

Orange County Government

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



Final Meeting Minutes

Tuesday, August 22, 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 9:05 a.m.

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

Absent: 1 - Commissioner Emily Bonilla

Others Present:

County Comptroller Phil Diamond as Clerk
County Administrator Byron Brooks
Deputy County Administrator Jon Weiss
County Attorney Jeffrey J. Newton
Deputy County Attorney Joel Prinsell
Public Works Director Joseph Kunkel
Assistant Deputy Clerk Jennifer Lara-Klimetz
Minutes Supervisor Craig Stopyra
Minutes Coordinator Rafael Encarnacion Jr.

Invocation - District 5

Reverend Margalie Belizaire, First Unitarian Church of Orlando

Pledge of Allegiance

Presentation

Proclamation recognizing September as Fetal Alcohol Spectrum Awareness Month

Presentation

Mayor Jerry L. Demings Career Showcase

Public Comment

The following persons addressed the Board for public comment:

- Florida Senator Geraldine Thompson
- Former Orange County Mayor Linda Chapin
- Heide Evans
- Nathan Hill
- Cooper Labelle
- Terry Prather
- Ed Timberlake
- Nancy Oesch

- Meredith Amat
- Sibille Hartfordshire
- Rachel Robinson
- Nonien Siemba
- Edward Green
- Travis Binkley
- Claudia Menezes
- Trini Quiroz
- Nelson Betancourt
- Lee Perry
- Richard Hess
- Rich Bradly
- Marloes Zeren
- Cole Nesmith
- Cynthia Harris
- N.Y. Nathiri
- Debra Edmonds
- Johanna Djamblat
- Jordan Eichenblatt
- Sade Battle
- Jim Callahan
- Robert Agrusa
- Brandon Greenaway
- Colby Smith
- Eugene Stoccardo
- Taylor Gibson
- Johnny Dawkins
- Terry Mohajir
- Donna Jessee
- Mayra Escobar
- Kevin Horine
- Justin Kinsey
- Ramon Raiford
- Diego Woody Rodriguez
- Maria Triscari
- Kelly Semrad
- Elisha Gonzalez
- Eric Grimmer
- Karl Brown
- Pat Williams
- Elizabeth Mputu

The following materials were received by the Clerk during public comment. The materials referenced by the speakers were not presented to the Board: Submittal 1, from Debra Edmonds.

I. CONSENT AGENDA

Approval of the Consent Agenda

The Mayor corrected the District Number to District 3 for Administrative Services Department Consent Item 26; and further, a motion was made by Commissioner Scott, seconded by Commissioner Moore, 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 COMPTROLLER

1. **23-1170** Approval and execution of the minutes of the July 25, 2023 meeting of the Board of County Commissioners. (Clerk's Office)

2. **23-1171** Approval of the check register authorizing the most recently disbursed County funds, having been certified that same have not been drawn on overexpended accounts. Period are as follows:

- August 4, 2023, to August 10, 2023; \$64,086,891.46
- August 11, 2023 to August 16, 2023; \$34,783,077.34

(Finance/Accounting)

3. **23-1172** Disposition of Tangible Personal Property as follows. (Property Accounting)
 - a. Sell assets through online auction.
 - b. Offer assets to non-profits.
 - c. Scrap remaining assets.
 - d. Dispose of assets.

B. COUNTY ADMINISTRATOR

1. **23-1173** Confirmation of Mayor Demings' reappointment of Commissioner Gomez Cordero to the Arts and Cultural Affairs Advisory Council with a term expiring June 30, 2025. (Agenda Development Office)

2. **23-1174** Approval and execution of a Resolution 2023-B-06 of the Board of County Commissioners of Orange County, Florida approving for the purposes of section 147(f) of the Internal Revenue Code of 1986, as amended and section 125.01(1)(z) Florida Statutes, the use of a portion of the proceeds of those certain Orange County Industrial Development Authority Industrial Development Revenue Bonds (Foundation Academy Project), Series 2023, issued in one or more series in the aggregate principal amount of not to

exceed \$13,000,000; and providing an effective date. (Industrial Development Authority)

