

Orange County Government

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



Draft Meeting Minutes

Tuesday, September 28, 2021

9:00 AM

County Commission Chambers

Board of County Commissioners

Call to Order

County Mayor Jerry L. Demings called the meeting to order at 9:01 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 3

Pastor Eliud Saldana, Centro Cristiano Restauracion

Pledge of Allegiance**Presentation**

Proclamation recognizing October 7, 2021 as Energy Efficiency Day and ENERGY STAR Building Performance Award

Presentation

Proclamation recognizing October as Head Start Month

Public Comment

The following persons addressed the Board for public comment:

- Kevin Stillwagon
- Angela Emerson
- Alex Alamo
- Devish Nirmul
- Lou Goby
- Jim Gale
- Cheryl Dirienzo
- Ryan Moore
- Justin Harvey
- Sam Eaton

- Nick Caturano

I. CONSENT AGENDA

Approval of the Consent Agenda

Mayor Demings deleted Public Works Department Item 4; and further, a motion was made by Commissioner Uribe, seconded by Commissioner Moore, to approve the balance of the Consent Agenda. The motion carried by the following vote:

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

Absent: 1 - Commissioner Wilson

A. COUNTY COMPTROLLER

1. **21-1129** Approval of the minutes of the August 24, 2021 meeting of the Board of County Commissioners. (Clerk's Office)
2. **21-1130** Approval of the check register authorizing the most recently disbursed County funds, having been certified that same have not been drawn on overexpended accounts. Periods are as follows:
 - September 10, 2021, to September 16, 2021; \$29,706,093.53
 - September 17, 2021, to September 23, 2021; \$41,580,455.32.(Finance/Accounting)
3. **21-1131** Disposition of Tangible Personal Property as follows. (Property Accounting)
 - a. Scrap assets.
 - b. Remove lost asset from inventory.
 - c. Return leased asset to lessee.
 - d. Dispose of assets not found during previous inventory.

B. COUNTY ADMINISTRATOR

1. **21-1132** Approval and execution of Art in the Chambers Loan and Exhibition Agreement by and between Orange County, Florida and Reg Garner for the period of October 1, 2021 through February 18, 2022. (Arts and Cultural Affairs Office)
2. **21-1133** Confirmation of the County Mayor's staff reappointments for the first quarter, October - December, FY 2021-2022. (Human Resources Division)

Diana Almodovar, Deputy Director, Public Works
Timothy Armstrong, Assistant Director, Utilities

Juanita Beason, Manager, Inmate Administrative Services, Corrections
Lonnie Bell Jr, Director, Community and Family Services
Timothy Boldig, Deputy Director, Planning, Environmental and Development Services
Linda Brooks, Manager, Professional Services/CCD, Corrections
Mindy Cummings, Manager, Real Estate Management, Administrative Services
J. Ricardo Daye, Director, Human Resources, Fiscal and Administrative Services
Sara Flynn-Kramer, Manager, Capital Projects, Administrative Services
Darren Gray, Deputy County Administrator, County Administrator's Office
Sonya Hill, Manager, Head Start, Community and Family Services
Carla Bell Johnson, Assistant County Administrator, County Administrator's Office
Glenn Kramer, Manager, Fiscal and Operational Support, Utilities
Joseph Kunkel, Director, Public Works
Michael Martin, Manager, Security Operations, Corrections
Rafael Mena, Chief Information Officer, Fiscal and Administrative Services
Malik Muhammad IX, Manager, Support Services, Corrections
Alan Plante, Manager, Building Safety, Planning, Environmental, and Development Services
Louis Quinones Jr, Chief of Corrections, Corrections
Tracy Salem, Manager, Youth and Family Services, Community and Family Services
Christopher Testerman, Deputy County Administrator, County Administrator's Office
Alberto Vargas, Manager, Planning, Planning, Environmental, and Development Services
Anthony Watts, Deputy Chief, Corrections
Jeffrey Williamson, Manager, Communications, County Mayor's Office
Frederick Winterkamp, Manager, Fiscal and Business Services, Fiscal and Administrative Services
Claudia Yabrudy, Manager, Fiscal and Operational Support, Health Services

3. **21-1134** Approval and execution of Agreement between Orange County, Florida and Orange County Fire Fighters Association, I.A.F.F., Local 2057 (B-Unit) Fiscal Years 2021-22 through 2023-24. (Human Resources Division)

4. **21-1135** Approval of Agreement between Orange County, Florida and The Florida State Lodge Fraternal Order of Police, Inc. Lieutenants (B-Unit) Fiscal Years 2020-21 through 2022-23 FY 21 & 22 Re-opened Articles, Article 17 - Leave, Article 18 - Wages for Fiscal Years 2021-22 through 2022-23, Article 19 - Work Day, Work Period, Pay Period and Extra Duty, Article 22 - Health and Welfare Programs and Insurance, and Article 31 - Duration of Agreement. (Human Resources Division)

