

Orange County Government

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



Draft Meeting Minutes

Tuesday, April 11, 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 9:07 a.m.

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

Absent: 1 - 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 Joseph Kunkel
Assistant Deputy Clerk Jennifer Lara-Klimetz
Minutes Supervisor Craig Stopyra
Minutes Coordinator Megan Fiocco

Invocation - District 4

Pastor Eliezer Hernández, John 3:16 Church of God

Pledge of Allegiance**Presentation**

Proclamation recognizing April as Fair Housing Month

Presentation

Proclamation recognizing April 22, 2023 as Earth Day

Presentation

Proclamation recognizing April 28, 2023 as Arbor Day

Presentation

Proclamation recognizing April 11, 2023 as Tommy Townsend Day

Public Comment

The following persons addressed the Board during public comment:

- Cynthia Harris
- Janét Buford-Johnson
- Trini Quiroz
- Angela Emerson
- Marjorie Holt

The following material was presented to Board during public comment: Exhibit 1, Angela Emerson.

I. CONSENT AGENDA

Approval of the Consent Agenda

The Mayor deferred action on Planning, Environmental, and Development Services Department Item 2; and further, a motion was made by Commissioner Uribe, seconded by Commissioner Moore, to approve the balance of the Consent Agenda. The motion carried by the following vote:

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

Absent: 1 - Commissioner Scott

A. COUNTY MAYOR

1. **23-561** Confirmation of the Mayor's managerial appointment of Tim Armstrong as Deputy Director, Utilities.
2. **23-562** Confirmation of the Mayor's managerial appointment of Venerria L. Thomas as Director, Community and Family Services Department.

B. COUNTY COMPTROLLER

1. **23-563** Approval and execution of the minutes of the March 7, 2023 meeting of the Board of County Commissioners. (Clerk's Office)
2. **23-564** 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:
 - March 17, 2023, to March 23, 2023; \$48,819,031.65
 - March 24, 2023, to March 30, 2023; \$32,913,588.10
 - March 31, 2023, to April 6, 2023; \$90,026,329.03(Finance/Accounting)
3. **23-565** Disposition of Tangible Personal Property as follows. (Property/Accounting)

- a. Scrap assets.

C. COUNTY ADMINISTRATOR

1. **23-566** Approval of the Membership and Mission Review Board's recommendations for advisory board appointments. (Agenda Development Office)

A. Affordable Housing Advisory Board: Appointment of Anthony Peral to succeed Angela Y. Thomas in the banking or mortgage industry representative category and Catherine McManus to succeed Lucie Ghioto in the not-for-profit provider of affordable housing representative category with terms expiring June 30, 2024.

B. Agricultural Advisory Board: Appointment of Bobby Beagles to succeed Joseph R. Graham in the cattle industry representative category with a term expiring December 31, 2023 and John Madison to succeed William F. Gouveia in the lawn maintenance/landscaping industry representative category with a term expiring December 31, 2024.

C. Building Codes Board of Adjustments and Appeals: Appointment of Kimberly M. Rosier Jean-Louis to succeed Stephanie L. Houde in the consumer representative category with a term expiring December 31, 2024.

D. Citizens' Review Panel for Human Services: Appointment of Isadora Dean in the at large member-in-training representative category with a term expiring December 31, 2025 and Daphne Simmons to succeed Louise Fragala in the physically challenged representative category with a term expiring December 31, 2023.

E. Development Advisory Board: Appointment of Melisse T. James to succeed Clayton Ferrara in the environmental specialist representative category with a term expiring June 30, 2024 and Kait Doulou to succeed Brock M. Nicholas in the builder representative category with a term expiring June 30, 2025.

F. Disability Advisory Board: Appointment of Celeste Thomas to succeed Wendy K. Long, MSW in the at large representative category with a term expiring June 30, 2024 and Cathrina Grant to succeed Anjali Marajh in the at large representative category with a term expiring June 30, 2025.

G. Neighborhood Grants Advisory Board: Appointment of Evelyn Reyes to succeed Olga Restrepo in the District 3 representative category with a term expiring June 30, 2025.

H. Sustainability Advisory Board: Appointment of Dr. Shauna M. Junco to

succeed Kenneth Peach in the social services or community health representative category with a term expiring June 30, 2025.

2. **23-567** Confirmation of the appointment of Sonya Shakespeare as the District 6 representative on the Board of Zoning Adjustment with a term expiring December 31, 2024. (Agenda Development Office)
3. **23-568** Appointment of Melissa Service to the Pine Hills Local Government Neighborhood Improvement District Advisory Council in the District 6 representative category with a term expiring June 30, 2026. (Agenda Development Office)
4. **23-569** Approval of the Membership and Mission Review Board recommendations for extending the existence of the Community Development Advisory Board, Development Advisory Board, Industrial Development Authority, and Nuisance Abatement Board with a new sunset review date of 2028. (Agenda Development Office)
5. **23-570** Approval of Orange County Policy 110 Hybrid/Remote Work with an effective date of April 11, 2023. (Human Resources Division)
6. **23-571** Approval of Regular, Administrative and Mayor/Board of County Commissioners Staff Pay Plan Structural Adjustment, Salary Increase, and Special Pay Adjustment Programs. (Human Resources Division)
7. **23-572** Approval for the Orange County Sheriff's Office to spend \$52,000 from the FY 2023 Law Enforcement Trust Fund-State Forfeitures for eligible contributions to Orlando Community and Youth Trust (\$30,000), Florida Sheriff's Youth Ranches (\$1,000), Boys and Girls Clubs of Central Florida (\$16,000) and PACE Center for Girls (\$5,000). (Office of Management and Budget)
8. **23-573** Approval for the Orange County Sheriff's Office to spend \$23,074 for Protective Equipment for Emergency Response Team from FY 2023 Law Enforcement Trust Fund-Federal Justice Forfeitures. (Office of Management and Budget)
9. **23-574** Approval of budget amendments #23-32, #23-33, #23-34, #23-35, and #23-36. (Office of Management and Budget)
10. **23-575** Approval of budget transfer #23-0899. (Office of Management and Budget)

D. ADMINISTRATIVE SERVICES DEPARTMENT

1. **23-576** Approval of Change Order No 2, Purchase Order M109502, Corrections BRC First Floor C & D Dorm Cell Front Refinishing, with Café Construction & Development Inc in the amount of \$6,695, for a revised lump sum contract

amount of \$103,501.67. District 6. (Capital Projects Division)

