

Orange County Government

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



Final Meeting Minutes

Tuesday, July 25, 2023

9:00 AM

County Commission Chambers

Board of County Commissioners

Call to Order

County Mayor Jerry L. Demings called the meeting to order at 9:01 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
Public Works Director Joseph Kunkel
Assistant Deputy Clerk Jennifer Lara-Klimetz
Minutes Supervisor Craig Stopyra
Minutes Coordinator Rafael Encarnacion Jr.

Invocation - District 3

Pastor Iliana Ramos, Iglesia El Shaddai Church

Pledge of Allegiance

Presentation

Proclamation recognizing July 26, 2023 as Americans with Disabilities Act Awareness Day

Presentation

Proclamation recognizing August 7, 2023 as Purple Heart Day

Public Comment

The following persons addressed the Board for public comment:

- Cynthia Harris
- Javier Cruz
- Tamara Bejarano
- Terry Prather
- Gerald Higgins
- Bob Miles
- Paul Wean
- Marc Reicher
- Ken Schields

- Eddy Moratin
- Nelson Betancourt
- Timothy Ayer
- Eugene Stoccardo
- Cara Blanco
- Terrance Hunter
- Rick Walsh
- Barry Pierre Taylor Jr.
- Michael Perkins
- Eric Gray
- Ella Wood
- Florida State Senator Geraldine F. Thompson
- Maria Triscari
- Rich Bradley
- Mayra Escobar
- Donna Jessee
- Courtney Hatfield
- Dustin Lowry
- Kelly Semrad
- Maguree Durvil
- Brian Small
- Robert Agrusa
- Joshua Wallach
- Sarah Elbadri
- Rahniah Jones
- Nattacha Wyllie
- Kurt Gies
- Lana Gies
- Mike Winslow
- Tim Levell
- Tom Lowrie
- Stephen Facella
- Helen Moses
- Ian Russell

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

- Exhibit 1, from Eugene Stoccardo
- Exhibit 2, from Eric Gray
- Exhibit 3, from Stephen Facella

I. CONSENT AGENDA

Approval of the Consent Agenda

A motion was made by Commissioner Uribe, 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. **23-1049** Confirmation of the Mayor's managerial appointment of Susan Van Ussach, P.E., CFM as Deputy Director, Public Works Department.

B. COUNTY COMPTROLLER

1. **23-1050** Approval and execution of the minutes of the June 20, 2023 meeting of the Board of County Commissioners (Clerk's Office)
2. **23-1051** 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:

- June 7, 2023, to July 13, 2023; \$61,950,020.92
- July 14, 2023, to July 20, 2023; \$26,875,839.28

(Finance/Accounting)

3. **23-1052** Disposition of Tangible Personal Property as follows.
(Property Accounting)

a. Trade-in assets.

C. COUNTY ADMINISTRATOR

1. **23-1053** Approval and execution of Florida Department of Children and Families Interagency Agreement YGJ55 between the Florida Department of Children and Families, Central Region Substance Abuse and Mental Health Program Office and Orange County, Florida regarding a Youth Mental Health Management Network Consortium in the amount of \$50,000. (Mental Health and Homelessness Issues Division)
2. **23-1054** Approval for the Orange County Sheriff's Office to spend \$347,314 for a Lenco BearCat Armored Vehicle from the FY 2023 Law Enforcement Trust Fund-Federal Treasury Forfeitures. (Office of Management and Budget)
3. **23-1055** Approval for the Orange County Sheriff's Office to spend \$1,057,341 from the Law Enforcement Impact Fee Funds to purchase vehicles and equipment. (Office of Management and Budget)
4. **23-1056** Approval of budget amendment #23-48. (Office of Management and Budget)