3. **23-1175** Approval for the Orange County Sheriff's Office to spend \$5,000 from the FY 2023 Law Enforcement Trust Fund-State Forfeitures for an eligible contribution to National Latino Peace Officers Association. (Office of Management and Budget)
4. **23-1176** Approval of budget transfer #23-1252. (Office of Management and Budget)
5. **23-1177** Approval and execution of the revised Petroleum Restoration Program Property Owner Conditional Closure Agreement (Agreement) for PCPP discharges between 7-Eleven, Inc., Orange County, Florida, and Florida Department of Environmental Protection and authorization for staff to submit the revised Property Owner Conditional Closure Agreement. (Risk Management Division)

C. COUNTY ATTORNEY

1. **23-1178** Approval of proposed revisions to Administrative Regulation No.: 7.14, titled "Working Meals and Refreshments at Events Relating to County Business."

D. ADMINISTRATIVE SERVICES DEPARTMENT

1. **23-1179** Approval to award Invitation for Bids Y23-169-AV, Landscape Maintenance - Three Points Area Section II, to the low responsive and responsible bidder, Lawnwalker Services, Inc. The estimated contract award amount is \$616,371 for the base year. ([Public Works Department Roads and Drainage Division] Procurement Division)
2. **23-1180** Approval to award Invitation for Bids Y23-170-AV, Landscape Maintenance - Bithlo Area Section I, to the low responsive and responsible bidder, Lawnwalker Services, Inc. The estimated contract award amount is \$494,197 for the base year. ([Public Works Department Roads and Drainage Division] Procurement Division)
3. **23-1181** Approval to award Invitation for Bids Y23-180-AV, Landscape Maintenance - Taft Area Section I, to the low responsive and responsible bidder, Lawnwalker Services, Inc. The estimated contract award amount is \$697,176.50 for the base year. ([Public Works Department Roads and Drainage Division] Procurement Division)
4. **23-1182** Approval to award Invitation for Bids Y23-1021-SH, Underdrain Installation and Repair, to the low responsive and responsible bidders, Mercon Construction Company, in the estimated contract award amount of \$2,791,100 for the base year and Stage Door II, Inc., in the estimated contract award amount of \$3,268,100 for the base year. ([Public Works Department Roads and Drainage Division] Procurement Division)

5. **23-1183** Approval to award Invitation for Bids Y23-7000-MB, Orange County Courthouse Uninterrupted Power Supply Systems Replacement, to the low responsive and responsible bidder, Miller Electric Company. The total contract award amount is \$1,283,177.31. ([Administrative Services Department Capital Projects Division] Procurement Division)
6. **23-1184** Approval to award Invitation for Bids Y23-7001-RC, Wekiwa Springs Septic Tank Retrofit Project Phase 3, to the low responsive and responsible bidder, Prime Construction Group, Inc. The total contract award amount is \$11,659,384. ([Utilities Department Engineering Division] Procurement Division)
7. **23-1185** Approval of Renewal and Purchase Order for Annual Maintenance, Equipment and Technician Services for the E911 Positron Viper System, with AT&T, in the amount of \$894,373.44 for a one-year term. ([Administration and Fiscal Services Information Systems and Services Division] Procurement Division)
8. **23-1186** Approval of Contract Y23-1067, Siemens Automation, Motion, Drives, and Related Products, with AWC, Inc., in the total contract award amount of \$500,000 for a one-year term. ([Utilities Department Water Reclamation Division] Procurement Division)
9. **23-1187** Approval of Contract Y23-1083, Medical Examiner's Transport Services, with Joseph Soluski, Incorporated dba Central Florida First Call Service, in the total contract award amount of \$473,465.50. ([Health Services Department Medical Examiner's Office] Procurement Division)
10. **23-1188** Approval of Amendment No. 6, Contract Y18-1009, Automotive Batteries, with Continental Battery Company, in the amount of \$70,000, for a revised estimated contract amount of \$261,299.50. ([Administrative Services Department Fleet Management Division] Procurement Division)
11. **23-1189** Approval of Amendment No. 8, Contract Y20-1061, Insurance Broker Services for Commercial Insurance Program, with Authur J. Gallagher Risk Management Services, LLC, in the amount of \$30,000, for a revised estimated contract amount of \$763,560. ([Administration Services and Fiscal Services Risk Management and Professional Standards Divisions] Procurement Division)
12. **23-1190** Approval of Amendment No. 4, Contract Y22-2411, Food Distribution Programming, Federal Subrecipient Agreement, with Second Harvest Food Bank of Central Florida, Inc., in the amount of \$5,000,000, for a revised total contract award amount of \$14,000,000. ([Community and Family Services Department Citizens' Commission for Children Division] Procurement Division)

