

# Orange County Government

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



## Draft Meeting Minutes

**Monday, May 20, 2024**

**6:00 PM**

**County Commission Chambers**

## **Charter Review Commission**

***CRC Members:***

***Homer Hartage, Chair***

***Lee Chira, Vice Chair***

***Mark Arias-Rishi Bagga-Dick Batchelor-Tom Callan-***

***Eric R. Grimmer-Erica Jackson-Chuck O'Neal-***

***Angel de la Portilla-Alisia Adamson Profit- Cornita A. Riley- Eugene Stoccardo-Beverly***

***Winesburgh-***

***Dotti Wynn***

**Call to Order**

The meeting was called to order at 6:07 p.m.

**Present:** 15 - Member Dick Batchelor, Member Alisia Adamson Profit, Member Angel de la Portilla, Member Eric R. Grimmer, Member Erica Jackson, Member Homer Hartage, Member Lee Chira, Member Mark Arias, Member Rishi Bagga, Member Tom Callan, Member Dotti Wynn, Member Eugene Stoccardo, Member Cornita A. Riley, Member Chuck O'Neal, and Member Beverly Winesburgh

Others present:

Deputy Clerk David Rooney  
Assistant Deputy Clerk Jennifer Lara-Klimetz  
CRC General Counsel Wade Vose  
CRC Administrative Assistant Jessica Vaupel  
Senior Minutes Coordinator Noelia Perez

**Pledge of Allegiance****I. Roll Call**

Members Present: Member Jackson, Member de la Portilla, Member Winesburgh, Member Callan, Member Arias, Member Wynn, Chair Hartage, Vice Chair Chira, Member Grimmer, Member Bagga, Member O'Neal, Member Stoccardo, Member Adamson Profit, and Member Riley. A quorum was established and the meeting was called to order.

**II. Chair / Vice Chair Comments**

CRC Chair Hartage explained the order of tonight's proceedings, stating that the CRC will first review two reports from the Sustainable Growth and Charter Clean Up Committee. He went on to explain that both reports are recommending no action, so neither report required first or second readings nor public hearings. After consideration of the committee reports, the CRC will move on to a series of second and final public hearings as listed on tonight's agenda. Following each hearing, the CRC will vote on the recommendations and ballot language proposed by the Committees. If approved, these recommendations will be included on the ballot. Later in the evening, there will be a discussion about the placement of ballot order.

Chair Hartage acknowledged Orange County District 5 Commissioner Emily Bonilla.

Orange County District 5 Commissioner Bonilla addressed the CRC regarding the proposed rural boundary amendment. She took the opportunity to express her gratitude and appreciation for the CRC's commitment on this important issue. Citing potential legal concerns, Commissioner Bonilla has proposed that the Board of County Commissioners (BCC) assume the responsibility of advancing the rural boundary amendment. At tomorrow's upcoming BCC meeting, Commissioner Bonilla plans to outline the CRC's presentation and propose that the BCC adopt the CRC's language to advance the amendment to the ballot. She is requesting the support of the

CRC to endorse the proposed amendment of the rural boundary for consideration by the BCC. Discussion ensued.

Chair Hartage acknowledged Florida House of Representative Tom Keen.

Daniel Elliott addressed the CRC on behalf of Florida House of Representative Susan Plasencia.

### **III. Public Comment**

CRC Chair Hartage announced that speakers would be allotted a two-minute period for public comments. Furthermore, individuals wishing to donate their time may do so, with a maximum of one minute per person.

The following persons addressed the CRC during public comment:

- Nelson Betancourt
- Kari Williams
- Orange County Soil and Water Conservation District 1 Samuel Chambers
- Bobby Beagles
- William Sheerin
- Laurie Forrester
- Dan Wasahburn
- Cheryl Coats
- Lisa Horine
- Hal Coats
- Rachel Hildebrand
- Pamela Sible
- Debbie Parrish
- Mark Mansfield
- James Auffant
- Jacob Malherbe
- Matthew Grocholske
- Roseann Malherbe
- Lisa Sorice
- Robert Barbour
- Katherine Winter
- Grace Abraibesh
- Kay Hudson
- John Fauth
- Lee Patrizzi
- Lee Perry
- Maria Martinez
- Kelly Semrad
- Sage Hamel
- Todd Catella
- Giancarlo Rodriguez

- Robert Perez
- Tom Narut
- Marjorie Holt
- William Pons
- Maria Estella Casanova-Baker
- David Boers
- Susan Morris
- Steve Meyers
- Umut Kocaman
- Nate Douglas
- Gretchen Robinson

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

- Exhibit 1, Pamela Sible
- Exhibit 2, John Fauth
- Exhibit 3, Maria Estella Casanova-Baker

Discussion ensued regarding if the CRC has the authority to place an item on the ballot. CRC General Counsel Vose contributed to the discussion.

