

Orange County Government

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



Draft Meeting Minutes

Tuesday, March 5, 2024

9:00 AM

County Commission Chambers

Board of County Commissioners

Language Assistance and Translation Services Available:

Para asistencia lingüística o servicios de traducción en español, llame al (407) 836-3111

Si w bezwen èd nan lang Kreyòl oswa sèvis tradiksyon, tanpri rele (407) 836-3111

Call to Order

County Vice Mayor Nicole H. Wilson called the meeting to order at 9:11 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 Georgiana Holmes
Public Works Director Joseph Kunkel
Minutes Supervisor Craig Stopyra
Minutes Coordinator Megan Fiocco
Minutes Coordinator Terrell Hightower

Invocation - District 3

Reverend Kevin Bartle, St. Mary of the Angels Episcopal Church

Pledge of Allegiance**Presentation**

Proclamation recognizing March 3 through March 9, 2024 as National Consumer Protection Week

Presentation

Proclamation recognizing March as Procurement Month

Public Comment

The following persons addressed the Board during public comment:

- Chris Mathieson
- Janét Buford-Johnson

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

The Mayor deferred action on County Administrator Item 1A; and further, a motion was made by Commissioner Uribe, seconded by Commissioner Gomez Cordero, to approve the balance of the Consent Agenda. The motion carried by the following vote:

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

Absent: 2 - Commissioner Moore, and Commissioner Bonilla

A. COUNTY COMPTROLLER

1. **24-342** Approval and execution of the amended minutes of the January 23, 2024 meeting and the minutes of the February 6, 2024 meeting of the Board of County Commissioners. (Clerk's Office)
2. **24-343** Approval of the check register authorizing the most recently disbursed County funds, having been certified that no accounts have been overdrawn due to the issuance of same.

Disbursement periods cover:

- February 16, 2024 to February 22, 2024; \$55,108,512.56
- February 23, 2024 to February 29, 2024; \$55,963,356.41

(Finance/Accounting)

B. COUNTY ADMINISTRATOR

1. **24-344** Approval of the Membership and Mission Review Board's recommendations for advisory board appointments and reappointments. (Agenda Development Office)

A. Environmental Protection Commission: Reappointment of Peter J. Fleck in the regulated business or municipality representative category, Kelly S. Eger-Smith in the environmental specialist representative category, and Margaret Shan Atkins in the recognized conservation organization representative category with terms expiring December 31, 2025.

B. Fire and Life Safety Code Board of Adjustments and Appeals: Reappointment of Angelica Corredor in the at large representative category with a term expiring December 31, 2026.

C. MetroPlan Orlando Community Advisory Committee: Appointment of Joseph E. Caesar and Glenn Cook to succeed Gislene M. Moorman and Patricia Rumph in the Orange County representative category with terms expiring December 31, 2027.

D. Neighborhood Grants Advisory Board: Appointment of Kourtney N. Dinkins to succeed Evelyn Reyes in the District 3 representative category with a term expiring June 30, 2025.

(County Administrator Item 1A was deferred. County Administrator Consent Items 1B, 1C, and 1D were approved.)

2. **24-345** Confirmation of Commissioner Moore's appointment of Donovan Williams to the Town of Eatonville Community Redevelopment Agency with a term expiring June 30, 2028. (Agenda Development Office)
3. **24-346** Confirmation of Commissioner Gomez Cordero's appointment of Javier Marrero as the District 4 representative on the Orange County Citizen Corps Council with a term expiring December 31, 2024. (Agenda Development Office)
4. **24-347** Confirmation of Commissioner Uribe's reappointment to the Lake Mary MSTU Advisory Board of Douglas M. Spencer and Chad E. Wilkins with terms expiring December 31, 2025 and appointment of Richard L. Yates with a term expiring December 31, 2024. (Agenda Development Office)
5. **24-348** Confirmation of Commissioner Bonilla's appointment of Lisa Lawrence and Denise M. Hammond to the Lake Sue Advisory Board with terms expiring December 31, 2024. (Agenda Development Office)
6. **24-349** Appointment of Mayor John P. Lowndes to the Community Action Board in the municipal elected official category with a term expiring December 31, 2025. (Agenda Development Office)
7. **24-350** Approval to pay the third quarter billing for the Orange County Property Appraiser in the amount of \$6,741,680.53. (Office of Management and Budget)
8. **24-351** Approval of budget amendments #24-20, #24-21, #24-22, #24-23, and #24-24. (Office of Management and Budget)