5. **21-1136** Approval of Agreement between Orange County, Florida and The Jerry B. Haddock Lodge #86 of The Fraternal Order of Police, F.O.P Lodge # 86 (A-Unit) Fiscal Years 2020-21 through 2022-23 FY 21 Re-opened Articles, Article 13 - Employee Disciplinary Procedures, Article 14 - Grievance and Arbitration Procedures, Article 15 - Promotions, Article 24 - Holidays, Article 27 - Wages for Fiscal Years 2021-22, Article 31 - Safety and Health, and Article 45 - Duration of Agreement. (Human Resources Division)
6. **21-1137** Approval for the Orange County Sheriff's Office to spend \$4,000 from the FY 2021 Law Enforcement Trust Fund-State Forfeitures for an eligible contribution to the Concerns of Police Survivors (\$2,500) and the Victim Service Center (\$1,500). (Office of Management and Budget)
7. **21-1138** Approval and execution of Resolution 2021-M-41 of the Orange County Board of County Commissioners regarding local mileage reimbursement option for members of the Board of County Commissioners. (Office of Management and Budget)
8. **21-1139** Approval to disburse payment for the East Central Florida Regional Planning Council annual assessment totaling \$295,648 as provided in the FY 2021-22 adopted budget. (Office of Management and Budget)
9. **21-1140** Approval of budget amendments #21-55, #21-56, #21-57, #21-58, #21-59, #21-60, #21-61, #21-62, #21-63, #21-64, and #21-65. (Office of Management and Budget)

C. ADMINISTRATIVE SERVICES DEPARTMENT

1. **21-1141** Approval to award Invitation for Bids Y21-1047-AH, Weed Control for Secondary Canals and Ditches for Public Works Roads and Drainage, to the low responsive and responsible bidder, Estate Management Services Inc. The estimated contract award amount is \$109,137 for the base year. ([Public Works Department Roads and Drainage Division] Procurement Division)
2. **21-1142** Approval to award Invitation for Bids Y21-1072-AV, Parking Lot Sweeping Services, to the low responsive and responsible bidder, All Star Property Services, Inc. The estimated contract award amount is \$370,590 for a three-year term. ([Administrative Services Department Facilities Management Division] Procurement Division)
3. **21-1143** Approval to award Invitation for Bids Y21-1079-R2, Guardrail and Handrail Installation and Repair, to the low responsive and responsible bidder, Southeast Highway Guardrail & Attenuators, LLC. The estimated contract award amount is \$447,174 for the base year. ([Public Works Department Roads and Drainage Division] Procurement Division)

4. **21-1144** Approval to award Invitation for Bids Y21-7006-JS, Fire Station #73 Restroom Renovation, to the low responsive and responsible bidder, S.A. Casey Construction, Inc. The total contract award amount is \$119,950. ([Administrative Services Department Capital Projects Division] Procurement Division)
5. **21-1145** Approval to award Invitation for Bids Y21-7044-TA, North/South Building Fan Coil Unit Chilled Water Actuator Controlled Valves Replacement, to the sole responsive and responsible bidder, Air Mechanical & Service Corp. The total contract award amount is \$124,750. ([Convention Center Capital Planning Division] Procurement Division)
6. **21-1146** Approval and execution of Contract Y22-124, Medication Assisted Treatment Program, with Aspire Health Partners, Inc., in the total contract award amount of \$449,005 for a one-year term. ([Health Services Department Corrections Health Division] Procurement Division)
7. **21-1147** Approval of Amendment No. 6, Contract Y4-810, Professional Engineering Design Services for All-American Boulevard (from Clarcona - Ocoee Road to Forest City Road), with HDR Engineering, Inc., in the amount of \$181,153.57, for a revised total contract amount of \$1,290,734.44. ([Public Works Department Engineering Division] Procurement Division)
8. **21-1148** Ratification of Purchase Order M104177, Change Order No. 7, Turnkey COVID-19 Testing at Barnett Park and Vaccination Services at Camping World Stadium, with CDR Maguire, Inc. dba CDR Health Care, Inc., in the amount of \$1,678,553.15, for a revised not-to-exceed amount of \$10,091,303.15. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
9. **21-1149** Ratification of Purchase Order M104931, Change Order No. 1, Turnkey COVID-19 Testing Services at Econ Soccer Complex, with CDR Maguire, Inc. dba CDR Health Care, Inc., in the amount of \$1,910,000, for a revised not-to-exceed amount of \$4,346,000. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
10. **21-1150** Ratification of Purchase Order M104979, Change Order No. 1, Turnkey COVID-19 Testing Services at the former Clarcona Elementary School, with CDR Maguire, Inc. dba CDR Health Care, Inc., in the amount of \$732,000, for a revised not-to-exceed amount of \$3,252,800. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
11. **21-1151** Approval and execution of Lease Agreement for Office Facilities between Church Street Investment Properties, LLC and Orange County, Florida and authorization for the Real Estate Management Division to exercise renewal options, estoppel certificates (if needed), and additional parking

