

SEMINOLE COUNTY, FLORIDA

*COUNTY SERVICES BUILDING
1101 EAST FIRST STREET
SANFORD, FLORIDA
32771-1468*



Meeting Minutes

Tuesday, June 27, 2023

9:00 AM

BCC Chambers

Board of County Commissioners

Call to Order

Present: Chairman (District 4) Amy Lockhart
Vice Chairman (District 5) Andria Herr
Commissioner (District 1) Bob Dallari
Commissioner (District 3) Lee Constantine

Absent: Commissioner (District 2) Jay Zembower

Additional Attendees: County Manager Darren Gray, Acting County Attorney Paul Chipok, Clerk of Court & Comptroller Grant Maloy, and Deputy Clerks Chariti Guevara and Kyla Farrell.

Invocation

Father Ivan Olmo, Annunciation Catholic Church Orlando, Altamonte Springs, gave the invocation.

Pledge of Allegiance

Father Olmo led the Pledge of Allegiance.

AWARDS, PRESENTATIONS AND PROCLAMATIONS

Chairman Lockhart announced they are moving Item 2, Diversity in Business Award Presentation, to after Item 5.

1. Proclamation - Proclaiming Chief Noah Daniels, United States Coast Guard as Seminole County's June Veteran of the Month. (Chief Noah Daniels, United States Coast Guard) [2023-607](#)

Motion by Commissioner Dallari, seconded by Vice Chairman Herr, to adopt the Proclamation proclaiming Chief Noah Daniels, United States Coast Guard, as Seminole County's June Veteran of the Month.

Districts 1, 3, 4, and 5 voted AYE.

3. Proclamation - Proclaiming the Month of July 2023, as Park and Recreation Month in Seminole County. (Richard Durr, Leisure Services Director) [2023-688](#)

Motion by Commissioner Constantine, seconded by Commissioner Dallari, to adopt a Proclamation proclaiming the Month of July 2023 as Park and Recreation Month in Seminole County.

Districts 1, 3, 4, and 5 voted AYE.

4. Proclamation - Proclaiming the Month of June as National Post Traumatic Stress Disorder Awareness Month in Seminole County (Brad Sokoly, Oviedo Memorial Post 243 Commander) [2023-689](#)

Motion by Vice Chairman Herr, seconded by Commissioner Constantine, to adopt a Proclamation proclaiming the Month of June as National Post Traumatic Stress Disorder Awareness Month in Seminole County.

Districts 1, 3, 4, and 5 voted AYE.

5. Resolution - Recognizing Jim Duby, Natural Lands Program Manager for 30 Years of Service to Seminole County and Its Citizens. (Jim Duby, Natural Lands Program Manager) [2023-690](#)

Motion by Chairman Lockhart, seconded by Commissioner Dallari, to adopt appropriate Resolution #2023-R-64 recognizing Jim Duby, Natural Lands Program Manager, for 30 Years of Service to Seminole County and Its Citizens.

Districts 1, 3, 4, and 5 voted AYE.

Resolution #2023-R-64

2. Presentation - Diversity in Business Award (Battalion Chief Christopher Baker) [2023-687](#)

Darren Gray, County Manager, recognized Fire Battalion Chief Christopher Baker for receiving the Orlando Business Journal Diversity in Business Award.

Commissioner Dallari left the meeting at 9:38 a.m.

6. County Investment Advisor Report (Scott McIntyre, CFA - Senior Portfolio Manager, Managing Director Hilltop Securities Asset Management) [2023-77](#)

Mr. McIntyre presented the County Investment Advisor Report (presentation included in the agenda memorandum.).

Motion by Commissioner Constantine, seconded by Vice Chairman Herr, to approve the implementation of the purchase recommendations of the Board's Financial Advisor based upon the report submitted today and recommend the Clerk implement said Board recommendations.

Under discussion, Vice Chairman Herr suggested at some point having a presentation of assurances that all of the investments are compliant with the new rules that were effective July 1st with regard to investment strategies. No objections were voiced.

Districts 3, 4, and 5 voted AYE.

