

Orange County Government

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



Draft Meeting Minutes

Tuesday, May 21, 2024

9:00 AM

County Commission Chambers

Board of County Commissioners

Language Assistance and Translation Services Available:

Para asistencia lingüística o servicios de traducción en español, llame al (407) 836-3111

Si w bezwen èd nan lang Kreyòl oswa sèvis tradiksyon, tanpri rele (407) 836-3111

Call to Order

County Mayor Jerry L. Demings called the meeting to order at 9:08 a.m.

Present: 5 - Mayor Jerry L. Demings, Commissioner Christine Moore, Commissioner Mayra Uribe, Commissioner Maribel Gomez Cordero, and Commissioner Emily Bonilla

Absent: 2 - Commissioner Nicole Wilson, and Commissioner Michael Scott

Others present:

County Comptroller Phil Diamond as Clerk
County Administrator Byron Brooks
Deputy County Administrator Jon Weiss
County Attorney Jeffrey J. Newton
Deputy County Attorney Georgiana Holmes
Planning Administrator Nicolas Thalmueller
Minutes Coordinator Megan Fiocco
Minutes Coordinator Rafael Encarnacion, Jr.

Invocation - District 1

Rabbi Melissa Crespy, Southwest Orlando Jewish Congregation

Pledge of Allegiance

Presentation

Proclamation recognizing May 19 through May 25, 2024 as Florida Water Reuse Week

Presentation

Proclamation recognizing May as Building Safety Month

Presentation

Proclamation recognizing May 19 through May 25, 2024 as Public Works Week

Public Comment

The following persons addressed the Board during public comment:

- Larry Meredith
- Pamela Sible
- Eric Grimmer
- Nelson Betancourt
- Eugene Stoccardo

- Peter Murray
- Samuel Chambers
- Val Mobley
- Robert Agrusa
- Pat Lindsey
- Lee Patrizzi
- Kelly Semrad
- Lee Perry
- Marjorie Holt

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

- Exhibit 1, from Larry Meredith
- Exhibit 2, from Pamela Sible
- Exhibit 4, from Eugene Stoccardo

The following materials were presented to the Board during public comment: The materials referenced by the speakers were not received by the Clerk prior to the close of the public comment:

- Exhibit 3, from Eric Grimmer
- Exhibit 5, from Peter Murray

The following material was received by the Clerk prior to the close of the public comment. The material referenced by the speaker was not presented to the Board. Submittal 1, from Marjorie Holt.

I. CONSENT AGENDA

Approval of the Consent Agenda

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Uribe, to approve the balance of the Consent Agenda, including Addendum #1, Public Works Department Item #6. The motion carried by the following vote:

Aye: 4 - Mayor Demings, Commissioner Uribe, Commissioner Gomez Cordero, and Commissioner Bonilla

Absent: 3 - Commissioner Wilson, Commissioner Moore, and Commissioner Scott

A. COUNTY COMPTROLLER

1. **24-741** Approval and execution of the minutes of the April 23, 2024 meeting of the Board of County Commissioners. (Clerk's Office)
2. **24-806** Approval of the check register authorizing the most recently disbursed County funds, having been certified that no accounts have been overdrawn due to the issuance of same.

Disbursement periods cover:

- May 3, 2024 to May 9, 2024; \$53,554,326.50
- May 10, 2024 to May 16, 2024; \$54,471,151.24

(Finance/Accounting)

B. COUNTY ADMINISTRATOR

1. **24-743** Approval and execution of Funding Agreement Among Orange County, Florida and University of Central Florida Board of Trustees and UCF Stadium Corporation, Inc.
2. **24-744** Approval and execution for the Orange County Sheriff's Office to spend \$17,500 from the FY 2024 Law Enforcement Trust Fund-State Forfeitures for eligible contributions to the Legal Aid Society (\$5,000), IDignity, Inc. (\$10,000), and PACE Center for Girls, Inc. (\$2,500). (Office of Management and Budget)
3. **24-745** Approval of budget transfer #24C-0109. (Office of Management and Budget)
4. **24-746** Approval of CIP amendment #24C-0109. (Office of Management and Budget)

C. COUNTY ATTORNEY

1. **24-747** Approval and execution of Resolution 2024-M-14 of the Orange County Board of County Commissioners regarding Conflict Resolution Procedure under Chapter 164, Florida Statutes, which pertains to City of Orlando Ordinance No. 2024-20, and authorization for the County Administrator to take or arrange any and all other actions deemed necessary to complete the dispute resolution process in good faith.

D. ADMINISTRATIVE SERVICES DEPARTMENT

1. **24-748** Approval of Change Order No 9, Contract Y23-730 Tax Collector Downtown Office Modifications, with S A Casey Construction Inc in the amount of \$6,436.24, for a revised lump sum contract amount of \$898,326.69. District 5. (Capital Projects Division)
2. **24-749** Approval to award Invitation for Bids Y24-197-SH, Construction Services for the Accelerated Transportation Safety Program, to the low responsive and responsible bidders, Parthenon Construction Company, in the estimated contract award amount of \$1,998,650 for the base year and RMS Constructors Group, LLC, in the estimated contract award amount of \$2,500,865 for the base year. ([Public Works Department Highway

Construction Division] Procurement Division)

