

Orange County Government

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



Draft Meeting Minutes

Tuesday, February 21, 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 9:06 a.m.

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

Others present:

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

Invocation - District 1

Pastor Melissa M. Stump, First United Methodist Church

Pledge of Allegiance**Public Comment**

The following persons addressed the Board during public comment:

- Wayne Conover
- Michelle Griglione
- Angela Emerson
- Joe Dunn
- Linda Sibley

The following material was received by the Clerk prior to the close of the public comment. The material referenced by the speaker was not presented to the Board:

- Submittal 1, from Wayne Conover

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

- Exhibit 1, from Angela Emerson
- Exhibit 2, from Linda Sibley

I. CONSENT AGENDA**Approval of the Consent Agenda**

The Mayor deferred action on Planning, Environmental, and Development Services Department Item 6; and further, a motion was made by Commissioner Bonilla, seconded by Commissioner Moore, to approve the balance of the Consent Agenda. The motion carried by the following vote:

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

A. COUNTY MAYOR

1. **23-334** Confirmation of the Mayor's managerial appointment of Monique Mullin as Manager of the Corrections Health Services Division, Health Services Department.

B. COUNTY COMPTROLLER

1. **23-335** Approval and execution of the minutes of the January 24, 2023 meeting of the Board of County Commissioners (Clerk's Office)
2. **23-336** 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:

- February 3, 2023, to February 9, 2023; \$58,218,375.35
- February 10, 2023, to February 16, 2023; \$46,495,509.12

(Finance/Accounting)

C. COUNTY SHERIFF

1. **23-337** Approval and execution of Edward Byrne Memorial Justice Assistance Grant (JAG) Program Award Agreement for Award Title: C-8C192; SWAT Tactical COFDM Video Transmission System in the amount of \$41,718 for the period of October 1, 2022 through September 30, 2023. No matching funds are required.

D. COUNTY ADMINISTRATOR

1. **23-338** Approval and execution of Electric Vehicle DC Fast Charging Site Host Agreement between Duke Energy Florida, LLC and Orange County, Florida.
2. **23-339** Confirmation of the reappointment of Dr. Bridget Williams as the District 6 representative on the Tourist Development Tax Grant Application Review

Committee with a term expiring December 31, 2026. (Agenda Development Office)

3. **23-340** Approval and execution of Pine Hills Transfer Station Contribution Agreement 23-C16 by and between Central Florida Regional Transportation Authority d/b/a LYNX and Orange County, Florida relating to the providing a construction contribution for the Pine Hills Transfer Station to be located at the intersection of Belco and Silver Star Road in Orange County, Florida in the amount of \$600,000. (Office of Management and Budget)
4. **23-341** Approval for the Orange County Sheriff's Office to spend \$166,400 from the FY 2023 Law Enforcement Trust Fund-State Forfeitures for eligible contributions to Victim Service Center of Central Florida (\$5,000) and the Community Crime Prevention Grant Program (\$161,400). (Office of Management and Budget)
5. **23-342** Approval of budget amendments #23-19, #23-20, and #23-21. (Office of Management and Budget)

E. COUNTY ATTORNEY

1. **23-343** Appointment of Ms. Beverly Winesburgh to replace Mr. Greg Mellowe as a District 2 Commissioner and Mr. Chuck O'Neal to replace Dr. John Fauth as a District 5 Commissioner on the 2024 Charter Review Commission.

F. ADMINISTRATIVE SERVICES DEPARTMENT

1. **23-344** Approval and execution of Modification to Subgrant Agreement between the Division of Emergency Management and Orange County Contract Number: H0196 Project Number 4337-106-R to amend the expiration date to March 31, 2023 and increase the funding by \$57,582.95 for the maximum amount payable of \$277,935.75 at the Bithlo Community Center and authorization for the Mayor or designee to execute any further necessary amendments to such Grant Agreement that do not change the scope of the project or increase the overall project budget. (Fiscal and Operational Support Division)
2. **23-345** Approval to award Invitation for Bids Y22-1075-MM, Electrical Maintenance, Repair and Replacement, to the low responsive and responsible bidders by lot:

Bidder	Lot	Estimated Annual Amount
Lakeside Electrical Services	A	\$363,400
Heron Electric Inc.	B	\$400,850
Base 3, LLC dba Gibson Electric	C	\$482,000
Lakeside Electrical Services	D	\$279,600

([Administrative Services Department Facilities Management Division]
Procurement Division)

