

Orange County Government

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



Final Meeting Minutes

Tuesday, October 10, 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 9:02 a.m.

Present: 6 - Mayor Jerry L. Demings, Commissioner Nicole Wilson, Commissioner Christine Moore, Commissioner Mayra Uribe, Commissioner Maribel Gomez Cordero, and Commissioner Michael Scott

Absent: 1 - Commissioner Emily Bonilla

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 Terrell Hightower
Minutes Coordinator Rafael Encarnacion Jr.

Moment of Silence

For the families enduring the war in Israel

Invocation - District 1

Pastor Kevin Valentine, Crossline Community Church

Pledge of Allegiance

Presentation

Proclamation recognizing October as Energy Awareness Month

Presentation

Proclamation recognizing October as Blind Awareness Month

Presentation

Proclamation designating October 11, 2023 as Orange County Veterans Services Office Day

Presentation

Proclamation designating October 21, 2023 as Come Out With Pride Orlando Day

Presentation

Corrections Accreditations Recognition

Public Comment

The following persons addressed the Board for public comment:

- David Maldonado
- Nattacha Wyllie
- Ricky Ly

I. CONSENT AGENDA

Approval of the Consent Agenda

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

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

Absent: 1 - Commissioner Bonilla

A. COUNTY MAYOR

1. **23-1422** Confirmation of the Mayor’s managerial appointment of Stephanie Taub, as Manager, Fiscal and Business Services Division, County Administration.
2. **23-1423** Approval and execution of Orange County, Florida and Hispanic Business Initiative Fund of Florida, Inc., d/b/a Prospera FY 2024 Grant Agreement authorizing the disbursement of \$147,519 as provided in the FY 2023-24 adopted budget. (Office of Economic, Trade and Tourism Development)
3. **23-1424** Approval and execution of Orange County, Florida and Veteran Entrepreneurship Initiative, Inc. FY 2024 Grant Agreement authorizing the disbursement of \$167,121 as provided in the FY 2023-24 adopted budget. (Office of Economic, Trade and Tourism Development)
4. **23-1425** Approval and execution of Orange County, Florida and Black Business Community Development Corporation FY 2024 Grant Agreement authorizing the disbursement of \$162,155 as provided in the FY 2023-24 adopted budget. (Office of Economic, Trade and Tourism Development)
5. **23-1426** Approval and execution of Orange County, Florida and Rollins College

Crummer Center for Advanced Entrepreneurship FY 2024 Grant Agreement authorizing the disbursement of \$97,850 as provided in the FY 2023-24 adopted budget. (Office of Economic, Trade and Tourism Development)

6. **23-1427** Approval and execution of Orange County, Florida and Starter Studio FL, Inc. FY 2024 Grant Agreement authorizing the disbursement of \$159,650 as provided in the FY 2023-24 adopted budget. (Office of Economic, Trade and Tourism Development)
7. **23-1428** Approval and execution of Orange County, Florida and GROWFL, INC., Inc. FY 2024 Grant Agreement authorizing the disbursement of \$35,937 as provided in the FY 2023-24 adopted budget. (Office of Economic, Trade and Tourism Development)
8. **23-1429** Approval and execution of Orange County, Florida and Black Orlando Tech., Inc. Inc. FY 2024 Grant Agreement authorizing the disbursement of \$200,000 as provided in the FY 2023-24 adopted budget. (Office of Economic, Trade and Tourism Development)
9. **23-1430** Approval and execution of Orange County, Florida and Social, Employment & Educational Impact Corp., FY 2024 Grant Agreement authorizing the disbursement of \$77,250 as provided in the FY 2023-24 adopted budget. (Office of Economic, Trade and Tourism Development)
10. **23-1431** Approval and execution of Orange County, Florida and CFF I, LLC, FY 2024 Grant Agreement authorizing the disbursement of \$103,000 as provided in the FY 2023-24 adopted budget. (Office of Economic, Trade and Tourism Development)

B. COUNTY COMPTROLLER

1. **23-1432** Approval and execution of the minutes of the September 7 and September 12, 2023 meetings of the Board of County Commissioners (Clerk's Office)
2. **23-1433** Approval of the check register authorizing the most recently disbursed County funds, having been certified that same have not been drawn on overexpended accounts. (Finance/Accounting)

Periods are as follows:

- September 22, 2023, to September 28, 2023; \$33,842,272.15
- September 29, 2023, to October 5, 2023; \$ 190,956,785.09

3. **23-1434** Disposition of Tangible Personal Property as follows. (Property Accounting)
 - a. Dispose of assets.