3. **24-750** Approval to award Invitation for Bids Y24-1015-TF, SCADA Monitor for East and South Water Reclamation Facility, to the low responsive and responsible bidder, Realtime Services, Inc. dba TopTalent Staffing, LLC. The estimated contract award amount is \$333,936 for a two-year term. ([Utilities Department Water Reclamation Division] Procurement Division)
4. **24-751** Approval to award Invitation for Bids Y24-741-ZR, Michigan Campus Juvenile justice Center Courtroom Furnishing and Finish Replacement, now known as Thomas S. Kirk Justice Center to the low responsive and responsible bidder, CIC Construction Group USA, LLC. The total contract award amount is \$1,734,749. ([Administrative Services Department Capital Projects Division] Procurement Division)
5. **24-752** Approval to award Invitation for Bids Y24-746-GO, Force Main East Area Package 4, to the low responsive and responsible bidder, Cathcart Construction Company Florida LLC. The total contract award amount is \$3,529,630. ([Utilities Department Engineering Division] Procurement Division)
6. **24-753** Approval to award Invitation for Bids Y24-757-CC, Orange County Convention Center Chapin Theater Finishes and Stage Upgrades Project, to the low responsive and responsible bidder, The Whiting-Turner Contracting Company. The total contract award amount is \$6,222,050. ([Convention Center Capital Planning and Building Systems Division] Procurement Division)
7. **24-754** Approval to award Invitation for Bids Y24-758-SH, Environmental Protection Department Crosby Island Marsh Preserve Observation Pier, to the low responsive and responsible bidder, MKM Quality Construction Inc. The total contract award amount is \$369,509.33. ([Administrative Services Department Capital Projects Division] Procurement Division)
8. **24-755** Approval to award Invitation for Bids Y24-762-CC, Orange County Convention Center West Building C-Lobby Replacement Lighting, to the low responsive and responsible bidder, Eau Gallie Electric, Inc. The total contract award amount is \$302,215. ([Convention Center Capital Planning and Building Systems Division] Procurement Division)
9. **24-756** Approval to award Invitation for Bids Y22-799-SH, Buck Road Bridge Replacement Over the Little Econlockhatchee River Project, to the low responsive and responsible bidder, Atlantic Civil Constructors Corporation. The total contract award amount is \$9,533,803.35. ([Public Works Department Engineering Division] Procurement Division)
10. **24-757** Approval of Contract Y24-1086, Emergency Inmate Food Services, with

- Trinity Services Group, Inc., in the estimated contract award amount of \$1,025,000 for a 60-day term. ([Corrections Department Fiscal and Operational Support Division] Procurement Division)
11. **24-758** Approval of Contract Y24-2013, Provision of Community Services and Facility Use, with Foundation for Orange County Public Schools, Inc., in the total contract award amount of \$1,246,000 for a three-year term. ([Community and Family Services Department Citizens' Commission for Children Division] Procurement Division)
12. **24-759** Approval of Contract Y24-2045, Provision of Community Services and Facility Use, with Foundation for Orange County Public Schools, Inc., in the total contract award amount of \$869,652 for a one-year term. ([Community and Family Services Department Citizens' Commission for Children Division] Procurement Division)
13. **24-760** Approval of Contract Y24-2219, Child Protection Services, with Orlando Health Inc., in the estimated contract award amount of \$223,200 for a one-year term. ([Community and Family Services Department Youth and Family Services Division] Procurement Division)
14. **24-761** Approval of Amendment No. 5, Contract Y18-165, Section 457 Deferred Compensation/Other Post Employment Benefits Trust Fund Consultant Services, with Dahab Associates, Inc., in the amount of \$25,000, for a revised estimated contract amount of \$135,000. ([Comptroller's Office Fiscal Division] Procurement Division)
15. **24-762** Approval of Amendment No. 12, Contract Y19-129C, Staff Augmentation-Nursing Services - Corrections, with SHC Services, Inc. dba Supplemental Health Care, in the amount of \$780,000, for a revised estimated contract amount of \$6,342,633.25. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
16. **24-763** Approval of Amendment No. 5, Contract Y20-1034B, Exterior Painting Service, with Quick Painting Group, Inc., in the amount of \$330,000, for a revised estimated contract amount of \$628,500. ([Administrative Services Department Facilities Management Division] Procurement Division)
17. **24-764** Approval of Amendment No. 1, Contract Y23-121, OEM Dodge/RAM Parts, with Orlando Cars One, LLC dba Orlando Dodge Jeep RAM, in the amount of \$400,000, for a revised estimated contract amount of \$830,800. ([Administrative Services Department Fleet Management Division] Procurement Division)
18. **24-765** Approval of Amendment No. 2, Contract Y23-2402B, Behavioral Health Community Analysis Recommendations, with Specialized Treatment Education and Prevention, Inc. (STEPS), in the amount of \$400,000, for a

revised not-to-exceed amount of \$806,070. ([Community and Family Services Department Mental Health and Homelessness Division] Procurement Division)

19. **24-766** Approval of Amendment No. 1, Contract Y23-2402D, Behavioral Health Community Analysis Recommendations, with Specialized Treatment Education and Prevention, Inc. (STEPS), in the amount of \$400,000, for a revised not-to-exceed amount of \$793,301. ([Community and Family Services Department Mental Health and Homelessness Division] Procurement Division)
20. **24-767** Approval of Emergency Purchase Order M114783, Hurricane Season Pumping Support Orlo Vista Flood Mitigation Construction Project, with Thalle Construction Co., Inc., in the amount of \$610,948.76. ([Public Works Department Stormwater Division] Procurement Division)
21. **24-768** Approval of Purchase Order M114792, AMANDA Annual Software Maintenance, with Granicus, LLC, in the not-to-exceed amount of \$437,730.98. ([Planning, Environmental, and Development Services Department Fiscal and Operational Support Division] Procurement Division)
22. **24-769** Ratification of Amendment No. 13, Contract Y14-103, Inmate Commissary and Banking Services for Corrections Department, with Aramark Correctional Services LLC, in the amount of \$535,500 in revenue to the County. ([Corrections Department Fiscal and Operational Support Division] Procurement Division)
23. **24-770** Approval and execution of Orlando Utilities Commission Utility Easement (Orange County Mosquito Control Facility WR #824295) by and between Orange County, Orlando Utilities Commission, and City of Orlando, and authorization to record instrument. District 6. (Real Estate Management)