3. **23-346** Approval to award Invitation for Bids Y23-103-MM, Grease Traps and Lift Station Maintenance with Septic Tank Pump-Outs, to the low responsive and responsible bidder, Cloud 9 Services, LLC for Lot A, in the estimated contract award amount of \$622,798 and Lot B in the estimated contract award amount of \$57,360 for one-year terms. ([Administrative Services Department Facilities Management Division] Procurement Division)
4. **23-347** Approval to award Invitation for Bids Y23-129-MV, Limerock Road Base, to the low responsive and responsible bidder, Dixie Lime and Stone Company. The estimated contract award amount is \$2,896,560 for a three-year term. ([Utilities Department Solid Waste Division] Procurement Division)
5. **23-348** Approval to award Invitation for Bids Y23-721-CR, Sheriff's Gun Range Ammo Bunker & Storage Ventilation/Electrical Renovation, to the low responsive and responsible bidder, Air Mechanical & Service Corp. The total contract award amount is \$419,000. ([Administrative Services Department Capital Division] Procurement Division)
6. **23-349** Approval to award Invitation for Bids Y23-723-ZR, South Water Reclamation Facility Flow Meter Improvements, to the low responsive and responsible bidder, L7 Construction, Inc. The total contract award amount is \$3,570,000. ([Utilities Department Engineering Division] Procurement Division)
7. **23-350** Approval to award Invitation for Bids Y23-726-GO, Brandon Coates Park Roadway Repair, to the low responsive and responsible bidder, Valencia Construction Group, Inc. The total contract award amount is \$945,000. ([Administrative Services Department Capital Projects Division] Procurement Division)
8. **23-351** Approval to award Invitation for Bids Y23-741-R2, Pine Hills Road Pedestrian Safety Improvements-Phase II, to the low responsive and responsible bidder, RMS Constructors Group, LLC. The total contract award amount is \$10,309,067. ([Public Works Department Engineering Division] Procurement Division)
9. **23-352** Approval of Contract Y23-199, Crisis Stabilization, with Central Florida Behavioral Hospital, in the estimated contract award amount of \$815,775 for a one-year term. ([Community and Family Services Department Mental Health and Homelessness Issues Division] Procurement Division)
10. **23-353** Approval of Contract Y23-1000, Crisis Stabilization, with University Behavioral Center, in the estimated contract award amount of \$815,775. ([Community and Family Services Department Mental Health and

Homelessness Issues Division] Procurement Division)

11. **23-354** Approval of Amendment No. 7, Contract Y17-192, Security Guard Services for the Corrections Department, with Universal Protection Service, LLC, in the amount of \$1,500,000, for a revised estimated contract amount of \$3,846,002.74. ([Corrections Department Fiscal and Operational Support Division] Procurement Division)

12. **23-355** Approval of Sub-Recipient Agreement Amendment No. 5, Contract Y22-165, Providing Nurse-Family Partnership Services to At-Risk Pregnant Women, with Healthy Start Coalition of Orange County, Inc., in the amount of \$706,302, for a revised not-to-exceed amount of \$962,604. ([Community and Family Services Department Mental Health and Homelessness Issues Division] Procurement Division)

13. **23-356** Approval to award Federal Subrecipient Agreements, Contract Y23-2502, Mental Health, Substance Abuse Outpatient, and Residential Treatment Services for Persons with HIV (Ryan White Part A), by Lot:

Lot-1	Agency	Amount Funded
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Mental Health Services	Aspire Health Partners, Inc.	\$151,361
	Pan American Behavioral Health Services, Inc.	\$148,639

Lot-2

Substance Abuse Outpatient Treatment Services	Specialized Treatment Education and Prevention Services, Inc. (STEPS, Inc.)	\$200,000
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Lot-3

Substance Abuse Residential Treatment Services	Aspire Health Partners, Inc.	\$88,888
	Specialized Treatment Education and Prevention Services, Inc. (STEPS, Inc.)	\$111,112

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

14. **23-357** Approval to award Federal Subrecipient Agreements, Contract Y23-2503, Ryan White Part A, Medical Case Management and Referral for Healthcare and Support Services:

<u>Agreement</u>	<u>Agency</u>	<u>Award Amount</u>
Y23-2503A	Center for Multicultural Wellness and Prevention, Inc.	\$ 508,731.56
Y23-2503B	Hope and Help Center for Central Florida, Inc.	\$ 670,665.81
Y23-2503C	Miracle of Love, Inc	\$1,349,475.64
Y23-2503D	Primary Medical Center of Poinciana dba Osceola Community Health Center	\$ 271,126.98

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

15. **23-358** Approval to award Federal Subrecipient Agreements, Contract Y23-2504, Ryan White Part A, Psychosocial Support Services, with Hope and Help Center of Central Florida, Inc., in the amount of \$111,195 for a one-year term. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
16. **23-359** Approval to award Federal Subrecipient Agreement, Contract Y23-2505, Ending the HIV Epidemic, HIV Testing Services, with Hope and Help Center of Central Florida, Inc., in the amount of \$130,000 for a one-year term. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
17. **23-360** Approval of Purchase Order M110095, Purchase of Grant Administration Services, with Langton Associates, Inc., in the amount of \$150,000. ([Administration and Fiscal Services Office of Management and Budget Division] Procurement Division)
18. **23-361** Approval of Purchase Order M110116, Purchase of Taylor Dunn Carts, with Briggs Equipment DBA MacKinnon Equipment & Services, in the amount of \$116,500. ([Convention Center Facilities Operations Division] Procurement Division)
19. **23-362** Ratification of Change Order No. 4, Contract Y21-801, Design Services for the Orange County Fire Rescue Training Facility, with KMF Architects dba KZF Design LLC, in the amount of \$162,575.22, for a revised contract amount of \$2,447,717. ([Administrative Services Department Procurement Division] Procurement Division)
20. **23-363** Selection of KZF Design LLC dba KMF Architects to provide Design Services for the Orange County Convention Center West Building Chapin Theater Finishes and Stage Upgrades, Request for Proposals, Y23-809-SH.

