IV/Boyd Horizon West JV, LLC and Orange County to transfer 9.87 acres of APF credits to the Hamlin Southwest PD/UNP and 10.55 acres of APF credits to the Hamlin West PD/UNP. District 1 (Development Review Committee)

(This item was deferred.)

2. **21-673** Approval and execution of Second Amendment to Adequate Public Facilities Agreement for Hamlin West PD/UNP by and between Hamlin Retail Partners West, LLC and Orange County to accept transfer of 10.55 acres of APF credits from the Hamlin PD. District 1. (Development Review Committee)

(This item was deferred.)

3. **21-674** Approval and execution of First Amendment to Adequate Public Facilities Agreement for Hamlin Southwest PD/UNP by and between SLF IV/Boyd Horizon West JV, LLC, Hamlin Retail Partners West, LLC, and Orange County to accept transfer of 9.87 acres of APF credits from the Hamlin PD. District 1. (Development Review Committee)

(This item was deferred.)

4. **21-675** Approval of a five year renewal for Solid Waste Management Facility - Materials Recovery Facility Permit No. SW-192228-MRF-10/1511 for Russo and Sons, LLC, subject to the waivers and conditions of approval; and transfer of the permit from Russo and Sons, LLC to Hubbard Construction Company. District 2. (Environmental Protection Division)

5. **21-676** 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. Districts 1, 2, 3, 4, and 6. (Neighborhood Services Division)

LC 21-0293	LC 21-0278	LC 21-0240	LC 21-0298	LC 21-0290
LC 21-0324	LC 21-0294	LC 21-0264	LC 21-0266	LC 21-0308
LC 21-0239	LC 21-0306	LC 21-0272	LC 21-0269	LC 21-0319
LC 21-0249	LC 21-0318	LC 21-0297	LC 21-0287	LC 21-0325

6. **21-677** Approval of the Neighborhood Grants Advisory Board's recommendations for April 2021 Neighborhood Beautification Grants for Citrus Chase Homeowners' Association (\$10,000), The Courtyards Phase II Homeowners' Association (\$736), Conway Pointe Homeowners' Association (\$1,554), Lake Rose Homeowners' Association (\$5,000), and Emerald Trace Homeowners' Association (\$2,784) and authorization for the Director of Planning, Environmental, and Development Services to execute the associated grant agreements. Districts 1, 2, 3, and 4 (Neighborhood Services Division)
7. **21-678** Approval of the April 2021 Business Assistance for Neighborhood Corridors (BANC) Program Grant for East West Dental (\$9,500) District 3. (Neighborhood Services Division)
8. **21-679** Approval and execution of Proportionate Share Agreement for Thompson Road Townhomes Orange Blossom Trail by and between Thompson Road, LLC and Orange County for a proportionate share payment in the amount of \$109,298. District 2. (Roadway Agreement Committee)
9. **21-680** Approval and execution of Traffic Signal Funding Agreement Alta Avalon at Core Academy PD/UNP (Avalon Road (CR 545)) by and between Avalon Real Estate Limited LLC and Orange County providing for a funding payment in the amount of \$812,787 to be utilized by the County for the design and construction of a traffic signal at the Intersection of Avalon Road (CR 545) and Phil Ritson Way and providing transportation impact fee credits in the amount of the funding payment. District 1. (Roadway Agreement Committee)

F. PUBLIC WORKS DEPARTMENT

1. **21-681** Authorization to record the Right-of-Way Declaration and Maintenance Map of Brown Road. District 5. (Roads and Drainage Division)
2. **21-682** Approval and execution of (1) Interlocal Agreement between the City of Ocoee, Florida and Orange County, Florida regarding the transfer of jurisdiction of North Lakewood Avenue; (2) County Deed for North Lakewood Avenue by Orange County to the City of Ocoee; and (3) Assignment of Drainage Easement by Orange County to the City of Ocoee. District 2. (Roads and Drainage Division)

3. **21-683** Approval and execution of Encroachment Agreement between Duke Energy Florida, LLC to Orange County for the Orlo Vista Flood Mitigation project. District 6. (Stormwater Management Division)
4. **21-684** Approval of "No Parking" signs installation on both sides of Grand River Drive from River Canyon Drive to Red Bone Lane. District 2. (Traffic Engineering Division)
5. **21-685** Approval of "No Parking signs installation on Plymouth Sorrento Road north of West Highland Avenue. District 2. (Traffic Engineering Division)