C. ADMINISTRATIVE SERVICES DEPARTMENT

1. **24-352** Approval to award Invitation for Bids Y23-1035-TF, Biomedical Waste Removal and Supplies, to the low responsive and responsible bidder, Healthcare Environmental Services, LLC. The estimated contract award amount is \$112,859.70 for a one-year term. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
2. **24-353** Approval to award Invitation for Bids Y23-1041-AV, Landscape Maintenance - Goldenrod Area Section I, to the low responsive and responsible bidder, Lawnwalker Services, Inc. The estimated contract award amount is \$354,353 for the base year. ([Public Works Department Roads and Drainage Division] Procurement Division)
3. **24-354** Approval to award Invitation for Bids Y23-1043-AV, Landscape Maintenance

- John Young Area Section II, to the low responsive and responsible bidder, Aero Groundtek, LLC. The estimated contract award amount is \$751,538 for the base year. ([Public Works Department Roads and Drainage Division] Procurement Division)

4. **24-355** Approval to award Invitation for Bids Y23-1055-RM, Provide Laboratory Services for Orange County Medical Clinic and Corrections Health, to the low responsive and responsible bidder, Quest Diagnostics Clinical Laboratories, Inc. The estimated contract award amount is \$630,620.20 for a one-year term. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
5. **24-356** Approval to award Invitation for Bids Y23-1059-RM, Maintenance and Operation of Motorized Roll Up Doors, Gate Arms and Dock Levelers, to the low responsive and responsible bidder, C&D Industrial Maintenance, LLC. The estimated contract award amount is \$1,671,360 for a three-year term. ([Convention Center Facility Operations Division] Procurement Division)
6. **24-357** Approval to award Invitation for Bids Y24-103-MV, Motor Fuel - Tank Wagon Deliveries, to the low responsive and responsible bidder, Palmdale Oil Company, LLC. The estimated contract award amount is \$2,255,568.03 for a one-year term. ([Administrative Services Department Fleet Management Division] Procurement Division)
7. **24-358** Approval to award Invitation for Bids Y24-151-KS, Small Engine OEM Parts, to the low responsive and responsible bidder, Trail Saw and Mower Service for lines 2, 4, 5, 6, 9, 12, 14, 17, 20, 22, 23, and 26. The estimated contract award amount is \$307,000 for a one-year term. ([Administrative Services Department Fleet Management Division] Procurement Division)
8. **24-359** Approval to award Invitation for Bids Y24-152-KK, Inspection, Testing and Servicing of Portable Fire Extinguishers, to the sole responsive and responsible bidder, Cintas Corporation No. 2. The estimated contract award amount is \$605,400 for a three-year term. ([Administration and Fiscal Services Risk Management Division] Procurement Division)
9. **24-360** Approval to award Invitation for Bids Y24-732-CR, Tangelo Park Entryway Improvements, to the low responsive and responsible bidder, S. A. Casey Construction, Inc. The total contract award amount is \$273,801.62. ([Planning, Environmental, and Development Services Department Planning Division] Procurement Division)
10. **24-361** Approval of Contract Y24-1030, Supplemental Rigging Labor Services and Related Equipment for the Orange County Convention Center (OCCC), with Freeman Decorating, in the estimated contract award amount of \$200,000 for a one-year term. ([Convention Center Fiscal and Operational Support Division] Procurement Division)

11. **24-362** Approval of Amendment No. 11, Contract Y20-140A, Term Contract for County Wide Roof Maintenance and Repairs, with Advanced Roofing, Inc., in the amount of \$399,100.25, for a revised estimated contract award amount of \$1,330,365.75. ([Administrative Services Department Facilities Management Division] Procurement Division)
12. **24-363** Approval of Purchase Order M113961, Rebuild of County Asset #1372 Yard Dog, with Nextran Corporation dba Nextran Truck Center Orlando, in the amount of \$176,728.16. ([Utilities Department Solid Waste Division] Procurement Division)
13. **24-364** Approval of Change Order No. 6, Purchase Order M107064, Ongoing Assistance for Housing and Urban Development-Funded Community Development Programs, with Mosaic Community Planning LLC, in the amount of \$25,050, for a revised total amount of \$128,800.50. ([Planning, Environmental, and Development Services Department Housing and Community Development Division] Procurement Division)
14. **24-365** Selection of AVCON, Inc. to provide Design Services for the Chase Road Bridge Replacement over Lake Butler and Lake Louise Canal, Request for Proposals, Y24-801-GO. ([Public Works Department Engineering Division] Procurement Division)
15. **24-366** Approval and execution of Settlement Agreement between Orange County, Florida and Melvin Bush and Angela Bush, approval of Sidewalk Easement between Melvin Bush and Angela Bush and Orange County, and authorization to disburse funds, record instrument, and perform all actions necessary and incidental to settlement for Beggs Road and Mott Avenue. District 2. (Real Estate Management Division)
16. **24-367** Approval and execution of Distribution Easement from Orange County Board of County Commissioners to Duke Energy Florida, LLC, d/b/a Duke Energy and authorization to record instrument for Fire Station #80 B2290057 OCU File #99527. District 5. (Real Estate Management Division)
17. **24-368** Approval of Temporary Access, Sidewalk, Drainage, and Utility Easement between Horizons Silverleaf Development, LLC and Pulte Home Company, LLC and Orange County and authorization to record instrument for PR-23-06-032 Silverleaf Oaks at Hamlin Phase 3A (Drainage, Utility, Sidewalk, and Access Easement). District 1. (Real Estate Management Division)
18. **24-369** Approval and execution of License Agreement between Orange County, Florida and Harbor House of Central Florida, 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 Harbor House of Central Florida, Inc. John Bridges Community Center (CAD) 445 W. 13th Street, Apopka, Florida 32703. Lease File #10280. District 2. (Real Estate Management Division)