([Convention Center Facilities Operations Division] Procurement Division)

21. **23-364** Approval and execution of Termination of Easement and authorization for the Real Estate Management Division to disburse funds to pay recording fees and record instrument for Conservation Area Impact Permit No. CAI-16-03-010-EXT (Hoffner Medical Center). District 3. (Real Estate Management Division)
22. **23-365** Approval and execution of First Renewal and Amendment to Agreement and Interlocal Agreement between Seminole County, Orange County, and the University of Central Florida concerning the Lease of Fire Station 65 and authorization for the Real Estate Management Division to exercise renewal options and furnish notices, required, or allowed by the lease, as needed for Fire Station 65 - UCF First Renewal and Amendment to Agreement and Interlocal Agreement. Lease File #4040. District 5. (Real Estate Management Division)
23. **23-366** 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 \$1,357,663.50, and perform all actions necessary and incidental to closing for Green PLACE Parcel 169. District 2. (Real Estate Management Division)
24. **23-367** Approval and execution of Resolution and authorization to initiate condemnation proceedings for Ficquette Road (Inglenook Dr. to Reams Road). Parcel 7006. District 1. (Real Estate Management Division)
25. **23-368** Approval and execution of Resolution and authorization to initiate condemnation proceedings for Ficquette Road (Inglenook Dr. to Reams Road). Parcel 1040. District 1. (Real Estate Management Division)
26. **23-369** Approval and execution of Resolution and authorization to initiate condemnation proceedings for Ficquette Road (Inglenook Dr. to Reams Road). Parcel 1046. District 1. (Real Estate Management Division)
27. **23-370** Approval and execution of Utility Easement Agreement between Lakeshore Landings, LLC and Orange County and authorization for the Real Estate Management Division to disburse funds to pay all recording fees and record

instrument for Mo-Ho MHP P.S. #3141. District 6. (Real Estate Management Division)

G. CONVENTION CENTER

1. **23-371** Approval and execution of First Amendment to the Chilled Water Service Agreement for the Orange County Convention Center between Orlando Utilities Commission and Orange County to extend the term of the Agreement from September 30, 2023 to September 30, 2025. (Facilities Operations Division)

H. HEALTH SERVICES DEPARTMENT

1. **23-372** Approval to accept the Federal Health Resources and Services Administration Grant Award for Ryan White Part A funding in the estimated amount of \$11,677,151 for the period of March 1, 2023 through February 29, 2024 and authorization for the County Mayor or designee to approve any increases or decreases in the award amount.
2. **23-373** Approval and execution of the renewal Certificate of Public Convenience and Necessity for City of Orlando Fire Department to provide Advanced Life Support transport services in Orange County, Florida. The term of this certificate is from March 1, 2023 through February 28, 2025. There is no cost to the County. (EMS Office of the Medical Director)
3. **23-374** Approval and execution of the Paratransit Services License for AdventHealth Waterman to provide wheelchair/stretchers service. The term of this license shall be retroactive from February 21, 2023 and terminate on February 20, 2025. There is no cost to the County. (EMS Office of the Medical Director)
4. **23-375** Approval of proposed letter to the Orlando VA Medical Center regarding standing written request for release of protected health information and authorization for the Medical Examiner to sign the letter. (Medical Examiner)

I. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

1. **23-376** Approval and execution of Orange County, Florida, Resolutions Establishing Special Assessment Liens for Lot Cleaning Services and approval to record Special Assessment Liens on property cleaned by Orange County, pursuant to Orange County Code, Chapter 28, Nuisances, Article II, Lot Cleaning. Districts 2, 3, 4, 5, and 6. (Neighborhood Services Division)

LC 23-0058	LC 23-0042	LC 23-0065	LC 23-0066	LC 23-0052
LC 23-0063	LC 23-0076	LC 23-0083	LC 22-0426	LC 23-0075
LC 23-0077	LC 23-0024	LC 23-0015	LC 23-0001	LC 23-0079
LC 23-0013	LC 23-0064	LC 23-0019	LC 23-0030	LC 23-0097

2. **23-377** Approval of the following changes to the Neighborhood Beautification Grant Program: Increase the cap for landscaping projects for mandatory homeowners' associations from \$3,500 to \$5,000, limit landscaping projects to voluntary associations with irrigation, increase the limit of the grant from \$10,000 to \$15,000, and allow deviations from the grant guidelines for walls damaged by car accidents. All Districts. (Neighborhood Services Division)
3. **23-378** Approval and execution of Subordination Agreement by Orange County, Florida in favor of Valley National Bank regarding 2425 North Hiawasse Road. District 6. (Neighborhood Services Division)
4. **23-379** Execution of Agent Authorization Form by the Board of County Commissioners for the processing of Future Land Use Map (FLUM) amendment and rezoning applications involving 2.24 acres of county-owned property located at 3218 and 3400 Tanner Road, Orlando, FL 32826. District 5. (Planning Division)
5. **23-380** Approval and execution of Proportionate Share Agreement for Watercrest at Windermere Maguire Road, Main Street, Roberson Road, and Winter-Garden-Vineland Road by and between American Orange County Investments 40 LLC and Orange County for a proportionate share payment in the amount of \$302,007. District 1. (Roadway Agreement Committee)
6. **23-381** Approval and execution of Resolution 2023-M-07 of the Orange County Board of County Commissioners regarding adoption of a form Hold Harmless and Indemnification Agreement to be used when the County approves the issuance of model home permits pursuant to Section 30-83(d) of the Orange County Code. All Districts. (Zoning Division)

(This item was deferred.)

