

BCC Mtg. August 30, 2022

Orange County Government

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



Final Meeting Minutes

Tuesday, July 26, 2022

9:00 AM

County Commission Chambers

Board of County Commissioners

Call to Order

County Mayor Jerry L. Demings called the meeting to order at 9:03 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
County Attorney Jeffrey J. Newton
Deputy County Attorney Joel Prinsell
Minutes Coordinator Emily Rivera
Senior Minutes Coordinator Lakela Louis

Invocation - District 2

Pastor Cristina Miller, New Beginnings Church

Pledge of Allegiance**Presentation**

Proclamation recognizing August 7, 2022 as Purple Heart Day

Public Comment

The following persons addressed the Board for public comment:

- Carlos Guillermo Smith
- Heather Grooms
- Connie Bearden
- Melissa Cannata
- Frank Rivera
- Bobby Beagles
- Eugene Stoccardo
- Sheena Rolle
- Bernie Collins
- Charles T. Myers
- Gerardo De Jesus
- Lakisha Swift
- David Maldonado
- Jessy Correa

-Terri Falbo
-Shaniqua Shan Rose
-Maria Bolton-Joubert
-Stephanie Porta
-Clark Davis Arye Levi
-Rachelle Hundley
-Rose Nurse
-Delvin Miller
-Ernest Jackson
-Ericka Gomez
-Annie Sierra
-Gracie Fowler
-Rita Harris
-Dave Berry
-Angie Emerson
-Alexander Weeden
-Kelly Semrad
-Ronda Wallace
-Miguel Angel Sanjurjo
-Jordan Jones
-Anthony John Swarez
-Michael Mohole

The following materials were presented to the Board during public comment:

-Exhibit 1, from Heather Grooms
-Exhibit 2, from Eugene Stoccardo
-Exhibit 3, from Terri Falbo
-Exhibit 4, from Kelly Semrad

I. CONSENT AGENDA

Approval of the Consent Agenda

The Mayor deferred action on Planning, Environmental, and Development Services Department Item 1; and further, a motion was made by Commissioner Moore, seconded by Commissioner Uribe, to approve 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. **22-899** Approval and execution of the minutes of the June 21, 2022 meeting of the Board of County Commissioners. (Clerk's Office)

2. **22-900** 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:
- July 8, 2022, to July 14, 2022; \$58,890,118.70
 - July 15, 2022, to July 21, 2022; \$26,182,824.85
- (Finance/Accounting)
3. **22-901** Disposition of Tangible Personal Property as follows. (Property Accounting)
- a. Scrap asset.

B. COUNTY ADMINISTRATOR

1. **22-902** Acceptance of the Department of Health and Human Services Health Resources and Services Administration - Community Project Funding/Congressionally Directed Spending - Non - Construction Award Number 1 GE1HS45830-01-00 in the amount of \$300,000 for a one-year period beginning on July 1, 2022. There is no match required. (Mental Health and Homelessness Division)
2. **22-903** Confirmation of the Mayor's appointment of Commissioner Bonilla to the Orlando Community Redevelopment Agency Advisory Board with a term expiring June 30, 2025. (Agenda Development Office)
3. **22-904** Approval of the nomination for appointment by the Greater Orlando Aviation Authority to the Aviation Noise Abatement Committee of Terrance A. Lloyd in the Osceola County representative category with a term expiring April 4, 2025. (Agenda Development Office)
4. **22-905** Approval for the Orange County Sheriff's Office to spend \$13,500 from the FY 2022 Law Enforcement Trust Fund-State Forfeitures for eligible contributions to Harbor House of Central Florida (\$5,000), Children's Safety Village (\$5,000), Autism Society of Greater Orlando (\$1,000), and Concerns of Police Survivors Central Florida Chapter (\$2,500). (Office of Management and Budget)
5. **22-906** Approval of budget amendment #22-44. (Office of Management and Budget)
6. **22-907** Approval of budget transfers #22-1033 and #22-1077. (Office of Management and Budget)