2. **23-577** Approval of Change Order No 5, Contract Y20-773, Courthouse 14th Floor Chamber Buildout, with S A Casey Construction Inc in the amount of \$5,119.38, for a revised lump sum contract amount of \$2,051,873.91. District 5. (Capital Projects Division)
3. **23-578** Approval of Change Order No 2, Purchase Order M95024, Fire Station #32, with Architects Design Group Inc in the amount of \$55,886.89, for a revised lump sum contract amount of \$281,947.04. District 1. (Capital Projects Division)
4. **23-579** Approval to award Invitation for Bids Y23-107-KK, Temporary Labor - Inmate Records, to the low responsive and responsible Orange County certified M/WBE bidder, Ace Staffing, Inc. The estimated contract award amount is \$1,607,700 for a three-year term. ([Corrections Department Administrative Services Division] Procurement Division)
5. **23-580** Approval to award Invitation for Bids Y23-123-RM, Contracted Labor for Traffic, Parking and Parking Lot Toll Booth Services for Orange County Convention Center, to the low responsive and responsible bidders, Lanier Parking Meter Services, LLC, in the estimated contract award amount of \$902,800 for a one-year term and Unique Designs Professional Services, Inc., in the estimated contract award amount of \$938,248 for a one-year term. ([Convention Center Fiscal and Operational Support Division] Procurement Division)
6. **23-581** Approval to award Invitation for Bids Y23-128-KS, Towing Services, to the low responsive and responsible bidder, Towlando Towing and Recovery Inc. The estimated contract award amount is \$972,609 for a three-year term. ([Administrative Services Department Fleet Management Division] Procurement Division)
7. **23-582** Approval to award Invitation for Bids Y22-7002-CR, Blanchard Park Restroom, to the low responsive and responsible bidder, Sloan Builders Inc. The total contract award amount is \$603,067. ([Administrative Services Department Capital Projects Division] Procurement Division)
8. **23-583** Approval to award Invitation for Bids Y23-737-GO, Utilities Scada Upgrade Package 3, to the low responsive and responsible bidder, Prime Construction Group, Inc. The total contract award amount is \$3,097,097. ([Utilities Department Engineering Division] Procurement Division)
9. **23-584** Approval to award Invitation for Bids Y23-739-RC, Fire Rescue Training Facility, to the low responsive and responsible bidder, Mulligan Constructors Inc. The total contract award amount is \$38,019,365, inclusive of Additive Number 1. ([Administrative Services Department Capital Projects Division]

Procurement Division)

10. **23-585** Approval of Contract Y23-2049, Group Parenting and Advocacy, with The Mental Health Association of Central Florida, Inc., in the total contract award amount of \$300,000 for a three-year term. ([Community and Family Services Department Citizens' Commission for Children Division] Procurement Division)
11. **23-586** Approval of Contract Y23-2123, Community Engagement Managers and Coordinators, with Community Coordinated Care for Children, Inc., in the total contract award amount of \$859,733.82 for a three-year term. ([Community and Family Services Department Citizens' Commission for Children Division] Procurement Division)
12. **23-587** Approval of Amendment No. 2, Contract Y21-2106, Provision of Community Services and Facility Use, with Community Coordinated Care for Children, Inc., in the amount of \$1,150,853, for a revised total contract amount of \$2,922,067.37. ([Community and Family Services Department Citizens' Commission for Children Division] Procurement Division)
13. **23-588** Approval of Amendment No. 2, Contract Y22-104, Sodium Hypochlorite, with Allied Universal Corporation for Lot A, in the amount of \$1,578,188.92, for a revised estimated contract amount of \$3,813,096.37 and Lot B, in the amount of \$474,862.50, for a revised estimated contract amount of \$2,106,000. ([Utilities Department Water Division] Procurement Division)
14. **23-589** Approval of Amendment No. 2, Contract Y22-149, Enhanced Learning Collaborative Approaches to Youth Mental Health, with Judge Baker Children's Center Corp., in the amount of \$483,588.75, for a revised contract amount of \$1,532,718.75. ([Community and Family Services Department Mental Health and Homelessness Issues Division] Procurement Division)
15. **23-590** Approval of Amendment No. 2, Contract Y22-195, Case Management System, with SPIRIT, Inc., in the amount of \$150,000, for a revised total contract amount of \$843,821. ([Community and Family Services Department Mental Health and Homelessness Issues Division] Procurement Division)
16. **23-591** Approval of Sub-Recipient Agreement Amendment No. 3, Contract Y22-212, Providing Screening for Young Children utilizing the Ages and Stages Questionnaire: Social Emotional Second Edition, with Early Learning Coalition of Orange County, Inc., in the amount of \$389,645, for a revised not-to-exceed amount of \$529,290. ([Community and Family Services Department Mental Health and Homelessness Issues Division] Procurement Division)
17. **23-592** Approval of Purchase Order M110613, Purchase of Yard Tractor, with

- Cumberland International Trucks of Florida, LLC, in the amount of \$143,977.50. ([Utilities Department Solid Waste Division] Procurement Division)
18. **23-593** Approval of Purchase Order M110618, Dual Fan Self Contained Odor Control System High Pressure, with Atmos Technologies, in the amount of \$109,000. ([Utilities Department Solid Waste Division] Procurement Division)
19. **23-594** Ratification of Change Order No. 2, Task Authorization No. 17, Contract Y16-900B, Innovation Way South Segments 1 and 2 (from Wewahootee Road to John Wycliffe Boulevard), Continuing Professional Engineering Design Services, with TLP Engineering Consultants, Inc., in the amount of \$121,084.92, for a revised total purchase order amount of \$784,167.38. ([Public Works Department Engineering Division] Procurement Division)
20. **23-595** Ratification of Change Order No. 2, Purchase Order M109978, Rigging Services, with Freeman Decorating Co., in the amount of \$66,000, for a revised total amount of \$165,000. ([Convention Center Fiscal and Operational Support Division] Procurement Division)
21. **23-596** Approval and execution of Orange County, Florida and Greater Haitian American Chamber of Commerce Orlando, Inc. Affiliate Service Provider Agreement and authorization for the Real Estate Management Division to exercise renewal options, execute a termination notice, and furnish notices, required, or allowed by the agreement, as needed for Greater Haitian American Chamber of Commerce Orlando, Inc. - NEC at Fashion Square Mall, 3201 E. Colonial Drive, Suite A20, Orlando, Florida 32803. Lease File #2062-ASP7. District 5. (Real Estate Management Division)
22. **23-597** Approval and execution of License Agreement between Orange County, Florida and Place of Restoration Resource Center Inc. related to not-for-profit community center utilization for the provision of services benefitting the public and authorization for the Manager of the Community Action Division to exercise renewal options, and furnish notice, required, or allowed by the License Agreement, as needed for Place of Restoration Resource Center Inc. East Orange Community Center (CAD) 12050 E. Colonial Dr., Orlando, Florida 32826. Lease File #10204. District 4. (Real Estate Management Division)
23. **23-598** Approval and execution of License Agreement between Orange County, Florida and Place of Restoration Resource Center Inc. related to not-for-profit community center utilization for the provision of services benefitting the public and authorization for the Manager of the Community Action Division to exercise renewal options, and furnish notice, required, or allowed by the License Agreement, as needed for Place of Restoration Resource Center Inc.- Hal P. Marston Community Center (CAD), 3933 W D

Judge Dr., Orlando, Florida 32808. Lease File #10205. District 6. (Real Estate Management Division)