13. **23-1191** Approval of Amendment No. 1, Contract Y23-128, Towing Services, with Towlando Towing and Recovery, Inc., in the amount of \$224,066, for a revised estimated contract amount of \$1,196,675. ([Administrative Services Department Fleet Management Division] Procurement Division)
14. **23-1192** Approval of Amendment No. 1, Contract Y23-146, Subrecipient Agreement for Establishing a Working Agreement for the Provision of Residential Care Services, with Embrace Families Community Based Care, Inc., in the amount of \$450,000, for a revised estimated contract amount of \$675,000. ([Community and Family Services Department Youth and Family Services Division] Procurement Division)
15. **23-1193** Approval of Purchase Order M111915, Corrections Security Package, Security and Controls Upgrade and Design, with Fitzgerald Technology Group LLC, in the total amount of \$199,978.42. ([Administrative Services Department Capital Projects Division] Procurement Division)
16. **23-1194** Approval of Change Order No. 2, Purchase Order M108856, Emergency Gravity Main Replacement at South Water Reclamation Facility, with Prime Construction Group, Inc., in the amount of \$2,500,000, for a revised not-to-exceed award amount of \$6,000,000. ([Utilities Department Field Services Division] Procurement Division)
17. **23-1195** Selection of Civil Site Engineering, Inc. to provide Continuing Professional Consulting Services for Construction Engineering and Inspection Services for Federally Funded Projects, Request for Proposals Y22-902-TA. ([Public Works Department Highway Construction Division] Procurement Division)
18. **23-1196** 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. - East Orange Community Center (CAD) 12050 E. Colonial Drive, Orlando, Florida 32826. Lease File #10073. District 4. (Real Estate Management Division)
19. **23-1197** 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. - Hal P. Marston Community Center (CAD) 3933 Wd Judge Drive, Orlando, Florida 32808. Lease File #10074. District 6. (Real Estate Management Division)

20. **23-1198** 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. - Holden Heights Community Center (CAD) 1201 20th Street, Orlando, Florida 32805. Lease File #10225. District 6. (Real Estate Management Division)
21. **23-1199** 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. - John Bridges Community Center (CAD) 445 W. 13th Street, Apopka, Florida 32703. Lease File #10227. District 2. (Real Estate Management Division)
22. **23-1200** 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. - Maxey Community Center (CAD) 830 Klondike Avenue, Winter Garden, Florida 34787. Lease File #10226. District 1. (Real Estate Management Division)
23. **23-1201** 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. - Pine Hills Community Center (CAD) 6400 Jennings Road, Orlando, Florida 32818. Lease File #10075. District 6. (Real Estate Management Division)
24. **23-1202** 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. - Taft Community Center (CAD) 9450 S. Orange Avenue, Orlando, Florida 32824. Lease File #10076. District 3. (Real Estate Management Division)
25. **23-1203** 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. - Tangelo Park Community Center (CAD) 5160 Pueblo Street, Orlando, Florida 32819. Lease File #10230. District 6. (Real Estate Management Division)

26. **23-1204** Approval and execution of Resolution 2023-M-34 of the Orange County Board of County Commissioners Authorizing the Exchange of Certain County Property Interests for Receipt of Other Real Property Interests, Land Exchange Agreement by and between lafrate Rockwood, LLC and Orange County, Partial Release of Easement by Orange County, and authorization for the Manager of the Real Estate Management Division to exercise all delegations of authority expressly provided for by the Land Exchange Agreement, and to record instruments for Angelos Recycled Materials (DP-18-04-120). District 3. (Real Estate Management Division)

(This item was corrected.)