C. ADMINISTRATIVE SERVICES DEPARTMENT

1. **22-908** Approval of Change Order No 2, Contract Number Y18-700, Corrections Horizon Elevator Modernization, with Skyline Elevator Inc in the amount of \$138,840.39, for a revised lump sum contract amount of \$1,736,745.59. District 6. (Capital Projects Division)
2. **22-909** Approval of Change Order No 3, Contract Number Y20-773, Orange County Courthouse 14th Floor Chambers Buildout, with S.A. Casey Construction, Inc. in the amount of \$16,129.62, for a revised lump sum contract amount of \$1,950,993.61. District 5. (Capital Projects Division)
3. **22-910** Approval of Change Order No 3, Contract Number Y20-745, Corrections Campus Boiler System Improvements, with Air Mechanical & Service Corporation in the amount of \$38,889.70, for a revised lump sum contract amount of \$3,717,652.05. District 6. (Capital Projects Division)
4. **22-911** Approval of Change Order No 1, Contract Number Y21-746, Corrections Phoenix Chiller Replacement, with Air Mechanical & Service Corporation in the amount of \$177,053.59, for a revised lump sum contract amount of \$688,553.59. District 6. (Capital Projects Division)
5. **22-912** Approval to award Invitation for Bids Y22-106-TA, Term Contract for Wastewater Gravity Cleaning Closed Circuit Televising Services, to the low responsive and responsible bidder, Flotech Environmental, LLC. The estimated contract award amount is \$2,965,710 for the base year. ([Utilities Department Field Services Division] Procurement Division)
6. **22-913** Approval to award Invitation for Bids Y22-142-MV, Road Tire Service and Replacement, to the low responsive and responsible bidder, 3D Tire Company, Inc. The estimated annual contract award amount is \$944,640 for a three-year term. ([Administrative Services Department Fleet Management Division] Procurement Division)
7. **22-914** Approval to award Invitation for Bids Y22-155-KB, Inmate Apparel and Bedding for the Corrections Warehouse, to the low responsive and responsible bidders per lot, for a one-year term contracts, Bob Barker Company, Inc. for Lots 4, 5, and 7, in the estimated contract award amount of \$228,003, Global Trading for Lot 3, in the estimated contract award amount of \$45,090, and Tabb Textile Co., Inc. for Lot 6, in the estimated contract award amount of \$151,795. ([Corrections Department Fiscal and Operational Support Division] Procurement Division)
8. **22-915** Approval to award Invitation for Bids Y22-1019-GO, Pump Station Control and SCADA Communications Panels, to the sole responsive and responsible bidder, STA-CON LLC. The estimated contract award amount

- is \$971,135 for a one-year term. ([Utilities Department Field Services Division] Procurement Division)
9. **22-916** Approval to award Invitation for Bids Y22-1025-KB, Athletic Field Sod and Turf, to the sole responsive and responsible bidder, Lake Jem Farms, LLC. The estimated contract award amount is \$724,050 for a one-year term. ([Community and Family Services Department Parks and Recreation Division] Procurement Division)
10. **22-917** Approval to award Invitation for Bids Y22-777-TA, Pump Station Improvements Package 24, to the low responsive and responsible bidder, Carr & Collier Inc. The total contract award amount is \$3,520,000. ([Utilities Department Engineering Division] Procurement Division)
11. **22-918** Approval to award Invitation for Bids Y22-786-ZR, South Water Reclamation Facility (SWRF) Programmable Logic Controllers Replacement, to the low responsive and responsible bidder, Florida Design Contractors, LLC. The total contract award amount is \$4,382,677.78. ([Utilities Department Engineering Division] Procurement Division)
12. **22-919** Approval to award Invitation for Bids Y22-791-CR, Administration Center Cooling Tower Replacement, to the low responsive and responsible bidder, Air Mechanical & Service Corp. The total contract award amount is \$614,400. ([Administrative Services Department Capital Projects Division] Procurement Division)
13. **22-920** Approval to award Invitation for Bids Y22-7013-R2, Emergency Orangewood Boulevard and Gateway Avenue Traffic Signal, to the low responsive and responsible bidder, The New Florida Industrial Electric, Inc. The total contract award amount is \$855,130. ([Public Works Department Traffic Engineering Division] Procurement Division)
14. **22-921** Approval of Contract Y22-2410, Provision of Diaper need Services for Orange County Residents, Federal Subrecipient Agreement, with Central Florida Diaper Bank, Inc. in the not-to-exceed amount of \$264,262.86. ([Community and Family Services Department Citizens' Commission for Children Division] Procurement Division)
15. **22-922** Approval of Amendment No. 3, Contract Y19-820, Professional Engineering Design Services Little Wekiva River-Lake Lotus Park Regional Stormwater Treatment Facility, with CDM Smith, Inc., in the amount of \$114,048.21, for a revised contract amount of \$920,191.63. ([Planning, Environmental, and Development Services Department Environmental Protection Division] Procurement Division)
16. **22-923** Approval of Amendment No. 7, Contract Y21-123, Inmate Medical Care, with Orlando Health, Inc., in the amount of \$2,000,000, for a revised contract

amount of \$9,500,000. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)

