

Orange County Government

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



Draft Meeting Minutes

Tuesday, June 18, 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 9:07 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 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
Public Works Director Joseph Kunkel
Senior Minutes Coordinator Noelia Perez
Minutes Coordinator Rafael Encarnacion Jr.

Invocation - District 3

Pastor John Sanders, First Baptist Church Pine Castle

Pledge of Allegiance

Presentation

Proclamation designating June 19, 2024 as Juneteenth Day

Presentation

Proclamation designating June 20, 2024 as Boys & Girls Clubs 80th Anniversary Day

Presentation

Proclamation designating June 18, 2024 as Tommy Townsend Day

Public Comment

The following persons addressed the Board during public comment:

- Florida House Representative District 35 Tom Keen
- Scott Billue
- Shelley Bradford
- David Bottomley
- Chris Mathieson
- Maxine Austin
- Joy Mullen

- Eric Grimmer
- Malcolm Jones
- Eugene Stoccardo
- Janet Brewer
- Val Mobley
- Tim McKinney
- Matthew Grochdske
- Laurie Forrester
- Kelly Semrad
- Tom Narut
- Lee Perry
- Terri Falbo
- Susan Morris

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 Maxine Austin.

I. CONSENT AGENDA

Approval of the Consent Agenda

The Mayor deferred action on Public Works Department Item 1; and further, a motion was made by Commissioner Uribe, seconded by Commissioner Moore, to approve the balance of the Consent Agenda. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bonilla

A. COUNTY MAYOR

1. **24-872** Confirmation of the Mayor's managerial appointment of Zach Fether, as Event Operations Manager, Orange County Convention Center.

B. COUNTY COMPTROLLER

1. **24-873** Approval and execution of the minutes of the May 21, 2024 meeting of the Board of County Commissioners. (Clerk's Office)
2. **24-874** 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. (Finance/Accounting)

Disbursement periods cover:

May 31, 2024 to June 6, 2024; \$40,317,792.42
 June 7, 2024 to June 13, 2024; \$78,100,160.59

(Finance/Accounting)

3. **24-875** Disposition of Tangible Personal Property as follows. (Property Accounting)
 - a. Dispose of assets

C. COUNTY ADMINISTRATOR

1. **24-876** Appointment of Torrey Hill to the Tourist Development Tax Sports Incentive Committee in the Certified Public Accountant representative category with a term expiring December 31, 2026. (Agenda Development Office)
2. **24-877** Confirmation of the County Mayor's staff reappointments for the fourth quarter, (July-September) FY 2023-2024. (Human Resources Division)
 - Bufkin, Kimberly, Division Chief, Fire Rescue Department
 - Cannata, Marc, Deputy Director, Utilities
 - Castillero, Humberto, Manager, Traffic Engineering, Public Works
 - Chestang, Angela, Manager, Citizens Commission for Children, Community and Family Services
 - Cuartas, Edgar, Manager, Customer Services, Utilities
 - Drozeck, Michael, Manager, Stormwater, Public Works
 - Ferguson, Sheena, Manager, Business Development, Administrative Services
 - Hall, Thomas, Director, Drug Free Office, Health Services
 - Layton, Troy, Manager, Field Services, Utilities
 - Lucas, Bryan, Manager, Fleet Management, Administrative Services
 - Mack, Martis, Division Chief, Fire Rescue
 - Morales, Alex, Manager, Fiscal and Operational Support, Fire Rescue
 - Neely, Everett, Deputy Chief, Corrections
 - Petrelli Jr., John, Director, Risk Management and Professional Standards, Administration and Fiscal Services
 - Reyes, Yolanda, Manager, Citizens Resource and Outreach, Community and Family Services
 - Salcedo, Jaime, Deputy Director, Utilities
 - Salem, Tracy, Deputy Director, Community and Family Services
 - Snead, Lisa, Assistant County Administrator, County Administration
 - Steiger Jr., Richard, Manager, Facilities Management, Administrative Services
 - Stewart-Horan, Kimberly, Division Chief, Communications, Fire Rescue
 - Summers, Diane, Manager, Animal Services, Health Services
 - Ussach, Ha, Deputy Director, Public Works
 - Williams, Lavon, Deputy Director, Community and Family Services
 - Williams, Raymond, Manager, Engineering, Public Works