19. **24-370** Approval and execution of License Agreement between Orange County, Florida and K2 Medical Research LLC related to 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 K2 Medical Research LLC East Orange Community Center (CAD) 12050 E. Colonial Dr., Orlando, Florida 32826. Lease File #10285. District 4. (Real Estate Management Division)
20. **24-371** Approval and execution of License Agreement between Orange County, Florida and K2 Medical Research LLC related to 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 K2 Medical Research LLC Hal P. Marston Community Center (CAD) 3933 Wd Judge Dr., Orlando, Florida 32808. Lease File #10286. District 6. (Real Estate Management Division)
21. **24-372** Approval and execution of License Agreement between Orange County, Florida and K2 Medical Research LLC related to 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 K2 Medical Research LLC Holden Heights Community Center (CAD) 1201 20th Street, Orlando, Florida 32805. Lease File #10287. District 6. (Real Estate Management Division)
22. **24-373** Approval and execution of License Agreement between Orange County, Florida and K2 Medical Research LLC related to 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 K2 Medical Research LLC John Bridges Community Center (CAD) 445 W. 13th Street, Apopka, Florida 32703. Lease File #10288. District 2. (Real Estate Management Division)
23. **24-374** Approval and execution of License Agreement between Orange County, Florida and K2 Medical Research LLC related to 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 K2 Medical Research LLC Lila Mitchell Community Center (CAD) 5151 Raleigh Street, Orlando, Florida 32811. Lease File #10289. District 6. (Real Estate Management Division)

- 24. 24-375** Approval and execution of License Agreement between Orange County, Florida and K2 Medical Research LLC related to 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 K2 Medical Research LLC Maxey Community Center (CAD) 830 Klondike Street, Winter Garden, Florida 34787. Lease File #10290. District 1. (Real Estate Management Division)
- 25. 24-376** Approval and execution of License Agreement between Orange County, Florida and K2 Medical Research LLC related to 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 K2 Medical Research LLC Multicultural Center (CAD) 7149 W. Colonial Drive, Orlando, Florida 32818. Lease File #10291. District 6. (Real Estate Management Division)
- 26. 24-377** Approval and execution of License Agreement between Orange County, Florida and K2 Medical Research LLC related to 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 K2 Medical Research LLC Pine Hills Community Center (CAD) 6400 Jennings Road, Orlando, Florida 32818. Lease File #10292. District 6. (Real Estate Management Division)
- 27. 24-378** Approval and execution of License Agreement between Orange County, Florida and K2 Medical Research LLC related to 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 K2 Medical Research LLC Taft Community Center (CAD) 9450 S. Orange Avenue, Orlando, Florida 32824. Lease File #10293. District 3. (Real Estate Management Division)
- 28. 24-379** Approval and execution of License Agreement between Orange County, Florida and K2 Medical Research LLC related to 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 K2 Medical Research LLC Tangelo Park Community Center (CAD) 5160 Pueblo Street, Orlando, Florida 32819. Lease File #10294.

District 6. (Real Estate Management Division)

29. **24-380** Approval and execution of Orange County, Florida and Indian American Chamber of Commerce, Inc. Resident Service Provider Agreement and authorization for the Manager of 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 Indian American Chamber of Commerce, Inc. NEC at Fashion Square Mall 3201 E. Colonial Drive, Orlando, Florida 32803. Lease File #2062-RSP14. District 5. (Real Estate Management Division)
30. **24-381** Approval and execution of License Agreement between Orange County, Florida and Primary Care Access Network, 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 Primary Care Access Network, Inc. John Bridges Community Center (CAD) 445 W. 13th Street, Apopka, Florida 32703. Lease File #10276. District 2. (Real Estate Management Division)
31. **24-382** Approval and execution of License Agreement between Orange County, Florida and Primary Care Access Network, 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 Primary Care Access Network, Inc. Maxey Community Center (CAD) 830 Klondike Street, Winter Garden, Florida 34787. Lease File #10277. District 1. (Real Estate Management Division)
32. **24-383** Approval and execution of License Agreement between Orange County, Florida and Primary Care Access Network, 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 Primary Care Access Network, Inc. Multicultural Center (CAD) 7149 W. Colonial Drive, Orlando, Florida 32818. Lease File #10248. District 6. (Real Estate Management Division)
33. **24-384** Approval and execution of License Agreement between Orange County, Florida and Primary Care Access Network, 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 Primary Care Access Network, Inc. Tangelo Park Community Center (CAD) 5160 Pueblo Street, Orlando, Florida 32819. Lease File #10249. District 6. (Real Estate Management