agreements between Church Street Investment Properties, LLC and Orange County, Florida (if needed) for Magnolia Building 109 E Church Street Suites 200, 300, 400, and 450 Orlando, Florida 32801 Lease File #2028. District 5. (Real Estate Management Division)

12. **21-1152** Approval and execution of Resolution 2021-M-42 of the Orange County Board of County Commissioners regarding authorization to exchange certain county property for receipt of other real property in accordance with Section 125.37, Florida Statutes, Land Exchange Agreement (Hamlin Water Reclamation Facility) by and between City of Orlando and Orange County, Florida, County Deed from Orange County, Florida to City of Orlando, approval of City Deed from City of Orlando to Orange County, and authorization to disburse funds to pay recording fees and perform all actions necessary and incidental to closing for Hamlin Water Reclamation Facility - Land Swap. District 1. (Real Estate Management Division)
13. **21-1153** Approval and execution of Purchase Agreement between Fishbones-LLB, LLC and Orange County and authorization to perform all actions necessary and incidental to closing for Vineland Avenue (N of SR 535 to N of Little Lake Bryan Parkway). District 1. (Real Estate Management Division)
14. **21-1154** Approval and execution of First Amendment to Shared Use Pond Easement Agreement between Adventist Health System/Sunbelt, Inc. and Orange County and authorization to perform all actions necessary and incidental to closing for Palm Parkway Connector (RIFCC). District 1. (Real Estate Management Division)
15. **21-1155** Approval and execution of Memorandum of Agreement between Orange County, Florida and St. Johns River Water Management District for Green PLACE. District 2. (Real Estate Management Division)
16. **21-1156** Approval and execution of Agreement for Sale and Purchase by and between Kimberlee D. Bagshaw and Kenneth C. Hampton and Orange County, Florida, approval of Warranty Deed from Kimberlee D. Bagshaw and Kenneth C. Hampton to Orange County, Florida, authorization for the Manager of the Real Estate Management Division to exercise all delegations of authority expressly provided for by the Agreement for Sale and Purchase, and authorization to disburse funds to pay purchase price and perform all actions necessary and incidental to closing for Bagshaw Hampton Parcel 101. District 5. (Real Estate Management Division)
17. **21-1157** Approval of Conservation and Access Easement from Eagle Creek Development Corporation to Orange County and authorization to record instrument for Eagle Creek I CAI-14-06-022 (PN 19274). District 4. (Real Estate Management Division)

D. COMMUNITY AND FAMILY SERVICES DEPARTMENT

1. **21-1158** Receipt and filing of Head Start Policy Council Meeting Minutes July 15, 2021 and Head Start Policy Council Program Information and Updates August 2021. (Head Start Division)
2. **21-1159** Approval and execution of Low Income Pool Letter of Agreement by and between Orange County on behalf of Aspire Health Partners and the State of Florida, Agency for Healthcare Administration in the amount of \$2,078,702 through the Intergovernmental Transfer Program. (Mental Health and Homelessness Division)
3. **21-1160** Acceptance of Department of Health and Human Services Substance Abuse and Mental Health Services Administration Center for Mental Health Services Award Number 1H79SM084165-01 in the amount of \$1,000,000 per year for four years. A match in the amount of \$333,333 for years one through three and \$1,000,000 for year four is required. (Mental Health and Homelessness Division)
4. **21-1161** Approval to participate in the Department of Juvenile Justice (DJJ) Retention Bonus Program for direct care staff in the Youth and Family Services community intervention, community supervision, non-secure residential and prevention programs which are funded with Department of Juvenile Justice funds. (Youth and Family Services Division)

E. HEALTH SERVICES DEPARTMENT

1. **21-1162** Approval and execution of Low Income Pool Letters of Agreement by and between Orange County Board of County Commissioners and the State of Florida, Agency for Healthcare Administration on behalf of Community Health Centers, Inc. (\$1,178,330), True Health (\$920,444), and Orange Blossom Family Health (\$476,642), for an overall total amount of \$2,575,416 through the Intergovernmental Transfer Program. (Medical Clinic)

F. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

1. **21-1163** Approval and execution of Resolution 2021-M-43 of the Orange County Board of County Commissioners regarding the establishment of the Green PLACE Advisory Board to advise the Board of County Commissioners in the administration of the Green PLACE Program. All Districts. (Environmental Protection Division)
2. **21-1164** Acceptance of the findings and recommendation of the Environmental Protection Commission and approval of the request for after-the-fact variance to Section 15-342(g) to allow the enclosed dock to remain as constructed with the payment of a \$1,200 penalty to the Conservation Trust

Fund within 60 days of the decision of the Board of County Commissioners for the Kenneth G Musculus Life Estate and Joyce M Musculus Life Estate Dock Construction Permit BD-21-04-060. District 4. (Environmental Protection Division)

3. **21-1165** Acceptance of the findings and recommendation of the Environmental Protection Commission and approval of the request for waiver to Section 15-342(b) to increase the allowable terminal platform size from 910 square feet to 1,000 square feet with the condition that the applicants pay \$675 to the Conservation Trust Fund within 60 days of the decision of the Board of County Commissioners; and denial of the request for variance to Section 15-342(c) to reduce the required minimum access walkway height from 36 inches to 30 inches over wetlands for the Steven and Sara Kachelmeyer Dock Construction Permit BD-20-08-143. District 1. (Environmental Protection Division)
4. **21-1166** Approval and execution of Federal Subrecipient Agreement between Orange County, Florida and Homeless Services Network of Central Florida, Inc., for a federal subaward of an amount not to exceed \$186,381.00 from a federal award issued by U.S. Department of Housing and Urban Development for the specific purpose of a Partnership under the American Rescue Plan Emergency Housing Voucher Program. All Districts. (Housing and Community Development Division)
5. **21-1167** 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, 5, and 6. (Neighborhood Services Division)

LC 21-0453 LC 21-0514 LC 21-0367 LC 21-0402 LC 21-0508
LC 21-0424 LC 21-0523 LC 21-0393 LC 21-0476 LC 21-0512
LC 21-0466 LC 21-0501 LC 21-0397 LC 21-0487 LC 21-0521
LC 21-0467 LC 21-0537 LC 21-0401 LC 21-0503 LC 21-0524
6. **21-1168** Approval and execution of Proportionate Share Agreement for Buena Vista Commons PD Building #4 Winter Garden-Vineland Road by and between Buena Vista Commons, LLC and Orange County for a proportionate share payment in the amount of \$5,725. District 1. (Roadway Agreement Committee)
7. **21-1169** Approval and execution of Proportionate Share Agreement for Hamlin Ace Hardware Avalon Road/CR 545 by and between Hamlin Retail Partners East NEC, LLC and Orange County directing both the proportionate share payment in the amount of \$80,691 and future transportation impact fee payments that may be associated with the project pursuant to the Amended and Restated Escrow Agreement for Town Center West (Silverleaf) to be

utilized towards the completion of Avalon Road/CR 545 improvements.
District 1. (Roadway Agreement Committee)

8. **21-1170** Approval and execution of Proportionate Share Agreement for Hamlin Autozone Avalon Road/CR 545 by and between Hamlin Retail Partners East NEC, LLC and Orange County directing both the proportionate share payment in the amount of \$26,897 and future transportation impact fee payments that may be associated with the project pursuant to the Amended and Restated Escrow Agreement for Town Center West (Silverleaf) to be utilized towards the completion of Avalon Road/CR 545 improvements.
District 1. (Roadway Agreement Committee)
9. **21-1171** Approval and execution of Proportionate Share Agreement for Hamlin SWQ Retail Building G Avalon Road/CR 545 by and between Hamlin Retail Partners, LLC and Orange County directing both the proportionate share payment in the amount of \$80,691 and future transportation impact fee payments that may be associated with the project pursuant to the Amended and Restated Escrow Agreement for Town Center West (Silverleaf) to be utilized towards the completion of Avalon Road/CR 545 improvements.
District 1. (Roadway Agreement Committee)

G. PUBLIC WORKS DEPARTMENT

1. **21-1172** Approval and execution of Resolution 2021-M-44 of the Orange County Board of County Commissioners regarding the Maintenance and Operations Agreement for the Orange County Advanced Traffic Management System Phase (ATMS) - Phase 4 Project. All Districts. (Traffic Engineering Division)
2. **21-1173** Approval to decrease the speed limit on Winter Garden Vineland Road between Apopka Vineland Road and Chase Road from 55 mph to 45 mph.
District 1. (Traffic Engineering Division)
3. **21-1174** Approval and execution of Resolution 2021-M-45 of the Orange County Board of County Commissioners regarding the Local Agency Program Agreement with the Florida Department of Transportation for the Orange County Traffic Signal Cabinets Upgrade Project. All Districts. (Traffic Engineering Division)
4. **21-1175** Approval and execution of (1) Interlocal Agreement between Orange County, Florida and City of Ocoee, Florida regarding transfer of jurisdiction of Spring Lake Drain Well, (2) Bill of Sale, and (3) Assignment of Easements. District 2. (Stormwater Management Division)

(This item was deleted.)