27. **23-1205** Approval and execution of Contract for Purchase and Sale by and between Teddy J. McIlrath and Ina Mae McIlrath, as Trustee of the McIlrath Revocable 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 \$604,118, and perform all actions necessary and incidental to closing for Green PLACE Parcel 122. District 5. (Real Estate Management Division)
28. **23-1206** Approval and execution of Contract for Purchase and Sale by and between Central Florida Investments Inc. 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 \$10,833, and perform all actions necessary and incidental to closing for Green PLACE Parcel 190. District 1. (Real Estate Management Division)
29. **23-1207** Approval of Warranty Deed to transfer fee simple ownership by AG-RW Windermere Phase I, LLC and Orange County, and authorization for the Manager of the Real Estate Management Division to record instrument for Lake Reams Neighborhood PD-Sharp Prop. PSP-DP - Tract E-Pond SH-3. District 1. (Real Estate Management Division)
30. **23-1208** Approval and execution of Notice of Reservation and authorization for the

Manager of the Real Estate Management Division to record instrument for Parkview Reserve Ph 1 Permit 21-S-062 OCU File #98937. District 1. (Real Estate Management Division)

31. **23-1209** Approval and execution of Utility Easement between The School Board of Orange County, Florida and Orange County, Florida, and authorization to record instrument for Site 30-E-SE-3 Permit 21-E-0340 OCU File #98783. District 4. (Real Estate Management Division)

E. COMMUNITY AND FAMILY SERVICES DEPARTMENT

1. **23-1210** Approval of Parks and Recreation Advisory Board recommendation to name the Cricket Field at Silver Star Park the Mr. Eric Blye Cricket Field. District 6. (Parks and Recreation Division)
2. **23-1211** Approval to participate in the Department of Juvenile Justice (DJJ) Retention Bonus Program for direct care staff in the Youth and Family Services community intervention, community supervision, non-secure residential, and prevention programs which are funded with Department of Juvenile Justice funds; and authorization for the Mayor or designee to approve participation in any retention bonus program offered by DJJ in the future. (Youth and Family Services Division)

F. CONVENTION CENTER DEPARTMENT

1. **23-1212** Approval and execution of 2023-2024 Fiscal Year Funding Agreement by and between Orange County and the International Drive Master Transit and Improvement District. (Fiscal and Operational Support Division)

G. HEALTH SERVICES DEPARTMENT

1. **23-1214** Approval and execution of the Paratransit Services License for Senior Concierge & Transportation Services, Inc. to provide wheelchair/stretchers service. The term of this license shall be from August 22, 2023 and terminate on August 21, 2025. There is no cost to the County. (EMS Office of the Medical Director)

H. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

1. **23-1215** Approval of Solid Waste Management Facility Permit Renewal Application No. SW-22-01-001 for Taft Recycling, Inc., for the facility known as Taft Transfer Station/Waste Processing & Material Recovery Facility, subject to waivers and conditions of approval. District 3. (Environmental Protection Division)
2. **23-1216** Approval of the Recommendation to award the Local Government Area of Opportunity Funding to Cardinal Pointe, LLC under the Florida Housing

Finance Corporation Request for Applications 2023-202. District 3.
(Housing and Community Development Division)

3. **23-1217** Approval and execution of School Concurrency Mitigation Agreement OC-22-101 Project Name: Hill Top Estates at Rainbow Ridge Parcel ID#: 07-20-28-0000-00-007, 07-20-28-0000-00-072 by The School Board of Orange County, Florida, Orange County, Florida, and Rainbow Ridge Development, LLC, for a proportionate share mitigation payment to Orange County Public Schools in the amount of \$56,365. District 2.
4. **23-1218** Approval and execution of Proportionate Share Agreement for Semoran Car Wash Colonial Drive by and between DD&D Group, LLC f/k/a DD&D Group, Inc. and Orange County for a proportionate share payment in the amount of \$63,050. District 5. (Roadway Agreement Committee)

I. PUBLIC WORKS DEPARTMENT

1. **23-1219** Authorization to record the plat of Town Vineland Multifamily. District 1. (Development Engineering)
2. **23-1220** Approval and execution of Change Order Request No. 2, Purchase Order No.: M101115 for the East Bay Streets - Section 2, Community Development Project (CD No. 93-53) between Orange County and Metric Engineering, Inc. in the amount of \$53,740, for a revised contract amount of \$152,159. District 1. (Engineering Division)
3. **23-1221** Approval and execution of Modification #1 to Subgrant Agreement between the Division of Emergency Management and Orange County for Orlo Vista Neighborhood Drainage Project Phase II Contract Number: H0816 Project Number: 4337-23-A. District 6. (Stormwater Management Division)
4. **23-1222** Approval and execution of (1) Resolution 2023-M-35 of the Orange County Board of County Commissioners regarding the Local Agency Program Supplemental Agreement with the State of Florida Department of Transportation for the Little Econ Trail Phase 3 Project and (2) State of Florida Department of Transportation Local Agency Program Supplemental Agreement FPN: 444993-1-38-01. District 5. (Transportation Planning Division)

