

# **Orange County Government**

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



## **Final Meeting Minutes - Final**

**Tuesday, September 26, 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 9:03 a.m.

**Present:** 7 - Mayor Jerry L. Demings, Commissioner Nicole Wilson, Commissioner Christine Moore, Commissioner Mayra Uribe, Commissioner Maribel Gomez Cordero, Commissioner Emily Bonilla, and Commissioner Michael Scott

Others present:

County Comptroller Phil Diamond as Clerk  
County Administrator Byron Brooks  
Deputy County Administrator Jon Weiss  
County Attorney Jeffrey J. Newton  
Sr. Assistant County Attorney Whitney Evers  
Public Works Director Joseph Kunkel  
Minutes Supervisor Craig Stopyra  
Minutes Coordinator Terrell Hightower  
Minutes Coordinator Rafael Encarnacion Jr.

**Pledge of Allegiance**

**Invocation - County Mayor**

Reverend Gabriel Salguero, The Gathering Place

**Presentation**

Proclamation recognizing October 2 through October 8, 2023 as Florida Climate Week

**Presentation**

Orange County Export Report

**Presentation**

Art in the Chambers

**Recognition**

Lucas Boyce as Outstanding Child Advocate

**Public Comment**

The following persons addressed the Board for public comment:

- Chris Mathieson

- Deborah Green
- James Erwin
- Eugene Stoccardo
- Kelly Semrad
- Kevin Horine
- Maria Bolton-Joubert

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

- Exhibit 1, from Chris Mathieson
- Exhibit 2, from James Erwin

**I. CONSENT AGENDA**

**Approval of the Consent Agenda**

The Mayor deferred action on County Administrator Item 8, Budget Amendment # 23-54; 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. **23-1344** Confirmation of the Mayor’s managerial appointment of Renee H. Parker, LEP, as Manager, Environmental Protection Division, Planning, Environmental, and Development Services Department.

**B. COUNTY COMPROLLER**

1. **23-1345** Approval and execution of the minutes of the August 22, 2023 meeting of the Board of County Commissioners. (Clerk’s Office)
2. **23-1346** 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 8, 2023, to September 14, 2023; \$ 49,494,840.05
- September 15, 2023, to September 21, 2023; \$ 50,352,165.97

**C. COUNTY TAX COLLECTOR**

1. **23-1347** Approval of the extension of the tax roll prior to the completion of the 2023 Value Adjustment Board hearings.

**D. COUNTY ADMINISTRATOR**

1. **23-1348** Confirmation of the appointment of Gregory Ford as the District 5 representative on the Board of Zoning Adjustment with a term expiring December 31, 2024. (Agenda Development Office)
2. **23-1349** Approval and execution of Low Income Pool Letter of Agreement by and between Orange County on behalf of Aspire Health Partners, Inc. and the State of Florida, Agency for Healthcare Administration in the amount of \$3,611,504 through the Intergovernmental Transfer Program. (Mental Health and Homelessness Division)
3. **23-1350** Approval to disburse \$250,000 to the Orange Blossom Trail Development Board on October 1, 2023 for administration in order to maintain normal operations for the first quarter of Fiscal Year 2023-24. (Office of Management and Budget)
4. **23-1351** Approval for staff to reimburse expenditures throughout FY 2023-24 for the Orange Blossom Trail Safe Neighborhood Improvement District as approved in the FY 2023-24 budget. (Office of Management and Budget)
5. **23-1352** Approval to disburse \$250,000 in working capital for the Orange County CRA, increasing the working capital for the Orange Blossom Trail Corridor Improvement and Neighborhood Improvements MSTUs by \$75,000 each to \$125,000 per MSTU and increasing the working capital for the Orange Blossom Trail Safe Neighborhood Program from \$25,000 to \$50,000. (Office of Management and Budget)
6. **23-1353** Approval and execution of Service Funding Agreements between Orange County, Florida and the Seniors First, Inc. (\$95,418), the Orange County Bar Association, Inc. (\$102,228), and the Legal Aid Society of the Orange County Bar Association, Inc. (\$1,477,397) Fiscal Year 2023-2024. (Office of Management and Budget)
7. **23-1354** Approval to disburse payment for the East Central Florida Regional Planning Council annual assessment totaling \$309,448 as provided in the FY 2023-24 adopted budget. (Office of Management and Budget)