D. ADMINISTRATIVE SERVICES DEPARTMENT

1. **23-1057** Approval to award Invitation for Bids Y23-164-KK, Plumbing Services, to the low responsive and responsible bidders, Frank Gay Services, LLC, in the estimated contract award amount of \$962,500 for Lot A, for a one-year term, Brownie's Septic and Plumbing, LLC, in the estimated contract award amount of \$808,325 for Lot B, for a one-year term, and Frank Gay Services, LLC, in the estimated contract award amount of \$623,750 for Lot C, for a one-year term. ([Administrative Services Department Facilities Management Division] Procurement Division)
2. **23-1058** Approval to award Invitation for Bids Y23-191-MB, Orange County Construction Services for the ADA Pedestrian Safety Improvement Program, to the low responsive and responsible bidders, RMS Constructors Group LLC, in the estimated contract award amount of \$1,125,850 for the base year, Garcia Civil Contractors LLC, in the estimated contract award amount of \$1,135,145.86 for the base year, Parthenon Construction Company, in the estimated contract award amount of \$1,168,950 for the base year, and W.T. Comp Inc., in the estimated contract award amount of \$1,252,050 for the base year. ([Public Works Department Highway Construction Division] Procurement Division)
3. **23-1059** Approval to award Invitation for Bids Y23-773-ZR, John Bridges Campus Wide and ADA Upgrade, to the low responsive and responsible bidder, CORE Engineering & Construction, Inc. The total contract award amount is \$1,058,009. ([Administrative Services Department Capital Projects Division] Procurement Division)
4. **23-1060** Approval to award Invitation for Bids Y23-781-CR, Emergency Pond 6114 Virginia Drainage Improvement Phase I, to the low responsive and responsible bidder, Prime Construction Group, Inc. The total contract award amount is \$828,880. ([Public Works Department Roads and Drainage Division] Procurement Division)
5. **23-1061** Approval of Amendment Funding Agreement Y23-1066, Provision of Funding a Multi Systemic Therapy Psychiatric Program, between Orange County, Florida and Devereux Advanced Behavioral Health, in the contract award amount of \$1,383,970.46 for a one-year term. ([Community and Family Services Department Mental Health and Homelessness Issues Division] Procurement Division)
6. **23-1062** Approval of Amendment No. 5, Contract Y19-1084, Moving Services of Furniture, Equipment & Furnishings, with Commercial Works, Inc., in the amount of \$5,904, for a revised estimated contract amount of \$153,504. ([Administrative Services Department Facilities Management Division] Procurement Division)

7. **23-1063** Approval of Amendment No. 4, Contract Y19-1143, Security Guard Services for Utilities Department, with Universal Protection Service, LLC, in the amount of \$238,342.46, for a revised estimated contract amount of \$11,156,146.57. ([Utilities Department Fiscal and Operational Division] Procurement Division)
8. **23-1064** Approval of Amendment No. 8, Contract Y20-173A, Expansion of HIV Medical Services, with CAN Community Health, Inc., in the amount of \$200,000, for a revised estimated contract amount of \$464,703. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
9. **23-1065** Approval of Amendment No. 3, Contract Y21-112, Sewer Pipes and Fittings, with The Pipe Nipple & Supply Co Inc., in the amount of \$1,200,000, for a revised estimated contract amount of \$4,797,994.39. ([Utilities Department Field Services Division] Procurement Division)
10. **23-1066** Approval of Amendment No. 7, Contract Y21-1040, Landscaping and Grounds Maintenance Countywide, with P & L Lawn Maintenance, Inc., in the amount of \$53,784, for a revised estimated contract amount of \$2,096,305.20. ([Administrative Services Department Facilities Management Division] Procurement Division)
11. **23-1067** Approval of Amendment No. 1, Contract Y23-2503A, Ryan White Part A, Medical Case Management and Referral for Healthcare and Support Services, with The Center for Multicultural Wellness and Prevention, Inc., in the amount of \$100,000.44, for a revised total contract amount of \$608,732. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
12. **23-1068** Approval of Amendment No. 1, Contract Y23-2505, Ending the HIV Epidemic, HIV Testing Services, Federal Subrecipient Agreement, with Hope and Help Center of Central Florida, Inc., in the amount of \$200,000, for a revised total contract amount of \$330,000. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
13. **23-1069** Approval of Purchase Order M111588, Upgrade Audio Visual Equipment for Utilities Administration Building First Floor Public Conference Room, with The Integration Factory Inc., in the amount of \$145,260.66. ([Utilities Department Fiscal and Operational Support Division] Procurement Division)
14. **23-1070** Approval of Purchase Order M111625, Purchase of Powerboss Scrubber Sweepers, with Factory Cleaning Equipment by JonDon LLC, in the amount of \$138,551.44. ([Convention Center Fiscal and Operational Support Division] Procurement Division)