J. PUBLIC WORKS DEPARTMENT

1. **23-382** Approval and execution of (1) Resolution 2023-M-08 of the Orange County Board of County Commissioners regarding the Local Agency Program Agreement with the Florida Department of Transportation for the Lake Apopka Trail and Connector Project from the Lake Apopka Loop Trail to the West Orange Trail and (2) State of Florida Department of Transportation Local Agency Program Agreement FPN: 441447-1-58-01 and FPN: 441447-1-68-01 in the amount of \$4,000,000. District 2. (Transportation Planning Division)
2. **23-383** Approval and execution of (1) Resolution 2023-M-09 of the Orange County Board of County Commissioners regarding the Local Agency Program Supplemental Agreement with 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 FPN:

439878-5-58/68-01 in the amount of \$4,895,346. District 1. (Transportation Planning Division)

3. **23-384** Approval and execution of (1) Resolution 2023-M-10 of the Orange County Board of Commissioners regarding the Local Agency Program Agreement with the State of Florida Department of Transportation for the Buck Road Bridge over Little Econ Bridge #754005 Project and (2) State of Florida Department of Transportation Local Agency Program Agreement FPN: 43952-1-58-01 and FPN: 439252-1-68-01 in the amount of \$4,516,104. District 5. (Transportation Planning Division)

K. UTILITIES DEPARTMENT

1. **23-385** Approval and execution of Poitras East Parcel N-2 Phase 1 (22-U-087) Wastewater Capital Charge Escrow Agreement by and among TDCP, LLC, Orange County, and the Orange County Comptroller. District 4. (Engineering Division)

II. INFORMATIONAL ITEMS**

A. COUNTY COMPTROLLER

1. **23-386** Receipt of the following items to file for the record: (Clerk's Office)
- a. City of Ocoee, Ordinance No. 2023-01 (Annexation Ordinance for 8708 A. D. Mims Road Howard Property), Tax Parcel ID 10-22-28-0000-00-133, Case No. AX-09-22-27: 8708 A. D. Mims Road - Howard Property annexation with Exhibit A (Legal Description), Exhibit B (Location Map). Ordinance 2023-01 entitled: An Ordinance of the City of Ocoee, Florida, annexing into the corporate limits of the City of Ocoee, Florida, certain real properties containing approximately 2.25 acres located at 8708 A.D. Mims Road, generally on the south side of A.D. Mims Road, beginning approximately 160 feet west of Prairie Lake Boulevard; finding said annexation to be consistent with the Ocoee Comprehensive Plan, the Ocoee City code and the joint planning area agreement; providing for and authorizing the updating of official city maps; providing direction to the City Clerk; providing for severability; repealing inconsistent ordinances; providing for an effective date.
 - b. City of Orlando Council Agenda item for the meeting of January 23, 2022. Consideration of the City of Orlando Ordinance 2022-72 with Exhibit A (Legal Description), Exhibits B, C, and D (Location Map, Future Land Use Map, Zoning Map and Subarea Policy line 40.13 Map). City of Orlando Fiscal Impact Statement and Orlando Sentinel Notice of Proposed Enactment. Ordinance 2022-72 entitled: An Ordinance of the City Council of the City of Orlando, Florida, annexing to the corporate limits of the city

certain land generally located east of Narcoossee Road, south of Vickrey Place, and west of Lake Whippoorwill, and comprised of 16.8 acres of land, more or less, amending the City's adopted growth management plan to designate the property as urban village, in part, and conservation, in part, on the city's official future land use map, and to establish a subarea policy to provide development standards; providing for consent to the municipal services taxing unit for Lake Whippoorwill; providing for amendment of the city's growth management plan; providing for severability, correction of scrivener' errors and an effective date.

c. Audit Report No. 497 - Audit of Fleet Management's Performance of Vehicle Preventative Maintenance.

d. Audit Report No. 498 - Audit of the Air Pollution Control Trust Fund Fiscal Year 2021-2022.

These items were received and filed.

III. DISCUSSION AGENDA

A. COUNTY ADMINISTRATOR

1. **23-387** Amendments to Chapter 22, Orange County Code ("Human Rights").

The Board took no action.

IV. WORK SESSION AGENDA

A. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

1. **23-388** Sunshine Corridor Project. (Transportation Planning Division)

The following persons addressed the Board:

- John Tyler
- Brian Stanger

The Board took no action.

V. RECOMMENDATIONS

1. **23-389** February 2, 2023 Board of Zoning Adjustment Recommendations

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

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

VI. PUBLIC HEARINGS

A. Municipal Service Benefit Unit

1. **23-018** Notice of Intent Resolution to Use the Uniform Ad Valorem Method of Collection of Non-Ad Valorem Assessments; All Districts

Consideration: Adoption of a Resolution authorizing the Orange County Board of County Commissioners to use the uniform method of collecting non-ad valorem assessments levied by the Orange County Board of County Commissioners as provided in Section 197.3632, Florida Statutes.

Location: All Districts; Multiple Parcels and Sections, Townships, and Ranges; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Moore, seconded by Commissioner Uribe, to approve the request as referenced in the staff report. The motion carried by the following vote:

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

B. Substantial Change

2. **23-147** Case # CDR-23-01-000

Robert Paymayesh, PE Group, LLC, Ten Acres International Orlando
Planned Development / Land Use Plan (PD / LUP), amend plan; District 1

Consideration: A PD substantial change request to modify the October 26, 2021 BCC Condition of Approval #6 to read, Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a Capacity Encumbrance Letter prior to construction plan submittal and must apply for and obtain a Capacity Reservation Certificate prior to issuance of the initial certificate of occupancy; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 1; property generally located Northwest of South International Drive / East of Interstate 4; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Robert Paymayesh.

