

# Orange County Government

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



## **Draft Meeting Minutes**

**Monday, April 29, 2024**

**6:00 PM**

**County Commission Chambers**

## **Charter Review Commission**

*CRC Members:*

*Homer Hartage, Chair*

*Lee Chira, Vice Chair*

*Mark Arias-Rishi Bagga-Dick Batchelor-Tom Callan-Eric R. Grimmer-Erica Jackson-*

*Chuck O'Neal-Angel de la Portilla-Alisia Adamson Profit-Cornita A. Riley-*

*Eugene Stoccardo-Beverly Winesburgh-Dotti Wynn*

**Call to Order**

The meeting was called to order at 6:04 p.m.

**Present:** 14 - Member Dick Batchelor, Member Alisia Adamson Profit, Member Angel de la Portilla, Member Eric R. Grimmer, Member Erica Jackson, Member Homer Hartage, Member Lee Chira, Member Mark Arias, Member Rishi Bagga, Member Tom Callan, Member Dotti Wynn, Member Eugene Stoccardo, Member Chuck O'Neal, and Member Beverly Winesburgh

**Absent:** 1 - Member Cornita A. Riley

Others present:

Deputy Clerk David Rooney  
Assistant Deputy Clerk Jennifer Lara-Klimetz  
CRC General Counsel Wade Vose  
Value Adjustment Board Supervisor Anissa Mercado  
Senior Minutes Coordinator Noelia Perez

**Pledge of Allegiance****I. Roll Call**

Members Present: Member Batchelor, Member Jackson, Member de la Portilla, Member Winesburgh, Member Callan, Member Arias, Member Wynn, Chair Hartage, Member Grimmer, Member Bagga, Member O'Neal, and Member Stoccardo. A quorum was established and the meeting was called to order.

**II. Chair / Vice Chair Comments**

CRC Chair Hartage addressed the CRC about tonight's proceedings, which will focus on whether the committee recommendations will be accepted as proposed ballot amendments. Additionally, he acknowledged the bylaws established and adopted by this CRC. Those bylaws include the requirement of two scheduled public hearings for any proposed ballot recommendation coming out of the Committees. CRC Chair Hartage emphasized the significance of conducting two public meetings, because it allows for CRC deliberations and for the public to express their viewpoints.

CRC Chair Hartage acknowledged Vice Chair Chira and Member Adamson Profit joined the meeting.

The CRC Meeting will consider the second public hearings for two items scheduled on tonight's agenda. As announced by CRC Chair Hartage, the Governmental Structure Committee proposed Charter Amendment increasing the number of Orange County Commission Districts along with the proposed Charter Amendment establishing the Charter Office of the County Attorney will have their second and final public hearings, resulting in a final vote by the CRC. CRC Chair Hartage requested CRC General Counsel Vose provide a brief overview along with the Committee Chair who will present the final reports. CRC Chair Hartage confirmed all of the tonight's scheduled public hearings have been properly advertised and noticed.

### III. Public Comment

The following persons addressed the CRC during public comment:

- Chris Messina
- Gregg Jones
- Maria Jones
- James Leiter
- Reed McCoy
- Bonnie Jackson
- Nelson Betancourt
- Samuel Vilchez Santiago

### IV. Consent Item

- A. CRC-24-111** Approval and execution of the minutes of the April 2, 2024 meeting of the Charter Review Commission (CRC).

A motion was made by Member Wynn, seconded by Member Batchelor, to approve the minutes of April 2, 2024. The motion carried by the following vote:

**Aye:** 14 - Member Batchelor, Member Adamson Profit, Member de la Portilla, Member Grimmer, Member Jackson, Member Hartage, Member Chira, Member Arias, Member Bagga, Member Callan, Member Wynn, Member Stoccardo, Member O'Neal, and Member Winesburgh

**Absent:** 1 - Member Riley

### V. Committee Meeting Updates

- A. CRC-24-112** Sustainable Growth & Charter Clean Up Committee Meetings Held on April 24 and 26, 2024 (Committee Chair Grimmer)

The Sustainable Growth and Charter Clean Up Committee met twice on April 24, and April 26, 2024. Committee Chair Grimmer indicated at the meeting of April 24, 2024, the committee met with County Staff from the Environmental Protection Division to discuss the Green PLACE (Park Land Acquisition for Conservation and Environmental Protection) Program and preserving that land for the purpose in which it was acquired. At the April 26, 2024, committee meeting the members worked on their charter amendment proposal which will eventually come before the full CRC. The next scheduled committee meeting will be held on April 30, 2024, at 11:00 a.m.

