

Orange County Government

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



Final Meeting Minutes

Tuesday, June 22, 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 Lakela Louis

Invocation - District 4

Pastor Danny Escalante, CDA Orlando

Pledge of Allegiance

Presentation

Proclamation recognizing June 21 through June 25 as National Boys & Girls Club Week

Public Comment

The following persons addressed the Board for public comment:

- Kevin Rose
- Kevin Stillwagon
- Patricia Rumph
- Maria Triscari
- Greg Rice
- Khalid Monee (Phonetic)
- Angel de la Portilla

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

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

The Mayor deleted County Administrator Item 4; and further, a motion was made by Commissioner Uribe, seconded by Commissioner Bonilla, to approve the balance of the Consent Agenda. 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

A. COUNTY MAYOR

1. **21-724** Approval and execution of Orange County, Florida Amendment to FY 2021 Grant Agreements extending the expiration date of the agreements to December 31, 2021, with 1) University of Central Florida Research Foundation, Inc.; 2) University of Central Florida Research Foundation, Inc.; 3) University of Central Florida Research Foundation, Inc.; 4) Black Orlando Tech, Inc.; 5) CFF I, LLC; 6) Rollins College Crummer Center for Advanced Entrepreneurship; 7) Starter Studio FL Inc; and 8) Veteran Entrepreneurship Initiative, Inc. (Office of Economic, Trade and Tourism Development)

B. COUNTY COMPTROLLER

1. **21-725** Approval of the minutes of the May 11, 2021 meeting of the Board of County Commissioners. (Clerk's Office)
2. **21-726** 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:
 - June 04, 2021, to June 10, 2021; \$26,449,938.48
 - June 11, 2021, to June 17, 2021; \$42,707,354.65.(Finance/Accounting)
3. **21-727** Disposition of Tangible Personal Property as follows. (Property Accounting)
 - a. Trade-in asset.
 - b. Scrap assets.

C. COUNTY ADMINISTRATOR

1. **21-728** Approval of the nomination for appointment by the Greater Orlando Aviation Authority to the Aviation Noise Abatement Committee of John D. Hermann in

the representative of an unincorporated noise-impacted area of Orange County (Conway) category with a term expiring April 4, 2022. (Agenda Development Office)

2. **21-729** Approval and execution of Resolution 2021-B-05 for the issuance of Multi-Family Housing Mortgage Revenue Bonds, to finance the acquisition and rehabilitation of Mill Creek Apartments, a proposed development in Orange County, Florida, District 3, in an amount not-to-exceed \$33,000,000. (Housing Finance Authority)
3. **21-730** Approval and execution of resolution 2021-B-06 for the issuance of Multi-Family Housing Mortgage Revenue Bonds to finance the acquisition and construction of Sandpiper Glen Apartments, a proposed multi-family rental development in Orange County, Florida, District 3, in an amount not-to-exceed \$50,000,001. (Housing Finance Authority)
4. **21-731** Approval and execution of Affiliation Agreement between Orange County, Florida and Liberty University, Inc. related to Experiential Learning Placement Program with a term beginning on the day of execution and ending September 30, 2024 and authorization for the Mayor or designee to execute any amendments to this Agreement. (Human Resources Division)

(This item was deleted.)

5. **21-732** Approval to pay the fourth quarter billing for the Orange County Property Appraiser in the amount of \$4,543,449.30. (Office of Management and Budget)
6. **21-733** Approval for the Orange County Sheriff's Office to spend \$15,000 from the FY 2021 Law Enforcement Trust Fund-State Forfeitures for an eligible contribution to Boys and Girls Clubs of Central Florida. (Office of Management and Budget)

D. ADMINISTRATIVE SERVICES DEPARTMENT

1. **21-734** Approval and execution of Modification to Subgrant Agreements between the Division of Emergency Management and Orange County for Bithlo Water Treatment Plant Generator Project, Barnett Park Gym and Recreation Center Generator Project, Goldenrod Park Recreation Center Generator Project, South Econ Recreation Center Generator Project, Meadow Woods Recreation Center Generator Project, and West Orange Recreation Center Generator Project to decrease the funding in the total amount of \$58,422.24 and authorization for the Mayor or designee to execute any further necessary amendments to such Subgrant Agreements that do not change the scope of the project or increase the overall project budget. (Capital Projects Division)
2. **21-735** Approval and execution of Modification to Subgrant Agreement between the

