

Osceola County
Board of County Commissioners
Meeting Agenda
01 /04/2021 - 1:30 PM
Commission Chambers
1 Courthouse Square, Suite 4100
Kissimmee, Florida 34741

In light of the current Coronavirus (COVID-19) pandemic, steps are required to protect the health of the public while still ensuring continuity of County business. Access to the meeting is also being provided telephonically. Please call (407) 205-0551 Code 301797 to listen to the meeting.

If you want to address the Board, provide written comments or submit documents for the record on an item that is on the Agenda, Request to Speak/Submit Comments/Documents forms shall be submitted online by 5:00 p.m. the day before the meeting by going to www.osceola.org to pre-register. For Consent/Public Hearing and Public Hearing Items (includes quasi-judicial items), Request to Speak forms may be completed in writing 15 minutes prior to the start of the meeting or submitted online by 5:00 p.m. the day before the meeting.

Board of Commissioners

Brandon Arrington, District 3, Chair
Viviana Janer, District 2, Vice Chair
Peggy Choudhry, District 1
Cheryl L. Grieb, District 4
Ricky Booth, District 5
County Staff

Don Fisher, County Manager
Andrew Mai, County Attorney

Agenda

Moment of Silence

Pledge of Allegiance

Approval of Agenda

The Commission will approve an agenda which sets the order of the meeting. This approval could include an addendum representing new items, additions, corrections, and/or deletions of existing items as submitted by the Clerk of the Board.

Hear the Audience

Except for those matters specifically exempted under the State Statute and Local Ordinance, the Board shall provide an opportunity for public comment prior to the undertaking by the Board of any action on the agenda. The Board will not vote on any item during this portion of the meeting. Rather, this portion of the meeting is to allow for public comments to be heard on items that are on the

agenda for that meeting. Comments will be limited to three minutes. Each speaker may only speak once during Hear the Audience unless the Board requests additional clarification. Donation of speaker time may be provided to a single representative up to a total maximum of 12 minutes of speaking time. Donation of time waives the opportunity to speak individually. Pre-registration requirements shall be followed. Proper decorum will be observed.

Consent Agenda

The Consent Agenda is a technique designed to expedite the handling of routine and miscellaneous business of the County Commission. The County Commission in one motion may adopt the entire Consent Agenda. The motion for adoption is non-debatable and must receive unanimous approval. By request of any Board Member, an item may be removed from the Consent Agenda for discussion.

County Administration

1. Adoption of Resolution #21-011R, approving the Forty-fifth Extension of the State of Emergency for Osceola County, Florida, due to Coronavirus (COVID-19), effective immediately and shall remain in force for seven days from the date hereof.
2. Recognition of County employees who will celebrate a milestone anniversary of 10, 15, 20, 25, 30 years of service.
3. Approval and authorization for the Chair/Vice Chair to sign the funding agreement with the State of Florida Department of Health, for operation of the Osceola County Health Department, from October 2020 through September 30, 2021, in the amount of \$559,961.00. The annual contribution to the Osceola County Health Department is for the support of services to include environmental health, communicable disease control, and primary care. The Health Department also provides services to those uninsured and under insured in our community.
4. Acceptance of the Public Official Bonds for Commissioner Richard Booth, District 5, effective November 17, 2020, and ending November 19, 2024; \$341.00; Commissioner Peggy Choudhry, District 1, effective January 01, 2021, and ending November 01, 2025; \$325.00; Commissioner Brandon Arrington, District 3, effective November 20, 2020, and ending November 20, 2024; \$325.00; Mary Jane Arrington, Supervisor of Elections, effective January 01, 2021, and ending January 01, 2025; \$325.00; Bruce Vickers, Tax Collector, effective January 01, 2021, and ending January 01, 2025; \$325.00; Katrina Scarborough, Property Appraiser, effective January 01, 2021, and ending January 01, 2025; \$325.00; Marcos Lopez, Sheriff, effective January 05, 2021, and ending January 04, 2025; \$340.00; Kelvin Soto, Clerk of Courts, effective January 05, 2021, and ending January 04, 2025; \$340.00; Florette Johnson, Crescent Lakes Common Facilities District (CFD), Board of Supervisors, for the period of November 23, 2020, through November 23, 2024; \$325.00; Craig Nordengren, Indian Point CFD, Board of Supervisors, for the period of November 23, 2020, through November 23, 2024; \$325.00; and Neal Kaplan, Indian Creek CFD, Board of Supervisors, for the period of December 14, 2020, through December 14, 2024; \$325.00.
5. Approval to waive the competition requirement, pursuant to Section 3.1-2 of the Osceola County Administrative Code, and request the Chair/Vice Chair to sign an agreement with