5. **21-1176** Approval and execution of Drainage Improvements Construction Reimbursement Agreement for the Little Lake Bryan Center DP by and

between Orange County and Fishbones-LLB, LLC in an amount not to exceed \$132,000. District 1. (Engineering Division)

6. **21-1177** Approval and execution of Modification to Subgrant Agreement between the Division of Emergency Management and Orange County Contract Number: H0121 Project Number: 4337-23-R for Orlo Vista Neighborhood Drainage Project Phase I. District 6. (Stormwater Management Division)

II. INFORMATIONAL ITEMS**

A. COUNTY COMPTROLLER

1. **21-1178** Receipt of the following items to file for the record: (Clerk's Office)
- a. City of Ocoee Notice of Annexations Ordinances, with Exhibit A (Legal Descriptions) and Exhibit B (Location Maps) as follows:
- Ordinance 2021-046. (Annexation Ordinance for 128 1st Street - Martinez-Perez Property) Tax Parcel ID: 17-22-28-0000-00-069. Case NO. AX-06-21-21: 128 1st Street - Martinez-Perez Property Annexation. An Ordinance of the City of Ocoee, Florida, annexing into the corporate limits of the City of Ocoee, Florida, certain real property containing approximately 1.02 acres located on the west side of 1st Street approximately 1124 feet south of E. Silver Star Road; pursuant to the application submitted by the property owner, finding said annexation to be consistent with the Ocoee Comprehensive Plan, the Ocoee City Code and the joint planning area agreement; providing and authorizing the updating of official city maps; providing direction to the City Clerk; providing for severability; repealing inconsistent ordinances providing for an effective date.
- Ordinance No. 2021-038. (Annexation Ordinance for 1081 N. Lakewood Avenue-Potter Property). Tax Parcel ID: 08-22-28-0000-00-053. Case No. AX-06-21-17: 1081 N. Lakewood Avenue - Potter Property Annexation. An Ordinance of the City of Ocoee, Florida, annexing into the corporate limits of the City of Ocoee, Florida, certain real property containing approximately 0.37 acres located on the east side of N. Lakewood Avenue and approximately 1165 feet south of Wurst Road; pursuant to the application submitted by the property owner, finding said annexation to be consistent with the Ocoee Comprehensive Plan, the Ocoee City Code and the joint planning area agreement; providing for and authorizing the updating of official city maps; providing direction to the City Clerk; providing for severability; repealing inconsistent Ordinances; and providing for an effective date.

- Ordinance No. 2021-040 (Annexation Ordinance for 107 13th Avenue - Garcia & Arroyo Property). Tax parcel ID: 08-22-28-5960-13-120. Case No. AX-06-21-18: 107 13th Avenue - Garcia & Arroyo Property Annexation. An Ordinance of the City of Ocoee, Florida, annexing into the corporate limits of the City of Ocoee, Florida, certain real property containing approximately 0.29 acres located on the north side of 13th Avenue approximately 172 feet east of N. Lakewood Avenue and 375 feet north of Wurst Road; pursuant to the application submitted by the property owner, finding said annexation to be consistent with the Ocoee Comprehensive Plan, the Ocoee City Code and joint planning agreement; providing for and authorizing the updating of official city maps; providing direction to the City Clerk; providing for severability; repealing inconsistent Ordinances; providing for an effective date.

- Ordinance No. 2021-042 (Annexation Ordinance for 5024 Adair Street - Linzey Property). Tax Parcel ID: 05-22-28-6052-08-010. Case No. AX-06-21-19: 5024 Adair Street - Linzey Property Annexation. An Ordinance of the City of Ocoee, Florida, annexing into the corporate limits of the City of Ocoee, Florida, certain real property containing approximately 0.38 acres located on 1075 feet south of Clarcona Ocoee Road at the southwest corner of the intersection of Adair Street and 4th Avenue; pursuant to the application submitted by the property owner, finding said annexation to be consistent with the Ocoee Comprehensive Plan, the Ocoee City Code and the joint planning area agreement; providing for and authorizing the updating of official city maps; providing direction to the City Clerk; providing for severability; repealing inconsistent Ordinances; providing for an effective date.

