

Orange County Government

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



Draft Meeting Minutes

Tuesday, December 12, 2023

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 9:02 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 Joel Prinsell
Minutes Supervisor Craig Stopyra
Minutes Coordinator Terrell Hightower
Minutes Coordinator Megan Fiocco

Invocation - District 5

Bishop David Maldonado, Christ International Church

Pledge of Allegiance**Youth Choir of Community and Family Services Department****Presentation**

Global Alliance World Public Relations and Communications Award 2023

Recognition

John Weiss for donation of 14,000 toys to Mayor's Toy Drives

Public Comment

The following persons addressed the Board during public comment:

- Jill Heroux
- Paul Heroux
- Charlotte Davis
- Adam Bates
- Tuwanan Ware
- Jennifer Kennedy
- Ashleigh Pfluger
- Jill Vaughan
- Maria Bolton-Joubert

- Andre Perez
- Douglas Acres
- Delila Smalley
- Katherine Winter

I. CONSENT AGENDA

Approval of the Consent Agenda

A motion was made by Commissioner Moore, seconded by Commissioner Scott, to approve the Consent Agenda. The motion carried by the following vote:

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

A. COUNTY MAYOR

1. **23-1723** Confirmation of the Mayor's managerial appointment of Kerry Kates, P. E., LEED AP as Deputy Director, Utilities Department.
2. **23-1724** Confirmation of the Mayor's managerial appointment of Tanya Wilson, AICP, as Director, Planning, Environmental, and Development Services Department.
3. **23-1725** Confirmation of the Mayor's managerial appointment of Isabelle Klier-Graham as Manager, Mental Health and Homelessness Division, Community and Family Services Department.
4. **23-1726** Confirmation of the Mayor's managerial appointment of Jonathan Kohn as Manager, Community Action Division, Community and Family Services Department.
5. **23-1727** Confirmation of the Mayor's managerial appointment of Barbara Williams as Manager, Youth and Family Services Division, Community and Family Services Department.
6. **23-1728** Approval and execution of Orange County, Florida and University of Central Florida Board of Trustees FY 2023-2024 Grant Agreement and authorization to disburse \$270,000 as provided in the FY 2023-24 adopted budget. (Office of Economic, Trade and Tourism Development)
7. **23-1729** Approval and execution of Orange County, Florida and Aeras Foundation, Inc. FY 2023-2024 Grant Agreement authorizing disbursement of \$30,000 as provided in the FY 2023-24 budget. (Office of Economic, Trade and Tourism Development)
8. **23-1730** Approval and execution of Orange County, Florida and National Center for

Simulation FY 2024 Grant Agreement and authorization to disburse \$40,193 as provided in the FY 2023-24 adopted budget. (Office of Economic, Trade and Tourism Development)

9. **23-1731** Approval and execution of Orange County, Florida and Orlando Economic Partnership, Inc. Grant Agreement relating to Base Realignment & Closure Threat Mitigation to Modeling, Simulation & Training Industry and authorization to disburse \$25,000 as provided in the FY 2023-24 adopted budget. (Office of Economic, Trade and Tourism Development)

B. COUNTY COMPTROLLER

1. **23-1732** Approval and execution of the minutes of the November 14, 2023 meeting of the Board of County Commissioners. (Clerk's Office)
2. **23-1733** Approval of the check register authorizing the most recently disbursed County funds, having been certified that same have not been drawn on overexpended accounts.

Periods are as follows:

- November 24, 2023 to November 30, 2023; \$74,684,844.72
- December 1, 2023 to December 7, 2023; \$44,986,686.85

(Finance/Accounting)

C. SUPERVISOR OF ELECTIONS

1. **23-1734** Approval and execution of County Precinct Boundary Change Resolution 2023-M-55.

D. COUNTY ADMINISTRATOR

1. **23-1735** Approval of the Membership and Mission Review Board's recommendations for advisory board appointments and reappointments. (Agenda Development Office)

A. Agricultural Advisory Board: Reappointment of Bobby Beagles in the cattle industry representative category and James C. Dowdy in the greenhouse builder representative category with terms expiring December 31, 2025.

B. Animal Services Advisory Board: Reappointment of Erika B. Higgins in the at large representative category with a term expiring December 31, 2025.

C. Building Codes Board of Adjustments and Appeals: Reappointment of

Michael A. Ferguson in the structural engineer representative category, Zachary T. Kasky in the architect representative category, and David E. Washington in the consumer representative category with terms expiring December 31, 2025.

D. Children and Family Services Board: Reappointment of Mary Rebekah Fritz-Gonzalez and Marsha H. Robbins, both in the at large representative category with terms expiring December 31, 2025.

E. Citizens' Commission for Children: Reappointment of Giuvanna Corona and Talia P. Decant, both in the at large representative category with terms expiring December 31, 2025.

F. Citizens' Review Panel for Human Services: Reappointment of Dr. Jacquelleen M. Bido, Michael A. Broadus, Sopi Mitil, Luis Nieves-Ruiz, Jessica Pierre, Dr. Angela R. White-Jones, Briana E. Lewis, Tiffany L. Tommasini, and Isa Dora Dean, all in the at large representative category; and Gregory Ford in the youth advocate representative category with terms expiring December 31, 2026. Note: Briana E. Lewis, Tiffany L. Tommasini, and Isa Dora Dean, currently serving in the at large member in training representative category, will now serve in the at large representative category.

G. Development Advisory Board: Appointment of Justin Hannah to succeed Jim Hall in the certified urban planner representative category and Don H. Nguyen to succeed Kristopher M. Cruzada in the licensed attorney representative category with terms expiring June 30, 2025.

H. Disability Advisory Board: Appointment of John W. Ashton to succeed Joel J. Morales and Kassanndra M. Santiago to succeed Jen J. Vargas, both in the at large representative category with terms expiring June 30, 2025.

I. Fire and Life Safety Code Board of Adjustments and Appeals: Reappointment of Laura A. Lewis in the at large representative category with a term expiring December 31, 2026.

J. Green PLACE Advisory Board: Reappointment of Dr. Michael Daniels in the academic or educational representative category, Elaine A. Imbruglia in the at large representative category, and Eric M. Rollings in the verified recognized environmental conservation organization representative category with terms expiring December 31, 2025.

K. Health Facilities Authority: Reappointment of Melissa Z. Schott-Gomez in the at large representative category with a term expiring December 31,

2027.

L. Industrial Development Authority: Reappointment of Betty V. Hernandez in the at large representative category with a term expiring December 31, 2027.

M. International Drive CRA Advisory Committee: Reappointment of Chadwick Hardee in the at large representative category with a term expiring January 1, 2026.

N. Neighborhood Grants Advisory Board: Appointment of Erica Atterbury to succeed Natasha Player in the District 6 representative category with a term expiring June 30, 2025.

O. Nuisance Abatement Board: Reappointment of James M. Conover, Donnalyn M. Ginther, Mark Guberman, and Carlos A. Morell, all in the at large representative category with terms expiring January 1, 2026; and the appointment of Deidre Graybill to succeed Chris Roper in the at large representative category with a term expiring January 1, 2026 and Gerald J. Higgins to succeed Blair K. Martlaro in the at large representative category with a term expiring January 1, 2025.

P. Parks and Recreation Advisory Board: Reappointment of Pastor David L. Outing in the District 6 representative category, and the appointment of Debra Stevens to succeed Kelly Baumier in the District 2 representative category and Brenda Kolbrich to succeed Joey Kratt in the District 4 representative category with terms expiring June 30, 2025.