Division)

D. COMMUNITY AND FAMILY SERVICES DEPARTMENT

1. **24-385** Approval of Orange County Head Start Eligibility Priority Selection Criteria for 2024-2025 to establish a formal selection process for eligible children and families. All Districts. (Head Start Division)

E. HEALTH SERVICES DEPARTMENT

1. **24-386** Approval and execution of Interlocal Agreement between Osceola County and Orange County regarding funding to construct Medical Examiner's Office Expansion and authorization for the Mayor or designee to sign future amendments to the agreement, if necessary, upon the mutual written agreement of the parties. Osceola County agrees to pay Orange County \$6,000,000 in three consecutive installments of \$2,000,000 starting FY 2023-2024 and ending with FY 2025-2026. (Medical Examiner's Office)
2. **24-387** Approval and execution of Affiliation Agreement between Orange County, Florida and Orlando Health Sciences College, LLC D/B/A Orlando College of Osteopathic Medicine related to Experiential Learning Placement Program with a term beginning on the day of execution and ending September 30, 2024 and authorization for the Mayor or designee to sign future amendments to the agreement, if necessary, upon the mutual written agreement of the parties.
3. **24-388** Approval and execution of the renewal Certificate of Public Convenience and Necessity for National Health Transport Inc. to provide Interfacility Basic Life Support and Advanced Life Support transport services in Orange County, Florida. The term of this certificate is from March 8, 2024, through March 7, 2026. There is no cost to the County. (EMS Office of the Medical Director)

F. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

1. **24-389** Approval and execution of Interlocal Agreement Regarding Permitting of Real Property between Seminole County, Florida and Orange County, Florida for Trinity Preparatory School of Florida. District 5. (Building Safety Division)
2. **24-390** Approval and execution of Multi-Family Affordable Housing Developer's Agreement between Orange County, Florida, and Southwick Commons, Ltd, and Neighborhood Lending Partners of Florida, Inc., regarding the Affordable Housing Trust Fund Program and American Rescue Plan Funds Y21-1046C - Southwick Commons, LTD providing a total amount of \$3,000,000. District 2. (Housing and Community Development Division)

G. PUBLIC WORKS DEPARTMENT

1. **24-391** Authorization to record the plat of Barnett Villas. District 6. (Development Engineering)
2. **24-392** Authorization to record the plat of Baldwin Park Plaza. District 5. (Development Engineering)
3. **24-393** Approval and execution of Proportionate Share Agreement for Mavis Tires & Brakes Orange Blossom Trail by and between Publix Super Markets, Inc. and Orange County for a proportionate share payment in the amount of \$84,840. District 2. (Roadway Agreement Committee)
4. **24-394** Approval and execution of Proportionate Share Agreement for Negril Jamaican Restaurant Powers Drive by and between Growth Property Management LLC and Orange County for a proportionate share payment in the amount of \$75,651. District 6. (Roadway Agreement Committee)
5. **24-395** Approval and execution of Proportionate Share Agreement for Tyson Ranch PD AKA Tyson Ranch MFU Boggy Creek Road by and among Boggy Creek Commercial, LLC, Orlando Airport Property, LLC, and Orange County for a proportionate share payment in the amount of \$1,273,970. District 4. (Roadway Agreement Committee)
6. **24-396** Approval and execution of Proportionate Share Agreement for Tyson Ranch PD AKA Tyson Ranch Hotel Boggy Creek Road by and between Boggy Creek Commercial, LLC and Orange County for a proportionate share payment in the amount of \$900,565. District 4. (Roadway Agreement Committee)
7. **24-397** Approval and execution of Proportionate Share Agreement for Tyson Ranch PD - Commercial/Retail AKA Tyson Retail Boggy Creek Road by and between Boggy Creek Commercial, LLC and Orange County for a proportionate share payment in the amount of \$263,580. District 4. (Roadway Agreement Committee)
8. **24-398** Approval and execution of Amendment to the Interlocal Agreement Creating the Orlando Urban Area Metropolitan Planning Organization D/B/A/ MetroPlan Orlando. All Districts. (Transportation Planning Division)
9. **24-399** Approval and execution of (1) Resolution 2024-M-05 of the Orange County Board of County Commissioners regarding the Local Agency Program Agreement with the State of Florida Department of Transportation concerning the Tiny Road intersection improvements at Tilden Road Project (FPN Number 444788-1-58/68-01) and (2) State of Florida Department of Transportation Local Agency Program Agreement FPN: 444788-1-58-01

and FPN: 444788-1-68-01. District 1. (Transportation Planning)