3. **24-878** Approval and execution of Memorandum of Agreement between The Tampa Bay Regional Planning Council (TBRPC) and City of Jacksonville, City of Orlando, Orange County, Osceola County, Sarasota County, and Seminole County for Implementation of the Sunshine State Energy Resilience Coalition (SSERC) Project and authorization for the Mayor or designee to execute any necessary modifications, amendments, and extensions to this agreement. All Districts.
4. **24-879** Approval and execution for the Orange County Sheriff's Office to spend \$145,678.20 from the FY 2024 Law Enforcement Trust Fund-Federal Justice Forfeitures for High Water Rescue Vehicle/Equipment. (Office of Management and Budget)
5. **24-880** Approval of budget amendments #24-39, #24-40, and #24-41. (Office of Management and Budget)

D. COUNTY ATTORNEY

1. **24-881** Approval of the Mediated Settlement Agreement in the case of Orange County v. J&J Moving & Storage, Inc., et al., Case No. 2020-CA-010224-O, Parcels 1069/7069 and 1070/7070, Kennedy Boulevard Project, and authorization for the County Attorney's Office to execute the Joint Motion for Entry of Stipulated Final Judgment agreeing to the entry of the proposed Stipulated Final Judgment on behalf of Orange County.

E. ADMINISTRATIVE SERVICES DEPARTMENT

1. **24-882** Approval to award Invitation for Bids Y24-179-TF, Transfer Trailer Repair for Orange County Solid Waste, to the low responsive and responsible bidder, All State Trailer Repair, Inc. The total estimated contract award amount is \$1,093,000 for a one-year term. ([Utilities Department Solid Waste Division] Procurement Division)
2. **24-883** Approval to award Invitation for Bids Y24-186-MV, MSBU and Non-MSBU Retention Pond Mowing and Maintenance - Three Points, to the low responsive and responsible bidder, Seasonal Effects, LLC. The estimated contract award amount is \$309,300 for the base year. ([Public Works Department Stormwater Management Division] Procurement Division)
3. **24-884** Approval of Contract Y24-1079, Computed Tomography Scanner and Picture Archiving and Communication System Maintenance Coverage, with CMS Imaging, Inc., in the estimated contract award amount of \$405,540 for a five-year term. ([Health Services Department Medical Examiner's Office] Procurement Division)
4. **24-885** Approval of Amendment No. 13, Contract Y18-1053, Recycle and Waste

Disposal Services, with Waste Management Inc. of Florida, in the amount of \$143,415.14, for a revised estimated contract amount of \$2,712,698.94. ([Administrative Services Department Facilities Management Division] Procurement Division)

5. **24-886** Approval of Amendment No. 2, Task Authorization No. 3, Contract Y20-905D, Pump Station Rebuild/Rehabilitation Package 48 Improvements, with Tetra Tech, Inc., in the total amount of \$76,761.43, for a revised total award amount of \$533,550.06. ([Utilities Department Engineering Division] Procurement Division)
6. **24-887** Approval of Amendment No. 5, Contract Y20-2084, Providing Early Intervention Services Ryan White HIV/AIDS Program, with State of Florida Department of Health, Orange County Health Department, in the amount of \$86,160, for a revised total contract award amount of \$366,713. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
7. **24-888** Approval of Purchase Order M114922, Preventive Maintenance, Hardware, and Software Support, with Mettler-Toledo, LLC, in the total amount of \$147,746.70. ([Utilities Department Solid Waste Division] Procurement Division)
8. **24-889** Approval of Change Order No. 2, Task Authorization No. 3, Contract Y20-905B, Additional Engineering Services for East Water Reclamation Facility (EWRf) Internal Recycle Pump Replacement, with Black & Veatch, in the total amount of \$162,200.70, for a revised total award amount of \$550,839.66. ([Utilities Department Engineering Division] Procurement Division)
9. **24-890** Approval of Change Order No. 4, Task Authorization No. 1, Contract Y20-905B, Additional Engineering Services for East Water Reclamation Facility (EWRf) Motor Control Center Replacement, with Black & Veatch, in the total amount of \$163,538.66, for a revised total award amount of \$662,799.13. ([Utilities Department Engineering Division] Procurement Division)
10. **24-891** Approval to add Exhibit A Sketch of Description to the previously approved Orlando Utilities Commission Utility Easement (Orange County Mosquito Control Facility WR #824295) by and between Orange County, Orlando Utilities Commission, and City of Orlando. District 6. (Real Estate Management Division)