2. **23-1736** Confirmation of Commissioner Moore's reappointment to the Lake Ola Advisory Board of Henry Land, II and Kevin P. Harbin with terms expiring December 31, 2025. (Agenda Development Office)
3. **23-1737** Approval of the Membership and Mission Review Board recommendations for extending the existence of the Agricultural Advisory Board and Parks and Recreation Advisory Board with a new sunset review date of 2029. (Agenda Development Office)
4. **23-1738** Reappointment of John Leonard to the Tourist Development Tax Sports Incentive Committee in the Central Florida Hotel & Lodging Association representative category with a term expiring December 31, 2026. (Agenda Development Office)
5. **23-1739** Approval and execution of 2024 Sculpture on the Lawn Loan and Exhibition Agreements by and between Orange County, Florida and Carlos Manuel Azuaje Bolivar, Kobewoodz Creative Artwork LLC; Gleb Dusavitskiy; Hugh W. Lassen, Intervale Studios LLC; and Joan Benefiel, Figuration Studio LLC

for the period of January 1, 2024 through January 31, 2025. (Arts and Cultural Affairs Office)

6. **23-1740** Approval and execution of Sculpture on the Lawn Loan and Exhibition Agreement by and between Orange County, Florida and Dorothy M. Gillespie Foundation to extend the agreement from January 31, 2024 to January 31, 2029. (Arts and Cultural Affairs Office)
7. **23-1741** Approval and execution of Art in the Chambers Loan and Exhibition Agreement by and between Orange County, Florida and Patrick Noze for the period of January 26, 2024 through May 30, 2024. (Arts and Cultural Affairs Office)
8. **23-1742** Confirmation of the County Mayor's Staff Reappointments for the second quarter, (January- March) FY 2023-2024. (Human Resources Division)
Aker, Ralphetta, Manager, Fiscal and Operational Support, Public Works
Banks, Daniel, Deputy County Administrator, County Administrator's Office
Brooks, Byron, County Administrator, County Administrator's Office
Johnson, Carla Bell, Deputy County Administrator, County Administrator's Office
Long, Laurie, Manager, Security Operations, Corrections
Lowery, Andrea, Manager, Fiscal and Operational Support, Corrections
Mudrak, Dale, Manager, Development Engineering, Public Works
Muhammad IX, Malik, Manager, Corrections
Mullin, Monique, Manager, Health Services
Newton, Jeffrey, County Attorney, County Attorney's Office
Reynolds, Jason, Manager, Neighborhood Services, Planning, Environmental, and Development Services
Skraban, Scott, Manager, Fiscal and Operational Support, Planning, Environmental, and Development Services
Suedmeyer, Matthew, Manager, Parks and Recreation, Community and Family Services
Tester, Mark, Executive Director, Convention Center
Torres, Eduardo, Director, Utilities
Weiss, Jonathan, Deputy County Administrator, County Administrator's Office
9. **23-1743** Approval of the proposed settlement in the case of *Drew McLain, an individual and Orange County Fire Fighters Association I.A.F.F. Local 2057 v. Orange County, Florida* Case No. 2018-CA-10202 and authorization for the Human Resources Division to execute the joint Settlement Agreement and General Release. (Human Resources Division)
10. **23-1744** Ratification of payment of Intergovernmental claims of October 5, 2023, October 19, 2023, October 26, 2023, November 9, 2023, and November 16, 2023, totaling \$2,625,376.44. (Risk Management Division)

E. ADMINISTRATIVE SERVICES DEPARTMENT

1. **23-1745** Approval to award Invitation for Bids Y23-179-RM, Landscape Maintenance - Zellwood Area, to the low responsive and responsible bidder, Brightview Landscape Services, Inc. The estimated contract award amount is \$406,671 for the base year. ([Public Works Department Roads and Drainage Division] Procurement Division)
2. **23-1746** Approval to award Invitation for Bids Y23-1065-TF, Prescribed Burning/Mechanical Services, to the low responsive and responsible bidder, Green Environmental Management, LLC. The estimated contract award amount is \$1,682,025 for a one-year term. ([Community and Family Services Department Parks and Recreation Division] Procurement Division)
3. **23-1747** Approval to award Invitation for Bids Y24-105-JA, Web Based Individual Driver Record Checks and Risk Assessments, to the sole responsive and responsible bidder, Embark Safety LLC. The estimated contract award amount is \$160,650 for a three-year term. ([Administrative and Fiscal Services Risk Management Division] Procurement Division)
4. **23-1748** Approval to award Invitation for Bids Y24-125-MB, County Wide Demolition Services, to the low responsive and responsible bidder, Champion Services of Florida, LLC. The total estimated contract award amount is \$209,745 for Lot 1 and \$854,030 for Lot 2 for the base year. ([Administrative Services Department Real Estate Management Division] Procurement Division)
5. **23-1749** Approval to award Invitation for Bids Y24-129-RM, Installation and Replacement of Backflow Prevention Assemblies, to the low responsive and responsible bidders, Nils Humberg Enterprises, LLC d/b/a Ace Flow Control, in the estimated contract award amount of \$1,999,710 for a one-year term and Frank Gay Services, LLC, in the estimated contract award amount of \$2,068,861.40 for a one-year term. ([Utilities Department Water Operations Division] Procurement Division)
6. **23-1750** Approval to award Invitation for Bids Y24-131-MB, Cold In-Place Bituminous Recycling with Asphalt and Friction Course Resurfacing, to the sole responsive and responsible bidder, Asphalt Paving Systems, Inc. The estimated contract award amount is \$9,101,000 for a one-year term. ([Public Works Department Roads and Drainage Division] Procurement Division)
7. **23-1751** Approval to award Invitation for Bids Y23-779-SH, International Drive and Darryl Carter Parkway Reclaimed Water Main Replacement, to the low responsive and responsible bidder, Schuller Contractors Incorporated. The total contract award amount is \$886,527. ([Utilities Department Engineering Division] Procurement Division)

8. **23-1752** Approval to award Invitation for Bids Y23-787-CR, Supervisory Control and Data Acquisition Panel Replacement Project 4, to the low responsive and responsible bidder, Carr & Collier Inc. The total contract award amount is \$3,257,037. ([Utilities Department Engineering Division] Procurement Division)
9. **23-1753** Approval to award Invitation for Bids Y23-795-CC, Lake Downey Drive and Frankel Street Water Main Extensions, to the low responsive and responsible bidder, Schuller Contactors Incorporated. The total contract award amount is \$1,035,676. ([Utilities Department Engineering Division] Procurement Division)
10. **23-1754** Approval to award Invitation for Bids Y23-7012-RC, Orange County Courthouse 15th Floor Buildout, to the low responsive and responsible bidder, CIC Construction Group USA, LLC. The total contract award amount is \$5,866,394. ([Administrative Services Department Capital Projects Division] Procurement Division)
11. **23-1755** Approval to award Invitation for Bids Y24-701-CR, Avenue C Drainage Improvements Project Phase II, to the low responsive and responsible bidder, Carr & Collier Inc. The total contract award amount is \$2,207,757. ([Public Works Department Roads and Drainage Division] Procurement Division)
12. **23-1756** Approval to award Invitation for Bids Y24-706-ZR, Parks Killarney Station Septic System Upgrade to Sanitary, to the low responsive and responsible bidder, RCM Utilities, LLC. The total contract award amount is \$647,355. ([Administrative Services Department Capital Projects Division] Procurement Division)
13. **23-1757** Approval to award Invitation for Bids Y24-710-CC, Fleet Underground Fuel and Lubricant Tank Replacement, to the low responsive and responsible bidder, Prime Construction Group, Inc. The total contract award amount is \$2,948,569. ([Administrative Services Department Capital Projects Division] Procurement Division)
14. **23-1758** Approval of Contract Y24-2001, Provision of Community Services and Facility Use, with Big Brothers Big Sisters of Central Florida, Inc., in the total contract award amount of \$300,000 for a three-year term. ([Community and Family Services Department Citizens' Commission for Children Division] Procurement Division)
15. **23-1759** Approval of Contract Y24-2002, Provision of Community Services and Facility Use, with Boys and Girls Clubs of Central Florida, Inc., in the total contract award amount of \$300,000 for a three-year term. ([Community and Family Services Department Citizens' Commission for Children Division] Procurement Division)