24. **23-599** Approval and execution of License Agreement between Orange County, Florida and Place of Restoration Resource Center Inc. related to not-for-profit community center utilization for the provision of services benefitting the public and authorization for the Manager of the Community Action Division to exercise renewal options, and furnish notice, required, or allowed by the License Agreement, as needed for Place of Restoration Resource Center Inc. - Holden Heights Community Center (CAD) 1201 20th Street, Orlando, Florida 32805. Lease File #10206. District 6. (Real Estate Management Division)
25. **23-600** Approval and execution of License Agreement between Orange County, Florida and Place of Restoration Resource Center Inc. related to not-for-profit community center utilization for the provision of services benefitting the public and authorization for the Manager of the Community Action Division to exercise renewal options, and furnish notice, required, or allowed by the License Agreement, as needed for Place of Restoration Resource Center Inc. - John Bridges Community Center (CAD) 445 W. 13th Street, Apopka, Florida 32703. Lease File #10207. District 2. (Real Estate Management Division)
26. **23-601** Approval and execution of License Agreement between Orange County, Florida and Place of Restoration Resource Center Inc. related to not-for-profit community center utilization for the provision of services benefitting the public and authorization for the Manager of the Community Action Division to exercise renewal options, and furnish notice, required, or allowed by the License Agreement, as needed for Place of Restoration Resource Center Inc. - Lila Mitchell Community Center (CAD) 5151 Raleigh St., Orlando, Florida 32811. Lease File #10208. District 6. (Real Estate Management Division)
27. **23-602** Approval and execution of License Agreement between Orange County, Florida and Place of Restoration Resource Center Inc. related to not-for-profit community center utilization for the provision of services benefitting the public and authorization for the Manager of the Community Action Division to exercise renewal options, and furnish notice, required, or allowed by the License Agreement, as needed for Place of Restoration Resource Center Inc. - Maxey Community Center (CAD), 830 Klondike Ave., Winter Garden, Florida 34787. Lease File #10209. District 1. (Real Estate Management Division)
28. **23-603** Approval and execution of License Agreement between Orange County, Florida and Place of Restoration Resource Center Inc. related to not-for-profit community center utilization for the provision of services benefitting the public and authorization for the Manager of the Community

Action Division to exercise renewal options, and furnish notice, required, or allowed by the License Agreement, as needed for Place of Restoration Resource Center Inc. - Pine Hills Community Center (CAD) 6400 Jennings Rd., Orlando, Florida 32818. Lease File #10210. District 6. (Real Estate Management Division)

29. **23-604** Approval and execution of License Agreement between Orange County, Florida and Place of Restoration Resource Center Inc. related to not-for-profit community center utilization for the provision of services benefitting the public and authorization for the Manager of the Community Action Division to exercise renewal options, and furnish notice, required, or allowed by the License Agreement, as needed Place of Restoration Resource Center Inc. - Taft Community Center (CAD) 9450 S. Orange Ave., Orlando, Florida 32824. Lease File #10211. District 3. (Real Estate Management Division)
30. **23-605** Approval and execution of Radio Tower Lease Agreement between Reedy Creek Improvement District and Orange County, Florida and authorization for the Manager of the Real Estate Management Division to exercise renewal options, sign amendments, estoppel certificates and memorandum of leases, and furnish notices, required, or allowed by the lease, as needed for RCID Radio Tower 12400 Hartzog Road, Unit A Lake Buena Vista, Florida 32830. Lease File #6016. District 1. (Real Estate Management Division)
31. **23-606** Approval and execution of First Amendment to License Agreement by and between Reedy Creek Improvement District and Orange County and authorization for the Manager of the Real Estate Management Division to terminate the License Agreement when applicable for Sheriff's Office - Downtown Disney - Parking Garage A-1 1496 E. Buena Vista Drive, #E02, Lake Buena Vista, Florida 32830. Lease File #2068. District 1. (Real Estate Management Division)
32. **23-607** Approval and execution of First Amendment to License Agreement between Reedy Creek Improvement District and Orange County and authorization for the Manager of the Real Estate Management Division to terminate the License Agreement when applicable for Sheriff's Office - Disney Springs Substation 1524 Buena Vista Drive, Building 28, Space 107 Lake Buena Vista, Florida 32830. Lease File #10002. District 1. (Real Estate Management Division)
33. **23-608** Approval and execution of First Amendment to License Agreement by and between Reedy Creek Improvement District and Orange County and authorization for the Manager of the Real Estate Management Division to terminate the License Agreement when applicable for Sheriff's Office - Substation Sector Six - Main Office 2700 Village Services Trail, Lake Buena Vista, Florida 32830. Lease File #2070 District 1. (Real Estate

Management Division)

34. **23-609** Approval of Memorandum of Understanding Between Orange County Utilities Department and Orange County Public Works Department for Real Estate Transactions Related to CR 535 Wastewater Booster Pump Station, approval and execution of two Notices of Reservation, and authorization to transfer funds from Utilities Department to Public Works Department and disburse funds to pay recording fees and record instruments for CR 535 Wastewater Booster Pump Station. District 1. (Real Estate Management Division)

E. COMMUNITY AND FAMILY SERVICES DEPARTMENT

1. **23-610** Approval of Orange County Head Start Application for Federal Assistance related to Cost-of-Living Adjustment (5.6%) FY 2022-2023 in the estimated amount of \$814,664. Four new positions will be added; Center Manager, Family Service Worker, Date Coordinator, and an Administrative Specialist, provide a 5.0% pay increase to 22 positions, and temporary employment contracts. An in-kind waiver is requested. (Head Start Division)
2. **23-611** Approval of Orange County Head Start Application for Federal Assistance related to Quality Improvement FY 2022-2023 in the estimated amount of \$434,720. Three new positions will be added; Head Start Mentor Coach, Mental Health Coordinator (Wellness Specialist), and a Training Coordinator; Furniture and Supplies for two Head Start Classrooms, a Sports Utility Vehicle, four Smart Boards/Televisions, and funds for training. An in-kind waiver is requested. (Head Start Division)

F. HEALTH SERVICES DEPARTMENT

1. **23-612** Approval and execution of the Paratransit Services License for Right By Your Side, Inc (RBYS) to provide wheelchair/stretchers service. The term of this license shall be from May 1, 2023 and will terminate on April 30, 2025. There is no cost to the County. (EMS Office of the Medical Director)
2. **23-613** Approval and execution of Memorandum of Agreement Between the State of Florida, Department of Health and (Orange County, Florida on behalf of its Correctional Facility Pharmacy) and authorization for the County Mayor or designee to sign amendments to this agreement. (Fiscal and Operational Support Division)

G. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

1. **23-614** Approval and execution of First Amendment to Adequate Public Facilities Agreement for Horizon West Village I Lake Dennis PD by and between Holly Equine, LLC and Orange County due to the APF requirements increasing from 2.58 acres to 2.75 acres as a result of the Conservation Area Impact

permit (CAI-22-08-056). District 1. (Development Review Committee)

2. **23-615** Approval and execution of Resolution of the Orange County Board of County Commissioners regarding the Designation of Certain County Employees Assigned to the Consumer Protection Office as Code Enforcement Officers. All Districts. (Neighborhood Services Division)

(This item was deferred.)

