

Orange County Government

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



Final Meeting Minutes

Tuesday, January 9, 2024

1:30 PM

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 1:31 p.m.

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

Absent: 1 - Commissioner Emily Bonilla

Others present:

- County Comptroller Phil Diamond as Clerk
- County Administrator Byron Brooks
- Deputy County Administrator Jon Weiss
- County Attorney Jeffrey J. Newton
- Deputy County Attorney Georgiana Holmes
- Public Works Director Joseph Kunkel
- Minutes Supervisor Craig Stopyra
- Minutes Coordinator Rafael Encarnacion, Jr.

Invocation - District 6

Rabbi Yehuda Schepansky, Orlando Torah Academy

Pledge of Allegiance

Presentation

Proclamation recognizing January as National Poverty Awareness Month

Presentation

Proclamation recognizing January 15, 2024 as Dr. Martin Luther King Jr. Day

ANNOUNCEMENT

Deputy County Administrator of Public Safety, Danny Banks, provided severe weather update for Orange County, declaring all non-essential government services would cease at 3:00 p.m and the activation of the office of Orange County Emergency Management.

Public Comment

The following persons addressed the Board during public comment:

- Bobby Beagles
- Chris Peterson
- Olin Gaines
- Delila Smalley

The following material was presented to the Board during public comment: Exhibit 1, from Bobby Beagles.

The following material was received by the Clerk during public comment. The material referenced by the speaker was not presented to the Board: Submittal 1, from Bobby Beagles.

I. CONSENT AGENDA

Approval of the Consent Agenda

The Mayor deferred action on County Administrator Item 3, and Planning, Environmental, and Development Services Department Item 6; and further, a motion was made by Commissioner Moore, 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. **24-019** Confirmation of the Mayor's appointment of Georgiana Holmes as Deputy County Attorney, County Attorney's Office.

B. COUNTY COMPTROLLER

1. **24-020** Approval and execution of the minutes of the November 28, 2023 meeting of the Board of County Commissioners. (Clerk's Office)
2. **24-021** Approval of the check register authorizing the most recently disbursed County funds, having been certified that same have not been drawn on overexpended accounts.

Periods are as follows:

- December 8, 2023, to December 14, 2023; \$51,942,523.68
- December 15, 2023, to December 20, 2023; \$25,160,779.58
- December 21, 2023, to December 28, 2023; \$353,750,800.87
- December 29, 2023, to January 4, 2024; \$42,597,208.79

(Finance/Accounting)

3. **24-022** Disposition of Tangible Personal Property as follows. (Property Accounting)
 - a. Dispose of assets.
 - b. Dispose of assets totaled by our third party administrator for their salvage

- value.
- c. Sell assets through online auction.
- d. Offer assets to non-profits.
- e. Scrap remaining assets.

C. COUNTY ADMINISTRATOR

1. **24-023** Reappointment of Alvin J. Cowans to the Tourist Development Tax Sports Incentive Committee in the Mayor's representative (chairperson) category with a term expiring December 31, 2026. (Agenda Development Office)
2. **24-024** Approval and execution of Memorandum of Agreement between Orange County and the Orange County Fire Fighters Association, Local 2057 to amend the Fiscal Year 2023/24 Pay Plans and Corresponding Steps for Dispatcher (Pay Grade 360), Assistant Dispatcher Supervisor (Pay Grade 361), and Dispatcher Supervisor (Pay Grade 362). (Human Resources Division)
3. **24-025** Approval of a one time off-cycle salary increase for the County Administrator. (Human Resources Division)

(This item was deferred.)

4. **24-026** Approval for the Orange County Sheriff's Office to spend \$17,500 from the FY 2024 Law Enforcement Trust Fund-State Forfeitures for an eligible contribution to Boy Scouts of America Central Florida Council. (Office of Management and Budget)
5. **24-027** Approval to pay the second quarter billing for the Orange County Property Appraiser in the amount of \$2,558,792.94. (Office of Management and Budget)
6. **24-028** Approval of budget amendments #24-05, #24-06, #24-07, #24-08, #24-09, #24-10, and #24-11. (Office of Management and Budget)
7. **24-029** Approval of budget transfer #23-1569. (Office of Management and Budget)

D. ADMINISTRATIVE SERVICES DEPARTMENT

1. **24-030** Approval to award Invitation for Bids Y24-120-CR, Countywide Canal, Ditch, Swale, Slope and Shoulder Restoration, to the low responsive and responsible bidder, Condor Construction, Corp. The estimated contract award amount is \$3,381,350 for a one-year term. ([Public Works Department Roads and Drainage Division] Procurement Division)
2. **24-031** Approval to award Invitation for Bids Y24-128-RM, Testing and Repair of Backflow Prevention Assemblies, to the low responsive and responsible

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- bidders, Nils Humberg Enterprises, LLC dba Ace Flow Control, in the estimated contract award amount of \$372,375 for a one-year term and Aaron's Backflow Services, Inc., in the estimated contract award amount of \$432,000 for a one-year term. ([Utilities Department Water Operations Division] Procurement Division)
3. **24-032** Approval to award Invitation for Bids Y23-612-MM, Services Line Material Investigation, to the low responsive and responsible bidder, Frank Gay Services, LLC. The estimated contract award amount is \$646,000 for a one-year term. ([Utilities Department Field Services Division] Procurement Division)
 4. **24-033** Approval to award Invitation for Bids Y24-702-SH, Utilities Pump Station Improvements Package No. 36, to the low responsive and responsible bidder, SanPik, Inc. The total contract award amount is \$3,896,138. ([Utilities Department Engineering Division] Procurement Division)
 5. **24-034** Approval to award Invitation for Bids Y24-704-SH, Courthouse Central Energy Plant (CEP) Technician Space Improvements, to the low responsive and responsible bidder, The Kinsmen Construction Company. The total contract award amount is \$622,295. ([Administrative Services Department Capital Projects Division] Procurement Division)
 6. **24-035** Approval to award Invitation for Bids Y24-721-GO, Bithlo Rural Area Water Phase 1 West, to the low responsive and responsible bidder, Carr & Collier Inc., for the base bid plus additive numbers 1 through 4. The total contract award amount is \$12,604,224. ([Utilities Department Engineering Division] Procurement Division)
 7. **24-036** Approval to award Invitation for Bids Y23-784-SH, Orange County Landfill Roadway Improvements at Old Scale House, to the low responsive and responsible bidder, Carr & Collier Inc. The total contract award amount is \$2,432,120, inclusive of additive number 1. ([Utilities Department Solid Waste Division] Procurement Division)
 8. **24-037** Approval of Contract Y24-173, Emergency Generator and Automatic Transfer Switch Inspection, Testing, and Repair at the Orange County Convention Center North and South Buildings, with Cummins Sale and Service, in the total contract award amount of \$1,040,820 for a three-year term. ([Convention Center Fiscal and Operational Support Division] Procurement Division)
 9. **24-038** Approval of Contract Y24-2011, Provision of Community Services and Facility Use, with Easter Seals Florida, Inc., in the total contract award amount of \$1,500,000 for a three-year term. ([Community and Family Services Department Citizens' Commission for Children Division] Procurement Division)