17. **22-924** Ratification of Purchase Order M108072, Emergency Forcemain Repair at John Young Parkway and Town Center Boulevard, with Carr & Collier Inc., in the not-to-exceed amount of \$750,000. ([Utilities Department Field Services Division] Procurement Division)
18. **22-925** Selection of Shauna M. Laughna dba Laughna Consulting to provide Psychological Services for Corrections New Hires for the Corrections Department, Request for Proposals Y22-154-KB ([Corrections Department Inmate Administrative Services Division] Procurement Division)
19. **22-926** Selection of MidAtlantic Solid Waste Consultants, LLC, to provide Recycling Improvement Consulting Services, Request for Proposals Y22-174-WW. ([Utilities Department Solid Waste Division] Procurement Division)
20. **22-927** Approval and execution of Orange County, Florida and GrowFL, Inc. Affiliate Service Provider Agreement, and authorization for the Real Estate Management Division to exercise renewal options, execute a termination notice, and furnish notices, required or allowed by the agreement, as needed for GrowFL, Inc. - NEC at Fashion Square Mall, 3201 East Colonial Drive, Orlando, Florida, 32803. Lease File #2062-ASP6. District 5. (Real Estate Management Division)
21. **22-928** Approval and execution of Lease Termination Agreement by and between Orange County, Florida and Pet Alliance of Greater Orlando, Inc. for Pet Alliance of Greater Orlando, Inc., 2727 Conroy Road, Orlando, Florida 32839. Lease File: #5008. District 6. (Real Estate Management Division)
22. **22-929** Approval and execution of Amendment No. 1 to Lease Agreement related to Water Conserv II Property for Sportsplex Park With Option to Purchase a Portion Thereof and Consent to Sublease and authorization for the Real Estate Management Division to furnish notices, required or allowed by the Lease Agreement, as needed for Sportsplex Park. Lease File #4033. District 1. (Real Estate Management Division)
23. **22-930** Approval and execution of Horizon West Branch Library Lease Agreement between Orange County, Florida and Orange County Library District and authorization for the Real Estate Management Division to furnish notices, required or allowed by the Lease Agreement, as needed for Horizon West Library Lease - Sportsplex Lease. Lease File #4033A. District 1. (Real Estate Management Division)
24. **22-931** Approval and execution of Grant Agreement between Orange County, Florida and Pet Alliance of Greater Orlando, Inc. and authorization for the Real Estate Management Division to disburse funds for Pet Alliance of

Greater Orlando, Inc. - Grant Agreement. District 6. (Real Estate Management Division)

D. COMMUNITY AND FAMILY SERVICES DEPARTMENT

1. **22-932** Approval and execution of Low-Income Home Energy Assistance Program Vendor Agreement between Orange County, Florida and Lake Apopka Natural Gas District for payments for utility assistance. All Districts. (Community Action Division)
2. **22-933** Approval and execution of Low-Income Home Energy Assistance Program Vendor Agreement between Orange County, Florida and Orlando Utilities Commission for payments for utility assistance. All Districts. (Community Action Division)
3. **22-934** (1) Approval and execution of State of Florida Statewide Voluntary Prekindergarten Provider Contract Form DEL-VPK 20 by and between Early Learning Coalition of Orange County, Florida and Orange County, Florida; (2) authorization for the Mayor or designee to execute the contract using Florida's Early Learning Provider Services Portal as required by paragraph 21 of the contract; (3) approval and execution of Delegation of Signing Authority for the State of Florida Statewide Voluntary Prekindergarten Provider Contract related to the Orange County Head Start Program; and (4) authorization for the Mayor or designee to execute any necessary modifications, amendments, renewals, and extensions of this contract. (Head Start Division)

E. FIRE RESCUE DEPARTMENT

1. **22-935** Approval and execution of Affiliation Agreement between Orange County, Florida and First Response Training Group, LLC related to Fire Rescue's EMT and Paramedic Educational Field Experience Program. There is no cost to the County. (Operations Division)
2. **22-936** Approval and execution of Affiliation Agreement between Orange County, Florida and Orange County Sheriff's Office related to "SWAT Medics." There is no cost to the County. (Operations Division)

F. HEALTH SERVICES DEPARTMENT

1. **22-937** Concurrence with the State Surgeon General's appointment of Dr. Robert D. Karch to the position of Administrator of the Florida Department of Health in Orange County.

G. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

1. **22-938** Approval and execution of Adequate Public Facilities Agreement for Horizon

West Village I Lake Dennis PD by and between Holly Equine, LLC and Orange County. District 1. (Development Review Committee)

(This item was deferred.)

2. **22-939** Approval and execution of Memorandum of Understanding Between Orange County, Florida and City of Orlando, Florida to alternate years for the Local Government Area of Opportunity through the Florida Housing Finance Corporation. All Districts. (Housing and Community Development Division)
3. **22-940** 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 3, 4,5, and 6. (Neighborhood Services Division)

LC 22-0211 LC 22-0264 LC 22-0245 LC 22-0228 LC
22-0256
LC 22-0234 LC 22-0285 LC 22-0218 LC 22-0239 LC
22-0257
LC 22-0253 LC 22-0293 LC 22-0219 LC 22-0243 LC
22-0275
LC 22-0260 LC 22-0294 LC 22-0224 LC 22-0252 LC
22-0298
4. **22-941** Approval and execution of Proportionate Share Agreement for South Goldenrod Carwash Lake Underhill Road by and between 715 SGR, LLC and Orange County for a proportionate share payment in the amount of \$208,548. District 3. (Roadway Agreement Committee)
5. **22-942** Approval and execution of Proportionate Share Agreement for E-Alafaya Trail Office - Storage Alafaya Trail by and between Manara Investments, LLC and Orange County for a proportionate share payment in the amount of \$80,244. District 5. (Roadway Agreement Committee)
6. **22-943** Approval and execution of Proportionate Share Agreement for Bent Oak Industrial Park-Building 250 Taft-Vineland Road by and between Bent Oak Phase 4 Industrial, LLC and Orange County for a proportionate share payment in the amount of \$212,856. District 4. (Road Agreement Committee)
7. **22-944** Approval and execution of Proportionate Share Agreement for Bithlo Storage Chuluota Road & Colonial Drive by and between Panafric LLC and Orange County for a proportionate share payment in the amount of \$154,045. District 5 (Road Agreement Committee)
8. **22-945** Approval and execution of Utility and Access Easement Agreement

Hawthorne Park Apartments Site Work Permit B20902237 OCU File #98279 by and between Orange County, Florida, and Hawthorne Park, LTD. District 6.

H. PUBLIC WORKS DEPARTMENT

1. **22-946** Authorization to record the plat of Waterford Lakes Multifamily. District 4. (Development Engineering Division)
2. **22-947** Approval of traffic signal installation at Avalon Park Boulevard and Timber Spring Boulevard. District 4. (Traffic Engineering Division)
3. **22-948** Approval of a multi-way stop installation at the intersection of Dobbin Drive and Winder Trail. District 5. (Traffic Engineering Division)
4. **22-949** Approval and execution of (1) Locally Funded Agreement between the State of Florida Department of Transportation and Orange County, Financial Project No.: 412994-8-92-13 for Quiet Zone Improvements at Crossing Number 622337W (Pine Street) and Crossing Number 622339K (Fourth Street); (2) Three Party Escrow Agreement by and between the State of Florida Department of Transportation, Orange County, and the State of Florida Department of Financial Services, Division of Treasury; and (3) Financial Management Number 412994-8-92-13 Resolution 2022-M-41 of the Orange County Board of County Commissioners regarding the Locally Funded Agreement with the State of Florida Department of Transportation concerning certain railroad improvements at the intersections of Pine Street and Fourth Street with Orange Avenue. The cost to the County is \$592,940. District 3. (Traffic Engineering Division)

I. UTILITIES DEPARTMENT

1. **22-950** Approval and execution of First Amendment to Water Reuse Agreement between Orange County, Florida and T.B.H.C., Inc. All Districts.