8. **23-1355** Approval of budget amendments #23-54, 23-55, #23-56, #23-57, and #23-58. (Office of Management and Budget)  
(County Administrator Item 8 Budget, Amendment #23-54, was deferred.)
9. **23-1356** Approval of budget transfers #23-1327, #23-1328, #23-1330, #23-1331, #23-1349, and #23-1358. (Office of Management and Budget)
10. **23-1357** Approval and execution of State of Florida Department of Environmental Protection Standard Grant Agreement Number: 23PLN25 by and between the Florida Department of Environmental Protection and Orange County, Florida in the amount of \$420,000 to conduct the Orange County Comprehensive Vulnerability Assessment including stakeholder outreach and education, and authorization for the Mayor or designee to execute any necessary modifications, amendments, and extensions to this agreement. All Districts. (Office of Sustainability and Resilience)

#### **E. ADMINISTRATIVE SERVICES DEPARTMENT**

1. **23-1358** Approval to award Invitation for Bids Y23-104-RM, Landscape Maintenance Roads and Drainage - Countywide Areas B, C, and D, to the low responsive and responsible bidder, Lawnwalker Services, Inc. The estimated contract award amount is \$2,558,848 for the base year. ([Public Works Department Roads and Drainage Division] Procurement Division)
2. **23-1359** Approval to award Invitation for Bids Y23-171-KK, Kubota Parts and Labor, to the sole responsive and responsible bidder, Crystal Tractor LLC. The estimated annual amount is \$1,509,000 for a three-year term. ([Administrative Services Department Fleet Management Division] Procurement Division)
3. **23-1360** Approval to award Invitation for Bids Y23-189-AV, Lot Cleaning Services for Neighborhood Services Division, Code Compliance, to the low responsive and responsible bidders, by lot: Lot A to Greco International Corporation, in the estimated contract award amount of \$484,355 for a one-year term, Lot B to PLT Landscaping Services LLC, in the estimated contract award amount of \$391,000 for a one-year term, and Lot C to National Trading Group LLC, in the estimated contract award amount of \$420,100 for a one-year term. ([Planning, Environmental, and Development Services Department Neighborhood Services Division] Procurement Division)
4. **23-1361** Approval to award Invitation for Bids Y23-1019-TF, Fencing for Green Place Properties, to the sole responsive and responsible bidder, Sterling Enterprises, LLC. The estimated amount is \$128,230 for a one-year term. ([Planning, Environmental, and Development Services Department Environmental Protection Division] Procurement Division)

5.     **23-1362**     Approval to award Invitation for Bids Y23-798-SH, Fleet Underground Fuel Tank Replacement at Apopka, East Orange, and Ocoee Service Centers, to the low responsive and responsible bidder, Don Wood, Inc. The total contract award amount is \$1,189,000. ([Administrative Services Department Capital Projects Division] Procurement Division)
  
6.     **23-1363**     Approval of Contract Y23-1072, Corrections Academy Training, with Valencia College, in the total amount \$109,500. ([Corrections Department Inmate Administration Services Division] Procurement Division)
  
7.     **23-1364**     Authorization to Renew Contract Y23-1083, Medical Examiner's Transport Services, with Joseph Soluski, Incorporated dba Central Florida First Call Services, for four additional one-year terms. ([Health Services Department Medical Examiner's Office] Procurement Division)
  
8.     **23-1365**     Approval of Contract Y24-2204, Enhanced Treatment Alternatives, with Aspire Health Partners, Inc., in the estimated contract amount of \$1,513,206.96 for a one-year term. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
  
9.     **23-1366**     Approval to Purchase Metered Postage for Fiscal Year 23-24 from the United States Postal Service Computerized Meter Resetting System (CMRS-PBP), a subsidiary of Pitney Bowes, in the estimated amount of \$824,150. ([Administrative Services Department Facilities Management Division] Procurement Division)
  
10.    **23-1367**     Approval of Amendment No. 12, Contract Y7-517A, Renewal of Proprietary Software License and Maintenance Agreement for Financial Software, with CGI Technologies and Solutions, Inc., in the amount of \$2,591,740 for a three-year term. ([Administration and Fiscal Services Information Systems and Services Division] Procurement Division)
  
11.    **23-1368**     Approval of Amendment No. 8, Contract Y18-1124, Motor Fuels - Tank Wagon Deliveries, with Palmdale Oil Company, Inc., in the amount of \$316,114.60, for a revised estimated contract amount of \$2,707,708. ([Administrative Services Department Fleet Management Division] Procurement Division)
  