### VI. Acceptance of Committee Final Reports

- A. CRC-24-113** Governmental Structure Committee - Term Limits (Recommending No Action)

CRC Chair Hartage announced the cancellation of the Governmental Structure Committee Final Report, regarding term limits. This item has been rescheduled for the next CRC meeting.

**B. CRC-24-114 Governmental Structure Committee - County Administrator  
(Recommending No Action)**

CRC Chair Hartage announced the cancellation of the Governmental Structure Committee Final Report, regarding the County Administrator. This item has been rescheduled for the next CRC Meeting.

**C. CRC-24-115 Governmental Structure Committee - Write-in Candidate Effect on Timing of  
Charter Officer Elections**

CRC Chair Hartage announced the CRC will now consider the Government Structure Committee Final report regarding language in the Charter concerning write-in candidates. He announced if the CRC accepts the final report presented, there will be two public hearings, with the first public hearing occurring later tonight. If the CRC rejects the Committee’s final report the topic will not proceed any further.

Committee Chair de la Portilla provided an overview of the language found in Section 605 of the Charter regarding the effect of write-in candidates. He mentioned there are a total of seven Charter Offices in Orange County, consisting of the County Mayor and six District Commissioners. Committee Chair de la Portilla further elaborated that in Orange County, if there were two eligible candidates vying for office in an election year, the election race would take place during the November general election. However, if there are three qualified candidates running for office the election race would not occur during the November general election but during the August primary. The Committee focused on the effects of write-in candidates during the August primary/November general election. Committee Chair de la Portilla explained there is a provision in the Charter in which write-in candidates can count towards the number of qualified candidates in an election. As a result, a write-in candidate can initiate an election at the August primary; resulting with either a candidate receiving the majority of votes and declared the winner; or the two candidates with the highest number of votes being placed on the November general election ballot. He indicated qualifying candidates secure ballot placement either by collecting signatures or paying the filing fee whereas write-in candidates register at the Supervisor of Elections office and are not required to pay a qualifying fee or collect signatures. The Committee is introducing language to the Charter excluding write-in candidates from the count of qualified candidates as follows:

**Exhibit “A”**

**Ballot Proposal:** The ballot title and ballot summary for this question are as follows:

**WRITE-IN CANDIDATE EFFECT ON TIMING OF CHARTER OFFICER ELECTIONS**

Amending the Orange County Charter to provide that in elections for Charter offices (currently the County Mayor and County Commissioners), write-in candidates shall not count toward the number of qualified candidates (three or more) necessary to trigger an election at the August primary.

\_\_\_ Yes

\_\_\_ No

**Text Revisions:** Upon approval of this question at referendum, the following portions of the Orange County Charter are amended to read as follows:

**Sec. 605. Nonpartisan elections.**

Elections for all Charter offices shall be nonpartisan. No candidate shall be required to pay any party assessment or be required to state the party of which the candidate is a member. All candidates' names shall be placed on the ballot without reference to political party affiliation.

In the event that more than two (2) candidates, not counting write-in candidates, have qualified for any single office under the chartered government, an election shall be held at the time of the first primary election and, providing no candidate receives a majority of the votes cast, the two (2) candidates receiving the most votes shall be placed on the ballot for the general election.

Discussion ensued regarding if the proposed amendment changes the definition of a qualified candidate. CRC General Counsel Vose contributed to the discussion and indicated that in 2002, the County Attorney's office rendered an opinion that under the current language of the Charter, Section 605, a write-in candidate for a charter office constituted a candidate that had qualified. As a result, write-in candidates would count toward the number of qualified candidates necessary to trigger an election at the August primary. CRC General Counsel Vose indicated the Government Structure Committee proposed charter amendment does not change the state law definition of a "qualified candidate" but rather is proposing a charter amendment in which write-in candidates are not counted towards the number of qualified candidates necessary to initiate an election at the August primary. Furthermore, CRC General Counsel Vose indicated the proposed charter amendment is similar to the regulations outlined in Section 105.051 of the Florida Statutes, which govern the impartial elections of school board members. Discussion ensued regarding providing a space/line on the election ballot for a write-in candidate's name, the impact of write-in candidates on a general election (with historically higher voter turnout) versus the primary election (with generally lower voter turnout), the process of becoming a write-in candidate, the benefits for write-in candidates under the proposed charter amendment.

