Orange County Government

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



Draft Meeting Minutes

Tuesday, September 10, 2024 9:00 AM

County Commission Chambers

Board of County Commissioners

Language Assistance and Translation Services Available:
Para asistencia lingüística o servicios de traducción en español, llame al (407) 836-3111
Si w bezwen èd nan lang Kreyòl oswa sèvis tradiksyon, tanpri rele (407) 836-3111

Call to Order

County Mayor Jerry L. Demings called the meeting to order at 9:04 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
Deputy County Attorney Georgiana Holmes
Senior Assistant County Attorney Whitney Evers
Public Works Director Joseph Kunkel
Senior Minutes Coordinator Noelia Perez
Minutes Coordinator Megan Fiocco

Invocation - District 1

Reverend Dr. Jennifer Stiles Williams, St. Luke's United Methodist Church

Pledge of Allegiance

Presentation

Recognition of Correctional Officer Timothy Williams

Proclamations

Presentation of a proclamation recognizing Hunger Action Month

Presentation of a proclamation recognizing Hispanic Heritage Month

Public Comment

The following persons addressed the Board during public comment:

- Gloria Sepulveda
- Nelson Betancourt
- Karla Radka
- Trini Quiroz
- Tim McKinney
- Cara Blanco
- Rosemary Hayes

- Sarah Elbadri

(Pursuant to Section 209 of the Orange County Charter)

I. CONSENT AGENDA

Approval of the Consent Agenda

A motion was made by Commissioner Bonilla, seconded by Commissioner Gomez Cordero, 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 COMPTROLLER

- 1. <u>24-1276</u> Approval and execution of the minutes of the July 11 and August 13, 2024 meetings of the Board of County Commissioners. (Clerk's Office)
- 2. <u>24-1277</u> Approval of the check register authorizing the most recently disbursed County funds, having been certified that no accounts have been overdrawn due to the issuance of same. (Finance/Accounting)

Disbursement periods cover:

- August 23, 2024 to August 29, 2024; \$36,100,696.28
- August 30, 2024 to September 5, 2024; \$44,306,045.72
- **3. 24-1278** Disposition of Tangible Personal Property. (Property Accounting)

Approval is requested of the following:

- a. Dispose of assets.
- b. Dispose of asset totaled by our third party administrator for its salvage value.

B. COUNTY ADMINISTRATOR

- 1. <u>24-1187</u> Approval and execution of Art in the Chambers Loan and Exhibition Agreement by and between Orange County, Florida and Carl Knickerbocker for the period of September 23, 2024, through January 25, 2025. (Arts and Cultural Affairs Office)
- 2. 24-1306 Approval of FY 2024-25 Regular, Administrative, and Mayor/Board of County Commissioners (BCC) Staff Pay Plan Structural Adjustment, Salary Increase and Implementation Plan, and Personal Leave Sell Program (Human Resources Division)

3.	<u>24-1300</u>	Approval of budget transfer #24-1197. (Office of Management and Budget)
4.	<u>24-1301</u>	Approval of budget amendments #24-52, #24-53 and #24-54. (Office of Management and Budget)
5.	<u>24-1302</u>	Approval for the Orange County Sheriff's Office to spend \$2,031,120 from the Law Enforcement Impact Fee Funds to purchase vehicles and equipment. (Office of Management and Budget)
6.	<u>24-1307</u>	Approval to make quarterly payments to the Orange County Comptroller from the General Fund, Fire Rescue/911, Parks and Recreation, Public Service Tax, Building, Convention Center/Tourist Development Tax, Water Utilities, Solid Waste/Recycle, and Public Works funds for fees beginning October 2024 through July 2025. (Office of Management and Budget)
7.	<u>24-1308</u>	Approval to pay the first quarter billing for the Orange County Property Appraiser in the amount of \$7,112,266.79. (Office of Management and Budget)
8.	<u>24-1309</u>	Approval to make monthly draws to the Orange County Sheriff as follows: October 2024, the amount of \$42,495,327; November and December 2024, equal amounts of \$30,053,179; January 2025, the amount of \$60,106,358; and February 2025 through August 2025, equal amounts of \$30,053,179. (Office of Management and Budget)
9.	<u>24-1310</u>	Approval to make monthly draws to the Orange County Supervisor of Elections as follows: October 2024 and November 2024, equal amounts of \$4,787,091.75; and December 2024 through September 2025, equal amounts of \$957,418.35. (Office of Management and Budget)
10.	<u>24-1311</u>	Approval to advance \$4,248,601 to the Orange County Tax Collector on October 1, 2024. This advance is necessary to maintain the financial operation of the office during the month of October 2024. (Office of Management and Budget)

C. COUNTY ATTORNEY

1. 24-1263 Approval of the settlement in the case of <u>United Community Bank v.</u>

<u>Orange County Animal Services, et al.</u>, 6:23-CV-2018-ACC-DCI, and authorization for execution of the corresponding Settlement Agreement by Diane Summers, Manager of Orange County Animal Services, and by Lee Bernbaum, Assistant County Attorney.