G. UTILITIES DEPARTMENT

1. **21-686** Approval and execution of Florida Department of Environmental Protection v. Orange County Utilities Water Reclamation Division, OGC File No.: 21-0209 OCUD South WRF, No. FLA107972 Consent Order and authorization for the County Administrator to execute the Consent Order; approval of the P2 project adding four new electrical vehicle charging stations at County Utility Department sites; and authorization to pay costs and expenses in the amount of \$500. District 6. (Water Reclamation Division)
2. **21-687** Approval of Irrevocable Standby Letter of Credit No. 70005189 from Truist Bank on behalf of Toll Bros Inc. in favor of Orange County in the amount of \$584,540 for the required security to guarantee compliance with the terms of the Utility Line Construction Reimbursement Agreement for Village I Phase 3 and the First Amendment to Utility Line Construction Reimbursement Agreement for Village I Phase 3. District 1. (Engineering Division)

II. INFORMATIONAL ITEMS**

A. COUNTY COMPROLLER

1. **21-688** Receipt of the following items to file for the record: (Clerk's Office)
 - a. Orange Blossom Trail Community Redevelopment Agency Financial Statements for the years ended September 30, 2020.
 - b. International Drive Community Redevelopment Agency Financial Statements for the year ended September 30, 2020.
 - c. Urban Orlando Community Development District Annual Operating and Debt Service Budget Fiscal Year 2022.
 - d. City of Orlando Voluntary Annexation Request - 14041 Boggy Creek Road - ANX2020-10014. Notice of proposed enactment Ordinance 2021-30

entitled: An ordinance of the City council of the City of Orlando, Florida, annexing to the corporate limits of the city certain land generally located east of Boggy Creek Road, south of Lake Nona Boulevard and north of Kingdom Road, addressed as 14041 Boggy Creek Road and comprised of 7.54 acres of land, more or less, and amending the City's boundary description; amending the City's adopted growth management plan to designate the property as urban village on the City's official future land use maps; amending the boundaries of growth management plan subarea policy S.35.4 to include the property in the southeast Orlando sector plan; providing for amendment of the City's official future land use maps; providing for severability, correction of scrivener's errors and an effective date.

e. Florida Public Service Commission Order Suspending Rates. In re: Petition for rate increase by Florida Power & Light Company.

f. Florida Public Service Commission Notice of Proposed Agency Action Order Authorizing Duke Energy Florida, LLC to Increase Its Allowance for Funds used during Construction Rate. In re: Request for approval of change in rate used to capitalize allowance for funds used during construction (AFUDC) from 6.07% to 6.18%, effective January 1, 2021, by Duke Energy Florida, LLC.

These items were received and filed.

III. DISCUSSION AGENDA

A. COUNTY ADMINISTRATOR

1. **21-689** Appointment to the Code Enforcement Board. (Agenda Development Office)

A motion was made by Mayor Demings, seconded by Commissioner Siplin, to appoint Derick Thompson to the Code Enforcement Board in the engineer representative category with a term expiring December 31, 2021. The motion carried by the following vote:

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

B. ADMINISTRATIVE SERVICES DEPARTMENT

1. **21-690** Selection of two firms to provide Continuing Professional Services for Annual Traffic Counts, Request for Proposals Y21-907-FH, from the following two firms listed alphabetically:

-Luke Transportation Engineering Consultants, Inc.
-Vanasse Hangen Brustlin, Inc.

([Public Works Department Traffic Engineering Division] Procurement

Division)

A motion was made by Commissioner Uribe, seconded by Commissioner Wilson, to appoint Vanasse Hangen Brustlin, Inc., 447.50 points, and Luke Transportation Engineering Consultants, Inc., 420 points, as the selected firms. The motion carried by the following vote:

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

C. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

1. **21-691** MetroPlan Orlando Board Meeting Briefing. (Transportation Planning Division)

The Board took no action.

D. UTILITIES DEPARTMENT

1. **21-692** Approval to establish the haulers compensation rates as listed, set the MSBU rate of \$250 for Program Year 2022, and authorization to include the Tentative Mandatory Refuse Collection Program Rate of \$250 on the 2021 Notice of Proposed Taxes. All Districts. (Solid Waste Division)

The following person addressed the Board: Ron Prime.

A motion was made by Commissioner Uribe, seconded by Commissioner Moore, to approve the tentative Municipal Service Benefit Unit (MSBU) rate at \$250 per household for calendar year 2022; and further, approve the set hauler compensation rates for calendar year 2022: Zone 1 - \$141.44 per household, Zone 2 - \$174.95 per household, Zone 3 - \$152.32 per household, Zone 4 - \$123.54 per household, Zone 5 - \$125.72 per household. The motion carried by the following vote:

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

IV. WORK SESSION AGENDA

A. COUNTY ADMINISTRATOR

1. **21-693** Commercial Property Assessed Clean Energy (C-PACE) Financing Program.

The Board took no action.

III. DISCUSSION AGENDA (Continued)

A. COUNTY ADMINISTRATOR

2. 21-694 COVID-19 Update.

The Board took no action.