7. Quarterly Report - Water and Soil Conservation District (Gabrielle Milch) [2023-695](#)

Karen Heriot, Seminole County Water and Soil Conservation District Chairman, addressed the Board and introduced Gabrielle Milch who presented the Quarterly Report (presentation included in the agenda memorandum). The presentation was followed by Board comments. Chairman Lockhart requested the County Manager continue to work with the District for support and resources. No objections were voiced. Vice Chairman Herr stated she supports in-kind support requests in lieu of funding requests. Mr. Chipok advised the County Attorney's Office has provided public

records advice and Sunshine advice. Mr. Gray added they provided the District an office and an address at a County facility which now allows them to apply for grants that require a physical mailing address.

CONSENT AGENDA – PUBLIC PARTICIPATION

With regard to public participation, no one spoke and public input was closed.

County Manager's Consent Agenda (Items No. 8 - 31)

Motion by Vice Chairman Herr, seconded by Commissioner Constantine, to approve Consent Agenda Items 8 through 31 and Constitutional Officer's Item 32.

Districts 3, 4, and 5 voted AYE.

Chairman Lockhart advised Commissioner Dallari had to leave the meeting earlier due to a family emergency.

County Manager's Office

8. Approve and authorize the Chairman to execute a Memorandum of Agreement between St Stephen Lutheran Church for the use of the facility as an evacuation shelter during times of disaster/emergency. Countywide (Alan Harris, Emergency Management Director) [2023-693](#)
9. Approve and authorize the Chairman to execute a Memorandum of Agreement between Seminole State College and Seminole County on the Debris Management / Logistics Site. Countywide (Alan Harris, Emergency Management Director) [2023-697](#)

Community Services

10. Approve the substantial amendments to the FY2018/19, FY2019/20, FY2020/21, and FY2022/23 Annual Action Plans; Authorize the Chairman to execute all corresponding documents and signature pages and authorize Community Services Department staff to submit amendments to HUD for approval. Countywide (Allison Thall, Community Services Director) [2023-600](#)
11. Approve and accept the HOME and NSP monthly report for May 2023 pursuant to Seminole County Resolution No 2015-R-51, and No 2013-R-61. Approve the 2nd quarter Attainable Housing report pursuant to Ordinance No 2021-14. Countywide (Stacey Smithwick, Community Development Division Manager).end [2023-608](#)
12. Approve the proposed technical revisions to Seminole County's Local Housing Assistance Plan (LHAP) for fiscal years 2022-2024, in order to provide services to Seminole County homeowners to expand production of and preserve affordable housing in Seminole County. Countywide. (Stacey Smithwick, Community Development Division Manager) [2023-638](#)
13. Approve and authorize the Chairman to execute the Developer [2023-672](#)

Agreement for State Housing Initiative Partnership Program Funding
Banyan East Town Apartments and supporting documents for the
construction of a 92-unit affordable rental housing development. District4-
Lockhart (Stacey Smithwick, Community Development Division Manager)

Development Services

14. Approve the Amended Developer's Commitment Agreement (Addendum #10) for the Deer Run and Country Club Planned Unit Development (PUD), on approximately 134.76 acres, located on the south side of Center Dr and adjacent to Eagle Cir; (Keith Welty/Leisure Services, Applicant) District1 - Dallari (Annie Sillaway, Project Manager). [2023-580](#)
15. Approve the amended Developer's Commitment Agreement (Addendum #19) for the Wekiva Planned Unit Development, on approximately 144.15 acres zoned Planned Development located on the north side of Sand Lake Rd and adjacent to N Hunt Club Blvd; (Keith Welty/Leisure Services, Applicant) District3 - Constantine (Annie Sillaway, Project Manager). [2023-581](#)
16. Approve the Final Plat for the Cove at Riverbend subdivision containing thirty-eight (38) lots on 9.60 acres zoned PD (Planned Development), located on the east side of Cameron Ave west of Celery Ave, approximately ¼ mile west of Lake Mary Blvd; (Logan Belk Allen and Company, Applicant) District5 - Herr (Annie Sillaway, Project Manager) [2023-616](#)