10. **24-039** Approval of Contract Y24-2012, Provision of Community Services and Facility Use, with Florida Economic Consortium, Inc., in the total contract award amount of \$225,000 for a three-year term. ([Community and Family Services Department Citizens' Commission for Children Division] Procurement Division)
11. **24-040** Approval of Contract Y24-2014, Provision of Community Services and Facility Use, with The Mental Health Association of Central Florida, Inc., in the total contract award amount of \$450,000 for a three-year term. ([Community and Family Services Department Citizens' Commission for Children Division] Procurement Division)
12. **24-041** Approval of Contract Y24-2020, Provision of Community Services and Facility Use, with Orlando Health, Inc., in the total contract award amount of \$1,500,000 for a three-year term. ([Commission and Family Services Department Citizens' Commission for Children Division] Procurement Division)
13. **24-042** Approval of Contract Y24-2037, Provision of Community Services and Facility Use, with Total Restoration Transformation Center, Inc., in the total contract award amount of \$200,000 for a two-year term. ([Community and Family Services Department Citizens' Commission for Children Division] Procurement Division)
14. **24-043** Approval of Contract Y24-2040, Provision of Community Services and Facility Use, with Community Coordinated Care for Children, Inc., in the total contract award amount of \$2,100,000 for a three-year term. ([Community and Family Services Department Citizens' Commission for Children Division] Procurement Division)
15. **24-045** Approval of Amendment No. 11, Contract Y18-1053, Recycle and Waste Disposal Services, with Waste Management Inc. of Florida, in the amount of \$220,000, for a revised total contract amount of \$1,852,208.11. ([Administrative Services Department Facilities Management Division] Procurement Division)
16. **24-046** Approval of Amendment No. 9, Contract Y20-140A, Term Contract for County Wide Roof Maintenance and Repairs, with Advanced Roofing, Inc., in the amount of \$133,065, for a revised estimated contract amount of \$931,265.50. ([Administrative Services Department Facilities Management Division] Procurement Division)
17. **24-047** Approval of Amendment No. 1, Contract Y21-1008, Inmate Management System (IMS) Maintenance and Support, with DSI-ITI, Inc., in the amount of \$1,538,563.22 for a three-year term. ([Administration and Fiscal Support Information Systems and Services Division] Procurement Division)

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18. **24-048** Approval of Amendment No. 3, Contract Y21-2024, Provision of Community Services and Facility Use, with Grand Avenue Economic Community Development Corporation dba Pathlight Home, in the amount of \$75,000, for a revised total contract amount of \$225,000. ([Community and Family Services Department Citizens' Commission for Children Division] Procurement Division)
19. **24-049** Approval of Amendment No. 4, Contract Y21-2034, Provision of Community Services and Facility Use, with The Community Life Improvement Center, Inc., in the amount of \$75,000, for a revised total contract amount of \$225,000. ([Community and Family Services Department Citizens' Commission for Children Division] Procurement Division)
20. **24-050** Approval of Amendment No. 1, Contract Y22-2415, Providing Funding for Homeless Prevention and Diversion Federal Subrecipient Agreement, with Coalition for the Homeless of Central Florida, Inc., in the amount of \$800,000, for a revised not-to-exceed amount of \$1,801,914.80. ([Community and Family Services Department Mental Health and Homelessness Division] Procurement Division)
21. **24-051** Approval of Federal Subrecipient Agreement, Contract Y24-2201, Health Resources and Services Administration Supporting Replication of Housing Interventions - Rapid Rehousing for Youth, with Zebra Youth, Inc., in the amount of \$238,590 for a one-year term. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
22. **24-052** Approval of Purchase Order M113014, Purchase of Retention Pond Aquatic Weed Control at Municipal Service Benefit Unit (MSBU) - Lot A, with Sorko Services, in the amount of \$121,374. ([Public Works Department Stormwater Management Division] Procurement)
23. **24-053** Approval of Purchase Order M113316, Purchase of Blowers for the Northwest Water Reclamation Facility, with Atlas Copco Compressors, LLC, in the amount of \$277,700. ([Utilities Department Water Reclamation Division] Procurement Division)
24. **24-054** Approval of Purchase Order M113359, Professional Services for Owner Controlled Insurance Program (OCIP), with Authur J. Gallagher Risk Management Services, LLC, in the amount of \$1,200,000. ([Administration and Fiscal Services Risk Management and Professional Standards Divisions] Procurement Division)
25. **24-055** Approval of Purchase Order M113369, Installation of Transformer and Associated Conduits, Service Lines, and Equipment, with Duke Energy, in the amount of \$113,431.12. Further request Board authorization for advance payment of the entire amount. ([Utilities Department Field Services Division])

Procurement Division)

26. **24-056** Approval of Change Order No. 2, Purchase Order M111480, Repair of Motor and Pump, with TAW Orlando Service Center Inc., in the amount of \$94,647.47, for a revised total amount of \$115,744.46. ([Utilities Department Water Division] Procurement Division)
27. **24-057** Ratification of Change Order No. 3, Purchase Order M107723, Recruiter and Human Resources Assistant, with TopTalent Staffing LLC, in the amount of \$21,780.45, for a revised total amount of \$122,145.49. ([Utilities Department Fiscal and Operational Support Division] Procurement Division)
28. **24-058** Ratification of Amendment No. 11, Contract Y18-1124, Motor Fuel Transport Deliveries, with Palmdale Oil Company, Inc., in the amount of \$320,614.60, for a revised total contract amount of \$3,163,708. ([Administrative Services Department Fleet Management Division] Procurement Division)
29. **24-059** Selection of DeBeaubien, Simmons, Knight, Mantzaris & Neal, LLP to provide Special Magistrate for Neighborhood Services Division, Request for Proposals, Y23-1012-MV. ([Planning, Environmental, and Development Services Department Neighborhood Services Division] Procurement Division)
30. **24-060** Approval and execution of County Deed by Orange County and Town of Oakland and authorization to record instrument for Fire Station #37 - Town of Oakland. District 1. (Real Estate Management Division)
31. **24-061** Approval and execution of Contract for Purchase and Sale by and between Francis B. Force and Quyless Reeves Force, Co-trustees of the Francis Bates Force Revocable Trust, dated August 3, 2017 - as to an undivided one-half interest; and Quyless Reeves Force and Francis B. Force, Co-Trustees of the Quyless Reeves Force Revocable Trust, dated August 3, 2017 - as to an undivided one-half interest, and Francis B. Force and Quyless Q. Force a/k/a/ Quyless Reeves Force, as to their life estate interest 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 \$1,538,145.50, and perform all actions necessary and incidental to closing for Green PLACE Parcel 169. District 2. (Real Estate Management Division)
32. **24-062** Approval and execution of Contract for Purchase and Sale by and between Trevor W. Pryce, Sr. and Jacqueline R. Pryce 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 \$648,469.05, and perform all actions necessary and incidental to closing for Green PLACE Parcel 217. District 5. (Real Estate Management Division)