IV. WORK SESSION AGENDA (Continued)

B. PUBLIC WORKS DEPARTMENT

1. 21-695 Proposed Amendments to Orange County Code Chapters 21, 30, 34, and 35.

The Board took no action.

V. RECOMMENDATIONS

1. 21-696 May 6, 2021 Board of Zoning Adjustment Recommendations

A motion was made by Commissioner Wilson, seconded by Commissioner Uribe, to approve the recommendations, with the exception of Case # SE-21-05-024, Blueberry Heaven Ranch (Michaela Fazecas) (Appeal Filed) and Case # VA-21-04-013, Durham Place (Rick Baldocchi) (Board Called), which were pulled from the recommendations; subject to the usual right of appeal by any aggrieved party. The motion carried by the following vote:

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

2. 21-697 May 20, 2021 Planning and Zoning Commission Recommendations

A motion was made by Commissioner Siplin, seconded by Commissioner Uribe, to approve the recommendations; subject to the usual right of appeal by any aggrieved party. The motion carried by the following vote:

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

VI. PUBLIC HEARINGS

A. Shoreline Alteration/Dredge and Fill

1. 21-451 SADF # 18-09-024

DCML Enterprises, LLC, St. Johns River, after-the-fact permit; District 5

Consideration: Request for an After-the-fact Shoreline Alteration/Dredge and Fill Permit, SADF-18-09-024, for the construction of a vinyl seawall with riprap and plantings along the shoreline of the St. Johns River, pursuant to Orange County Code, Chapter 15, Article VI, Pumping and Dredging Control.

Location: District 5; on property located adjacent to St. Johns River, located at 28501 E. Colonial Drive, Christmas, FL 32709; Orange County, Florida (legal property description on file in Environmental Protection Division)

The following person addressed the Board: John Miklos.

A motion was made by Commissioner Bonilla, seconded by Commissioner Gomez Cordero, to approve the Shoreline Alteration/Dredge and Fill Permit (SADF-18-09-024) subject to the twenty-eight (28) conditions of approval listed in the Staff Report dated May 11, 2021. The motion carried by the following vote:

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

B. Conservation Area Impact**2. 21-366 CAI-20-07-055**

Orange County Investments LLC, permit; District 3 (Continued from May 18, 2021)

Consideration: A request for a Conservation Area Impact Permit for wetland impacts associated with the construction of a stormwater retention pond.

Location: District 3; property located at the northwest corner of the intersection of Conway Road and McCoy Road (legal property description on file in Environmental Protection Division)

The following person addressed the Board: Jonathan Huels.

A motion was made by Commissioner Uribe, seconded by Commissioner Gomez Cordero, to continue the public hearing until July 27, 2021, at 2 p.m. The motion carried by the following vote:

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

C. Preliminary Subdivision Plan**3. 21-517 Case # PSP-20-08-232**

Neel Shivcharran, Galleon Consulting Group, LLC, Old Cheney Townhomes

Planned Development / Old Cheney Townhomes Preliminary Subdivision
Plan; District 5 (Continued from June 8, 2021)

Consideration: Old Cheney Townhomes Planned Development / Old Cheney Townhomes Preliminary Subdivision Plan, Case # PSP-20-08-232, submitted in accordance with Orange County Code, Chapter 34, Article III, Section 34-69 and Chapter 30, Article III, Section 30-89; This request is to subdivide 1.14 acres in order to construct 10 single-family attached residential dwelling units. In addition, a waiver from Orange County Code is requested; A waiver from Orange County Code Section 34-152(c) is requested to allow the lots to be accessed from an external street in lieu of an internal subdivision street.

Location: District 5; property generally located North of Old Cheney Highway / East of Turrisi Boulevard; Orange County, Florida (legal property description on file in Planning Division)

A motion was made by Commissioner Bonilla, seconded by Commissioner Uribe, to continue the public hearing until June 22, 2021, at 2 p.m. The motion carried by the following vote:

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

**Adjourned as the Orange County Board of County Commissioners and convened as the
Orange County International Drive Community Redevelopment Agency Governing
Board**

D. Resolution

4. **21-262** Modification of the International Drive Community Redevelopment Plan;
Districts 1 and 6

Consideration: Resolution of the Orange County Board Of County Commissioners regarding modification of the International Drive Community Redevelopment Area Plan.

The following persons addressed the Board:

- Jose Castro
- Aura Inman
- Tarek Hamdan
- Ken Walley
- Gwendolyn Clinton
- Rori-Gaye Pitter
- Darnell Edora
- Sofia Ortiz Morales
- Rebecca Smith
- Maria Triscari
- Marc Reicher
- John Stine
- Greg Rice
- Samuel Butler, Jr.