E. FIRE RESCUE DEPARTMENT

1. **24-771** Approval and execution of 2023 Memorandum of Agreement for participating Orlando/Orange Urban Area Security Initiative Agencies by and between the Orange County Sheriff's Office and Orange, Seminole, Lake, and Osceola Counties. There is no cost to the County. (Office of Emergency Management)

F. HEALTH SERVICES DEPARTMENT

1. **24-772** Approval and execution of the renewal Paratransit Services License for Shekinah Access America Transportation Care LLC to provide wheelchair/stretchers service. The term of this license shall be from June 1, 2024, and will terminate on May 31, 2026. There is no cost to the County. (EMS Office of the Medical Director)

- 2. **24-773** Approval and execution of the Paratransit Services License for Safe Rides On Time to provide wheelchair/stretchers service. The term of this license shall be from May 21, 2024, and terminate on May 20, 2026. There is no cost to the County. (EMS Office of the Medical Director)
- 3. **24-774** Approval and execution of the renewal Paratransit Services License for BBC Enterprises LLC d/b/a Oasis Transportation to provide wheelchair/stretchers service. The term of this license shall be from May 21, 2024, and will terminate on May 20, 2026. There is no cost to the County. (EMS Office of the Medical Director)
- 4. **24-775** Approval and execution of Orange County Health Services Department Physician Employment Agreement by and between Orange County and Timothy Jetton, M.D. for the position of Physician II at Corrections Health Services.

G. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

- 1. **24-776** Acceptance of the findings and recommendation of the Environmental Protection Commission and approval of the request for variance to Orange County Code, Chapter 15, Article IX, Section 15-342(a)(8) to reduce the minimum floor height from one foot above the Normal High Water Elevation to 0.32-foot, with the condition that the applicant enter into a Hold Harmless Agreement with Orange County and that the dock must meet fall protection requirements that meet the Florida Building Code for the Zellwood Station Co-Op, Inc. After-the-Fact Dock Construction Permit BD-23-10-134. District 2. (Environmental Protection Division)
- 2. **24-777** 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 2, 3, 5 and 6. (Neighborhood Services Division)

LC 24-0102 LC 24-0145 LC 24-0136 LC 24-0116 LC 24-0146
 LC 24-0126 LC 24-0148 LC 24-0154 LC 24-0120 LC 24-0147
 LC 24-0140 LC 24-0151 LC 24-0158 LC 24-0124 LC 24-0149
 LC 24-0141 LC 24-0153 LC 24-0111 LC 24-0142 LC 24-0160

H. PUBLIC WORKS DEPARTMENT

- 1. **24-778** Approval and execution of Proportionate Share Agreement for Andy's Hunter's Creek John Young Parkway by and between Bre Mariner Hunters Creek LLC and Orange County for a proportionate share payment in the amount of \$96,736. District 1. (Roadway Agreement Committee)

2. **24-779** Approval and execution of Proportionate Share Agreement for Hamlin Tiki Docks Avalon Road/CR 545 and Summerlake Park Boulevard by and between Hamlin Retail Partners East, LLC and Orange County directing both the proportionate share payment in the amount of \$144,727 and future transportation impact fee payments that may be associated with the project to be utilized towards the completion of Avalon Road/CR 545 improvements pursuant to the Amended and Restated Escrow Agreement for Town Center West (Silverleaf). District 1. (Roadway Agreement Committee)
3. **24-780** Approval and execution of Proportionate Share Agreement for Primrose Lake Hancock Reams Road and Ficquette Road by and between Hera Learning LLC and Orange County for a proportionate share payment in the amount of \$156,612. District 1. (Roadway Agreement Committee)
4. **24-781** Approval and execution of Proportionate Share Agreement for Wawa - SR 50 & Chuluota Chuluota Road & Colonial Drive by and between Captiva 16910 L.L.C. and Orange County for a proportionate share payment in the amount of \$832,698. District 5. (Roadway Agreement Committee)
5. **24-782** Approval and execution of Modification to Subgrant Agreement between the Division of Emergency Management and Orange County Contract Number: H0816 Project Number: 4337-023-A for Orlo Vista Neighborhood Drainage Project Phase II. District 6. (Stormwater Management Division)

ADDENDUM #1

6. **24-801** Approval and execution of Escrow Agreement (3825 Forsyth, LLC) by and among 3825 Forsyth, LLC, Orange County, and Orange County Comptroller in its capacity as escrow agent to accept escrowed funds in lieu of an irrevocable letter of credit. District 5. (Development Engineering Division)

I. UTILITIES DEPARTMENT

1. **24-783** Approval of commercial refuse license for JHR Partners, Inc dba. 1-800-Got Junk to provide solid waste hauling services to commercial generators in Orange County for a five-year term. All Districts. (Solid Waste Division)
2. **24-784** Approval of commercial refuse license for Pouncey Recycling & Sanitation, Inc to provide solid waste hauling services to commercial generators in Orange County for a five-year term. All Districts. (Solid Waste Division)
3. **24-785** Approval of commercial refuse license for Dhochin Recycling Orl LLC dba. Junk King Orlando to provide solid waste hauling services to commercial generators in Orange County for a five-year term. All Districts. (Solid Waste Division)