#### **IV. Consent Item**

- A. CRC-24-135** Approval and execution of the minutes of the April 29, 2024 meeting of the Charter Review Commission (CRC).

A motion was made by Member Arias, seconded by Member Wynn, to approve the minutes of April 29, 2024. The motion carried by the following vote:

**Aye:** 14 - Member Batchelor, Member de la Portilla, Member Grimmer, Member Jackson, Member Hartage, Member Chira, Member Arias, Member Bagga, Member Callan, Member Wynn, Member Stoccardo, Member Riley, Member O'Neal, and Member Winesburgh

**Absent:** 1 - Member Adamson Profit

#### **V. Acceptance of Committee Final Reports**

- A. CRC-24-136** Sustainable Growth & Charter Clean Up Committee - Charter Clean Up (Recommending No Charter Changes)

Committee Chair Grimmer presented the final report on the Sustainable Growth and Charter Cleanup Committee's efforts to address cleanup issues within the Orange County Charter. The Committee examined Section 801 concerning the Citizen Review Board for the County Sheriff's Office. The Florida Supreme Court declared this section unconstitutional, leading to its removal from the Orange County Charter. However, the language still appears in the Charter's version found on Municode. Additionally, the Committee also reviewed Article IX, Section 901, pertaining

to the completed Orange County/City of Orlando Service Consolidation Study. Despite its completion, this section appears in the Charter and requires a public vote for removal. The Committee has successfully prompted Municode to eliminate the language about the Citizen Review Board. Furthermore, the Committee concluded Article IX, Section 901 Orange County/City of Orlando Consolidation of Service Study Commission is outdated and should no longer appear in the Charter. Committee Chair Grimmer has announced that the Committee is requesting to take no action.

A motion was made by Member Grimmer, seconded by Member Bagga, to adopt the report and recommendation of the Sustainable Growth and Charter Clean Up Committee to take no action on the Charter clean up issues. The motion carried by the following vote:

**Aye:** 14 - Member Winesburgh, Member Batchelor, Member Adamson Profit, Member de la Portilla, Member Grimmer, Member Jackson, Member Hartage, Member Chira, Member Arias, Member Bagga, Member Callan, Member Stoccardo, Member Riley, and Member O'Neal

**Absent:** 1 - Member Wynn

**B. CRC-24-137 Sustainable Growth & Charter Clean Up Committee - County Wetland Protections (Recommending No Charter Changes)**

Committee Chair Grimmer presented the final report of the Sustainable Growth and Charter Cleanup Committee on County wetland protections. The Committee reviewed Section 704, noting that Section 704.B.1 grants the County the power to set minimum environmental standards by controlling air and water pollution. The Committee contemplated revising Section 704 to enhance wetland protections by proposing an amendment that would impose stricter county standards than municipal ordinances and address preemption concerns. However, due to Senate Bill 1420 and advice from CRC General Counsel Vose, the Committee is recommending taking no action, as the amendment might be preempted. Furthermore, the County Attorney's office is of the opinion that the current County Charter provision already authorizes the County to regulate and enforce wetland protection measures. Additionally, the County has updated its wetland protection standards, which will take effect in June 2024. The Committee is requesting to take no action, however they are recommending the 2028 Charter Review Commission examine the issue to ensure the County's wetland protection regulations are being enforced. Discussion ensued.

A motion was made by Member Grimmer, seconded by Member Arias, to accept the report of the Sustainable Growth and Charter Clean Up Committee with regards to the wetlands protection and recommends the CRC take no action. The motion carried by the following vote:

**Aye:** 14 - Member Batchelor, Member Adamson Profit, Member de la Portilla, Member Grimmer, Member Jackson, Member Hartage, Member Chira, Member Arias, Member Bagga, Member Callan, Member Stoccardo, Member Riley, Member O'Neal, and Member Winesburgh

**Absent:** 1 - Member Wynn

**VI. Committee Recommendation Public Hearings**

**A. CRC-24-138 Sustainable Growth & Charter Clean Up Committee - Rural Boundary  
(Second of Two Public Hearings / Votes)**

1. Public Comment
2. CRC Discussion and Second Vote

CRC Chair Hartage opened the public hearings and outlined the proceeding of these hearings, which will commence with public comments, followed by questions from the CRC, a presentation followed by a motion from the Committee Chair, subsequent CRC discussion, and input from CRC General Counsel Vose as needed.