II. INFORMATIONAL ITEMS**

A. COUNTY COMPTROLLER

1. **22-951** Receipt of the following items to file for the record: (Clerk's Office)
 - a. Florida Public Service Commission Notice of Proposed Agency Action Order approving miscellaneous service charges and initial customer deposits and final order granting wastewater certificate and continuing existing rates. In re: Application for certificate to provide wastewater service in Orange county by Gulfstream Utility LLC.
 - b. Grove Resort Community Development District proposed Fiscal Year

2023 Budget.

c. Florida Public Service Commission Consummating Order. In re: Petition for approval of amended standard offer contract (Schedule COG-2), by Duke Energy Florida, LLC.

d. Florida Public Service Commission Consummating Order. In re: Petition for approval of revised standard offer contract and revised accompanying rate schedule QS-2, by Florida Power & Light Company.

e. City of Ocoee, Florida Community Redevelopment Agency Annual Financial Report Fiscal Year ended September 30, 2020.

f. Minutes of the June 23, 2022, Meeting in the Sunshine, Mayor Demings and Commissioners Nicole Wilson, Christine Moore, Mayra Uribe, Maribel Gomez Cordero, Emily Bonilla and Victoria P. Siplin met in the Chambers and conducted a Work Session for Board direction regarding a Rent Stabilization Ordinance, Tenant Bill of Rights, or other options to address housing affordability in Orange County.

g. Audit Report No. 495 - Follow-up Audit of the Orange County Utilities Department's Environmental Surcharge Program.

These items were received and filed.

III. DISCUSSION AGENDA

A. COMMISSIONER'S REPORT

1. **22-952** Commissioner Bonilla wishes to discuss a Charter Amendment to be placed on the ballot for supermajority vote to move the rural boundary line.

The Board took no action.

Addendum #1

2. **22-960** Commissioner Bonilla wishes to discuss the Rules of Procedure preventing legislative action of future Boards. (Backup provided in separate cover)

The Board took no action.

B. ADMINISTRATIVE SERVICES DEPARTMENT

1. **22-953** Selection of one firm for Lot A and selection of one firm and an alternate for Lot B, to provide Professional Planning Services, Request for Proposals Y22-143-AH, Lots A and B, from the following two firms, listed alphabetically:

-Lot A: Canin Associates, Inc.

-Lot B: Canin Associates, Inc.
GAI Consultants, Inc.

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

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Bonilla, to appoint Canin Associates, Inc., 445 points for Lot A, and GAI Consultants, Inc., 457 points for Lot B as the selected firms; and further, appoint Canin Associates, Inc., 354.74 points for Lot B as the selected ranked 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. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

1. **22-954** SunRail Transition Overview. (Transportation Planning Division)

The Board took no action.

2. **22-955** MetroPlan Orlando Board Meeting Briefing. (Transportation Planning Division)

The Board took no action.

IV. WORK SESSION AGENDA

A. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

1. **22-956** Septic Subgroup C (Existing Septic Tank Upgrades). (Environmental Protection Division)

This work session item was canceled and will be moved to a future BCC meeting date.

Meeting Starts at 2:00 p.m.

V. RECOMMENDATIONS

1. **22-957** July 7, 2022 Board of Zoning Adjustment Recommendations

A motion was made by Commissioner Siplin, seconded by Commissioner Gomez Cordero, to approve the recommendations, with the exceptions of Case # VA-22-04-011, Roberto Sojo for Florida Real Estate Property Partners Inc. (Board Called), and Case # VA-22-06-035, Samantha Gensler-Breuer for Northern Tool + Equipment (Board Called), which was pulled from the recommendations; subject to the usual right of appeal by any aggrieved party. The motion carried by the following vote:

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

VI. PUBLIC HEARINGS

A. Shoreline Alteration Dredge and Fill

1. **22-729** Case # SADF-22-05-015

Phu Van and Elizabeth Nguyen, Fischer Canal, permit; District 1

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit SADF # 22-05-015 to construct a new seawall along the shoreline of the property, pursuant to Orange County Code, Chapter 33, Article IV. Windermere Water and Navigational Control District.

Location: District 1; on property located adjacent to Fischer Canal, located at 19 Main Street, 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 Gomez Cordero, to accept the findings and recommendation of the Environmental Protection Division; and further, approve the Shoreline Alteration/Dredge and Fill Permit (SADF-22-05-015) subject to the twenty-five (25) conditions of approval listed in the staff report dated June 29, 2022. 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. **22-730** Case # SADF-22-03-006

Leonardo Moretti and Mary Brooks, Willoughby Canal leading to Lake Conway, after-the-fact permit; District 3

Consideration: Request for an After-the-fact Shoreline Alteration/Dredge and Fill Permit SADF # 22-03-006 to authorize the construction of a replacement seawall/boat basin along a portion of the shoreline, pursuant to Orange County Code, Chapter 33, Article II. Lake Conway Water and Navigational Control District.