- Ordinance No. 2021-044 (Annexation Ordinance for 403 2nd Street - Amaran Property). Tax Parcel ID: 17-22-28-0000-00-043. Case No. AX-06-21-20: 403 2nd Street - Amaran Property Annexation. An Ordinance of the City of Ocoee, Florida, annexing into the corporate limits of the City of Ocoee, Florida, certain real property containing approximately 0.39 acres located on the east side of 2nd Street, 187 feet north of E. Silver Star Road; pursuant to the application submitted by the property owner, finding said annexation to be consistent with the Ocoee Comprehensive Plan, the Ocoee City Code and the joint planning area agreement; providing for and authorizing the updating of official city maps; providing direction to the City Clerk; providing for severability; repealing inconsistent Ordinance; providing for an effective date.

- Document is recorded to correct the legal description included with Document 20210476091, recorded on August 5, 2021. Ordinance No. 2021-022 (Annexation Ordinance for 501 2nd Street Labban Property). Tax Parcel ID: 17-22-28-0000-00-055. Case No. AX-05-21-12: 501 2nd Street -

Labban Property Annexation. An Ordinance of the City of Ocoee, Florida, annexing into the corporate limits of the City of Ocoee, Florida, certain real property containing approximately +/- 0.25 acres located on the east side of 2nd Street, approximately 577 feet south of Center Street and at the intersection of Nay Street and 2nd Street, pursuant to the application submitted by the property owner; finding said annexation to be consistent with the Ocoee Comprehensive Plan and the Ocoee City Code; providing for an authorizing the updating of official city maps; providing direction to the City Clerk; providing for severability; repealing inconsistent Ordinances; providing for effective date.

- Document is recorded to correct the legal description included with document 20210476112, recorded on August 5, 2021. Ordinance No. 2021-030 (Annexation Ordinance for 502 3rd Street Ocoee Rental Trusts Properties) Tax Parcel ID: 17-22-28-0000-00-139. Case No. AX-05-21-15: 502 3rd Street - Ocoee Rentals Trust Properties Annexation. An Ordinance of the City of Ocoee, Florida, annexing into the corporate limits of the City of Ocoee, Florida, certain real property containing approximately 0.24 acres located on the west side of 3rd Street, approximately 644 feet south of Center Street and approximately 579 feet north of E. Silver Star Road; pursuant to the application submitted by the property owner, finding said annexation to be consistent with the Ocoee Comprehensive Plan and the Ocoee City Code; providing for an authorizing the updating of official city maps; providing direction to the City Clerk; providing for severability; repealing inconsistent Ordinances; providing for effective date.

b. The Florida Public Service Commission Order Suspending Tariff. In re: Application for establishment of wastewater allowance for funds prudently invested (AFPI) charges in Lake County, by Utilities, Inc. of Florida.

c. The Florida Public Service Commission Notice of Proposed Agency Action Order Approving AFUDC Rate for Utilities, Inc. of Florida. In re: Petition for establishment of an approved AFUDC rate, by Utilities, Inc. of Florida.

d. Notice of Meetings Stoneybrook West Community Development District as follows:

- November 17, 2021
- February 23, 2022
- May 25, 2022
- July 27, 2022

e. The Florida Public Service Commission Order Approving Mid-Course Correction for Duke Energy Florida, LLC. In re: Fuel and purchased power cost recovery clause with generating performance incentive factor.

f. The Florida Public Service Commission Addendum Commission Conference Agenda. Conference Date and Time: Wednesday, September 8, 2021, 9:30 a.m. Location: Betty Easley Conference Center, Joseph P. Cresse Hearing Room 148.

These items were received and filed.

III. DISCUSSION AGENDA

A. COUNTY ADMINISTRATOR

1. **21-1179** Commercial Property Assessed Clean Energy (C-PACE) Financing Program.

The Board took no action.

B. ADMINISTRATIVE SERVICES DEPARTMENT

1. **21-1180** Selection of one firm and an alternate to provide Countywide Budget Software, Request for Proposals Y20-1089-TJ, from the following two firms, listed alphabetically:

- OpenGov, Inc.
- Questica, Inc.

([Administrative and Fiscal Services Department Office of Management and Budget] Procurement Division)

A motion was made by Commissioner Bonilla, seconded by Commissioner Siplin, to appoint Questica, Inc., 359.54 points, as the selected firm; and further, appoint OpenGov, Inc., 355 points as the alternate. 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. COMMUNITY AND FAMILY SERVICES DEPARTMENT

1. **21-1181** Head Start Annual Program Update. (Head Start Division)

The Board took no action.

A. COUNTY ADMINISTRATOR (Continued)

2. **21-1182** COVID-19 Update.

The Board took no action.