II. INFORMATIONAL ITEMS**

A. COUNTY COMPROLLER

1. **24-722** 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 change in water and wastewater rates and final order requiring refund of interim revenue, removal of amortized rate case expense, and proof of adjustments. In re: Application for increase in water and wastewater rates in Orange County by Pluris Wedgefield, LLC.
 - b. Orange County Industrial Development Authority Oaths of Office for the following individuals:

Betty V. Hernandez, Chairman
Julio Rocha, Vice Chairman
Shannon McAleavey, Secretary
Jordan DeWitt, Assistant Secretary
 - c. City of Orlando Council Agenda Item for the meeting of April 1, 2024. 2nd consideration of the City of Orlando Ordinance 2024-15 with Exhibit A (Legal Description), Exhibit B (Verified Legal Description Municipal Planning Board), Exhibit C (Map), Exhibit D (Future Land Use Map), Exhibit E (Zoning Map), City of Orlando Fiscal Impact Statement and City of Orlando Business Impact Estimate, and Orlando Sentinel Notice of Proposed Enactments, Butler Dr ANX2023-100006 Map. Ordinance 2024-15 entitled: An Ordinance of City of Orlando, Florida, annexing to the corporate limits of the city portions of Butler Road generally located from the easterly right-of-way line of South Orange Avenue and to the westerly right-of-way line of Oak Place, and comprised of 0.25 acres of land, more or less, and certain land generally located east of South Orange Avenue, west of Oak Place, and south of Butler Drive, and comprised of 0.17 acres of land, more or less, and amending the city's boundary description; amending the city's adopted growth management plan to designate the property as urban activity center, on the city's official future land use maps; designating the property as urban activity center with the Sodo special plan overlay district, on the city's official zoning maps; providing for amendment of the city's official future land use and zoning maps; providing for the severability, correction of scrivener's errors, permit disclaimer, and an effective date.
 - d. City of Apopka Community Redevelopment Agency Resolution No. 2023-01 with attached Exhibit A (FY 2024 budget items and projects in the CRA Budget) entitled: A Resolution of the Community Redevelopment Agency (CRA) of the City of Apopka, Florida, approving the appropriation of

funds remaining in the redevelopment trust fund to certain projects; and providing for an effective date.

e. City of Apopka Community Redevelopment Agency Resolutions. Resolution No. 2023-02 entitled: A Resolution of the Community Redevelopment Agency (CRA) of the City of Apopka, Florida, adopting the annual budget for Fiscal Year 2024. Resolution No. 2023-01 entitled: A Resolution of the Community Redevelopment Agency (CRA) of the City of Apopka, Florida, approving the appropriation of funds remaining in the redevelopment trust fund to certain projects; and providing for an effective date.

f. Community Redevelopment Agency Proposed and Approved Budget for Fiscal Year 2023-2024.

g. Resolution CRA-R-2023-1 entitled: A Resolution of the Town of Eatonville Community Redevelopment Agency (TOECRA) Board of Directors adopting the Fiscal Year 2023/2024 budget, providing for conflicts, severability, and an effective date.

h. International Drive Community Redevelopment Agency Financial Statements and Report of Independent Auditor for the year ended September 30, 2023.

i. Resolution No. 2023-M-27 entitled: A Resolution of the International Drive Community Redevelopment Agency relating to the Fiscal Year 2023/24 budget of the International Drive Community Redevelopment Agency.

j. Resolution No. 18-2023 entitled: A Resolution of Community Redevelopment Agency Board of the City of Maitland, Florida, adopting an amended Community Redevelopment Agency (CRA) Budget for the 2024 Fiscal Year, appropriating FY 2023 carry forward funds for purchase of CRA property; and providing for an effective date.

k. Resolution No. 15-2023 entitled: A Resolution of the City of Maitland, Florida, adopting the Community Redevelopment Agency Budget for the Fiscal Year beginning October 1, 2023, and ending September 30, 2024, appropriating funds for operating expenses, supplies, personnel, and otherwise appropriating funds for the efficient and effective operation of the CRA; providing a means to amend the said budget so as to carry forward the funding of purchase orders, work orders and grants outstanding as of September 30, 2023; providing a means to amend the said budget to reflect grants received after September 30, 2023; authorizing the transfer of funds herein appropriated so long as the total combined appropriations shall not be increased thereby; adopting the revenues and expenditures, and, providing for an effective date.

These items were received and filed.

Announcement

County Administrator Brooks announced a Brownfield Public Meeting. Durham Place Limited has requested the County designate the property that they own as a Brownfield site. The property is located at 5215 South Orange Blossom Trail within unincorporated Orange County. Section 376.80 of the Florida Statutes requires the County to announce the public meeting at a scheduled meeting of a local governing body before the actual public meeting occurs. The public meeting will be conducted by the Environmental Protection Division on Thursday, June 6, 2024 at 6 p.m. at the Holden Heights Community Center located at 1201 20th Street, Orlando, FL 32805. The date for a second hearing before the Board of County Commissioners is July 9, 2024.