3. **23-616** Approval and execution of Proportionate Share Agreement for PetSuites Orlando Colonial Drive by and between National Retail Properties, LP and Orange County for a proportionate share payment in the amount of \$129,967. District 4. (Roadway Agreement Committee)
4. **23-617** Approval and execution of Proportionate Share Agreement for PopStroke Hamlin Avalon Road/CR545 by and between Hamlin Retail Partners East, LLC and Orange County directing both the proportionate share payment in the amount of \$124,892 and future transportation impact fee payments that may be associated with the project to be utilized towards the completion of Avalon Road/CR545 improvements pursuant to the Amended and Restated Escrow Agreement for Town Center West (Silverleaf). District 1. (Roadway Agreement Committee)
5. **23-618** Approval and execution of Proportionate Share Agreement for Tropical Smoothie Hamlin Avalon Road/CR545 by and between A & MH, L.L.C., n/k/a R, A, & MH, LLC and Orange County directing both the proportionate share payment in the amount of \$57,632 and future transportation impact fee payments that may be associated with the project to be utilized towards the completion of Avalon Road/CR545 improvements pursuant to the Amended and Restated Escrow Agreement for Town Center West (Silverleaf). District 1. (Roadway Agreement Committee)
6. **23-619** Approval and execution of Proportionate Share Agreement for Agave Bandido Hamlin Avalon Road/CR 545 by and between Hamlin Retail Partners East, LLC and Orange County directing both the proportionate share payment in the amount of \$81,841 and future transportation impact fee payments that may be associated with the project to be utilized towards the completion of Avalon Road/CR545 improvements pursuant to the Amended and Restated Escrow Agreement for Town Center West (Silverleaf). District 1. (Roadway Agreement Committee)
7. **23-620** Approval and execution of Amended & Restated Bus Service Agreement 23-C04 by and between Central Florida Regional Transportation Authority d/b/a LYNX (LYNX) and Orange County, Florida relating to the providing of bus service in the International Drive Community Redevelopment Area of Orange County, Florida to include 3,924 additional service hours with an additional cost in the amount of \$368,185. Districts 1 and 6. (Transportation

Planning Division)

H. PUBLIC WORKS DEPARTMENT

1. **23-621** Approval and execution of Stipulation of Parties for the opening of Sunbridge Parkway Railroad-Highway Grade Crossing Orange County, Florida between Orange County, Florida, Orlando Utilities Commission, and Florida Department of Transportation for the construction of Sunbridge Parkway from Orange/Osceola Countyline to Dowden Road. District 4. (Engineering Division)
2. **23-622** Approval and execution of Encroachment Agreement by and between the City of Cocoa and Orange County for the construction of Sunbridge Parkway from Orange/Osceola Countyline to Dowden Road. District 4. (Engineering Division)
3. **23-623** Approval and execution of Modification to Subgrant Agreement between the Division of Emergency Management and Orange County for Orlo Vista Neighborhood Drainage Project Phase I Contract Number: H0121 Project Number: 4337-23-R. All Districts. (Stormwater Management Division)
4. **23-624** Approval and execution of Orange County, Florida and Children's Safety Village of Central Florida FY 2023 Grant Agreement by and between Orange County and the Children's Safety Village of Central Florida, Inc. in the amount of \$40,000. District 6. (Traffic Engineering Division)

I. UTILITIES DEPARTMENT

1. **23-625** Approval of commercial refuse license for RGH Waste & Disposal, LLC to provide solid waste hauling services to commercial generators in Orange County for a five-year term. All Districts. (Solid Waste Division)
2. **23-626** Approval and execution of Non-Disclosure Agreement by and between University of Central Florida Research Foundation, Inc. and Orange County to protect confidential research data related to landfill surveying. District 4. (Water Division)
3. **23-627** Approval and execution of Amendment No. 01 to Agreement No. 4600004363 between the South Florida Water Management District and Orange County Board of County Commissioners for the Water Wise Neighbor Program. Districts 1, 3, 4, and 6. (Water Division)
4. **23-628** Approval and execution of State of Florida Department of Economic Opportunity Federally Funded Community Development Block Grant Mitigation Program (CDBG-MIT) Subrecipient Agreement DEO Agreement No.: MT-131 to rehabilitate existing Master Pump Station 3000 (Pine Hills) in an amount not-to-exceed \$2,726,000 and authorization for the County

Administrator to approve scheduling or other administrative changes and execute minor amendments or other modifications to the agreement which do not affect the total aggregate amount of the budget or intent of the project.
District 6. (Engineering Division)

II. INFORMATIONAL ITEMS**

A. COUNTY COMPTROLLER

1. **23-629** Receipt of the following items to file for the record: (Clerk's Office)
 - a. Minutes of the March 1, 2023, Meeting in the Sunshine, Commissioners Nicole H. Wilson, Mayra Uribe, Emily Bonilla, and Michael "Mike" Scott met to discuss transportation, land use, and housing issues.
 - b. Orange County Convention Center Orange County, Florida Annual Financial Report for the years ended September 30, 2022 and 2021.
 - c. Minutes of the March 20, 2023, Meeting in the Sunshine, Commissioners Maribel Gomez Cordero and Emily Bonilla met to discuss Commissioner Bonilla's report on the language access changes to Orange County administrative regulations.
 - d. City of Orlando Council Agenda item for the meeting of March 20, 2023. 2nd consideration of the City of Orlando Ordinance # 2022-69 with Exhibit A (Legal Description), Exhibits B, C, D, E, and F (Location Map, Future Land Use Map, Zoning Map and Subarea Policy line 40.14 Map, Zoning Map, and Framework Map). City of Orlando Fiscal Impact Statement and Orlando Sentinel Notice of Proposed Enactment. Ordinance # 2022-69 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 7.3 acres of land, more or less, and amending the city's boundary description; amending the city's growth management plan to designate the property as urban village and conservation on the city's official future land use maps; amending the city's growth management plan to add future land use Subarea Policy S.40.14; designating the property as the planned development zoning district on the city's official zoning maps; providing for special land development regulations; providing for consent to the municipal services taxing unit for Lake Whippoorwill; providing for amendment of the city's official future land use and zoning maps; providing for severability, correction of scrivener's errors, permit disclaimer, and an effective date.
 - e. The Florida Public Service Commission Order approving Florida Power & Light Company's petition for recovery of incremental storm restoration costs

for Hurricanes Ian and Nicole and approving consolidated interim storm restoration recovery surcharge. In re: Petition for limited proceeding for recovery of incremental storm restoration costs related to Hurricanes Ian and Nicole, by Florida Power & Light Company.

f. The Florida Public Service Commission Order approving Duke Energy Florida, LLC's Interim Storm Cost Recovery Charge. In re: Petition for limited proceeding for recovery of incremental storm restoration costs related to Hurricanes Elsa, Eta, Isaias, Ian, Nicole, and Tropical Storm Fred, by Duke Energy Florida, LLC.

g. City of Orlando Voluntary Annexation Request: 7525 Narcoossee Road -ANX2022-10013. The public hearing and request for second reading of this Ordinance is scheduled for the city council meeting to be held on Monday, April 3, 2023. First reading of this Ordinance was approved on March 20, 2023. Attached Notice of Proposed Enactment as follows: On Monday, April 3, 2023, the Orlando City Council will consider proposed Ordinance # 2023-12, 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 Lee Vista Boulevard, and north of the Beachline Expressway (SR 528), and comprised of 4.99 acres of land, more or less, and amending the city's boundary description; amending the city's growth management plan to designate the property as airport support district-medium intensity and conservation on the city's official future land use maps; providing for amendment of the city's official future land use maps; providing for severability, correction of scrivener's errors, permit disclaimer, and an effective date.