Presentation

Employee Service Awards to:

Administrative Services

David Zarvatski (30) Facilities Management

Corrections

Tikela Waits (25) Security Operations

Fire Rescue

Michael Zielonka (20) Fire Operations; Luis Garcia Mercado (20) Fire Planning & Support

Public Works

Esther Fernandez Canizares (20) Engineering

Utilities

Shirley Lano (25) Customer Service

IV. RECOMMENDATIONS

1. **21-1183** September 2, 2021 Board of Zoning Adjustment Recommendations

A motion was made by Commissioner Uribe, seconded by Commissioner Siplin, to approve the recommendations, with the exception of Case # VA-21-09-081, Juan Frias, (Appeal), which was pulled from the recommendations; subject to the usual right of appeal by any aggrieved party. The motion carried by the following vote:

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

V. PUBLIC HEARINGS

A. Conservation Area Impact

1. **21-1038** CAI-20-12-075

Orlando Utilities Commission (OUC), permit; District 4

Consideration: A request by Orlando Utilities Commission (OUC) for a Conservation Area Impact (CAI) permit for Class I surface water impacts associated with the construction of a stormwater pond for a proposed substation.

Location: District 4; property located at 10708 Clapp Simms Duda Road; Orange County, Florida (legal property description on file in Planning Division)

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Bonilla, to accept the findings and recommendation of the Environmental Protection Division staff; and further, approve the Conservation Area Impact Permit CAI-20-12-075 for the Orlando Utilities Commission Substation – Clapp Simms Duda Road Project, subject to the twenty-four (24) conditions of approval listed in the Staff Report dated August 27, 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

B. Shoreline Alteration Dredge and Fill Permit

2. 21-985 Case # SADF-21-01-001

Robert and Naomi Loomis, Lake Isleworth, permit; District 1

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit SADF # 21-01-001 to construct a new seawall with riprap and backfill along the shoreline of Lake Isleworth; pursuant to Orange County Code, Chapter 33, Article IV, Windermere Water and Navigational Control District

Location: District 1; on property located adjacent to Lake Isleworth, located at 6342 Deacon Circle, Windermere, FL 34786; Orange County, Florida (legal property description on file in Environmental Protection Division)

A motion was made by Commissioner Wilson, seconded by Commissioner Uribe, to approve the Shoreline Alteration/Dredge and Fill Permit (SADF-21-01-001) subject to the thirty-two (32) conditions of approval listed in the Staff Report dated August 27, 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

3. 21-986 Case # SADF-21-07-014

Mark and Becky Simmons, Lake Blanche/Lake Chase canal, permit; District 1

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit SADF # 21-07-014 to construct a new seawall along the shoreline of the Lake Blanche/Lake Chase canal; pursuant to Orange County Code, Chapter 33, Article IV, Windermere Water and Navigational Control District

Location: District 1; on property located adjacent to Lake Blanche/Lake Chase canal, located at 5614 Bay Side Drive, Orlando, FL 32819; Orange County, Florida (legal property description on file in Environmental Protection Division)

A motion was made by Commissioner Wilson, seconded by Commissioner Moore, to approve the Shoreline Alteration/Dredge and Fill Permit (SADF-21-07-014) subject to the twenty-five (25) conditions of approval listed in the Staff Report dated August 27, 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. Substantial Change

4. 21-984 Case # CDR-20-09-273

Kathy Hattaway, Poulos & Bennett, LLC, Gem Groves Planned Development / Land Use Plan (PD/LUP), amend plan; District 1

Consideration: Substantial change request is to reduce the total unit count from 852 to 807 units, and to depict the proposed realignment of Flemings Road. In addition, the applicant has requested the following waiver from Orange County Code: 1. A waiver from Section 38-1387.1(a) (10) to allow a fourteen (14) foot building separation between 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 north & south of Flemings Road, west of Avalon Road Orange County, Florida (legal property description on file in Planning Division)

A motion was made by Commissioner Wilson, seconded by Commissioner Siplin, to make a finding of consistency with the Comprehensive Plan; and approve the substantial change request subject to the ten (10) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated September 15, 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

5. 21-1045 Case # CDR-21-03-075

Jonathan Martin, Kimley-Horn & Associates, Waterstar Orlando PD (Planned Development), amend plan; District 1

Consideration: A PD substantial change to update the Parcel B development program to 167,322 square feet of commercial, 375 multi-family residential dwelling units, and 250 hotel rooms. In addition, the applicant has requested the following waivers from Orange County Code: 1. A waiver from Section 38-1251(b) is requested to allow a maximum building coverage of all buildings up to thirty five percent (35%) for residential portions of the project in lieu of thirty percent (30%). 2. A waiver from Section 38-1251(d) is requested to allow multi-family buildings within residential portions of the project, a maximum height of seventy-five (75) feet / five (5) stories in lieu of a maximum height of 35 feet. 3. A waiver from Section 38-1254 (1) to allow no increase in the twenty-five-foot (25') PD boundary building setback for structures in excess of two (2) stories for residential portions of the project in lieu of increase to reflect additional structural height. 4. A waiver is requested from Section 38-1272 (3), to allow all paving setbacks reduced to zero (0) feet between internal parcels of the PD in lieu of a 10' side and rear setback for commercial abutting commercial and a 25' setback for commercial abutting residential; pursuant to Orange County Code, Chapter 30