F. COMMUNITY AND FAMILY SERVICES DEPARTMENT

1. **24-892** Approval of Orange County Head Start Application Federal Assistance related to Cost-of-Living Adjustment (2.35%) FY 2023-2024 in the estimated

amount of \$371,228. (Head Start Division)

2. **24-893** Receipt and filing of Head Start Policy Council Program Information and Updates for May 2024 for the official county record. (Head Start Division)
3. **24-894** Approval of Orange County Head Start Program Application for Federal Assistance Five Year Grant (Year 5) FY 2024-2025 Grant No. 04CH011834, between the Department of Health and Human Services, Administration for Children and Families, Office of Head Start and Orange County in the amount of \$16,325,263 for the continued operation of the Head Start Program with the required non-federal match in the amount of \$4,081,263 and approval and execution of U.S. Department of Health and Human Services Compendium of Required Certifications and Assurances. (Head Start Division)
4. **24-895** Approval and execution of (1) State of Florida Statewide Voluntary Prekindergarten Provider Contract Form DEL-VPK 20 by and between Early Learning Coalition of Orange County and Orange County Board of County Commissioners dba Orange County Head Start and (2) Delegation of Signing Authority for the State of Florida Statewide Voluntary Prekindergarten Provider Contract related to the Orange County Head Start Program to the Mayor's designee to execute any necessary modifications, amendments, renewals, and extensions of this contract. (Head Start Division)

G. CONVENTION CENTER

1. **24-896** Approval of the Tourist Development Tax Sports Incentive Committee's recommendations for sports incentive funding pursuant to the terms and conditions of funding agreements between Visit Orlando and the following applicants and authorization for Visit Orlando to enter into such agreements as follows: (1) \$137,500 per year, for a total amount of \$275,000 over two years (2024 and 2025), and \$137,500 for 2026 contingent upon a facility in Orlando being selected to host the game, to be used for marketing and promotion of the Cure Bowl; (2) \$125,000 per year, for a total amount of \$625,000 over five years, to be used as a bid fee to incentivize the 2026-2030 Sunshine Classic Junior National Volleyball Qualifier; and (3) \$30,000 to be used as a bid fee for the 2026 National Gymnastics Association Championships. (Fiscal and Operational Support Division)

H. HEALTH SERVICES DEPARTMENT

1. **24-897** Approval to pay Orange County's estimated Medicaid share of cost in accordance with Florida Statute 409.915 for state fiscal year 2024-2025 in the amount of \$24,434,418.

I. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

1. **24-898** Approval and execution of Amendment No. 3 to Agreement NO. LPF4801 Between Florida Department of Environmental Protection and Orange County, a Charter County and Political Subdivision of the State of Florida, regarding the Orange County Septic Upgrade Incentive Program. Districts 1, 2, 5, and 6. (Environmental Protection Division)
2. **24-899** Approval of the Neighborhood Grants Advisory Board recommendations for May 2024 Neighborhood Beautification Grants to Windward Cay Winter Garden Homeowners' Association, Inc. (\$14,030.24); Long Lake Park Homeowners' Association, Inc. (\$8,336.65); Tealwood Cove Subdivision (\$15,000); Lake Jean Homeowners' Association, Inc. (\$5,000); Winter Park Pines Community Association, Inc. (\$15,000); Bentons Garden Cove Subdivision (\$15,000); and Normandy Shores Neighborhood Association (\$15,000); and authorization for the Director of Planning, Environmental, and Development Services to execute the associated grant agreements. Districts 1, 2, 5, and 6. (Neighborhood Services Division)
3. **24-900** Approval of the Neighborhood Grants Advisory Board's recommendations of the May 2024 Sustainable Communities Grant to Heron Bay Homeowners' Association, Inc. (\$1,416.94) and authorization for the Director of Planning, Environmental, and Development Services to execute the associated grant agreement. District 4. (Neighborhood Services Division)