Spies Pool, LLC, for renovation of the community pool, filter and pump system at the Indian Wells Municipal Service Taxing Unit (MSTU), per the request of the Homeowners Association; and authorization for the County Manager to sign amendments that do not exceed \$14,314.20, which is 10% of the Board's approved total amount. Estimated expenditures shall not exceed \$157,456.20 through September 30, 2021 (BW-21-12211-TP). The Indian Wells MSTU collects funds annually from its property owners to provide their community's recreation services.

Community Development Administration

6. Approval of request for reduction of the Code Enforcement lien recorded against property at 3625 Sharpey Road, from \$94,500.00 to \$5,013.16, payable within 30 days. The Notice of Violation was issued on January 14, 2009; the Affidavit of Non-Compliance issued on March 03, 2009; and the Affidavit of Compliance issued on March 09, 2010. The property owner, German Gonzalez, requests a reduction to the amount of \$5,013.16, which meets County policy. Said Lien is recorded in Official Records Book 03790, Pages 2692 through 2696. District 5. The property appraises at \$55,900.00.

7. BD20-00083: Approval of Initial Acceptance of the following roadways within Wiregrass Phase 1, located in District 5; Beggs Road, 603 linear feet (LF); Grassland Avenue, 2,221 LF; Marsh View Street, 150 LF; Pines End Place, 759 LF; Sabal Drive, 1,227 LF; and Wynell Street, 1,108 LF. Commission District 5.

8. Approval and authorization for the Chair/Vice Chair to sign the final plat of FS20-00015, Live Oak Lake Phase 3. Commission District 5. *Should this item be pulled for discussion by the Board, it must be performed as a Quasi-Judicial item.

9. Approval and authorization for the Chair/Vice Chair to sign the final plat and Dedication of FS20-00028, West Sheriff's Command Center. Commission District 1. *Should this item be pulled for discussion by the Board, it must be performed as a Quasi-Judicial item.

10. Approval and authorization for the Chair/Vice Chair to sign the final plat of FS20-00034, Glenwood Phase 2. Commission District 5. *Should this item be pulled for discussion by the Board, it must be performed as a Quasi-Judicial item.

11. EB15-00017: Approval to take Final Acceptance of the following roadways within Eagle Lake Phase 4B, located in District 3; Gaspirilla Circle, 1517.67 linear feet (LF); Preston Lane, 729.37 LF; Glenrock Court, 132.00 LF; Creekmore Court, 2400.00 LF; Eagle Lake Boulevard, 609.28 LF; RiverGlen Court, 294.45 LF; and Tessier Lane, 301.12 LF. Commissioner District 3.

12. CP18-00002: Approval and authorization for the Chair/Vice Chair to sign the School Capacity Mitigation and Funding Agreement with the School Board of Osceola County and Tavistock East Services, LLC, to address and mitigate school capacity, accommodating the projected school-age (pre-K-8) student population for the Sunbridge Phase I Concept Plan (NED Phase 1 lands). Commission District 5.