The following persons addressed the CRC:

- Marjorie Holt
- Pat Lindsey
- Orange County District 5 Commissioner Emily Bonilla
- William Pons

Committee Chair Grimmer presented the final report of the Sustainable Growth and Charter Clean Up Committee regarding the rural boundary. The committee has spent the past year listening to both residents and officials tackle issues caused by urban sprawl in Orange County. These issues include municipalities annexing land without considering wildlife regulations, rapid expansion in previously undeveloped areas, increased traffic due to car dependency, and the need for aquifer recharge. The rural boundary has been an important tool to combat suburban sprawl, as it allows for investments in infrastructure, roads, social services, transportation, and schools in rural areas, improving the quality of life for residents. The Committee has received positive feedback from residents and have also considered the opinions of those in rural and urban areas, who support controlled growth in Orange County as long as it is sustainable. Based on this valuable feedback, the Committee has carefully considered the need for a rural boundary amendment.

The Committee initially proposed the rural boundary based on the County's urban service area map. However, concerns were raised by County staff and representatives from local municipalities. They pointed out that there were already developed or planned suburban areas outside the urban service area. These areas included growth centers, sector plans, and unincorporated land under joint planning agreements with municipalities and where the municipalities had already taken actions in anticipation of future annexation and development, such as the building of utility lines. As a result, the CRC decided to send the rural boundary issue back to the Committee. The Committee had meetings with staff and municipalities to discuss joint planning agreements, sector plans, growth centers, municipal matters, which led to them to take a closer look of the east-west rural boundary. During the meeting, the Committee agreed to exclude these areas from their proposal. The map of the Committee's proposed rural boundary and rural areas can be found as Exhibit C of the final report. Furthermore, upon review of the concerns raised by staff and the municipalities, the Committee created a new draft of the proposed map. This new draft amendment is designated as Exhibit B of the final report. Committee Chair Grimmer presented Exhibit "B" as follows:

**Exhibit "B"**

**Ballot Proposal:** The ballot title and ballot summary for this question are as follows:

**ORANGE COUNTY CHARTER AMENDMENT ESTABLISHING RURAL BOUNDARY AND RURAL AREA ("AREA")**

Establishing a Rural Area (unincorporated lands located outside the County's Urban Service Area, municipal joint planning areas, Growth Centers, Innovation Way Overlay, and Horizon West Villages on the effective date) where the County's comprehensive plan and land development regulations will exclusively govern land development and prevail over municipal ordinances, and where comprehensive plan amendments increasing density or intensity, and ordinances removing lands from the Area, must be approved by majority-plus-one County Commission vote.

☐ Yes

☐ No

Committee Chair Grimmer addressed the misinformation surrounding Exhibit B and the current proposal the Committee worked on. He emphasized the Committee does not have the power to strip any landowner of their existing property rights in unincorporated Orange County or in the municipalities. Moreover, he clarified that the proposal only requires a slightly higher threshold on future land use amendment applications that increases density and intensity of land in the rural areas of only unincorporated Orange County. The Committee is not proposing any changes to future land use decisions in the urban service area of Orange County, any properties or communities located within this area would not have been impacted by the establishment of the rural service boundary; and further, the intention was not to prohibit the annexation of lands currently situated in unincorporated Orange County into municipalities. He indicated the focus was primarily on promoting responsible land use practices and ensuring the sustainable development within that area. The Committee's proposal aimed to strike a balance between the needs of the urban service area and the preservation of rural lands. The Committee never stated that if rural land is annexed into a municipality, County land use rules would always apply. If the Orange County Board of Commissioners agree that the municipality should apply their own land use rules the Board could vote with a majority plus one to remove the land from the rural area and the municipality would then have or been free to apply its own land use rules after annexation. However, Committee Chair Grimmer believes the approval of Senate Bill 1420 by the Florida State legislature, targets the committee's proposed ballot language. The bill reads as follows: 163.3167 Scope of act.-(8) (d) A citizen-led county charter amendment that is not required to be approved by the board of county commissioners preempting any development order, land development regulation, comprehensive plan, or voluntary annexation is prohibited unless expressly authorized in a county charter that was lawful and in effect on January 1, 2024.