33. **24-063** Approval and execution of License Agreement between Orange County, Florida and Hebni Nutrition Consultants, Inc. related to not-for-profit community center utilization for the provision of services benefitting the public and authorization for the Manager of the Community Action Division to exercise renewal options, and furnish notice, required, or allowed by the License Agreement, as needed for Hebni Nutrition Consultants, Inc. at Multicultural Center (CAD) Orange County Multicultural Center 7149 West Colonial Drive, Orlando, Florida 32818. Lease File #10246. District 6. (Real Estate Management Division)
34. **24-064** Approval and execution of License Agreement between Orange County, Florida and Megan Nelson related to Utilities Administration Building utilization for practice of yoga services to support employee health and wellbeing and authorization for the Director of the Utilities Department to exercise renewal options, and furnish notice, required, or allowed by the License Agreement, as needed for Megan Nelson at Utilities Administration Building 9150 Curry Ford Road, Orlando, Florida 32825. Lease File #10234. District 3. (Real Estate Management Division)
35. **24-065** Approval and execution of Temporary Access and Construction Easement from Orange County Board of County Commissioners to Duke Energy Florida, LLC, d/b/a Duke Energy for OCU Operations Property at 8100 Presidents Drive. District 6. (Real Estate Management Division)
36. **24-066** Approval and execution of Natural Gas Pipeline Easement from Orange County, Florida to Florida Gas Transmission Company, LLC and authorization to perform all actions necessary and incidental to closing and record instrument for Presidents Drive FGT Mainline Relocation. District 6. (Real Estate Management Division)
37. **24-067** Approval and execution of License Agreement between Orange County, Florida and The Shepherd's Hope, Inc. related to not-for-profit medical clinic utilization for the provision of services benefitting the public and authorization for the Real Estate Management Division to execute amendments and furnish notices, required, or allowed by the License Agreement, as needed for Shepherd's Hope, Inc. East Side Health Center 12050 East Colonial Drive, Orlando, Florida 32826. Lease File #10265. District 5. (Real Estate Management Division)
38. **24-068** Approval and execution of License Agreement between Orange County, Florida and The Shepherd's Hope, Inc. related to not-for-profit medical clinic utilization for the provision of services benefitting the public and authorization for the Real Estate Management Division to execute amendments and

furnish notices, required, or allowed by the License Agreement, as needed for Shepherd's Hope, Inc. Orange County Medical Clinic 101 S. Westmoreland Dr., Orlando, Florida 32805. Lease File #10235. District 6. (Real Estate Management Division)

39. 24-069 Approval and execution of License Agreement between Orange County, Florida and Place of Restoration Resource Center Inc. related to not-for-profit community center utilization for the provision of services benefitting the public and authorization for the Manager of the Community Action Division to exercise renewal options, and furnish notice, required, or allowed by the License Agreement, as needed for Place of Restoration Resource Center Inc. - Multicultural Center (CAD) 7149 West Colonial Drive, Orlando, Florida 32818. Lease File #10261. District 6. (Real Estate Management Division)
40. 24-070 Approval and execution of License Agreement between Orange County, Florida and Place of Restoration Resource Center Inc. related to not-for-profit community center utilization for the provision of services benefitting the public and authorization for the Manager of the Community Action Division to exercise renewal options, and furnish notice, required, or allowed by the License Agreement, as needed for Place of Restoration Resource Center Inc.- Tangelo Park Community Center (CAD) 5160 Pueblo St., Orlando, Florida 32819. Lease File #10262. District 6. (Real Estate Management Division)
41. 24-071 Approval and execution of Corrective County Deed by Orange County and Habitat for Humanity of Seminole County and Greater Apopka, Florida and authorization to disburse funds to pay all recording fees and record instrument for Surplus Lot Conveyance for Affordable Housing. District 2. (Real Estate Management Division)

F. CONVENTION CENTER DEPARTMENT

1. 24-072 Approval of the Tourist Development Tax Sports Incentive Committee's recommendations for sports incentive funding pursuant to the terms and conditions of funding agreements between Visit Orlando and the following applicants and authorization for Visit Orlando to enter into such agreements as follows: (1) \$20,000 per year, for a total of \$40,000, to GOSC to be used for bid fees for the 2024 and 2025 Easter International Cup; (2) \$75,000 per year, for a total of \$150,000, to GOSC to be used for advertising, marketing, and labor for the 2026 and 2027 NCAA Men's College Cup; (3) \$75,000 per year, for a total of \$150,000, to GOSC to be used for advertising, marketing, and labor for the 2026 and 2027 NCAA Women's College Cup; (4) \$300,000 per year, for a total of \$600,000 to GOSC to be used for equipment rentals and labor for the 2027 and 2028 NCAA Division I Men's Basketball Championship - 1st/2nd Rounds; (5) \$20,000 to GOSC to be used for labor for the 2024 NCAA Division II National Championship Spring

Festival; and (6) an amount not to exceed \$1,584,705 to GOSC to be used for losses attributed to advertising and promotion, labor, and short-term rentals for the 2024 USA Track & Field U.S. Olympic Team Trials Marathon. (Fiscal and Operational Support Division)

G. CORRECTIONS DEPARTMENT

1. **24-073** Approval of U.S. Department of Justice, Bureau of Justice Assistance grant award under the State Criminal Alien Assistance Program for FY 2023 in the amount of \$66,736 for reimbursement of costs incurred for the incarceration of undocumented criminal aliens. No local match is required. (Fiscal and Operational Support Division)
2. **24-074** Approval and execution of Memorandum of Agreement Between The Office of Public Offender, Ninth Judicial Circuit And Orange County, Florida, regarding Video Conferencing with Inmate/Clients to extend from the date of the last signature for a period of three years with the option to renew for two one-year terms. (Fiscal and Operational Support Division)

H. FIRE RESCUE DEPARTMENT

1. **24-075** Approval and execution of 1) Federally Funded Subaward and Grant Agreement Agreement Number: R0861 by the State of Florida, Division of Emergency Management and Orange County Fire Rescue - HM5E in the amount of \$98,380; 2) Certification Regarding Telecommunications and Video Restrictions; and 3) Certification Regarding Lobbying. There is no local match required.
2. **24-076** Approval and execution of 1) Federally Funded Subaward and Grant Agreement Agreement Number: R0862 by the State of Florida, Division of Emergency Management and Orange County Fire Rescue - MARC5 in the amount of \$102,000; 2) Certification Regarding Telecommunications and Video Restrictions; and 3) Certification Regarding Lobbying. There is no local match required.
3. **24-077** Approval and execution of Agreement for Waiver of Local Match Requirements for Public Assistance for Hurricane Ian and Hurricane Nicole (SB4A Waiver) Agreement Number: SA-51724 by the State of Florida, Division of Emergency Management and Orange County. (Office of Emergency Management)

I. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

1. **24-078** Approval of U.S. Environmental Protection Agency Grant Agreement Grant Number (FAIN): 5A-02D51023-0 between the U.S. Environmental Protection Agency and Orange County with an authorized award amount of \$46,450 with an initial award amount of \$41,450 subject to availability of funds from

the U.S. Environmental Protection Agency, relating to support of ambient air monitoring for fine particulate matter, and authorization for the Environmental Protection Division Manager to make non-substantial amendments to the agreement, including additional service periods. The grant period is from August 1, 2023 through July 31, 2024. All Districts (Environmental Protection Division)

2. **24-079** Approval and execution of Multi-Family Affordable Housing Developer’s Agreement between Orange County, Florida and SP East LLC regarding the State Housing Initiatives Partnership Program (Whispering Oaks) providing a local government contribution in the amount of \$75,000 of SHIP funds. District 6. (Housing and Community Development Division)

3. **24-080** Approval and execution of Multi-Family Affordable Housing Developer’s Agreement for Impact Fee Exemption (Whispering Oaks) by and among Orange County, Florida, SP East LLC, and The School Board of Orange County, Florida providing an exemption in the amount of \$2,517,586.56. District 6. (Housing and Community Development Division)

4. **24-081** Approval of the Neighborhood Grants Advisory Board recommendations for November 2023 Neighborhood Beautification Grants to Banana Bay (\$15,000), Brentwood Club Phase I (\$7,525.80), Winwood (\$15,000), Bent Oak (\$2,000), Breezewood (\$15,000), Eden Woods Homeowners’ Association (\$3,000), Regency Park (\$10,000), Willows on the Lake (\$10,000), Brandy Harbor (\$11,000), Cascade Oaks (\$15,000), Piney Woods (\$11,000), Rio Pinar Woods (\$7,563), Andover Lakes Phase I (\$15,000), High Point of Orlando Condos (\$10,200), Eastbrook (\$15,000), Evergreen Terrace (\$15,000), Hiawassa Highlands Phase II (\$15,000), Raintree Place Phase I (\$15,000), and Village Green Estates (\$6,800) and authorization for the Director of Planning, Environmental, and Development Services to execute the associated grant agreements. All Districts. (Neighborhood Services Division)

5. **24-082** Approval and execution of Orange County, Florida, Resolutions Establishing Special Assessment Liens for Lot Cleaning Services, and approval to record Assessment Liens on property cleaned by Orange County, pursuant to Orange County Code, Chapter 28, Nuisances, Article II, Lot Cleaning. Districts 1, 2, 3, 4, 5, and 6. (Neighborhood Services Division)

- LC 23-0309 LC 23-0385 LC 23-0380 LC 24-0024 LC 23-0307
- LC 24-0016 LC 24-0032 LC 24-0005 LC 24-0048 LC 23-0310
- LC 23-0244 LC 23-0270 LC 24-0054 LC 23-0288 LC 23-0366
- LC 23-0357 LC 23-0374 LC 23-0339 LC 23-0297 LC 23-0386

6. **24-083** Approval and execution of Non-substantial Deviation First Amendment to Thirteenth Amended Development Order for Southchase Development of Regional Impact. District 4. (Development Review Committee)

(This item was deferred.)

7. **24-084** Approval and execution of First Amendment to Village F Master PD Adequate Public Facilities and Impact Fee Credit Agreement (Siedel Hickory, LLC and Siedel Tradition, LLC) by and between Seidel Road, LLC and Orange County. District 1. (Development Review Committee)

J. PUBLIC WORKS DEPARTMENT

1. **24-085** Authorization to record the plat of Bainbridge World Center. District 1. (Development Engineering Division)
2. **24-086** Approval and execution of Proportionate Share Agreement for CH Condo Hotel Hoffner Avenue and Orange Avenue by and between Samir J. Sebaali and Orange County for a proportionate share payment in the amount of \$57,211. District 3. (Roadway Agreement Committee)
3. **24-087** Approval and execution of Proportionate Share Agreement for Hamlin North Lot A Restaurant Avalon Road/CR 545 by and between Hamlin Retail Partners North, LLC and Orange County directing both the proportionate share payment in the amount of \$83,345 and future transportation impact fee payments that may be associated with the project to be utilized towards the completion of Avalon Road/CR 545 improvements pursuant to the Amended and Restated Escrow Agreement for Town Center West (Silverleaf). District 1. (Roadway Agreement Committee)
4. **24-088** Approval and execution of Proportionate Share Agreement for PopStroke Hamlin Avalon Road/CR 545 by and between Hamlin Retail Partners East, LLC and Orange County directing both the proportionate share payment in the amount of \$142,468 and future transportation impact fee payments that may be associated with the project to be utilized towards the completion of Avalon Road/CR 545 improvements pursuant to the Amended and Restated Escrow Agreement for Town Center West (Silverleaf). District 1. (Roadway Agreement Committee)
5. **24-089** Approval and execution of Proportionate Share Agreement for Store Space Chickasaw Lake Underhill Road by and between Storage Cap Chickasaw Trail, LP and Orange County for a proportionate share payment in the amount of \$44,023. District 3. (Roadway Agreement Committee)
6. **24-090** Approval and execution of Proportionate Share Agreement for Vystar Hamlin Avalon Road/CR 545 by and between Hamlin Retail Partners North, LLC and Orange County directing both the proportionate share payment in this amount of \$36,407 and future transportation impact fee payments that may be associated with the project to be utilized towards the completion of Avalon Road/CR 545 improvements pursuant to the Amended and Restated

Escrow Agreement for Town Center West (Silverleaf). District 1. (Roadway Agreement Committee)

7. **24-091** Ratification of Change Order Number 2, Purchase Order M111484, Emergency Long Lake Pump Station Force Main Rehabilitation, with Murphy Pipeline Contractors LLC in the amount of \$225,225, for a revised total amount of \$1,320,368.85. District 2. (Stormwater Management Division)
8. **24-092** Approval and execution of (1) Resolution 2024-M-01 of the Orange County Board of County Commissioners regarding the Local Agency Program Revised Supplemental Agreement with the Florida Department of Transportation for the Shingle Creek Trail Phase 3B Project and (2) State of Florida Department of Transportation Local Agency Program Supplemental Agreement Contract No. G2961 FPN 439878-5-58/68-01. The additional cost to the County is \$447,152, and the overall cost to the county is \$2,159,442. District 1. (Transportation Planning Division)