C. COUNTY ADMINISTRATOR

1. **23-1435** Approval and execution of (1) Agreement for Community Development District by and between Universal City Development Partners, Ltd and Orange County Florida, and (2) authorization for the Mayor or designee to execute the Interlocal Agreement between Orange County, Florida and Shingle Creek Transit and Utility Community Development District regarding the Exercise of Powers in Cooperation of Various Projects in substantially the same form as that attached to the Agreement for Community Development District by and between Universal City Development Partners, Ltd and Orange County. District 6

(This item was deferred.)

2. **23-1437** Approval of the Membership and Mission Review Board's recommendations for advisory board appointment and reappointments. (Agenda Development Office)
- A. Affordable Housing Advisory Board: Reappointment of Ernesto Gonzalez-Chavez in the residential home building industry representative category with a term expiring June 30, 2025.
- B. Community Development Advisory Board: Reappointment of Rodney Rackley in the Mayor's representative category with a term expiring June 30, 2025.
- C. Development Advisory Board: Appointment of Arnold Sanchez to succeed David S. Gordon in the homeowner's association/residential representative category with a term expiring June 30, 2025.
3. **23-1438** Confirmation of Commissioner Uribe's appointment of Emiro Olivares as the District 3 representative on the Orange County Citizen Corps Council with a term expiring December 31, 2024. (Agenda Development Office)
4. **23-1439** Approval and execution of Resolution 2023-B-08 for the issuance of Multi-Family Housing Revenue Tax Exempt Bonds, to finance the acquisition, construction, and equipping of The Waters Apartments, a proposed development in Orange County, Florida, District 2, in an amount not-to-exceed \$41,000,000. (Housing Finance Authority)
5. **23-1440** Approval to disburse payment to the Florida Association of Counties for membership dues totaling \$133,940 as provided in the FY 2023-24 adopted budget. (Office of Management and Budget)
6. **23-1441** Approval and execution of Interlocal Agreement between Orange County,

Florida, Orange County Clerk of the Courts, and the Ninth Judicial Circuit Court regarding funding of Jury Services in the amount of \$356,220. (Office of Management and Budget)

7. **23-1442** Approval of budget transfers #23-1384, #23-1387, #24C-0001, #24C-0002, #24C-0003, #24C-0004, #24C-0005, #24C-0006, #24C-0007, #24C-0008, #24C-0009, and #24C-0010. (Office of Management and Budget)
8. **23-1443** Approval of CIP amendments #24C-0001, #24C-0002, #24C-0003, #24C-0004, #24C-0005, #24C-0006, #24C-0007, #24C-0008, #24C-0009, and #24C-0010. (Office of Management and Budget)
9. **23-1444** Ratification of payment of Intergovernmental claims of June 1, 2023, June 15, 2023, June 29, 2023, July 20, 2023, and August 3, 2023, totaling \$5,056,956.88. (Risk Management Division)