Division of Emergency Management and Orange County Contract Number: H0196 Project Number 4337-106-R to amend the expiration date from May 31, 2021 to May 31, 2022 and decrease the funding by \$4,894.70 for the maximum amount payable of \$220,352.80 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)

3. **21-736** Approval to award Invitation for Bids Y21-743-RC, Orange County Moss Park Lift Station and Electrical Upgrades, to the low responsive and responsible bidder, Café Construction & Development, Inc. The total contract award amount is \$1,654,000. ([Administrative Services Department Capital Projects Division] Procurement Division)
4. **21-737** Approval to award Human Service Contracts for Children and Families, Y21-2000 Series for Fiscal Years 2020-2021 and 2021-2022 in the total amount of \$6,447,227.56 for a one-year term. ([Community and Family Services Department Citizens' Commission for Children Division] Procurement Division)
5. **21-738** Approval of Purchase Order M104417, Purchase of Preventive Maintenance and Software Support, with Mettler-Toledo, LLC in the total amount of \$123,019.36. ([Utilities Department Solid Waste Division] Procurement Division)
6. **21-739** Ratification of Purchase Order M104177, Change No. 1, Turnkey COVID-19 Testing and Vaccination Services at Barnett Park, with CDR Maguire, Inc. dba CDR Health Care, Inc., in the amount of \$3,332,550, for a revised not-to-exceed amount of \$5,492,500. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
7. **21-740** Selection of Hellmuth, Obata, Kassabaum, Inc. to provide Design and Construction Administration Services for Corrections Horizon Dormitory Improvements, Request for Proposals Y21-808-JS. ([Administrative Services Department Capital Projects Division] Procurement Division)
8. **21-741** Approval and execution of Contract for Purchase and Sale between Douglas Todd Hardt and Tatiana Selivanova Hardt and Orange County, Florida, approval of Access and Utility Easement between Douglas Todd Hardt and Tatiana Selivanova Hardt and Orange County and Partial Release of Mortgage, and authorization to disburse funds to pay the purchase price and recording fees, and to record instrument for Sweetwater West. District 2. (Real Estate Management Division)
9. **21-742** Approval and execution of Hold Harmless and Indemnification Agreement Parcel ID No. 12-22-30-4511-00-120 between Scott L. Phillips and Tracy Phillips a/k/a Tracy Jensen and Orange County and authorization to record

instrument for Phillips BD-20-01-008. District 5. (Real Estate Management Division)

10. **21-743** 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 Blanchard Park. District 5. (Real Estate Management Division)
11. **21-744** Approval and execution of First Amendment to Temporary Non-Exclusive Drainage Easement between Glass House Condo, LLC and Orange County with Joinder and Consent to First Amendment to Non-Exclusive Drainage Easement from Goldman Sachs Bank USA and authorization to record instrument for Glasshouse DP Drainage Easement. District 1. (Real Estate Management Division)
12. **21-745** Approval and execution of Resolution 2021-M-17 regarding Authorization to Convey Certain County Property Interests to The School Board of Orange County, Florida in accordance with Section 125.38, Florida Statutes and County Deed from Orange County to The School Board of Orange County, Florida and authorization to record instrument for OCPS Site #113-H-W-4 - Frontage Road f/k/a Hartzog Road (Partial Transfer to OCPS). District 1. (Real Estate Management Division)
13. **21-746** Approval and execution of Amended, Restated, and Consolidated Drainage and Utility Easement between CH Realty VIII-LPC I Orlando Oak Ridge, L.L.C. and Orange County and authorization to record instrument for Lincoln - Oak Ridge Drainage Easement Relocation Permit B20900544. District 6. (Real Estate Management Division)
14. **21-747** Approval of Utility Easement from Pitibru Hotels, LLC to Orange County and Subordination of Encumbrances to Property Rights to Orange County from Touchmark National Bank and authorization to record instruments for Lake Buena Vista Hotel Site Work Only Permit B19903455 OCU File #97621. District 1. (Real Estate Management Division)
15. **21-748** 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 record instrument for Suncrest Village Publix (RAC). District 5. (Real Estate Management Division)