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15. **23-1071** Approval of Purchase Order M111667, SICO Riser Equipment, with SICO America, Inc., in the amount of \$164,162.40. ([Convention Center Capital Planning and Building Systems Division] Procurement Division)
16. **23-1072** Selection of Kimley-Horn and Associates, Inc. to provide Hiawassee Road Pedestrian/Cyclist Study, Request for Proposals Y23-815-CR ([Planning, Environmental, and Development Services Department Transportation Planning Division] Procurement Division)
17. **23-1073** Approval of Single Source Determination, Supervisor of Elections Voting Equipment Upgrades, with Election Systems & Software, LLC. ([Administrative Services Procurement Division] Procurement Division)
18. **23-1074** Approval and execution of License Agreement between Orange County, Florida and The Mental Health Association of Central Florida, 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 The Mental Health Association of Central Florida, Inc. - Holden Heights Community Center (CAD), 1201 20th Street, Orlando, Florida 32805. Lease File #10228. District 6. (Real Estate Management Division)
19. **23-1075** Approval and execution of Contract for Purchase and Sale by and between Robert N. Fairchild and Joe E. Fairchild, as Successor Co-Trustees of Bronson & Fairchild Liquidating Trust 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 \$2,724,785.65, and perform all actions necessary and incidental to closing for Green PLACE Parcel 174. District 1. (Real Estate Management Division)
20. **23-1076** Approval and execution of Contract for Purchase and Sale by and between Robert N. Fairchild and Joe E. Fairchild, as Successor Co-Trustees of Bronson & Fairchild Liquidating Trust and Orange County, approval of Warranty Deed by Joe E. Fairchild, individually and as Successor Co-Trustee of Bronson & Fairchild Liquidating Trust to Orange County, and authorization for the Real Estate Management Division to exercise all delegations of authority and to perform all actions necessary and incidental to closing for Reams Road (Summerlake Park Boulevard to Taborfield Avenue). District 1. (Real Estate Management Division)
21. **23-1077** Approval and execution of Resolution 2023-M-30 of the Orange County Board of County Commissioners regarding Authorization to Convey Certain County Property Interests to The City of Apopka, Florida in Accordance with Section 125.38, Florida Statutes, approval of County Deed by Orange

County and the City of Apopka, and authorization to record instrument for Sadler Road Transfer to City of Apopka, (1,300 LF West of Golden Gem Road). District 2. (Real Estate Management Division)

22. **23-1078** Approval and execution of License Agreement by and between Orange County and HGR Construction, Inc. for Mahogany Pointe - 6021 Conway Road. District 3. (Real Estate Management Division)
23. **23-1079** Approval and execution of two Utility Easements between The School Board of Orange County, Florida and Orange County, Florida and authorization to record instruments for Pinar Elementary School Permit 19-U-015 OCU File #97391. District 3. (Real Estate Management Division)
24. **23-1080** Approval and execution of County Deed by Orange County and South Lake Crossings I, LLC and authorization for the Real Estate Management Division to perform all actions necessary and incidental to closing for Private Sale of Surplus Property South Lake Crossings - Conserv II Easements Lake County. (Real Estate Management Division)

E. COMMUNITY AND FAMILY SERVICES DEPARTMENT

1. **23-1081** Receipt and filing of Head Start Policy Council Program Information and Updates June 2023 and Head Start Policy Council Meeting Minutes May 18, 2023 for the official county record. (Head Start Division)

F. HEALTH SERVICES DEPARTMENT

1. **23-1082** Approval and execution of the renewal Paratransit Services License for ACCESS LYNX Paratransit Operation for Central Florida Regional Transportation Authority to provide wheelchair/stretchers service. The term of this license shall be from July 25, 2023, and will terminate on July 24, 2025. There is no cost to the County. (EMS Office of the Medical Director)
2. **23-1083** Approval and execution of the renewal Paratransit Services License for Medical City Transportation, Inc. to provide wheelchair/stretchers service. The term of this license shall be from July 25, 2023, and will terminate on July 24, 2025. There is no cost to the County. (EMS Office of the Medical Director)
3. **23-1084** Approval and execution of the Certificate of Public Convenience and Necessity for Osceola Regional Hospital, Inc. d/b/a HCA Florida Osceola Hospital to provide Level 7 Interfacility Transport Services in Orange County, Florida for a term of two years beginning August 7, 2023, and expiring August 6, 2025. There is no cost to the County. (EMS Office of the Medical Director)
4. **23-1085** Approval and execution of the Certificate of Public Convenience and Necessity for Rocky Mountain Holdings, LLC d/b/a Air Care to provide Level