D. ADMINISTRATIVE SERVICES DEPARTMENT

1.	<u>24-1318</u>	Approval of Change Order No 4, Contract Y22-748 Fire Station #80 Replacement - GRANT, with Mulligan Constructors Inc in the amount of \$2,366.72, for a revised lump sum contract amount of \$5,954,473.48. District 5. (Capital Projects Division)
2.	<u>24-1319</u>	Approval of Change Order No 4, Contract Y21-747 Administration Center Fire Alarm System Replacement, with Integrated Fire & Security Solutions Inc in the amount of \$19,903.09, for a revised lump sum contract amount of \$603,224.83. District 5. (Capital Projects Division)
3.	<u>24-1320</u>	Approval of Change Order No 3, Contract Y22-752 Corrections Security Package Building D, with Florida Detention Systems Inc in the amount of \$106,513.46, for a revised lump sum contract amount of \$5,416,273.43. District 6. (Capital Projects Division)
4.	<u>24-1248</u>	Approval of Amendment No. 2, Contract Y23-151, The Management of the Youth Mental Health Management Network Consortium and the Provision of Mental Health Support Services, with RISE Community Solutions, Inc., in the amount of \$273,983.36, for a revised estimated contract amount of \$729,656.81. ([Community and Family Services Department Mental Health and Homelessness Division) Procurement Division]
5.	<u>24-1249</u>	Selection of Standard Insurance Company to provide Group Term Life, Accidental Death, Long and Short Term Disability, and Dismemberment, Request for Proposals Y24-1002-KK for a five-year term. ([Administration and Fiscal Services Department Human Resources Division] Procurement Division)
6.	<u>24-1255</u>	Approval of Change Order No. 4, Purchase Order M114771, Blower and Hose Equipment Rentals, with Aerzen Rental USA, LLC, in the amount of \$221,490, for a revised total amount of \$356,010. ([Utilities Department Water Reclamation Division] Procurement Division)
7.	<u>24-1256</u>	Approval to Purchase Metered Postage for Fiscal Year 24-25, with the United States Postal Service Computerized Meter Resetting System (CMRS-PBP), a subsidiary of Pitney Bowes, in the estimated amount of \$825,650. [(Administrative Services Department Facilities Management Division) Procurement Division]
8.	<u>24-1257</u>	Approval to Award Invitation for Bids Y24-796-RC, Emergency Bid for Orange County Courthouse Elevator Modernization, with KONE Inc., in the total contract award amount of \$10,170,000. ([Administrative Services Department Capital Projects Division] Procurement Division)
9.	<u>24-1264</u>	Approval of Contracts Y24-2210, Primary Care Services, with Central Florida Family Health Center, Inc., in the estimated contract award amount of

\$1,703,642 for a one-year term, Community Health Centers, Inc., in the estimated contract award amount of \$897,382 for a one-year term, Health Care Center for the Homeless, Inc., in the estimated contract award amount of \$730,000 for a one-year term, and Shepherd's Hope, Inc., in the estimated contract award amount of \$150,000 for a one-year term. Further request board authorization for the Procurement Division to renew the contracts for four additional one-year terms. (Health Services Department Fiscal and Operational Support Division [Procurement Division])

- 10. 24-1265
- Approval to award Invitation for Bids Y24-788-ZR, Orange County Convention Center West Building Joint Replacement, to the low responsive and responsible bidder, SkyBuilders USA LLC in the total contract amount of \$1,600,000. ([Orange County Convention Center Capital Planning Division] Procurement Division)
- 11. 24-1266

Approval of Amendment No. 4, Contract Y23-2408, Funding the Provision of Digital Devices to Non-Profits to Enhance Access to Key Community and Social Services by the Residents of Orange County, Florida, with Aeras Foundation, Inc., in the amount of \$775,897, for a revised total contract amount of \$3,888,280.73. ([County Administration Innovation and Emerging Technologies Office] Procurement Division)

12. 24-1267

Approval of Amendment No. 4, Contract Y21-2004, Provision of Community Services and Facility Use, with Capoeira for Tomorrow, Inc., in the amount of \$150,000, for a revised total contract total of \$417,500. ([Community and Family Services Department Citizens' Commission for Children Division] Procurement Division)

13. 24-1268

Approval of Contract Y24-2400, Providing Funding for Long-Term Housing Security and Services for Unhoused Persons, Federal Subrecipient Agreement, between Orange County and S.A.L.T. Outreach, Inc., for a federal subaward in an amount not-to-exceed \$500,817.78 for a two-year term.

Further request Board authorization of delegation of authority to the Procurement Division Manager or designee to execute such Federal Subrecipient Agreement on a form approved by the County Attorney's Office Risk Management Division. ([Community and Family Services Department Mental Health and Homelessness Division] Procurement Division)

14. 24-1269

Approval to award Invitation for Bids Y24-191-MV, Emergency Generator Inspections, Maintenance and Repairs at Orange County Convention Center (OCCC) West Concourse, to the low responsive and responsible bidder, Accurate Power and Technology, Inc., in the estimated contract award amount of \$1,539,690.90 for a five-year term. ([Orange County Convention

Center Facility Operations Division] Procurement Division)