E. COMMUNITY AND FAMILY SERVICES DEPARTMENT

1. **21-749** Acceptance of University of Florida's appointment of Erin Reichel as Orange County Extension Agent I, 4-H Youth Development. All Districts. (Cooperative Extension Division)

2. **21-750** Receipt and filing of Head Start Policy Council Meeting Minutes April 15, 2021, and Head Start Policy Council Program Information and Updates May 2021. (Head Start Division)
3. **21-751** Approval of Orange County Head Start Program Application for Federal Assistance Five-Year Grant (Year 2) FY 2020-2021 between Orange County and Administration for Children and Families Grant No. 04CH011834, Office of Head Start in the amount of \$14,301,993 for the continued operation of the Head Start Program. The required non-federal match in the amount of \$3,575,498 is derived from parent, volunteerism, donation of goods and services, lease agreements, and County support. (Head Start Division)
4. **21-752** Approval and execution of (1) State of Florida Statewide Voluntary Prekindergarten Provider Contract Form OEL-VPK 20 by and between Early Learning Coalition of Orange County, Florida and Orange County, Florida, and (2) Delegation of Signing Authority for the State of Florida Statewide Voluntary Prekindergarten Provider Contract related to the Orange County Head Start Program; and authorization for the Mayor or designee to approve any necessary modifications, amendments, renewals, and extensions of this contract. (Head Start Division)

F. CONVENTION CENTER

1. **21-753** Approval of the Tourist Development Tax Sports Incentive funding, as recommended by the Tourist Development Tax Sports Incentive Committee, pursuant to the terms and conditions of funding agreements and authorization for Visit Orlando to enter into such agreements with the Greater Orlando Sports Commission as follows: 1) 2021 US Youth Soccer National League Boys and Girls P.R.O. in December 2021 at Disney's Wide World of Sports in the amount of \$80,000 for marketing and promotion; 2) 2022 Monster Jam World Finals in May 2022 at Camping World Stadium in the amount of \$850,000 as a bid fee; and 3) 2022-2025 Sunshine Classic Junior National Qualifier over various dates at the Orange County Convention Center in the amount of \$75,000 annually (\$300,000 total) for bid fees. (Fiscal and Operational Support Division)

G. HEALTH SERVICES DEPARTMENT

1. **21-754** Approval to pay Orange County's Medicaid share of cost in accordance with Florida Statute 409.915 for state fiscal year 2021-2022 in the amount of \$19,802,069. (Health Services Department)

H. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

1. **21-755** Acceptance of the findings and recommendation of the Environmental Protection Commission and denial of the request for after-the-fact variance

to Orange County Code, Chapter 15, Article IX, Section 15-342(c) and require the permittee to reconstruct the access walkway as shown on the site plans previously approved in the October 27, 2020 permit modification within 90 days of the decision of the Board for the Anthony and Kathryn Kane Dock Construction Permit BD-19-07-066. District 1. (Environmental Protection Division)

2. **21-756** Approval and execution of Orange County, Florida, Resolutions Establishing Special Assessment Liens for Lot Cleaning Services and approval to record Special Assessment Liens on property cleaned by Orange County, pursuant to Orange County Code, Chapter 28, Nuisances, Article II, Lot Cleaning. All Districts. (Neighborhood Services Division)

LC 21-0299 LC 21-0291 LC 21-0338 LC 21-0333 LC 21-0321
 LC 21-0328 LC 21-0330 LC 21-0279 LC 21-0251 LC 21-0323
 LC 21-0288 LC 21-0332 LC 21-0283 LC 21-0292 LC 21-0327
 LC 21-0289 LC 21-0296 LC 21-0322 LC 21-0320 LC 21-0334