10. **24-400** Approval and execution of (1) Financial Management Number 452932-1-52-01 Resolution 2024-M-06 of the Orange County Board of County Commissioners regarding the Locally Funded Agreement with the State of Florida Department of Transportation concerning State Road 50/Colonial Drive intersection of State Road 50 with Corner School Drive and (2) Locally Funded Agreement between the State of Florida Department of Transportation and Orange County FPN: 452932-1-52-01. District 5. (Transportation Planning Division)
11. **24-401** Approval of a multi-way stop installation at the intersection of South Nashville Avenue and 37th Street. District 6. (Traffic Engineering Division)
12. **24-402** Approval of a multi-way stop installation at the intersection of Woods Street and 37th Street. District 6. (Traffic Engineering Division)
13. **24-403** Approval and execution of Agreement allowing platting of a Subdivision prior to completion of Subdivision Improvements (Silverleaf Reserve at Hamlin Phase 2C) by and between Orange County and Meritage Homes of Florida, Inc. District 1. (Development Engineering)

II. DISCUSSION AGENDA

A. ADMINISTRATIVE SERVICES DEPARTMENT

1. **24-404** Selection of one firm and two ranked alternates to provide Design Services for Orange County Convention Center North-South Building Food Service Renovations, Request for Proposals Y24-807-MB, from the following three firms, listed alphabetically:

- Architectural Design Collaborative, Inc.
- Helman Hurley Charvat Peacock/Architects, Inc.
- KZF Design LLC d.b.a. KMF Architects

([Convention Center Fiscal and Operational Support Division] Procurement Division)

A motion was made by Commissioner Wilson, seconded by Commissioner Scott, to appoint Helman Hurley Charvat Peacock/Architects, Inc., 451 points, as the selected firm; and further, appoint KZF Design LLC d.b.a KMF Architects, 443.33 points, and Architectural Design Collaborative, Inc., 337.83 points as the selected ranked alternates. The motion carried by the following vote:

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

Absent: 2 - Commissioner Moore, and Commissioner Bonilla

III. WORK SESSION AGENDA**A. COUNTY ADMINISTRATOR**

1. **24-405** Recruitment and Retention. (Human Resources Division)

Board discussion ensued. County Administrator Brooks contributed to the discussion.

The Board took no action.

B. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

1. **24-406** Composition of the Environmental Protection Commission. (Environmental Protection Division)

Board discussion ensued. County Attorney Newton, and County Administrator Brooks contributed to the discussion.

The motion by Commissioner Scott to approve Item B1(A) from consent, the reappointment of Peter Fleck in the regulated business or municipality category was withdrawn.

The Board took no action.

and

I. CONSENT AGENDA (Deferred)**B. COUNTY ADMINISTRATOR**

1. **24-344** Approval of the Membership and Mission Review Board's recommendations for advisory board appointments and reappointments. (Agenda Development Office)

A. Environmental Protection Commission: Reappointment of Peter J. Fleck in the regulated business or municipality representative category, Kelly S. Eger-Smith in the environmental specialist representative category, and Margaret Shan Atkins in the recognized conservation organization representative category with terms expiring December 31, 2025.

B. Fire and Life Safety Code Board of Adjustments and Appeals: Reappointment of Angelica Corredor in the at large representative category with a term expiring December 31, 2026.

C. MetroPlan Orlando Community Advisory Committee: Appointment of Joseph E. Caesar and Glenn Cook to succeed Gislene M. Moorman and Patricia Rumph in the Orange County representative category with terms expiring December 31, 2027.

D. Neighborhood Grants Advisory Board: Appointment of Kourtney N.

Dinkins to succeed Evelyn Reyes in the District 3 representative category with a term expiring June 30, 2025.

The Board only considered County Administrator Consent Item 1A as the other items, County Administrator Consent Items 1B, 1C, and 1D were approved previously in the Consent motion.

The Board took no action.

Nonagenda

Mayor Demings commented on a notice provided by the City of Orlando regarding a feasibility study for Sunbridge, Stanton, and International Corporation Park Annexation Area. Mayor Demings summarized the annexation and explained that the notice was received by surprise. It was expressed that communications between City of Orlando and Orange County needs to improve for planning purposes including impacts on the Vision 2050 plan. Staff was directed to prepare a letter noting concerns and potential issues regarding the proposed annexation to present to the city at the March 11, 2024 public hearing which is the first of two regarding this matter. Staff will keep this Board informed as to the city's actions and any staff level discussion regarding this potential annexation.