Committee Chair Grimmer informed the CRC that Senate Bill 1420 has not been submitted to the Florida Governor for signature or veto. While not a state law, the Committee is treating the bill as though it will be eventually passed. He noted that CRC General Counsel Vose informed the

Committee that the stipulation in Exhibit B, which mandates County land use regulations for future municipal annexations of rural land parcels, would probably be preempted under Senate Bill 1420. Consequently, the Committee opted for Exhibit A, as detailed in the final report presented below:

### Exhibit "A"

**Ballot Proposal:** The ballot title and ballot summary for this question are as follows:

### **ORANGE COUNTY CHARTER AMENDMENT ESTABLISHING RURAL BOUNDARY AND RURAL AREA ("AREA")**

Establishing a Rural Area (unincorporated lands located outside the County's Urban Service Area, municipal joint planning areas, Growth Centers, Innovation Way Overlay, and Horizon West Villages on the effective date) where County comprehensive plan amendments increasing density or intensity, and ordinances removing lands from the Area, must be approved by majority-plus-one County Commission vote.

☐ Yes

☐ No

**Text Revisions:** Upon approval of this question at referendum, the following portions of the Orange County Charter are amended to read as follows:

#### **Sec. 506. - Rural Boundary and Rural Area.**

A. Establishment of Rural Area and Rural Boundary. There is hereby established a Rural Area, initially consisting of all lands lying in the unincorporated County as of the effective date of this section that are located outside of the following areas as of the effective date of this section: (1) the Urban Service Area specified in the Orange County comprehensive plan; (2) municipal joint planning areas adopted by joint planning agreement or interlocal agreement; (3) Growth Centers specified in the Orange County comprehensive plan; (4) the Innovation Way Overlay specified in the Orange County comprehensive plan; and (5) the Horizon West Villages specified in the Orange County comprehensive plan. There is hereby established a Rural Boundary, consisting of the boundary lines of the Rural Area.

#### B. Legal Effect of Rural Area.

(1) After the effective date of this section, any ordinance amending the Orange County comprehensive plan that increases allowable density or intensity within the Rural Area or any portion thereof, may be approved only by an affirmative vote of not less than a majority plus one of the entire membership of the board.

(3) After the effective date of this section, the board of county commissioners may remove lands from the Rural Area only by ordinance approved by an affirmative vote of not less than a majority



plus one of the entire membership of the board.

(C). This charter amendment shall become effective upon the date of canvassing board certification of approval by a vote of the electors of Orange County.

Committee Chair Grimmer went on to state that in recent days concerns have been raised regarding the Committee's proposal in Exhibit A. He believes that state elected officials have restricted the ability of the Charter Review Commission to establish rural boundaries in Orange County. Therefore, he indicated he would not be offering a motion seeking approval from the CRC for the proposals offered in Exhibit A or Exhibit B. Instead Committee Chair Grimmer is requesting the CRC include in its final report a recommendation to the Board of County Commissioners that they place the rural boundary amendment on the ballot to be voted on by the people of Orange County. He explained Senate Bill 1420 preempts the Charter Review Commission's ability to propose a rural boundary amendment but it does not preempt the Board of County Commissioners. Therefore, he urged supporters of the proposed rural boundary amendment to stay engaged by attending meetings, offering letters of support, and continuing their advocacy efforts with the Board of County Commissioners.

Committee Chair Grimmer made a motion, seconded by Member Arias, that the Charter Review Commission take no action with regards to placing a rural boundary charter amendment on the ballot but the final report recommend that Orange County Board of County Commissioners put the Exhibit B proposal on the fall ballot for the people of Orange County. No vote taken.

CRC General Counsel Vose contributed to the discussion about concerns regarding the placement of the proposed amendment on the ballot and Senate Bill 1420. Discussion ensued. CRC Chair Hartage indicated the CRC has the ability to place this item for further consideration at the CRC Meeting on May 30, 2024.