12.    **23-1369**     Approval of Amendment No. 10, Contract Y20-133, Central Receiving Center, with Aspire Health Partners, Inc., in the amount of \$600,000, for a revised total contract award amount of \$6,731,475.05, ([Community and Family Services Department Mental Health and Homelessness Division] Procurement Division)
  
13.    **23-1370**     Approval of Sub-Recipient Agreement Y23-205, Increasing Access to Evidence-Based Treatment and Recovery Support for Orange County

- Residents Living with an Opioid Use Disorder (OC PORT Program), with Central Florida Family Health Center, Inc., in the contract award amount of \$184,974.40. ([Health Services Department Drug Free Office] Procurement Division)
14. **23-1371** Ratification of Amendment No. 4, Contract Y22-131-RM, Biosolids Management - South Water Reclamation Facility, with Revinu, Inc., in the amount of \$1,300,000, for a revised estimated contract amount of \$2,398,042 for Option Year 1 ([Utilities Department Water Reclamation Division] Procurement Division)
15. **23-1372** Ratification of Purchase Order No. M112164, Biosolids Management - South Water Reclamation Facility, with CompostUSA of Sumter County, LLC, in the amount of \$1,700,000. ([Utilities Department Water Reclamation Division] Procurement Division)
16. **23-1373** Approval and execution of License Agreement by and between Orange County and Timber Springs Homeowners Association, Inc., and authorization for the Real Estate Management Division to exercise renewal options, and furnish notice, required, or allowed by the License Agreement, as needed for Corporal Patrick Deans Memorial. District 4. (Real Estate Management Division)
17. **23-1374** Approval and execution of Agreement for the Horizon West Library Demolition Fund by the Orange County Library District and Orange County, and authorization for the Manager of the Real Estate Management Division to furnish notices or perform other actions, as required, or allowed by the Agreement, as needed for Horizon West Library Lease - Sportsplex Lease. Lease File #4033A. District 1. (Real Estate Management Division)
18. **23-1375** Approval and execution of Contract for Purchase and Sale by and between Van Hai Huynh and Thanh Huynh and Orange County, approval of Warranty Deed, and authorization for the Manager of the Real Estate Management Division to exercise all delegations of authority expressly provided for by the Contract for Purchase and Sale, disburse funds to pay purchase price in the amount of \$2,606,392.45, and perform all actions necessary and incidental to closing for Green PLACE Parcel 173. District 1. (Real Estate Management Division)
19. **23-1376** Approval and execution of Contract for Purchase and Sale by and between Van Hai Huynh and Thanh Huynh and Orange County, approval of Warranty Deed, authorization to disburse funds to pay the purchase price, closing costs, recording fees and record instruments, and authorization for the Manager of the Real Estate Management Division to exercise all delegations of authority and to perform all actions necessary and incidental to closing for Reams Road (Summerlake Park Boulevard to Taborfield Avenue). District 1. (Real Estate Management Division)

20. **23-1377** 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 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 \$125,903.30, and perform all actions necessary and incidental to closing for Green PLACE Parcel 177. District 4. (Real Estate Management Division)
21. **23-1379** Approval and execution of Contract for Purchase and Sale by and between Thomas J. Holder, Sr., as Trustee of the Sally R. Holder Credit Shelter Trust and Orange County, approval of Warranty Deed, and authorization for the Manager of the Real Estate Management Division to exercise all delegations of authority expressly provided for by the Contract for Purchase and Sale, disburse funds to pay purchase price in the amount of \$1,401,067.68, and perform all actions necessary and incidental to closing for Green PLACE Parcel 200. District 2. (Real Estate Management Division)