D. ADMINISTRATIVE SERVICES DEPARTMENT

1. **23-1445** Approval to award Invitation for Bids Y23-173-TF, Non-Emergency Ambulance Transport, to the low responsive and responsible bidder, RG Ambulance Service, Inc. The estimated contract award amount is \$116,367.36 for a one-year term. ([Health Services Department Corrections Health Services Division] Procurement Division)
2. **23-1446** Approval to award Invitation for Bids Y23-196-KS, Janitorial Services for Orange County Convention Center, to the low responsive and responsible bidder, Owens Realty Services. The estimated contract award amount is \$6,645,642.93 for a three-year term. ([Convention Center Fiscal and Operational Support Division] Procurement Division)
3. **23-1447** Approval to award Invitation for Bids Y23-1053-JA, Transportation of Municipal Solid Waste, to the low responsive and responsible bidder, Bulk Express Transport, Inc. The estimated contract award amount is \$2,826,200 for a one-year term. ([Utilities Department Solid Waste Division] Procurement Division)
4. **23-1448** Approval to award Invitation for Bids Y23-7004-GO, Orange County Convention Center North/South Building Roof Replacement, to the low responsive and responsible bidder, Advanced Roofing, Inc. The total contract award amount is \$24,475,306. ([Convention Center Fiscal and Operational Support Division] Procurement Division)
5. **23-1449** Approval to award Invitation for Bids Y23-7006-EB, Barber Park Drainage Well Replacement and Relocation, to the low responsive and responsible bidder, American Persian Engineering and Construction, LLC dba APEC, LLC. The total contract award amount is \$610,000. ([Public Works Department Stormwater Management Division] Procurement Division)

6. **23-1450** Approval of Contract Y24-2023, Case Management in Support of the Oak Ridge Neighborhood Center for Families, with Stand Up Survivor, Inc., in the total contract award amount of \$225,000 for a three-year term. ([Community and Family Services Department Citizens' Commission for Children Division] Procurement Division)
7. **23-1451** Approval of Contract Y24-2207, Health Services Drug Court Program, with Recovery Connections of Central Florida, Inc., in the total contract award amount of \$189,992.44 for a one-year term. ([Health Services Department Drug Free Community Office] Procurement Division)
8. **23-1452** Approval of Federal Subrecipient Agreement Y23-2408, Funding the Provision of Digital Devices to Non-Profits to Enhance Access to Key Community and Social Services by Residents of Orange County, Florida, between Orange County and Aeras Foundation, Inc., for a federal subaward of an amount not-to-exceed \$2,966,518.23. ([County Administrator's Office Innovation and Technology Office] Procurement Division)
9. **23-1453** Approval of Federal Subrecipient Agreement Y22-2414, Providing Peer Respite Services to Orange County Residents Experiencing Mental Health Stressors, between Orange County and Peer Support Space, Inc., in the not-to-exceed amount of \$427,451.63. ([Community and Family Services Department Mental Health and Homelessness Division] Procurement Division)
10. **23-1454** Approval of Amendment No. 1, Contract Y23-801, Design Services for Western Water Supply Facility Ozone Treatment, with Tetra Tech, Inc., to change the structure of award to be negotiated in phases. ([Utilities Department Engineering Division] Procurement Division)
11. **23-1455** Approval of Change Orders No. 2 and 3, Task Authorization No. 9, Additional Design and Bidding Services for Bithlo Rural Area Water - Phase 1 West Project, Contract Y20-905A, with CPH, Inc., in the amount of \$15,188.02 and \$10,380.49, for a revised award total of \$681,556.45. ([Utilities Department Engineering Division] Procurement Division)
12. **23-1456** Approval of Change Order No. 1, Task Authorization No. 4, Engineering Services for Pump Station Package 47 Improvements, Contract Y20-905D, with Tetra Tech, Inc., in the amount of \$146,896.18, for a revised award total of \$560,990.88. ([Utilities Department Engineering Division] Procurement Division)
13. **23-1457** Approval and execution of Temporary License Agreement by and between Orange County and Duke Energy Florida, LLC d/b/a Duke Energy, and authorization for the Manager of the Real Estate Management Division to exercise renewal options, and furnish notice, required, or allowed by the