Procurement Division)

16. **23-1760** Approval of Contract Y24-2003, Provision of Community Services and Facility Use, with City Year, Inc., in the total contract award amount of \$450,000 for a three-year term. ([Community and Family Services Department Citizens' Commission for Children Division] Procurement Division)
17. **23-1761** Approval of Contract Y24-2004, Provision of Community Services and Facility Use, with Coalition for the Homeless of Central Florida, Inc., in the total contract award amount of \$975,000. ([Community and Family Services Department Citizens' Commission for Children Division] Procurement Division)
18. **23-1762** Approval of Contract Y24-2007, Provision of Community Services and Facility Use, with Cornerstone Connections, Inc., in the total contract award amount of \$300,000 for a three-year term. ([Community and Family Services Department Citizens' Commission for Children Division] Procurement Division)
19. **23-1763** Approval of Contract Y24-2009, Provision of Community Services and Facility Use, with Early Learning Coalition of Orange County, Inc., in the total contract award amount of \$375,000 for a three-year term. ([Community and Family Services Department Citizens' Commission for Children Division] Procurement Division)
20. **23-1764** Approval of Contract Y24-2010, Provision of Community Services and Facility Use, with Easter Seals Florida, Inc., in the total contract award amount of \$300,000 for a three-year term. ([Community and Family Services Department Citizens' Commission for Children Division] Procurement Division)
21. **23-1765** Approval of Contract Y24-2019, Provision of Community Services and Facility Use, with Opportunity Community Ability, Inc., in the total contract award amount of \$1,350,000 for a three-year term. ([Community and Family Services Department Citizens' Commission for Children Division] Procurement Division)
22. **23-1766** Approval of Contract Y24-2021, Provision of Community Services and Facility Use, with Passionate Heart Ministries, Inc., in the total contract award amount of \$450,000 for a three-year term. ([Community and Family Services Department Citizens' Commission for Children Division] Procurement Division)
23. **23-1767** Approval of Contract Y24-2027, Provision of Community Services and Facility Use, with The IMPACT Outreach Ministry of Central Florida, Inc., in the total contract award amount of \$450,000 for a three-year term.

([Community and Family Services Department Citizens' Commission for Children Division] Procurement Division)

24. **23-1768** Approval of Contract Y24-2035, Provision of Community Services and Facility Use, with Early Learning Coalition of Orange County, Inc., in the total contract award amount of \$225,000 for a one-year term. ([Community and Family Services Department Citizens' Commission for Children Division] Procurement Division)
25. **23-1769** Approval of Contract Y24-2041, Provision of Community Services and Facility Use, with Early Learning Coalition of Orange County, Inc., in the total contract award amount of \$3,500,000 for a three-year term. ([Community and Family Services Department Citizens' Commission for Children Division] Procurement Division)
26. **23-1770** Approval of Contract Y24-2042, Provision of Community Services and Facility Use, with Rollins College, in the total contract award amount of \$548,955 for a three-year term. ([Community and Family Services Department Citizens' Commission for Children Division] Procurement Division)
27. **23-1771** Approval of Contract Y24-2111, Provision of Community Services and Facility Use, with The Devereux Foundation, Inc., in the total contract award amount of \$420,140.42 for a one-year term. ([Community and Family Services Department Citizens' Commission for Children Division] Procurement Division)
28. **23-1772** Approval of Contract Y24-2211, Universal Screening for Housing Instability and Homelessness, between Orange County and Chapin Hall Center for Children, Inc., in the estimated contract award amount of \$449,228 for a one-year term. ([Community and Family Services Department Mental Health and Homelessness Division] Procurement Division)
29. **23-1773** Approval of Amendment No. 10, Contract Y12-808, Engineering Services for Orange County Landfill Southern Expansion Site, with CH2M Hill Engineers Inc., in the amount of \$1,225,878.10, for a revised total contract amount of \$6,506,255.45. ([Utilities Department Solid Waste Division] Procurement Division)
30. **23-1774** Approval of Amendment No. 12, Contract Y21-185, Janitorial Services for County Facilities, with Owens, Renz & Lee Co. Inc., in the amount of \$1,881,602.11, for a revised estimated contract amount of \$24,018,097.56. ([Administrative Services Department Facilities Management Division] Procurement Division)
31. **23-1775** Approval of Amendment No. 4, Contract Y22-2408, Provision of Childcare Vouchers, Federal Subrecipient Agreement, with Orange County School

- Readiness Coalition, Inc., in the amount of \$6,000,000.01, for a revised not-to-exceed amount of \$14,359,116.40. ([Community and Family Services Department Citizens' Commission for Children Division] Procurement Division)
32. **23-1776** Approval of Purchase Order M113018, Renewal of Software Support and Licensing for Geographic Information System Software, with Environmental Systems Research Institute, Inc. (ESRI), in the amount of \$222,314.97. ([Administration and Fiscal Services Information Systems and Services Division] Procurement Division)
33. **23-1777** Approval of Purchase Order M113035, Purchase of Vertical Turbine Pump for the Western Regional Plant, with DXP d/b/a Carter & VerPlanck, in the amount of \$144,027. ([Utilities Department Water Operations Division] Procurement Division)
34. **23-1778** Selection of Wireless Access Communications, Inc. to provide Orange County Broadband, Digital Literacy and Workforce Initiatives Consultant, Request for Proposals Y23-2405-MM. ([County Administration Office of Innovation and Emerging Technologies] Procurement Division)
35. **23-1779** Selection of Drummond Carpenter, PLLC, Environmental Research & Design, Inc., Geosyntec Consultants, Inc., and WSP Environment and Infrastructure, Inc. to provide Continuing Water Quality Professional Services, Request for Proposals Y23-905-MB. ([Planning, Environmental, and Development Services Department Environmental Protection Division] Procurement Division)
36. **23-1780** Approval and execution of License Agreement by and between Orange County, Florida and Bay Area Youth Services, Inc., d/b/a BAYS Florida and authorization for the Manager of the Community and Family Services Department to exercise renewal options, and furnish notices, required, or allowed by the License Agreement, as needed for BAYS Florida Juvenile Assessment Center 823 W. Central Boulevard, Orlando, Florida 32805. Lease File #10080. District 6. (Real Estate Management Division)
37. **23-1781** Approval and execution of License Agreement between Orange County, Florida and Firebush, Inc. related to not-for-profit community center utilization for the provision of services benefitting the public and authorization for the Manager of the Community Action Division to exercise renewal options, and furnish notice, required, or allowed by the License Agreement, as needed for Firebush, Inc. at Multicultural Center (CAD) Orange County Multicultural Center 7149 West Colonial Drive, Orlando, Florida 32818. Lease File #10241. District 6. (Real Estate Management Division)
38. **23-1782** Approval and execution of Lease Agreement between Orange County, Florida and Pet Alliance of Greater Orlando, Inc. and authorization for the

Manager of the Real Estate Management Division to exercise renewal options, furnish notices, and execute estoppel certificates, as required, or allowed by the Lease Agreement, as needed for Pet Alliance East Side Clinic 12050 East Colonial Drive, Orlando, Florida 32826. Lease File #10015. District 4. (Real Estate Management Division)