EXECUTIVE SESSION

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

A. COUNTY ADMINISTRATOR

1. **24-418** Orange County Fire Rescue Department, International Association of Fire Fighters (IAFF) Contract Negotiations.

IV. RECOMMENDATIONS

1. **24-407** February 15, 2024 Planning and Zoning Commission Recommendations

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

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

Absent: 1 - Commissioner Scott

V. PUBLIC HEARINGS

A. Municipal Service Benefit Unit

1. **24-179** Avalon Ridge, establish for streetlighting and for retention pond(s) maintenance; District 1

Consideration: Establish by resolution a Municipal Service Benefit Unit for streetlighting and for retention pond(s) maintenance at Avalon Ridge which consists of 46 lots.

Location: District 1; Section 05, Township 23, 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 February 15, 2024. 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

2. **24-180** Bargrove Phase 1 and Bargrove Phase 2, amend for streetlighting and for retention pond(s) maintenance; District 2

Consideration: Amend by resolution a Municipal Service Benefit Unit for streetlighting and for retention pond(s) maintenance to include Bargrove Phase 2, which will add 67 lots from Bargrove Phase 2.

Location: District 2; Section 09, Township 20, Range 27; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Moore, seconded by Commissioner Gomez Cordero, to approve the request as referenced in the Staff Report dated February 15, 2024. 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. **24-181** Chase Landing; establish for streetlighting and for retention pond(s) maintenance; District 4

Consideration: Establish by resolution a Municipal Service Benefit Unit for streetlighting and for retention pond(s) maintenance at Chase Landing which consists of 68 lots.

Location: District 4; Section 30, Township 24, Range 30; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Scott, to approve the request as referenced in the Staff Report dated February 15, 2024. 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. **24-182** Encore at Ovation Area, amend for streetlighting and for retention pond(s) maintenance; District 1

Consideration: Amend by resolution a Municipal Service Benefit Unit for streetlighting and for retention pond(s) maintenance to include Encore at Ovation Phase 4B, which will add 124 lots.

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 Uribe, to approve the request as referenced in the Staff Report dated February 15, 2024. 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. 24-183 Hamlin Pointe, establish for streetlighting; District 1

Consideration: Establish by resolution a Municipal Service Benefit Unit for streetlighting at Hamlin Pointe which consists of 53 lots.

Location: District 1; Section 19, Township 23, Range 27; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Wilson, seconded by Commissioner Scott, to approve the request as referenced in the Staff Report dated February 15, 2024. 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. 24-184 Hamlin Ridge, establish for streetlighting; District 1

Consideration: Establish by resolution a Municipal Service Benefit Unit for streetlighting at Hamlin Ridge which consists of 96 lots.

Location: District 1; Section 19, Township 23, Range 27; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Wilson, seconded by Commissioner Moore, to approve the request as referenced in the Staff Report dated February 15, 2024. 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. 24-185 Hancock Lone Palm, establish for streetlighting and for retention pond(s) maintenance; District 4

Consideration: Establish by resolution a Municipal Service Benefit Unit for streetlighting and for retention pond(s) maintenance at Hancock Lone Palm which consists of 37 lots.

Location: District 4; Section 24, Township 22, Range 31; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Scott, to approve the request as referenced in the Staff Report dated February 15, 2024. 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

8. 24-186 Handsonhurst, establish for streetlighting; District 3

Consideration: Establish by resolution a Municipal Service Benefit Unit for streetlighting at Handsonhurst which consists of 27 parcels.

Location: District 3; Multiple Parcels; Section 31, Township 22, Range 30; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Uribe, seconded by Commissioner Gomez Cordero, to approve the request as referenced in the Staff Report dated February 15, 2024. 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. Petition to Vacate

9. 24-260 Case # PTV 23-01-003

Mohammed Islam/NRST LLC, on behalf of 11726 Ruby Lake Land Trust, and Noon Foundation Inc., vacate an unopened, unimproved, and unnamed alleyway; District 1

Consideration: Resolution granting Petition to Vacate # 23-01-003, vacating an unopened, unimproved, and unnamed 16-foot-wide alleyway located between three undeveloped residential parcels located within the Orange Center Subdivision.