Environmental Services

17. Approve and authorize the Chairman to execute a Certificate of Public Convenience and Necessity for Conex Recycling Corporation effective from October 1, 2023 through September 30, 2024. Countywide, (Oliver Bond, Solid Waste Division Manager) [2023-694](#)

Fire Department

18. Approve and authorize the Chairman to execute Certificates of Public Convenience and Necessity (COPCN's) for all first response agencies in Seminole County's EMS system, AdventHealth EMS, AdventHealth Flight 1, Orlando Health, First2Aid EMS, Inc., Affordable Transport, Lifefleet Southeast, Inc. dba American Medical Response, Rocky Mountain Holdings, LLC dba Air Care, RG Ambulance Service, Inc. dba American Ambulance, National Health Transport, Inc. and Osceola Regional Hospital, Inc. dba HCA Florida to become effective July 1, 2023. Countywide (Matt Kinley, Fire Chief) [2023-594](#)

Public Works

19. Approve and authorize the Chairman to execute a Purchase Agreement related to Parcels No. 120/820 for acquisition of property needed for the Orange Boulevard Improvement Project (3,137± SF and 25± SF respectively) between Bernard D. Mitchell, Jr. and Jessika Mitchell and Seminole County for \$41,000.00, as full settlement of all other claim for compensation from which Seminole County might be obligated to pay [2023-685](#)

relating to the parcel. District5 - Herr (Jean Jreij, P.E./Public Works Director/County Engineer).

20. Approve and authorize the Chairman to execute the Traffic Signal Maintenance and Compensation Agreement Amendment Two (2) between the State of Florida Department of Transportation (FDOT) and Seminole County. Countywide (Jean Jreij, PW Director) [2023-669](#)

Resource Management

21. Approve and authorize the Chairman to execute a Resolution implementing the Budget Amendment Request (BAR) #23-051 through the SHIP Grant Fund in the amount of \$5,544,839 to establish funding for the FY23/24 SHIP allocation grant; and approve two additional limited-term grant funded FTEs to support SHIP increase funding. Countywide (Timothy Jecks, Budget Director) Requesting Department: Community Services [2023-602](#)

Resolution #2023-R-65 for BAR #23-051

22. Approve and authorize the Chairman to execute a Resolution implementing the Budget Amendment Request (BAR) #23-054 to appropriate budget of \$13,394.69 from General Fund Reserves to provide a source of protection with an outdoor canopy at Animal Services. Countywide (Timothy Jecks, Budget Director) Requesting Department - Office of Emergency Management. [2023-684](#)

Resolution #2023-R-66 for BAR #23-054

23. Approve and authorize the Chairman to execute a Resolution implementing Budget Amendment Request (BAR) #23-055 in the amount of \$310,725 through the Community Services Block Grant (CSBG) Fund to recognize the grant funding from the State of Florida Department of Economic Opportunity new CSBG grant allocation. Countywide (Timothy Jecks, Budget Director) Requesting Department: Community Services [2023-666](#)

Resolution #2023-R-67 for BAR #23-055

24. Approve and authorize the Chairman to execute a grant agreement from the State of Florida, Division of Emergency Management in acceptance of \$105,806 for the Emergency Management Preparedness and Assistance (EMPA) grant award; and to execute a Resolution implementing Budget Amendment Request (BAR) #23-056 through the Disaster Preparedness Fund in the amount of \$105,806 to appropriate budget. Countywide (Timothy Jecks, Budget Director) Requesting Department: Emergency Management [2023-665](#)

Resolution #2023-R-68 for BAR #23-056

25. Approve and authorize the Chairman to execute a Resolution implementing Budget Amendment Request (BAR 23-057) in the Building Fund to appropriate budget in the amount of \$34,083 from reserves for the replacement of a F150 Truck in the Building Program. Countywide [2023-677](#)