Committee Chair Grimmer withdrew his previous motion agreed upon by the seconder Member Arias. Committee Chair Grimmer offered a new motion, seconded by Member Arias, that the CRC vote in favor of recommending Exhibit B to be placed on the ballot by the Board of County Commissioners. CRC Chair Hartage requested that Committee Chair Grimmer modify his motion to include the recommendation of the Committee to the Board of County Commissioners as presented today; and further, CRC Chair Hartage will schedule the consideration of the recommendation for the next CRC Meeting. CRC General Counsel Vose pointed out the modification offered by CRC Chair Hartage is not the same motion proposed by Committee Chair Grimmer. He went on to explain the proposed amendment as presented in Exhibit B is the version of the rural boundary amendment that included both elements that were in the original proposal. Exhibit B was presented as follows:

#### **Exhibit "B"**

**Ballot Proposal:** The ballot title and ballot summary for this question are as follows:

**ORANGE COUNTY CHARTER AMENDMENT ESTABLISHING RURAL BOUNDARY AND**

**RURAL AREA ("AREA")**

Establishing a Rural Area (unincorporated lands located outside the County's Urban Service Area, municipal joint planning areas, Growth Centers, Innovation Way Overlay, and Horizon West Villages on the effective date) where the County's comprehensive plan and land development regulations will exclusively govern land development and prevail over municipal ordinances, and where comprehensive plan amendments increasing density or intensity, and ordinances removing lands from the Area, must be approved by majority-plus-one County Commission vote.

☐ Yes

☐ No

Discussion ensued on the CRC's limitations, particularly the inclusion of language in Exhibit B concerning the supermajority vote requirement. CRC General Counsel Vose contributed to discussion and confirmed that the Board of County Commissioners has the ability to include all of Exhibit B on the ballot.

CRC Chair Hartage indicated there was a motion to call for question. Discussion ensued.

Committee Chair Grimmer made a motion, seconded by Member Arias, for the CRC to make the recommendation to the Board of County Commissioners to place a rural boundary charter amendment modelled after Exhibit B on the ballot for the November 2024 election. No vote taken.

Discussion ensued. CRC General Counsel Vose contributed to discussion. Member Batchelor offered a friendly amendment to Committee Chair Grimmer's motion requesting the Charter Review Commission communicate to the Board of County Commissioners to place the rural boundary issue before the Board of County Commissioners for a vote. Committee Chair Grimmer requested an explanation between his motion and the friendly amendment offered by Member Batchelor. Member Batchelor indicated the friendly amendment would not include the language as presented in Exhibit B. The friendly amendment was not accepted by Committee Chair Grimmer. Discussion ensued.

CRC Chair Hartage called the question to end discussion, seconded by Member Arias. The motion carried by the following vote:

**Aye:** 13 - Member Batchelor, Member Jackson, Member de la Portilla, Member Winesburgh, Member Callan, Member Arias, Member Hartage, Member Grimmer, Member Bagga, Member O'Neal, Member Stoccardo, Member Adamson Profit, and Member Riley

**Nay:** 1 - Member Chira

**Absent:** 1 - Member Wynn

A motion was made by Member Grimmer, seconded by Member Arias, for the CRC to make the recommendation to the Board of County Commissioners to place a rural boundary charter

amendment modelled after Exhibit B on the ballot for the November 2024 election. The motion carried by the following vote:

**Aye:** 13 - Member Batchelor, Member Jackson, Member de la Portilla, Member Winesburgh, Member Callan, Member Arias, Member Hartage, Member Grimmer, Member Bagga, Member O'Neal, Member Stoccardo, Member Adamson Profit, and Member Riley

**Nay:** 1 - Member Chira

**Absent:** 1 - Member Wynn

CRC Chair Hartage indicated the proposed rural boundary amendment will be brought up again at the CRC Meeting on May 30, 2024 if the Board of County Commissioners does not approve the recommendation at their next Board of County Commissioners meeting.

**B. CRC-24-139** Sustainable Growth & Charter Clean Up Committee - Consideration of the proposed amendment concerning a supermajority County Commission vote to dispose of or change use of "County Protected Lands"  
(Second of Two Public Hearings / Votes)

1. Public Comment
2. CRC Discussion and Second Vote

CRC Chair Hartage opened the public hearing of the Sustainable Growth and Charter Clean Up Committee proposed amendment concerning a supermajority County Commission vote to dispose of or change use of County Protected Lands.