39. **23-1783** Approval and execution of License Agreement by and between Orange County, Florida and Seniors First, Inc., related to not-for-profit community center utilization for the provision of services benefitting the public and authorization for the Manager of the Community Action Division to exercise renewal options, and furnish notice, required, or allowed by the License Agreement, as needed for Seniors First, Inc. at Multicultural Center (CAD) Orange County Multicultural Center 7149 West Colonial Drive, Orlando, Florida 32818. Lease File #10240. District 6. (Real Estate Management Division)
40. **23-1784** Approval and execution of Drainage Easement between United Global Outreach, Inc. and Orange County, approval of Subordination of Encumbrance to Property Rights to Orange County, and authorization to disburse funds to pay recording fees, and to record instrument for 5th Street and 15th Avenue Canal (BLSDC003). District 5. (Real Estate Management Division)
41. **23-1785** Approval and execution of Contract for Purchase and Sale by and between American Orange County Investments 40, LLC and Orange County, approval of Warranty Deed, and authorization for the Manager of the Real Estate Management Division to exercise all delegations of authority expressly provided for by the Contract for Purchase and Sale, disburse funds to pay purchase price in the amount of \$32,741.40, and perform all actions necessary and incidental to closing for Green PLACE Parcel 214. District 1. (Real Estate Management Division)
42. **23-1786** Approval of Quit Claim Deed by and between Central Florida Regional Housing Trust, Inc., and Orange County, two Special Warranty Deeds by Central Florida Regional Housing Trust, Inc. to Orange County, and authorization to disburse funds to pay recording fees, and record instruments for Surplus Lot Conveyance for Affordable Housing. Districts 2, 3, and 6. (Real Estate Management Division)

F. COMMUNITY AND FAMILY SERVICES DEPARTMENT

1. **23-1787** Approval of recommendation by the Parks and Recreation Advisory Board to name a portion of the Little Econ Greenway Trail after Orange County Deputy Sheriff Thomas A. Ingram. District 5. (Parks and Recreation Division)
2. **23-1788** Approval and execution of Amendment to Trail Construction, Operation and

Maintenance Agreement by and between State of Florida, Department of Transportation and Orange County regarding Shingle Creek Trail. Districts 1 and 6. (Parks and Recreation Division)

G. FIRE RESCUE DEPARTMENT

1. **23-1789** Approval and execution of Volunteer Florida Community Emergency Response Team Citizens Corps (CERT/CC) Contract 2023-2024 by and between the Florida Commission on Community Service, d/b/a Volunteer Florida and Orange County Emergency Management in the amount of \$5,000. An in-kind match is required. (Office of Emergency Management)

H. HEALTH SERVICES DEPARTMENT

1. **23-1790** Approval and execution of Memorandum of Understanding between State Attorney's Office, 9th Judicial Circuit and Orange County, Florida for the establishment and accommodation of access to the SAO9 Case Management System and authorization for the Mayor or designee to sign future amendments to the agreement, if necessary, upon the mutual written agreement of the parties. (Medical Examiner's Office)

I. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

1. **23-1791** Acceptance of the findings and recommendation of the Environmental Protection Commission and approval of the request for after-the-fact variance to Orange County Code, Chapter 15, Article IX, Section 15-342(a) (6) for the Mark and Kimberly Marshall Dock Construction Permit BD-23-05-075, with a mitigation payment of \$300 to the Conservation Trust Fund within 60 days of the decision of the Board. District 1. (Environmental Protection Division)
2. **23-1792** Approval and execution of State of Florida Department of Environmental Protection Standard Grant Agreement Lake Gandy Phase II, Magnolia Lake: BMP Train Agreement Number: NS106 between State of Florida Department of Environmental Protection and Orange County in the amount of \$500,000 and authorization for the Environmental Protection Division Manager to make non-substantial amendments to the agreement. District 2. (Environmental Protection Division)
3. **23-1793** Approval and execution of Multi-Family Affordable Housing Developer's Agreement for Impact Fee Exemption (The Enclave at Lake Shadow) by and among Orange County, Florida, the Town of Eatonville, MHP FL II, LLC, and The School Board of Orange County, Florida providing an exemption in the amount of \$648,096 in school impact fees for a 96-unit affordable housing multi-family development. District 2. (Housing and Community Development Division)

4. **23-1794** Approval and execution of Subrecipient Agreement between Orange County, Florida and Grace Medical Home, Inc. regarding U.S. Department of Housing and Urban Development ("HUD") Community Development Block Grant ("CDBG") Program FY 2023-2024 in the amount of \$123,048. District 5. (Housing and Community Development Division)
5. **23-1795** Approval of Orange County Code Enforcement Settlement Agreement by and between Estate of Loryce E. Ray c/o Loryce R. Van Hoeck and Orange County Neighborhood Services Division. District 3. (Neighborhood Services Division)
6. **23-1796** Approval and execution of Fourth Amendment to the Eighth Restated and Amended Development Order for Orange Lake Country Club Development of Regional Impact. District 1. (Planning Division)

J. PUBLIC WORKS DEPARTMENT

1. **23-1797** Authorization to record the plat of Vineland Pointe - Phase 1C Lot 1. District 1. (Development Engineering Division)
2. **23-1798** Authorization to record the plat of Oviedo Medical Center. District 4. (Development Engineering)
3. **23-1799** Ratification of Change Order No. 7-PW to Document No.: Y22-711-CH/C22711 Oak Ridge Road Pedestrian Safety Improvements with Gibbs & Register, Inc. in the amount of \$231,972.71, for a revised contract amount of \$12,708,210.64 District 6. (Highway Construction Division)
4. **23-1800** Approval and execution of Proportionate Share Agreement for Dutch Bros Coffee Goldenrod Lake Underhill Road by and between HAV Orlando Goldenrod, LLC and Orange County for a proportionate share payment in the amount of \$29,983. District 3. (Roadway Agreement Committee)
5. **23-1801** Approval and execution of Proportionate Share Agreement for Hanging Moss Apartments Colonial Drive by and between Long Lake Development, LLC and Orange County for a proportionate share payment in the amount of \$99,709. District 5. (Roadway Agreement Committee)
6. **23-1802** Approval and execution of Proportionate Share Agreement for 457 N. Wekiva Springs Rd Wekiva Springs Road by and between Bitton Paal LLC and Orange County for a proportionate share payment in the amount of \$67,698. District 5. (Roadway Agreement Committee)

K. UTILITIES DEPARTMENT

1. **23-1803** Approval and execution of Access and License Agreement (Horizon Vue

Conserv II Turnout Construction) by and among Orange County, Florida, Savi Investments, LLC, and Jaffer's Investment, LLC. District 1. (Engineering Division)

2. **23-1804** Approval and execution of 1) State of Florida Department of Transportation Utility Work by Highway Contractor Agreement (at Utility Expense) Financial Project ID 433633-1-56-04 by and between the State of Florida Department of Transportation and Orange County; 2) State of Florida Department of Transportation Utility Work by Highway Contractor Agreement (at Utility Expense) Appendix: "Change to Form Document" in the amount of \$4,470,826.08; and 3) Three Party Escrow Agreement by and between the State of Florida Department of Transportation, Orange County, Florida and State of Florida Department of Financial Services, Division of the Treasury. District 1. (Engineering Division)
3. **23-1805** Approval and execution of Cost-Share Agreement between the St. Johns River Water Management District and Orange County Contract #38992 for construction of a central sanitary sewer system in an amount not-to-exceed \$3,000,000 and authorization for the County Administrator to approve scheduling or other administrative changes and execute minor amendments or other modifications to the agreement which do not affect the total aggregate amount of the budget or intent of the project. District 2. (Engineering Division)