Public Works Administration

13. Approval and authorization for the Chair/Vice Chair to sign a service agreement with No Limit Lawn Care Incorporated, Kissimmee, Florida, to provide mowing and landscaping services for Neptune Road on an as needed basis (RFP-20-12009-VJ); estimated annual expenditures shall not exceed \$222,010.00 for a total not to exceed \$666,030.00 through January 03, 2024.

14. Approval and authorization for Chair/Vice Chair to sign Construction Authorization #AC2M-CA32 with Arnco Construction Incorporated, establishing the Guaranteed Maximum Price (GMP) for the Administration Building Elevator Modernization (PS#15-04249-RJ), for a total of \$285,989.00; and authorization for the County Manager to sign change orders up to \$28,598.90 for a total not to exceed \$314,587.90. The project will include replacement of critical obsolete electronic components, rebuild of major mechanical components, and code required updates on the 21 year old elevators at the Administration Building.

15. Approval and authorization for the Chair/Vice Chair to sign Amendment #1 to the service agreement with Zopax Inspections and Service, LLC, St. Cloud, Florida, to increase the compensation \$63,141.00 to complete work on Phase I, Phase II and Phase III of the fire sprinkler system pipe replacement in the Courthouse Square Parking Garage, (ITB-20-11769-DN); total expenditures for this project shall not exceed \$363,141.00 through September 30, 2023.

16. Approval and authorization for the Chair/Vice Chair to sign Amendment #2 to the service agreement with Grosvenor Building Services, LLC, Orlando, Florida, for janitorial and custodial services for the Libraries (RFP-17-9267-TP). This amendment includes additional day porters for COVID-19 related cleaning of high touched areas at the branch libraries; and authorization for the County Manager to sign amendments to add or remove service locations that do not exceed 10% of the Board's approved annual amount; estimated expenditures shall increase from \$65,000.00 to \$315,677.76 for years four and five for a total not to exceed \$1,329,657.96 through June 30, 2022, and will be funded by Federal Emergency Management Agency (FEMA) reimbursements and the Library Fund.

17. Approval and authorization for the Chair/Vice Chair to sign service agreements with ThyssenKrupp Elevator Corporation, Alpharetta, Georgia, and Jacksonville Elevator Company, Jacksonville, Florida, to provide maintenance services on elevators and escalators; estimated expenditures shall not exceed \$210,000.00 annually; and authorization for the County Manager to sign future amendments not to exceed 10% of the approved annual amount; expenditures shall not exceed \$693,000.00 through December 31, 2023 (RFP-20-11921-VJ).

Transportation and Transit

18. Approval and authorization for the Chair/Vice Chair to sign a Perpetual Easement with Reunion East Community Development District, for the installation, maintenance and operation of a traffic signal at the intersection of CR 532 (Osceola Polk Line Road) and Reunion Boulevard. District 1.

Consent/Public Hearing

For items having gone to the Planning Commission (PC), these items will be approved as

recommended by the PC action in a single public hearing, with one motion by the County Commission. Any citizen has the right to request an item be removed for discussion, comment, and/or consideration during a separate public hearing.

County Attorney

19. Adoption of Ordinance #2021-15, an Ordinance of the Osceola County Board of County Commissioners, amending Chapter 13, Licenses, Taxation, and Miscellaneous Business Regulations, of the Osceola County Code of Ordinances; providing for severability; and providing for an effective date; and adoption of Resolution #21-010R, deleting Sections 1.4 and 3.2-4 of the Administrative Code. Outside of the function of financial audits which transfers to the Clerk of the Court due to Amendment 10, the remaining duties of the Commission Auditor are reassigned to the Tax Collector and County Manager as appropriate

Public Works Administration

20. Adoption of Ordinance #2021-13, amending and restating in its entirety Chapter 19 of the Osceola County Code relating to the Regulation of Storage, Transportation, Collection and Disposal of Solid Waste, providing definitions, purpose and intent, providing for litter control, prohibiting illegal dumps, regulating transportation of solid waste, establishing customer responsibilities, providing for disaster debris; providing for administrative fines and enforcement, requiring and regulating commercial franchises, providing for collection service agreements, providing for the imposition and collection of special assessments to fund solid waste service costs; providing for conflicts; providing for severability; providing for inclusion into the code; providing for filing with department of state; and providing an effective date.