III. DISCUSSION AGENDA

A. ADMINISTRATIVE SERVICES DEPARTMENT

1. **24-786** Selection of one firm and two ranked alternates to provide Disaster Debris Monitoring and Recovery Services, Request for Proposals Y24-147-JA, from the following three firms, listed alphabetically:

- Debris Tech, LLC
- Tetra Tech, Inc.
- Thompson Consulting Services, LLC

([Public Works Department Fiscal and Operational Support Division]
Procurement Division)

A motion was made by Commissioner Uribe, seconded by Commissioner Bonilla, to appoint Tetra Tech, Inc., 457.11 points, as the selected firm; and further, appoint Thompson Consulting Services, LLC, 348.17 points, and Debris Tech, LLC, 345 points as the selected ranked alternates. The motion carried by the following vote:

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

Absent: 2 - Commissioner Wilson, and Commissioner Scott

2. **24-787** Selection of one firm and an alternate to provide Consulting Service for Fire Rescue Promotional Processes, Request for Proposals Y24-165-JA, from the following two firms, listed alphabetically:

- Emergency Services Consulting International, Inc.
- Morris & McDaniel, Inc.

([Administration and Fiscal Services Human Resources Division]
Procurement Division)

A motion was made by Commissioner Moore, seconded by Commissioner Uribe, to appoint Morris & McDaniel, Inc., 391.60 points, as the selected firm; and further, appoint Emergency Services Consulting International, Inc., 373.30 points as the selected ranked alternate. The motion carried by the following vote:

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

Absent: 2 - Commissioner Wilson, and Commissioner Scott

3. **24-788** Selection of one firm and an alternate to provide Third Party Administrator Services, Request for Proposals Y24-1004-KK, from the following two firms, listed alphabetically:

- Heritage Health Solutions, Inc.
- Zenith American Solutions, Inc.

([Health Services Department Fiscal and Operational Support Division]
Procurement Division)

A motion was made by Commissioner Uribe, seconded by Commissioner Gomez Cordero, to appoint Heritage Health Solutions, Inc., 397.42 points, as the selected firm; and further, appoint Zenith American Solutions, Inc., 308.70 points as the selected ranked alternate. The motion carried by the following vote:

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

Absent: 2 - Commissioner Wilson, and Commissioner Scott

4. **24-789** Selection of one firm and two ranked alternates to provide Design Services for Avalon Road (County Road 545) from U.S. 192 to Hartzog Road, Request for Proposals Y24-808-SH, from the following three firms, listed alphabetically:

- BCC Engineering, LLC
- DRMP, Inc.
- Pegasus Engineering, LLC

([Public Works Department Engineering Division] Procurement Division)

A motion was made by Commissioner Uribe, seconded by Commissioner Gomez Cordero, to appoint Pegasus Engineering, LLC, 480 points, as the selected firm; and further, appoint DRMP, Inc., 428.33 points, and BCC Engineering, LLC, 306.67 points as the selected ranked alternates. The motion carried by the following vote:

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

Absent: 2 - Commissioner Wilson, and Commissioner Scott

5. **24-790** Selection of three firms and three ranked alternates to provide Continuing Professional Traffic Engineering Services, Request for Proposals Y24-902-CC, from the following seven firms, listed alphabetically:

- Avcon, INC.
- DRMP, Inc.
- Inwood Consulting Engineers, Inc.
- Kimley-Horn and Associates, Inc.
- Metric Engineering, Inc.
- Traffic & Mobility Consultants LLC
- Vanasse Hangen Brustlin, Inc. (VHB)

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

A motion was made by Commissioner Moore, seconded by Commissioner Uribe, to appoint Kimley-Horn and Associates, Inc., 488.75 points, DRMP, Inc., 481 points, and Avcon, INC., 442.25 points, as the selected firms; and further, appoint Metric Engineering, Inc., 432.50 points, Inwood Consulting Engineers, Inc., 430 points, and Vanasse Hangen Brustlin, Inc. (VHB), 427.50 points as the selected ranked alternates. The motion carried by the following vote:

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

Absent: 2 - Commissioner Wilson, and Commissioner Scott

6. **24-791** Selection of one firm and an alternate to provide Inmate Food Services, Request for Proposals Y24-100-KS from the following two firms listed alphabetically:

- Aramark Correctional Services, LLC
- Trinity Services Group

([Corrections Department Fiscal and Operational Support Division] Procurement Division)

The discussion item was canceled.

B. COUNTY ADMINISTRATOR

1. **24-792** Appointment of two Commissioners and one citizen member to the 2024 Value Adjustment Board and the designation of two alternate Commissioners and one alternate citizen member.

A motion was made by Commissioner Bonilla, seconded by Commissioner Uribe, to appoint Commissioner Uribe as Chair, Commissioner Gomez Cordero as Vice Chair, and Commissioner Moore as alternate Vice Chair to the 2024 Value Adjustment Board; further, reappoint Commissioner Uribe and Commissioner Gomez Cordero as Board members to the

2024 Value Adjustment Board; further, reappoint Commissioner Moore and Commissioner Wilson as alternate Board members to the 2024 Value Adjustment Board; further, reappoint Robert Caldwell as a citizen member to the 2024 Value Adjustment Board; and further, reappoint Ruye Hawkins as an alternate citizen member to the 2024 Value Adjustment Board. The motion carried by the following vote:

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

Absent: 2 - Commissioner Wilson, and Commissioner Scott

2. **24-793** Approval and execution of Second Amendment to Orange County, Florida and Orlando/Orange County Convention & Visitors Bureau Inc. Tourism Promotion Agreement.

Board discussion ensued. County Administrator Brooks, Assistant County Attorney Whitney Evers, and County Comptroller Diamond contributed to the discussion.

The following person addressed the Board: Casandra Matej.