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- Temporary License Agreement, as needed for Duke Power Poles at Cady Way Trail. District 5. (Real Estate Management Division)
14. **23-1458** Approval and execution of Amendment to Conservation and Access Easement by and between Elysian Luxury Living, LLC and Orange County and authorization to record instrument for Elysian Luxury Living, LLC CAI-21-09-058. District 1. (Real Estate Management Division)
15. **23-1459** Approval and execution of Distribution Easement from Orange County Board of County Commissioners to Duke Energy Florida, LLC, d/b/a Duke Energy for Fire Rescue Training Facility (Duke Blanket Easement). District 4. (Real Estate Management Division)
16. **23-1460** Approval of Utility Easement between Orlando Self Storage LLC and Orange County, and authorization to record instrument for 12611 International Drive Site Work (B19900103). District 1. (Real Estate Management Division)
17. **23-1461** Approval and execution of Contract for Purchase and Sale by and between Minh D. Tran and Thu Anh Tran, as Co-Trustees of the Tran Family Trust dated February 23, 2005 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 \$3,112,344.38, and perform all actions necessary and incidental to closing for Green PLACE Parcel 178. District 5. (Real Estate Management Division)
18. **23-1462** Approval and execution of Temporary Access and Construction Easement from Orange County Board of County Commissioners to Duke Energy Florida, LLC, d/b/a Duke Energy for OCU Operations Property at 8100 Presidents Drive. District 6. (Real Estate Management Division)
19. **23-1463** Approval and execution of Permission to Enter Property (Right of Entry Agreement) General from Orange County Board of County Commissioners to the GHD Services Inc. for WOMU - adjacent property (704 Beulah Rd). District 1. (Real Estate Management Division)
20. **23-1464** Approval and execution of County Deed by Orange County and City of Orlando, approval of City Deed by City of Orlando and Orange County, and authorization to disburse funds to pay recording fees and perform all actions necessary and incidental to closing for Wellness Way Road Project (PN 17889) - Conserv II - Clean - Up. District 1. (Real Estate Management Division)
21. **23-1465** Approval of City Deed by City of Orlando to Orange County, Florida, approval and execution of Notice of Reservation, and authorization to

perform all actions necessary and incidental to closing for Wellness Way Road Project (PN 17889) - Wellness Way ROW 2023 - Orange ROW. District 1. (Real Estate Management Division)

- 22. **23-1466** Approval and execution of County Deed by Orange County, Florida to Lake County, Florida, and authorization for the Manager of the Real Estate Management Division to perform all actions necessary and incidental to closing for Wellness Way Road Project (PN 17889) - Wellness Way ROW 2023 - Lake ROW. Lake County. (Real Estate Management Division)

E. CORRECTIONS DEPARTMENT

- 1. **23-1467** Approval of U.S. Department of Justice, Bureau of Justice Assistance grant award under the State Criminal Alien Assistance Program for FY2022 in the amount of \$81,424 for reimbursement of costs incurred for the incarceration of undocumented criminal aliens. No local match is required. (Fiscal and Operational Support Division)

F. HEALTH SERVICES DEPARTMENT

- 2. **23-1468** Approval and execution of Modification of Agreement Modification 1 Contract #2022-121201 by and between the National Association of County and City Health Officials and Orange County, Florida, with support from the Centers for Disease Control and Prevention the National Center for Injury Control and Prevention, in the amount of \$116,742 for the period of August 1, 2023 through February 28, 2024, and authorization for the County Mayor or designee to approve any increases, decreases or amendments to this contract. (Drug Free Office)

G. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

- 1. **23-1469** Approval and execution of Orange County Florida, Resolutions Establishing Special Assessment Liens for Lot Cleaning Services, and approval to record Special Assessment Liens on property cleaned by Orange County, pursuant to Orange County Code, Chapter 28, Nuisances, Article II, Lot Cleaning. Districts 2, 3, 5, and 6.(Neighborhood Services Division)
 LC 23-0241 LC 23-0246 LC 23-0323 LC 23-0264 LC 23-0279
 LC 23-0276 LC 23-0270 LC 23-0258 LC 23-0266 LC 23-0284
 LC 23-0317 LC 23-0290 LC 23-0286 LC 23-0271 LC 23-0285
 LC 23-0236 LC 23-0303 LC 23-0316 LC 23-0277 LC 23-0289
- 2. **23-1470** Approval of four new positions within the Zoning Division to support amendments to Chapter 15, Article VIII, Tree Protection and Removal Ordinance. All Districts. (Zoning Division)
- 3. **23-1471** Approval and execution of Resolution 2023-M-46 of the Orange County Board of County Commissioners regarding the Orange County Fee

Directory as to certain fees charged for a Tree Protection And Removal Application or Plan Review and creating new certain fees for a Tree Protection And Removal Plan Review or inspection; and Providing for an Effective Date. All Districts. (Zoning Division)