A motion was made by Member de la Portilla, seconded by Member O'Neal, to accept the Final Report of the Governmental Structure Committee regarding Section 605 of the Charter - Write-In Candidate effect on timing of Charter Officer Elections. The motion carried by the following vote:

**Aye:** 14 - Member Batchelor, Member Adamson Profit, Member de la Portilla, Member Grimmer, Member Jackson, Member Hartage, Member Chira, Member Arias, Member Bagga, Member Callan, Member Wynn, Member Stoccardo, Member O'Neal, and Member Winesburgh

**Absent:** 1 - Member Riley

**D. CRC-24-116** Sustainable Growth & Charter Clean Up Committee - Affordable Housing Trust Fund

Committee Chair Grimmer thanked his fellow Committee members, staff from the Comptroller's

Office, and CRC General Counsel Vose for their work and assistance provided to the Sustainable Growth & Charter Clean Up Committee. He began his presentation by stating the significance of including the Affordable Housing Trust Fund into the County Charter due to the necessity of affordable housing. He explained the County has attempted to address the numerous issues related to affordable housing by creating the Housing For All Task Force, which was established by the Mayor; and further, a ten-year action plan launched by the Board of County Commissioners, which included the creation and adoption of the Affordable Housing Trust Fund. He referred to the current affordable housing program that can be found in Orange County Ordinance 2020-09, Sections 2-289 through Section 2-298. The ordinance references the Affordable Housing Program, establishment of the Affordable Housing Trust Fund, the Affordable Housing Trust Plan, and annual budget requirements. Committee Chair Grimmer indicated the Committee feels incorporating the Affordable Housing Trust Fund into the Charter would eliminate the Board of County Commissioners ability to dissolve the trust fund; further, it would place it in the hands of the Orange County residents who would benefit directly; and further, by including a mandatory funding mechanism it would eliminate any doubt about the county commission's obligation to continue funding for the first ten years. He stated Orange County incorporating the Affordable Housing Trust Fund into the Charter is consistent with Broward and Brevard Counties that offer their versions of an affordable/supporting housing trust fund within their County Charters. Committee Chair Grimmer reported that the committee met on August 9, 2023, alongside Mitchell Glasser, the Manager of Orange County Housing Division. During the meeting, Mr. Glasser highlighted the ongoing affordable housing crisis in Orange County, which has persisted since 2005 due to a lack of adequate housing supply. Furthermore, he outlined the County's strategies to address this issue, aiming to create or preserve more than eleven thousand housing units by 2030. However, Mr. Glasser acknowledged that despite the County's funding and efforts outlined in the County's Ordinance, the affordable housing crisis would not be completely resolved in the next ten years. During their deliberations, the committee explored the possibility of incorporating additional elements into the charter proposal to specifically tailor the use of trust fund dollars. The Committee contemplated including a specific definition of affordable housing that specifies a level of area median income the trust fund is dedicated to, or adopting a requirement for inclusionary zoning in which new development allocates a certain number of units for affordable housing. Nevertheless, the Committee ultimately made the decision to include the Affordable Housing Trust Fund within the Charter, along with its mandatory funding. This incorporation allows for staff the flexibility to execute and modify the required strategies for the creation and preservation of affordable housing throughout Orange County. The proposed charter amendment leaves the policy choices, goals, strategies, and budget funding to the expertise of County Staff and the County Commissioners and as such, the Sustainable Growth & Charter Clean Up Committee have recommended the following charter amendment:

### **Exhibit "A"**

**Ballot Proposal:** The ballot title and ballot summary for this question are as follows:

### **ORANGE COUNTY CHARTER AMENDMENT REQUIRING CONTINUED EXISTENCE OF AFFORDABLE HOUSING TRUST FUND**

Amending the County Charter to require the continued existence of an Affordable Housing Trust Fund used to create and preserve affordable housing, which may be funded by fees from new commercial and residential development and other sources, all as directed by the County Commission, and to provide for purposes, revenue sources, appropriation and expenditure of funds, annual audit, continuing nature, implementation by ordinance, administration, and oversight of the Trust Fund.