These items were received and filed.

III. DISCUSSION AGENDA

A. ADMINISTRATIVE SERVICES DEPARTMENT

1. **23-630** Selection of one firm and an alternate to provide Secondary General Liability/Tort Legal Counsel Services, Request for Proposals Y23-133-MM, from the following two firms, listed alphabetically:

- Fisher Rushmer, P.A.
- Walker, Revels, Greninger, PLLC

([Administration and Fiscal Services Risk Management Division]
Procurement Division)

A motion was made by Commissioner Moore, seconded by Commissioner Wilson, to appoint Fisher Rushmer, P.A., 420 points as the selected firm; and further, appoint Walker, Revels,

Greninger, PLLC, 395 points as the selected alternate. 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

2. **23-631** Selection of three firms and an alternate to provide Cost Estimating, Scheduling, and Project Management Services for the Orange County Convention Center, Request for Proposals Y23-137-TF, from the following four firms, listed alphabetically:

- Cost Management, Inc. dba CMI
- Kraus-Manning, Inc. dba KMI International
- PMA Consultants, LLC
- Procon Consulting, LLC

([Convention Center Capital Planning Division] Procurement Division)

A motion was made by Commissioner Moore, seconded by Commissioner Uribe, to appoint Cost Management, Inc. dba CMI, 461.47 points, PMA Consultants, LLC, 404.76 points, and Procon Consulting, LLC, 330 points as the selected firms; and further, Kraus-Manning, Inc. dba KMI International, 324.37 points as the selected alternate. 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

IV. WORK SESSION AGENDA

A. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

1. **23-632** Wetland Conservation Areas Ordinance - Policy Discussion. (Environmental Protection Division)

The following person addressed the Board: Claudia Listopad.

The Board took no action.

2. **23-633** Local Strategies to Increase Housing Supply - Process Streamlining.

The Board took no action.

V. RECOMMENDATIONS

1. **23-634** March 16, 2023 Planning and Zoning Commission Recommendations

A motion was made by Commissioner Uribe, seconded by Commissioner Bonilla, to approve the recommendations, subject to the usual right of appeal by any aggrieved party. The motion carried

by the following vote:

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

Absent: 2 - Commissioner Moore, and Commissioner Scott

VI. PUBLIC HEARINGS

A. Municipal Service Benefit Unit

1. 23-398 Riverside Park Estates Area, amend for streetlighting; District 2

Consideration: Amend by resolution a Municipal Service Benefit Unit for streetlighting to add 29 lots at Riverside Park Estates Area Unit 1 and Riverside Park Estates Unit 2 to the Riverside Park Estates subdivision.

Location: District 2; Section 33, Township 21, Range 29; Orange County, Florida (legal property description on file)

A motion was made by Mayor Demings, seconded by Commissioner Gomez Cordero, to approve the request as referenced in the Staff Report dated March 22, 2023. The motion carried by the following vote:

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

Absent: 2 - Commissioner Moore, and Commissioner Scott

2. 23-397 Orangewood / Westwood Area, amend for streetlighting; District 1

Consideration: Amend by resolution a Municipal Service Benefit Unit for streetlighting to add Paradiso Grande Phase 1 and Paradiso Grande Phase 2 to the Orangewood/Westwood Area subdivision.

Location: District 1; Section 13, Township 24, Range 28; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Wilson, seconded by Commissioner Gomez Cordero, to approve the request as referenced in the Staff Report dated March 22, 2023. The motion carried by the following vote:

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

Absent: 2 - Commissioner Moore, and Commissioner Scott

3. 23-395 Mezzano, establish for retention pond(s) maintenance; District 1

Consideration: Establish by resolution a Municipal Service Benefit Unit for retention pond(s) maintenance to include 96 lots at Mezzano subdivision.

Location: District 1; Section 33, Township 23, Range 27; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Wilson, seconded by Commissioner Uribe, to approve the request as referenced in the Staff Report dated March 22, 2023. The motion carried by the following vote:

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

Absent: 2 - Commissioner Moore, and Commissioner Scott

4. **23-396** Northlake at Ovation Phase 1, establish for retention pond (s) maintenance and for streetlighting; District 1

Consideration: Establish by resolution a Municipal Service Benefit Unit for retention pond(s) maintenance and streetlighting to include 185 lots at Northlake at Ovation Phase 1 subdivision.

Location: District 1; Section 19, Township 24, Range 27; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Wilson, seconded by Commissioner Gomez Cordero, to approve the request as referenced in the Staff Report dated March 22, 2023. The motion carried by the following vote:

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

Absent: 2 - Commissioner Moore, and Commissioner Scott

5. **23-399** Savannah Palms, establish for retention pond(s) maintenance and for streetlighting; District 4

Consideration: Establish by resolution a Municipal Service Benefit Unit for retention pond(s) maintenance and streetlighting to include 59 lots at Savannah Palms subdivision.

Location: District 4; Section 23, Township 22, Range 31; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Bonilla, to approve the request as referenced in the Staff Report dated March 22, 2023. The motion carried by the following vote:

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

Absent: 2 - Commissioner Moore, and Commissioner Scott

6. **23-400** Silver Pines Pointe Phases 1, 2, 3 and 3A, amend for retention pond(s) maintenance and for streetlighting; District 6

Consideration: Amend by resolution a Municipal Service Benefit Unit for retention pond(s) maintenance and streetlighting to add 15 lots at Silver Pines Pointe Phase 3A subdivision, to include 240 lots at Silver Pines Pointe Phases 1, 2, 3 and 3A subdivision.

Location: District 6; Section 18, Township 22, Range 29; Orange County, Florida (legal property description on file)

A motion was made by Mayor Demings, seconded by Commissioner Gomez Cordero, to approve the request as referenced in the Staff Report dated March 22, 2023. The motion carried by the following vote:

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

Absent: 2 - Commissioner Moore, and Commissioner Scott

7. **23-394** Lake Pickett, amend for general lake cleaning, maintenance, aquatic plant control and navigational improvements; District 5

Consideration: Amend by resolution a Municipal Service Tax Unit for general lake cleaning, maintenance, aquatic plant control and Navigational Improvements, to Lake Pickett.

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

A motion was made by Commissioner Bonilla, seconded by Commissioner Uribe, to continue the public hearing until May 23, 2023, at 2 p.m. The motion carried by the following vote:

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

Absent: 2 - Commissioner Moore, and Commissioner Scott

B. Special Assessment Resolution

8. **23-401** Resolution for special assessment liens for one time only lot cleaning; All Districts

Consideration: Establish a Resolution for Special Assessments for one-time only lot cleaning assessments.

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

A motion was made by Commissioner Uribe, seconded by Commissioner Wilson, to adopt Resolution 2023-M-17, for Special Assessments, for one-time only lot clearing assessments. The motion carried by the following vote:

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

Absent: 2 - Commissioner Moore, and Commissioner Scott

C. Boat Ramp

9. **23-228** Case # BR-17-07-001

Bubba E. Shaffer Family Trust, Bubba E. Shaffer Trustee, Lake Whippoorwill, after-the-fact permit; District 4

Consideration: Request for an after-the-fact Private Boat Ramp Permit (BR-17-07-001) to

authorize an existing, unpermitted private boat ramp on the shoreline of Lake Whippoorwill. The applicant is also requesting a variance to Chapter 15, Article XV, Section 15-605(b)(11) (side setback) to allow the existing ramp to remain with a 5.5 foot setback from the southern projected property line: pursuant to Orange County Code, Chapter 15, Article XV, Section 15-605(d)(2).