II. INFORMATIONAL ITEMS**

A. COUNTY COMPTROLLER

1. **23-1664** Receipt of the following items to file for the record: (Clerk's Office)
 - a. City of Ocoee Annexation Ordinance No. 2023-18 with Exhibit A (Legal Description), Exhibit B, (Location Map). Ordinance No. 2023-18 entitled: An Ordinance of the city council of the City of Ocoee, Florida, annexing into the corporate limits of the City of Ocoee, Florida, certain real property containing approximately 1.513 acres located at 2214 West Road, generally on the south side of West Road, beginning approximately 50 feet east of Fountains West Boulevard; finding said annexation to be consistent with the Ocoee Comprehensive Plan, The Ocoee city code and the joint planning area agreement; providing for and authorizing the updating of official city maps; providing direction to the city clerk; providing for severability; prevailing in the event of any inconsistency; and providing for an effective date.
 - b. City of Orlando Voluntary Annexation Request: 7600 Narcoossee Road - ANX2020-100001. Notice of Proposed Enactment. On December 11, 2023, the Orlando City Council will consider proposed Ordinance #2023-35 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 north of McCoy Road, East of Narcoossee Road, south of Lee Vista Boulevard and west of S. Goldenrod Road, and comprised of 19.50 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 industrial on the city's official future land use maps; designating the property as industrial park with the aircraft noise overlay district on the city's official zoning maps; providing for amendment of the City's future land use and zoning maps; providing for severability, correction of scrivener's errors, permit disclaimer, 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 Avenue, Orlando, Florida.

c. Florida Public Service Commission Order Approving Tariff. In re: Petition for approval of smart outdoor lighting services pilot program by Duke Energy Florida, LLC.

d. Audit Report No. 506 - Audit of Orange County's Commercial Driver's License Controlled Substance and Alcohol Testing Program.

These items were received and filed.

III. DISCUSSION AGENDA

A. ADMINISTRATIVE SERVICES DEPARTMENT

1. **23-1806** Selection of one firm and two ranked alternates to provide an Arts and Cultural Master Plan, Request for Proposals Y23-604-JA, from the following three firms, listed alphabetically:

- AEA Consulting, LLC
- DVDL Design Decisions Inc.
- The Cultural Planning Group, LLC

([County Administration Arts and Cultural Affairs Office] Procurement Division)

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Wilson, to appoint, The Cultural Planning Group, LLC, 424.84 points, as the selected firm; and further, appoint AEA Consulting, LLC, 370 points, and DVDL Design Decisions Inc., 339.24 points, as the selected ranked alternates. 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

B. COUNTY ADMINISTRATOR

1. **23-1807** Election of Vice-Mayor for the 2024 Calendar Year.

A motion was made by Commissioner Uribe, seconded by Commissioner Scott, to appoint Commissioner Wilson as Vice Mayor for the 2024 calendar year. 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

2. **23-1808** 988 Suicide & Crisis Lifeline One-year update.

The following persons addressed the Board:

- Jeff Hayward
- Catherine Rea

The following material was presented to the Board: Exhibit 1, from Jeff Hayward.

The Board took no action.

C. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

1. **23-1809** Approval and execution of Resolution of the Orange County Board of County Commissioners regarding the City of Apopka Community Redevelopment Agency; Consenting to Amendment of the Community Redevelopment Plan to extend the CRA's sunset date to January 1, 2027, with the potential to extend to January 1, 2034; Approving the First Amendment to Interlocal Redevelopment Agreement between Orange County, City of Apopka, and the City of Apopka Community Redevelopment Agency. District 2. (Neighborhood Services Division)

The following persons addressed the Board:

- James Hitt
- City of Apopka Commissioner Nick Nesta
- City of Apopka Commissioner Diane Velazquez

The following material was presented to the Board: Exhibit 1, from James Hitt.

A motion was made by Commissioner Moore, seconded by Commissioner Gomez Cordero, to approve and execute Resolution 2023-M-56 of the Orange County Board of County Commissioners regarding the City of Apopka Community Redevelopment Agency; Consenting to Amendment of the Community Redevelopment Plan to extend the CRA's sunset date to January 1, 2027, with the potential to extend to January 1, 2034; and further, approve the First Amendment to Interlocal Redevelopment Agreement among Orange County, City of Apopka, and the Apopka Community Redevelopment Agency. 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. PUBLIC WORKS DEPARTMENT

1. **23-1810** MetroPlan Orlando Board Meeting Briefing. (Transportation Planning Division)

The Board took no action.

IV. WORK SESSION AGENDA

A. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

1. **23-1811** Community Development Block Grant - Disaster Recovery. (Housing and Community Development Division)

The Board took no action.

III. DISCUSSION AGENDA (Continued)

E. COMMISSIONER'S REPORT

1. **23-1812** Commissioner Scott would like to discuss Camping World Stadium TDT Recommendation and HR update.

Board discussion ensued.

The Board took no action.

Presentation

Proclamation honoring Orange County Deputy County Attorney Joel Prinsell

V. RECOMMENDATIONS

1. **23-1813** November 16, 2023 Planning and Zoning Commission Recommendations

A motion was made by Commissioner Uribe, seconded by Commissioner Scott, to approve 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. Municipal Service Taxing Unit

1. **23-1586** Lake Pickett, amend to include Sunset Preserve Phase 2 and 3, for general lake cleaning, maintenance, aquatic plant control and navigational improvements; District 5

Consideration: Amend by resolution a Municipal Service Taxing Unit for general lake cleaning, maintenance, aquatic plant control and navigational improvements using a millage assessment to include Sunset Preserve - Phase 2 and Sunset Preserve - Phase 3 subdivisions.

Location: District 5; Parcel ID (Multiple Parcels); Section 03, Township 22, Range 32; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Bonilla, seconded by Commissioner Gomez Cordero, to approve the request as referenced in the Staff Report dated November 27, 2023. 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

B. Petition to Vacate

2. **23-1665** Case # 23-10-038

Iqbal Gagan, on behalf of Adam Gagan, Salma Rafat, Rais Harris, Mian Zafar, Murina Zafar, Mohammed Yunus, Salma Yunus, Hardev Gosal, Rubinder Kaur, Mustapha Moutchou, Brahim Moutchou and Bhagani Family Revocable Trust, vacate 3 portions of an unopened, unimproved, and unnamed alleyways; District 1

Consideration: Resolution granting Petition to Vacate # 23-10-038, vacating 3 portions of unopened, unimproved and unnamed 16-foot-wide alleyways located between several parcels.

Location: District 1; The parcel addresses are 11253 Commercial Street, 11305 Pine Street, 11321 Pine Street, 11314 Orange Street, 11326 Orange Street, 8674 7th Street, 11360 Orange Street. The remaining 7 parcels are unaddressed; S15/T24/R28; Orange County, Florida (legal property description on file)

The following person addressed the Board: Iqbal Gagan.

A motion was made by Commissioner Wilson, seconded by Commissioner Scott, to approve the request listed in the Staff Report dated December 12, 2023. 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 Board-Called

3. 23-1237 Case # VA-23-08-052

Asima Azam for Barbara Phelps and Antonio Penaroque, August 3, 2023;
District 5 (Continued from October 10, 2023 and November 14, 2023)

Consideration: Request for variances in the R-1A zoning district as follows: 1) To allow an existing detached accessory structure (carport) in front of the principal structure in lieu of the rear or side. 2) To allow a south front setback of 6 ft. in lieu of 25 ft. for an existing detached accessory structure (carport). 3) To allow a 6 ft. high fence within the clear view triangle. 4) To allow an 8.55 ft. high gate within the clear view triangle. Note: This is the result of Code Enforcement.

Location: District 5; property located at 14157 Lake Price Dr., Orlando, Florida 32826 (legal property description on file in Zoning Division)

The following person addressed the Board: Asima Azam.