-Angel de la Portilla
-Lisa Paten

A motion was made by Commissioner Siplin, seconded by Commissioner Moore, to approve the expanded uses of the CRA revenues. The motion carried by the following vote:

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

A motion was made by Commissioner Uribe, seconded by Commissioner Gomez Cordero, to continue implementing the current transportation program. The motion carried by the following vote:

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

A motion was made by Commissioner Wilson, seconded by Commissioner Uribe, to maintain the 2028 sunset date. The motion carried by the following vote:

Aye: 5- Mayor Demings, Commissioner Wilson, Commissioner Uribe, Commissioner Gomez Cordero, and Commissioner Bonilla

Nay: 2- Commissioner Moore and Commissioner Siplin

A motion was made by Commissioner Uribe, seconded by Commissioner Wilson, to cap the CRA revenues at \$22 million annually. The motion carried by the following vote:

Aye: 6- Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, and Commissioner Siplin

Nay: 1- Commissioner Bonilla

A motion was made by Commissioner Siplin, seconded by Commissioner Bonilla, to rebate 75% back to the General Fund and 25% stays within the CRA. The motion carried by the following vote:

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

Nay: 2 - Commissioner Wilson, and Commissioner Uribe

Adjourned as the Orange County International Drive Community Redevelopment Agency Governing Board and reconvened as the Orange County Board of County Commissioners

Clerk's Note: Please refer above for action taken by the Orange County International Drive Community Redevelopment Agency Governing Board

The County Attorney revised Section 4 of the Resolution to read as follows:

Section 4. The modifications to the International Drive Community Redevelopment Plan shown on Exhibit "A" hereto are hereby adopted and incorporated into the Plan to include the existing Sunset Date and to rebate 75% of the excess annual tax increment revenues above \$22,000,000 to the County General Fund and the City of Orlando, respectively.

A motion was made by Commissioner Mayor Demings, seconded by Commissioner Uribe, to accept the recommendations of the International Drive Community Redevelopment Agency; further, approve and execute Resolution 2021-M-16 of the Orange County Board of County Commissioners regarding modification of the International Drive Community Redevelopment Plan; and further, approve revised language to Section 4 of the Resolution. The motion carried by the following vote:

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

H. Ordinance

17. **21-611** Amending Orange County Code, Chapter 21, Article X, relating to Residential Picketing; All Districts (Continued from June 8, 2021)

Consideration: An Ordinance pertaining to picketing on public property before, around, or about a dwelling unit in Orange County, Florida; creating Article X of Chapter 21 of the Orange County Code; establishing a title; providing for authority, findings, purpose and intent; providing for scope; creating definitions; prohibiting certain residential picketing; allowing for alternative means; providing for penalties and legal and equitable relief; incorporating a savings clause; and providing an effective date.

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

A motion was made by Mayor Demings, seconded by Commissioner Uribe, to continue the public hearing until June 22, 2021, at 2 p.m. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner Wilson, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

Absent: 1 - Commissioner Moore

E. Rezoning

5. **20-046** Case # LUP-18-06-204

Quang Lam, Lam Civil Engineering, Inc., Golden Keys Condo PD, District 3
(Continued from February 11, March 24, June 2, August 11, November 10, 2020, and January 26, 2021)

Consideration: Request to rezone 4.35 gross acres from R-1A (Single-Family Dwelling District) to PD (Planned Development District), in order to construct thirty (30) multi-family dwelling units. In

addition, the following two (2) waivers are requested from Orange County Code: 1. A waiver from Section 38-1258(a) to allow 2-story units, in lieu of 1-story units within 100 feet of single-family zoned property. 2. A waiver from Section 38-1258(j) to allow a twenty (20) foot minimum building separation, in lieu of a thirty (30) foot minimum building separation where doors, windows or other openings in the wall of a living unit back up to a wall of another building with doors, windows or openings; pursuant to Orange County Code, Chapter 30.

Location: District 3; property located at 2143 S. Goldenrod Road; or generally located on the east side of S. Goldenrod Road, approximately 740 feet north of Curry Ford Road; Orange County, Florida (legal property description on file in Planning Division)

A motion was made by Commissioner Uribe, seconded by Commissioner Gomez Cordero, to continue the public hearing until September 14, 2021, at 2 p.m. The motion carried by the following vote:

Aye: 5 - Mayor Demings, Commissioner Wilson, Commissioner Uribe, Commissioner Gomez Cordero, and Commissioner Siplin

Absent: 2 - Commissioner Moore, and Commissioner Bonilla

6. 21-518 Case # LUP-20-09-248

Stephen Allen, Civil Corp Engineering, Buena Vista Family Dentistry PD;
District 1