6 and Level 7 transport services in Orange County, Florida for a term of two years beginning August 7, 2023, and expiring August 6, 2025. There is no cost to the County. (EMS Office of the Medical Director)

G. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

1. **23-1086** Approval of the Request for Permit Modification to remove the requirement for rip-rap for Shoreline Alteration/Dredge and Fill Permit SADF-21-03-009 for Brian Stehli and Kimberly Ann Sterling. District 3. (Environmental Protection Division)

2. **23-1087** Approval and execution of Orange County, Florida, Resolutions Establishing Special Assessment Liens for Lot Cleaning Services, and approval to record Special Assessment Liens on property cleaned by Orange County, pursuant to Orange County Code, Chapter 28, Nuisances, Article II, Lot Cleaning. Districts 2, 3, 4, and 6. (Neighborhood Services Division)

- LC 23-0044 LC 23-0223 LC 23-0216 LC 23-0185 LC 23-0209
- LC 23-0153 LC 23-0224 LC 23-0243 LC 23-0206 LC 23-0210
- LC 23-0195 LC 23-0225 LC 23-0183 LC 23-0207 LC 23-0218
- LC 23-0201 LC 23-0215 LC 23-0184 LC 23-0208 LC 23-0228

3. **23-1088** Approval and execution of Proportionate Share Agreement for University-Econ Village Office Park Dean Road, Econlockhatchee Trail, and Hall Road by and between 103 Property Group LLC and Orange County for a proportionate share payment in the amount of \$50,549. District 5. (Roadway Agreement Committee)

H. PUBLIC WORKS DEPARTMENT

1. **23-1089** Approval of Change Order No. 3-PW, Document No.: C23741/Y23-741-R2, Pine Hills Road Pedestrian Safety Improvements Phase 2, with RMS Construction Group, LLC in the amount of \$688,493, for a revised contract amount of \$11,090,450. District 6. (Highway Construction Division)

II. INFORMATIONAL ITEMS**

A. COUNTY COMPTROLLER

- 1. **23-1031** Receipt of the following items to file for the record:
 - a. Florida Public Service Commission Order Suspending Tariff. In re: Petition for approval of smart outdoor lighting services pilot program by Duke Energy Florida, LLC.
 - b. Florida Public Service Commission Notice of Proposed Agency Action Order Approving Amended Standard Offer Contract and Rate Schedule for

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

c. Florida Public Service Commission Order Approving Duke Energy Florida, LLC's Clean Energy Impact Program. In re: Petition for approval of new clean energy impact program, a new renewable energy certificates (REC) buying program, by Duke Energy Florida, LLC.

d. Florida Public Service Commission Order Modifying Tariff. In re: Petition for approval of modifications to rate schedule tariff sheet Nos. 2.0, 2.7, 6.383, and 7.500, by Duke Energy Florida, LLC.

These items were received and filed.

III. DISCUSSION AGENDA

A. ADMINISTRATIVE SERVICES DEPARTMENT

1. **23-1090** Selection of one firm and an alternate to provide Final Design Services for Orange Avenue from Orange/Osceola County Line to Town Center Boulevard, Request for Proposals Y23-818-SH, from the following two firms, listed alphabetically:

- Dewberry Engineers Inc.
- DRMP, Inc.

([Public Works Department Engineering Division] Procurement Division)

A motion was made by Commissioner Bonilla, seconded by Commissioner Gomez Cordero, to appoint Dewberry Engineers, Inc., 467 points as the selected firm; and further, appoint DRMP, Inc., 376.67 points, as the alternate. The motion carried by the following vote:

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

B. COUNTY MAYOR

1. **23-1091** Acceptance of the Orange County Tourist Development Tax Citizen Advisory Task Force Report. All Districts.

The following persons addressed the Board:

- Tony Jenkins
- Jane Healy
- J.B. Adams

A motion was made by Commissioner Scott, seconded by Commissioner Gomez Cordero, to accept the Orange County Tourist Development Tax Citizen Advisory Task Force Report. The

motion carried by the following vote:

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

Nay: 2 - Commissioner Wilson, and Commissioner Bonilla

C. COUNTY ADMINISTRATOR

2. **23-1093** Commissioners and Mayor Market Compensation Analysis.