- Approval of Amendment No. 4, Task Authorization No. 1, Contract Y20-824, Ficquette Road Utility Improvements, with CPH, Inc., in the amount of \$184,116.90, for a revised total award amount of \$1,111,896.93. ([Utilities Department Engineering Division] Procurement Division)
- Approval and execution of License Agreement between Orange County, Florida and Orange County School Readiness Coalition, Inc. dba Early Learning Coalition of Orange County related to not-for-profit community center utilization for the provision of services benefitting the public, and authorization for the Manager of the Real Estate Management Division and Manager of the Community Action Division to exercise renewal options, and furnish notice required, or allowed by the License Agreement, as needed for Orange County School Readiness Coalition, Inc., dba Early Learning Coalition of Orange County, Pine Hills Community Center (CAD), 6400 Jennings Road, Orlando, Florida, 32818. Lease File 10354. District 6. (Real Estate Management Division)
- 17. 24-1282 Approval and execution of Distribution Easement from Orange County
 Board of County Commissioners to Duke Energy Florida, LLC, d/b/a Duke
 Energy, and authorization to record instrument for 3688 Day Care Center
 Road, Mount Dora, Florida 32757. District 2. (Real Estate Management
 Division)
- Approval and execution of License Agreement between Orange County, Florida and Habitat for Humanity Greater Orlando and Osceola County, Inc related to not-for-profit community center utilization for the provision of services benefitting the public, and authorization for the Manager of the Real Estate Management Division and Manager of the Community Action Division to exercise all delegations of authority expressly provided for by the License Agreement, as needed for Habitat for Humanity Greater Orlando and Osceola County, Inc., East Orange Community Center (CAD), 12050 East Colonial Drive, Orlando, Florida 32826. Lease File 10341. District 4. (Real Estate Management Division)
- Approval and execution of License Agreement between Orange County, Florida and Habitat for Humanity Greater Orlando and Osceola County, Inc related to not-for-profit community center utilization for the provision of services benefitting the public, and authorization for the Manager of the Real Estate Management Division and Manager of the Community Action Division to exercise all delegations of authority expressly provided for by the License Agreement, as needed for Habitat for Humanity Greater Orlando and Osceola County, Inc., Hal P. Marston Community Center (CAD), 3933 WD Judge Drive, Orlando, Florida 32808. Lease File 10342. District 6. (Real Estate Management Division)

20. 24-1285

Approval and execution of License Agreement between Orange County, Florida and Habitat for Humanity Greater Orlando and Osceola County, Inc related to not-for-profit community center utilization for the provision of services benefitting the public, and authorization for the Manager of the Real Estate Management Division and Manager of the Community Action Division to exercise all delegations of authority expressly provided for by the License Agreement, as needed for Habitat for Humanity Greater Orlando and Osceola County, Inc., Holden Heights Community Center (CAD), 1201 20th Street, Orlando, Florida 32805. Lease File 10343. District 6. (Real Estate Management Division)

21. 24-1286

Approval and execution of License Agreement between Orange County, Florida and Habitat for Humanity Greater Orlando and Osceola County, Inc related to not-for-profit community center utilization for the provision of services benefitting the public, and authorization for the Manager of the Real Estate Management Division and Manager of the Community Action Division to exercise all delegations of authority expressly provided for by the License Agreement, as needed for Habitat for Humanity Greater Orlando and Osceola County, Inc., John Bridges Community Center (CAD), 445 West 13th Street, Apopka, Florida 32703. Lease File 10344. District 2. (Real Estate Management Division)

22. 24-1287

Approval and execution of License Agreement between Orange County, Florida and Habitat for Humanity Greater Orlando and Osceola County, Inc related to not-for-profit community center utilization for the provision of services benefitting the public, and authorization for the Manager of the Real Estate Management Division and Manager of the Community Action Division to exercise all delegations of authority expressly provided for by the License Agreement, as needed for Habitat for Humanity Greater Orlando and Osceola County, Inc., Maxey Community Center (CAD), 830 Klondike Avenue, Winter Garden, Florida 34787. Lease File 10346. District 1. (Real Estate Management Division)

23. 24-1288

Approval and execution of License Agreement between Orange County, Florida and Habitat for Humanity Greater Orlando and Osceola County, Inc. related to not-for-profit community center utilization for the provision of services benefitting the public, and authorization for the Manager of the Real Estate Management Division and Manager of the Community Action Division to exercise all delegations of authority expressly provided for by the License Agreement, as needed for Habitat for Humanity Greater Orlando and Osceola County, Inc., Multicultural Center (CAD), 7149 West Colonial Drive, Orlando, Florida 32818. Lease File 10348. District 6. (Real Estate Management Division)

24. 24-1289 Approval and execution of License Agreement between Orange County,

Florida and Habitat for Humanity Greater Orlando and Osceola County, Inc related to not-for-profit community center utilization for the provision of services benefitting the public, and authorization for the Manager of the Real Estate Management Division and Manager of the Community Action Division to exercise all delegations of authority expressly provided for by the License Agreement, as needed for Habitat for Humanity Greater Orlando and Osceola County, Inc., Pine Hills Community Center (CAD), 6400 Jennings Road, Orlando, Florida 32818. Lease File 10349. District 6. (Real Estate Management Division)

25. 24-1290

Approval and execution of License Agreement between Orange County, Florida and Habitat for Humanity Greater Orlando and Osceola County, Inc related to not-for-profit community center utilization for the provision of services benefitting the public, and authorization for the Manager of the Real Estate Management Division and Manager of the Community Action Division to exercise all delegations of authority expressly provided for by the License Agreement, as needed for Habitat for Humanity Greater Orlando and Osceola County, Inc., Taft Community Center (CAD), 9450 South Orange Avenue, Orlando, Florida 32824. Lease File 10345. District 3. (Real Estate Management Division)

26. 24-1291

Approval and execution of License Agreement between Orange County, Florida and Habitat for Humanity Greater Orlando and Osceola County, Inc related to not-for-profit community center utilization for the provision of services benefitting the public, and authorization for the Manager of the Real Estate Management Division and Manager of the Community Action Division to exercise all delegations of authority expressly provided for by the License Agreement, as needed for Habitat for Humanity Greater Orlando and Osceola County, Inc., Tangelo Park Community Center (CAD), 5160 Pueblo Street, Orlando, Florida 32819. Lease File 10347. District 6. (Real Estate Management Division)