3. **21-757** Approval and execution of Proportionate Share Agreement for Waterford Lakes Town Center Golf Alafaya Trail, Colonial Drive & Woodbury Road by and between Waterford Lakes Town Center LLC and Orange County for a proportionate share payment in the amount of \$327,826. District 4. (Roadway Agreement Committee)
4. **21-758** Approval and execution of Proportionate Share Agreement for Tyson Ranch Townhomes Boggy Creek Road by and between Orlando Airport Property, LLC and Orange County for a proportionate share payment in the amount of \$963,196. District 4. (Roadway Agreement Committee)

I. PUBLIC WORKS DEPARTMENT

1. **21-759** Authorization to record the plat of Four Corners Plaza. District 1. (Development Engineering Division)
2. **21-760** Approval and execution of Orange County, Florida and Children's Safety Village of Central Florida FY 2021 Grant Agreement by and between Orange County and Children's Safety Village of Central Florida, Inc. District 6. (Traffic Engineering Division)
3. **21-761** Approval of "No Parking" signs installation on both sides of Clark Street from Overland Road and extending west 575 feet. District 2. (Traffic Engineering Division)
4. **21-762** Approval to decrease the speed limit on Summerlake Park Boulevard between Black Quill Drive and Ficquette Road from 45 mph to 35 mph. District 1. (Traffic Engineering Division)

5. **21-763** Approval to decrease the speed limit on Wallace Road between South Apopka Vineland Road and Spring Song Drive from 45 mph and 40 mph to 35 mph. District 1. (Traffic Engineering Division)

6. **21-764** Approval and execution of (1) State of Florida Department of Transportation Joint Participation Agreement Amendment Number 2 Financial Management No: 439081-1-58-01 Contract No: AS467; and (2) Resolution 2021-M-18 of the Orange County Board of County Commissioners regarding Amendment Number Two to the Joint Participation Agreement with the Florida Department of Transportation for construction services to alleviate flooding in the vicinity of State Road 50 around Barry Street and Fairvilla Road. District 6. (Roads and Drainage Division)

II. INFORMATIONAL ITEMS**

A. COUNTY COMPTROLLER

1. **21-765** Receipt of the following items to file for the record: (Clerk's Office)
 - a. Winter Garden Village at Fowler Groves Community Development District Debt Service Fund Budget FY 2021-2022 Series 2016 Special Assessment Bonds with Exhibit A Annual Operations & Maintenance Budget.
 - b. Grove Resort Community Development District Fiscal Year 2022 Proposed Operations and Management.
 - c. Poitras East Community Development District FY 2022 Proposed Operations & Maintenance Budget.
 - d. Boggy Creek Improvement District FY 2022 Proposed Operations & Maintenance Budget.
 - e. Myrtle Creek Improvement District FY 2022 Proposed Operations & Maintenance Budget.
 - f. East Park Community Development District Annual Operating and Debt Service Budget Fiscal Year 2022 Approved Tentative Budget.
 - g. Greenway Improvement District FY 2022 Proposed Operations & Maintenance Budget.
 - h. Stoneybrook West Community Development District Annual Operating and Debt Service Budget Fiscal Year 2022 Approved Tentative Budget.

These items were received and filed.

III. DISCUSSION AGENDA

A. COUNTY ADMINISTRATOR

- 1. **21-766** Approval of funding categories for the American Rescue Plan as outlined and authorization for staff to transfer up to 15% for each funding category to other funding categories based on actual needs.

A motion was made by Mayor Demings, seconded by Commissioner Wilson, to approve funding categories for the American Rescue Plan as outlined and authorization for staff to transfer up to 15% for each funding category to other funding categories based on actual needs. 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. **21-767** Selection of two firms and two ranked alternates to provide Continuing Professional Traffic Engineering Services, Request for Proposals Y21-906-FH, from the following six firms, listed alphabetically:

- Avcon, Inc.
- DRMP, Inc.
- Metric Engineering, Inc.
- Pegasus Engineering, LLC
- Traffic & Mobility Consultants, LLC
- Vanasse Hangen Brustlin, Inc.