Location: District 4; Lake Whippoorwill, located at 12488 Kirby Smith Road, Orlando, FL 32832; Orange County, Florida (legal property description on file in Environmental Protection Division)

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Uribe, to accept the findings and recommendation of the Environmental Protected Division staff; and further, to approve the after-the-fact Private Boat Ramp Facility Permit (BR-17-07-001) with the associated variance to Orange County Code, Chapter 15, Article XV, Section 15-605(b)(11) to allow the existing ramp to remain at 5.5 feet in lieu of 25 feet from the southern projected property line, for the Bubba E. Shaffer Family Trust, subject to the twenty-three (23) conditions of approval listed in the Staff Report dated March 10, 2023. 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

D. Land Use Plan Amendment

10. 23-012 Case # LUPA-22-02-057

John Herbert, P.E., American Civil Engineering Co., Southwick Commons PD; District 3 (Continued from January 10, 2023, and March 7, 2023)

Consideration: A request to rezone 0.93 acres from R-1A (Single Family Dwelling District) to PD (Planned Development District) and incorporate the property into the previously approved Southwick Commons Senior Housing PD. Additionally, the request will change the development program for the entire PD from 124 senior (multi-family) housing units to 72 townhome units, and to change the name to the Southwick Commons PD; pursuant to Orange County Code, Chapter 30.

Location: District 3; property generally located east of Goldenrod Road and south of Lake Underhill Road; Orange County, Florida (legal property description on file in Planning Division)

This public hearing was withdrawn.

E. Roadway Conceptual Analysis Study

11. 23-392 Avalon Road (CR 545) Roadway Conceptual Analysis Study; District 1

Consideration: A Roadway Conceptual Analysis Study was conducted for the widening of Avalon Road/CR 545 from US 192 to Hartzog Road. This improved road would provide four 12-foot-wide travel lanes, two in each direction, separated by a 22-foot-wide raised median. The improved corridor would also have a 6-foot-wide sidewalk on the east side of the road, and a 10-foot-wide shared-use path on the west side of the road.

Location: District 1; Avalon Road/CR 545 from US 192 to Hartzog Road

A motion was made by Commissioner Wilson, seconded by Commissioner Moore, to find the Avalon Road (CR 545) Roadway Conceptual Analysis Study consistent with the Comprehensive Plan; and further, approve to initiate design, right-of-way acquisition and construction. 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

F. Comprehensive Plan - Transmittal of Regular Cycle Amendments

- 12. 23-245** Transmittal of Regular Cycle Future Land Use Map Amendment; and FLU8.1.4 Text Amendment, Erika Hughes, VHB, Inc., for Sutton Grande, LLC. (Continued from March 7, 2023)

a. Amendment 2023-1-A-1-2

Consideration: Commercial (C) to Growth Center-Planned Development-Medium-High Density Residential (GC-PD-MHDR)

Location: District 1; property located at 14331 Avalon Rd.; generally located east of Avalon Rd., south of Lake Gifford Wy., and north of Arrowhead Blvd.; Parcel ID#: 31-24-27-0000-00-012; 13.83 gross ac.

And

b. Amendment 2023-1-B-FLUE-6

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-1-2

The following persons addressed the Board:

- Chuck Whittall
- Daniel Siegel
- Jennifer Stickler
- Laurie Forrester
- Charles Hassell

The following material was presented to the Board prior to the close of the public hearing: Exhibit 1, Chuck Whittall.

A motion was made by Commissioner Wilson, seconded by Commissioner Bonilla to deny transmittal of Amendment 2023-1-A-1-2 and Amendment 2023-1-B-FLUE-6. The motion failed by the following vote:

Aye: 2 - Commissioner Wilson, and Commissioner Bonilla

Nay: 4 - Mayor Demings, Commissioner Moore, Commissioner Uribe, and Commissioner Gomez Cordero

Absent: 1 - Commissioner Scott

A motion was made by Commissioner Moore, 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 Amendments 2023-1-A-1-2 and 2023-1-B-FLUE-6 to the state reviewing agencies. The motion carried by the following vote:

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

Nay: 1 - Commissioner Wilson

Absent: 1 - Commissioner Scott

G. Comprehensive Plan - Transmittal of Regular Cycle Privately-Initiated Text Amendment

- 13. 23-313** Transmittal of Future Land Use Privately-Initiated Text Amendment, Jennifer Stickler, P.E., Kimley-Horn & Associates, Inc, for Westgate Resorts, Ltd (Continued from March 7, 2023)

a. Amendment 2023-1-P-FLUE-1 (fka 2023-1-A-1-1)

Consideration: Privately-Initiated text amendment to Future Land Use Element Policy FLU8.1.4 amending the maximum density/intensity of the Sutton Lakes PD and, specifically, revising the currently-approved development program to add multi-family residential as a permitted use within the PD

The following persons addressed the Board:

- Chuck Whittall
- Jennifer Stickler
- Charles Hassell

The following material was presented to the Board prior to the close of the public hearing: Exhibit 1, Chuck Whittall.

A motion was made by Commissioner Wilson, 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-P-FLUE-1 (fka 2023-1-A-1-1) 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

H. Ordinance/Comprehensive Plan – Adoption of Small-Scale Amendment, Ordinance, and Concurrent Rezoning Request

- 14. 23-314** Adoption of Future Land Use Map Amendment SS-22-08-071, Ordinance, and Concurrent Rezoning Request RZ-22-08-072, Alison Yurko, P.A., for Makandal Property Investments, LLC/Rony Charles (Continued from March 7, 2023)

a. Amendment SS-22-08-071

Consideration: A request to change the Future Land Use designation from Low Density Residential (LDR) to Low-Medium Density Residential (LMDR); pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code Chapter 30

Location: District 3; property located at 1153 Holden Avenue; Generally located north of Holden Ave., east of Orange Blossom Trail, south of 43rd Street, and west of Almark Drive; Orange County, Florida (legal property description on file in Planning Division)

And

b. Ordinance for Proposed Amendment

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

And

c. Rezoning RZ-22-08-072

Consideration: A request to change the zoning designation from R-1A (Single-Family Dwelling District) to R-2 (Residential District) in order to develop two residential units; pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code Chapter 30

Location: District 3; property located at 1153 Holden Avenue; generally located north of Holden Ave., east of Orange Blossom Trail, south of 43rd Street, and west of Almark Drive; Orange County, Florida (legal property description on file in Planning Division)

New Restrictions:

1. Access to Holden Avenue shall be prohibited;

2. Any fencing installed shall be vinyl;
3. There shall be a 5' wide landscape buffer adjacent to Holden Avenue;
4. The septic tank(s) and drain field(s) shall be located south of the primary structure, adjacent to Holden Avenue; and
5. The duplex shall be an attached duplex with attached garages.