K. UTILITIES DEPARTMENT

1. **24-093** Approval of Commercial Refuse License for All County Waste, Inc. to provide solid waste hauling services to commercial generators in Orange County for a five-year term. All Districts. (Solid Waste Division)
2. **24-094** Approval of Change Order Number 1, Y22-7003-ZR, Force Main Lake Underhill at Chickasaw Trail, with Metro Equipment Service, Inc., in the amount of \$344,910.56, for a revised total contract amount of \$1,937,560.56. District 3. (Field Services Division)

II. INFORMATIONAL ITEMS**

A. COUNTY COMPTROLLER

1. **24-014** Receipt of the following items to file for the record: (Clerk's Office)
 - a. Minutes of the November 9, 2023, Meeting in the Sunshine, Commissioners Emily Bonilla, Michael Scott and Mayra Uribe met to discuss the Tourist Development Tax film incentive.
 - b. Florida Public Service Commission Order Granting Supplemental Petition to modify interim storm surcharge. In re: Petition for limited proceeding for recovery of incremental storm restoration costs related to Hurricanes Ian and Nicole, by Florida Power & Light Company.
 - c. Ridge at Apopka Community Development District Fiscal Year 2024 Annual Meeting Schedule and attached Resolution 2024-02 entitled: A Resolution of the Board of Supervisors of the Ridge at Apopka Community Development District re-designating a registered agent and registered

office of the district and providing for an effective date.

d. St. Johns River Water Management District 2024 Governing Board Meeting Schedule.

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

f. City of Winter Garden Ordinance # 23-26 with Exhibit A (Legal Description), Exhibit B, (Location Map). Ordinance 23-26 entitled: An Ordinance of the City Council of Winter Garden, Florida, providing for the annexation of certain additional lands generally described as approximately 0.11 + acres located at 540 Oak Street, west of Oak Street, south of Magnolia Avenue, east of 9th Street, and north of East Story Road 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.

g. City of Winter Garden Ordinance # 23-29 with Exhibit A (Legal Description), Exhibit B, (Location Map). Ordinance 23-29 entitled: An Ordinance of the City of Winter Garden, Florida, providing for the annexation of certain additional lands generally described as approximately 0.11 + located at 546 Oak Street, west of Oak Street, south of Magnolia Avenue, east of 9th street, and north of East Story Road 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.

h. City of Orlando Voluntary Annexation Request: 2930 Eunice Avenue. - ANX2023-10005 Ordinance 2023-47. The public hearing and request for second ordinance reading is scheduled for the City Council meeting to be held January 8, 2024. The first reading of this ordinance was approved by City Council, on December 11, 2023. Ordinance 2023-47 Notice of Proposed Enactment. On Monday, January 8, 2024, the Orlando City Council will consider proposed Ordinance #2023-47, 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 Mercy Drive, and south of Shader Road, and comprised of 4.88 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.

These items were received and filed.

I. CONSENT AGENDA (Deferred)

C. COUNTY ADMINISTRATOR

3. **24-025** Approval of a one time off-cycle salary increase for the County Administrator.
(Human Resources Division)

A motion was made by Commissioner Scott, seconded by Commissioner Gomez Cordero, to approve a one time off-cycle salary increase for the County Administrator; and further, retroactively begin the pay increase beginning from the pay period of May 14, 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

III. DISCUSSION AGENDA

A. ADMINISTRATIVE SERVICES DEPARTMENT

1. **24-096** Selection of one firm and an alternate to provide Financial Empowerment Center (FEC) Non-Profit Administrator, Request for Proposals Y23-1078-AH, from the following two firms, listed alphabetically:

- Habitat for Humanity of Greater Orlando and Osceola County, Inc.
- HANDS of Central Florida, Inc.

([Community and Family Services Department Fiscal and Operational Support Division] Procurement Division)

A motion was made by Commissioner Scott, seconded by Commissioner Gomez Cordero, to appoint Habitat for Humanity of Greater Orlando and Osceola County, Inc., 426.18 points, as the selected firm; and further, appoint HANDS of Central Florida, Inc., 360 points, as the selected ranked alternate. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bonilla

2. **24-097** Selection of one firm and an alternate to provide Design Services for Fire Station #31 Replacement - GRANT, Request for Proposals Y24-804-EB, from the following two firms, listed alphabetically:

- Bentley Group, Inc.
- KZF Design LLC dba KMF Architects

([Administrative Services Department Capital Projects Division]
Procurement Division)

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Scott, to appoint KZF Design LLC dba KMF Architects, 450 points, as the selected firm; and further, appoint Bentley Group, Inc., 440 points, as the selected ranked alternate. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bonilla

3. **24-098** Selection of one firm and an alternate to provide Design Services for Orange County Medical Examiner’s Office Expansion, Request for Proposals Y24-823-RC, from the following two firms, listed alphabetically:

- Baker Barrios Architects, Inc.
- Gresham Smith

([Administrative Services Department Capital Projects Division]
Procurement Division)

A motion was made by Commissioner Uribe, seconded by Commissioner Scott, to appoint Gresham Smith, 320.75 points, as the selected firm; and further, appoint Baker Barrios Architects, Inc., 312.50 points, as the selected ranked alternate. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bonilla

ANNOUNCEMENT

County Mayor Demings announced the appointment of Georgiana Holmes, as Deputy County Attorney.

IV. RECOMMENDATIONS

1. **24-099** December 7, 2023 Board of Zoning Adjustment Recommendations

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

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

Absent: 1 - Commissioner Bonilla

24-100 December 21, 2023 Planning and Zoning Commission Recommendations

2.

A motion was made by Commissioner Uribe, seconded by Commissioner Scott, to approve the recommendations, with the exception of Case # RZ-23-12-110, Lesly Hajar (Board-Called), which was 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 Scott

Absent: 1 - Commissioner Bonilla

V. PUBLIC HEARINGS

A. Shoreline Alteration/Dredge and Fill

1. **24-001** Case # SADF 23-08-021

KTM Property Holdings, LLC, Kyle Muehlstein, Manager, Lake Blanche/Lake Chase canal, permit; District 1

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit SADF # 23-08-021 to authorize the construction of a replacement seawall along the shoreline of the Lake Blanche/Lake Chase canal pursuant to Orange County Code, Chapter 33, Article IV, Windermere Water and Navigational Control District

Location: District 1; on property located adjacent to Lake Blanche/Lake Chase, located at 5620 Bay Side Drive, Orlando, FL 32819; Orange County, Florida (legal property description on file in Environmental Protection Division)

A motion was made by Commissioner Wilson, seconded by Commissioner Gomez Cordero, to accept the findings and recommendation of the Environmental Protection Division; and further, approve the Shoreline Alteration/Dredge and Fill Permit (SADF-23-08-021) subject to the twenty-three (23) conditions of approval listed in the Staff Report dated November 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

2. **24-002** Case # SADF-23-06-016

Juan Jimenez and Yasmin Castillo, Lake Pineloch, permit; District 3

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit SADF # 23-06-016 to authorize the construction of a concrete seawall and riprap revetment, with native plantings, on the shoreline of Lake Pineloch, pursuant to Orange County Code, Chapter 15, Article VI, Pumping and Dredging Control

Location: District 3; on property located adjacent to Lake Pineloch, located at 3108 Troy Drive, Orlando, FL 32806; Orange County Florida (legal property description on file in Environmental Protection Division)

A motion was made by Commissioner Uribe, 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-23-06-016) subject to the twenty-six (26) conditions of approval listed in the Staff Report dated December 8, 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

B. Board of Zoning Adjustment Board-Called

3. 23-931 Case # VA-23-06-031

Edward Bharath for Orange Tires & Wheels, June 1, 2023; District 3
(Continued from August 8, 2023 and September 26, 2023)

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)

The following person addressed the Board: Sami Kamza.