Yes

No

**Text Revisions:** Upon approval of this question at referendum, the following portions of the Orange County Charter are amended to read as follows:

**Sec. 713. -Affordable Housing Trust Fund.**

A. Affordable Housing Trust Fund to remain in continued existence. The Affordable Housing Trust Fund ("Trust Fund") initially established in Chapter 2, Article VIII, Division 2 of the Orange County Code shall remain in continued existence, as modified from time to time by ordinance in a manner not inconsistent with the requirements of this section.

B. Purposes of Trust Fund. The purpose of the Trust Fund is to provide the financial resources and the leverage necessary to create and preserve affordable housing units in Orange County. The purposes of the Trust Fund may be further specified by ordinance.

C. Revenue sources. The Trust Fund shall be funded as directed by the board of county commissioners, and may be comprised of the following sources:

(1) General revenue fund monies appropriated to the Trust Fund by the board of county commissioners as part of the annual budget;

(2) Funds voluntarily contributed by municipalities that may elect to participate in the Trust Fund and programs funded by the Trust Fund;

(3) Grants or donations of money, property, or any other thing of value made to the Trust Fund;

(4) Mandatory or voluntary payments, including but not limited to fees from new commercial and residential development, made pursuant to development policies established by ordinance; and

(5) Other sources as established by ordinance.

D. Continuing Nature of Trust Fund. Unless otherwise directed by the board of county

commissioners or required by applicable law, unspent portions of the Trust Fund, repayments of principal and interest on loans provided from the Trust Fund, and interest earned from the deposit or investment of monies from the Trust Fund:

(1) Shall remain in the Trust Fund, to be used exclusively for the purposes of the Trust Fund;

(2) Do not revert to the general revenues of the County; and

(3) Any appropriations do not lapse.

E. Administration and Oversight of Trust Fund. The Trust Fund shall be administered, appropriated, and expended in a manner consistent with the purposes of the Trust Fund. The Trust Fund shall be administered in a manner that allows the Trust Fund to leverage other sources of public funds and private investment. The Trust Fund shall be included in the annual audit.

F. Implementation by Ordinance. No later than July 1, 2025, the board of county commissioners shall amend Chapter 2, Article VIII, Division 2 of the Orange County Code to implement the minimum requirements of this section. The board of county commissioners may adopt additional implementing ordinances not inconsistent with the requirements of this section.

CRC Chair Hartage thanked Committee Chair Grimmer for the Committee's report. He added the CRC will either vote to accept the report, or reject the report, and further if accepted by the CRC, the first of two public hearings would occur later tonight.

Discussion ensued regarding state regulations, proposed charter amendment impacting state and local programs such as Live Local Act, Sadowski Act funds, and SHIP (State Housing Initiatives Partnership), affordable housing within urban service area, municipalities electing to participate in funding sources, reason for inclusion into the Charter, affordable housing of rental properties, proposed Charter language in Section 713. - Affordable Housing Trust Fund, Subsection C., inclusion of mandatory or voluntary funding, revenue sources determined by the Board of County Commissioners. CRC General Counsel Vose contributed to the discussion.

Member O'Neal announced for the record he would abstain from voting on this item.

A motion was made by Member Grimmer, seconded by CRC Chair Hartage, to accept the report regarding the Affordable Trust Fund amendment from the Sustainable Growth and Charter Clean Up Committee. The motion carried by the following vote:

**Aye:** 13 - Member Batchelor, Member Adamson Profit, Member de la Portilla, Member Grimmer, Member Jackson, Member Hartage, Member Chira, Member Arias, Member Bagga, Member Callan, Member Wynn, Member Stoccardo, and Member Winesburgh



**Absent:** 1 - Member Riley

**Abstain:** 1 - Member O'Neal

## VII. Committee Recommendation Public Hearings

- A. CRC-24-117** Governmental Structure Committee - Consideration of the proposed amendment concerning the write-in candidate effect on timing of Charter officer elections (First of Two Public Hearings / Votes)
1. Public Comment
  2. CRC Discussion & First Vote

CRC Chair Hartage opened the first public hearing for consideration of the Government Structure Committee proposed amendment concerning the write-in candidate effect on timing of Charter officer elections. CRC General Counsel Vose contributed to discussion.