H. PUBLIC WORKS DEPARTMENT

1. **23-1472** Approval and execution of Project Addendum to Master Agreement by and between CSX Transportation, Inc. and Orange County for installation of a new grade crossing surface on Space Boulevard (Crossing No. 622342T) and authorization to disburse funds in the amount of \$115,833 for the construction engineering work. District 4. (Roads and Drainage Division)
2. **23-1473** Approval and execution of Proportionate Share Agreement for Selnik PD Winter Garden-Vineland Road and Ficquette Road by and between Windermere Acquisition Company, LLC and Orange County for a proportionate share payment in the amount of \$1,201,325. District 1.
3. **23-1474** Approval and execution of Proportionate Share Agreement for Oasis Reserve Chickasaw Trail and Curry Ford Road by and between The Oasis Reserve, LLC and Orange County for a proportionate share payment in the amount of \$312,675. District 3. (Roadway Agreement Committee)
4. **23-1475** Approval and execution of Proportionate Share Agreement for Integra Avalon Avalon Road and US 192 by and between Integra Land Company and Orange County for a proportionate share payment in the amount of \$1,227,592. District 1. (Roadway Agreement Committee)
5. **23-1476** Approval and execution of Proportionate Share Agreement for Raising Cane's Restaurant #950 Sand Lake Road by and between Orion Pro Friend SI LLC and Orange County for a proportionate share payment in the amount of \$30,726. District 6. (Roadway Agreement Committee)
6. **23-1477** Approval and execution of Orange County, Florida and Bike/Walk Central Florida FY 2024 Grant Agreement by and between Orange County and Bike/Walk Central Florida in the amount of \$76,908. All Districts. (Traffic Engineering Division)
7. **23-1478** Approval and execution of Orange County, Florida and Children's Safety Village of Central Florida FY 2023 - 2024 Grant Agreement by and between Orange County and Children's Safety Village of Central Florida, Inc. in the amount of \$40,000. All Districts. (Traffic Engineering Division)

II. INFORMATIONAL ITEMS**

A. COUNTY COMPTROLLER

- 1. **23-1405** Receipt of the following items to file for the record:
 - a. Grove Resort Community Development District Fiscal Year 2023-2024 Annual Meeting Schedule and attached Resolution 2023-29. Resolution 2023-09 entitled: A resolution of the Grove Resort Community Development District designating dates, times, and locations for regular meetings of the Board of Supervisors of the District and providing for an effective date.
 - b. Florida Public Service Commission Consummating Order. In re: Petition for approval of revised underground residential distribution tariffs, by Duke Energy Florida, LLC.
 - c. Riverwalk Community Development District Fiscal Year 2024 Meeting Schedule.
 - d. Grande Pines Community Development District Fiscal Year 2024 Meeting Schedule.
 - e. Greenway Improvement District Fiscal Year 2023-2024 Annual Meeting Schedule and attached Resolution 2023-07. Resolution 2023-07 entitled: A resolution of the Greenway Improvement District designating dates, times and locations for regular meetings of the Board of Supervisors of the District and providing for an effective date.
 - f. Florida Public Service Commission Consummating Order. In re: Petition for approval of revisions to underground residential tariff, underground commercial differential tariff, and overhead to underground conversion tariff, by Florida Power & Light Company.
 - g. Stoneybrook West Community Development District Fiscal Year 2024 Meeting Schedule.
 - h. Bonnet Creek Resort Community Development District Fiscal Year 2024 Meeting Schedule.
 - i. Audit Report No. 503 - Follow-up Audit of the Orange County Animal Services Division Dangerous Dog Compliance Program.

These items were received and filed.