Location: District 1; property generally located north of Irlo Bronson Memorial Highway and east of East Orange Lake Boulevard; Orange County, Florida (legal property description on file in Planning Division)

A motion was made by Commissioner Wilson, seconded by Commissioner Moore, 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 September 17, 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

D. Planning and Zoning Commission Rezoning Board-Called

6. 21-981 Case # RZ-21-07-044

Luis Lopez, July 23, 2021; District 3

Consideration: Request to rezone from A-2 (Farmland Rural District) to R-2 Restricted (Residential District) in order to allow for two residential dwelling units.

Location: District 3; property located at 6954 Redditt Road; generally south and east of Redditt Road, and approximately 1,050 feet north of Nassau Avenue; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Uribe, seconded by Commissioner Siplin, to continue the public hearing until October 26, 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

7. 21-982 Case # RZ-21-07-046

Jeremy Anderson, Common Oak Engineering, July 23, 2021; District 3

Consideration: Request to rezone from R-1A (Single-Family Dwelling District) to R-1 Restricted (Single-Family Dwelling District), in order to construct two (2) detached single-family homes.

Location: District 3; property located at 2712 Alamo Drive; or generally located on the west side of Alamo Drive, approximately 50 feet south of W. Michigan Street; Orange County, Florida (legal property description on file)

The following person addressed the Board: Jeremy Anderson.

A motion was made by Commissioner Uribe, seconded by Commissioner Siplin, to continue the public hearing until October 26, 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

8. 21-983 Case # RZ-21-07-045

Randy Turbin, July 23, 2021; District 5

Consideration: Request to rezone from I-1A (Restricted Industrial District) to I-1 / I-5 Restricted (Industrial District-Light).

Location: District 5; property located at 7328 Aloma Ave; generally south of Aloma Avenue, west of Palmetto Avenue, north of Omega Street; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Bonilla, seconded by Commissioner Siplin, to make a finding of consistency with the Comprehensive Plan; and approve the requested I-1 / I-5 Restricted (Industrial District-Light) zoning, subject to the three (3) restrictions listed in the Staff Report dated September 15, 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

E. Rezoning**9. 21-1048 Case # LUP-21-01-010**

Kathy Hattaway, Poulos & Bennett, LLC, BB Groves South PD; District 1

Consideration: Request to rezone two (2) parcels totaling 118.89 gross acres from A-2 (Farmland Rural District) and PD (Lake Austin Planned Development District) to PD (BB Groves South Planned Development District), in order to construct 500 single-family attached or detached residential dwelling units; pursuant to Orange County Code, Chapter 30

Location: District 1, property generally located west of Avalon Road, north and south of Grove Blossom Way, and east of the Lake County line; Section 30/31, Township 24, Range 27; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Lance Bennett.

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

A motion was made by Commissioner Wilson, seconded by Commissioner Moore, to make a finding of consistency with the Comprehensive Plan; and further, approve the rezoning request to rezone two (2) parcels containing 118.89 gross acres from A-2 (Farmland Rural District) and PD (Lake Austin Planned Development District) to PD (BB Groves South Planned Development District), in order to construct 500 single-family attached or detached residential dwelling units, subject to the sixteen (16) conditions of approval listed under the Planning and Zoning Commission recommendation in the Staff Report dated September 15, 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. Resolution

10. **21-1046** Non-Ad Valorem Special Assessment within the County for the purpose of benefiting assessed hospital properties through enhanced Medicaid payments for local services; All Districts

Consideration: To consider a resolution regarding the approval of the imposition and collection of a non-ad valorem special assessment against each private for-profit and not-for-profit hospital that provides inpatient hospital services and that holds a right of possession and right of use to real property in Orange County, Florida

A motion was made by Commissioner Uribe, seconded by Commissioner Gomez Cordero, to approve the Rate Resolution 2021-M-46, Assessment Roll, and Letter of Agreement for the Local Provider Participation Fund. 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

Second Library Budget Public Hearing

1. **21-773** Adopt final Orange County Library District Millage and Budget for Fiscal Year 2021-2022

Refer to the Orange County Library District Governing Board Minutes appended to Legislative File 21-773, for action taken by the Orange County Library District Governing Board.

√ **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: 3:05 p.m.

ATTEST:

County Mayor Jerry L. Demings

Date: _____

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.