A motion was made by Commissioner Wilson, seconded by Commissioner Gomez Cordero, to make a finding of consistency with the Comprehensive Plan; and further, approve the substantial change request subject to the twenty-one (21) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated February 10, 2023. The motion carried by the following vote:

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

3. 23-148 Case # CDR-23-01-001

Robert Paymayesh, PE Group, LLC, Ten Acres International Orlando
Planned Development / Ten Acres International Orlando Preliminary
Subdivision Plan, amend plan; District 1

Consideration: Substantial change request is to modify the December 13, 2022, BCC Condition of Approval #10, to read, Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a capacity encumbrance letter prior to construction plan submittal and must apply for and obtain a Capacity Reservation Certificate prior to issuance of the initial certificate of occupancy; pursuant to Orange County Code, Chapter 34, Article III, Section 34-69 and Chapter 30, Article III, Section 30-89.

Location: District 1; property generally located Northwest of South International Drive / East of Interstate 4; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Robert Paymayesh.

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 twenty-one (21) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated January 27, 2023. The motion carried by the following vote:

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

4. 23-145 Case # CDR-22-04-137

David Stokes, Madden, Moorhead & Stokes, Inc., Lake Sheen Sound
Preliminary Subdivision Plan; District 1

Consideration: Substantial change request is to remove one (1) lot, add an open space tract, add a note related to expected finished grades, and add retaining walls; pursuant to Orange County Code, Chapter 34, Article III, Section 34-69 and Chapter 30, Article III, Section 30-89.

Location: District 1; property generally located South of Penny Lane Drive / East of Winter Garden Vineland Road; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Jonathan Huels.

A motion was made by Commissioner Wilson, seconded by Commissioner Moore, to make a finding of consistency with the Comprehensive Plan; and further, approve the substantial change request subject to the fourteen (14) conditions of approval listed under the Development Review

Committee recommendation in the Staff Report dated January 27, 2023. The motion carried by the following vote:

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

5. 23-146 Case # CDR-22-04-133

Erika Hughes, VHB, Inc., Lake Bryan Condos Planned Development / Land Use Plan (PD / LUP); District 1

Consideration: A PD Substantial Change to modify the PD to add multi-family development as an approved use, to convert 555 hotel rooms into 588 multi-family units and 23,530 square feet of commercial use. In addition, the applicant has requested the following waivers from Orange County Code: 1. A waiver is requested from Orange County Code Sec. 38-1300 to allow a maximum height of 136' for multi-family development, in lieu of a maximum height of 60'; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 1; property generally located east of SR 535, north of Vistana Drive; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Erika Hughes.

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 nineteen (19) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated January 27, 2023. The motion carried by the following vote:

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

6. 23-149 Case # CDR-22-05-164

Russell Maynard, Central Florida Engineering Consultants, LLC, Buena Vista Cay Planned Development / Land Use Plan (PD / LUP); District 1

Consideration: A PD substantial change to increase the development program from 14 short term rental units to 24 Short Term Rental units; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 1; property generally located North of 9th Street and South of 8th Street / East of Ruby Lake Drive; Orange County, Florida (legal property description on file in Planning Division)

The following persons addressed the Board:

- Russell Maynard
- Kevin Fisher

- Iqbal Gagan
- Ismail Natsheh

A motion was made by Commissioner Wilson, seconded by Commissioner Uribe, to deny the substantial change request to increase the development program from 14 short term rental/timeshare units to 24 short term rental units. The motion carried by the following vote:

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

7. **23-151** Case # CDR-22-08-281

Matthew Engle, Faith Assembly of God, Faith Assembly of God Planned Development / Land Use Plan (PD / LUP); District 3

Consideration: A PD substantial change to add carnivals to the list of permitted special events, to occur up to two times per year. No waiver is associated with this request; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 3; property generally located at the northeast corner of Curry Ford Road and Econlockhatchee Trail and the northwest corner of Curry Ford and S.R. 417; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Matt Engle.

A motion was made by Commissioner Uribe, seconded by Commissioner Gomez Cordero, to make a finding of consistency with the Comprehensive Plan; and further, approve the substantial change request subject to the eleven (11) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated January 27, 2023. The motion carried by the following vote:

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

8. **23-229** Case # CDR-22-06-210

Christopher Leppert, Kimley-Horn & Associates, Inc., Vistana Planned Development / Land Use Plan (PD / LUP); District 1

Consideration: A PD Substantial Change to add a driveway location off Meadow Creek Drive, revise the conversion matrix to add multi-family mid-rise residential, and convert 70,716 sf of general office uses and 74 Timeshare units to 290 multi-family midrise residential units. In addition, the applicant has requested the following waivers from Orange County Code: 1. A waiver from Section 38-1300 to allow a maximum building height for residential development of one hundred (100) feet in lieu of sixty (60) feet for Parcels 14A and 14B. 2. A waiver from Section 38-1287(2) to allow a ten (10) foot north side setback, in lieu of thirty (30) feet for Parcels 14A and 14B. 3. A waiver from Section 38-1287(4) to allow internal paving setbacks of zero (0) feet in lieu of five (5) feet rear/east setback; pursuant to Orange County Code, Chapter 38, Article VIII,

Division 1, Section 38-1207.

Location: District 1; property generally located west of State Road 535, north of Vistana Centre Drive; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Chris Leppert.