Location: District 3; on property located adjacent to Willoughby Canal leading to Lake Conway, located at 6917 Willoughby Lane, Belle Isle, FL 32812; Orange County, Florida (legal property description on file in Environmental Protection Division)

A motion was made by Commissioner Uribe, seconded by Commissioner Moore, to accept the findings and recommendation of the Environmental Protection Division; and further, approve the Shoreline Alteration/Dredge and Fill Permit (SADF-22-03-006) subject to the twenty-six (26) conditions of approval listed in the staff report dated June 29, 2022. 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. Board of Zoning Adjustment Board-Called

3. 22-728 Case # SE-22-02-141

Jose Ramirez for Massey Street Apartments, February 3, 2022; District 4

Consideration: Request for a Special Exception in the R-2 zoning district to allow a 2-story multi-family development to be located within 100 ft. of the property line of a single-family dwelling district and use, as follows: 52.1 ft. from the east property line in lieu of 100 ft.; 30 ft. from the south property line in lieu of 100 ft.

Location: District 4; property located at 10002 and 10014 Massey St., Orlando, Florida 32815; Orange County, Florida (legal property description on file in Zoning Division)

The following persons addressed the Board:

-Bob Ziegenfuss
-Tinna Crowley

The following material was presented to the Board: Exhibit 1, from Bob Ziegenfuss

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Uribe, to continue the public hearing until September 13, 2022 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

4. 22-806 Case # PSP-21-03-107

Scott Gentry, Kelly, Collins & Gentry, Inc., Silverleaf Planned Development - Regulating Plan / Silverleaf North - Parcel B Preliminary Subdivision Plan; District 1

Consideration: Silverleaf Planned Development - Regulating Plan / Silverleaf North - Parcel B Preliminary Subdivision Plan, Case # PSP-21-03-107, 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 10.51 acres in order to construct 55 single-family residential dwelling units.

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

The following person addressed the Board: Scott Gentry.

A motion was made by Commissioner Wilson, seconded by Commissioner Bonilla, to deny the request. The motion failed by the following vote:

Aye: 1 - Commissioner Wilson

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

A motion was made by Commissioner Uribe, seconded by Commissioner Siplin, to make a finding of consistency with the Comprehensive Plan; and, approve the request subject to the twenty-five (25) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated July 5, 2022. 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

D. Rezoning

5. 22-802 Case # LUP-21-10-325

Lance Bennett, Poulos and Bennett, LLC, Lake Dennis PD, District 1

Consideration: Request to rezone one (1) parcel containing 45.17 gross acres from A-2 (Farmland Rural District) to PD (Planned Development District - Lake Dennis PD), in order to construct 95 detached dwelling units. The request also includes the following waivers from Orange County Code: 1. A waiver from Section 34-152(c) for Parcel 23, to allow lots to front a mews, park, open space, etc. and have access via a tract or easement in lieu of the requirement that each lot shall have a minimum access width of twenty (20) feet to a dedicated public paved street. 2. A waiver from Section 38-1382(h)(4) to allow alleys to be designed as a tract in lieu of the requirement that they shall be designed as a private easement. 3. A waiver from Section 38-1384(g)(1) to allow garage access to be setback from an alley tract in lieu of an easement. 4. A waiver from Section 38-1384(g)(2) to allow detached garages without access to a rear alley tract, including garages with an accessory dwelling unit, shall be located a minimum of five (5) feet from side and rear property lines, and shall be no closer than ten (10) feet to any other detached structure on the same lot in lieu of detached garages without access to a rear alley easement, including garages with an accessory dwelling unit, shall be located a minimum of five (5) feet from side and rear property lines, and shall be no closer than ten (10) feet to any other detached structure on the same lot. 5. A waiver from Section 38-1384(i)(2) for Parcel 23, to allow vehicular access to garages or other off-street parking to be from a rear alley tract in lieu of an easement; pursuant to Orange County Code, Chapter 30.