27. 24-1292

Approval of Declaration of Abandonment, approval and execution of County Deed by Orange County and Hamlin Land Partners f/k/a SLF IV/Boyd Horizon West JV, LLC, and authorization to disburse funds and record instrument for Hamlin (Interim Pump Station). District 1. (Real Estate Management Division)

28. 24-1293

Approval and execution of Grant of Perpetual Exclusive Easement and Declaration of Restrictions by and between ORRA Ventures, LLC and Orange County, Florida, and authorization for the Director of Public Works to exercise all delegations of authority expressly provided for in the Grant of Perpetual Exclusive Easement and Declaration of Restrictions, and authorization for Real Estate Management to record instrument for Home Depot PSP/ORRA - CDR-20-07-180 - 21902895 - 20907650. District 2. (Real Estate Management Division)

29. 24-1294 Approval and execution of Lease Agreement between Taft Holdings, Inc. and Straubinger, Inc. and Orange County, Florida for 9180 Boggy Creek Road Suites 7, 8, 9, 10 & 11 Orlando, Florida 32824 and authorization for the Real Estate Management Division to exercise renewal options, Commencement Date and Lease Termination Certificate, and furnish notices, required or allowed by the Lease Agreement, as needed for SO AG - Marine Storage at Boggy Creek, 9180 Boggy Creek Road, Orlando, Florida 32824. Lease file 1026. District 3. (Real Estate Management Division)

E. COMMUNITY AND FAMILY SERVICES DEPARTMENT

- 1. <u>24-1303</u> Approval to process payment of Department of Juvenile Justice Invoices for FY 2024/2025 in an amount up to \$4,400,000. (Fiscal and Operational Support Division)
- 2. 24-1304 Approval and execution of Grant Agreement by and between Cities for Financial Empowerment Fund, Inc. and Orange County, Florida and authorization for the Mayor or designee to execute any other modifications, amendments, or revisions. All Districts.

F. CORRECTIONS DEPARTMENT

- 1. 24-1305 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. (Fiscal and Operational Support Division)
- 2. 24-1312 Approval and execution of Interagency Information Sharing Agreement for Information Technology Personnel Security Screening Requirements Orange County, Florida And Orlando Police Department. (Fiscal and Operational Support Division)

G. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

- 1. 24-1270 Acceptance of the findings and recommendation of the Environmental Protection Division staff and approval of Conservation Area Impact Permit CAI-24-02-010 for John and Bernadine DeMike. District 5. (Environmental Protection Division)
- 2. 24-1272 Acceptance of the findings and recommendation of the Environmental Protection Commission and denial of the request for variance to Orange County Code, Chapter 15, Article IX, Section 15-342(a)(5) to increase the allowable terminal platform size from 1,000 square feet to 1,632 square feet for the Steven and Christa Johnson Dock Construction Permit BD-24-01-001. District 2. (Environmental Protection Division)

H. PUBLIC WORKS DEPARTMENT

- 1. <u>24-1313</u> Authorization to record the plat of Caribe Royale. District 1. (**Development Engineering Division**)
- 2. <u>24-1314</u> Approval of Change Order Request No. 1, Contract Y23-781, Pond 6114 at Virginia Street Drainage Improvements with Prime Construction Group, Inc., in the amount of \$112,541.57, for a revised total contract amount of \$941,421.57. District 2. (Roads and Drainage Division)
- 3. 24-1315 Approval and execution of Interlocal Agreement regarding transfer of jurisdiction of a portion of Binion Road within Orange County road system by and between Orange County, Florida and the City of Apopka. District 2. (Roads and Drainage Division)
- 4. 24-1316 Approval and execution of Proportionate Share Agreement for Lynthorpe Storage Econlockhatchee Trail by and between My Local Storage LLC and Orange County for a proportionate share payment in the amount of \$16,594. District 3. (Roadway Agreement Committee)
- Approval and execution of Second Amendment to Right-of-Way Agreement
 Prime Logistics Center Taft-Vineland Road by and between BSREP III
 Prime Logistics Center, LLC and Orange County to modify the timeframe for the conveyance of right-of-way. District 3. (Roadway Agreement
 Committee)
- 6. 24-1321 Approval and execution of (1) Resolution 2024-M-32 of the Orange County Board of County Commissioners regarding the Local Agency Program Agreement with the State of Florida Department of Transportation concerning the University Boulevard at Dean Road Intersection Project (FPN Number 441490-1-58/68-01) and (2) State of Florida Department of Transportation Local Agency Program Agreement FPN: 441490-1-58-01 and FPN: 441490-1-68-01. District 5. (Transportation Planning Division)

I. UTILITIES DEPARTMENT

- 1. 24-1296 Approval and execution of Interlocal Agreement (Orange County South Water Reclamation Facility Odor Control Project) by and between Orange County and Shingle Creek Transit and Utility Community Development District in the total payment obligation amount of \$23,769,738. District 6. (Fiscal and Operational Support Division)
- 2. <u>24-1298</u> Approval and execution of Project Sub-Agreement for Cost-Sharing of Wheeling Infrastructure Project Sub-Agreement No.SA-5 (CL1-P-02 and CL2-P-04A). All Districts. (Fiscal and Operational Support Division)

3. <u>24-1299</u>

Approval of funding for the Orange County/City of Orlando Water Conserv II Joint Facilities Annual Target Budget with Woodard & Curran, Inc. The County's share of the estimated project budget is \$6,354,527. All Districts. (Water Reclamation Division)