([Public Works Department Traffic Engineering Division] Procurement Division)

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Uribe, to appoint Vanasse Hangen Brustlin, Inc., 413.75 points, and Avcon, Inc., 411 points, as the selected firms; and further, appoint DRMP, Inc., 401.50 points, and Metric Engineering, Inc., 401.25 points as the selected ranked alternates. The motion carried by the following vote:

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

IV. WORK SESSION AGENDA

A. PLANNING, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

- 1. **21-768** Brightline Update. (Transportation Planning Division)

The following persons addressed the Board:

- Mike Cegelis
- Christine Kefauver

The Board took no action.

B. FIRE RESCUE DEPARTMENT

1. **21-769** 2021 Hurricane Season Update. (Office of Emergency Management)

The Board took no action.

V. RECOMMENDATIONS

1. **21-770** June 3, 2021 Board of Zoning Adjustment Recommendations

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

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

Absent: 1 - Commissioner Bonilla

VI. PUBLIC HEARINGS

A. Petition to Vacate

1. **21-613** PTV 21-03-016

Shirley C. Lano, vacate a utility easement; District 4

Consideration: Resolution granting Petition to Vacate # 21-03-016, vacating a 20 foot wide utility easement that lies in the rear of her residential lot, containing approximately 720 square feet

Location: District 4; The parcel address is 1115 Isadore Drive; S21/T22/R31; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Uribe, to approve the request listed in the Staff Report dated June 22, 2021. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bonilla

B. Preliminary Subdivision Plan**2. 21-614 Case # PSP-20-03-089**

Eric Warren, Poulos & Bennett, LLC, Karr Planned Development / Osprey Ranch Preliminary Subdivision Plan; District 1

Consideration: Karr Planned Development / Osprey Ranch Preliminary Subdivision Plan, Case # PSP-20-03-089, 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 80.08 acres in order to construct 285 single-family attached and detached residential dwelling units.

Location: District 1; property generally located North of Hartzog Road / East of Avalon Road; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Eric Warren.

A motion was made by Commissioner Wilson, seconded by Commissioner Moore, to make a finding of consistency with the Comprehensive Plan; and approve the request subject to the thirty five (35) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated June 3, 2021. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bonilla

3. 21-629 Case # PSP-20-02-035

Miranda Fitzgerald, Lowndes, Drosdick, Doster, Kantor & Reed, P.A., Kerina Parkside Planned Development / Tract 4 & 5 Preliminary Subdivision Plan; District 1

Consideration: Kerina Parkside Planned Development / Tract 4 & 5 Preliminary Subdivision Plan, Case # PSP-20-02-035, 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 68.73 acres in order to construct 191 single-family detached residential dwelling units. In addition, a waiver from Orange County Code is requested: a. A waiver from Orange County Code Section 34-209 to allow for an aluminum fence and landscaping be installed along the frontage of the retention pond adjacent to Daryl Carter Parkway.

Location: District 1; property generally located North of Daryl Carter Parkway / East of Apopka Vineland Road; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: John Townsend.

A motion was made by Commissioner Wilson, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; and approve the request subject to the twenty six (26) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated June 10, 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

4. **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)

The following person addressed the Board: David Gastel.

A motion was made by Commissioner Bonilla, seconded by Commissioner Siplin, to make a finding of consistency with the Comprehensive Plan; and approve the request subject to the sixteen (16) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated June 9, 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

C. Planning and Zoning Commission Rezoning Board-Called

5. **21-612** Case # RZ-21-04-020

Breck L Johnson, April 15, 2021; District 2

Consideration: Request to rezone from C-1 (Retail Commercial District) to C-2 (General Commercial District) to allow for C-2 uses.