Reports/Items

Constitutional Officers and Governmental Agencies/Other

County Administration

21. Approval and authorization for the County Manager to sign an agreement with Clerk of Court, Mr. Kelvin Soto, for the transition of services due to Amendment 10.

Commission Auditor

County Attorney

County Manager

Commissioners and Board Reports

Committee Appointments

Affordable Housing Advisory Committee

The membership shall include: one citizen actively engaged in the residential home building industry in connection with affordable housing; one citizen actively engaged in the banking, or mortgage banking industry in connection with affordable housing; one citizen who is a representative of those areas of labor actively engaged in affordable home building; one citizen actively engaged as a for-profit provider of affordable housing; one citizen actively engaged as a not-for-profit provider of affordable housing; one citizen who is a real estate professional in connection with affordable housing; one citizen who actively serves on the local planning agency pursuant to Florida Statutes, Chapter 163; one citizen who resides within Osceola County; one citizen who represents employers within Osceola County; and one citizen who represents essential services personnel, as defined in the Osceola County LHAP.

22. Appointment to replace Leroy Sanchez, "Category, Home Building Industry related to Affordable Housing", whose term expired December 31, 2020.

23. Appointment to replace Anna Pinellas, "Category, Advocate for Low-Income Persons", whose term expired December 31, 2020.

24. Appointment to replace Barbara Cady, "Category, Member of the Osceola County Planning Board Commissioner", whose term expired December 31, 2020.

Board of Adjustment

The members of the Board of Adjustment shall be knowledgeable in the field of Comprehensive Planning and shall be familiar with the Osceola County Comprehensive Plan, the Land Development Code, and other applicable regulations. This Board is composed of seven members one of which will be appointed from each Commission District and two members being appointed as at-large positions.

25. Appointment to replace Michael I. Cambron, "District 1", whose term expired December 31, 2020.

26. Appointment to replace Jorge Velazquez, "District 2", who resigned, whose term expires December 31, 2021.

Code Enforcement Board

The Board shall consist of seven members who shall be residents of the County and who shall be appointed by the County Commission on the basis of experience or interest in the subject matter. The membership of the Board shall, whenever possible, consist of the following: Architect, Realtor, Businessman, General Contractor, Engineer, Subcontractor.

27. Appointment to replace Kenneth Wynne, "Alternate", who resigned on March 13, 2020.

Community Development Block Grant Advisory Task Force

28. Appointment to replace Henry Thacker, "At-large", whose term expired December 31, 2019.

Fire and Rescue Advisory Board

This Commission consists of seven members: one Fire Commissioner being appointed from each County Commission District and two Fire Commissioners serving in at-large positions.

29. Appointment to reappoint/replace Donald Sgallata, "District 1", whose term expired December 31, 2020.

30. Appointment to replace James Kenny, "District 5", whose term expired December 31, 2020.

Housing Finance Authority

This Authority consists of five residents of the County who shall be knowledgeable in one of the following fields: Labor, Finance, or Commerce.

31. Appointment to replace Gene Moore, whose term expired December 31, 2020.

Library Advisory Board

This Board consists of seven members, one appointment from each of the five County Commission Districts; and two at-large members. The membership should consist of one member of the Friends of the Library group and one member of the Osceola County Bar Association.

32. Appointment to replace Michelle Cartolano, "District 1", whose term expired December 31, 2020.

33. Appointment to replace VickiJo Brozovic, "District 3", whose term expired December 31, 2020.

34. Appointment to replace Henry Thacker, "District 4", whose term expired December 31, 2020.

Planning Commission

The members of the Planning Commission shall be knowledgeable in the field of Comprehensive Planning and shall be familiar with the Osceola County Comprehensive Plan, the Land Development Code, and other applicable regulations. This Commission is composed of 10 members, two being appointed from each County Commission District.