(Timothy Jecks, Budget Director) Requesting Department - Development Services

Resolution #2023-R-69 for BAR #23-057

26. Approve and authorize the Chairman to execute a Resolution implementing Budget Amendment Request (BAR 23-058) in the 2014 Infrastructure Sales Tax Fund to appropriate budget in the amount of \$2,550,000 from reserves for additional funding for capital maintenance projects and to establish funding for the Wekiva Springs Rd Paving Project. Countywide (Timothy Jecks, Budget Director) Requesting Department - Public Works [2023-681](#)

Resolution #2023-R-70 for BAR #23-058

27. Waive the procurement process and authorize Sole Source Procurement SS-604577-23/TLR - to an approved vendor of AT&T who provides the County's 911 service in the amount of \$248,500 and authorize the Purchasing and Contracts Division to execute the Purchase Order(s). Countywide, (Diane Reed, Purchasing and Contracts Division Manager) Requesting Department/Division - County Manager's Office/Emergency Management [2023-566](#)
28. Approve Amendment #5 to SS-601200-11/BJC - P25 Upgrade Services Agreement with Motorola Solutions, Inc., Schaumburg, IL in the amount of \$832,345.00, and authorize the Purchasing and Contracts Division to execute the Amendment. Countywide (Diane Reed, Purchasing and Contracts Division Manager) Requesting Department/Division - Emergency Management/Communications/E-911 [2023-567](#)
29. Award (3) Master Service Agreements (MSA's) for RFP-4933-23/HSM - General Consulting Services for Planning and Development and authorize the Purchasing & Contracts Division to execute the MSA's. Estimated annual usage amount is \$400,000.00. Countywide (Diane Reed, Purchasing and Contracts Division Manager) Requesting Department/Division-Development Services/Planning & Development. [2023-619](#)
30. Award IFB-604531-23/TLR - Term Contract for Large Meter Testing, Repair, Maintenance, and Replacement to Reed and Shows Meter Solutions, LLC, Bowdon Junction, GA at an estimated annual amount of \$195,000.00 and authorize the Purchasing and Contracts Division to execute the Agreement. Countywide (Diane Reed, Purchasing and Contracts Division Manager) Requesting Department/Division - Environmental Services/Utilities Operations [2023-663](#)
31. Award IFB-604540-23/LAS- Term Contract for Seminole County Irrigation to Brightview Landscape Services, Inc., Sanford, with an estimated annual usage amount of \$31,914.14 and authorize the Purchasing and Contracts Division to execute the agreement. Countywide (Diane Reed, Purchasing and Contracts Division Manager) Requesting Department/Division - Leisure Services/Greenways and Natural Lands [2023-627](#)

Constitutional Officers – Consent Agenda

32. Expenditure Approval Lists dated May 30, and June 6, 2023; and Payroll Approval List dated May 25, 2023. (Jenny Spencer, CPA, CGFO, and CFE, Director, Comptroller's Office) [2023-676](#)

This item was approved with the Consent Agenda.

COUNTY MANAGER AND STAFF BRIEFINGS

33. Presentation - Traffic Calming Devices (Jean Jreij, Public Works Director, and Matt Kinley, Fire Chief) [2023-709](#)

Mr. Gray reminded there have been previous work sessions on traffic calming. Staff's presentation today includes a proposed process and procedure for Board input and direction. County Engineer and Public Works Director Jean Jreij, Traffic Engineer Charlie Wetzel, and Fire Chief Matt Kinley presented the Traffic Calming Update (presentation included in the agenda memorandum). The presentation was followed by Board questions and comments.

Vice Chairman Herr expressed concerns with the language including shalls and musts. Regarding the language that the observed 85th percentile speed is greater than 10 miles per hour over the posted speed limit, the 10 miles per hour concerns her; and it is a giant "speed bump" in the path of putting speed bumps in. She agrees that Fire should be included. She does not think MSBU should be the only funding source, and they do need the opportunity to bring it back to the Board for certain areas of the county where they can't form an MSBU. She believes a funding source could be the penny sales tax, and it should be included on the list of things they consider. She does not think anyone is going to go through all the trouble the proposed procedure requires in order to get the speed bumps, and it feels like they are trying to not put them in. The Vice Chairman also noted the proposed process has 100% of these coming to the Board, and she is not sure they need to have all of them come to the Board for approval, only certain ones.