Location: District 1; The parcel addresses are 11696 Ruby Lake Road, 11726 Ruby Lake Road, and 11711 Maple Street; S15/T24/R28; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Wilson, seconded by Commissioner Gomez Cordero, to approve the request listed in the Staff Report dated March 5, 2024. 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

10. 24-261 Case # PTV 23-01-001

Cutter Smyth of Carrigan Reality Inc., on behalf of Sherri L Carrigan, vacate a portion of an unopened and unmaintained right-of-way; District 5

Consideration: Resolution granting Petition to Vacate # 23-01-001, vacating an approximately

15-foot-wide by 60-foot-long portion of an unopened and unmaintained right-of-way known as 11th Avenue and lies along the west property line of the petitioners commercial parcel.

Location: District 5; The parcel is unaddressed; S22/T22/R32; Orange County Comptroller County, Florida (legal property description on file)

A motion was made by Commissioner Bonilla, seconded by Commissioner Gomez Cordero, to approve the request listed in the Staff Report dated March 5, 2024. 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. Shoreline Alteration/Dredge and Fill

11. 24-194 Case # SADF-23-10-026

Mohammed I. Khan Life Estate, Shamim K. Khan Life Estate, Mohammed Ayaz Khan, Nida Imtiaz Khan and Amber Imtiaz Khan, Big Sand Lake, permit; District 1

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit Application (SADF-23-10-026) to authorize the construction of a replacement vinyl seawall along the shoreline of Big Sand Lake, pursuant to Chapter 15, Article VI, Pumping and Dredging Control

Location: District 1; on property located adjacent to Big Sand Lake, located at 9049 Southern Breeze Drive, Orlando, Florida 32836 (legal property description on file in Environmental Protection Division)

A motion was made by Commissioner Wilson, seconded by Commissioner Scott, to accept the findings and recommendation of the Environmental Protection Division; and further, approve the Shoreline Alteration/Dredge and Fill Permit (SADF-23-10-026) subject to the twenty-five (25) conditions of approval listed in the Staff Report dated January 30, 2024. 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

D. Board of Zoning Adjustment Appeal

12. 24-193 Case # VA-23-12-119

Herbert Betancourt, January 4, 2024; District 5

Consideration: Appeal of the recommendation of the Board of Zoning Adjustment on a request by applicant for Variances in the R-1AA zoning district as follows: 1) To allow for an existing detached accessory structure dwelling unit* (treehouse) 11 ft. from the Normal High Water Elevation (NHWE) in lieu of 35 ft. 2) To allow an existing detached accessory structure (gazebo) 3.8 ft. from the Normal High Water Elevation (NHWE) in lieu of 35 ft. 3) To allow an existing detached accessory structure (outdoor shower) 12.9 ft. from the Normal High Water Elevation

(NHWE) in lieu of 35 ft. 4) To allow an existing detached accessory structure (pergola) 15.1 ft. from the Normal High Water Elevation (NHWE) in lieu of 35 ft. 5) To allow an existing pool/deck with a south side setback of 3.5 ft. in lieu of 5 ft. Note: This is a result of Code Enforcement *Accessory dwelling unit was advertised, but not applicable.

Location: District 5; property located at 4715 Shorecrest Dr., Orlando, FL 32817 (legal property description on file at Zoning Division)

Based on the updated site plan received February 27, 2024; Variances in the R-1AA zoning district as follows:

- 1) To allow for an existing detached accessory structure (treehouse) 11 ft. from the Normal High Water Elevation (NHWE) in lieu of 35 ft.
- 2) To allow an existing detached accessory structure (gazebo) 3.8 ft. from the Normal High Water Elevation (NHWE) in lieu of 35 ft.
- 3) ~~To allow an existing detached accessory structure (outdoor shower) 12.9 ft. from the Normal High Water Elevation (NHWE) in lieu of 35 ft.~~
- 4) ~~To allow an existing detached accessory structure (pergola) 15.1 ft. from the Normal High Water Elevation (NHWE) in lieu of 35 ft.~~
- 5) To allow an existing pool/deck with a south side setback of 3.5 ft. in lieu of 5 ft.

Five (5) Conditions of Approval as follows:

1. Development shall be in accordance with the site plan received February 27, 2024, ~~survey received November 20, 2023~~, and elevations received October 11, 2023 as modified to remove the treehouse, pergola, and outdoor shower structure, subject to the conditions of approval, and all applicable laws, ordinances, and regulations. Any proposed non-substantial deviations, changes, or modifications will be subject to the Zoning Manager's review and approval. Any proposed substantial deviations, changes, or modifications will be subject to a public hearing before the Board of Zoning Adjustment (BZA) where the BZA makes a recommendation to the Board of County Commissioners (BCC).

2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of County Commissioners shall be resubmitted for the Board's review or the plans revised to comply with the standard.

4. Prior to the issuance of any building permit of the existing detached structures and the pool and deck, the portion of the fence which encroaches into the adjacent property shall be removed.