Location: District 1; property generally located northwest of Lake Star Road, to the north and west of Horizon West - Village I Cross PD, and south of the Waterleigh PD; Orange County, Florida (legal property description on file in Planning Division or Zoning Division)

The following person addressed the Board: Lance Bennett.

The following material was presented to the Board: Exhibit 1, from Lance Bennett.

A motion was made by Commissioner Wilson, seconded by Commissioner Bonilla, to deny the request. The motion failed by the following vote:

Aye: 2 - Commissioner Wilson, and Commissioner Bonilla

Nay: 5 - Mayor Demings, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, and Commissioner Siplin

A motion was made by Commissioner Uribe, seconded by Commissioner Moore, to make a finding of consistency with the Comprehensive Plan; further, approve the rezoning request to rezone one (1) parcel containing 45.17 gross acres from A-2 (Farmland Rural District) to PD (Planned Development District) in order to construct 95 single-family detached dwelling units, subject to the twenty-four (24) conditions of approval listed under the Planning and Zoning Commission recommendation in the staff report dated July 18, 2022, and further, approve and execute the Adequate Public Facilities Agreement for Horizon West Village I Lake Dennis PD by and between Holly Equine, LLC and Orange County. The motion carried by the following vote:

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

Nay: 2 - Commissioner Wilson, and Commissioner Bonilla

and

I. CONSENT AGENDA (Deferred)

G. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

1. **22-938** Approval and execution of Adequate Public Facilities Agreement for Horizon West Village I Lake Dennis PD by and between Holly Equine, LLC and Orange County. District 1. (Development Review Committee)

This consent item was approved.

VI. PUBLIC HEARINGS (Continued)

E. Planning and Zoning Commission Rezoning Board-Called

6. **22-659** Case # RZ-22-03-015

Jonathan Dorman, Colonial Storage Associates LLC, April 21, 2022;
District 5 (Continued from June 21, 2022)

Consideration: A request to rezone the affected portion of 2.26-gross acres from A-2 (Farmland Rural District) to R-2 Restricted (Residential District) in order to construct up to 22 single-family

attached dwelling units.

Location: District 5; property located at 14545 E. Colonial Drive; generally located east of Lake Pickett Rd, west of S. Tanner Rd, approximately 600 ft. west of Pilgrim St. Orange County, Florida (legal property description on file)

The following person addressed the Board: Jonathan Dorman.

New Restriction # 2:

2. "Development shall be limited to not more than ten (10) dwelling units, and townhomes shall be prohibited."

A motion was made by Commissioner Bonilla, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; further, approve the R-2 Restricted (Residential District) zoning request, subject to one (1) restriction listed in the staff report dated July 18, 2022; and further, approve new restriction #2. 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

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

7. **22-803** Adoption of Future Land Use Map Amendment SS-22-05-040, Ordinance, and Concurrent Rezoning RZ-22-05-041

a. Amendment SS-22-05-040

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

Location: District 6; property located at 2 N. Van Buren Avenue; 4 S. Van Buren Avenue; and S. Kirkman Road; generally located east of N. Kirkman Road, approximately 1,100 feet north of Old Winter Garden Road.; Orange County, Florida (legal property description on file in 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. Concurrent Rezoning RZ-22-05-041

Consideration: A request to change the zoning district from P-O (Professional Office District) and R-1 (Single-Family Dwelling District) to R-2 Restricted (Residential District); pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code Chapter 30

Location: District 6; property located at 2 N. Van Buren Avenue; 4 S. Van Buren Avenue; and S. Kirkman Road; generally located east of N. Kirkman Road, approximately 1,100 feet north of Old Winter Garden Road.; Orange County, Florida (legal property description on file in Planning Division)

A motion was made by Commissioner Siplin, seconded by Commissioner Bonilla, to make a finding of consistency with the Comprehensive Plan; further, adopt Amendment SS-22-05-040, Office (O) to Low-Medium Density Residential (LMDR) Future Land Use; further, adopt the associated Small-Scale Ordinance 2022-25; and further, approve concurrent rezoning RZ-22-05-041, P-O (Professional Office District) and R-1 (Single-Family Dwelling District) to R-2 Restricted (Residential District) subject to the one (1) restriction listed in the staff report dated July 18, 2022. 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. **22-804** Adoption of Future Land Use Map Amendment SS-21-05-037, Text Amendment to Future Land Use Element Policy FLU8.1.4, and Ordinance for Proposed Amendments

a. Amendment SS-21-05-037

Consideration: A request to change the Future Land Use Map designation from Planned Development - Commercial / Office / Medium Density Residential (PD-C/O/MDR) to Planned Development - Commercial / Office / Medium-High Density Residential (PD-C/O/MHDR); pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code

Location: District 4; property located at 14646 Boggy Creek Road; generally located on the west side of Boggy Creek Road, north of Simpson Road; Orange County, Florida (legal property description on file in Planning Division)

And

b. Text Amendment to Future Land Use Element Policy FLU8.1.4

Consideration: Text Amendment to Future Land Use element policy FLU8.1.4 establishing the maximum densities and intensities for proposed planned development within Orange County.