Commissioner Constantine stated they need to streamline this, and the over 10-miles-per-hour percentile is too high of a threshold. It needs to be more defined so that there is a reasonable opportunity for these to be approved. They need to be more inclusive than exclusive.

Chairman Lockhart expressed concerns of the 85th percentile of over 10 miles per hour. In her opinion, it doesn't have to be a major speeding problem to be a problem. She would like them to go back and look at this so it can have the opportunity for it to be applied more readily. She is also concerned with the shalls and the musts in the language. The Chairman stated she is perplexed that it has to be a through street in order to be eligible. They are hemming themselves in too much.

Mr. Gray advised staff will work on this feedback and then bring it back to the Board.

COUNTY ATTORNEY BRIEFING

Acting County Attorney Paul Chipok provided a briefing on the following:

- 1.) The Board previously had inquired about funding sources for the Lake Markham alternative pump. The County Attorney's Office's research has determined that MSBU could be a funding source. However, whether it is viable or practical is another story.
- 2.) On June 23, 2023, Emeritus County Attorney Bryant Applegate received the Claude Pepper Outstanding Government Lawyer Award from the Florida Bar.
- 3.) In regards to the Greenberg restitution matters, Mr. Applegate will be providing individual briefings to each Commissioner. Upon Chairman Lockhart's inquiry, Mr. Applegate clarified it is in regards to other parties, not directly related to Mr. Greenberg.
- 4.) At the last meeting during the public comment portion, the Chairman asked whether they could tighten up or narrow the focus of public comments. In looking at it, that can be done. Staff can tighten the public comment language so it would be focused more on County-related items that deal with county business. However, before drafting something to bring back to the Board, Mr. Chipok wants to make sure there is consensus from the Board to do so. There was Board consensus.
- 5.) Over the next two days, June 28th and 29th, the Florida Association of County Attorneys is having a conference in South Orlando, and the majority of the County Attorney's Office will be attending the conference. They will be available by phone if needed.

DISTRICT COMMISSIONER REPORTS 1, 2, 3, 5 and 4**District 3**

Commissioner Constantine reported on events and meetings he attended and announced the upcoming local 4th of July events.

District 5

Vice Chairman Herr offered her condolences on the passing on Edward Bass. The Vice Chairman reported on the Bookertown Community Association meeting. She gave a "shout out" to Krystine Schafer, Rescue Outreach Mission, and distributed an informational flyer on Ms. Schafer and ROM (received and filed). The Vice Chairman reported Lynx has given an update on the Paratransit Transition (received and filed). She advised there was a Lynx letter of support for the PROTECT grant emailed to the Commissioners (received and filed). It was not asked for from the board, it was asked for from her as the Commissioner seated on their board.

Motion by Vice Chairman Herr, seconded by Commissioner Constantine, to approve Craig Davis to the Code Enforcement Board for board appointment.

Districts 3, 4, and 5 voted AYE.

District 4

Chairman Lockhart reported in the East Altamonte community there is an opportunity to put up no parking signs that had been up and that were then taken down. She has talked with staff and the Sheriff's Office about this. It is coming down to whatever the Code parameters are. The roadway width to put up the no parking signs is 20 feet, but this road happens to be 24 feet so it is a four-foot problem. She has asked staff if they could work with the County Attorney's Office to find the best possible solution to this four-foot parking sign variance. She inquired if there would be Board consensus on having staff bring back a fix for this particular circumstance and then maybe something for a permanent fix in the future. There was consensus from the Board.

Recess BCC Meeting Until 1:30 P.M.

Chairman Lockhart recessed the meeting at 11:06 a.m.

Reconvene Meeting at 1:30 P.M.

Chairman Lockhart reconvened the meeting at 1:30 p.m., with all Commissioners including the return of Commissioner Dallari and all other Officials, with the exception of Clerk of Court & Comptroller Grant Maloy and Deputy Clerk Chariti Guevara who was replaced by Deputy Clerk Kyla Farrell, who were present at the Opening Session.