Consideration: A request to rezone 0.55 gross acres from R-1AA (Single-Family Dwelling District) to PD (Planned Development District) in order to construct a dental office. The request also includes the following waivers from Orange County Code: 1. A waiver from Section 38-1392, Buena Vista North District standards to allow for a minimum lot size of 0.541 acres in lieu of 0.75 acres with office future land use designation. 2. A waiver from Section 38-1392.1, Buena Vista North District standards to allow for a rear setback of ten (10) feet in lieu of twenty (20) feet. 3. A waiver is requested from Section 38-1394.1(a), Buena Vista North District standards to allow the landscaped area to be equal to the full linear length of the building base oriented toward the public right-of-way and have a minimum depth of eight (8) feet in lieu of a ten (10) foot building base green space for a one-story building. 4. A waiver from Section 38-1394.1(a)(2), Buena Vista North District standards to allow one (1) shade tree planted for each twenty-five (25) feet or fraction thereof of the lineal building facade, or one (1) understory tree or palm tree planted for each fifteen (15) feet or fraction thereof of the lineal building facade in lieu of one (1) canopy tree for each one hundred (100) square feet of green space at the building base.; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 1; property located at 11449 S Apopka Vineland Road; generally located on the north side of 4th Street, east of Apopka Vineland Road, south of 3rd Street; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Steve Allen.

A motion was made by Commissioner Wilson, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; and approve the rezoning request from R-1AA (Single-Family Dwelling District) to PD (Planned Development District) in order to construct 3,600 square feet of Professional Office uses, subject to the thirteen (13) conditions of

approval listed under the Planning and Zoning Commission recommendation in the Staff Report dated May 19, 2021. The motion carried by the following vote:

Aye: 5 - Mayor Demings, Commissioner Wilson, Commissioner Uribe, Commissioner Gomez Cordero, and Commissioner Siplin

Absent: 2 - Commissioner Moore, and Commissioner Bonilla

F. Substantial Change

7. **21-501** Case # CDR-21-03-108

Hugh Jacobs, Orlando Leased Housing Associates XIII, LLLP, Colonial Greens Planned Development / Land Use Plan (PD / LUP), amend plan; District 3: Continued to June 22, 2021 at 2:00 p.m. (Continued from June 8, 2021)

Consideration: A PD substantial change to request the following waivers from Orange County Code: 1. A waiver from Section 38-1258 (b) to allow the entire senior affordable housing complex to be a maximum of four (4) stories, fifty-five (55) feet, in lieu of the fifty (50) percent of the building being a maximum height of three stories (3), forty (40) feet and the remaining fifty (50) percent being one (1) story or two (2) stories in height. 2. A waiver from Section 38-1258 (c) to allow the senior affordable housing complex to be a maximum of four (4) stories, fifty-five (55) feet, in lieu of the maximum height of three stories (3), forty (40) feet; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207

Location: District 3; property generally located south of East Colonial Drive and east of State Road 417; Orange County, Florida (legal property description on file in Planning Division)

The following persons addressed the Board:

-Kevin Bessolo
-Devon Quist
-Jonathan Huels

The following material was presented to the Board prior to the close of the public hearing. The material referenced by the Speaker was not received by Clerk: Exhibit from Kevin Bessolo.

A motion was made by Commissioner Uribe, seconded by Commissioner Gomez Cordero, to continue the public hearing until June 22, 2021, at 2 p.m. The motion carried by the following vote:

Aye: 5 - Mayor Demings, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

Absent: 2 - Commissioner Wilson, and Commissioner Moore

8. **21-502** Case # CDR-21-02-039

Bryan Borland, WP South Acquisitions, LLC, Orangewood N-9 Planned Development / Land Use Plan (PD / LUP), amend plan; District 4

Consideration: A PD substantial change to request the following waiver: A waiver from Orange County Code Section 38-1251(d) is requested to allow for building heights of fifty six (56) feet and four (4) stories, in lieu of thirty-five (35) feet and three (3) stories for Parcel 1B only; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207

Location: District 4; property generally located north of Taft-Vineland Road, south of SR 528, east of S John Young, and west of US 441; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Jonathan Huels.

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; and approve the substantial change request subject to the eight (8) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated May 19, 2021. The motion carried by the following vote:

Aye: 5 - Mayor Demings, Commissioner Wilson, Commissioner Uribe, Commissioner Gomez Cordero, and Commissioner Bonilla

Absent: 2 - Commissioner Moore, and Commissioner Siplin

9. **21-505** Case # CDR-20-10-293

Rebecca Wilson, Lowndes, Drosdick, Doster, Kantor & Reed, P.A.,
Wal-Mart East Planned Development / Land Use Plan (PD / LUP), amend
plan; District 4

Consideration: A PD Change Determination Request (CDR) to increase commercial entitlements from 239,476 square feet to 245,978 square feet, for the addition of a 6,500 square foot medical clinic to the existing Wal-Mart; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207

Location: District 4; property located at 11250 East Colonial Drive; generally located south of East Colonial Drive (SR 50) and east of Lake Berge Road; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Jonathan Huels.