Location: District 2; property located at 1220 E Semoran Blvd, generally south east corner of S. Thompson Rd and E. Semoran Blvd, west of Sand Ave; Orange County, Florida (legal property description on file)

Modification to Restrictions:

1. ~~New~~ Billboards and pole signs shall be prohibited. The existing pole sign shall be removed:

2. Permitted uses are C-1 uses plus the C-2 use of auto sales;

3. The applicant / developer shall submit a site plan to demonstrate compliance with all Orange County Code requirements (including landscaping and paved surfaces) prior to the accommodation of any C-2 uses; ~~and~~

4. Outdoor storage, except for operable cars for sale, shall be prohibited; ~~and screened and not visible from the public right of way.~~

5. For any use other than a gas station, the gas pump canopy must be removed prior to the commencement of a new use.

The following person addressed the Board: Lou Haubner.

A motion was made by Commissioner Moore, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; further, approve the rezoning request from C-1 (Retail Commercial District) to C-2 Restricted (General Commercial District) zoning, subject to the 4 restrictions listed under the Planning and Zoning Commission recommendation in the Staff Report dated June 9, 2021; and further, approve modified restrictions 1, 2, 3, 4, and 5. 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

D. Substantial Change

6. 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 person addressed the Board: Devon Quist.

A motion was made by Commissioner Uribe, seconded by Commissioner Moore, to continue the public hearing until August 10, 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

E. Environmental Protection Commission Appeal

7. **21-370** BD-20-04-070

Gregory Merk and James and Dian Phillips, 11533 Waterstone Loop Drive, appeal of the Environmental Protection Commission (EPC) recommendation for the waiver request to Section 15-349(b) (Side Setback) for the Majid Heydari Dock Construction Permit; District 1

Consideration: Appeal of the decision of the Environmental Protection Commission Recommendation for a request for waiver to Side-Setbacks for the Majid Heydari Dock Construction Permit (BD-20-04-070), Orange County Code, Chapter 15, Article IX, Section 15-343(b).

Location: District 1; property located at 11533 Waterstone Loop Drive; Orange County, Florida (legal property description on file in Environmental Protection Division)

Court Reporter: Tosha Seaney, Phipps Reporting

The following persons addressed the Board:

- Anna Long
- William Michael Dennis
- Mary Solik
- Sheila Cichra

The following materials were presented to the Board prior to the close of the public hearing:

- Exhibit 1, from William Michael Dennis
- Exhibit 2, from Anna Long
- Exhibit 3, from Mary Solik

The following materials were received by the Clerk prior to the close of the public hearing. The materials referenced by the speaker were not presented to the Board:

- Submittal 1, from Anna Long
- Submittal 2, from Mary Solik

A motion made by Commissioner Wilson to reverse the recommendation of the Environmental Protection Commission and deny the waiver to Orange County Code, Chapter 15, Article IX, Section 15-343(b) (side-setback) to reduce the minimum side setback from 25 feet to one foot from the southern projected property line and 1.1 feet from the northeastern real property line for

the Majid Heydari Dock Construction Permit BD-20-04-070, died for a lack of a second.

A motion was made by Commissioner Moore, seconded by Commissioner Siplin, to affirm the recommendation of the Environmental Protection Commission; and further, approve the waiver to Orange County Code, Chapter 15, Article IX, Section 15-343(b) (side-setback) to reduce the minimum side setback from 25 feet to one foot from the southern projected property line and 1.1 feet from the northeastern real property line for the Majid Heydari Dock Construction Permit BD-20-04-070, listed in the Staff Report dated June 14, 2021. The motion carried by the following vote:

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

Nay: 1 - Commissioner Wilson

8. 21-383 BD-20-04-067

Michael Underwood, 919 Springwood Drive, appeal of the decision of the Environmental Protection Commission (EPC) to recommend approval of a waiver request to Section 15-349(b) (Side Setback) for the Richard Benton Dock Construction Permit; District 3

Consideration: Appeal of the decision of the Environmental Protection Commission Recommendation for a request for waiver to Side-Setbacks for the Richard Benton Dock Construction Permit (BD-20-04-067), Orange County Code, Chapter 15, Article IX, Section 15-343(b).