The request consists of two (2) variances. The applicant agreed to withdraw Variance # 2 from his request:

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.~~

Revised Conditions of Approval # 1, # 4 and # 6:

1. Development shall be in accordance with the site plan and elevations received December 28, 2023, as modified per conditions # 4, # 5, # 6 and # 7, subject to the conditions of approval, and all applicable laws, ordinances, and regulations. Any proposed non-substantial deviations, changes, or modifications will be subject to the Zoning Manager's review and approval. Any proposed substantial deviations, changes, or modifications will be subject to a public hearing before the Board of Zoning Adjustment (BZA) where the BZA makes a recommendation to the Board of County Commissioners (BCC).

4. Prior to the issuance of the permit to enclose the work areas and/ or for additional work area to for the tire shop, ~~a permit shall be obtained for any shipping container on site in a conforming~~

~~location or they shall be removed.~~ all existing shipping containers and accessory structures shall be removed.

6. Enhanced landscaping shall be provided along the entire length of the side street on the south property line along ~~Palm~~ Royal ~~Palm Ave.~~~~Rd.~~ within the 7 ft. required landscape strip. This enhanced landscaping shall consist of understory trees planted 15 ft. on center, supplemented with a continuous row of shrubs/~~hedges~~ planted 30 inches on center within the landscape strip. Landscaping shall also be provided along S. Orange Ave. with understory trees planted within a minimum 5 ft. landscape strip, every 15 ft. on center and shrubs planted 30 inches on center. A landscape plan showing the required landscaping shall be submitted with the permit for the enclosure of the outdoor work area.

New Conditions of Approval # 7, # 8, # 9 & # 10:

7. Landscaping shall be provided at the rear of the property, in the area east of the building addition adjacent to the north and east property line, with a minimum of two 12 foot high shade trees, with 22 three foot high shrubs, planted 30 inches on center and in the area southeast of the building adjacent to the south and east property lines, with a minimum of two 12 foot high shade trees, with 22 three foot high shrubs planted 30 inches on center.

8. No shipping containers are allowed on the property.

9. No outdoor storage is allowed on the property.

10. The proposed additions and enclosures of the existing covered work areas shall be constructed with concrete block or stucco finish painted to match the existing building.

A motion was made by Commissioner Uribe, seconded by Commissioner Scott, to uphold the Board of Zoning Adjustment Recommendation of June 1, 2023 to approve Variance # 1 in the C-1 zoning district; further, delete Variance # 2; further, approve the request subject to the six (6) conditions of approval listed in the Staff Report dated December 15, 2023; further, modify Conditions of Approval # 1, # 4, and # 6; and further, approve new Conditions of Approval # 7, # 8, # 9 and # 10. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bonilla

C. Board of Zoning Adjustment Appeal

4. 23-1574 Case # VA-23-09-073

Nadav Korem, October 5, 2023; District 1

Consideration: Appeal of the recommendation of the Board of Zoning Adjustment on a request by applicant for Variances in the A-1 zoning district as follows: 1) To allow an 8 ft. high fence/wall and gates in the front yard in lieu of 6 ft. high along Ellerbee St. 2) To allow an 8 ft. high fence/wall

and gate within the clear view triangle along Ellerbee St. 3) To allow an 8 ft. high fence/wall and gate within the clear view triangle along Siplin Rd. Note: This is a result of Code Enforcement

Location: District 1; property located at 14354 Ellerbee St., Winter Garden, FL 34787; Orange County, Florida (legal property description on file at Zoning Division)

The following persons addressed the Board:

- Brent Spain
- Rhonda Dexter
- Nadav Korem

The following material was presented to the Board: Exhibit 1, from Brent Spain.

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

A motion was made by Commissioner Wilson, seconded by Commissioner Uribe, to uphold the Board of Zoning Adjustment recommendation of October 5, 2023; and further, deny the applicant's variance requests 1) To allow an 8 ft. high fence/wall and gates in the front yard in lieu of 6 ft. high along Ellerbee St; 2) To allow an 8 ft. high fence/wall and gate within the clear view triangle along Ellerbee St; and 3) To allow an 8 ft. high fence/wall and gate within the clear view triangle along Siplin Rd. in the A-1 zoning district for Case # VA-23-09-073. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bonilla

D. Preliminary Subdivision Plan

5. **24-005** Case # PSP-23-02-050

Jason Mahoney, NV5, Inc., Grassmere Reserve Planned Development/Grassmere Reserve Preliminary Subdivision Plan; District 2

Consideration: Grassmere Reserve Planned Development / Grassmere Reserve Preliminary Subdivision Plan, Case # PSP-23-02-050, submitted in accordance with Orange County Code, Chapter 34, Article III, Section 34-69 and Chapter 30, Article III, Section 30-89; This Preliminary Subdivision Plan (PSP) is a request is to subdivide 129.08 acres in order to construct 153 single family residential dwelling units.

Location: District 2; property generally located South of West Ponkan Road / East of Junction Road, Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Jason Mahoney.

A motion was made by Commissioner Moore, seconded by Commissioner Gomez Cordero, to make a finding of consistency with the Comprehensive Plan; and further, approve the request subject to the twenty-six (26) conditions of approval listed under the Development Review

Committee Recommendation in the Staff Report dated December 12, 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

E. Substantial Change

6. **24-003** Case # CDR-23-05-167

Ben Johnson, Kimley-Horn and Associates, Southchase Planned Development/Land Use Plan (PD/LUP), amend plan; District 4

Consideration: A PD substantial change to allow limited C-2 uses to PD Parcel 11 & 11A, which is developed as a Home Depot. The new uses include: (1) outdoor storage and display of equipment, products and merchandise. (2) Equipment rental & leasing with outdoor storage, (3) Truck rental & leasing. Also, add a C-3 use of temporary overnight parking of dual rear wheel vehicles (to be limited to the rear of the building for unloading shipments); pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207

Location: District 4; property located at 13121 South Orange Blossom Trail, Orlando, FL 32837; East of South Orange Blossom Trail, north State Road 417 and west of the Florida Turnpike; Orange County, Florida (legal property description on file in Planning Division)

The following persons addressed the Board:

- Joseph Kovacs
- Patti Hinckley

This public hearing was tabled until later in the afternoon.

and

I. CONSENT AGENDA (Deferred)

I. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

6. **24-083** Approval and execution of Non-substantial Deviation First Amendment to Thirteenth Amended Development Order for Southchase Development of Regional Impact. District 4. (Development Review Committee)

This consent item was tabled with the public hearing until later in the afternoon.