A motion was made by Commissioner Wilson, seconded by Commissioner Moore, to make a finding of consistency with the Comprehensive Plan; and further, approve the substantial change request subject to the thirteen (13) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated January 27, 2023. The motion carried by the following vote:

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

C. Environmental Protection Commission Appeal

9. 23-019 Case # BD-22-06-120

Nathan Hill and Eudene Harry, 510 Jennifer Lane, appeal of the Environmental Protection Commission (EPC) Recommendation for a request for Waiver to side setback for the Wallace Palladino and Mari Beaudrault Dock Construction Permit (BD-22-06-120); District 1 (WITHDRAWN)

Consideration: An Appeal of the Environmental Protection Commission (EPC) Recommendation for a Request for Waiver to Side Setback for the Wallace Palladino and Mari Beaudrault Dock Construction Permit (BD-22-06-120), pursuant to Orange County Code, Chapter 15, Article IX, Section 15-349(b)

Location: District 1; property located at 510 Jennifer Lane, Windermere, FL 34786; Orange County, Florida (legal property description on file in Environmental Protection Division)

This public hearing was withdrawn.

D. Board of Zoning Adjustment Appeal

10. 23-150 Case # SE-23-01-138

Doreen Gall
Bob Chopra, December 1, 2022; District 2 (Continued from February 21, 2023)

Consideration: Appeal of the recommendation of the Board of Zoning Adjustment on a request by applicant for Special Exception and Variance in the A-1 zoning district as follows: 1) Special Exception to allow the construction of a 170 ft. high monopole communication tower. 2) Variance to allow a residential distance separation of 591.7 ft. in lieu of 1,190 sq. ft.

Location: District 2; property located at 6448 Plymouth Sorrento Road, Apopka, FL 32712; Orange County, Florida (legal property description on file in Zoning Division)

The following person addressed the Board: Leslie Diller.

A motion was made by Commissioner Moore, seconded by Commissioner Uribe, to continue the public hearing until March 21, 2023 at 2:00 p.m. The motion carried by the following vote:

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

E. Preliminary Design Study

11. 23-247 New Independence Parkway Extension; District 1

Consideration: A Preliminary Design Study was conducted for the western extension of New Independence Parkway. This new urban 4-lane divided east-west roadway will link US 27 in Lake County with SR 429 in Orange County near the Horizon West Hamlin Groves Community. The road will include lighting and a 10' multi-purpose path on each side of the road.

Location: District 1; 600' west of CR 545 (Avalon Road) to the Orange/Lake County line; Orange County, Florida

A motion was made by Commissioner Wilson, seconded by Commissioner Gomez Cordero, to make a finding of consistency with the Comprehensive Plan; further, approve the New Independence Parkway Extension Preliminary Design Study; and further, authorize staff to initiate the design, right-of-way acquisition, and construction phases of the project pursuant to the Town Center West Road Network Agreement, CR 545/Avalon Road and New Independence Parkway previously approved by the BCC on July 13, 2021. The motion carried by the following vote:

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

F. Ordinance

12. 23-246 Amending Orange County Code, Article I of Chapter 2, relating to criminal history screening for certain County employees, appointees and contractors; All Districts

Consideration: An Ordinance relating to criminal history screening for certain county employees, appointees, and contractors; amending Article I of Chapter 2 of the Orange County Code of Ordinances to require certain employees, appointees, and individuals seeking employment or contracting with the county to submit to State and National criminal history screening and fingerprinting; and providing for an effective date.

A motion was made by Mayor Demings, seconded by Commissioner Uribe, to adopt Ordinance 2023-07 Criminal History Screening; and further, enacting a new Section 2-5 of the Orange County Code of Ordinances entitled "An Ordinance relating to Criminal History Screening for certain county employees, appointees, and contractors". The motion carried by the following vote:

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

- 13. 23-248** Amending Orange County Code, Chapter 38, proposed amendments affecting the use of land in Orange County, Florida; All Districts

Consideration: An Ordinance affecting the use of land in Orange County, Florida, by amending Chapter 38 ("Zoning") of the Orange County Code; and providing an effective date

A motion was made by Commissioner Wilson, seconded by Commissioner Gomez Cordero, to make a finding of consistency with the Comprehensive Plan; further, adopt Ordinance 2023-08 affecting the Use of Land in Orange County, Florida by amending Chapter 38 ("Zoning") of the Orange County Code; further, provide for an effective date; and further, allow staff to correct any non-substantial grammatical or scrivener's errors. The motion carried by the following vote:

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

- 14. 23-318** Amending Orange County Code Article III, Chapter 30, affecting the use of land relating to model home permits in Orange County, Florida; All Districts

Consideration: An Ordinance affecting the use of land in Orange County, Florida, relating to model home permits; amending the Orange County Land Development and Use Ordinance Codified at Article III, Chapter 30, of the Orange County Code; and providing an effective date

A motion was made by Commissioner Uribe, seconded by Commissioner Moore, to make a finding of consistency with the Comprehensive Plan; further, adopt Ordinance 2023-09 affecting the use of land in Orange County, Florida relating to model home permits; further, amending the Orange County Land Development and use ordinance codified at Article III, Chapter 30, of the Orange County Code; further, provide for an effective date; further, approve the proposed Resolution 2023-M-07 with hold harmless and indemnification agreement form; further, approve a fee of \$148.00 for the review and processing of the hold harmless and indemnification agreements; further, allow staff to correct any non-substantial grammatical or scrivener's errors; and further, amend the resolution to include the ordinance number and effective date. The motion carried by the following vote:

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

Absent: 1 - Commissioner Scott

and

I. CONSENT AGENDA (Deferred)

I. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

6. **23-381** Approval and execution of Resolution 2023-M-07 of the Orange County Board of County Commissioners regarding adoption of a form Hold Harmless and Indemnification Agreement to be used when the County approves the issuance of model home permits pursuant to Section 30-83(d) of the Orange County Code. All Districts. (Zoning Division)

This consent item was approved.