#### **F. COMMUNITY AND FAMILY SERVICES DEPARTMENT**

1. **23-1380** Approval and execution of Head Start In-Kind Services Agreement between Orange County, Florida and The Dr. Phillips Center for the Performing Arts, Inc. related to the provision of Science and Arts Education for Project WOW. (Head Start Division)
2. **23-1381** Approval and execution of: (1) Florida Department of Health Child Care Food Program Supplemental Budget for Special Cost Items Authorization # S-0734; (2) Delegation of Signing Authority for the Child Care Food Program; (3) Management Plan; and (4) Child Care Food Program Budget, which will allow Orange County to be reimbursed up to an estimated amount of \$1,580,364 for meals served to eligible children enrolled in the Head Start Program. The term of this program is from October 1, 2023, through September 30, 2024. (Head Start Division)
3. **23-1382** Approval and execution of Agreement Between Orange County, Florida and The School Board of Orange County, Florida Related to Meal Services for 13 Head Start Centers. (Head Start Division)
4. **23-1383** Receipt and filing of Head Start Policy Council Program Information and Updates August 2023 and Head Start Policy Council Meeting Minutes July 20, 2023 for the official county record. (Head Start Division)
5. **23-1384** Approval and execution of (1) State of Florida Statewide Voluntary Prekindergarten Provider Contract Form DEL-VPK 20 by and between the Early Learning Coalition of Orange County, Florida and Orange County and



(2) Delegation of Signing Authority for the State of Florida Statewide Voluntary Prekindergarten Provider Contract Related to the Orange County Head Start Program to the Mayor or designee to execute any necessary modifications, amendments, renewals, and extensions of this contract. (Head Start Division)

6. **23-1385** Approval and execution of Boat Ramp Improvements Contribution Agreement by and among Orange County, Florida and City of Orlando. Districts 2, 3, 5, and 6. (Parks and Recreation Division)

#### **G. CONVENTION CENTER DEPARTMENT**

1. **23-1386** Approval of the Tourist Development Council's recommendation to fund the 2024 Pro Bowl Games as a "significant sporting event" in the amount of \$2,700,000 to Florida Citrus Sports to be used for payment of bid fees and approval and execution of Agreement between Orange County, Florida and Florida Citrus Sports Events, Inc. 2024 NFL Pro Bowl Games Funding Agreement. (Fiscal and Operational Support Division)

#### **H. CORRECTIONS DEPARTMENT**

1. **23-1387** Approval and execution of Agreement Between Orange County, Florida and Goodwill Industries of Central Florida, Inc. for GoodWorks Program Services for a term of five years from the date the last party signs the agreement. (Fiscal and Operational Support Division)

#### **I. FIRE RESCUE DEPARTMENT**

1. **23-1388** Approval and execution of Public Emergency Medical Transportation Letter of Agreement by and between Orange County and the State of Florida, Agency for Health Care Administration in an amount not to exceed \$4,287,946.10. (Fiscal and Operational Support Division)
2. **23-1389** Approval and execution of Memorandum of Agreement between the Florida Division of Emergency Management and Orange County regarding State-Owned Equipment. (Office of Emergency Management)

#### **J. HEALTH SERVICES DEPARTMENT**

1. **23-1390** Approval and execution of Low Income Pool Letters of Agreement by and between Orange County BoCC and the State of Florida, Agency for Health Care Administration on behalf of Community Health Centers, Inc. (\$1,238,255.01) and True Health (\$366,855.17) in an overall total amount of \$1,605,110.18 through the Intergovernmental Transfer Program. (Medical Clinic)
2. **23-1391** Approval and execution of the Paratransit Services License for Trinsit, LLC

to provide wheelchair/stretchers service. The term of this license shall be from September 26, 2023 and terminate on September 25, 2025. There is no cost to the County. (EMS Office of the Medical Director)

3. **23-1392** Approval and execution of the Paratransit Services License for MC Squared Transport LLC d/b/a Stellar Transport to provide wheelchair/stretchers service. The term of this license shall be from September 26, 2023 and terminate on September 25, 2025. There is no cost to the County. (EMS Office of the Medical Director)
4. **23-1393** Approval and execution of the Paratransit Services License for AdventHealth Emergency Medical Services to provide wheelchair/stretchers service. The term of this license shall be from September 26, 2023 and terminate on September 25, 2025. There is no cost to the County. (EMS Office of the Medical Director)
5. **23-1394** Approval and execution of the Paratransit Services License for Jean Louis Enterprises, LLC dba JL Reliable Transport to provide wheelchair/stretchers service. The term of this license shall be from September 26, 2023 and terminate on September 25, 2025. There is no cost to the County. (EMS Office of the Medical Director)
6. **23-1395** Approval and execution of the Paratransit Services License for A1 Non-Emergency Transportation, Inc. to provide wheelchair/stretchers service. The term of this license shall be from September 26, 2023 and terminate on September 25, 2025. There is no cost to the County. (EMS Office of the Medical Director)