The following materials were presented to the Board prior to the close of the public hearing:

- Exhibit 1, from Asima Azam
- Exhibit 2, from Asima Azam

A motion was made by Commissioner Bonilla, seconded by Commissioner Wilson, to accept Staff's findings found on pages 6 and 7 of the Staff Report in the Agenda packet explaining why the six (6) criteria for variance approval have not been met related to requested variances; and further, deny all requested variances and adopt Staff's findings as our own. The motion carried by the following vote:

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

Absent: 1 - Commissioner Scott

D. Substantial Change**4. 23-1581 Case # CDR-23-08-236**

Christina Baxter, Poulos & Bennett, LLC, Orangewood N-2 Planned
Development / Land Use Plan (PD / LUP); amend plan; District 1

Consideration: A PD Substantial change to request a waiver from Orange County Code Section 38-79(10) to allow pools and screen enclosures on single family attached (townhome) lots to have a zero foot side setback in lieu of a five foot side setback; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 1; property located at 6251 Parc Corniche Drive, South of Central Florida Parkway, West of International Drive; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Christina Baxter.

A motion was made by Commissioner Wilson, seconded by Commissioner Scott, to make a finding of consistency with the Comprehensive Plan; and further, approve the substantial change request subject to the seventeen (17) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated November 16, 2023. 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. Planning and Zoning Commission Rezoning Appeal

5. 23-1045 Case # RZ-23-06-048

Brian Davidson

Gail Vandewoude, June 15, 2023; District 2 (Continued from October 24, 2023)

Consideration: Request to rezone from R-1A (Single-Family Dwelling District) to R-1 (Single-Family Dwelling District) to allow for the construction of two (2) detached single-family dwelling units, pending lot split approval; pursuant to Orange County Code, Chapter 30

Location: District 2; property located at 1012 Venetian Ave; generally east of Grant St, north of Hunter Ave and approximately 290 feet west of Edgewater Dr.; Orange County, Florida (legal property description on file in Planning Division)

New Restrictions as follows:

1. Fill added beyond Orange County Code requirement shall not be allowed (i.e. a maximum of 18 inches above the road's crown elevation or 1 foot above the base flood elevation). Any alterations to the site's existing topography should not negatively affect neighboring properties. Efforts to retain stormwater on-site should be made, with directing runoff towards the street as a final option.

2. The side setbacks shall be 7.5'.

The following persons addressed the Board:

- Gail Vandewoude
- Brian Davidson

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

A motion was made by Commissioner Moore, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; further, approve the rezoning request from R-1A (Single-Family Dwelling District) to R-1 Restricted (Single-Family Dwelling District); and further, approve two (2) new restrictions. 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

F. Ordinance/Comprehensive Plan - Adoption of Small-Scale Amendments, Ordinance, and Concurrent Rezoning Requests

6. **23-1587** Adoption of Future Land Use Map Amendment SS-23-10-063, Ordinance, and Concurrent Rezoning Request RZ-23-06-050, Jessie Windom

a. Amendment SS-23-10-063

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

Location: District 6; property located at 98 N. Goldwyn Avenue; generally located south of Lawrence Street, north of W. Center Blvd, and east of Ferguson Drive; 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. RZ-23-06-050

Consideration: Request to change the zoning designation from C-3 (Wholesale Commercial District) to R-1 (Single-Family Dwelling District) in order to construct two homes, pending lot split approval; pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code Chapter 30

Location: District 6; property located at 98 N. Goldwyn Avenue; generally located south of Lawrence Street, north of W. Center Blvd, and east of Ferguson Drive; Orange County, Florida (legal property description on file in Planning Division)

A motion was made by Commissioner Scott, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; further, adopt Amendment SS-23-10-063, Low-Medium Density Residential (LMDR) Future Land Use; further, adopt the associated Ordinance 2023-44; and further, approve the rezoning request Case # RZ-23-06-050 from C-3 (Wholesale Commercial District) to R-1 (Single-Family Dwelling District) zoning, in order to construct two (2) detached single family dwelling units (pending lot split approval). The motion carried by the following vote: 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

7. **23-1588** Adoption of Future Land Use Map Amendment SS-23-10-070, Ordinance, and Concurrent Rezoning Request RZ-23-10-071, Juan A. Rivera

a. Amendemnt SS-23-10-070

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

Location: District 2; property located at 48 W. 10th Street; generally located south of W. 10th Street, west of S. Central Avenue; 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. RZ-23-10-071

Consideration: Request to change the zoning designation from R-3 (Multiple-Family Dwelling District) to R-2 (Residential District) in order to allow for a duplex; pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code Chapter 30

Location: District 2; property located at 48 W. 10th Street; generally located south of W. 10th Street, west of S. Central Avenue; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Juan Rivera.

A motion was made by Commissioner Moore, seconded by Commissioner Scott, to make a finding of consistency with the Comprehensive Plan; further, adopt Amendment SS-23-10-070, Low-Medium Density Residential (LMDR) Future Land Use; further, adopt the associated Ordinance 2023-45; and further, approve the rezoning request Case # RZ-23-10-071 from R-3 (Multiple-Family Dwelling District) to the R-2 (Residential District) zoning, in order to allow for two (2) attached single-family units (a duplex). 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

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

8. **23-1415** Adoption of Future Land Use Map Amendment SS-23-01-126, FLU8.1.4 Text Amendment SS-23-01-FLUE-6, and Ordinance, McGregor Love, Lowndes, Drosdick, Doster, Kantor & Reed, P.A. (Continued from November 14, 2023)

a. Amendment SS-23-01-126

Consideration: To change the Future Land Use designation from Activity Center Mixed-Use (ACMU) to Planned Development - Commercial / High Density Residential (PD-C/HDR) in order to allow for either 20,000 square feet of commercial uses or 166 multi-family residential dwelling units, pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code.

Location: District 1; property located at 13651, 13701, and 13709 S. Apopka Vineland Road; generally located east of S. Apopka Vineland Road (State Road 535), north of Lake Bryan Beach Boulevard, and south of Vistana Centre Drive; Orange County, Florida (legal property description on file in Planning Division)

And

b. Amendment SS-23-01-FLUE-6

Consideration: To amend the Future Land Use Element Policy FLU8.1.4 establishing the maximum densities and intensities for proposed Planned Developments within Orange County.

And

c. Ordinance for Proposed Amendment

Consideration: AN ORDINANCE PERTAINING TO COMPREHENSIVE PLANNING IN ORANGE COUNTY, FLORIDA; AMENDING THE ORANGE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "2010-2030 COMPREHENSIVE PLAN," AS AMENDED, BY ADOPTING SMALL-SCALE DEVELOPMENT AMENDMENTS PURSUANT TO SECTION 163.3187, FLORIDA STATUTES; AND PROVIDING EFFECTIVE DATES.

A motion was made by Commissioner Wilson, seconded by Commissioner Moore, to continue the public hearing until February 6, 2024, at 2 p.m. The motion carried by the following vote:

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

H. Ordinance

9. **23-1567** Amending Orange County Code, Chapter 38 ("Zoning") and Chapter 30 ("Planning and Development"), proposed amendments affecting the use of land - 2nd hearing (1st hearing on November 28, 2023)

Consideration: AN ORDINANCE AFFECTING THE USE OF LAND IN ORANGE COUNTY, FLORIDA, BY AMENDING CHAPTER 38 ("ZONING") AND CHAPTER 30 ("PLANNING AND DEVELOPMENT") OF THE ORANGE COUNTY CODE; AND PROVIDING AN EFFECTIVE DATE.