The following persons addressed the CRC:

- Marjorie Holt
- Lee Perry
- Nate Douglas
- Lisa Sorice
- Orange County Soil and Water Conservation District 1 Samuel Chambers

Committee Chair Grimmer presented the final Committee report and thanked Valerie Anderson, an Orange County resident who made the initial proposal to the full CRC asking they examine if Orange County owned conservation land and parks may only be used for the purpose for which they were originally acquired. He noted that although conservation lands and parks are vital for the mental and physical well-being of Orange County residents, these areas remain under constant threat and mentioned the citizen-led efforts to preserve Split Oak Forest and the actions taken by the Orange County Board of County Commissioners to uphold the County Charter, with regards for protection of Split Oak Forest. He indicated current policy and procedures are in place when the existing and limiting park land is sought to be converted to another use and mentioned Orange County Comprehensive Plan Policy R.1.1.4, which reads: "Public park or recreation areas operated or maintained by Orange County shall not be converted to other uses, except by

determination of the Board of County Commissioners that such conversion is in the public interest. Orange County shall seek appropriate compensation or replacement land if such land is taken.” However, despite that policy, Committee Chair Grimmer indicated conversions of these County protected lands are taking place, as is the case with a portion of Horizon West park which will be converted to a branch of County library and additional land possibly converted as a YMCA. The Committee discovered through County staff they are frequently approached with requests to access park land for other purposes. Although County staff indicated the requests are rarely approved the decisions ultimately rely upon the Orange County Board of County Commissioners who can approve those requests with a simple majority vote. As for the Green PLACE (Park Land Acquisition for Conservation and Environmental Protection) Program County staff explained it is used by the County to purchase environmentally sensitive lands for the purposes of preservation. Furthermore, the Board of County Commissioners allocated \$100 million in September 2021 to purchase environmentally sensitive lands, twenty-three (23) parcels of land have been acquired and over five hundred acres (500) preserved. The Green PLACE Program has an overall goal of preserving twenty-three thousand (23,000) acres of land by 2030. Committee Chair Grimmer presented maps depicting the current state of conservation lands in Orange County, and shared specific maps highlighting conservation areas in both eastern and western regions of the County. The Committee discovered that after the Green PLACE Program becomes the sole owner of acquired land, the County maintains a list of various activities permitted on these parcels and the types of uses permitted by County policy; however, it can be subject to change by the Board of County Commissioners. Additionally, the Green PLACE Program does not prohibit the selling of any Green PLACE acquired land even though the land was specifically acquired for the purpose of preservation. The Committee looked at the Pinellas County Charter, which requires approval of the sale of any environmental land larger than one acre and any lease agreement longer than ten years for environment lands approved only by a majority of voters during a referendum. The Committee ultimately decided not to pursue the Pinellas model because they believed it was too restrictive. The Committee feels their model allows for the Orange County Board of County Commissioners to retain an element of discretion and flexibility with regards to parks and conservation land.

Committee Chair Grimmer reviewed the proposed ballot language as follows:

#### **Exhibit "A"**

**Ballot Proposal:** The ballot title and ballot summary for this question are as follows:

#### **SUPERMAJORITY COUNTY COMMISSION VOTE TO DISPOSE OF OR CHANGE USE OF "COUNTY PROTECTED LANDS"**

Amending the Orange County Charter to define "County Protected Lands" as County owned (in whole or in part), operated, or maintained public parks and recreation areas, and environmentally sensitive lands acquired by the County for environmental, ecological, or recreational purposes; and requiring that any County Commission action authorizing the disposition of County Protected Lands or change to another use must be approved by a majority-plus-one County Commission vote.

\_\_\_\_ Yes

\_\_\_\_ No

**Text Revisions:** Upon approval of this question at referendum, the following portions of the Orange County Charter are amended to read as follows:

**Sec. 713. - County Protected Lands.**

A. Definition of "County Protected Lands". As used in this section, "County Protected Lands" means public parks and recreation areas that are owned, operated, or maintained by the county, and environmentally sensitive lands acquired by the county for environmental, ecological, or recreational purposes. References to ownership or acquisition encompass ownership or acquisition of any interest in real property, whether by conveyance, dedication, grant of easement, or otherwise, and whether held solely, or in common with others.

B. Supermajority vote requirement. Any action of the board authorizing the disposition of any County Protected Lands, or any portion thereof, or the change of any County Protected Lands, or any portion thereof, to another use must be approved by an affirmative vote of not less than a majority plus one of the entire membership of the board.