And

c. 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.

The following person addressed the Board: Tom Daly.

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; further, adopt Amendment SS-21-05-037, Planned Development – Commercial / Office / Medium Density Residential (PD-C/O/MDR) to Planned Development – Commercial / Office / Medium-High Density Residential (PD-C/O/MHDR) Future Land Use; further, adopt Text Amendment to Future Land Use Element Policy FLU8.1.4 establishing the maximum densities and intensities for proposed Planned Developments within Orange County; and further, adopt the associated Small-Scale Ordinance 2022-26. 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

G. Ordinance

9. **22-808** Amending Orange County Code, Chapter 15, Article IX, Divisions 1 and 2, pertaining to Dock Construction; All Districts (Continued from July 26, 2022)

Consideration: An Ordinance amending the Orange County Code, Chapter 15, Article IX, Divisions 1 and 2 pertaining to Dock Construction; and providing an effective date.

A motion was made by Commissioner Uribe, seconded by Commissioner Bonilla, to continue the public hearing until August 30, 2022 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

10. **22-807** Amending Chapter 25 of the Orange County Code of Ordinances ("Code"); Creating Article XIII, Sections 25-370 through 25-449 of the Code, Relating to Residential Tenancies in Incorporated and Unincorporated Areas of Orange County; All Districts

Consideration: An Ordinance relating to residential tenancies in incorporated and unincorporated areas of Orange County; Amending Chapter 25 of the Orange County Code of Ordinances ("Code"); Creating Article XIII, Sections 25-370 through 25-449 of the Code; requiring a written notification period for the termination of certain residential tenancies; requiring a written notification period for rent increases for certain residential tenancies; providing for enforcement and penalties for violation; amending Section 11-62 of the Code; providing for repeal of laws in conflict; and providing for filing of Ordinance and effective date.

The following persons addressed the Board:

- Stephanie Porta
- Jessy Correa
- Sheena Rolle
- Maria Bolton-Joubert
- Ronda Wallace
- Ofelia Sanchez
- Terri Falbo
- Dominique Douglas

A motion was made by Commissioner Bonilla, seconded by Commissioner Wilson, to adopt Ordinance 2022-27, relating to residential tenancies in incorporated and unincorporated areas of Orange County; Amending Chapter 25 of the Orange County Code of Ordinances ("Code"); Creating Article XIII, Sections 25-370 through 25-449 of the Code; requiring a written notification period for the termination of certain residential tenancies; requiring a written notification period for rent increases for certain residential tenancies; providing for enforcement and penalties for violation; amending Section 11-62 of the Code; providing for repeal of laws in conflict; and providing for filing of Ordinance and effective date. 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

III. DISCUSSION AGENDA (Continued)

C. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT (Continued)

3. 22-958 Board direction regarding Rent Stabilization Ordinance. All Districts.

A motion was made by Commissioner Bonilla, seconded by Commissioner Wilson, to proceed with a public hearing on August 9, 2022, regarding the rent stabilization ordinance. The motion carried by the following vote:

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

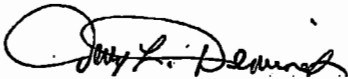
Nay: 2 - Commissioner Moore, and Commissioner Siplin

✓ 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: 7:37 p.m.

ATTEST:



County Mayor Jerry L. Demings

Date: August 30, 2022

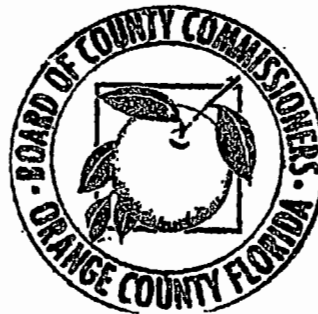
ATTEST SIGNATURE:

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.