Assistant County Attorney Whitney Evers announced the change to the label of Exhibit "B" of the agreement:

J. A new Subsection 2.10.9 shall be added as follows:

2.10.9 Reserves, Investment of Tax Funds, Segregation of Funds,

(1) The parties acknowledge that it may be appropriate and/or necessary for Visit Orlando to hold unused Tax funds in reserves for contingency purposes and/or as part of future expenditure plans. Such Tax fund reserves shall be clearly identified in the reporting required in Subsection 2.12.2 of this Agreement. Unallocated Tax fund reserves for any given fiscal year shall not exceed an amount equivalent to three (3) months of the annual TDT from the funds that Visit Orlando receives from the County each month during each year pursuant to Subsection 1.1(d) in Visit Orlando 's current fiscal year (the "Allowable Reserves") unless specific approval for a greater amount is approved by the County. If Tax fund reserves held by Visit Orlando at the end of any fiscal year exceed the Allowable Reserves established in this paragraph, Visit Orlando shall, within ninety (90) days of the accounting close out for that fiscal year:

(a) request permission from the County to retain said funds; such request must demonstrate the need and purpose to do so ("Retainage Request"). The Retainage Request shall be delivered to the County Administrator who shall place it on the next available BCC agenda for consideration. If the Retainage Request is denied by the BCC, Visit Orlando shall return the excess funds beyond the Allowable Reserve amount to the County within thirty (30) days of the BCC decision; or

(b) return the Tax excess funds beyond the Allowable Reserve amount to the County.

Funds held by Visit Orlando for the Sports Incentive Fund or as provided in Sections 2.2.1 and 2.2.2 shall not be counted as reserves for the purposes of this subsection.

(2) The parties further acknowledge that it may be appropriate and advantageous for Visit Orlando to invest available Tax funds to potentially generate a positive return and additional funds to be used for the purposes set out in this Agreement. Visit Orlando agrees that, in the event it elects to invest Tax funds, it shall first create an investment policy to govern permissible investment types or instruments and shall submit a draft of such investment policy to the County, via the County Administrator, and allow thirty (30) days for the County's review and comment. Following the 30-day County review and after consultation with the County on any comments received, Visit Orlando shall adopt such investment policy. Within fifteen (15) days of adoption of any such investment policy or any amendment thereto, Visit Orlando shall furnish copies of the policy to the County Administrator and the Orange County Comptroller. The foregoing notwithstanding, Visit Orlando agrees it will only invest Tax funds in the instruments listed in Exhibit "B" "C", attached hereto and incorporated herein by reference.

EXHIBIT "B" "C"

A. Negotiable direct obligations of or obligations the principal and interest of which are unconditionally guaranteed by the United States Government. Such securities will include, but not be limited to, the following:

1. Cash Management Bills
2. Treasury Securities - State and Local Government Series (SLGS)
3. Treasury Bills
4. Treasury Notes
5. Treasury Bonds
6. Treasury Strips
7. Treasury Inflation-Indexed Securities, commonly known as Treasury Inflation-Protected Securities (TIPS)

B. Bonds, debentures, or notes issued and guaranteed by the full faith and credit of United States Government-sponsored enterprises (Federal Instrumentalities) which are not guaranteed by the full faith and credit of the United States Government limited to the following:

1. Federal Farm Credit Bank (FFCB)
2. Federal Home Loan Bank or its district banks (FHLB)
3. Federal National Mortgage Association (Fannie Mae)
4. Federal Home Loan Mortgage Corporation (Freddie Mac)

C. Non-negotiable interest bearing time certificates of deposit, bank money market deposits or savings accounts in banks organized under the laws of this state and in national banks organized under the laws of the United States and doing business and situated in this state, provided that any such deposits are in banks that are Qualified Public Depositories under Chapter 280, Florida Statutes and provided that the bank is not listed with any recognized credit watch information service.

D. Securities and Exchange Commission (SEC) qualified constant net asset value money market mutual funds which authorize only Treasuries and Treasury-backed repurchase agreements and, for arbitrage compliance only, investments described in Section H, provided that said funds contain no derivatives. The funds must have an S&P rating criteria of "AAAm" or "AAAg."

E. Securities that derive their value from underlying securities, (i.e., derivatives) are specifically prohibited, except for TIPS which are described in Section A. TIPS are a derivative security according to Section 218.415(5), Florida Statutes.

A motion was made by Commissioner Moore, seconded by Mayor Demings, to approve and execute the Second Amendment to the 2019 Orange County, Florida and Orlando/Orange County Convention & Visitors Bureau, Inc. Tourism Promotion Agreement, as amended. The motion carried by the following vote:

Aye: 3 - Mayor Demings, Commissioner Moore, and Commissioner Gomez Cordero

Nay: 2 - Commissioner Uribe, and Commissioner Bonilla

Absent: 2 - Commissioner Wilson, and Commissioner Scott

IV. WORK SESSION AGENDA

A. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

1. **24-794** Lakeshore Protection Program. (Environmental Protection Division)

This item was deferred until the July 30, 2024 Board of County Commissioners Meeting.

B. UTILITIES DEPARTMENT

1. **24-795** Septic Tank Workgroup Policy Recommendations. All Districts.
(Engineering Division)

The motion by Commissioner Bonilla, to approve the Septic Tank Workgroup Policy Recommendations, died for the lack of a second.

Board discussion ensued. Deputy Director Utilities Department Andres Salcedo contributed to the discussion.

The Board took no action.