Public Hearing Agenda**ACCEPT PROOFS OF PUBLICATION**

Motion by Commissioner Constantine, seconded by Commissioner Dallari, to authorize the filing of the proofs of publication for this meeting's scheduled public hearings into the Official Record.

Districts 1, 3, 4, and 5 voted AYE.

PUBLIC HEARINGS - QUASI-JUDICIAL

Districts 3, 4, and 5 submitted ex parte communications (received and filed).

34. Resolution to declare the existence of a Public Nuisance at 2059 Sipes Avenue - Consider adoption of a Resolution issuing an Order to: declare the existence of a Public Nuisance at 2059 Sipes Avenue, Sanford; require corrective action by July 27, 2023; and authorize necessary corrective action by the County in the event the Nuisance is not abated by the record owners. District5 - Herr; (Liz Parkhurst, Project Manager)

[2023-395](#)

Resolution #2023-R-71

Ruth Golsteyn, Building Division, addressed the Board and presented the item as outlined in the agenda memorandum. She noted Jeff Johnson, Building Official, is present for any questions. Courtney Lanier, on behalf of the property owner, addressed the Board and explained how he has been trying to keep the property up. He advised he is not against the County demolishing it, and then he can pay off the lien. Vice Chairman Herr requested that staff meet with Mr. Lanier to communicate the next steps clearly. Mr. Lanier brought up an issue with the garage. He was told that as

long as the garage is there, no road can be built there. Vice Chairman Herr asked Mr. Chipok to research the issue. Mr. Chipok stated it looks like 21st Street/Lincoln Ave is right-of-way to the south of the property. The fact that the garage is there complicates it. He would like to get with Real Estate Management to get an answer. Vice Chairman Herr stated they need to look at the next steps and talk with the family about the garage and right-of-way. Mr. Lanier asked for a contact for the lien so he can make sure to pay it off. It was noted Rebecaa Hammock, Development Services, will work with Mr. Lanier on the lien amount.

With regard to public participation, no one spoke, and public input was closed.

Motion by Vice Chairman Herr, seconded by Commissioner Dallari, to adopt appropriate Resolution #2023-R-71 issuing an Order to: declare the existence of a Public Nuisance at 2059 Sipes Avenue, Sanford; require corrective action by July 27, 2023; and authorize necessary corrective action by the County in the event the Nuisance is not abated by the record owners; as described in the proof of publication.

Districts 1, 3, 4, and 5 voted AYE.

35. Allure on the Parkway Small Scale Future Land Use Map Amendment and PD Rezone - Consider a Small Scale Future Land Use Map Amendment from Planned Development to Planned Development and a Rezone from PD (Planned Development) to PD (Planned Development) for 380 additional multi-family residential units on approximately 12.20 acres, located on Allure Lane on the west side of International Parkway, approximately a ½ mile north of CR 46A; (Z2022-34/ 09.22SS.07) (Matthew Wideman, Applicant) District5 - Herr (Doug Robinson, Project Manager). [2023-674](#)

Mr. Robinson addressed the Board and presented the item as outlined in the agenda memorandum. Tom Sullivan, GrayRobinson, addressed the Board on behalf of the applicant and stated he agrees with staff's presentation and recommendation. Jonathan Martin, Kimley-Horn Associates, addressed the Board and discussed the project. Matthew Wideman, Applicant, addressed the Board and talked about restaurants, limited-service hotels, multifamily and mixed-use. Vice Chairman Herr asked Mr. Wideman to share more about the vision in terms of the entryway and what it will do for the project and parking garage that's already there. Mr. Wideman responded this will become a main thoroughfare and discussed why. He also spoke a little bit about the history of his company. At the request of Chairman Lockhart, Mr. Wideman talked about the community meetings he has held and noted the community is supportive.

With regard to public participation, Grey Wilson spoke neither in support or opposition. No one else spoke and public input was closed.

Public Comment Form was received and filed.