J. PUBLIC WORKS DEPARTMENT

1. **24-901** Approval and execution of Hamlin 30 PD Adequate Public Facilities and Road Network Agreement between Hamlin Partners at Silverleaf, LLC and Orange County providing for the conveyance of 0.1 acres of right-of-way for \$2,250 in Transportation Impact Fee Credits and for a Fair Share payment in the amount of \$694,613. District 1. (Roadway Agreement Committee)

(This item was deferred).

2. **24-902** Approval and execution of Proportionate Share Agreement for Simpson Road Multifamily Boggy Creek Road by and among Genesis Christian Center of Orlando, Florida, Inc., Ralph Jeudy, Boggy Creek South Property, Inc., and Orange County for a proportionate share payment in the amount of \$1,382,909. District 4. (Roadway Agreement Committee)
3. **24-903** Approval and execution of (1) Resolution 2024-M-16 of the Orange County Board of County Commissioners regarding the Local Agency Program Supplemental Agreement with the State of Florida Department of Transportation concerning the Buck Road Bridge Project (FPN Number 439252-1-58/68-01) and (2) State of Florida Department of Transportation Local Agency Program Supplemental Agreement FPN: 439252-1-58/68-01 Contract No.: G2R43. District 5. (Transportation Planning Division)

K. UTILITIES DEPARTMENT

1. **24-904** Approval and execution of Memorandum of Agreement between Coalition Partners by and between Seminole County, Osceola County, Orange County, City of Orlando, City of Altamonte Springs, City of Winter Springs, City of Oviedo, and Tohopekaliga Water Authority to develop a Central Florida Waste to Energy Initiative advisory board to evaluate a regional biosolids solution and authorization for the Mayor or designee to execute any necessary modifications, amendments, and extensions to this agreement. All Districts. (Water Reclamation Division)

II. INFORMATIONAL ITEMS****A. COUNTY COMPTROLLER**

1. **24-861** Receipt of the following items to file for the record: (Clerk's Office)
 - a. Shingle Creek Transit & Utility Community Development District FY 2025 Proposed Operating & Maintenance Budget.
 - b. Poitras East Community Development District FY 2025 Proposed Operating & Maintenance Budget.
 - c. Boggy Creek Improvement District FY 2025 Proposed Operating & Maintenance Budget.
 - d. Midtown Improvement District FY 2025 Proposed Operating & Maintenance Budget.
 - e. Greenway Improvement FY 2025 District Proposed Operating & Maintenance Budget.
 - f. Myrtle Creek Improvement District FY 2023 Proposed Operating & Maintenance Budget.
 - g. Florida Public Service Commission Consummating Order. In re: Application for increase in water and wastewater rates in Orange County by Pluris Wedgefield, LLC.
 - h. Florida Public Service Commission Order Suspending Tariffs. In re: Petition for rate increase by Duke Energy Florida, LLC.
 - i. City of Orlando Council Agenda Item for the meeting of May 13, 2024. 2nd consideration of the City of Orlando Ordinance No. 2024-20 with Exhibit A (Legal Description), Exhibit B (Location Map), City of Orlando Fiscal Impact