J. UTILITIES DEPARTMENT

1. **23-1223** Approval and execution of Sixth Amendment to The Cypress Lake Alternative Water Supply Agreement by and between The Water Cooperative of Central Florida, the City of St. Cloud, Tohopekaliga Water Authority, Orange County, and Polk County. All Districts. (Engineering Division)

2. **23-1224** Approval and execution of State of Florida Department of Transportation Utility Work by Highway Contractor Agreement (At FDOT Expense) by and between the State of Florida Department of Transportation and Orange County Financial Project ID: 449771 1 56 03 Federal Project ID: D522-092-B for State Road 400 from West of State Road 536 to West of Daryl Carter Parkway and Westbound Express Lane Extension. District 1. (Engineering Division)
3. **23-1225** Approval of commercial refuse license for DisposAll, Inc. to provide solid waste hauling services to commercial generators in Orange County, Florida, for a five-year term. All Districts. (Solid Waste Division)
4. **23-1226** Approval of commercial refuse license for Hamilton Alliance, Inc. to provide solid waste hauling services to commercial generators in Orange County, Florida, for a five-year term. All Districts. (Solid Waste Division)

II. INFORMATIONAL ITEMS**

A. COUNTY COMPTROLLER

1. **23-1160** Receipt of the following items to file for the record:
 - a. Florida Public Service Commission Consummating Order. In re: Petition for approval of amended standard offer contract (Schedule COG-2), by Duke Energy Florida, LLC.
 - b. Florida Public Service Commission Consummating Order. In re: Petition for approval of new clean energy impact program, a new renewable energy certificates (REC) buying program, by Duke Energy Florida, LLC.
 - c. Ranger Drainage District 2023-2024 Yearly Meeting Dates and Times, Location Map and Budget Worksheet.
 - d. Minutes of the July 18, 2023, Meeting in the Sunshine, Commissioners Nicole Wilson, Emily Bonilla and Michael Scott met to discuss Tourist Development Tax (TDT), Vision 2050 and the Pluris Wedgefield Project.
 - e. Florida Public Service Commission Consummating Order. In re: Petition for approval of modifications to rate schedule tariff sheet Nos. 2.0, 2.7, 6.383, and 7.500, by Duke Energy Florida, LLC.

These items were received and filed.

III. DISCUSSION AGENDA**A. ADMINISTRATIVE SERVICES DEPARTMENT**

1. **23-1227** Selection of one firm and three ranked alternates to provide Design Services for Orange County Convention Center North-South Meeting Rooms Renovation, Request for Proposals Y23-814-GO, from the following five firms, listed alphabetically:

- Architectural Design Collaborative, Inc.
- Helman Hurley Charvat Peacock/Architects, Inc.
- KZF Design LLC dba KMF Architects
- Populous Inc. + C.T. HSU a Joint Venture, LLC
- TVS Florida, Inc. Architecture

(Convention Center Fiscal and Operational Division] Procurement Division)

A motion was made by Commissioner Wilson, seconded by Commissioner Moore, to appoint TVS Florida, Inc. Architecture, 396.67 points, as the selected firm; and further, appoint Helman Hurley Charvat Peacock/Architects, Inc., 382 points, KZF Design LLC dba KMF Architects, 327.50 points, and Architectural Design Collaborative, Inc., 322 points as the selected ranked alternates. 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. **23-1228** Selection of five firms and three ranked alternates to provide Continuing Engineering Services for the Utilities Department, Request for Proposals Y23-904-ZR, from the following eleven firms, listed alphabetically:

- Atkins North America, Inc.
- Barnes, Ferland and Associates, Inc.
- Black & Veatch Corporation
- CHA Consulting, Inc.
- CPH Consulting, LLC
- Dewberry Engineers, Inc.
- Hazen and Sawyer
- Inwood Consulting Engineers, Inc.
- Kimley-Horn and Associates, Inc.
- Tetra-Tech, Inc.
- Woolpert, Inc.