Committee Chair Grimmer indicated the proposal does not prohibit the County Commission from changing the use or disposing of lands it would only require the majority plus one vote.

A motion was made by Member Batchelor, seconded by Member Arias, to call the question to end discussion. The motion carried by the following vote:

**Aye:** 13 - Member Batchelor, Member Jackson, Member de la Portilla, Member Winesburgh, Member Callan, Member Arias, Member Hartage, Member Grimmer, Member Bagga, Member O'Neal, Member Stoccardo, Member Adamson Profit, and Member Riley

**Absent:** 2 - Member Chira, and Member Wynn

A motion was made by Member Grimmer, seconded by Member Callan, to approve the draft ballot language and text revisions for County Protected Lands and send the Charter amendment to the ballot in November. The motion carried by the following vote:

**Aye:** 11 - Member Batchelor, Member Adamson Profit, Member de la Portilla, Member Grimmer, Member Jackson, Member Arias, Member Bagga, Member Callan, Member Stoccardo, Member Riley, and Member O'Neal

**Nay:** 2 - Member Hartage, and Member Winesburgh

**Absent:** 2 - Member Chira, and Member Wynn

**C. CRC-24-140** Sustainable Growth & Charter Clean Up Committee - Requiring Adoption of a Fiscal Sustainability Analysis Tool  
(Second of Two Public Hearings / Votes)

1. Public Comment
2. CRC Discussion and Second Vote

CRC Chair Hartage opened the public hearing of the Sustainable Growth and Charter Clean Up Committee proposed amendment of a fiscal sustainability analysis tool.

The following persons addressed the CRC:

- Marjorie Holt
- Lee Perry
- Orange County Soil and Water Conservation District 1 Samuel Chambers

CRC Chair Hartage requested Committee Chair Grimmer offer a motion.

Committee Chair Grimmer made a motion, seconded by Member Arias, requiring adoption of a Fiscal Sustainability Analysis tool and send it to the ballot in November. No vote taken. Discussion ensued.

A motion was made by CRC Chair Hartage, seconded by Member Riley, to call the question to end discussion. The motion carried by the following vote:

**Aye:** 13 - Member Batchelor, Member Jackson, Member de la Portilla, Member Winesburgh, Member Callan, Member Arias, Member Hartage, Member Grimmer, Member Bagga, Member O'Neal, Member Stoccardo, Member Adamson Profit, and Member Riley

**Absent:** 2 - Member Chira, and Member Wynn

A motion was made by Member Grimmer, seconded by Member Arias, requiring adoption of a Fiscal Sustainability Analysis tool and send it to the ballot in November. The motion carried by the following vote:

**Aye:** 13 - Member Batchelor, Member Adamson Profit, Member de la Portilla, Member Grimmer, Member Jackson, Member Hartage, Member Arias, Member Bagga, Member Callan, Member Stoccardo, Member Riley, Member O'Neal, and Member Winesburgh

**Absent:** 2 - Member Chira, and Member Wynn

**D. CRC-24-131** Transportation Committee - Consideration of the proposed amendment creating the Transportation Mobility Advisory Commission  
(Second of Two Public Hearings / Votes)

1. Public Comment
2. CRC Discussion and Second Vote

Committee Chair Callan introduced the Transportation Committee's Final Report, which includes the establishment of the Transportation Mobility Advisory Committee. He noted that this advisory committee, would be appointed by the BCC, and it's purpose would be to evaluate, prioritize, and

conduct public hearings on all transportation funding requests at the beginning of the budget cycle. Committee Chair Callan said that this allows for a complete review of all transportation expenses at the same time. It also increases transparency and examines transportation funding. Additionally, it demonstrates both funded and unfunded projects and needs to the public. He indicated the financial impact should be minimal since it does not create a review because the review already exists in the budget cycle. He referred to the Comptroller's Fiscal Analysis that provides a breakdown of cost with an amount of (\$725,132) which will include: Admin (Meetings, legal, postage, graphics, supplies, meeting costs, advertising) \$107,500, consulting services at \$215,000, County Staff (3 full time positions) at \$350,513 and Comptroller staffing for meetings at \$52,118. He highlighted the Mobility Evolution and Enhancement that offers a non-budgetary cycle, running from September to December, featuring periodic meetings to discuss new technology platforms, transportation interfaces, and examines new methods or trends in mobility. It also includes recommending new policies to the BCC and conducting a "Look Back" review of the past decade's expenditures, serving in an advisory capacity to the BCC. Committee Chair Callan indicated creating a Transportation Mobility Advisory Commission offers several benefits. Firstly, it promotes transparency by allowing citizens to see how money is being spent. Additionally, it provides a list of unfunded desirable projects. Moreover, it focuses debate on transportation within a specific timeframe. This helps to create competition and build trust, while addressing skepticism and doubts. Furthermore, it assists the BCC in vetting and resolving conflicts. Lastly, it encourages citizen buy-in for funding transportation initiatives.