II. INFORMATIONAL ITEMS**

- 1. **24-1279** Receipt of the following items to file for the record:
 - a. Minutes of the August 6, 2024, Meeting in the Sunshine, Commissioners Mayra Uribe, and Emily Bonilla met to discuss Vision 2050 Workgroup.
 - b. Minutes of the August 8, 2024, Meeting in the Sunshine, Commissioners Christine Moore, and Emily Bonilla met to discuss Pluris Wedgefield.
 - c. East Park Community Development District Fiscal Year 2025 Adopted Operating Budget.
 - d. City of Orlando Council Agenda Item for the meeting of August 12, 2024. 2nd consideration of the City of Orlando Ordinance No. 2024-28 with Exhibit A (Legal Description), Exhibit B (Location Map), Exhibit C (Future Land Use Map), Exhibit D (Zoning Map), City of Orlando Business Impact Estimate, City of Orlando Fiscal Impact Statement. Ordinance No. 2024-28 entitled: An Ordinance of the City of Orlando, Florida, annexing to the corporate limits of the City certain land generally located north of Silver Star Road, east of Eunice Avenue, west of N. John Young Parkway, and south of Shader Road and comprised of 6.32 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-general with the Wekiva overlay district, on the City's official zoning maps; providing for amendment of the City's official future land use and zoning maps; providing for severability, correction of scrivener's errors, permit disclaimer, and an effective date.
 - e. City of Winter Garden Annexation Ordinance No. 23-19 with Attachment A (Legal Description) and Attachment B (Location Map). Ordinance No. 23-19 entitled: An Ordinance of the City of Winter Garden, Florida providing for the annexation of certain additional lands generally described as approximately 8.72 ± acres located at 1265 and 1271 Avalon Road, on the northeast corner of Avalon Road and Rolling Rock Way, into the City of Winter Garden, Florida; redefining the City boundaries to give the City jurisdiction over said property; providing for

severability; providing for an effective date.

f. Audit Report No. 510 - Audit of Orange County Corrections Security Guard Services

These items were received and filed.

III. DISCUSSION AGENDA

A. ADMINISTRATIVE SERVICES DEPARTMENT

 Selection of two firms for Lot A and selection of three firms and two ranked alternates for Lot B for Multi-Family Affordable Housing Development, Request for Proposals Y24-1031-AH, from the following firms listed

alphabetically:

Lot A:

Century Crossing/Southport Development, Inc. (SP North LLC) Osprey Sound Apartments, LP/Ulysses Development Group

Lot B:

BDG Mariposa Grove, LLC/Banyan Development Group, LLC The Enclave at Canopy Partners, LLC/Archway Partners, LLC ECG South Ivey, LP/Elmington Affordable, LLC New Life Seniors/John Stanley, Inc. and New Life Ministries of Orlando, Inc.

Vista at Poinciana LTD./Atlantic Pacific Communities, LLC

Further request approval for the Procurement Division to execute five developer agreements and negotiate the terms of the loans within a cumulative budget of \$20,850,000. Further request Board authorization for the Procurement Division to formally terminate negotiations with top ranked firms if we are unable to come to a favorable negotiated developer agreement and commence negotiations with the next ranked alternate. ([Planning, Environmental, and Development Services Department Housing and Community Development Division] Procurement Division)

A motion was made by Commissioner Wilson, seconded by Commissioner Moore, to appoint Osprey Sound Apartments, LP/Ulysses Development Group, 454.25 points, and Century Crossing/Southport Development, Inc. (SP North LLC), 419.25 points, as the selected firms for Lot A; further, to appoint BDG Mariposa Grove, LLC/Banyan Development Group, LLC, 475.75 points, The Enclave at Canopy Partners, LLC/Archway Partners, LLC, 446 points, and ECG South Ivey, LP/Elmington Affordable, LLC, 415.75 points, as the selected firms; and further, appoint New Life Seniors/John Stanley, Inc. and New Life Ministries of Orlando, Inc., 368 points, and Vista at Poinciana LTD./Atlantic Pacific Communities, LLC, 310 points, as the selected ranked alternates for Lot B. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner

Uribe, Commissioner Bonilla, and Commissioner Scott

Absent: 1 - Commissioner Gomez Cordero

A motion was made by Commissioner Wilson, seconded by Commissioner Moore, to approve the Procurement Division to execute five developer agreements and negotiate the terms of the loans within a cumulative budget of \$20,850,000; and further, request Board authorization for the Procurement Division to formally terminate negotiations with top ranked firms if we are unable to come to a favorable negotiated developer agreement and commence negotiations with the next ranked alternate. 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

2. 24-1254 RECOMMENDATION:

Selection of one firm and three ranked alternates to provide Group Dental Insurance Plan, Request for Proposals Y24-1010-MM, from the following firms listed alphabetically:

Cigna Health and Life Insurance Company Humana Insurance Company Metropolitan Life Insurance Company Standard Insurance Company

Request Board authorization for the Procurement Division to negotiate and execute a contract for a three-year term. Further request Board authorization for the Procurement Division to renew the contract for two additional one-year terms. Further request Board authorization for the Procurement Division to formally terminate negotiations with the top ranked firm, if we are unable to come to a favorable negotiated agreement, and commence negotiations with the next ranked alternate, until a successful negotiation is reached. ([Administration and Fiscal Services Department Human Resources Division] Procurement Division)

A motion was made by Commissioner Wilson, seconded by Commissioner Uribe, to appoint Cigna Health and Life Insurance Company, 486.67 points, as the selected firm; and further, appoint Humana Insurance Company, 446.67 points, Metropolitan Life Insurance Company, 435 points, and Standard Insurance Company, 370 points, as the selected ranked alternates. The motion carried by the following vote:

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

Absent: 1 - Commissioner Scott

3. 24-1295 Selection of two firms and three ranked alternates to provide Continuing

Engineering Services for Solid Waste Management Construction Projects, Request for Proposals Y24-908-GO, from the following firms listed alphabetically:

Cornerstone Environmental Group, LLC a Tetra Tech, Inc.
Geosyntec Consultants, Inc.