([Utilities Department Engineering Division] Procurement Division)

A motion was made by Commissioner Scott, seconded by Commissioner Gomez Cordero, to appoint Hazen and Sawyer, 505 points, CPH Consulting, LLC, 494 points, Tetra-Tech, Inc., 489 points, Barnes, Ferland and Associates, Inc., 486 points and CHA Consulting, Inc., 478.33 points as the selected firms; and further, appoint Black & Veatch Corporation, 455 points, Inwood Consulting Engineers, Inc., 447 points, and Woolpert, Inc., 433 points, as the selected ranked

alternates. 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. COUNTY MAYOR

1. **23-1229** Acceptance of the Orange County Citizens Safety Task Force Report. All Districts.

The following persons addressed the Board:

- James R. Doggette
- Jim Coffin
- Orange County Sheriff John Mina
- Juanita Beason
- Orange County Sheriff's Office Captain Ashley Strange

A motion was made by Mayor Demings, seconded by Commissioner Gomez Cordero, to accept the Orange County Citizens Safety Task Force Report. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bonilla

IV. WORK SESSION AGENDA

A. COUNTY MAYOR

1. **23-1230** Update on Tourist Development Tax Future Available Funding and Project Requests with Supplemental Information.

Board discussion ensued. Comptroller Diamond contributed to the discussion.

The Board took no action.

V. EXECUTIVE SESSION

Due to the nature of the discussion, this meeting is not open to the public.

1. **23-1231** Discussion regarding Florida Association of Realtors d/b/a Florida Realtors and Florida Apartment Association, Inc. v. Orange County, Florida, and Bill Cowles, in his official capacity as Orange County Supervisor of Elections.

ANNOUNCEMENT

Mayor Demings announced the Orange County Board of County Commission will hold a closed

attorney client executive session today at 2:45 p.m., in the County Administrator's Executive Conference Room on the fifth floor of the County Administration building. The estimated length of the session is thirty minutes. The names of all persons expected to attend the meeting are: Mayor Jerry L. Demings, Commissioners Nicole Wilson, Christine Moore, Mayra Uribe, Maribel Gomez Cordero, and Michael Scott, County Administrator Byron Brooks, County Attorney Jeffrey Newton, Attorney Greg Stewart, and an official court reporter. Commissioner Emily Bonilla is not able to attend.

VI. RECOMMENDATIONS

1. 23-1232 August 3, 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 # ZM-23-07-047, A Kurt Ardaman for Northstar (Appeal Filed) and Case # VA-23-08-052, Asima Azam (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 Scott

Absent: 1 - Commissioner Bonilla

VII. PUBLIC HEARINGS

A. Municipal Service Taxing Unit

1. 23-1047 Lake Pickett, amend for general lake cleaning maintenance, aquatic plant control and navigational improvements; District 5

Consideration: Amend by resolution a Municipal Service Taxing Unit (MSTU) for general lake cleaning maintenance and aquatic plant control to allow additional authorized use of funds to include navigational improvements at Lake Pickett

Location: District 5; Parcel ID (Multiple Parcels); Sections 03, 04, 09 & 10, Township 22; Range 32; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Scott, seconded by Commissioner Wilson, to approve the request as referenced in the Staff Report dated August 11, 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. Petition to Vacate

2. 23-1044 Case # PTV 21-05-025

Nixon Granadillo on behalf of Nathan Ross, a portion of an unopened and

unimproved right-of-way; District 3

Consideration: Resolution granting Petition to Vacate # 21-05-025, vacating a portion of a 50-foot wide unopened and unimproved right -of-way known as Avenue D.