35. Appointment to reappoint/replace Michael Romack, "District 1", whose term expired December 31, 2020.

36. Appointment to reappoint/replace Geoffrey Mouen, "District 1", whose term expired December 31, 2020.

37. Appointment to replace David Couch, "District 3", whose term expired December 31, 2020.

For Information

County Administration

38. Long Range Agenda.

39. The Clerk of the Board submits for the record, Resolution #20-262R, approving the Forty-fourth Extension of Declaration of State of Local Emergency, signed by Chair Arrington on December 28, 2020, as allowed pursuant to Section 2-80(c) of the Osceola County Code of Ordinances due to a lack of a quorum of the Board.

40. The Clerk of the Board has submitted for informational purposes, the minutes from the March 09, 2020, 1:30 p.m., East US 192 Community Redevelopment Area meeting.

41. The Clerk of the Board submits for the record, from the Indian Point Common Facilities District, Board of Supervisors, the minutes of the July 29, 2020, fourth quarter meeting, 6:00 p.m.

42. The Clerk of the Board has received for informational purposes, the Florida Coronavirus Aid, Relief, and Economic Security (CARES) Act request for reimbursement for Payroll or Public Health and Safety Employees, in the amount of \$2,904,201.16, signed by Mr. Don Fisher, County Manager, on December 07, 2020.

43. The Clerk of the Board has received for informational purposes, from the Florida Public Service Commission, Order #PSC-2020-0510-TRF-GU, Tariff Order approving Florida Public Utilities Company's, Florida Public Utilities Company-Fort Meade's, and Florida Division of Chesapeake Utilities Corporation's proposed Gas Reliability Infrastructure Programs (GRIP) surcharges for the period January through December 2021 and Notice of Further Proceedings.

44. The Clerk of the Board has received for informational purposes, from the Florida Public Service Commission, Order #PSC-2020-0512-TRF-EI, Order granting petition for approval of optional vehicle public charging pilot Tariffs by Florida Power and Light Company, effective January 01, 2021, and Notice of Further Proceedings.

Adjournment

In accordance with Florida Statutes, Chapter 286.0105, any person wishing to appeal a decision made by the Board of County Commissioners with respect to any matter considered at such a meeting or hearing, will need a record of the proceedings. For such purposes he or she may need to ensure that a verbatim record of the proceedings is made, which may include the testimony and evidence upon which the appeal is based.

*Community Development Quasi-Judicial Items

All of the Quasi-Judicial Items will be approved as recommended by the Planning Commission. In accordance with Article 2.4 of the Land Development Code as may be amended, County Commissioners should disclose all ex parte communications, site visits, expert opinions, or documentation received at this time. The County will swear in anyone who wishes to speak on any Quasi-Judicial item. Witnesses may be called and shall be subject to direct and cross examination on matters relevant and material to the issue. Cross examination may be afforded to an affected party, County Staff, or to a County Commissioner. No redirect shall be allowed except upon request and approval by the Chair. There shall

be no limitations on questions by the County Commissioners. No one may present evidence which is unduly cumulative or repetitious of previous testimony or evidence. Non-affected parties shall be allowed to speak and present evidence to the County Commission but may not directly examine nor cross examine witnesses. Affected parties shall be allowed to rebut testimony and evidence presented by non-affected parties. The County Commission shall only consider evidence presented at the hearing and base its decision on the competent substantial evidence of the record.

Americans with Disabilities Assistance

Individuals with disabilities requiring accommodations (i.e., sign language interpreter or materials in accessible format) in order to participate in meetings of the County Commissioners, please contact the Office of the Clerk of the Board, 407-742-2100 or 711 for the Florida Relay System, at least five (5) business days prior to the meeting.