#### **K. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT**

1. **23-1396** Approval and execution of 1) Amendment No. 1 to Project Administration Subrecipient Agreement (#2022-6-14) between Orange County, Florida and J.U.M.P. Ministries, Inc. regarding the Community Development Block Grant ("CDBG") Program FY 2022-2023 [Fain: B-22-UC-12-0003] and 2) Agreement (#2022-13-06) Catholic Charities of Central Florida, Inc. regarding the Emergency Solutions Grant ("ESG") Program FY 2022-2023 [FAIN: E-22-UC-12-0003]. All Districts. (Housing and Community Development Division)

#### **L. PUBLIC WORKS DEPARTMENT**

1. **23-1397** Authorization to Record the Plat of Alafaya Trail Retail Center. District 5. (Development Engineering Division)
2. **23-1398** Authorization to Record the Plat of Avida. District 3. (Development Engineering Division)

3. **23-1399** Approval of Change Order No. 1 Contract No. Y22-7027 YMCA at Hastings Street: Culvert Improvement Project and Utility Relocation with Condor Construction Corp in the amount of \$504,080, for a revised total contract amount of \$1,103,581. District 6. (Roads and Drainage Division)

#### M. UTILITIES DEPARTMENT

1. **23-1400** Approval and execution of State of Florida Department of Environmental Protection Standard Grant Agreement Agreement Number: WG126 for construction of a central sanitary sewer system in an amount not-to-exceed \$16,000,000 and authorization for the County Administrator to approve scheduling or other administrative changes and execute minor amendments or other modifications to the agreement which do not affect the total aggregate amount of the budget or intent of the project. District 2. (Engineering Division)

### II. INFORMATIONAL ITEMS\*\*

#### A. COUNTY COMPTROLLER

1. **23-1329** Receipt of the following items to file for the record:
- a. Florida Public Service Commission Order Approving Revisions to Underground Residential Tariffs, Underground Commercial Differential Tariffs, and Overhead to Underground Conversion Tariff for Florida Power & Light Company. 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.
  - b. Florida Public Service Commission Order Approving Duke Energy Florida, LLC's Petition to Revise Underground Residential Tariffs. In re: Petition for approval of revised underground residential distribution tariffs, by Duke Energy Florida, LLC.
  - c. City of Ocoee Ordinance No. 2023-14 (Annexation Ordinance for 2121 Lauren Beth Avenue - Flores Property) Tax Parcel ID: 04-22-28-0000-00-014, Case No. AX-05-23-05: 2121 Lauren Beth Avenue - Flores Property Annexation. Ordinance 2023-14 entitled: An Ordinance of the City of Ocoee, Florida, annexing into the corporate limits of the City of Ocoee, Florida, certain real property containing approximately 0.97 acres located on the East side of Lauren Beth Avenue, beginning approximately 217 feet North of Nicole Boulevard, pursuant to the application submitted by the property owner; finding said annexation to be consistent with the Ocoee comprehensive plan, the Ocoee city code and the joint planning area agreement; providing for and authorizing the update of official city maps;

providing direction to the city clerk; providing for severability; repealing inconsistent ordinances; and providing for an effective date.

d. Myrtle Creek Improvement District Fiscal Year 2023-2024 Annual Meeting Schedule with attached Resolution and Exhibit. Resolution 2023-05 entitled: A Resolution of the Myrtle Creek Improvement District designating dates, times and locations for regular meetings of the Board of Supervisors of the district and providing for an effective date.

e. Falcon Trace Community Development District Fiscal Year 2024 Meeting Schedule.

f. Poitras East Community Development District Fiscal Year 2023-2024 Annual Meeting Schedule with attached Resolution and Exhibit. Resolution 2023-14 entitled: a resolution of the Poitras East 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.

g. Midtown Improvement District Fiscal Year 2023-2024 Annual Meeting Schedule with attached Resolution and Exhibit. Resolution 2023-06 entitled: A resolution of the Midtown Improvement District designating dates, times and locations for regular meetings of the Board of Supervisors of the District and providing for an effective date.

h. Boggy Creek Improvement District Fiscal Year 2023-2024 Annual Meeting Schedule with attached Resolution and Exhibit. Resolution 2023-09 entitled: a resolution of the Boggy Creek Improvement District designating dates, times and locations for regular meetings of the board of supervisors of the district and providing for an effective date.

These items were received and filed.

**III. WORK SESSION AGENDA**

**A. HEALTH SERVICES DEPARTMENT**

- 1. **23-1401** Dangerous Dog Ordinance Revisions. (Animal Services Division)

The Board took no action.