V. PUBLIC HEARINGS (Continued)

E. Substantial Change

7. **24-004** Case # CDR-23-09-278

Brandy Seago, Interplan LLC, Silver City Properties Planned Development (PD), amend plan; District 5

Consideration: Substantial change request is to obtain approval of a waiver from County Code: A waiver from Orange County Code Section 38-1272(3)(b) is requested to allow 8 feet setback for accessory structures along Forsyth Road in lieu of the required 30 feet setback from collector roads; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207

Location: District 5; property located at 3333 University Boulevard; generally located north of University Boulevard and west of N. Forsyth Road; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Vivien Monaco.

A motion was made by Mayor Demings, seconded by Commissioner Scott, to make a finding of consistency with the Comprehensive Plan; and further, approve the substantial change request subject to the nine (9) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated December 14, 2023. The motion carried by the following vote:

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

Absent: 2 - Commissioner Gomez Cordero, and Commissioner Bonilla

8. 24-010 Case # CDR-23-04-130

Brooks A. Stickler, P.E., Kimley-Horn & Associates, Inc., Alafaya Trail Student Housing Planned Development (PD), amend plan; District 5
(Continued from January 9, 2024)

Consideration: A substantial change request to obtain approval of waivers from County Code: 1. A waiver from Section 38-1254(2)(c) is requested for the eastern boundary of the property to allow a minimum building setback of ten (10) feet from an arterial road (N. Alafaya Trail) in lieu of fifty (50) feet. 2. A waiver from Section 38-1259(k) to allow a maximum building height of five (5) stories, seventy (70) feet, in lieu of three (3) stories, forty (40) feet; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207

Location: District 5; property located at 2820 N. Alafaya Trail, Orlando, FL 32826; generally located North of East Colonial Drive / West of North Alafaya Trail / South of Lokanotosa Trail / East of Rouse Road, Orange County (legal property description on file in Planning Division)

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

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

Absent: 2 - Commissioner Gomez Cordero, and Commissioner Bonilla

9. 24-011 Case # CDR-23-11-330

Cas Suvongse, SK Consortium, Inc., Hamlin Planned Development (PD) - Unified Neighborhood Plan (UNP)/Hamlin Reserve Preliminary Subdivision Plan (PSP)/ A portion of Parcel B - Hamlin Retail Development Plan (DP), amend plan; District 1

Consideration: Substantial change request to remove the September 27, 2022, Board Conditions of Approval #7 and #8, which required replatting of the property; pursuant to Orange County Code, Chapter 34, Article III, Section 34-69 and Chapter 30, Article III, Section 30-89

Location: District 1; property located at 15513 Sunquat Drive; West of Hamlin Groves Trails / North of Porter Road / East of State Road 429 / South of New Independence Parkway; Orange County, Florida (legal property description on file in Planning Division)

A motion was made by Commissioner Wilson, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; and further, approve the substantial change request subject to the eleven (11) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated December 19, 2023. The motion carried by the following vote:

Aye: 4 - Mayor Demings, Commissioner Wilson, Commissioner Uribe, and Commissioner Scott

Absent: 3 - Commissioner Moore, Commissioner Gomez Cordero, and Commissioner Bonilla

F. Planning and Zoning Commission Rezoning Board-Called

10. 24-008 Case # RZ-23-09-068

Jasilyn Bing, October 19, 2023; District 2

Consideration: Request to rezone from R-3 (Multiple-Family Dwelling District) to R-2 (Residential District) in order to allow for a duplex and a quadraplex for a total of 6 units on two parcels.

Location: District 2; property located at E. 15th Street; generally bounded by E. 15th Street to the south, S. Highland Ave to the east, E. 13th Street to the north, and Old Apopka Road to the west; Orange County, Florida (legal property description on file)

New Restriction as follows:

1. Development shall be limited to a maximum of two units per building.

A motion was made by Commissioner Moore, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; further, approve the rezoning request from R-3 (Multiple-Family Dwelling District) to R-2 Restricted (Residential District); and further, approve one (1) new restriction. The motion carried by the following vote:

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

Absent: 2 - Commissioner Gomez Cordero, and Commissioner Bonilla

G. Ordinance/Comprehensive Plan - Adoption of Small-Scale Amendments and Ordinance, and Concurrent PD Substantial Change Request

11. **24-007** Adoption of Future Land Use Map Amendment SS-23-04-013, FLU8.1.4 Text Amendment 23-04-FLUE-7, Ordinance, and PD Substantial Change Request CDR-23-03-119, Ryan Abrams

a. Amendment SS-23-04-013

Consideration: A request to change the Future Land Use designation from Commercial (C) to Planned Development - Commercial / Medium-High Density Residential (PD-C/MHDR) in order to allow for the conversion of 215 hotel rooms to 215 multi-family units, pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code Chapter 30 and Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207

Location: District 1; property located at 9350 Turkey Lake Road; located generally west of Turkey Lake Road and north of Sand Lake Commons Boulevard; Orange County, Florida (legal property description on file in Planning Division)

And

b. Amendment 23-04-FLUE-7

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

And

c. Ordinance for Proposed Amendment

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

And

d. CDR-23-03-119

Consideration: A PD Substantial Change request to the Sand Lake Commons Planned Development / Land Use Plan (PD/LUP) to convert 215 existing hotel rooms to 215 multi-family residential units. In addition, the following waiver is requested from Orange County Code: 1. A waiver is requested from Section 38-1501 to allow a minimum living area of 320 square feet in lieu of 500 square feet; pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code Chapter 30 and Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207

Location: District 1; property located at 9350 Turkey Lake Road; located generally west of Turkey Lake Road and north of Sand Lake Commons Boulevard; Orange County, Florida (legal

property description on file in Planning Division)

The following persons addressed the Board:

- Ryan Abrams
- Marcelo Aramendi
- Kevin Harris

The following material was presented to the Board: Exhibit 1, from Ryan Abrams.