County Staff presented the following revisions to the Draft Ordinance:

Special Events - Page 9 Line 325, Definition Section 38-1:

Special event shall mean an ~~temporary~~ event held partially or entirely outdoors on private property, promoted or advertised to the public (regardless of whether an admission fee is or will be charged), attended or expected to be attended by one hundred (100) or more people at any point in time during the duration of the event, and is unlike or beyond the scope of customary or usual activities associated with the site or zoning district upon which the event is taking place, ~~held primarily or entirely outdoors,~~ including, but not limited to, an exhibition, a celebration, a party, a festival, a concert, a ceremony, a show, a rally, a parade, a carnival, a farmer's market, or any other semi-frequent or one-time event taking place within a specifically defined area, and which activities are unlike or beyond the scope of customary or usual activities associated with the site upon which the event is located. For purposes of this chapter, a special event shall not include an open air market, seasonal tent sales, or non-seasonal tent sales, as defined by this chapter.

Special Events - Page 32 Line 1216, Section 38-79 (39):

f. A special event in residential, agricultural, P-O and neighborhood residential (NR) districts may be permitted in association with existing ~~non-residential~~ uses on developed sites that are permitted in the district, have approved special exceptions, or are recognized as legal non-conforming uses, and have obtained all required permits subject to the following standards:

Special Events - Page 32 Line 1223 - Section 38-79 (39) f.1:

Frequency and duration limitations. Limited to a maximum of four times per calendar year, with each event not to exceed a maximum of four days. Hours of operation shall be limited to between 9:00 a.m. and 9:00 p.m. However, for good cause shown, the Zoning Manager may grant extensions to the frequency and/or duration limitations.

Special Events - Page 32 Line 1242 - Section 38-79 (39)

h. 1. Frequency and duration limitations. Special events in commercial and industrial districts may occur a maximum of twelve times per year, with each event limited to a maximum of four days. Hours of operation shall be limited to between 7:00 a.m. and 10:00 p.m. However, for good cause shown, the Zoning Manager may grant extensions to ~~these durations~~ the frequency and/or

duration limitations.

Utility Trailer - Page 11 Line 393, Definition Section 38-1:

Utility trailer shall mean an enclosed or unenclosed vehicle which is not motorized or self-propelled, which is designed to be towed by a motor vehicle, but not designed for human occupancy, and which may include, but is not limited to, a boat trailer, car trailer, or horse trailer. For the purposes of this chapter, any vehicle that would meet the definition of a dual rear wheel vehicle, as defined elsewhere in this chapter, shall not be considered a utility trailer and shall be considered a dual rear wheel vehicle. Also, a boat trailer shall not be deemed to be a utility trailer.

Boats - Section 38-79 (45)

Except as provided in subsections (45)a. through f. for boats and boat trailers and subsections (45)g. through j. for recreational vehicles, no boat or boat trailer, regardless of its length,

a. The maximum number of boats and boat trailers permitted to be parked,

1. For a lot or parcel less than or equal to one-quarter acre, the maximum total number is two (2) boats

and boat trailers,

2. For a lot or parcel greater than one-quarter (1/4) acre and less than or equal to one-half (1/2) acre, the maximum total number is three (3) boats and boat trailers,

3. For a lot or parcel greater than one-half (1/2) acre, the maximum total number is four (4) boats and boat trailers,

e. A boat or boat trailer less than or equal to twenty-four (24) feet in length may be parked,

f. A boat or boat trailer greater than twenty-four (24) feet in length may be parked,

Truck Terminals Page 42 Line 1609 - Section 38-79 (82)

a. In the C-3 zoning district, a truck terminal shall require a special exception if the parcel is located within 500-1,000 feet of any residentially zoned property, as measured from the property line of the C-3 zoned parcel, to the closest property line of the residentially zoned parcel.

b. ~~In all zoning districts,~~ All paint, body, automotive and mechanical repairs and work shall be conducted and confined within an enclosed structure.

Ground Mounted Solar Panel Systems - Page 43 Line 1650 - Section 38-79 (83)

(e) ~~In a residential area, A solar panel system shall be no larger than necessary to provide one-hundred twenty (120) percent of the electrical and/or thermal energy requirements of the structure to which it is accessory, as determined by a licensed solar contractor. the square footage of solar panels shall not exceed twenty five (25) percent of the living area of the principal structure, and~~

~~such the square footage of such system shall not count towards the allowed square footage for other accessory structures.;~~

The square footage of any ground mounted solar panel system shall not count towards the allowed square footage for other accessory structures.

Screen enclosure - Page 44, Line 1701 - Section 38-79 (84)

d. (4) Rear yard setback: A screen ~~room~~ enclosure may extend up to fifty (50) percent into the required rear yard setback for the principal structure. Notwithstanding the foregoing, where an alley is present, the screen ~~room~~ enclosure shall not be located closer than five (5) feet to the edge of the alley easement.

Recreation Facilities - Page 87 Line 8285 - Section 38-1253 Student Housing

(b) Both active and passive recreation areas shall be provided at a combined ratio of two and five-tenths (2.5) acres per one thousand (1,000) projected population. Population shall be calculated on the basis of three and one-tenth (3.1) persons per single-family unit and two and one-tenth (2.1) persons per multifamily unit, and one (1) two and one-tenth (2.1) persons per unit bedroom for student housing developments (regardless of the number of bedrooms). The required active and passive recreational areas shall be provided in equal amounts (50%) of each type. The following guidelines should be considered in requirements shall govern when designing these areas:

Accessory Structures - Page 119 Line 4420 - Section 38-1426

(a) (3) b. 2. A detached accessory structure with a height of fifteen (15) feet or less shall be set back a minimum of five (5) feet from any side or rear lot line, ~~two (2) feet from the rear lot line~~, and fifteen (15) feet from any side street lot line.

Basic Site and Principal Building Req. - Page 143 Line 5014 - Section 38-1501

District	Min. Lot	Max.
R-2	Three dwelling units, 11,250	35 <u>E</u>
	Four or more dwelling units 15,000	35 <u>E</u>
R-3	Three dwelling units, 11,250	35 <u>E</u>
	Four or more dwelling units	35 <u>E</u>

15,000

Basic Site and Principle Building Req. - Page 150 - Section 38-1501

~~E.e. Reserved. Corner lots shall be 100 [feet] on major streets (see Art. XV), 80 [feet] for all other streets. Multifamily residential buildings in excess of one story in height within 100 feet of the property line of any single family dwelling district and use (exclusive of 2 story single family and 2 story two-family dwellings), requires a special exception.~~

~~E.f. Reserved. Corner lots shall be 125 [feet] on major streets (see Art. XV), 100 [feet] for all other streets.~~

~~G.g. Reserved. Corner lots shall be 150 [feet] on major streets (see Art. XV), 125 [feet] for all other streets.~~

Appeal of Planning and Zoning Commission's or Board of Zoning Adjustment's Decisions Page 178 Line 6156 - Section 30-45

(a) Any person aggrieved by any quasi-judicial decision of the board of zoning adjustment or the planning and zoning commission may file a notice of appeal to the board of county commissioners within fifteen (15) days after the board of zoning adjustment meeting or planning and zoning commission meeting at which such decision is made. The fifteen -day period shall be suspended for the period during which the matter is tabled or scheduled for a public hearing by the board of county commissioners. ~~To qualify to file a notice of appeal, such person shall have submitted oral or written comments or objections during the board of zoning adjustment hearing or the planning and zoning commission hearing.~~ The person appealing shall file a notice of appeal upon the form, if any, prescribed by the board of county commissioners in the office of such commission or board stating wherein the commission or board erred. The commission or board shall forthwith deliver a copy of the notice of appeal to the clerk of the board of county commissioners. The commission or board shall forthwith transmit to the board of county commissioners all the papers, photographs and exhibits constituting the record upon which the action appealed from was taken, or properly certified copies thereof in lieu of originals, as the commission or board may elect.