This discussion item was continued until later in the afternoon.

1. **23-1092** Orlando Housing Authority Update.

The following person addressed the Board: Vivian Bryant.

The Board took no action.

IV. RECOMMENDATIONS

1. **23-1094** July 6, 2023 Board of Zoning Adjustment Recommendations

A motion was made by Commissioner Scott, seconded by Commissioner Uribe, to approve the recommendations, with the exception of Case # VA-23-07-043, Julio Barona (Appeal filed) and Case # SE-22-11-118, Nathan Milch For Temple On Hempel (Appeal filed), 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: 4 - Mayor Demings, Commissioner Uribe, Commissioner Gomez Cordero, and Commissioner Scott

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

V. PUBLIC HEARINGS

A. Plat Vacation

1. **23-815** M. Rebecca Wilson, Lowndes, Drosdick, Doster, Kantor & Reed P.A., on behalf of WGML Investments, Ltd and PRN Real Estate & Investments, Ltd, vacate the entirety of the Bryan Beach Estates plat; District 1 (Continued from June 20, 2023) **(Withdrawn)**

Consideration: Resolution granting a petition to vacate the entirety of the Bryan Beach Estates Plat, as recorded in Plat Book V, Page 109, of the Public Records of Orange County, Florida.

Location: District 1; The parcel address is 8160 Bryan Beach Boulevard; S27/T24/R28; Orange County, Florida (legal property description on file)

This public hearing was withdrawn.

2. **23-933** M. Rebecca Wilson, Lowndes, Drosdick, Doster, Kantor & Reed, P.A. on

behalf of WGML Investments, Ltd and PRN Real Estate & Investments, Ltd., vacate a portion of Munger Plat and a portion of Lake Bryan Boulevard; District 1

Consideration: Resolution granting petition to vacate a portion of Munger Plat and a portion of Lake Bryan Boulevard, as recorded in Plat Book E, Page 23, of the Public Records of Orange County, Florida.

Location: District 1; Two parcel addresses are 8159 Lake Bryan Boulevard, 8211 Lake Bryan Boulevard, and two other parcels are unaddressed; S27/T24/R28; Orange County, Florida (legal property description on file)

The following person addressed the Board: Lauren Korn.

A motion was made by Commissioner Wilson, seconded by Commissioner Gomez Cordero, to approve the vacation of a portion of Willis R. Munger's land plat listed in the Staff Report dated July 25, 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. Preliminary Subdivision Plan

3. 23-930 Case # PSP-22-04-143

Jerome Henin, Hengreis, LLC, Wekiva Reserve Subdivision Preliminary Subdivision Plan; District 2

Consideration: Wekiva Reserve Subdivision Preliminary Subdivision Plan, Case # PSP-22-04-143, submitted in accordance with Orange County Code, Chapter 34, Article III, Section 34-69 and Chapter 30, Article III, Section 30-89; This request is to subdivide 28.43 acres to construct 71 single-family residential dwelling units.

Location: District 2; property generally located North of Votaw Road / East of North Thompson Road; Orange County, Florida (legal property description on file in Planning Division)

A motion was made by Commissioner Moore, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; and further, approve the request subject to the twenty-six (26) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated July 17, 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. Land Use Plan Amendment

4. 23-929 Case # LUPA-22-08-278

Thomas Daly, Daly Design Group, Tyson Ranch PD, amend plan; District 4

Consideration: A request to rezone 8.49 acres from A-2 (Farmland Rural District) into the existing adjacent Tyson Ranch Planned Development (PD); add 325 multi-family units to the existing PD entitlements; and to define the remaining uses within PD Parcel 1. In addition, two (2) waivers from Orange County Code are being requested: 1. A waiver from Section 38-1258(d) to allow 5-story (93' height) multi-family buildings within PD Parcel 2, in lieu of 3-stories and 45' in height. 2. A waiver from Section 38-1603 to allow a minimum 25' building setback from Boggy Creek Road right of way in lieu of 40' pursuant to Orange County Code, Chapter 30

Location: District 4; property generally located west of Boggy Creek Road, south of State Road 417, and north of Simpson Road; Orange County, Florida (legal property description on file in Planning Division)

This public hearing was canceled.