The following person addressed the Board: Alison Yurko.

A motion was made by Commissioner Uribe, seconded by Commissioner Gomez Cordero, to make a finding of consistency with the Comprehensive Plan; further, adopt Amendment SS-22-08-071, Low-Medium Density Residential (LMDR) Future Land Use; further, adopt the Small-Scale Ordinance 2023-13; further, approve the rezoning request from R-1A (Single-Family Dwelling District) to R-2 (Residential District) zoning; and further, approve the five (5) new Restrictions. 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

- 15. 23-467** Adoption of Future Land Use Map Amendment SS-22-05-047, Ordinance, and Concurrent Rezoning Request LUP-22-07-258, Thomas Sullivan, Gray Robinson, P.A., for New Life Church of God

a. Amendment SS-22-05-047

Consideration: To change the Future Land Use designation from Medium Density Residential (MDR) to High Density Residential - Student Housing (HDR-Student Housing); pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code Chapter 30

Location: District 5; property located at 2820 North Alafaya Trail; generally located on the west side of Alafaya Trail, south of Pepperdine Place.; Orange County, Florida (legal property description on file in Planning Division)

And

b. Ordinance for Proposed Amendment

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

And

c. Rezoning LUP-22-07-258

Consideration: To change the zoning designation from R-1A (Single-Family Dwelling District) to

PD (Planned Development District) (Alafaya Trail Student Housing PD) to allow for up to 600 student housing beds. In addition, the applicant has requested the following waivers from Orange County Code: 1. A waiver from Section 38-1259 (k) to allow a maximum building height of five (5) stories, sixty (60) feet, in lieu of three (3) stories, forty (40) feet. 2. A waiver from Section 38-1476 is requested to allow a minimum nine-tenths (0.9) parking spaces per one (1) bedroom in lieu of one (1) parking spaces per one (1) bedrooms. 3. A waiver from Section 38-1272(a)(1) is requested to allow eighty (80) percent lot impervious coverage in lieu of seventy (70) percent of the net land area. 4. A waiver from Section 38-1253(b) to allow both active and passive recreation areas to be provided at a ratio of 2.2 acres per one thousand (1,000) projected population, in lieu of at a ratio of two and five-tenths (2.5) acres per one thousand (1,000) projected population. 5. A waiver from Section 38-1259(d) to allow a knee wall in lieu of providing a six (6) foot high masonry, brick or block wall whenever a student housing development is located adjacent to any right-of-way. 6. A waiver from Section 38-1251(b) to allow the maximum building coverage of all buildings to not exceed 67% of the gross land area internal to the PD, in lieu of the maximum coverage of all buildings not exceeding 30% of the gross land area.

Location: District 5; property located at 2820 North Alafaya Trail; generally located on the west side of Alafaya Trail, south of Pepperdine Place.; Orange County, Florida (legal property description on file in Planning Division)

Renumber existing Condition #15 to Condition #17:

15 17. The following waivers from Orange County Code are granted:

- a. A waiver from Section 38-1259(k) to allow a maximum building height of five (5) stories, sixty (60) feet, in lieu of three (3) stories, forty (40) feet.
- b. A waiver from Section 38-1476 to allow a minimum nine-tenths (0.9) parking spaces per one (1) bedroom in lieu of one (1) parking spaces per one (1) bedrooms.
- c. A waiver from Section 38-1272(a)(1) to allow eighty (80) percent lot impervious coverage in lieu of seventy (70) percent of the net land area.
- d. A waiver from Section 38-1253(b) to allow both active and passive recreation areas to be provided at a ratio of 2.2 acres per one thousand (1,000) projected population. in lieu of at a ratio of two and five-tenths (2.5) acres per one thousand (1,000) projected population.
- e. A waiver from Section 38-1259(d) to allow a knee wall in lieu of providing a six (6) foot high masonry, brick or block wall whenever a student housing development is located adjacent to any right-of-way.
- f. A waiver from Section 38-1251 (b) to allow the maximum building coverage of all buildings to not exceed 67% of the gross land area internal to the pd. in lieu of the maximum coverage of all buildings not exceeding 30% of the gross land area.

New Conditions of Approval:

15. A UCF shuttle with transportation to UCF shall be provided to residents of the student housing complex.

16. The owner of the student housing complex shall provide a security service for known special events including at annual move in and football games. Additional security will be provided twenty-four-seven through the leasing staff.

The following person addressed the Board: Thomas Sullivan.

A motion was made by Commissioner Bonilla, seconded by Commissioner Gomez Cordero, to make a finding of consistency with the Comprehensive Plan; further, adopt Amendment SS-22-05-047, High Density Residential - Student Housing (HDR - Student Housing) Future Land Use; further, adopt the associated Small-Scale Ordinance 2023-14; further, make a finding of consistency with the Comprehensive Plan; further, approve the rezoning request from R-1A (Single-Family Dwelling District) to PD (Planned Development District) (Alafaya Trail Student Housing PD) to allow for up to 600 student housing beds, subject to the fifteen (15) conditions of approval and six (6) waivers listed under the Planning and Zoning Commission recommendation in the Staff Report dated March 22, 2023; further, renumber condition #15 to condition #17; and further, approve new conditions of approval #15 and #16. 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. 23-468 Adoption of Future Land Use Map Amendment SS-22-10-084, Ordinance, and Concurrent Rezoning Request RZ-22-10-085, Jason Searl, Gray Robinson, P.A.

a. Amendment SS-22-10-084

Consideration: A request to change the Future Land Use designation from Low-Medium Density Residential (LMDR) to Industrial (IND); pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code Chapter 30

Location: District 3; property generally located on the west side of Narcoossee Road, south of Brentwood Drive, and north of Gentian Street.; Orange County, Florida (legal property description on file in Planning Division)

And

b. Ordinance for Proposed Amendment

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

And

c. Rezoning RZ-22-10-085

Consideration: To change the zoning designation from A-2 (Farmland Rural District) and R-T-2 (Combination Mobile Home and Single-Family Dwelling District) to I-1/I-5 Restricted (Industrial District - Light) for a commercial landscape nursery with retail sales.

Location: District 3; property generally located on the west side of Narcoossee Road, south of Brentwood Drive, and north of Gentian Street.; Orange County, Florida (legal property description on file in Planning Division)

New Restriction:

5. Cumulative square footage of all buildings shall not exceed 8,000 square feet, not including shade structures.

The following person addressed the Board: Jason Searl.