HDR Engineering Inc.

S2Li&AVCON Joint Venture

Stearns, Conrad and Schmidt, Consulting Engineers, Inc. dba SCS Engineers

Further request Board authorization for the Procurement Division to negotiate and execute the final contracts to establish hourly rates for future requirements for a five-year term. Further request authorization for the Procurement Division to formally terminate negotiations with the top ranked firm, if we are unable to come to a favorable negotiated agreement, and commence negotiations with the next ranked alternate, until a successful negotiation is reached.([Utilities Department Solid Waste Division] Procurement Division)

A motion was made by Commissioner Bonilla, seconded by Commissioner Gomez Cordero, to appoint Stearns, Conrad and Schmidt, Consulting Engineers, Inc. dba SCS Engineers, 452 points, and S2Li&AVCON Joint Venture, 450.50 points, as the selected firms; and further, HDR Engineering Inc., 421 points, Geosyntec Consultants, Inc., 406.50 points, and Cornerstone Environmental Group, LLC a Tetra Tech, Inc., 392.50 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. PUBLIC WORKS DEPARTMENT

1. <u>24-1375</u> MetroPlan Orlando Board Meeting Briefing (Transportation Planning Division)

Board discussion ensued. Senior Assistant County Attorney Evers contributed to the discussion. The Board took no action.

C. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

1. 24-1273 Approval and execution of Resolution of the Orange County Board of County Commissioners regarding adoption of Standard Operating Procedures to implement the requirements of the Live Local Act; and Approval and execution of Resolution of the Orange County Board of County Commissioners regarding Adoption of a Form Land Use Restriction Agreement for Affordable Multi-Family Development to be used when the

County approves applications filed pursuant to Section 125.01055(7)(The "Live Local Act"). All Districts (Zoning Division)

Board discussion ensued. County Administrator Brooks contributed to the discussion.

A motion was made by Mayor Demings, seconded by Commissioner Scott, to approve and execute Resolution 2024-M-33 of the Orange County Board of County Commissioners regarding adoption of Standard Operating Procedures and Zoning Guidelines; and further, approve and execute Resolution 2024-M-34 of the Orange County Board of County Commissioners regarding Adoption of a Form Land Use Restriction Agreement for Affordable Multi-Family Development to be used when the County approves applications filed pursuant to Section 125.01055(7)(The "Live Local Act"). The motion carried by the following vote:

Aye:

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

IV. WORK SESSION AGENDA

A. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

 24-1274 Impact Fees for Additions to Residential Homes Resolutions (Fiscal and Operational Support Division)

Board discussion ensued. County Administrator Brooks contributed to the discussion.

The Board took no action.

2. <u>24-1211</u> Chapter 15, Article V - Noise Pollution Control (Environmental Protection Division)

Board discussion ensued. County Administrator Brooks contributed to the discussion.

The Board took no action.

Proclamation

Presentation of a proclamation recognizing Runway to Hope Day

V. RECOMMENDATIONS

1. August 15, 2024 Planning and Zoning Commission Recommendations (Planning Division)

A motion was made by Commissioner Uribe, seconded by Commissioner Scott, to approve the recommendations, with the exception of Case # RZ-24-07-044, Ethan Trusty (Board-Called), Case # RZ-24-06-042, Rosemary Hayes (Board-Called) and Case # RZ-24-07-045, Kendell Keith (Board-Called), which were pulled from the recommendations; subject to the usual right of appeal by any aggrieved party. The motion carried by the following vote:

Aye:

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

VI. PUBLIC HEARINGS

A. Petition to Vacate

1. 24-1240 Case # PTV-24-05-019

Danielle Mosley and Victor Diaz; vacate a portion of utility easement; District 3

Consideration: Resolution granting Petition to Vacate # 24-05-019, vacating a portion of a 5-foot-wide utility easement the lies on the east property line and a portion of a 10-foot-wide utility easement that lies on the north property line within the Valencia Gardens Section 2 Subdivision, containing a total of approximately 950 square feet.

Location: District 3; The parcel address is 8889 Valencia Gardens Drive; S19/T22/R31; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Uribe, seconded by Commissioner Gomez Cordero, to approve the request listed in the Staff Report dated September 10, 2024. The motion carried by the following vote:

Aye:

- 7 Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Scott
- **2. 24-1242** Case # PTV 24-03-012

Craig Mayo and Thamiris De Oliveria Silva, on behalf of Joanne Celestin Grace, Sophia & Stijn Vandycke, Autuani & Fernanda Tonetti, Thiago Franca, and Joaquim Moreira; vacate a portion of an unopened and unimproved right-of-way; District 2

Consideration: Resolution granting Petition to Vacate # 24-03-012, vacating a portion of a 60-foot-wide unopened and unimproved right-of-way known as Pearl Court located along the south property line of 5 residential parcels lying within the Pearl Lake Park Subdivision, containing a total of approximately 0.60 acres