A motion was made by Commissioner Wilson, seconded by Commissioner Uribe, to continue the public hearing until March 26, 2024, at 2 p.m. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bonilla

V. PUBLIC HEARING (Tabled)

E. Substantial Change

6. **24-003** Case # CDR-23-05-167

Ben Johnson, Kimley-Horn and Associates, Southchase Planned Development/Land Use Plan (PD/LUP), amend plan; District 4

Consideration: A PD substantial change to allow limited C-2 uses to PD Parcel 11 & 11A, which is developed as a Home Depot. The new uses include: (1) outdoor storage and display of equipment, products and merchandise. (2) Equipment rental & leasing with outdoor storage, (3) Truck rental & leasing. Also, add a C-3 use of temporary overnight parking of dual rear wheel vehicles (to be limited to the rear of the building for unloading shipments); pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207

Location: District 4; property located at 13121 South Orange Blossom Trail, Orlando, FL 32837; East of South Orange Blossom Trail, north State Road 417 and west of the Florida Turnpike; Orange County, Florida (legal property description on file in Planning Division)

The site plan was updated by the applicant to indicate the four locations where the "No Loitering / No Soliciting" signs will be posted.

New Condition of Approval # 11:

11. Applicant shall post "No Loitering / No Soliciting" signs in the four (4) locations agreed upon, at the January 9, 2024 BCC hearing for CDR-23-05-167, prior to using the site for any C-2 or C-3 uses.

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; further, approve the substantial change request subject to the ten (10) conditions of approval listed under the Development

Review Committee recommendation in the Staff Report dated December 8, 2023; further, approve new Condition of Approval #11; and further, approve and execute the Non-substantial Deviation First Amendment to Thirteenth Amended Development Order for Southchase Development of Regional Impact. The motion carried by the following vote:

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

Absent: 2 - Commissioner Wilson, and Commissioner Bonilla

and

I. CONSENT AGENDA (Deferred)

I. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

6. **24-083** Approval and execution of Non-substantial Deviation First Amendment to Thirteenth Amended Development Order for Southchase Development of Regional Impact. District 4. (Development Review Committee)

The consent item was approved.

V. PUBLIC HEARINGS (Continued)

H. Ordinance/Comprehensive Plan - Adoption of Small-Scale Amendments and Ordinance, and Concurrent PD Rezoning

12. **24-009** Adoption of Future Land Use Map Amendment SS-23-07-036, FLU8.1.4 Text Amendment 23-07-FLUE-7, FLU1.2.4 Text Amendment 23-07-FLUE-8, Ordinance, and PD Rezoning LUP-23-04-137, Thomas Daly, Daly Design Group

a. Amendment SS-23-07-036

Consideration: To change the Future Land Use Map designation from Rural/Agricultural (R) to Planned Development - Commercial (PD-C) and an Urban Service Area (USA) Expansion to allow for a 130,000 square foot self-storage facility, pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code Chapter 30 and Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207

Location: District 4; property located at 14140 Boggy Creek Road, generally south of Lake Nona Boulevard on the west side of Boggy Creek Road, Orange County, Florida (legal property description on file in Planning Division)

And

b. Amendment 23-07-FLUE-7

Consideration: Text Amendment to Future Land Use Element Policy FLU8.1.4 establishing the

maximum densities and intensities for proposed Planned Developments within Orange County.

And

c. Amendment 23-07-FLUE-8

Consideration: To amend Future Land Use Element Policy FLU1.2.4 regarding allocation of additional lands to the Urban Service Area (USA).

And

d. Ordinance for Proposed Amendments

Consideration: An Ordinance pertaining to Comprehensive Planning in Orange County, Florida; Amending the Orange County Comprehensive Plan, commonly known as the "2010- 2030 Comprehensive Plan," as amended, by adopting amendments pursuant to Section 163.3184(3), Florida Statutes; and providing effective dates.

And

e. Rezoning LUP-23-04-137

Consideration: To rezone from A-2 (Farmland Rural District) to PD (Planned Development District) (Boggy Creek Self-Storage PD) in order to construct a 130,000 square foot self-storage facility. In addition, the following waivers are requested from Orange County Code: 1. A waiver is requested from Section 38-1272(3) to allow a ten (10) foot PD boundary setback for 760 feet along the south property line, commencing 200 feet west of the east property line, in lieu of a minimum twenty-five (25) foot building setback. 2. A waiver is requested from Section 24-5(3) to allow a ten (10) foot buffer width for approximately 760 feet on the south property line, commencing 200 feet west of the east property line, in lieu of fifteen (15) foot buffer.

Location: District 4; property located at 14140 Boggy Creek Road, generally south of Lake Nona Boulevard on the west side of Boggy Creek Road, Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Rebecca Wilson.

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; further, adopt Amendment SS-23-07-036, Planned Development – Commercial (PD-C) Future Land Use; further, adopt Amendment 23-07-FLUE-7; further, adopt Amendment 23-07-FLUE-8; further, adopt the associated Ordinance 2024-01; and further, approve rezoning request Case # LUP-23-04-137, from A-2 (Farmland Rural District) to PD (Planned Development District) (Boggy Creek Self-Storage Planned Development / Land Use Plan), to construct a 130,000 sq. ft. self storage facility, subject to the nineteen (19) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated December 14, 2023. The motion carried by the following vote:

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

Absent: 2 - Commissioner Bonilla, and Commissioner Scott

I. Community Development Block Grant

13. 24-006 To consider approval of the Community Development Block Grant - Disaster Recovery Action Plan to support long term disaster recovery programs and activities addressing impacts from Hurricane Ian; All Districts

Consideration: Approval of the Community Development Block Grant - Disaster Recovery Action Plan to support long term disaster recovery programs and activities addressing impacts from Hurricane Ian.

The following persons addressed the Board:

- Sarah Elbadri
- Allison Krall
- Martha Are

A motion was made by Mayor Demings, seconded by Commissioner Wilson, to approve the Community Development Block Grant - Disaster Recovery (CDBG-DR) Action Plan; further, approve and execute the 1) Certifications and 2) Application for Federal Assistance SF-424 and Assurances - Construction Programs for Community Development Block Grant-Disaster Recovery; and further, delegation of limited authority for the County Administrator to execute the CDBG-DR grant agreement with the Department of Housing and Urban Development (HUD). The motion carried by the following vote:

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

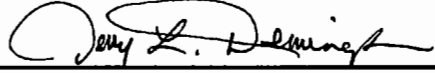
Absent: 1 - Commissioner Bonilla

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

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

ADJOURNMENT: 5:43 p.m.

ATTEST:



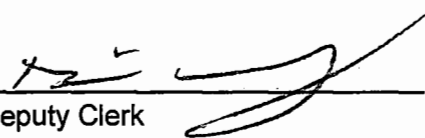
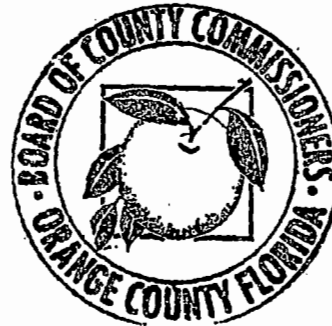
County Mayor Jerry L. Demings

Date: February 6, 2024

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.