The following persons addressed the CRC:

- Bonnie Jackson
- Samuel Vilchez Santiago

Discussion ensued regarding the advantages or disadvantages for write-in candidates, and the benefits of this proposed charter amendment for write-in candidates during the November general election.

A motion was made by Member de la Portilla, seconded by Member O'Neal, to support the write-in candidate effect on the timing of Charter office elections; and further, to amend the Orange County Charter to provide that in elections for Charter offices (currently the County Mayor and the six County Commissioners) write-in candidates shall not count toward the number of qualified candidates (three or more) necessary to trigger an election at the August primary. The motion carried by the following vote:

**Aye:** 14 - Member Batchelor, Member Adamson Profit, Member de la Portilla, Member Grimmer, Member Jackson, Member Hartage, Member Chira, Member Arias, Member Bagga, Member Callan, Member Wynn, Member Stoccardo, Member O'Neal, and Member Winesburgh

**Absent:** 1 - Member Riley

- B. CRC-24-118** Sustainable Growth & Charter Clean Up Committee - Consideration of the proposed amendment requiring the continued existence of an Affordable Housing Trust Fund (First of Two Public Hearings / Votes)
1. Public Comment
  2. CRC Discussion and First Vote

CRC Chair Hartage opened the first public hearing for consideration of the Sustainable Growth & Charter Clean Up proposed amendment requiring the continued existence of an Affordable Housing Trust Fund.

The following persons addressed the CRC:

- Gregg Jones
- Nelson Betancourt
- Samuel Vilchez
- Reed McCoy

CRC Chair Hartage indicated the CRC will either vote to accept or reject the report; and further, if accepted by the CRC, there would be a second public hearing for the proposed amendment requiring the continued existence of an Affordable Housing Trust Fund.

A motion was made by Member Grimmer, seconded by Member Bagga, to approve the Affordable Housing Trust Fund amendment as laid out in:

#### **Exhibit "A"**

**Ballot Proposal:** The ballot title and ballot summary for this question are as follows:

#### **ORANGE COUNTY CHARTER AMENDMENT REQUIRING CONTINUED EXISTENCE OF AFFORDABLE HOUSING TRUST FUND**

Amending the County Charter to require the continued existence of an Affordable Housing Trust Fund used to create and preserve affordable housing, which may be funded by fees from new commercial and residential development and other sources, all as directed by the County Commission, and to provide for purposes, revenue sources, appropriation and expenditure of funds, annual audit, continuing nature, implementation by ordinance, administration, and oversight of the Trust Fund.

Yes

No

**Text Revisions:** Upon approval of this question at referendum, the following portions of the Orange County Charter are amended to read as follows:

#### **Sec. 713. -Affordable Housing Trust Fund.**

**A. Affordable Housing Trust Fund to remain in continued existence.** The Affordable Housing Trust Fund ("Trust Fund") initially established in Chapter 2, Article VIII, Division 2 of the Orange County Code shall remain in continued existence, as modified from time to time by ordinance in a manner not inconsistent with the requirements of this section.

**B. Purposes of Trust Fund.** The purpose of the Trust Fund is to provide the financial resources and the leverage necessary to create and preserve affordable housing units in Orange County. The purposes of the Trust Fund may be further specified by ordinance.

C. Revenue sources. The Trust Fund shall be funded as directed by the board of county commissioners, and may be comprised of the following sources:

(1) General revenue fund monies appropriated to the Trust Fund by the board of county commissioners as part of the annual budget;

(2) Funds voluntarily contributed by municipalities that may elect to participate in the Trust Fund and programs funded by the Trust Fund;

(3) Grants or donations of money, property, or any other thing of value made to the Trust Fund;

(4) Mandatory or voluntary payments, including but not limited to fees from new commercial and residential development, made pursuant to development policies established by ordinance; and

(5) Other sources as established by ordinance.