D. Comprehensive Plan - Transmittal Regular Cycle Staff-Initiated Map Amendment

5. 23-934 Transmittal of Staff-Initiated Comprehensive Plan Map Amendment

a. Amendment: 2023-2-B-TRAN-1

Consideration: Map amendment to adopt changes to the Long Range Transportation Plan of the Orange County 2010 - 2030 Comprehensive Plan to reflect changes in project status, add the proposed "Sunshine Corridor" rail alignment, and remove the Alternative Mobility Area per the adoption of Ordinance No. 2022-16

The following person addressed the Board: Eugene Stoccardo.

A motion was made by Commissioner Wilson, seconded by Commissioner Gomez Cordero, to make a finding that the proposed amendment has the potential to be found "in compliance," as defined by Section 163.3184(1)(b), Florida Statutes; and further, transmit Amendment 2023-2-B-TRAN-1 to the state reviewing agencies. 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 Amendment, Ordinance, and Concurrent Rezoning Request

6. 23-935 Adoption of Future Land Use Map Amendment SS-23-01-094, Ordinance, and Concurrent Rezoning Request LUP-23-03-076, Richard Templin Vietnam and All Veterans of Central Florida

a. Amendment SS-23-01-094

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

Location: District 5; property located at 3400 North Tanner Road; generally bounded by Taner Road to the east, Rensselaer Road to the west, and Lake Pickett Road to the south; Orange

County, Florida (legal property description on file in Planning Division)

AND

b. Ordinance for Proposed Amendment

Consideration: An Ordinance pertaining to Comprehensive Planning in Orange County, Florida; Amending the Orange County Comprehensive Plan, commonly known as the “2010-2030 Comprehensive Plan,” as amended, by adopting a Small-Scale development amendment pursuant to Section 163.3187, Florida Statutes; and providing an effective date.

AND

c. LUP-23-03-076

Consideration: To change the zoning designation from R-1 (Single-Family Dwelling District) to PD (Planned Development District) (Vietnam and All Veterans of Central Florida PD/LUP) to allow for the continued operation of a museum, office, outdoor events / fundraisers, and the outdoor storage of material items directly related to support the museum in association with a fraternal organization. Also requested are three (3) waivers from Orange County Code: 1. A waiver from Sec. 38-1272(a)(3) to allow existing Structures A, B, C, and D as shown on the Land Use Plan to remain with a PD Boundary setback of 3.9 ft. in lieu of 25 ft. from the north PD Boundary. 2. A waiver from Sec. 38-1272(a)(3) to allow existing Structures D, E, F, M, P and Q as shown on the Land Use Plan to remain with a PD Boundary setback of 3.3 ft. in lieu of 25 ft. from the east PD Boundary. 3. A waiver from Sec. 38-1479(a) to allow parking on unimproved surface (grass), in lieu of parking on an improved surface; pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code Chapter 30

Location: District 5; property located at 3400 North Tanner Road; generally bounded by Taner Road to the east, Rensselaer Road to the west, and Lake Pickett Road to the south; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Sarah Maier.

A motion was made by Commissioner Bonilla, seconded by Commissioner Gomez Cordero, to make a finding of consistency with the Comprehensive Plan; further, adopt Amendment SS-23-01-094, Institutional (INST) Future Land Use; further, adopt the associated Small-Scale Ordinance 2023-29; and further, approve the rezoning request Case # LUP-23-03-076 from Single-Family Dwelling District (R-1) to Planned Development District (PD) subject to the twelve (12) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated July 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

G. Ordinance/Comprehensive Plan - Adoption of Regular Cycle Amendments, Ordinance, and Concurrent Rezoning Request

7. **23-936** Adoption of Future Land Use Map Amendment 2022-2-A-1-2, FLU8.1.4 Text Amendment 2022-2-B-FLUE-2, Ordinance, and Concurrent Rezoning Request LUP-22-06-199, M. Rebecca Wilson, Lowndes, Drosdick, Doster, Kantor & Reed, P.A., for PRS Investors Group LLP

a. Amendment 2022-2-A-1-2

Consideration: Village (V) to Growth Center-Planned Development-Commercial/Medium Density Residential (GC-PD-C/MDR)

Location: Property located at 14300, 14316, 14320, 14324, 14328, 14332, 14454, 14472, and 14500 Avalon Rd.; Generally located west of Avalon Rd. and south of Grove Blossom Wy, east of the Orange County-Lake County Line; Parcel ID#s: 31-24-27-0000-00-013/014/017/018/019/024/031/032/037; 22.197 gross ac.