Duplexes - Page 1 Row 4 - Section 38-77 "Use Table"

Uses Per Zoning Code	Land Use	NAC
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Fee-simple-dDuplexes	Fee-simple-dDuplexes	<u>P</u>
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Multifamily Buildings - Page 2 Row 2 - Section 38-77 "Use Table"

Uses Per Zoning Code	Land Use	R-2	R-3
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Multifamily residential buildings in excess of one story in height within 100 feet of the property line of any single family dwelling district and use (exclusive of 2 story single family and 2 story two-family dwellings)	Multifamily residential buildings in excess of one story in height within 100 feet of the property line of any single family dwelling district and use (exclusive of 2 story single family and 2 story two-family dwellings)	S	S
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Clothing Production - Page 8 Row 14 - Section 38-77 "Use Table"

Uses Per	I-1,I-5	I-2,I-3	I-4
Zoning Code	<u>P</u>	<u>P</u>	<u>P</u>

Clothing production, cutting,
sewing of fabrics, garment
manufacturing

Meat Distribution - Page 16 Row 15 - Section 38-77 "Use Table"

Uses Per	I-1,I-5	I-4
Zoning Code		
Wholesale distribution of meat	<u>P</u>	<u>P</u>

Dairy Distribution - Page 17 Row 1 - Section 38-77 "Use Table"

Uses Per	C-3
Zoning Code	
Wholesale distribution of dairy products)	<u>P</u>

Car Rental - Page 26 Row 5 - Section 38-77 "Use Table"

Uses Per	C -1	C-2	C-3	I-1,1-5	I-2,I-3	I-4
Zoning Code						
Car rental and leasing	<u>176</u>	<u>176</u>	<u>176</u>	<u>176</u>	<u>176</u>	<u>176</u>
	138	138	138	138	138	138
	P	P	P	P	P	P

Auto Repair - Page 26 Row 8 - Section 38-77 "Use Table"

Uses Per	C -2	C-3	I-1,1-5	I-2,I-3	I-4
Zoning Code					
General auto repair	<u>138</u>	<u>138</u>	<u>138</u>	<u>138</u>	<u>138</u>
	<u>82</u>	<u>82</u>	<u>82</u>	<u>82</u>	<u>82</u>
	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

Transmission Repair - Page 26 Row 12 - Section 38-77 "Use Table"

Uses Per C-2 C-3
Zoning Code
Automotive transmission repair 82 82
P P

Carwashes - Page 26 Row 16 - Section 38-77 "Use Table"

Uses Per C-1
Zoning Code 38
S/P

Civic, social, fraternal
Associations ~~and non residential~~
~~(without residential~~
~~component)~~ ~~Dorms, frats,~~
~~sorority houses~~

Fire Stations - Page 33 Row 5 - Section 38-77 "Use Table"

Uses Per C-3
Zoning Code
Fire stations P

National Defense - Page 26 Row 17 - Section 38-77 "Use Table"

Uses Per I-1A
Zoning Code
Uses of national defense ~~407~~
94
S

The following persons addressed the Board:

- Vicki Vargo
- Steve Brown
- Bobby Beagles
- Michael Patterson

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

A motion was made by Mayor Demings, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; further, adopt Ordinance 2023-46 affecting the use of

land in Orange County, Florida, by amending Chapter 38 ("Zoning") and Chapter 30 ("Planning and Development") of the Orange County Code; further, providing an effective date; and further, allow staff to make changes consistent with today's Board direction, correct any non-substantial grammatical or scrivener's errors and include the ordinance number and the effective date. The motion carried by the following vote:

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

10. 23-1667 Amending Orange County Code, Chapter 15, Article X, pertaining to Wetland Conservation Areas

Consideration: AN ORDINANCE AFFECTING THE USE OF LAND IN ORANGE COUNTY, FLORIDA BY AMENDING, CREATING, AND REPEALING CERTAIN PROVISIONS OF THE ORANGE COUNTY CODE, CHAPTER 15, ARTICLE X, KNOWN AS THE CONSERVATION ORDINANCE PERTAINING TO WETLANDS AND SURFACE WATERS; AND PROVIDING AN EFFECTIVE DATE.

County Staff presented the following revisions to the Draft Ordinance:

Sec. 15-382. ~~Conservation area classification~~ Wetland determination.

(c)(4) For a project located within a parcel that is a minimum of two (2) acres in size and the area of the proposed activity is less than one-tenth (1/10) acre for single-family residential or one-half (1/2) acre for commercial, the applicant may request a limited wetland determination. This type of determination is intended to apply to small developments such as, sheds, pools, lift stations, communication towers, or others with a minimal footprint. A wetland delineation of the entire parcel may not be required; however, the scope of the determination shall be sufficient to depict any wetlands or surface waters within two-hundred (200) feet of the project footprint. [...]

Sec. 15-387. ~~Reserved~~ Noticed General Permit; review standards.

(13) If not previously approved in a valid Wetland Determination, proposed UMAM sheets Part I and Part II, pursuant to chapter 62-345, Fla. Admin. Code, for each wetland and surface water system on-site and a summary of the proposed UMAM scores for review and approval by the environmental protection division.

(b) (7) (a) An Outstanding Florida Waterway (OFW) is located within one hundred fifty (150) feet of the project site construction footprint, as measured from the Normal High Water Elevation (NHWE) or Safe Upland Line (as applicable), or limits of associated wetlands, whichever is more landward.

(b) A project proposing an impact(s) below the NHWE as established by the county for a lake or the safe upland line of a stream, river, creek or spring run.

(c) Any listed wetland-dependent species is nesting within the project site.

Sec. 15-388. Standard Permit; review standards.

b c. Level 3 applications require a detailed cumulative impact analysis, further described in section 15-389.

e d. Level 3 applications require a secondary impact analysis, further described in section 15-389

d e. Level 3 applications require an alternatives analysis, consistent with section 15-389.

e f. Level 3 applications will undergo a minimum of four levels of staff review and will be subject to a public hearing before the board of county commissioners.

Sec. 15-391. Upland Buffers.

(3) Urban infill projects.

The following persons addressed the Board:

- Deborah Green
- Maria Bolton-Joubert
- Gabrielle Milch
- Valerie Anderson
- Katherine Winter
- Marjorie Holt

The following material was received by the Clerk. The material referenced by the speaker was not presented to the Board: Submittal 1, from Marjorie Holt.

A motion was made by Mayor Demings, seconded by Commissioner Wilson, to make a finding of consistency with the Comprehensive Plan; further, adopt Ordinance 2023-47 affecting the use of land in Orange County, Florida, by amending, creating, and repealing certain provisions of the Orange County Code, Chapter 15, Article X, known as the Conservation Ordinance pertaining to wetlands and surface waters; further, providing an effective date; and further, authorize staff to correct any non-substantial grammatical or scrivener's errors within the Ordinance. 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

√ The notated public hearing is quasi-judicial in nature. As such, any verbal or written communication with a member of the Board of County Commissioners prior to today's quasi-judicial hearing should be disclosed on the record or made a part of the record during the public hearing by or on behalf of the party who communicated with the Board member to allow any interested party an opportunity to inquire about or respond to such communication. Failure to disclose any such communication may place the party who ultimately prevails at the quasi-judicial hearing at risk of having the Board's decision overturned in a court of law due to prejudice against the party who was not privy to the ex parte communication.

Information regarding meetings held at the County Administration Building between any member of the Board and an outside party may be obtained at <http://www.orangecountyfl.net/visitors/reports/MeetingsReportPage.asp>.

ADJOURNMENT: 5:50 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.