In regard to Mr. Wilson's public comments, Mr. Wideman talked about integrating electric vehicle parking into their project, and noted they are interested in building what

the community wants to see. In response to an inquiry by Vice Chairman Herr, Ms. Hammock addressed the Board and advised if the Board wishes to require electric vehicle parking, it should be included in the Development Order now. She noted with the upcoming Land Development Code changes, there will be updates to electric vehicles. Vice Chairman Herr advised she would be prepared to make a motion to include that in the Development Order. Mr. Sullivan advised the applicant would be willing to meet the proposed LDC changes regarding electric vehicle parking.

Motion by Vice Chairman Herr, seconded by Chairman Lockhart, to adopt to the proposed Ordinance enacting a Small Scale Future Land Use Map Amendment from Planned Development to Planned Development; and adopt an Ordinance enacting a Rezone from PD (Planned Development) to PD (Planned Development); and approve the associated Development Order as amended in this meeting and Master Development Plan for approximately 12.20 acres, located on the west side of International Parkway, approximately a 1/2 mile north of CR 46.

Chairman Lockhart surrendered the gavel to Vice Chairman Herr to second the motion.

Vice Chairman Herr asked if there was any further discussion. Commissioner Constantine expressed his concerns regarding the project and why he can't support it. Discussion ensued regarding his concerns. At the request of Chairman Lockhart, Ms. Hammock explained why staff recommends approval. Discussion ensued regarding density. Commissioner Constantine discussed an affordable-housing aspect. Vice Chairman Herr asked if Commissioner Constantine made a request to the developer during his briefing in terms of a certain percentage being affordable housing; and Commissioner Constantine answered yes, but the developer did not want to put it in the development order. Commissioner Dallari discussed why HIPTI is so important in Seminole County and why this property was rezoned from HIPTI to PD. His issue is that all of International Parkway in this area is turning into apartments. Discussion ensued.

Mr. Sullivan clarified there is an intent that retail would come in at the inception of the project. Regarding affordable housing, Mr. Wideman explained he pulled information that dictated what the average median income is and what the various thresholds are. They are evaluating that information. Given that the AMI in this market is \$85,700, the market rents are under 30% of that person's income which would put them in the affordable/attainable category. A long discussion ensued.

Mr. Sullivan advised he stands behind everything his team has stated today, but it is challenging to draft so many changes on the fly. In light of that, he believes it makes the most sense to continue this item so that they can build some of the changes into the project and address some of the feedback they've received today. He stated a continuance would be his team's preference. Vice Chairman Herr stated there is a motion and a second on the floor, and the applicant has requested a continuance. She asked Mr. Chipok for guidance. Mr. Chipok advised the maker of the motion can withdraw the motion.

Vice Chairman Herr withdrew her motion, and the seconder concurred.

Commissioner Constantine stated he would like to confirm that this is a true intent to come back with the changes requested to the development order such as concurrent retail and attainable housing.

Motion by Commissioner Constantine to continue the item so that the applicant can come back with retail concurrent with the development as well as some portion of attainable housing in the development order. Vice Chairman Herr asked if that includes the earlier request of electric vehicle parking, and Commissioner Constantine said yes and right-of-way for the fire station.

Chairman Lockhart asked if they can continue an item with caveats. Mr. Chipok advised it's being continued and the intent is that those items would be addressed; but the motion is to continue. He suggested they may want to add a time and date certain so they don't have to readvertise. Commissioner Constantine stated quite frankly he doesn't think they can provide a date. Discussion ensued. Mr. Sullivan asked if they could give him more than 30 days. Commissioner Constantine stated they can do it the second meeting in August, and Vice Chairman Herr advised that would be August 22.

Vice Chairman Herr reiterated the motion is to continue to August 22 with some guidance provided in the motion. Chairman Lockhart stated she will second the motion, but clarified the motion is just to continue to August 22. Commissioner Constantine asked if she didn't want to second with the direction given, and Chairman Lockhart responded that their attorney just opined that the motion is to continue. The Board can tell the applicant what their expectations are, but the motion cannot have caveats with it to continue the item. So if the motion is to continue, she will second it.

Commissioner Constantine withdrew his motion to continue.

Vice Chairman Herr asked if there is a motion to continue.