Nonagenda

Mayor Demings commented on a Nonagenda item requested by Commissioner Bonilla regarding the Rural Boundary Charter Amendment being initiated to the ballot. Mayor Demings stated that even though this is an important issue for the community it is not an urgent matter and should not be brought forward at today's Board meeting. If it were to be brought forward at this time, it will not be consistent with the Board's Rules of Procedure under Subsection 2.09. There is a lot of work that needs to be done and there has not been adequate time for the Board of County Commissioners to prepare for a meaningful discussion nor has it given County staff adequate time to properly brief the Board of County Commissioners on alternatives. Mayor Demings suggested that there should not be any decisions made today on whether or not the Rural Boundary Charter Amendment be initiated to the ballot. Mayor Demings summarized a correspondence that was received by the Board via a memorandum dated May 8, 2024. This memorandum was the legal opinion by the CRC General Counsel Wade Vose and/or the legal opinion that was proffered to Mr. Vose by the Willis Firm, that the Rural Boundary Charter Amendment is fatally flawed and violates Florida law. Mayor Demings stated that the Board needs the County Attorney to research and advise the Board of their analyses. Mayor Demings suggested that this item be moved to the June 4, 2024 or June 18, 2024 Board meeting date as a work session agenda item. Commissioner Bonilla inquired with County Attorney Newton the deadline dates to have items submitted to the Supervisor of Elections in order to be placed on the Ballot by the Board of County Commissioners. County Attorney Newton stated that based on conversations with Nick Shannin, attorney for the Supervisor of Elections, the deadline is August 21, 2024, but this deadline can be stretched until the end of August.

III. DISCUSSION AGENDA (Continued)

C. COMMISSIONER'S REPORT

1. **24-796** Commissioner Bonilla would like to discuss Annexation Charter Amendment.

Board discussion ensued. County Administrator Brooks contributed to the discussion.

The Board took no action.

V. RECOMMENDATIONS

1. **24-797** May 2, 2024 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: 4 - Mayor Demings, Commissioner Moore, Commissioner Uribe, and Commissioner Gomez Cordero

Absent: 3 - Commissioner Wilson, Commissioner Bonilla, and Commissioner Scott

VI. PUBLIC HEARINGS

A. Petition to Vacate**1. 24-627 Case # PTV 24-01-002**

Vlad Rudnitsky, on behalf of Structure Redevelopment LLC, vacate a portion of an unopened and unimproved right-of-way; District 1

Consideration: Resolution granting Petition to Vacate # 24-01-002, vacating a portion of a 30-foot-wide unopened and unimproved right-of-way known as Avenue A that lies along the west property line of the petitioner's residential parcel located in the town of Gotha containing approximately 0.09 acres.

Location: District 1; The parcel address is 1206 Sutter Avenue; S32/T22/R28; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Uribe, seconded by Commissioner Gomez Cordero, to approve the request listed in Staff Report dated May 21, 2024. The motion carried by the following vote:

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

Absent: 2 - Commissioner Wilson, and Commissioner Scott

2. 24-628 Case # PTV 24-02-005

Jason Bickford of All Custom Stone and Tile Inc., on behalf of Joseph and Christine Johnson, vacate a portion of a drainage and utility easement; District 5

Consideration: Resolution granting Petition to Vacate # 24-02-005, vacating a 2.5-foot-wide portion of a 7.5-foot-wide drainage and utility easement that lies near the west property line of the petitioner's residential parcel located in the Miller's Cove Subdivision containing approximately 150 square feet.

Location: District 5; The parcel address is 8427 Amber Oak Drive; S01/T22/R30; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Bonilla, seconded by Commissioner Gomez Cordero, to approve the request listed in the Staff Report dated May 21, 2024. The motion carried by the following vote:

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

Absent: 2 - Commissioner Wilson, and Commissioner Scott

B. Substantial Change**3. 24-561 Case # CDR-23-04-135**

Carolyn Haslam, Akerman LLP, Granada Planned Development (PD),

amend plan; District 1

Consideration: A PD substantial change to allow multi-family uses as a permitted use for Southwest Quadrant Parcel G. The request is to also remove the requirement for the dedication of the two 20' strips of right-of-way (ROW) previously identified as Parcels 2 and 3; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207

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

The following person addressed the Board: Carolyn Haslam.

A motion was made by Commissioner Uribe, seconded by Commissioner Gomez Cordero, to make a finding of consistency with the Comprehensive Plan; and further, approve the substantial change request subject to the twenty (20) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated April 25, 2024. The motion carried by the following vote:

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

Absent: 2 - Commissioner Wilson, and Commissioner Scott

C. Ordinance/Comprehensive Plan - Adoption of Small-Scale Amendment, Ordinance and Concurrent Rezoning Request

4. **24-630** Adoption of Future Land Use Map Amendment SS-23-10-073, Ordinance, and Concurrent Rezoning Request RZ-23-10-074, Rick Baldocchi, Avcon, Inc.

a. Amendment SS-23-10-073

Consideration: To change the Future Land Use designation from Parks and Recreation - Open Space (PR-OS) to Medium Density Residential (MDR), pursuant to Orange County Code, Part II, Chapter 163, Florida Statutes and Orange County Code Chapter 30.

Location: District 6; property located at 870 North Hastings Street; generally bounded by N. Hastings St. to the east, Arundel Dr. to the north, N John St. to the west, and Berry St to the south; 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. Rezoning RZ-23-10-074

Consideration: Request to change the zoning designation from R-1A (Single-Family Dwelling District) to R-3 Restricted (Multiple-Family Dwelling District) in order to allow for 158 senior housing multi-family units; pursuant to Orange County Code, Part II, Chapter 163, Florida Statutes and Orange County Code Chapter 30.