VI. PUBLIC HEARINGS (Continued)

G. Comprehensive Plan - Transmittal of Regular Cycle Amendments

15. **23-239** Transmittal of Regular Cycle Future Land Use Map Amendment

a. Amendment 2023-1-A-1-4, Rebecca Wilson, Lowndes, Drosdick, Doster, Kantor & Reed, P.A., for Martni Mac Partners, LLC

Consideration: Activity Center Mixed Use (ACMU) to Activity Center Residential (ACR)

Location: District 1; Generally located east of Poinciana Blvd., south of SR 417, and north of the Orange County-Osceola County line; Parcel ID#: 35-24-28-0000-00-008; 26.41 gross ac.

The following person addressed the Board: Rebecca Wilson.

A motion was made by Commissioner Wilson, seconded by Commissioner Moore, to make a finding that the information contained in the application for the proposed amendment is sufficiently complete; further, make a finding that the proposed amendment has the potential to be found "in compliance," as defined by Section 163.3184(1)(b), Florida Statutes; and further, transmit Amendment 2023-1-A-1-4 to the state reviewing agencies. The motion carried by the following vote:

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

Absent: 1 - Commissioner Scott

16. **23-240** Transmittal of Regular Cycle Future Land Use Map Amendment

a. Amendment 2023-1-A-2-1, Danny Martinez for Danny Martinez, Inc.

Consideration: Rural Settlement 1/1 (RS 1/1) to Growth Center-Low-Medium Density Residential (GC-LMDR)

Location: District 2; property located at 6409 N. Orange Blossom Trl.; generally located east of N. Orange Blossom Trl., south of Stoneybrook Hills Pkwy., and north of Wadsworth Rd.; Parcel ID#: 04-20-27-0000-00-021; 15.15 gross ac.

The following persons addressed the Board:

- Danny Martinez
- George Wiggins

- Tom Hurlburt
- Jeffrey Casey
- Sharlee Hollingsworth
- Claire Nardone
- Lynn Hasenstab
- Collette Rance
- Joy Wiggins
- Ross Evers

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

- Exhibit 1, George Wiggins
- Exhibit 2, Jeffrey Casey

A motion was made by Commissioner Moore, seconded by Commissioner Wilson, to make a finding of inconsistency with the Comprehensive Plan; and further, do not transmit Amendment 2023-1-A-2-1 to the state reviewing agencies. The motion carried by the following vote:

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

17. 23-241 Transmittal of Regular Cycle Future Land Use Map Amendment

a. Amendment 2023-1-A-2-2, Jim Hall, Hall Development Services, Inc., for Special Hearts Farm, Inc.

Consideration: Rural/Agricultural (R) to Institutional (INST)

Location: District 2; property located at 8755 Jones Ave.; generally located north of Jones Ave., west of N. Orange Blossom Trl., south of Sadler Rd., and east of the Orange County-Lake County line; Parcel ID#: 19-20-27-3752-00-093; 14.89 gross ac.

The following persons addressed the Board:

- Jim Hall
- Kurt Ardaman
- Kathy Meena
- Devin Brooks
- Riley Robertson
- Maria Leon
- Deanna Blitch
- Jennifer Elliott
- Jaden Carmichael
- Carol Bailey
- Lisa Schmidt
- Dennis Sutherlin
- Rebecca Wilson
- Ellen Krames

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

- Exhibit 1, Kathy Meena

A motion was made by Commissioner Moore, seconded by Commissioner Wilson, to make a finding that the information contained in the application for the proposed amendment is sufficiently complete; further, make a finding that the proposed amendment has the potential to be found "in compliance," as defined by Section 163.3184(1)(b), Florida Statutes; and further, transmit Amendment 2023-1-A-2-2 to the state reviewing agencies. 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

18. 23-242

Consideration: Parks and Recreation/Open Space (PR/OS) to Low Density Residential (LDR)

Location: District 4; property located at 2900 Northampton Ave.; generally located north of S. Alafaya Trl., east of Northampton Ave., south of Cheval St., and west of Broadhaven Blvd.; Parcel ID#: 01-23-31-0000-00-001 (portion of); 40.12 gross ac.

The following persons addressed the Board:

- Hal Kantor
- Stephanie Chandrasekaran
- Robert Gass
- Gust Valantasis
- Kurt Ardaman
- George Collins
- Angela Emerson

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

- Exhibit 1, Hal Kantor
- Exhibit 2, Angela Emerson

The following material was received by the Clerk prior to the close of the public hearing. The material referenced by the speaker was not presented to the Board:

- Submittal 1, Hal Kantor

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Uribe, to make a finding that the information contained in the application for the proposed amendment is sufficiently complete; further, make a finding that the proposed amendment has the potential to be found "in compliance," as defined by Section 163.3184(1)(b), Florida Statutes; and further,

transmit Amendment 2023-1-A-4-2 to the state reviewing agencies. The motion carried by the following vote:

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

19. **23-243** Transmittal of Regular Cycle Future Land Use Map Amendment and FLU1.2.4 Text Amendment, Tara Tedrow and McGregor Love, Lowndes, Drosdick, Doster, Kantor & Reed, P.A., for Cedar Crossing Enterprises, Inc.

a. Amendment 2023-1-A-4-3

Consideration: Rural/Agricultural (R) to Commercial (C) and Urban Service Area (USA) Expansion

Location: District 4; property located at 14902 E Colonial Dr.; generally located south of E. Colonial Dr., north of Old Cheney Hwy., and east of N. Avalon Park Blvd.; Parcel ID#: 24-22-31-0000-00-027; 1.68 gross ac.