Statement and City of Orlando Business Impact Estimate, and the Orlando Sentinel Notice of Proposed Enactment. Ordinance No. 2024-20 entitled: An Ordinance of the City Council of the City of Orlando, Florida, annexing to the corporate limits of the City certain land generally located south of the Stanton Energy Plant and State Road 528, east of the Starwood property and north of the Osceola County Line and comprised of 5,398.094 acres of land, more or less; providing for severability, correction of scrivener's errors, and an effective date. A public hearing on this Ordinance will be held during Council's regular meeting beginning at 2:00 p.m., in Council Chambers, 2nd floor, Orlando City Hall, 400 S. Orange Ave., Orlando, Florida. Attached Map Sunbridge - Camino ANX2024-10002.

j. City of Orlando Council Agenda Item for the meeting of May 13, 2024. 2nd consideration of the City of Orlando Ordinance No. 2024-20 with Exhibit A (Legal Description), Exhibit B (Location Map), City of Orlando Fiscal Impact Statement and City of Orlando Business Impact Estimate, and the Orlando Sentinel Notice of Proposed Enactment. Ordinance No. 2024-20 entitled: An Ordinance of the City Council of the City of Orlando, Florida, annexing to the corporate limits of the City certain land generally located south of the Stanton Energy Plant and State Road 528, east of the Starwood property and north of the Osceola County Line and comprised of 5,398.094 acres of land, more or less; providing for severability, correction of scrivener's errors, and an effective date. A public hearing on this Ordinance will be held during Council's regular meeting beginning at 2:00 p.m., in Council Chambers, 2nd floor, Orlando City Hall, 400 S. Orange Ave., Orlando, Florida.

k. City of Orlando Ordinance No. 2024-20 adopted by City Council on May 13, 2024. Ordinance 2024-20 entitled: An Ordinance of the City Council of the City of Orlando, Florida, annexing to the corporate limits of the City certain land generally located south of the Stanton Energy Plant and State Road 528, east of the Starwood property and north of the Osceola County Line and comprised of 5,398.094 acres of land, more or less; providing for severability, correction of scrivener's errors, and an effective date.

l. Winter Garden Notice of Annexation Ordinance 24-13 with Exhibit A (Legal Description), Exhibit B (Location Map). Ordinance 24-13 entitled: An Ordinance of the City of Winter Garden, Florida providing for the annexation of certain additional lands generally described as approximately 2.20 ± acres located at 681 W Plant Street, north of Plant Street, south of the West Orange Trail, east of Brayton Road, and west of Park Avenue into the City of Winter Garden, Florida; redefining the City boundaries to give the City jurisdiction over said property; providing for severability; providing for an effective date.

m. City of Orlando Community Redevelopment Agency Financial Report for the Fiscal Year ended September 30, 2023.

These items were received and filed.

III. DISCUSSION AGENDA

A. ADMINISTRATIVE SERVICES DEPARTMENT

1. **24-905** Selection of one firm and an alternate to provide Fire Station Location Study, Request for Proposals Y24-605-KS, from the following two firms, listed alphabetically:
 - Emergency Services Consulting International
 - Fitch & Associates([Fire Rescue Department Planning and Technical Services Division] Procurement Division)

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Scott, to appoint Emergency Services Consulting International, 370 points, as the selected firm; and further, appoint Fitch & Associates, 305.28 points, as the selected alternate. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bonilla

B. COMMUNITY AND FAMILY SERVICES DEPARTMENT

1. **24-906** Approval of Federal Subrecipient Agreement # Y24-2225 between Orange County, Florida and Medical Debt Resolution, Inc. for a federal subaward of an amount not to exceed \$4,500,000 for medical debt relief and authorization for the Procurement Division Manager or designee to execute such Federal Subrecipient Agreement.

The Board took no action.