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Bonilla, to make a finding of consistency with the Comprehensive Plan; and approve the substantial change request subject to the nine (9) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated May 19, 2021. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner Wilson, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

Absent: 1 - Commissioner Moore

10. **21-515** Case # CDR-21-03-087

William R. Hockensmith P.E., Florida Engineering Group, Inc., Cypress Point Planned Development / Land Use Plan (PD / LUP); amend plan; District 1

Consideration: A PD substantial change to request the following waivers from Orange County Code: 1. A waiver from Section 38-1272(a)(3) to allow a minimum 10' PD perimeter setback on the south side of PD Tract-B-1, in lieu of a minimum 25' PD perimeter setback; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207

Location: District 1; property generally located South of Point Cypress Drive / East of Apopka Vineland Road; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Sam Sebaali.

A motion was made by Commissioner Wilson, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; and approve the substantial change request subject to the eleven (11) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated May 19, 2021. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner Wilson, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

Absent: 1 - Commissioner Moore

11. 21-516 Case # CDR-21-01-020

Kathy Hattaway, Poulos & Bennett, LLC, Horizon West Village H Parcels
12A & 12B Planned Development / Land Use Plan (PD / LUP), amend plan;
District 1

Consideration: A PD substantial change to increase the number of townhome units from 89 to 99 and add an Upland Greenbelt Parcel. In addition, the applicant has requested the following waiver from Orange County Code: 1. A waiver from Orange County Code Section 38-1387.1(a) (10) to allow a fourteen (14) foot building separation between interior townhome buildings in lieu of twenty (20) feet; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207

Location: District 1; property generally located south of Flamingo Crossing Boulevard, east of Avalon Road, west of State Road 429; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Kathy Hattaway.

A motion was made by Commissioner Wilson, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; and approve the substantial change request subject to the eight (8) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated May 19, 2021. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner Wilson, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

Absent: 1 - Commissioner Moore

12. 21-514 Case # CDR-20-10-297

Scott M. Gentry, Kelly, Colins & Gentry, Inc., Hamlin West Planned Development / Land Use Plan (PD / LUP); District 1 (Continued from May 18, 2021)

Consideration: A Change Determination Request (CDR) to reallocate 148 residential units from RW-4a to CCM-10; add townhomes as a residential unit type; convert 55 residential units to 9,141 square feet of non-residential uses on RW-4a; update the flex zone table to account for prior approvals; amend the overall PD acreage and legal description to match the most recent survey; update the required stormwater, APF, and net-developable acreages consistent with the updated survey acreage; update the APF table to account for the transfer of 10.55 acres of APF credits into the PD from the Hamlin PD. In addition, the applicant has requested the following waivers from Orange County Code: 1. A waiver from Section 38-1390.55 (a)(s) to allow a fifteen (15) foot building separation, in lieu of twenty (20) feet. 2. A waiver from Section 38-1390.51 (table 4-1) to allow four (4) stories / fifty-five (55) feet maximum building height for attached townhome units, in lieu of forty-five (45) feet. 3. A waiver from Section 38-1390.51 (table 4-1) to allow a seven (7) foot minimum and fifteen (15) foot maximum front setback, with steps allowed to encroach up to five (5) feet, for townhome units in lieu of ten (10) foot build-to line. 4. A waiver from Section 38-1387.1(a)(3) to allow the minimum lot depth for townhomes to be sixty-five (65) feet, in lieu of one hundred (100) feet. 5. A waiver from Section 38-1387.1 to allow a maximum lot coverage for townhomes of ninety (90) percent (The area of a front porch is not included in the calculation of lot coverage), in lieu of seventy-five (75) for townhome units. (The area of a front porch is not included in the calculation of lot coverage.)

Location: District 1; property generally located south of New Independence Parkway and east of Avalon Road; Orange County Florida (legal property description on file in Planning Division)

The following person addressed the Board: Jim Willard.

Deletion of waiver 9. e as follows:

~~9.e: A waiver from Section 38-1387.1 to allow a maximum lot coverage of ninety (90) percent (The area of a front porch is not included in the calculation of lot coverage), in lieu of seventy five (75) percent for townhouse units (The area of a front porch is not included in the calculation of lot coverage.)~~

A motion was made by Commissioner Wilson, seconded by Commissioner Siplin, to make a finding of consistency with the Comprehensive Plan; further, approve the substantial change request subject to the twelve (12) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated May 19, 2021; further, delete waiver 9.e; further, approve and execute the First Amendment to Adequate Public Facilities Agreement for Hamlin PD by and between SLF IV/Boyd Horizon West JV, LLC and Orange County to transfer 9.87 acres of APF credits to the Hamlin Southwest PD/UNP and 10.55 acres of APF credits to the Hamlin West PD/UNP; further, approve and execute the Second Amendment to Adequate Public Facilities Agreement for Hamlin West PD/UNP by and between Hamlin Retail Partners