The following persons addressed the CRC:

- Marjorie Holt
- Nelson Betancourt
- Matthew Grocholske
- Nate Douglas

Discussion ensued.

Member Callan made a motion, seconded by CRC Chair Hartage, to recommend approval of the amendment to Charter creating the Transportation Mobility Advisory Commission as outlined in the packet as well as discussed today. No vote taken. Discussion ensued.

A motion was made by Member Batchelor, seconded by Member Arias, to call the question to end discussion. Discussion ensued. No vote taken.

A motion was made by Member Callan, seconded by Member Hartage, to recommend approval of the amendment to Charter creating the Transportation Mobility Advisory Commission as outlined in packet as well as discussed today. The motion carried by the following vote:

**Aye:** 13 - Member Batchelor, Member Adamson Profit, Member de la Portilla, Member Grimmer, Member Jackson, Member Hartage, Member Arias, Member Bagga, Member Callan, Member Stoccardo, Member Riley, Member O'Neal, and Member Winesburgh

**Absent:** 2 - Member Chira, and Member Wynn

**VII. Discussion of Ballot Order****A. CRC-24-141** Discussion of ballot order.

CRC Chair Hartage confirmed that the CRC approved eight proposed charter amendments. The amendments will be placed on the ballot. He discussed two options for the order of placement: arranging them in the order approved or holding a drawing. The second option was chosen. Member Grimmer inquired if the Rural Boundary amendment would be placed on the list. CRC Chair Hartage stated that the rural boundary amendment would be the last item on the list if the item is brought back for consideration and approved at the next CRC Meeting. Citizen Marjorie Holt, randomly drew and announced the amendments selected for placement on the ballot. The amendment ballot order is as follows:

1. Initiative Petitions
2. Affordable Housing
3. Concerning the Write-in Candidate Effect on Timing of Charter Officer Elections
4. Requiring the Adoption of Fiscal Sustainability Analysis Tool
5. Establishing the Charter Office of the County Attorney
6. Increasing the Number of County Commission Districts
7. Creating the Transportation Mobility Advisory Commission
8. Concerning a Supermajority County Commission Vote to Dispose of or Change Use of "County Protected Lands"

The next CRC Meeting is scheduled for Thursday, May 30, 2024, at 6 p.m. Dinner and an awards ceremony will be provided before the meeting at 5 p.m. The final press conference will be held on May 22, 2024 at 11:30 a.m, at the County Chambers. The attendance of all Committee Chairs has been requested by CRC Chair Hartage, and all CRC members are invited. CRC staff have been instructed to extend invitations to the County Commissioners. CRC General Counsel Vose will be completing the Final Report which will include all committee reports, any oral reports made from the podium and the CRC Bylaws. The Final Report will be made available online for the viewing public. CRC Chair Hartage has decided against forming a Public Relations Committee for media discussions. CRC members addressing the media are advised to represent only themselves and not the CRC as a whole. CRC staff will develop marketing materials for distribution, as the State legislature has banned the dissemination of mail regarding information of the proposed charter amendments. CRC Members wishing to make recommendations are welcome to contact the CRC staff. CRC General Counsel Vose contributed to the discussion.

**VIII. Member Comments**

This item was not considered.

**IX. Adjournment**

CRC Chair Hartage made a motion to adjourn the meeting. The seconder of the motion was not announced. The motion carried by the following vote:



**Aye:** 13 - Member Batchelor, Member Jackson, Member de la Portilla, Member Winesburgh, Member Callan, Member Arias, Member Hartage, Member Grimmer, Member Bagga, Member O'Neal, Member Stoccardo, Member Adamson Profit, and Member Riley

**Absent:** 2 - Member Chira, and Member Wynn

There being no further business, the CRC adjourned at 11:02 p.m.

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Homer Hartage, Chair  
2024 Charter Review Commission