C. UTILITIES DEPARTMENT

1. **24-907** Approval to establish the haulers' compensation rates as listed, set the MSBU rate of \$300 for Program Year 2025, and authorization to include the Tentative Mandatory Refuse Collection Program Rate of \$300 on the 2024 Notice of Proposed Taxes. All Districts. (Solid Waste Division)

A motion was made by Commissioner Scott, seconded by Commissioner Uribe, to approve the tentative Municipal Service Benefit Unit (MSBU) rate at \$300 per household for calendar year 2025; and further, approve the set hauler compensation rates for calendar year 2025 as follows: Zone 1 - \$164.11 per household, Zone 2 - \$203.00 per household, Zone 3 - \$176.75 per household, Zone 4 - \$143.35 per household, Zone 5 - \$145.90 per household. The motion carried by the following vote:

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

IV. WORK SESSION AGENDA

A. COMMUNITY AND FAMILY SERVICES DEPARTMENT

1. 24-908 Homelessness Update. (Mental Health and Homelessness Division)

The following person addressed the Board: Martha Are.

The Board took no action.

V. RECOMMENDATIONS

1. 24-909 June 6, 2024 Board of Zoning Adjustment Recommendations

A motion was made by Commissioner Uribe, seconded by Commissioner Gomez Cordero, to approve the recommendations, with the exception of Case # VA-24-05-027, Alexander Montoya (Board-Called) and Case # VA-24-06-043, Paul Abate For Rescom Contractors (Board-Called) which were 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 Scott

VI. PUBLIC HEARINGS

A. Petition to Vacate

1. 24-420 Case # PTV 23-09-033

Christopher Thompson, on behalf of FL Acquisition LLC and East West Place LLC, vacate a portion of an unopened and unimproved right-of-way; District 3 (Continued from April 9, 2024 and April 23, 2024) **(Canceled)**

Consideration: Resolution granting Petition to Vacate # 23-09-033, vacating a portion of a 25-foot-wide unopened and unimproved right-of-way known as Winn Avenue located along the east property line of the petitioners' residential lots located within the Handsonhurst Subdivision containing approximately 0.19 acres.

Location: District 3; The parcel addresses are 2615 Raehn Street and 1411 Clark Street; S31/T22/R30; Orange County, Florida (legal property description on file)

This public hearing was canceled.

B. Shoreline Alteration/Dredge and Fill

2. 24-732 Case # SADF-23-04-012

Thomas and Tami Karr, Lake Butler, permit; District 1

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit SADF # 23-04-012 to authorize the construction of a new vinyl seawall along the shoreline of Lake Butler, Chapter 33, Article IV, Windermere Water and Navigational Control District

Location: District 1; on property located adjacent to Lake Butler, located at 12607 W. Lake Butler Road, Windermere, Florida, 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-23-04-012) subject to the twenty-seven (27) conditions of approval listed in the Staff Report dated May 20, 2024. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bonilla

3. 24-730 Case # SADF-23-09-023

Harpaul Ohri, Lake Down, permit; District 1

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit SADF # 23-09-023 to authorize the construction of a new vinyl seawall along the shoreline of Lake Down, pursuant to Chapter 33, Article IV, Windermere Water and Navigational Control District

Location: District 1; on property located adjacent to Lake Down, located at 502 Jennifer Lane, Windermere, Florida, 34786; Orange County, Florida (legal property description on file in Environmental Protection Division)

A motion was made by Commissioner Wilson, 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-23-09-023) subject to the thirty (30) conditions of approval listed in the Staff Report dated May 20, 2024. The motion carried by the following vote:

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

4. 24-731 Case # SADF-23-10-025

Jonathan Lopez and Gabriella Agosto, Lake Douglas, permit; District 5

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit SADF # 23-10-025 to authorize the construction of a replacement seawall, faced with riprap and plantings, along the shoreline of Lake Douglas, pursuant to Chapter 15, Article VI, Pumping and Dredging Control

Location: District 5; on property located adjacent to Lake Douglas, located at 9409 Kerr Court, Orlando, FL, 32817; Orange County, Florida (legal property description on file in Environmental Protection Division)

A motion was made by Commissioner Bonilla, seconded by Commissioner Scott, to accept the findings and recommendation of the Environmental Protection Division; and further, approve the Shoreline Alteration/Dredge and Fill Permit (SADF-23-10-025) subject to the thirty (30) conditions of approval listed in the Staff Report dated May 20, 2024. The motion carried by the following vote:

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

5. 24-740 Case # SADF-21-11-026

Peterson Investments Llp, Langford-Peterson Inc., and Noble Resorts Corp, Raccoon Lake, After-the-Fact permit; District 1

Consideration: Request for an After-the-Fact Shoreline Alteration/Dredge and Fill Permit SADF # 21-11-026 to authorize after-the-fact installation of Armorflex™ concrete erosion control blocks, with backfill, along the shoreline of Raccoon Lake, at Vista Del Lago Mobile Home Park, Chapter 15, Article VI, Pumping and Dredging Control

Location: District 1; on property located adjacent to Raccoon Lake, located at 14465 Vista Del Lago Boulevard, Kissimmee, FL, 34747; Orange County, Florida (legal property description on file in Environmental Protection Division)

The following person addressed the Board: Fausto Hernandez.

A motion was made by Commissioner Wilson, seconded by Commissioner Uribe, to accept the findings and recommendation of the Environmental Protection Division; and further, approve the After-the-Fact Shoreline Alteration/Dredge and Fill Permit (SADF-21-11-026) subject to the twenty-six (26) conditions of approval listed in the Staff Report dated May 20, 2024. The motion carried by the following vote:

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

C. Board of Zoning Adjustment Appeal

6. 24-643 Case # VA-24-04-008

Joseph Kovacs For 7-Eleven, April 4, 2024; District 6 (Continued from June 4, 2024)

Consideration: Appeal of the recommendation of the Board of Zoning Adjustment on a request by applicant for Variance in the C-1 zoning district to allow a Billboard setback of 248 ft. in lieu of 500 ft. from the edge of right-of-way end ramp of a limited access highway

Location: District 6; property located at 7329 W. Sand Lake Road, Orlando, FL 32819; Orange County, Florida (legal property description on file at Zoning Division)

The following persons addressed the Board:

- Joseph Kovecses
- Chuck Whittall

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

A motion was made by Commissioner Scott, seconded by Commissioner Uribe, to uphold the recommendation of the Board of Zoning Adjustment of April 4, 2024; and further, deny the request by the applicant for a Variance in the C-1 zoning district to allow a Billboard setback of 248 ft. in lieu of 500 ft. from the edge of right-of-way end ramp of a limited access highway. The motion carried by the following vote:

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

D. Substantial Change

7. **24-727** Case # CDR-23-06-186

Lance Bennett , Poulos & Bennett, LLC, Orangewood N-2 PD / Change Determination Review, amend plan; District 1

Consideration: A Change Determination Request (CDR) to create Parcel 10A from existing Parcel 10. Use the existing trip conversion matrix to convert 61 entitled Hotel units to 48 timeshare units and request an additional 197 Timeshare Units (for a total of 245 Timeshare units) as well as 15,000 square feet of Tourist Commercial on New PD Parcel 10A; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207

Location: District 1; property generally located North of International Drive/East of Central Florida Parkway; (legal property description on file in Planning Division)

County staff announced the affected portion of the Planned Development (PD) is located west of International Drive and south of Central Florida Parkway.

The following person addressed the Board: Jesse Anderson.

A motion was made by Commissioner Wilson, seconded by Commissioner Uribe, 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 May 23, 2024. The motion carried by the following vote:

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

E. Land Use Plan/Planned Development

8. **24-799** Case # LUP-22-03-085

Scott M. Gentry, Kelly, Collins & Gentry, Inc., Hamlin 30 Planned Development / Land Use Plan (PD/LUP); District 1

Consideration: This request is to rezone 29.58 acres from A-1 (Citrus Rural District) to PD (Planned Development District) in order to construct 100 multi-family residential dwelling units, 169,705 square feet of non-residential uses, and 26 hotel rooms; pursuant to Orange County Code, Chapter 30

Location: District 1; property located at 17301 Schofield Road; generally located North of Schofield Road / West of Avalon Road / and West of State Road 429; Orange County, Florida (legal property description on file in Planning Division)

A motion was made by Commissioner Wilson, seconded by Commissioner Gomez Cordero, to continue the public hearing until July 30, 2024, at 2 p.m. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner Wilson, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Scott

Absent: 1 - Commissioner Moore

and

I. CONSENT AGENDA (Deferred)

J. PUBLIC WORKS DEPARTMENT

1. **24-901** Approval and execution of Hamlin 30 PD Adequate Public Facilities and Road Network Agreement between Hamlin Partners at Silverleaf, LLC and Orange County providing for the conveyance of 0.1 acres of right-of-way for \$2,250 in Transportation Impact Fee Credits and for a Fair Share payment in the amount of \$694,613. District 1. (Roadway Agreement Committee)

This item was continued.