A motion was made by Commissioner Uribe, seconded by Commissioner Gomez Cordero, to make a finding of consistency with the Comprehensive Plan; further, adopt Amendment SS-22-10-084, Industrial (IND) Future Land Use; further, adopt the Small-Scale Ordinance 2023-15; further, approve the rezoning request from A-2 (Farmland Rural District) and R-T-2 (Combination Mobile Home and Single-Family Dwelling District) to I-1/I-5 Restricted (Industrial District Light) zoning for a commercial landscape nursery with retail sales subject to the four (4) Restrictions listed under the Planning and Zoning recommendation in the Staff Report dated March 22, 2023; and further, approve new restriction #5. The motion carried by the following vote:

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

Absent: 2 - Commissioner Moore, and Commissioner Scott

I. Ordinance

17. **23-535** Amending Orange County Code, Chapter 13 ("Consumer Protection), Section 13-3 ("Findings and Objectives); Section 13-4 ("Unit Established"); Section 13-5 ("Powers and Duties"); Chapter 9 ("Building and Construction Regulations), Article IX ("Contractor Certification, Registration, Licensing"), Section 9-323 ("Code Enforcement Officers"); Chapter 35 ("Traffic"), Article II ("Administration and Enforcement"), Division 3 ("Trespass Towing from Private Property, Nonconsensual Towing, and Vehicle Immobilization"); Section 35-56 ("Prerequisites and Requirements for Immobilization and Trespass Towing of Vehicles on Private Property"); Section 35-58 ("Establishment of Rates"); Section 35-59 ("Enforcement of Violations; Penalties); Chapter 11 ("Code Enforcement"), Article III ("Code Enforcement Citation Program"), Section 11-62 ("Applicable Codes and Ordinances"), pertaining to Orange County Consumer Fraud Investigative Unit; All Districts

Consideration: An Ordinance pertaining to the Orange County Consumer Fraud Investigative Unit in Orange County, Florida; providing for modifications to the unit and the unit's enforcement of certain building and construction regulations and trespass towing provisions of the Orange County Code; amending Chapter 13 ("Consumer Protection"), Section 13-3 ("Findings and Objectives"); amending Section 13-4 ("Unit Established"); amending Section 13-5 ("Powers and Duties"); amending Chapter 9 ("Building and Construction Regulations"), Article IX ("Contractor Certification, Registration, Licensing"), Section 9-323 ("Code Enforcement Officers"); amending Chapter 35 ("Traffic"), Article II ("Administration and Enforcement"), Division 3 ("Trespass Towing from Private Property, Nonconsensual Towing, and Vehicle Immobilization"), Section 35-56 ("Prerequisites and Requirements for Immobilization and Trespass Towing of Vehicles on Private Property"); amending Section 35-58 ("Establishment of Rates"); amending Section 35-59 ("Enforcement of Violations; Penalties"); amending Chapter 11 ("Code Enforcement"), Article III ("Code Enforcement Citation Program"), Section 11-62 ("Applicable Codes and Ordinances"); providing for repeal of laws in conflict; and providing for filing of ordinance and effective date.

A motion was made by Mayor Demings, seconded by Commissioner Wilson, to adopt Ordinance 2023-16, pertaining to the Orange County Consumer Fraud Investigative Unit in Orange County, Florida; providing for modifications to the unit and the unit's enforcement of certain building and construction regulations and trespass towing provisions of the Orange County Code; amending Chapter 13 ("Consumer Protection"), Section 13-3 ("Findings and Objectives"); amending Section 13-4 ("Unit Established"); amending Section 13-5 ("Powers and Duties"); amending Chapter 9 ("Building and Construction Regulations"), Article IX ("Contractor Certification, Registration, Licensing"), Section 9-323 ("Code Enforcement Officers"); amending Chapter 35 ("Traffic"), Article II ("Administration and Enforcement"), Division 3 ("Trespass Towing from Private Property, Nonconsensual Towing, and Vehicle Immobilization"), Section 35-56 ("Prerequisites and Requirements for Immobilization and Trespass Towing of Vehicles on Private Property"); amending Section 35-58 ("Establishment of Rates"); amending Section 35-59 ("Enforcement of Violations; Penalties"); amending Chapter 11 ("Code Enforcement"), Article III ("Code Enforcement Citation Program"), Section 11-62 ("Applicable Codes and Ordinances"); providing for repeal of laws in conflict; and providing for filing of ordinance and effective date; further, authorize County staff to correct any scrivener's errors in the draft ordinance; and further, approve and execute Resolution 2023-M-16 of the Orange County Board of County Commissioners regarding the Designation of Certain County Employees Assigned to the Consumer Protection Office as Code Enforcement Officers. 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)

G. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

2. **23-615** Approval and execution of Resolution of the Orange County Board of County Commissioners regarding the Designation of Certain County Employees Assigned to the Consumer Protection Office as Code Enforcement Officers. All Districts. (Neighborhood Services Division)

This consent item was approved.

VI. PUBLIC HEARINGS (Continued)

J. Comprehensive Plan - Transmittal of Out-of-Cycle Regular Cycle Staff-Initiated Map and Text Amendment

18. **23-466** Transmittal of Staff-Initiated Comprehensive Plan Map and Text Amendment

a. Amendment 2023-1-C-CP-1

An Amendment updating the "Orange County Comprehensive Plan 2010-2030 Destination 2030" and Renaming it the "Vision 2050: Orange County Comprehensive Plan," including but not limited to revising existing Elements and redesignating them into new Chapters, entitled, Land Use, Mobility, and Neighborhoods; Housing and Community Services; Tourism, Arts, and Culture; Economy, Technology, and Innovation; Natural Resources and Conservation; Recreation and Open Space; Transportation; Public Schools; Community Facilities and Services; and Implementation and Property Rights pursuant to Sections 163.3177, 163.3180, and parts II and III of Chapter 369 (Wekiva River Protection & Wekiva Parkway and Protection Act), Florida Statutes, and incorporating the Future Land Use Map Series including a new Sector Map, a new Future Land Use Map, including an expansion of the Urban Service Area (USA) Boundary, and other maps intended for inclusion in the Comprehensive Plan; Countywide

Consideration: An amendment updating the "Orange County Comprehensive Plan 2010-2030 Destination 2030" and Renaming it the "Vision 2050: Orange County Comprehensive Plan," including but not limited to revising existing Elements and redesignating them into new Chapters, entitled, Land Use, Mobility, and Neighborhoods; Housing and Community Services; Tourism, Arts, and Culture; Economy, Technology, and Innovation; Natural Resources and Conservation; Recreation and Open Space; Transportation; Public Schools; Community Facilities and Services; and Implementation and Property Rights pursuant to Sections 163.3177, 163.3180, and parts II and III of Chapter 369 (Wekiva River Protection & Wekiva Parkway and Protection Act), Florida Statutes, and incorporating the Future Land Use Map Series including a new Sector Map, a new Future Land Use Map, including an expansion of the Urban Service Area (USA) Boundary, and other maps intended for inclusion in the Comprehensive Plan.

The following persons addressed the Board:

- Laura Betts

- Ann Anne Lott
- Eric Grimmer
- Prathik Ramesh
- John Michael Bell
- Bryan Stoll
- Laurie Forrester
- Maddi Lynch
- Jordan Cash Theis
- Peter Duke
- Lonnie White
- Jeanne McKnight
- Mike Bustillos
- Maria Martinez
- Kelly Semrad
- Kelly Miller
- Chris Koenig
- Rebecca Wilson
- Angel de la Portilla
- Alison Yurko

The following material was presented to the Board prior to the close of the public hearing: Exhibit 1, Kelly Semrad.

The following material was received by the Clerk prior to the close of the public hearing: Submittal 1, Alison Yurko.

A motion was made by Mayor Demings, seconded by Commissioner Uribe, to continue the public hearing until July 25, 2023, at 2 p.m. The motion carried by the following vote:

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

Absent: 1 - 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: 7:01 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.