And

b. Amendment 2022-2-B-FLUE-2

Consideration: Text amendment to Future Land Use Element Policy FLU8.1.4 establishing the maximum densities and intensities for proposed Planned Developments within Orange County, associated with Amendment 2022-2-A-1-2

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 amendments pursuant to Section 163.3184(3), Florida Statutes, for the 2022 calendar year (Second Cycle); and providing effective dates.

And

d. LUP-22-06-199

Consideration: Citrus Rural District (A-1) to Planned Development District (PD) (Village at Avalon PD/LUP). Also requested are five (5) waivers from Orange County Code: 1) A waiver from Section 38-1258(a) to allow a maximum height of five (5) stories and sixty-five (65) feet in height for multi-family buildings within one hundred (100) feet of single-family zoned property, in lieu of a maximum height of one story for multi-family residential buildings located within one-hundred (100) feet of single family zoned property; 2) A waiver from Section 38-1258(b) to allow buildings to be five (5) stories and sixty-five (65) feet in height, in lieu of varying in building height with a maximum of fifty (50) percent of buildings being three (3) stories (not to exceed forty (40) feet) in height, with the remaining buildings being one (1) story or two (2) stories in height, when located between one hundred plus (100+) feet to one hundred and fifty (150) feet of single family zoned

property; 3) A waiver from Section 38-1258(c) to allow a building height of 65' and five (5) stories, in lieu of not exceeding three (3) stories (40 feet) in height, when located within one hundred and fifty (150) feet of single-family zoned property; 4) A waiver from Section 38-1258(d) to allow a building height of 65' and five (5) stories in lieu of 40' and three (3) stories; and 5) A waiver from Section 38-1476 to allow a parking ratio of 1.43 spaces per efficiency unit or 1 bedroom and 1.90 spaces per apartment unit of two (2) or three (3) bedrooms in lieu of 1.5 spaces per efficiency unit or 1 bedroom and 2.0 spaces per two or three bedroom units.

Location: Property located at 14300, 14316, 14320, 14324, 14328, 14332, 14454, 14472, and 14500 Avalon Rd.; Generally located west of Avalon Rd. and south of Grove Blossom Wy, east of the Orange County

-Lake County Line; Parcel ID#s: 31-24-27-0000-00-013/014/017/018/019/024/031/032/037; 22.197 gross ac.

New Condition of Approval #21:

21. This project shall be required to convey thirty feet of right-of-way for Avalon Road. Such conveyance(s) shall be documented in an agreement negotiated with the County's Road Agreement Committee which must be approved by the Board of County Commissioners prior to or concurrently with the approval of the first PSP or DP for this PD. The date of valuation for any transportation impact fee credits awarded based on such conveyance(s) shall be the day before the date of County approval of the initial land use plan for this project, in accordance with Section 23-95(b)(2)b.1., Orange County Code, as may be amended.

The following person addressed the Board: Rebecca Wilson.

A motion was made by Commissioner Wilson, seconded by Commissioner Gomez Cordero, to make a finding of consistency with the Comprehensive Plan; further, determine that the proposed amendments are in compliance; further, adopt Amendment 2022-2-A-1-2, Village (V) to Growth Center-Planned Development-Commercial/Medium Density Residential (GC-PD-C/MDR); further, adopt Amendment 2022-2-B-FLUE-2 to include the development program for Amendment 2022-2-A-1-2 in Future Land Use Element Policy FLU8.1.4; further, adopt the associated Ordinance 2023-30 for the proposed Future Land Use Map Amendment and staff-initiated text amendment; further, make a finding of consistency with the Comprehensive Plan; further, approve the rezoning request Case # LUP-22-06-199 from Citrus Rural District (A-1) to Planned Development District (PD) subject to the twenty (20) conditions of approval listed under the Planning and Zoning Commission recommendation in the Staff Report dated July 12, 2023; and further, approve new Condition of Approval #21. 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. Comprehensive Plan - Transmittal of Out-of-Cycle of Regular Cycle Staff-Initiated Map and Text Amendment