D. Continuing Nature of Trust Fund. Unless otherwise directed by the board of county commissioners or required by applicable law, unspent portions of the Trust Fund, repayments of principal and interest on loans provided from the Trust Fund, and interest earned from the deposit or investment of monies from the Trust Fund:

(1) Shall remain in the Trust Fund, to be used exclusively for the purposes of the Trust Fund;

(2) Do not revert to the general revenues of the County; and

(3) Any appropriations do not lapse.

E. Administration and Oversight of Trust Fund. The Trust Fund shall be administered, appropriated, and expended in a manner consistent with the purposes of the Trust Fund. The Trust Fund shall be administered in a manner that allows the Trust Fund to leverage other sources of public funds and private investment. The Trust Fund shall be included in the annual audit.

F. Implementation by Ordinance. No later than July 1, 2025, the board of county commissioners shall amend Chapter 2, Article VIII, Division 2 of the Orange County Code to implement the minimum requirements of this section. The board of county commissioners may adopt additional implementing ordinances not inconsistent with the requirements of this section.

No vote taken. Discussion ensued.

A motion was made by Member Callan, seconded by Vice Chair Chira, to amend the language to Section 713. - Affordable Housing Trust Fund, Subsection C. Revenue Sources, to read as follows: The Trust Fund shall ~~shall~~ may be funded as directed by the board of county commissioners, and may be comprised of the following sources.

No vote taken. Discussion ensued.

CRC General Counsel Vose contributed to the discussion and pointed out the proposed Charter amendment language structure is similar to the language structure in the Charter provisions of Broward, Brevard, and Alachua County. Discussion ensued.

Member Adamson Profit suggested revising the amended language proposed by Member Callan for Sec. 713. - Affordable Housing Trust Fund, Subsection C. Revenue Sources, to read as follows: The Trust Fund shall ~~may~~ be funded as directed by the board of county commissioners, ~~and~~ It may be comprised of the following sources. Discussion ensued. Member Callan indicated he would be in favor of that change. Member Callan, and Vice Chair Chira withdrew their previous amended motion.

CRC General Counsel Vose contributed to the discussion and suggested the following revision to Member Adamson Profit proposed motion to read as follows: The Trust Fund shall be funded as directed by the board of county commissioners. ~~#~~ The Trust Fund may be comprised of the following sources.

A motion was made by Member Adamson Profit, seconded by Member Callan, to amend the language to Section 713. - Affordable Housing Trust Fund, Subsection C. Revenue Sources, to read as follows: The Trust Fund may be funded as directed by the board of county commissioners. The Trust Fund may be comprised of the following sources. The motion carried by the following vote:

**Aye:** 13 - Member Batchelor, Member Adamson Profit, Member de la Portilla, Member Grimmer, Member Jackson, Member Hartage, Member Chira, Member Arias, Member Bagga, Member Callan, Member Wynn, Member Stoccardo, and Member Winesburgh

**Absent:** 1 - Member Riley

**Abstain:** 1 - Member O'Neal

CRC Chair Hartage opened discussion on the primary motion as amended. Member Callan called the question to end discussion. No seconder announced. CRC Chair Hartage announced the motion passed.

Discussion ensued.

A motion was made by Member Grimmer, seconded by Member Bagga, to approve the Affordable Housing Trust Fund amendment of the Final Report from the Sustainable Growth and Charter Clean Up Committee as presented in Exhibit "A"; and further, as amended in Section

713, - Affordable Housing Trust Fund, Subsection C. Revenue sources. The motion carried by the following vote:

**Aye:** 9 - Member Batchelor, Member Adamson Profit, Member de la Portilla, Member Grimmer, Member Jackson, Member Hartage, Member Bagga, Member Callan, and Member Stoccardo

**Nay:** 4 - Member Chira, Member Arias, Member Wynn, and Member Winesburgh

**Absent:** 1 - Member Riley

**Abstain:** 1 - Member O'Neal

- C. CRC-24-119** Governmental Structure Committee - Consideration of the proposed amendment increasing the number of Orange County Commission Districts (Second of Two Public Hearings / Votes)
1. Public Comment
  2. CRC Discussion and Second Vote

CRC Chair Hartage opened the second and final public hearing to deliberate the proposed amendment by the Government Structure Committee regarding expanding the number of Orange County Commission Districts from six to eight. He explained the CRC can decide whether to approve the Committee's recommended proposed Charter amendment to be placed on the ballot, reject the proposed Charter Amendment, or accept the proposed charter amendment with modifications.