West, LLC and Orange County to accept transfer of 10.55 acres of APF credits from the Hamlin PD; and further, approve and execute the First Amendment to Adequate Public Facilities Agreement for Hamlin Southwest PD/UNP by and between SLF IV/Boyd Horizon West JV, LLC, Hamlin Retail Partners West, LLC, and Orange County to accept transfer of 9.87 acres of APF credits from the Hamlin PD. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner Wilson, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

Absent: 1 - Commissioner Moore

and

I. CONSENT AGENDA (Deferred)

E. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

1. **21-672** Approval and execution of First Amendment to Adequate Public Facilities Agreement for Hamlin PD by and between SLF IV/Boyd Horizon West JV, LLC and Orange County to transfer 9.87 acres of APF credits to the Hamlin Southwest PD/UNP and 10.55 acres of APF credits to the Hamlin West PD/UNP. District 1 (Development Review Committee)

This consent item was approved.

and

2. **21-673** Approval and execution of Second Amendment to Adequate Public Facilities Agreement for Hamlin West PD/UNP by and between Hamlin Retail Partners West, LLC and Orange County to accept transfer of 10.55 acres of APF credits from the Hamlin PD. District 1. (Development Review Committee)

This consent item was approved.

and

3. **21-674** Approval and execution of First Amendment to Adequate Public Facilities Agreement for Hamlin Southwest PD/UNP by and between SLF IV/Boyd Horizon West JV, LLC, Hamlin Retail Partners West, LLC, and Orange County to accept transfer of 9.87 acres of APF credits from the Hamlin PD. District 1. (Development Review Committee)

This consent item was approved.

G. Ordinance/Comprehensive Plan - Adoption of Small-Scale Amendments and Ordinance

13. **21-519** Adoption of Future Land Use Map Amendment SS-21-04-017 Michael

Carmack, Ordinance, and Concurrent Rezoning RZ-21-04-018

a. Amendment Case # SS-21-04-017

Consideration: A request to change the Future Land Use designation on 0.23 acres of the Subject Property from Low Medium Density Residential (LMDR) to Commercial (C); pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code Chapter 30

Location: District 5; property located at 10043 E. Colonial Drive, generally located on the north side of E. Colonial Drive, east of the Dean Road intersection and across the street from Downey Park (The legal description is on file in the Planning Division.)

And

b. Ordinance for Proposed Amendment:

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

And

c. Rezoning RZ-21-04-018

Consideration: A request to change the zoning designation on 0.65 acres of the Subject Property from R-1A (Single-Family Residential District) and C-1 (Retail Commercial District) to C-2 Restricted (General Commercial District); pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code Chapter 30

Location: District 5; property located at 10043 E. Colonial Drive, generally located on the north side of E. Colonial Drive, east of the Dean Road intersection and across the street from Downey Park (The legal description is on file in the Planning Division.)

The following person addressed the Board: Michael Carmack.

A motion was made by Commissioner Bonilla, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan (CP); further, adopt Amendment SS-21-04-007 from Low-Medium Density Residential (LMDR) to Commercial (C) Future Land Use, general C-2 uses, potentially lawn maintenance business on the affected 0.23-acre portion of the subject property; further, adopt the associated Small-Scale Ordinance 2021-24; and further, approve rezoning RZ-21-04-018 request from C-1 (Retail Commercial District) & R-1A (Single-Family Residential District) to C-2 Restricted (General Commercial District) zoning on the affected 0.65-acre portion of the subject property, subject to the four (4) restrictions listed in the Staff Report dated June 8, 2021. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner Wilson, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

Absent: 1 - Commissioner Moore

14. **21-520** Adoption of Future Land Use Map Amendment SS-21-04-024 Quang Lam; Lam Civil Engineering, Inc., Ordinance, and Concurrent Rezoning RZ-21-04-025

a. Amendment Case # SS-21-04-024

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

Location: District 3; property located at 6018 Tiner Avenue; Generally located on the west side of Tiner Avenue, east of Anno Avenue, south of Fairlane Avenue (The legal description is on file in the Planning Division.)

And

b. Ordinance for Proposed Amendment:

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

And

c. Rezoning RZ-21-04-025

Consideration: A request to rezone the subject property from C-3 (Wholesale Commercial District) to I-1/I-5 (Industrial District Light); pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code Chapter 30

Location: District 3; property located at 6018 Tiner Avenue; Generally located on the west side of Tiner Avenue, east of Anno Avenue, south of Fairlane Avenue (The legal description is on file in the Planning Division.)