III. DISCUSSION AGENDA

A. ADMINISTRATIVE SERVICES DEPARTMENT

- 1. **23-1418** Selection of one firm and an alternate to provide Contractor of Record for the Office of Emergency Management (OEM), Request for Proposals

Y22-140-MV, from the following four firms, listed alphabetically:

- Elite Business Strategies, LLC
- Hagerty Consulting, Inc.
- Innovative Emergency Management, Inc.
- Integrated Solutions Consulting, Corporation

([Fire Rescue Department Office of Emergency Management] Procurement Division)

A motion was made by Commissioner Moore, seconded by Commissioner Wilson, to appoint Innovative Emergency Management, Inc., 472.34 points, as the selected firm and further, appoint Elite Business Strategies, LLC, 438.25 points as the selected alternate. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bonilla

IV. WORK SESSION AGENDA

A. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

1. **23-1419** Office of Tenant Services Update. (Housing and Community Development Division)

The following person addressed the Board: Bethany Barber.

The Board took no action.

B. COUNTY ADMINISTRATOR

1. **23-1420** Language Access Title VI Nondiscrimination

The Board took no action.

V. RECOMMENDATIONS

1. **23-1421** September 21, 2023 Planning and Zoning Commission Recommendations

A motion was made by Commissioner Scott, seconded by Commissioner Gomez Cordero, to approve the recommendations; subject to the usual right of appeal by any aggrieved party. The motion carried by the following vote:

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

Absent: 2 - Commissioner Uribe, and Commissioner Bonilla

VI. PUBLIC HEARINGS

A. Board of Zoning Adjustment Board-Called

- 1. **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)

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.

A motion was made by Mayor Demings, seconded by Commissioner Gomez Cordero, to continue the public hearing until November 14, 2023, at 2 p.m. The motion carried by the following vote:

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

Absent: 2 - Commissioner Uribe, and Commissioner Bonilla

B. Roadway Connections

- 2. **23-1241** Agnes Heights Roadway Connections with Watauga Avenue; Edland Drive, Kaley Avenue, and Surrey Drive with Watauga Avenue; District 3

Consideration: Agnes Heights Roadway Connections with Watauga Avenue

Location: The roadway connections of Edland Drive, Kaley Avenue, and Surrey Drive with Watauga Avenue, located within the Agnes Heights Neighborhood (platted in 1959)

The following persons addressed the Board:

- Alexa Garcia
- Robert Karras
- Tracy Caveretta
- Tamara Tatum
- Stephanie Salvilla
- Andrew Koba
- Wilson Gonzalez

- Sheila Frederick
- Delila Smalley
- Michael Clifford

The motion by Commissioner Uribe, seconded by Commissioner Moore, to allow the fence to go up with the accessibility of pedestrian path on Kaley Street that connects directly from the apartment to a street, as opposed to between homes or behind the apartment buildings, was withdrawn.

A motion was made by Commissioner Uribe, seconded by Commissioner Gomez Cordero, to continue the public hearing until November 28, 2023, at 2 p.m. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bonilla

C. Substantial Change

3. **23-1328** Case # CDR-23-02-042

Adam Smith, P.E., LEED AP, VHB, Inc., Waterleigh Planned Development/Phase 5 Preliminary Subdivision Plan (PD/PSP); District 1

Consideration: Waterleigh Planned Development / Phase 5 Preliminary Subdivision Plan Case # CDR-23-02-042, submitted in accordance with Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207; This Preliminary Subdivision Plan (PSP) is a request to add 277 single-family residential dwelling units (210 detached, 67 attached, replacing previously approved Future Development tracts) for a total of 286 units. The request also includes the following waiver from Orange County Code: A waiver from Orange County Code Section 38-1384 (i)(4) is requested to allow lots greater than 50' in width that front neighborhood squares and parks (lots 3-18, 21-23, 50, 55-62, & 192) to be front loaded in lieu of having access from a rear alley or from a rear-yard garage.

Location: District 1; property generally located West of Intersection of County Road 545 and Flamingo Crossings Boulevard; Orange County, FL (legal property description on file in Planning Division)

The following person addressed the Board: Adam Smith.

A motion was made by Commissioner Wilson, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; and further, approve the substantial change request subject to the sixteen (16) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated September 27, 2023. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bonilla

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

4. **23-1326** Adoption of Future Land Use Map Amendment SS-23-07-042 and Ordinance, Alex Chiang

a. Amendment SS-23-07-042

Consideration: A request to change the Future Land Use designation from Low-Medium Density Residential (LMDR) to Medium Density Residential (MDR) to allow for up to ten townhome units; pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code Chapter 30

Location: District 6; property located at 1011 25th Street and 2420 S. Westmoreland Drive; generally located on the north side of 25th Street, west of S. Westmoreland 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.