Location: District 3; The parcel addresses are 305 Cypress Street and 233 Cypress Street; S36/T/23/R29; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Uribe, seconded by Commissioner Gomez Cordero, to accept the finding and recommendations Environment Protection Division; and further, approve the Shoreline Alteration/Dredge and Fill Permit (SADF-23-03-003) subject to the twenty-six (26) conditions of approval listed in the Staff Report dated August 11, 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

C. Shoreline Alteration/Dredge and Fill

3. **23-1096** Case # SADF 23-05-013

Joseph Bricklemyer, Johns Lake, permit; District 1

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit SADF # 23-05-013 to authorize the construction of a 108-foot concrete seawall, faced with riprap and plantings, along the shoreline of Johns Lake pursuant to Orange County Code, Chapter 15, Article VI, Pumping and Dredging Control

Location: District 1; on property located adjacent to Johns Lake, located at 17032 Johns Lake Drive, Winter Garden, FL 34787; 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-23-05-013); subject to the twenty-six (26) conditions of approved listed in the Staff Report dated July 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

D. Preliminary Subdivision Plan

4. **23-1048** Case # PSP-22-01-006

Geoffrey L. Summitt, GL Summitt Engineering, Inc., Thompson Heights Preliminary Subdivision Plan; District 2

Consideration: Thompson Heights, LLC - Case # PSP-22-01-006, submitted in with the

requirements of Article X, Chapter 2, Orange County Code; This Preliminary Subdivision Plan (PSP) is a request to to subdivide 11.65 acres, to construct 26 single-family residential dwelling units.

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

Revised Condition of Approval # 14

So long as the development lies in the City of Apopka's Territorial Area under the City of Apopka/Orange County Amended and Restated Water, Wastewater and Reclaimed Water Territorial Agreement, the development shall connect to central water and wastewater service from the City of Apopka. Otherwise, the development shall connect to Orange County's central water and wastewater service.

A motion was made by Commissioner Moore, seconded by Commissioner Scott, to make a finding of consistency with the Comprehensive Plan further approve the request subject to the twenty-three conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated July 31, 2023; and further, modify condition of approval #14. 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

5. 23-1095 Case # CDR-23-02-070

Joseph Kovecses, Lowndes Law Firm, Buena Vista Commons Planned Development / Land Use Plan (PD / LUP), amend plan; District 1

Consideration: A Change Determination Request (CDR) to add private school as a permitted use; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207

Location: District 1; property generally located North of County Road 535 / West of Interstate 4; Orange County, Florida (legal property description on file in Planning Division)

Revised Condition of Approval: 14.b.

14.b. With the exception of Buildings 1 and 2, development shall be limited to Professional Office (PO) uses and the following four (4) uses: Church, Restaurant (no drive-thru), Community Center, Fitness Center, Martial Arts and Miscellaneous Aerobic Type Instruction; Building 4 uses shall include Private Schools (kindergarten, elementary, middle, junior high and high school).

The following person addressed the Board: Joseph Kovecses.

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

A motion was made by Commissioner Wilson, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; further, approve the substantial change request subject to the fifteen (15) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated August 3, 2023; and further, modify Condition of Approval 14.b. The motion carried by the following vote:

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

Absent: 2 - Commissioner Moore, and Commissioner Bonilla

F. Land Use Plan Amendment

6. 23-1102 Case # LUPA-22-08-278

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

Consideration: A request to rezone 8.49 acres from A-2 (Farmland Rural District) into the existing adjacent Tyson Ranch Planned Development (PD); add 325 multi-family units to the existing PD entitlements; and to define the remaining uses within PD Parcel 1. In addition, two (2) waivers from Orange County Code are being requested: 1. A waiver from Section 38-1258(d) to allow 5-story (93' height) multi-family buildings within PD Parcel 2, in lieu of 3-stories and 40' in height. 2. A waiver from Section 38-1254(2)(c) to allow a minimum 25' building setback from Boggy Creek Road right of way in lieu of 50' pursuant to Orange County Code, Chapter 30

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

The following person addressed the Board: Tom Daly.

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 request subject to the fifteen (15) conditions of approval listed under the Planning and Zoning Commission recommendation in the Staff Report dated August 1, 2023. The motion carried by the following vote:

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

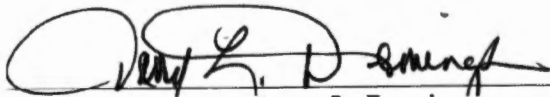
Absent: 2 - Commissioner Moore, and Commissioner Bonilla

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

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

ADJOURNMENT: 3:59 p.m.

ATTEST:



County Mayor Jerry L. Demings

Date: September 26, 2023



ATTEST SIGNATURE:

Phil Diamond
County Comptroller as Clerk



Jennifer Lara-Klimetz
Assistant Deputy Clerk

* * *

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

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

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

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

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