VI. PUBLIC HEARINGS (Continued)

F. Ordinance/Comprehensive Plan - Adoption of Regular Cycle Text Amendment, Ordinance, and Concurrent PD Substantial Change Request

9. **24-631** Adoption of Future Land Use Text Amendment 2023-1-P-FLUE-1, Ordinance, and Concurrent PD Substantial Change Request CDR-22-04-119, Jennifer Stickler, P.E., Kimley-Horn and Associates, Inc.

Amendment 2023-1-P-FLUE-1

Consideration: Privately-initiated text amendment to Future Land Use Element Policy FLU8.1.4 amending the maximum density/intensity of the Sutton Lakes PD and, specifically, revising the currently-approved development program to add multi-family residential as a permitted use within the PD

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 AN AMENDMENT PURSUANT TO SECTION 163.3184(3), FLORIDA STATUTES, FOR THE 2023 CALENDAR YEAR (FIRST CYCLE); AND PROVIDING AN EFFECTIVE DATE.

And

c. ✓ CDR-22-04-119

Consideration: Request to the previously approved Sutton Lakes PD Land Use Plan to add multi-family as an allowable use; incorporate a trip equivalency matrix and revise the development program from 700 single-family units and 20,000 square feet of retail commercial uses to 253 single-family attached and detached units, 304 multi-family units, and 20,000 square feet of retail commercial uses; and to modify the access locations. The request also includes removing Condition of Approval 16a which restricts building height along the lake to one (1)-story. Also requested are three (3) waivers from Orange County Code: 1) A waiver from Orange County Code Section 38-1258(a) to allow multi-family buildings to be four (4) stories/fifty-five (55) feet in height when located within one hundred (100) feet of single-family zoned property internal to this PD, in lieu of being restricted to a single story in height; 2) A waiver from Orange County Code Section 38-1258(b) to allow multi-family buildings located more than 100 feet from single-family zoned property a maximum height of four (4) stories/fifty-five (55) feet, in lieu of three (3) stories/forty (40) feet; and 3) A waiver from Orange County Code Section 38-1258(d) to not require a six (6) foot high masonry, brick, or block wall for multi-family development adjacent to single family zoned property internal to this PD, in lieu of requiring a six (6) foot high masonry, brick, or block wall.

County staff announced the subject property is located in District 1 on the east side of Avalon Road and north of W. Irlo Bronson Memorial Highway.

The following persons addressed the Board:

- Chuck Whittall

- Jennifer Stickler

The motion by Commissioner Wilson, to deny Amendment 2023-1-P-FLUE-1 died for lack of a second.

A motion was made by Commissioner Uribe, seconded by Commissioner Bonilla, to make a finding of consistency with the Comprehensive Plan; further, adopt the requested Future Land Use Text Amendment 2023-1-P-FLUE-1; further, adopt the associated Ordinance 2024-15; and further, approve the substantial change request subject to the twenty-three (23) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated May 29, 2024. The motion carried by the following vote:

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

Nay: 1 - Commissioner Wilson

IV. WORK SESSION AGENDA (Continued)

B. PLANNING, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

1. **24-910** Charter Rural Area Charter Review Commission Recommendation.
(Planning Division)

The Board took no action.

√ **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: 5:20 p.m.

ATTEST:

County Mayor Jerry L. Demings

Date: _____

ATTEST SIGNATURE:

Phil Diamond
County Comptroller as Clerk

Deputy Clerk