The following persons addressed the Board:

- Alex Chiang
- Schamard Cahew

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-23-07-042, Medium Density Residential (MDR) Future Land Use Designation; and further, adopt the associated Ordinance 2023-36. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bonilla

5. **23-1327** Adoption of Future Land Use Map Amendment SS-23-07-046 and Ordinance, Momtaz Barq

a. Amendment SS-23-07-046

Consideration: A request to change the Future Land Use designation from Office (O) to Commercial (C); pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code Chapter 30

Location: District 2; property located at 6091 and 6093 Silver Star Road; generally located on the north side of Silver Star Road, approximately 800 feet east of N. Powers 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.

The following person addressed the Board: Momtaz Barq.

A motion was made by Commissioner Moore, seconded by Commissioner Wilson, to make a finding of consistency with the Comprehensive Plan; further, adopt Amendment SS-23-07-046, Commercial (C) Future Land Use Designation; and further, adopt the associated Ordinance 2023-37. The motion carried by the following vote:

Aye: 4 - Mayor Demings, Commissioner Wilson, Commissioner Moore, and Commissioner Gomez Cordero

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

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

6. **23-1325** Adoption of Future Land Use Map Amendment SS-23-07-039, Ordinance and Concurrent Rezoning Request RZ-23-08-069, Jordan S. Strasberg

a. Amendment SS-23-07-039

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 5308 Davisson Avenue; generally located on the west side of Davisson Avenue, approximately 65 feet north of Van Ness Street (legal property description on file)

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-23-08-069

Consideration: To change the zoning district from R-2 (Residential District) to R-2 Restricted (Residential District) 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 5308 Davisson Avenue; generally located on the west side of Davisson Avenue, approximately 65 feet north of Van Ness Street; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Jordan Strasberg.

A motion was made by Commissioner Moore, seconded by Commissioner Gomez Cordero, to make a finding of consistency with the Comprehensive Plan; further, adopt Amendment SS-23-07-039, Low-Medium Density Residential (LMDR) Future Land Use Designation; further, adopt the associated Ordinance 2023-38; and further, approve the rezoning request Case # RZ-23-08-069 from R-2 (Residential District) to R-2 Restricted (Residential District) subject to the one (1) restriction listed under the Planning and Zoning Commission in the Staff Report dated September 19, 2023. The motion carried by the following vote:

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

Absent: 2 - Commissioner Bonilla, and Commissioner Scott

F. Ordinance/Comprehensive Plan – Adoption of Regular Cycle Staff-Initiated Map Amendment and Ordinance

7. **23-1336** Adoption of Regular Cycle Staff-Initiated Comprehensive Plan Map Amendment 2023-2-B-TRAN-1 and Ordinance

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.

And

b. Ordinance for Proposed Map Amendment

Consideration: AN ORDINANCE PERTAINING TO COMPREHENSIVE PLANNING IN

ORANGE COUNTY, FLORIDA; AMENDING THE ORANGE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "2010-2030 COMPREHENSIVE PLAN," AS AMENDED, BY ADOPTING AN AMENDMENT PURSUANT TO SECTION 163.3184(3), FLORIDA STATUTES, FOR THE 2023 CALENDAR YEAR (SECOND CYCLE); AND PROVIDING AN EFFECTIVE DATE.

A motion was made by Commissioner Uribe, seconded by Commissioner Gomez Cordero, to make a finding of consistency with the Comprehensive Plan; further, adopt Amendment 2023-2-B-TRAN-1; and further, adopt the associated Ordinance 2023-39. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bonilla

I. CONSENT AGENDA (Deferred)

C. COUNTY ADMINISTRATOR

1. **23-1435** Approval and execution of (1) Agreement for Community Development District by and between Universal City Development Partners, Ltd and Orange County Florida, and (2) authorization for the Mayor or designee to execute the Interlocal Agreement between Orange County, Florida and Shingle Creek Transit and Utility Community Development District regarding the Exercise of Powers in Cooperation of Various Projects in substantially the same form as that attached to the Agreement for Community Development District by and between Universal City Development Partners, Ltd and Orange County. District 6