Motion by Chairman Lockhart, seconded by Vice Chairman Herr, to continue to August 22, 2023, at 1:30 p.m., or as soon thereafter as possible, the request to adopt the proposed Ordinance enacting a Small Scale Future Land Use Map Amendment from Planned Development to Planned Development; and adopt an Ordinance enacting a Rezone from Pd (Planned Development) to PD (Planned Development); and approve the associated Development Order and Master Development Plan for approximately 12.20 acres, located on the west side of International Parkway, approximately a 1/2 mile north of CR 46A.

Vice Chairman Herr returned the gavel to Chairman Lockhart to second the motion.

Districts 4 and 5 voted AYE.

Districts 1 and 3 voted NAY.

Motion failed 2 to 2.

Mr. Chipok suggested the applicant may have suggestions for potential conditions of the continuance that they would be willing to state for the record. Mr. Sullivan stated he will address the concerns and requests in some fashion within the development order, specifically the attainable housing component, first-floor retail, and electric vehicle parking. Commissioner Dallari advised if the applicant is going to make every effort to make additional changes to the development order and in good faith will bring something back that he believes the Board will support, he believes they should allow the applicant the ability to do that. Commissioner Constantine agreed.

Motion by Commissioner Constantine, seconded by Vice Chairman Herr, to continue to August 22, 2023, at 1:30 p.m., or as soon thereafter as possible, the request to adopt the proposed Ordinance enacting a Small Scale Future Land Use Map Amendment from Planned Development to Planned Development; and adopt an Ordinance enacting a Rezone from Pd (Planned Development) to PD (Planned Development); and approve the associated Development Order and Master Development Plan for approximately 12.20 acres, located on the west side of International Parkway, approximately a 1/2 mile north of CR 46A; Matthew Wideman, Applicant; as described in the proof of publication.

Districts 1, 3, 4, and 5 voted AYE.

COUNTY MANAGER'S REPORT - Charter Review, Yarborough Property Update

Charter Review:

Mr. Gray announced the Charter Review Commission will be reconvened this year. There will be a full presentation for the Board on August 8, and then the Board will make appointments to the CRC on August 22. The Commission offices will be briefed with a timeline so they will be prepared. The first meeting will be in September and goes throughout the year. Chairman Lockhart asked for specific guidance regarding the appointments during her briefing.

Yarborough Property Update:

Mr. Gray updated the Board on the Yarborough property site visit. Florida Forever staff toured the site and said it was a number one priority. The next Florida Forever meeting is in the beginning of August, and the ARC committee will be reviewing the application. Commissioner Constantine noted 1000 Friends of Florida endorsed a particular piece of property to be bought by Florida Forever. Chairman Lockhart asked for that information to be circulated.

COUNTY ATTORNEY'S REPORT

Mr. Chipok advised Consent Agenda Item 16 was to approve the final plat for the Cove at Riverbend subdivision. Included in that was reference that there was an Avigation Easement. The motion implies that the easement is being accepted by the County, but it didn't specifically state that. He wanted to clarify for the record that the Board's motion to approve the plat also includes acceptance of the easement.

Motion by Commissioner Constantine, seconded by Vice Chairman Herr, to accept the Avigation Easement as part of Consent Agenda Item 16, Final Plat for the Cove at Riverbend subdivision.

Districts 1, 3, 4, and 5 voted AYE.

DISTRICT COMMISSIONER REPORTS 1, 2, 3, 5 and 4 (CONT'D)

District 1:

Commissioner Dallari thanked his executive assistant, Kendra Young, for her service. He discussed a Lockwood Road community meeting and shared a video updating the public on the construction.

Commissioner Constantine left the meeting at this time.

FUTURE AGENDA ITEMS - None Requested

PUBLIC COMMENT (Items not Related to the Agenda)

There were no public comments.

ADJOURN BCC MEETING

There being no further business to come before the Board, the Chairman declared the meeting adjourned at 3:00 p.m., this same date.

APPROVED by the BCC:

Chairman

Date

ATTEST:

Clerk of Court and Comptroller
AS Clerk to the BCC