The Clerk's Office announced on the record a correction made to the total vote count for the previous motion concerning the proposed charter amendment for an Affordable Housing Trust Fund by the Sustainable Growth and Charter Clean Up Committee. The revised vote tally is as follows: Nine votes in favor, Four votes against, One absence, and One abstention.

Committee Chair de la Portilla presented a summary of the final report from the Governmental Structure Committee on the proposed Charter amendment increasing the number of Orange County Commission Districts. He mentioned there have been sixteen committee meeting and various topics were discussed. The topics recommended for proposed Charter amendments are expansion of County Commission, County Attorney, and non-partisan elections. Regarding the number of Orange County Commission Districts, Committee Chair de la Portilla provided the history of expansion of the Board of County Commissioners, and noted, that in 1988, Orange County voters approved expanding the Commission from five to six districts, which is where it currently stands now. He quoted the population of Orange County in 1988 was 621,000 versus the current population of 1,500,000; and further, each County Commissioner represents districts with an average population of 250,000 compared to 104,000 in 1988. The estimated costs associated with expanding the commission districts are 2.4 million, as verified by the County Comptroller. Information regarding the County's budget indicated that the general fund revenue was \$116,225,629 in 1988, whereas it has now increased to \$942,445,898. A demographic breakdown of population per district was shown for the biggest counties in Florida (Miami-Dade, Broward, Palm Beach, Hillsborough, Orange, and Pinellas); furthermore, he highlighted that in 1990 there was a total of 4,693 Orange County Board of County Commission job positions today

that number is at 8,145. Committee Chair de la Portilla pointed out the data reveals county government and population growth in Orange County. He also presented an overview of the findings and actions taken by the Governmental Structure Committee and CRC, and provided a timeline of future proceedings if the committee report and final ballot language are approved. He mentioned if approved by the CRC today, the amendment will go on the ballot, and if it passes with the voters in 2025, the county will appoint a Redistricting Advisory Committee. The committee will work with the Supervisors of Elections and County Staff to draft eight new districts based on the population, these new district maps must be approved by the Board of County Commissioners in time for the 2026 elections. He explained two commissioners will be elected in 2026 with one commissioner serving two years and other commissioner serving for four years.

CRC Chair Hartage thanked Committee Chair de la Portilla for the report and cited his reasons for not supporting the proposed charter amendment. Discussion ensued.

The following persons addressed the CRC:

- Former Orange County Commissioner Scott Boyd
- Reed McCoy
- Nelson Betancourt
- Mark Bender
- Chris Messina

A motion was made by Member de la Portilla, seconded by Member Stoccardo, to accept the Government Structure Committee's recommendation for the expansion of the Board of County Commissioners by two members in 2026. No vote taken.

Discussion ensued regarding the proposed expansion of commission districts and the duration of service for newly elected commissioners, district representation based upon growth, increase of County revenue based upon tourism or growth, district representation based upon population and not voting age, allowing voters to make decision regarding expansion of county districts.

A motion was made by Member Batchelor, seconded by Member Callan, to call the question to end discussion. The motion carried by the following vote:

**Aye:** 14 - Member Batchelor, Member Jackson, Member de la Portilla, Member Winesburgh, Member Callan, Member Arias, Member Wynn, Member Hartage, Member Chira, Member Grimmer, Member Bagga, Member O'Neal, Member Stoccardo, Member Adamson Profit

**Absent:** 1 - Member Riley

A motion was made by Member de la Portilla, seconded by Member Stoccardo, to accept the Government Structure Committee's recommendation for the expansion of the Board of County Commissioners by two members in 2026. The motion carried by the following vote:

**Aye:** 11 - Member Batchelor, Member Adamson Profit, Member de la Portilla, Member Grimmer, Member Jackson, Member Arias, Member Bagga, Member Callan, Member Stoccardo, Member O'Neal, and Member Winesburgh

**Nay:** 3 - Member Hartage, Member Chira, and Member Wynn

**Absent:** 1 - Member Riley

- D. CRC-24-120** Governmental Structure Committee - Consideration of the proposed amendment establishing the charter office of County Attorney (Second of Two Public Hearings / Votes)
  1. Public Comment
  2. CRC Discussion and Second Vote