8. **23-466** Transmittal of Staff-Initiated Comprehensive Plan Map and Text Amendment
(Continued from April 11, 2023)

a. Amendment 2023-1-C-CP-1

Consideration: An Evaluation and Appraisal-based Amendment updating the “Orange County Comprehensive Plan 2010-2030 - Destination 2030” and Renaming it the “Vision 2050: Orange County Comprehensive Plan,” including but not limited to revising existing Elements and redesignating them into new Chapters, entitled, Land Use, Mobility, and Neighborhoods; Housing and Community Services; Tourism, Arts, and Culture; Economy, Technology, and Innovation; Natural Resources and Conservation; Recreation and Open Space; Transportation; Public Schools; Community Facilities and Services; and Implementation and Property Rights pursuant to Sections 163.3177, 163.3180, 163.3184, 163.3191, and parts II and III of Chapter 369 (Wekiva River Protection & Wekiva Parkway and Protection Act), Florida Statutes, and incorporating the Future Land Use Map Series including a new Sector Map, a new Future Land Use Map, including an expansion of the Urban Service Area (USA) Boundary, and other maps intended for inclusion in the Comprehensive Plan.

The following persons addressed the Board:

- David Martens
- Mike Bustillos
- Laura Betts
- Matthew Vrbka
- Janet Brewer
- Vicki Vargo
- Shannon Lina
- Sharon Carter
- Jordan Theis
- Lonnie White
- Mibsan Mathew
- Peter Duke
- Maddi Lynch
- Eugene Stoccardo
- Rosemarie Diehl
- Lawanna Gelzer
- Sarah Elbadri
- Alison Yurko
- Hal Kantor
- Addy Basu
- Kelly Semrad
- Cecil Stone
- Ronald Herbert

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

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

A motion was made by Mayor Demings, seconded by Commissioner Bonilla, to make a finding that the proposed amendment, as further amended today, is sufficiently complete; further, is consistent with the current Orange County Comprehensive Plan 2010-2030 – Destination 2030; and further, transmit Amendment 2023-1-C-CP-1 to the state reviewing agencies. The motion carried by the following vote:

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

Nay: 1 - Commissioner Uribe

III. DISCUSSION AGENDA (Continued)

C. COUNTY ADMINISTRATOR

2. 23-1093 Commissioners and Mayor Market Compensation Analysis.

A motion was made by Commissioner Scott, seconded by Commissioner Moore, to select Option 2 - Align Commissioners' salaries with the State Formula as the Immediate Market Adjustment. The motion carried by the following vote:

Aye: 5 - Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, and Commissioner Scott

Nay: 2 - Mayor Demings, and Commissioner Bonilla

A motion was made by Commissioner Scott, seconded by Commissioner Moore, to align Commissioners' future salaries to Non-Bargaining County Employees as the Method for Future Annual Increases. The motion carried by the following vote:

Aye: 5 - Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, and Commissioner Scott

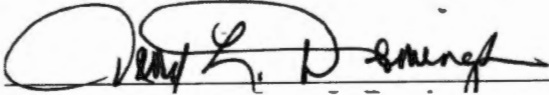
Nay: 2 - Mayor Demings, and Commissioner Bonilla

√ **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: 5:44 p.m.

ATTEST:




County Mayor Jerry L. Demings

Date: August 22, 2023



ATTEST SIGNATURE:

Phil Diamond
County Comptroller as Clerk



Jennifer Lara-Klimetz
Assistant Deputy Clerk

* * *

Any person wishing to appeal any decision made by the Board of County Commissioners at this meeting will need a record of the proceedings. For that purpose, such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act (ADA), if any person with a disability as defined by the ADA needs special accommodation to participate in this proceeding, then not later than two (2) business days prior to the proceeding, he or she should contact the Orange County Communications Division at (407) 836-5517.

Para mayor información en español, por favor llame al (407) 836-3111.

NOTE: Reports from the County Mayor, the County Commissioners, the County Administrator, and the County Attorney may be presented at unscheduled times throughout the day, depending on the length of time required for advertised public hearings.

Copies of Specific Project Expenditure Reports and Relationship Disclosure Forms are not included with agenda items unless there is a listed expenditure or disclosure. Copies of these completed reports and forms may be obtained by contacting the relevant Department/Division Office.