Location: District 6; property located at 870 North Hastings Street; generally bounded by N. Hastings St. to the east, Arundel Dr. to the north, N John St. to the west, and Berry St to the south; Orange County, Florida (legal property description on file in Planning Division)

The following persons addressed the Board:

- John Taylor
- Rick Baldocchi
- Ryan von Weller

A motion was made by Commissioner Uribe, seconded by Commissioner Bonilla, to make a finding of consistency with the Comprehensive Plan; further, adopt Amendment SS-23-10-073, Medium Density Residential (MDR) Future Land Use Map designation; further, adopt the associated Ordinance 2024-08; and further, approve the rezoning request RZ-23-10-074 from R-1A (Single-Family Dwelling District) to R-3 Restricted (Multiple-Family Dwelling District) subject to the one (1) restriction listed under the Planning and Zoning Commission in the Staff Report dated April 29, 2024. The motion carried by the following vote:

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

Absent: 2 - Commissioner Wilson, and Commissioner Scott

D. Ordinance

5. **24-645** Amending Chapter 28 of the Orange County Code ("Drug Sales and Nuisance Abatement") by Updating the Definition of "Public Nuisance" found in Section 28-103; and providing an effective date; All Districts

Consideration: AN ORDINANCE AMENDING CHAPTER 28 OF THE ORANGE COUNTY CODE ("DRUG SALES AND NUISANCE ABATEMENT") BY UPDATING THE DEFINITION OF "PUBLIC NUISANCE" FOUND IN SECTION 28-103; AND PROVIDING AN EFFECTIVE DATE.

The following person addressed the Board: Austin Moore.

A motion was made by Mayor Demings, seconded by Commissioner Uribe, to adopt Ordinance 2024-09 amending Chapter 28 of the Orange County Code ("Drug Sales and Nuisance Abatement") by updating the definition of "Public Nuisance" found in Section 28-103; and providing an effective date; and further, authorize staff to correct any non-substantial grammatical or scrivener's errors. The motion carried by the following vote:

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

Absent: 2 - Commissioner Wilson, and Commissioner Scott

6. **24-646** Enacting a temporary suspension prohibiting the processing of certain Comprehensive Plan Text and Map Amendments, Rezoning, and Special Exceptions to allow County Staff time to thoroughly review, study, and prepare Amendments of the Orange County Comprehensive Plan ("Vision 2050") and the Orange County Land Development Code ("Orange Code") providing for severability and providing for an effective date; Countywide

Consideration: AN ORDINANCE OF THE ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS PERTAINING TO LAND USE IN ORANGE COUNTY ENACTING A TEMPORARY SUSPENSION PROHIBITING THE PROCESSING OF CERTAIN COMPREHENSIVE PLAN TEXT AND MAP AMENDMENTS, REZONINGS, AND SPECIAL EXCEPTIONS TO ALLOW COUNTY STAFF TIME TO THOROUGHLY REVIEW, STUDY, AND PREPARE AMENDMENTS TO THE ORANGE COUNTY COMPREHENSIVE PLAN ("VISION 2050") AND THE ORANGE COUNTY LAND DEVELOPMENT CODE ("ORANGE CODE"); PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

The following persons addressed the Board:

- Christopher Cameron
- David Froelich

County staff presented the following revision to the draft Ordinance:

Section 4. Existing Applications, Existing Businesses, and Other Exceptions. The temporary suspension shall not apply to applications received by the County prior to the Effective Date of this Ordinance. Additionally, existing Planned Developments will be unaffected and as such, change determination requests will still be processed. This temporary suspension shall not affect any business lawfully operating within the unincorporated area of the County, as of the effective date of this Ordinance, pursuant to valid permits and approvals if the existing business is compliant with all applicable County, State and Federal laws, codes, ordinances, rules, regulations and policies.

Comprehensive Plan text and map amendments, rezonings, and special exceptions occurring inside the Master Planned Communities, identified below, will not be included in the temporary suspension:

- 1) Horizon West Special Planning Area (Map 2 - Future Land Use Map 3 of the Comprehensive Plan);
- 2) ~~Lake Pickett (Map 22 - Future Land Use Map 23 of the Comprehensive Plan);~~
- 3) 2) Avalon Park (Avalon Park Development of Regional Impact, Ordinance #93-20, Orange County Code);
- 4) 3) Innovation Way (Map 4 - Future Land Use Map 5 of the Comprehensive Plan);
- 5) 4) I-Drive District Conceptual Regulating Plan (Map 23 - Future Land Use Map 24 of the Comprehensive Plan).

A motion was made by Commissioner Bonilla, seconded by Commissioner Moore, to adopt Ordinance 2024-10 of the Orange County Board of County Commissioners pertaining to land use in Orange County enacting a temporary suspension prohibiting the processing of certain Comprehensive Plan Text and Map Amendments, Rezoning, and Special Exceptions to allow County staff time to thoroughly review, study, and prepare amendments to the Orange County Comprehensive Plan ("Vision 2050") and the Orange County Land Development Code ("Orange Code"); providing for severability; and providing an effective date; further, allow staff to correct any non-substantial grammatical or scrivener's errors; further, remove Master Planned Community Item #2 Lake Pickett (Map 22 - Future Land Use Map 23 of the Comprehensive Plan); and further, renumber Master Planned Communities #3, #4, and #5 to #2, #3 and #4. The motion carried by the following vote:

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

Absent: 2 - Commissioner Wilson, and Commissioner Scott

√ **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 <https://www.ocfl.net/OpenGovernment/MeetingsReport.aspx>

ADJOURNMENT: 3:27 p.m.

ATTEST:

County Mayor Jerry L. Demings

Date: _____

ATTEST SIGNATURE:

Phil Diamond
County Comptroller as Clerk

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.
Si w bezwen èd nan lang Kreyòl oswa sèvis tradiksyon, tanpri rele (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.