Location: District 3; property located at 919 Springwood Drive; Orange County, Florida (legal property description on file in Environmental Protection Division)

Court Reporter: Tosha Seaney, Phipps Reporting

The following persons addressed the Board:

- Mary Solik
- Shiela Cichra
- Amy Giannotti
- Richard Benton

The following materials were presented to the Board prior to the close of the public hearing:

- Exhibit 1, from Mary Solik
- Exhibit 2, from Amy Giannotti

A motion was made by Commissioner Uribe, seconded by Commissioner Siplin, to affirm the recommendation of the Environmental Protection Commission; and further, approve the waiver to Orange County Code, Chapter 15, Article IX, Section 15-343(b) (side setback) to reduce the minimum side setback from the eastern projected property line from 25 feet to 10 feet for the Richard Benton Dock Construction Permit BD-20-04-067, listed in the Staff Report dated June 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

F. Ordinance

9. 21-628 Enacting Orange County Code, Section 5-53, relating to Animal Services in Orange County, Florida; All Districts

Consideration: AN ORDINANCE RELATING TO ANIMAL SERVICES IN ORANGE COUNTY, FLORIDA; ENACTING SECTION 5-53 OF THE ORANGE COUNTY CODE OF ORDINANCES ENTITLED "RETAIL SALE OF DOGS, CATS, RABBITS BY PET STORES PROHIBITED"; AND PROVIDING AN EFFECTIVE DATE.

Court Reporter: Angelina Rosania, Veritext

The following persons addressed the Board:

- Christian Rodriguez
- Terrell Ordone
- TJ Rosebush
- Karen Colick
- Elizabeth Kunzelman
- Aracely Lopez Rodriguez
- Glen Wentworth
- Thomas Hunter
- Edgardo X Ortiz
- Tanisha Branchick
- Lee Day
- Olivia Glazer
- Cathy Houde
- Gwen Kelemen
- Ben Hoofnagle
- Barbara Thornton
- Angela Miedema
- Crystal Mursuli
- Maria Machado
- Frank Lopez
- Lisa Franchina
- Maria Bolton-Joubert
- Peter Vivaldi
- Allison Agnello
- Amber Arismendy
- Michelle Rencoret
- Trevor Davies
- Eric Davies
- Christian Diaz

- Helen DuMond
- Nanette Parratto Wagner
- Tara Tedrow
- Bryan Wilson
- Kim Dannenberg
- Aaliyah Corea
- Kathy Harter
- Michael Kraft
- Gillian Ross
- Brittany Lizotte
- Gail Nagan
- Sy Woon
- Yasmeen Ramos
- Ashley Berke
- Cara Allen
- Kate McFall

The following materials were presented to the Board prior to the close of the public hearing:

- Exhibit 1, from Tara Tedrow
- Exhibit 2, from Bryan Wilson

The following materials were received by the Clerk prior to the close of the public hearing. The materials referenced by the speaker were not presented to the Board:

- Submittal 1, from Peter Vivaldi
- Submittal 2, from Amber Arismendy

Modification to line 49 of the proposed Ordinance:

Line 49: Cat means any member of the species Felis Catus-~~felis~~.

A motion was made by Commissioner Wilson, seconded by Commissioner Bonilla, to adopt Ordinance 2021-27 relating to Animal Services in Orange County, Florida; enacting Section 5-53 of the Orange County Code of Ordinances entitled "Retail Sale of Dogs, Cats, Rabbits by pet stores prohibited"; and providing an effective date, in the Staff Report dated June 4, 2021; and further, approve modification to line 49 in the Ordinance. The motion carried by the following vote:

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

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

11. 21-631 Amending Orange County Code, Chapter 23, Article V, relating to School Impact Fees; All Districts

Consideration: AN ORDINANCE AMENDING THE ORANGE COUNTY SCHOOL IMPACT

FEE ORDINANCE, CODIFIED AT ARTICLE V, CHAPTER 23, OF THE ORANGE COUNTY CODE; AMENDING SECTION 23-121 (“DEFINITIONS”), SECTION 23-141 (“IMPOSITION”), SECTION 23-142 (“PAYMENT”), AND SECTION 23-161 (“EXEMPTIONS”); PROVIDING FOR UPDATED SCHOOL IMPACT FEES, INCLUDING NEW AND INCREASED FEES IN CERTAIN LAND USE CATEGORIES; MAKING AN ECONOMIC IMPACT DETERMINATION; PROVIDING EFFECTIVE DATES; AND DIRECTING THE POSTING OF NOTICES OF NEW AND INCREASED SCHOOL IMPACT FEES

The following person addressed the Board: Stephen Thorp.