**B. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT**

- 1. **23-1402** Wetland Conservation Areas Ordinance. (Environmental Protection Division)

The Board took no action.

**IV. RECOMMENDATIONS**

1. **23-1404** September 7, 2023 Board of Zoning Adjustment Recommendations

A motion was made by Commissioner Uribe, seconded by Commissioner Gomez Cordero, to approve the recommendations with the exception of Case # SE-23-10-079, Christopher Mills For Windermere High School and Case # SE-23-06-045, Eric Raasch For Wind River (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:** 6 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, and Commissioner Bonilla

**Absent:** 1 - Commissioner Scott

**V. PUBLIC HEARINGS**

**A. Resolution**

1. **23-1236** Consider a Resolution of the Orange County Board of County Commissioners regarding the approval of the imposition and collection of a Non-Ad Valorem Special Assessment within the County for the purpose of benefiting assessed hospital properties through enhanced Medicaid payments for local services; All Districts

**Consideration:** REGARDING THE APPROVAL OF THE IMPOSITION AND COLLECTION OF A NON-AD VALOREM SPECIAL ASSESSMENT WITHIN THE COUNTY FOR THE PURPOSE OF BENEFITING ASSESSED HOSPITAL PROPERTIES THROUGH ENHANCED MEDICAID PAYMENTS FOR LOCAL SERVICES

A motion was made by Commissioner Uribe, seconded by Commissioner Scott, to approve and execute Rate Resolution 2023-M-43, Assessment Roll, and Letter of Agreement for the local provider participation fund. 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

and

**I. CONSENT AGENDA (Deferred)**

**D. COUNTY ADMINISTRATOR**

8. **23-1355** Approval of budget amendments #23-54, 23-55, #23-56, #23-57, and #23-58. (Office of Management and Budget)

A motion was made by Commissioner Uribe, seconded by Commissioner Scott, to approve Consent Agenda Item D.8, Budget Amendment # 23-54, to increase the LPPF budget established for FY 22/23 by \$41,836,132 to pay the total amount of \$207,355,680 that will be collected by the county through the LPPF assessments to the AHCA. 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

## V. PUBLIC HEARINGS (Continued)

### B. Shoreline Alteration/Dredge and Fill

2. **23-1111** Case # SADF 23-01-000

Federico and Danielle Hollander, Lake Tibet-Butler, permit; District 1

**Consideration:** Request for a Shoreline Alteration/Dredge and Fill Permit SADF # 23-01-000 to authorize the construction of a seawall, with riprap and plantings, on the shoreline of Lake Tibet-Butler, pursuant to Orange County Code, Chapter 33, Article IV, Windermere Water and Navigation Control District

**Location:** District 1; on property located adjacent to Lake Tibet-Butler, located at 10017 Lone Tree Lane, Orlando, FL, 32836 (legal property description on file in Environmental Protection Division)

A motion was made by Commissioner Wilson, seconded by Commissioner Moore, to accept the findings and recommendation of the Environmental Protection Division; and further, approve the Shoreline Alteration/Dredge and Fill Permit (SADF-23-01-000) subject to the twenty-six (26) conditions of approval listed in the Staff Report dated August 23, 2023. The motion carried by the following vote:

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

3. **23-1161** Case # SADF 23-06-017

Dayne and Stephanie Williams, Lake Fairview, after-the-fact permit; District 2

**Consideration:** Request for an After-the-Fact Shoreline Alteration/Dredge and Fill Permit SADF # 23-06-017 to authorize a riprap revetment on the shoreline of Lake Fairview at 39 Interlaken Road, Orlando, FL, 32804, pursuant to Orange County Code, Chapter 15, Article VI, Pumping and Dredging Control

**Location:** District 2; on property located adjacent to Lake Fairview, located at 39 Interlaken Road, Orlando, FL, 32804 (legal property description on file in Environmental Protection Division)

A motion was made by Commissioner Moore, seconded by Commissioner Uribe, to accept the findings and recommendation of the Environmental Protection Division; and further, approve the After-the-Fact Shoreline Alteration/Dredge and Fill Permit (SADF-23-06-017) subject to the twenty-six (26) conditions of approval listed in the Staff Report dated August 23, 2023. The motion carried by the following vote:

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

**4. 23-1163 Case # SADF 23-05-014**

Gunnar Shuler, Lake Holden, permit; District 3

**Consideration:** Request for a Shoreline Alteration/Dredge and Fill Permit SADF # 23-05-014 to authorize a replacement seawall on the shoreline of Lake Holden at 301 Macarthur Drive, Orlando, FL 32839, pursuant to Orange County Code, Chapter 15, Article VI, Pumping and Dredging Control

**Location:** District 3; on property located adjacent to Lake Holden, located at 301 Macarthur Drive, Orlando, FL 32839 (legal property description on file in Environmental Protection Division)

A motion was made by Commissioner Uribe, seconded by Commissioner Scott, to accept the findings and recommendation of the Environmental Protection Division; and further, approve the Shoreline Alteration/Dredge and Fill Permit (SADF-23-05-014) subject to the twenty-six (26) conditions of approval listed in the Staff Report dated August 23, 2023. The motion carried by the following vote:

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

**C. Board of Zoning Adjustment Board-Called**

**5. 23-931 Case # VA-23-06-031**

Edward Bharath for Orange Tires & Wheels, June 1, 2023; District 3

**Consideration:** Request for variances in the C-1 zoning district as follows: 1) To allow a rear setback of 2.5 ft. in lieu of 20 ft. for an existing tire shop. 2) To allow a rear setback of 6 ft. in lieu of 20 ft. for two shipping containers.

**Location:** District 3; property located at 7525 S. Orange Ave., Orlando, FL 32809 (legal property description on file in Zoning Division)

A motion was made by Commissioner Uribe, seconded by Commissioner Scott, to continue the public hearing until January 9, 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

**D. Board of Zoning Adjustment Appeal**

**6. 23-1105 Case # SE-22-11-118**

Nathan Milch for Temple on Hempel, Kimley-Horn, July 6, 2023; District 1

**Consideration:** Appeal of the recommendation of the Board of Zoning Adjustment on a request by applicant for Special Exception in the A-1 zoning district to allow for the construction of an 800 seat 45,000 sq. ft. religious institution.

**Location:** District 1; property located at 2198 Hempel Avenue, Gotha, Florida, 34734; Orange County, Florida (legal property description on file in Zoning Division)

County Staff announced that the size of the building was recently clarified by the applicant. The building size was advertised as 45,000 sq. ft., however, the applicant is proposing the size be 33,419 sq. ft.

The following persons addressed the Board:

- Jim Willard
- Michele Nunnolley
- Zalak Patel
- Ashok Patel
- Bhavesh Patel
- Carole Hayes
- Scott Richman
- Tom Hayes
- Bryan Sanford
- Lee Marcus
- Paul DeHart
- Donna Simonetta
- Hilary Pryor
- Giordana Lyons
- JuDian Guimbellot
- Theresa Schretzmann-Myers
- Angela Withers

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

- Exhibit 1, from Jim Willard
- Exhibit 2, from Theresa Schretzmann-Myers

The motion by Commissioner Wilson to uphold the BZA's denial of the special exception and in the interest of preserving the health, safety and welfare of the residents of the Gotha Rural Settlement, making a finding that the following special exception criteria have not been met. The use is not consistent with the comprehensive plan, specifically with the rural settlement policies contained in FLU622, FLU625, FLU6211, FLU6212, which are intended to preserve the rural character of the county's historic rural settlements by limiting the non-residential uses to small-scale personal services, and serve the residents of the rural settlement and avoid bypass trips in cars. This use is not similar and compatible with the surrounding areas, nor is it consistent with the pattern of surrounding development. In fact, the proposed project would be the largest building in the Gotha Rural Settlement. The size, scale and intensity of the proposed use would act as a detrimental intrusion into the surrounding rural settlement, died for a lack of a second.



A motion was made by Commissioner Scott, seconded by Commissioner Moore, to continue the public hearing until January 23, 2024, at 2 p.m. The motion carried by the following vote:

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

**Absent:** 1 - Commissioner Uribe

#### **E. Development Plan**

7. **23-1235** Case # DP-22-12-375

Laurence Poliner, RCE Consultants, LLC., Village F Master PD / Shoppes at Lakeview Development Plan; District 1

**Consideration:** Village F Master PD / Shoppes at Lakeview Development Plan - Case # DP-22-12-375 submitted in accordance with Article II of the Orange County Subdivision Regulations; This Development Plan (DP) is a request to construct 19,989 square foot retail shopping center on 2.44 acres; The request also includes the following waivers from Orange County Code: 1. A waiver from Section 38-1388(e)(7) to allow Building 1 to provide 0% linear footage of the front façade on the front building setback line in lieu of 50% linear footage. 2. A waiver from Section 38-1388(e)(7) to allow Building 2 to provide 0% linear footage of the front façade on the front building setback line in lieu of 50% linear footage; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, and Section 38-1207