A motion was made by Commissioner Uribe, seconded by Commissioner Gomez Cordero, to make a finding of consistency with the Comprehensive Plan (CP); further, adopt Amendment SS-21-04-024 from Commercial (C) to Industrial (IND) Future Land Use, cabinet making and furniture restoration; further, adopt the associated Small-Scale Ordinance 2021-25; and further, approve rezoning RZ-21-04-025 request from C-3 (Wholesale Commercial District) to I-1/I-5 (Industrial District Light) zoning on the subject property. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner Wilson, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

Absent: 1 - Commissioner Moore

15. **21-368** Adoption of Future Land Use Map Amendment SS-21-03-006 Paul Jazczenski & Lainie Pekich, Crash Crew Construction, Ordinance, and

Concurrent Rezoning RZ-21-01-082 (Continued from April 27, 2021)

a. Amendment Case # SS-21-03-006

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

Location: District 3; property located at 7323 S. Orange Avenue; Generally located east of S. Orange Avenue, west of Swann Lake, South of Swann Avenue (The legal description is on file in the Planning Division.)

And

b. Ordinance for Proposed Amendment

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

And

c. Rezoning RZ-21-01-082

Consideration: A request to rezone the subject property from C-1 (Retail Commercial District) to C-2 Restricted (General Commercial District - Restricted); pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code, Chapter 30

Location: District 3; property located at 7323 S. Orange Avenue; Generally located east of S. Orange Avenue, west of Swann Lake, South of Swann Avenue (The legal description is on file in the Planning Division.)

Modified Restriction #5:

5. Hours of operation for the restaurant shall be limited to 8:00 a.m. to 12:00 a.m. Sunday through Thursday, and 8:00 a.m. Friday and Saturday to 2:00 a.m. of the next day;

New Restrictions:

7. There shall not be any openings (with the exception of fixed windows) in the rear of the existing building, except for emergency purposes as may be required by State and/or County regulations. Additionally, there shall not be any outdoor event activities to the south of or directly east of the building;

8. Landscaping along S. Orange Avenue shall comply with minimum County Code requirements;

9. A black vinyl chain link fence four (4) feet in height shall be provided to the west of Swann Lake, except where access is needed for landscape and lake maintenance; and

10. The use of Swann Lake by the patrons of this establishment for swimming or any other lake or lakeside activities shall be prohibited.

The following person addressed the Board: Paul Jazczenski.

A motion was made by Commissioner Uribe, seconded by Commissioner Wilson, to make a finding of consistency with the Comprehensive Plan (CP); further, adopt Amendment SS-21-03-006 from Low-Medium Density Residential (LMDR) to Commercial (C) Future Land Use, restaurant with outdoor dog park; further, adopt the associated Small-Scale Ordinance 2021-26; further, approve rezoning RZ-21-01-082 request from C-1 (Retail Commercial District) to C-2 Restricted (General Commercial District) zoning on the subject property, subject to the ten (10) restrictions listed in the Staff Report dated March 19, 2021; and further, approve new restrictions #7, 8, 9, and 10. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner Wilson, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

Absent: 1 - Commissioner Moore

H. Ordinance

16. 21-521 Amending Orange County Code, Chapter 38, relating to Residential Backyard Chicken Keeping; All Districts - 2nd public hearing (1st hearing on May 18, 2021)

Consideration: An Ordinance affecting the use of land in Orange County, Florida; amending Chapter 38 ("zoning") of the Orange County Code to allow chickens to be kept on lots or parcels with single-family detached residences and mobile homes, subject to conditions; and providing an effective date.

The following persons addressed the Board:

-Ross Santora
-Jefferson Guetzloe
-Amy Langbein
-Susan Kennerly
-Prescott Kenerly
-Thatcher Kennerly
-Zeke Kennerly
-Daniel Kennerly

The following material was presented to the Board prior to the close of the public hearing: Exhibit 1, from Amy Langbein.

A motion was made by Commissioner Uribe, seconded by Commissioner Siplin, to continue the public hearing until August 10, 2021, at 2 p.m. The motion carried by the following vote:

Aye: 5 - Mayor Demings, Commissioner Wilson, Commissioner Uribe, Commissioner Bonilla, and Commissioner Siplin

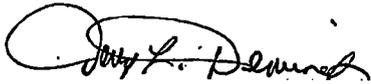
Absent: 2 - Commissioner Moore, and Commissioner Gomez Cordero

√ **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>.

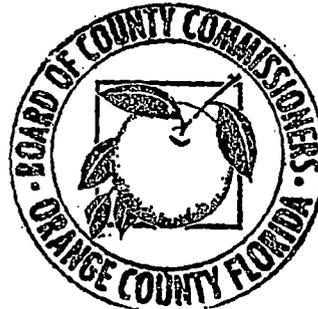
ADJOURNMENT: 7:39 p.m.

ATTEST:



County Mayor Jerry L. Demings

Date: July 13, 2021



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.