A motion was made by Commissioner Siplin, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; further, adopt Ordinance 2021-28 amending the Orange County School Impact Fee Ordinance, Codified at Article V, Chapter 23 of the Orange County Code; Amending Section 23-121 (“Definitions”), Section 23-141 (“Imposition”), Section 23-142 (“Payment”) and Section 23-161 (“Exemptions”); Providing for Updated School Impact Fees, Including New and Increased Fees in Certain Land Use Categories; Making an Economic Impact Determination; Providing Effective Dates; and Directing the Posting of Notices of New and Increased Impact Fees, in the Staff Report dated June 11, 2021; and further, allow staff to correct any scriveners errors. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bonilla

10. 21-630 Amending Orange County Code, Chapter 23, Article IV, relating to Transportation Impact Fees; All Districts

Consideration: AN ORDINANCE AMENDING THE ORANGE COUNTY TRANSPORTATION IMPACT FEE ORDINANCE, CODIFIED AT ARTICLE IV, CHAPTER 23, OF THE ORANGE COUNTY CODE; AMENDING SECTION 23-88 (“DEFINITIONS”); AMENDING SECTION 23-92 (“TRANSPORTATION IMPACT FEE SCHEDULE”); AMENDING SECTION 23-98 (“EXEMPTIONS”); PROVIDING FOR UPDATED TRANSPORTATION IMPACT FEES; MAKING AN ECONOMIC IMPACT DETERMINATION; PROVIDING AN EFFECTIVE DATE; REPEALING, IN PART, ORDINANCE NO. 2021-16; AND DIRECTING THE POSTING OF NOTICES OF UPDATED TRANSPORTATION IMPACT FEES.

A motion was made by Commissioner Uribe, seconded by Commissioner Moore, to make a finding of consistency with the Comprehensive Plan; further, adopt Ordinance 2021-29 amending the Orange County Transportation Impact Fee Ordinance, Codified at Article IV, Chapter 23 of the Orange County Code; Amending Section 23-88 (“Definitions”), Section 23-92 (“Transportation Impact Fee Schedule”), and Section 23-98 (“Exemptions”); Providing for Updated Transportation Impact Fees; Making an Economic Impact Determination; Providing An Effective Date; Repealing, in Part, Ordinance No. 2021-16; and Directing the Posting of Notices of Updated Transportation Impact Fees, in the Staff Report dated June 11, 2021; and further, allow staff to correct any scriveners errors. The motion carried by the following vote:

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

12. 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 persons addressed the Board:

- Wesley Hodge
- Allison Lee
- Denise Diaz
- Elizabeth Martinez
- Shakhea Hinton
- Chasman Barnes
- Andrew Darling
- Lawanna Gelzer
- Eric Brown
- Orange County Sheriff John Mina
- Winter Park Chief Michael Deal

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

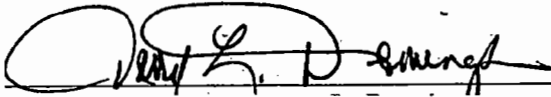
This public hearing was withdrawn.

√ 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: 8:50 p.m.

ATTEST:

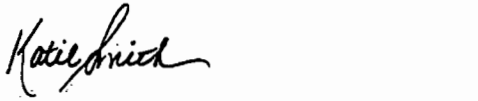


County Mayor Jerry L. Demings

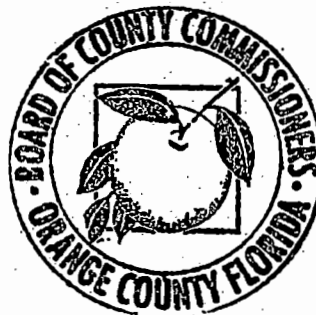
Date: July 27, 2021

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.