5. Prior to the issuance of any building permit, the property owner shall record in the official records of Orange County, Florida an Indemnification/Hold Harmless Agreement, on a form provided by the County, which indemnifies Orange County, Florida from any damages and losses arising out of or related in any way to the activities or operations on or use of the Improvement resulting from the County's granting of the Variance request and, which shall inform all interested parties that the gazebo is located no closer than 3.8 feet from the Normal High Water Elevation (NHWE) of Lake Martha.

The following persons addressed the Board:

- George Sharpe (phonetic)
- Herbert Betancourt

A motion was made by Commissioner Bonilla, seconded by Commissioner Scott, to uphold the Board of Zoning Adjustment Recommendation of January 4, 2024, Case # VA-23-12-119, to deny Variances #1, #3, and #4, and approve Variances #2 and #5 in the R-1AA zoning district; and further, approve the five (5) conditions of approval. 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 Subdivision Plan

13. **24-264** Case # PSP-22-03-091

Stephen Allen, Civil Corp Engineering, Inc., Marbella Reserve Preliminary Subdivision Plan; District 3

Consideration: Marbella Reserve Preliminary Subdivision Plan, Case # PSP-22-03-091, submitted in accordance with Orange County Code, Chapter 34, Article III, Section 34-69 and Chapter 30, Article III, Section 30-89; This Preliminary Subdivision Plan (PSP) is a request to subdivide 4.40 acres in order to construct 12 single-family residential dwelling units.

Location: District 3; property generally located South of East Colonial Drive / West of Dean Road, Orange County, Florida (legal property description on file in Planning Division)

New Conditions of Approval #23 & #24:

23. The applicant/developer shall install or have caused to install a fence acceptable to County along the upland buffer line adjacent to and within Tract F connecting the existing stormwater pond fences to the north and south of this subdivision, prior to Certificate of Completion.

24. A 6 ft. tall opaque PVC fence shall be installed along the south property lines of Tract F, and Lots 1-12, prior to Certificate of Completion.

The following person addressed the Board: Stephen Allen.

A motion was made by Commissioner Uribe, seconded by Commissioner Gomez Cordero, to

make a finding of consistency with the Comprehensive Plan; further, approve the request subject to the twenty-two (22) conditions of approval listed under the Development Review Committee Recommendation in the Staff Report dated February 12, 2024; and further, approve new Conditions of Approval #23 and #24. 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. 24-131 Case # CDR-22-05-162

Solange Dao, P.E., DAO Consultants, Inc., Wedgefield 10 Lot Addition - Block 40 Preliminary Subdivision Plan; District 5 (Continued from February 6, 2024)

Consideration: Wedgefield 10 Lot Addition - Block 40 Preliminary Subdivision Plan (PSP), Case # CDR-22-05-162, submitted in accordance with Orange County Code, Chapter 34, Article III, Section 34-69 and Chapter 30, Article III, Section 30-89; This Preliminary Subdivision Plan (PSP) is a request to subdivide 2.13 acres to construct four single-family residential dwelling units.

Location: District 5; property generally located North of Maxim Parkway / South of Macon Parkway / East of Bancroft Boulevard, Orange County, Florida (legal property description on file in Planning Division)

A motion was made by Commissioner Bonilla, seconded by Commissioner Scott, to make a finding of consistency with the Comprehensive Plan; and further, approve the request subject to the seventeen (17) conditions of approval listed under the Development Review Committee Recommendation in the Staff Report dated February 12, 2024. 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/Comprehensive Plan - Adoption of Small-Scale Amendments and Ordinance

15. 24-262 Adoption of Future Land Use Map Amendment SS-23-12-100 and Ordinance, William Bywater

a. Amendment SS-23-12-100

Consideration: To change the Future Land Use designation from Neighborhood Activity Center (NAC) to Commercial (C) in order to allow for C-2 zoning district uses including but not limited to outdoor storage and sales of automobiles; pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code

Location: District 6; property located at 1013 W. Michigan Street; generally located on the north side of W. Michigan Street, west of S. Westmoreland 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 Small-Scale development amendments pursuant to Section 163.3187, Florida Statutes; and providing effective dates.

The following person addressed the Board: William Bywater.

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

A motion was made by Commissioner Scott, seconded by Commissioner Uribe, to make a finding of inconsistency with the Comprehensive Plan; further, deny the Commercial (C) Future Land Use; and further, deny the associated Ordinance. 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: 3:13 p.m.

ATTEST:

County Mayor Jerry L. Demings

Date: _____

ATTEST SIGNATURE:

Phil Diamond
County Comptroller as Clerk

Deputy Clerk

* * *

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

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

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

Si w bezwen èd nan lang Kreyòl oswa sèvis tradiksyon, tanpri rele (407) 836-3111

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

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