Committee Chair de la Portilla presented the report of the Government Structure Committee, outlining the history of the County Charter with regards to the establishment of the office of the County Attorney. He mentioned that when the Charter was initially established in 1986, Section 403 clearly outlined the role of the County Attorney and also indicated the County Attorney reported to the Board of County Commissioners. In 1988, an amendment to the Charter was approved, outlining the County's current governmental system (a separately elected county chairman [later county mayor] with executive powers and serving as a member of the County Commission, and six single-member commission districts). However, the implementation of this charter amendment in 1988, led to the removal of Section 403 from the 1986 Charter, thereby eliminating the County Attorney as a charter officer and in it's place establishing a division of "legal services" under the supervision of the County Mayor as per Sections 401 and 402. Committee Chair de la Portilla pointed out the exclusion of the County Attorney as a charter officer was not disclosed in the ballot summary provided to voters in the 1988 charter amendment. Therefore, the Committee is recommending the CRC reinstate Section 403 to the Charter as proposed in the following ballot amendment:

**Exhibit "A"**

**Ballot Proposal:** The ballot title and ballot summary for this question are as follows:

**ORANGE COUNTY CHARTER AMENDMENT ESTABLISHING CHARTER OFFICE OF COUNTY ATTORNEY**

Amending the Orange County Charter to establish an office of the County Attorney, who shall be the County's chief legal counsel, appointed by the County Mayor and confirmed by a majority of the full County Commission, and removed by either the County Mayor or a majority of the full County Commission.

- Yes
- No

Committee Chair de la Portilla announced there is no fiscal impact for this proposed charter amendment.

A motion was made by Member de la Portilla, seconded by Member Bagga, to recommend to the voters of Orange County to amend the Orange County Charter to establish an office of the County

Attorney, who shall be the County's chief legal counsel, appointed by the County Mayor and confirmed by a majority of the full County Commission, and removed by either the County Mayor or a majority of the full County Commission. No vote taken.

A motion was made by Chair Hartage, seconded by Member Adamson Profit, to call the question to end discussion. The motion carried by the following vote:

**Aye:** 13 - Member Jackson, Member de la Portilla, Member Winesburgh, Member Callan, Member Arias, Member Wynn, Member Hartage, Member Chira, Member Grimmer, Member Bagga, Member O'Neal, Member Stocardo, and Member Adamson Profit

**Absent:** 2 - Member Batchelor, and Member Riley

A motion was made by Member de la Portilla, seconded by Member Bagga, to recommend to the voters of Orange County to amend the Orange County Charter to establish an office of the County Attorney, who shall be the County's chief legal counsel, appointed by the County Mayor and confirmed by a majority of the full County Commission, and removed by either the County Mayor or a majority of the full County Commission. The motion carried by the following vote:

**Aye:** 13 - Member Adamson Profit, Member de la Portilla, Member Grimmer, Member Jackson, Member Hartage, Member Chira, Member Arias, Member Bagga, Member Callan, Member Wynn, Member Stoccardo, Member O'Neal, and Member Winesburgh

**Absent:** 2 - Member Batchelor, and Member Riley

### VIII. Member Comments

Member O'Neal has requested to present a recommendation to the CRC during an upcoming CRC meeting. Discussion ensued. CRC General Counsel Vose contributed to the discussion and informed the CRC that there are three remaining CRC Meetings scheduled on the following dates: May 8, May 20, and May 30, 2024. He clarified that it is no longer possible to submit a Charter proposal to the CRC for consideration. However, he confirmed that Member O'Neal is only requesting to bring forward a recommendation. CRC General Counsel Vose reminded the CRC any recommendations brought forward would need to be included in the final report. Discussion ensued. CRC Chair Hartage proposed that all suggestions from CRC members be incorporated and added to the agenda for an upcoming CRC Meeting, the date of which is yet to be determined.

### IX. Adjournment

A motion was made to adjourn. (The maker of the motion and seconder were not announced, no vote was taken).

There being no further business, the CRC adjourned at 9:24 p.m.

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Homer Hartage, Chair  
2024 Charter Review Commission