A motion was made by Commissioner Scott, seconded by Commissioner Wilson, to approve and execute (1) Agreement for Community Development District by and between Universal City Development Partners, Ltd and Orange County Florida, and (2) authorize for the Mayor or designee to execute the Interlocal Agreement between Orange County, Florida and Shingle Creek Transit and Utility Community Development District regarding the Exercise of Powers in Cooperation of Various Projects in substantially the same form as that attached to the Agreement for Community Development District by and between Universal City Development Partners, Ltd and Orange County. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bonilla

VI. PUBLIC HEARINGS (Continued)

G. Ordinance

8. **23-1330** Enacting Shingle Creek Transit and Utility Community Development District

pursuant to Chapter 190, Florida Statutes; Providing for Findings of Fact; Providing for the District's Boundaries; Specifying the District's General and Special Powers; Designating the Initial Members of the District's Board of Supervisors; Providing for repeal in the absence of timely execution of an Interlocal Agreement; Providing for compliance with Chapter 190, Florida Statutes, and all other applicable laws and ordinances; Providing for Severability; and Providing for an Effective Date; District 6

Consideration: AN ORDINANCE PERTAINING TO THE ESTABLISHMENT OF THE "SHINGLE CREEK TRANSIT AND UTILITY COMMUNITY DEVELOPMENT DISTRICT" PURSUANT TO CHAPTER 190, FLORIDA STATUTES; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR THE DISTRICT'S BOUNDARIES; SPECIFYING THE DISTRICT'S GENERAL AND SPECIAL POWERS; DESIGNATING THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING FOR REPEAL IN THE ABSENCE OF TIMELY EXECUTION OF AN INTERLOCAL AGREEMENT; PROVIDING FOR COMPLIANCE WITH CHAPTER 190, FLORIDA STATUTES, AND ALL OTHER APPLICABLE LAWS AND ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The following persons addressed the Board:

- Lindsay Whelan
- John Sprouls
- John McReynolds

The following material was presented to the Board prior to the close of the public hearing: Exhibit 1, Lindsay Whelan.

County staff indicated they received minor comments from the County Surveyor regarding the Legal description that is included as Attachment A and B. The district boundary map, as attached, is correct and these concerns do not affect that map or the district's boundary.

County staff proposes to amend the request to include the following language:

Grant authorization to staff to correct, in coordination with the Applicant and the County Surveyor, minor errors to the legal descriptions attached to the Ordinance in Exhibits A and B, so long as such changes remain consistent with the geographical representation of the Shingle Creek Transit and Utility Community Development District's boundaries as found in the map in Exhibit A.

A motion was made by Commissioner Scott, seconded by Commissioner Gomez Cordero, to adopt Ordinance 2023-40 pertaining to the Establishment of the "Shingle Creek Transit and Utility Community Development District" pursuant to Chapter 190, Florida Statutes; further, providing for findings of fact; further, providing for the district's boundaries; further, specifying the District's general and special powers; further designating the initial members of the District's Board of Supervisors; further, providing for repeal in the absence of timely execution of an Interlocal Agreement; further, providing for compliance with Chapter 190, Florida Statutes, and all other applicable laws and ordinances; further, providing for severability; further, providing for an effective date; and further, grant authorization to staff to correct, in coordination with the Applicant

and the County Surveyor, minor errors to the legal description attached to the Ordinance in Exhibits A and B, so long as such changes remain consistent with the geographical representations of the Shingle Creek Transit and Utility Community Development District's boundaries as found in the map in Exhibit A. The motion carried by the following vote:

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

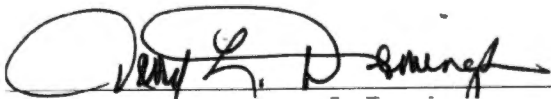
Absent: 1 - Commissioner Bonilla

√ **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: 4:03 p.m.

ATTEST:



County Mayor Jerry L. Demings

Date: November 14, 2023



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.

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.