And

b. Amendment 2023-1-B-FLUE-5

Consideration: Text Amendment to Future Land Use Element Policy FLU1.2.4 regarding allocation of additional lands to the Urban Service Area (USA), associated with Amendment 2023-1-A-4-3

The following person addressed the Board: McGregor Love.

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Scott, to make a finding that the information contained in the application for the proposed amendment is sufficiently complete; further, make a finding that the proposed amendment has the potential to be found "in compliance," as defined by Section 163.3184(1)(b), Florida Statutes; further, transmit Amendment 2023-1-A-4-3 to the state reviewing agencies; further, make a finding that the proposed amendment has the potential to be found "in compliance," as defined by Section 163.3184(1)(b), Florida Statutes; and further, transmit Amendment 2023-1-B-FLUE-5 to the state reviewing agencies. The motion carried by the following vote:

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

20. **23-244** Transmittal of Regular Cycle Future Land Use Map Amendment and FLU8.1.4 Text Amendment, Rebecca Wilson, Lowndes, Drosdick, Doster, Kantor & Reed, P.A., for Gissy Holdings I-Drive Property, LLC.

a. Amendment 2023-1-A-1-3

Consideration: Activity Center Mixed Use (ACMU) to Planned Development-Commercial/High

Density Residential (PD-C/HDR)

Location: District 1; property located at 14185 International Dr.; generally located south of International Dr. S. and World Center Dr., east of SR 535, and north of SR 417; Parcel ID#: 34-24-28-0000-00-021; 57.84 gross ac.

And

b. Amendment 2023-1-B-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, associated with Amendment 2023-1-A-1-3

The following person addressed the Board: Rebecca Wilson.

A motion was made by Commissioner Wilson, seconded by Commissioner Gomez Cordero, to make a finding that the information contained in the application for the proposed amendment is sufficiently complete; further, make a finding that the proposed amendment has the potential to be found "in compliance," as defined by Section 163.3184(1)(b), Florida Statutes; further, transmit Amendment 2023-1-A-1-3 to the state reviewing agencies; further, make a finding that the proposed amendment has the potential to be found "in compliance," as defined by Section 163.3184(1)(b), Florida Statutes; and further, transmit Amendment 2023-1-B-FLUE-7 to include the development for Amendment 2023-1-A-1-3 in Future Land Use Element FLU8.1.4 to the state reviewing agencies. The motion carried by the following vote:

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

21. 23-251 Transmittal of Regular Cycle Future Land Use Map Amendment, FLU8.1.4 Text Amendment and FLU1.2.4 Text Amendment, Eric Raasch, Inspire Placemaking Collective, for Boggy Creek South Property, Inc., Genesis Christian Center of Orlando Florida, Inc., and Ralph Jeudy

a. Amendment 2023-1-A-4-1

Consideration: Rural/Agricultural (R) to Planned Development-Medium-High Density Residential (PD-MHDR)

Location: District 4; property located at 5501, 5603, 5623, and 5707 Simpson Road; generally located north of Simpson Road and the Orange County-Osceola County line, west of Boggy Creek Road, and east of Ward Road and Boggy Creek; Parcel ID#s: 33-24-30-0000-00-014/031/032/033; 17.70 gross ac.

And

b. Amendment 2023-1-B-FLUE-4

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, associated with Amendment 2023-1-A-4-1

And

c. Amendment 2023-1-B-FLUE-8

Consideration: Text Amendment to Future Land Use Element Policy FLU1.2.4 regarding allocation of additional lands to the Urban Service Area (USA), associated with Amendment 2023-1-A-4-1

The following person addressed the Board: Eric Raasch.

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Uribe, to make a finding that the information contained in the application for the proposed amendment is sufficiently complete; further, make a finding that the proposed amendment has the potential to be found "in compliance," as defined by Section 163.3184(1)(b), Florida Statutes; further, transmit Amendment 2023-1-A-4-1 to the state reviewing agencies; further, make a finding that the proposed amendment has the potential to be found "in compliance," as defined by Section 163.3184(1)(b), Florida Statutes; further, transmit Amendment 2023-1-B-FLUE-4 to include the development program for Amendment 2023-1-A-4-1 in Future Land Use Element FLU8.1.4 to the state reviewing agencies; further, make a finding that the proposed amendment has the potential to be found "in compliance," as defined by Section 163.3184(1)(b), Florida Statutes; and further, transmit Amendment 2023-1-B-FLUE-8 to include the Urban Service Area expansion for Amendment 2023-1-A-4-1 in Future Land Use Element FLU1.2.4 to the state reviewing agencies; The motion carried by the following vote:

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

√ **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: 6:09 p.m.

ATTEST:

County Mayor Jerry L. Demings

Date: _____

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.