Location: District 2; The parcel addresses are 1899 Twin Lake Drive, 1891 Twin Lake Drive, 1887 Twin Lake Drive, 1883 Twin Lake Drive and 1882 Lake Pearl Drive; S29/T22/R28; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Moore, seconded by Commissioner Wilson, to approve the request listed in the Staff Report dated September 10, 2024. The motion carried by the following vote:

Aye:

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

B. Shoreline Alteration/Dredge and Fill

3. 24-1188 √Case # SADF-24-06-014

Harkley and Stacy Thornton, canal between Lake Sue and Lake Rowena, permit: District 5

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit SADF # 24-06-014 to authorize the installation of approximately 100-feet of replacement vinyl seawall along a canal between Lake Sue and Lake Rowena, pursuant to Orange County Code, Chapter 15, Article VI, Pumping and Dredging Control

Location: District 5; along a canal between Lake Sue and Lake Rowena, located at 1911 Lakeside Drive, Orlando, Florida 32803; Orange County, Florida (legal property description on file in Environmental Protection Division)

A motion was made by Commissioner Bonilla, seconded by Commissioner Gomez Cordero, to accept the findings and recommendation of the Environmental Protection Division; and further, approve the Shoreline Alternation/Dredge and Fill Permit (SADF-24-06-014) subject to the twenty-five (25) conditions of approval listed in the Staff Report dated August 18, 2024. The motion carried by the following vote:

Aye:

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

C. Board of Zoning Adjustment Board-Called

4. 24-1228 √Case # VA-24-07-059

Sorenson Construction, Inc., July 3, 2024; District 1

Consideration: Request for variances in the R-CE zoning district as follows: 1) To allow a 2,858 sq. ft. attached Accessory Dwelling Unit (ADU) in lieu of a maximum of 1,000 sq. ft. 2) To allow an Accessory Dwelling Unit (ADU) with a separate entrance at the front of primary structure in lieu of the side or rear.

Location: District 1; property located at 2608 Midsummer Drive, Windermere, Florida, 34786 (legal property description on file in Zoning Division)

The following persons addressed the Board:

- Bob Sorenson
- Michael Burke

The following material was presented to the Board prior to the close of the public hearing: Exhibit

1. from Bob Sorenson.

The motion by Commissioner Wilson, for a continuance of the public hearing died for lack of a second.

A motion was made by Commissioner Scott, seconded by Commissioner Moore, to make a finding of consistency with the Comprehensive Plan; and further, approve the request subject to the three (3) conditions of approval listed under the Board of Zoning Adjustment recommendation in the Staff Report dated August 22, 2024. The motion carried by the following vote:

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

Nay: 1 - Commissioner Wilson

Absent: 1 - Commissioner Uribe

D. Substantial Change

5. 24-1180 √Case # CDR-24-05-127

Brittany Eveler, Nvision Development, Silver City Properties Planned Development (PD), amend plan; District 5

Consideration: A Planned Development (PD) substantial change to revise the development program for Lot 4, which is currently undeveloped, to allow for 2,400 student housing beds and 30,000 square feet of commercial uses. The request also includes the following six (6) waivers from Orange County Code: 1. A waiver from Orange County Code Section 38-1272(a)(3)(a) to allow a minimum required front (south) building setback for commercial buildings along the east 150 ft, to 10 ft in lieu of the minimum required 30 ft. 2. A waiver from Orange County Code Section 38-1259(3) to allow a student housing complex to contain up to 2,400 beds in lieu of not more than 750 total bedrooms. 3. A waiver from Orange County Code Section 38-1272(a)(5), to allow commercial buildings a maximum height of 70 ft for buildings located between 90 ft and 350 ft from University Boulevard right-of-way and a maximum height of 95 ft for buildings located beyond 350 ft from University Blvd right-of-way, in lieu of 50 ft. 4. A waiver from Orange County Code Section 38-1258 (2), to allow residential buildings a maximum height of 70 ft for buildings located between 90 ft and 350 ft from University Boulevard right-of-way and a maximum height of 95 ft for buildings located beyond 350 ft from University Blvd right-of-way, in lieu of three (3) stories or 40 ft in height. 5. A waiver from Orange County Code Section 38-1254(c)(1) to allow a zero foot (0') minimum front setback between interior lot lines in lieu of the minimum 25' setback. 6. A waiver from Orange County Code Section 38-1254(c)(3) to allow a zero foot (0') minimum rear setback between interior lot lines in lieu of the minimum 25' setback; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 5; property generally located North of University Boulevard / East of North Semoran Boulevard; Orange County, Florida (legal property description on file in Planning Division)

New Condition of Approval #18:

18. The owner of the student housing complex shall provide a security service twenty-four-seven through the property management staff. Also, the owner shall provide additional security for known special events.

Previous Conditions of Approval #18, #19 and #20 are renumbered to Conditions of Approval #19. #20 and #21.