**Location:** District 1; property generally located South of Murcott Blossom Blvd / West of Seidel Rd; Orange County, Florida (legal property description on file in Planning Division)

A motion was made by Commissioner Wilson, seconded by Commissioner Gomez Cordero, to make a finding of consistency with the Comprehensive Plan; and further, approve the request subject to the twenty-one (21) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated September 5, 2023. The motion carried by the following vote:

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

**Absent:** 1 - Commissioner Moore

#### **F. Substantial Change/Land Use Plan/Amendment**

8. **23-1164** Case # CDR-23-03-108

Nicole Martin, Madden Moorhead & Stokes, Inc., Spring Isle Planned Development / Land Use Plan (PD / LUP), amend plan; District 4

**Consideration:** A Change Determination Request (CDR) to amend the Planned Development (PD) to allow outdoor boat and vehicular storage on PD Parcel H as an ancillary use to the approved self-storage facility; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207

**Location:** District 4; property generally located on the east side of Golden Isle Blvd, north of S. Avalon Park Blvd; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the board: Frank Cawthon.

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; and further, approve the substantial change request subject to the fourteen (14) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated September 6, 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

**9. 23-1165 Case # CDR-23-03-099**

Sam J. Sebaali, Florida Engineering Group, Inc., Sand Lake Plaza Planned Development / Land Use Plan (PD / LUP), amend plan; District 3

**Consideration:** A Change Determination Request (CDR) to modify the PD to remove the multi-family/age restricted senior adult housing uses (300 units) from the existing Sand Lake Plaza Planned Development (PD) development program, and add outdoor recreation uses for proposed sports fields and sports pavilions to support the existing church; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207

**Location:** District 3; property generally located north of W. Sand Lake Road and West of Voltaire Drive; Orange County, Florida (legal property description on file in Planning Division)

The following persons addressed the Board:

- Sam Sebaali
- Rob Garrett

A motion was made by Commissioner Uribe, seconded by Commissioner Gomez Cordero, to make a finding of consistency with the Comprehensive Plan; and further, approve the substantial change request subject to the seventeen (17) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated August 31, 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

**G. Planning and Zoning Commission Rezoning Board-Called**

**10. 23-1234 Case # RZ-23-07-054**

Keral J. Kothari, July 20, 2023; District 4

**Consideration:** Request to rezone from A-2 (Farmland Rural District) to R-1A (Single-Family Dwelling District) in order to construct two single-family detached dwelling units on 0.68-gross acres, pending lot split approval

**Location:** District 4; property located at 1590 Oberry Hoover Road; generally located southwest of the Oberry Hoover Road and Iroquois Trail intersection, south of E. Colonial Drive and west of Alafaya Trail; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Shivam Kothari.

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Uribe, to make a finding of inconsistency with the Comprehensive Plan; and further, recommend denial of the R-1A Zoning request because the smaller lot sizes that will be permitted under the R-1A Zoning will be incompatible with the existing larger residential lots and the adjacent R-1AAA and A2 Zoning. The motion carried by the following vote:

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

**Nay:** 1 - Commissioner Wilson

**Absent:** 1 - Commissioner Bonilla

**III. WORK SESSION AGENDA (Continued)**

**B. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT**

- 2. **23-1406** International Drive Pedestrian Overpass Intersection Analysis and Overpass Conceptual Design Study. (Transportation Planning Division)

The Board took no action.

**The Board adjourned as the Orange County Board of County Commissioners and convened as the Orange County Library District Governing Board**

**Second Library Budget Hearing**

- 23-322** Adopt final Orange County Library District Millage and Budget for Fiscal Year 2023-2024

Refer to the Orange County Library District Governing Board Minutes appended to legislative File 23-322, for action taken by the Orange County Library District Governing Board.

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

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

ADJOURNMENT: 5:06 p.m.

ATTEST:

\_\_\_\_\_  
County Mayor Jerry L. Demings

Date: \_\_\_\_\_

ATTEST SIGNATURE:

Phil Diamond  
County Comptroller as Clerk

\_\_\_\_\_  
Deputy Clerk