- 48. 19. Developer shall enter into an agreement with the County for the construction and maintenance of the proposed overhead pedestrian bridge; such agreement shall be reviewed and approved by the County prior to or concurrent with the proportionate share agreement for this project.
- 19. 20. The following waivers from Orange County Code are granted:
- a. A waiver from Section 38-1272(a)(3)(a) to allow a minimum required front (south) building setback for commercial buildings along the east 150 ft, to 10 ft in lieu of the minimum required 30 ft
- b. A waiver from Section 38-1259(3) to allow a student housing complex to contain up to 2,400 beds in lieu of not more than 750 total bedrooms.
- c. A waiver from Section 38-1272(a)(5), to allow commercial buildings a maximum height of 70 ft for buildings located between 90 ft and 350 ft from University Boulevard right-of-way and a maximum height of 95 ft for buildings located beyond 350 ft from University Blvd right-of-way, in lieu of 50 ft.
- d. A wavier from Section 38-1258 (2), to allow residential buildings a maximum height of 70 ft for buildings located between 90 ft and 350 ft from University Boulevard right-of-way and a maximum height of 95 ft for buildings located beyond 350 ft from University Blvd right-of-way, in lieu of three (3) stories or 40 ft in height.
- e. A waiver from Section 38-1254(c)(1) to allow a zero foot (0') minimum front setback between interior lot lines in lieu of the minimum 25' setback.
- f. A waiver from Section 38-1254(c)(3) to allow a zero foot (0') minimum rear setback between interior lot lines in lieu of the minimum 25' setback.
- 20. 21. Except as amended, modified, and / or superseded, the following Board Conditions of Approval, dated January 9, 2024, shall apply:
- a. A waiver from Orange County Code Section 38-1272(3)(b) is granted to allow 8 feet setback for accessory structures along Forsyth Road in lieu of the required 30 feet setback from collector roads.

County Staff announced that the conditions outlined in the Staff Report following Condition #20

were numbered incorrectly. The conditions currently labeled as Conditions of Approval #14 and #15 should be updated to reflect Conditions of Approval #22 and #23, respectively:

- 44. 22. Except as amended, modified, and/or superseded, the following Board Conditions of Approval, dated June 18, 2019, shall apply:
- a. Pole signs and billboards shall be prohibited (except for three billboards located on Forsyth Road which currently exist and are approved). All other signage shall comply with Chapter 31.5 of the Orange County Code.
- b. A waiver from Orange County Code Section 38-1476(a) is granted for Phase 1 Lot 1 only, to allow 4.4 spaces for each 1,000 square feet, in lieu of 5.0 spaces for each 1,000 square feet.
- 45. 23. Except as amended, modified, and / or superseded, the following Board Conditions of Approval, dated January 5, 2016 shall apply:
- a. The billboards identified as "BB 2" and "BB 4" shall be removed within 90 days of the submittal of the first permit to convert the other signs to digital display.
- b. The billboard identified as "BB 3" shall be allowed to operated as a three-faced billboard.

The following persons addressed the Board:

- Micky Grindstaff
- Tim Keating
- Ian McCook

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

Based upon input by applicant and accepted by the District Commissioner New Condition of Approval #18 was revised as follows:

18. The owner of the student housing complex shall provide twenty-four-seven security through property management staff, a contracted security company, Full Sail Campus Security or a combination thereof. Also, the owner shall provide adequate additional security and/or staffing as required for known special events.

A motion was made by Commissioner Bonilla, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; further, approve the substantial change request subject to the twenty (20) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated August 26, 2024; further, approve new Condition of Approval #18; further, approve renumbered Conditions of Approval #18, #19, and #20; and further, renumber the conditions in the Staff Report following Condition of Approval #20 as Conditions of Approval #22 and #23. 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
- **6. 24-1202** √Case # CDR-23-05-161

Jim Hall, Hall Development Services, Inc., Orlando World Resort Planned Development (PD), amend plan; District 1

Consideration: A PD substantial change to add 206 resort lodging units, and increase the building height for resort lodging use to 75 feet; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 1; property generally located North of W. Irlo Bronson Memorial Highway / East of State Road 192 / South of Walt Disney World's Animal Kingdom Lodge / West of Osceola Parkway; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Brandon Marcus.

A motion was made by Commissioner Wilson, seconded by Commissioner Moore, to continue the public hearing until October 8, 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

7. 24-1221 √Case # CDR-23-11-323

Patterson Planned Development (PD), amend plan; District 1

Consideration: A PD substantial change to increase the number of multi-family residential units by 94 units, for a total of 598 multi-family residential units; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 1; property generally located West of Reams Road / East of Seidel Road / South of Summerlake Park Boulevard; Orange County, Florida (legal property description on file in Planning Division)

County Staff announced a correction to the Staff Report, clarifying that the existing complex consists of 380 units, not the previously listed 308 units.

The following persons addressed the Board:

- Angel de la Portilla
- Ted Edwards
- Jason Murphy

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

A motion was made by Commissioner Wilson, seconded by Commissioner Bonilla, to make a finding of inconsistency with the Comprehensive Plan; and further, deny the substantial change request to increase the development program by 94 units, for a total of 598 multi-family residential units. The motion failed by the following vote:

Aye: 2 - Commissioner Wilson, and Commissioner Bonilla

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

A motion was made by Commissioner Uribe, seconded by Commissioner Moore, to make a finding of consistency with the Comprehensive Plan; and further, approve the substantial change request subject to the nineteen (19) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated August 16, 2024. The motion carried the following vote:

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

Nay: 1 - Commissioner Wilson

III. DISCUSSION AGENDA (CONTINUED)

C. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

2. 24-1337 Vision 2050 and Orange Code Update. (Planning Division)

Board discussion ensued. Deputy County Administrator Weiss and Deputy County Attorney Holmes contributed to the discussion.

The Board took no action.

Moment of Silence

In honor and remembrance of the victims in the September 11th attacks

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

Information regarding meetings held at the County Administration Building between any member of the Board and an outside party may be obtained at https://www.ocfl.net/OpenGovernment/MeetingsReport.aspx

ADJOURNMENT: 6:06 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.