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Agenda

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Osceola County  
Board of County Commissioners  
Meeting Agenda

June 27, 2022 - 5:30 PM

**Commission Chambers (4th Floor)**

**1 Courthouse Square**

**Kissimmee, Florida 34741**

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](http://www.osceola.org) to pre-register. If you do not have access to a computer but would like to address the Board, you may register to speak in person on a specific Agenda Item by leaving a message on the dedicated voice mail line (407)742-TALK (8255) before 5:00 p.m. the day before the meeting, providing your contact details and the specific item(s) you wish to address. 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. Access to the meeting is also being provided telephonically. Please call (407) 205-0551 Code 301797 to listen to 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

Frank Townsend, County Attorney

## Agenda

### **Moment of Silence followed by the 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 County Manager.

#### Recognitions/Proclamations/Presentations

#### **Presentations**

1. Presentation on the SunRail Transition to the Local Funding Partners by Tawny Olore, Assistant County Manager.

#### 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 Commissioner, an item may be removed from the Consent Agenda for discussion.

### **Clerk of the Courts**

2. Approval of the meeting minutes of the February 28, 2022, 10:00 a.m. meeting; March 14, 2022, 1:30 p.m. meeting; and March 21, 2022, 5:30 p.m. meeting.

### **Supervisor of Elections Office**

3. Approval of new precinct boundaries per Florida Statutes, Chapter 101.001.

### **County Administration**

4. Approval of Claim Settlement #316997.
5. Approval of Claim Settlement #347342.
6. Approval and authorization for the Chair/Vice Chair to sign the annual Civil Rights Certification as required by the United States Department of Housing and Urban Development for the Housing Choice Voucher Program (Section 8).
7. Approval for the County Manager to enter into negotiations with the Osceola School District regarding a proposal to establish a Manufacturing Career and Technical Education Academy at Liberty High School not to exceed \$2,107,000.00; and adoption of Resolution #22-398R, amending the Fiscal Year 2022 Budget as detailed in Budget Supplement BA #22-048 to support the agreement.

8. Adoption of Resolution #22-395R, authorizing the Chair/Vice Chair to sign the issuance of the Osceola County, Florida Tourist Development Tax Revenue Refunding Bond, Series 2022 and to accept the JP Morgan Chase Bank, N.A. proposal in order to realize savings of \$4,315,290.00 (7.3% which meets the County's policy for refunding) of the refunded amount through a current refunding of the County's outstanding Tourist Development Tax Revenue Refunding and Improvement Bonds, Series 2012 (the Series 2012 Bonds), which were issued in 2012 to refund a portion of the County's outstanding Tourist Development Tax Revenue Bonds, Series 2002A, refund all of the County's outstanding Subordinated Tourist Development Tax Revenue Bond, Series 2009, finance and refinance the costs of certain capital improvements in the County, and pay costs associated with the issuance of the Series 2012 Bonds.
  
9. Approval and authorization for the Chair/Vice Chair to sign the Letter of Commitment for DDER Holdings Incorporated, a Florida limited liability company doing business as Birdsong Housing Partners, Maitland, Florida, for the construction of 354 affordable housing units at Poinciana SunRail Station site in the amount of \$14,750,000.00; and authorization for the County Manager to negotiate and sign subsequent documents, agreements or correspondence consistent with the Letter of Commitment.
  
10. Approval and authorization for the Chair/Vice Chair to sign the Second Amended and Restated Interlocal Agreement regarding the Discretionary Local Government Infrastructure Sales Surtax with the City of Kissimmee, the City of St. Cloud and the Osceola School Board to maintain the current distribution of the Infrastructure Sales Surtax.
  
11. Approval and authorization for the Chair/Vice Chair to sign the Letter of Commitment to Osceola Council on Aging for the construction of a minimum of 60 elderly housing affordable units in the amount of \$3,800,000.00 located in Buenaventura Lakes. Funding will be provided over three fiscal years in equal payments. The affordability benefit will remain with the units and Osceola Council on Aging will provide supportive services; and approval for the County Manager to sign any subsequent documents or correspondence.
  
12. Approval and authorization for the Chair/Vice Chair to sign the Letter of Commitment to Cameron Preserve II, LLC, for the construction of a minimum of 80 affordable housing rental units on the property located at 1650 Yates Road, Kissimmee, Florida, 34756 in the amount of \$2,700,000.00; and authorization for the County Manager to sign and negotiate any subsequent documents or correspondence consistent with the Letter of Commitment.

## **Corrections Department**

13. Approval and authorization for Chair/Vice Chair to sign Amendment #1 to the Agreement with Smart Communications Holding Incorporated, Seminole, Florida, to add the MailGuard Legal System component to the scope of services and extend the term of the Agreement through August 30, 2024 (RFP-20-11386-VJ).

### **Community Development Administration**

14. PS21-00031: Applicant requests approval of a Preliminary Subdivision Plan for Tatاليا Gardens Townhomes consisting of 20 units and 6 tracts on approximately 2.61 acres. The project is within a Low Density Residential (LDR) Zoning District and is located south of Jones Road and east South Eagle Road. Approval of this PS grants authority to the County Manager to sign the Final Plat provided the plat is found to be in substantial compliance with the Board of County Commissioners approved Preliminary Subdivision as authorized by Osceola County Ordinance #18-10 and Florida Statutes 177.071(2).

Peter Okonkwo, P.E. Spectra Engineering & Research Inc (Applicant/Agent)

Paul & Dana Solomon (Owner)

Commission District: 5

Staff Recommendation: Approval with Conditions

Osceola County School District Comments: Included within Staff Report

Planning Commission Recommendation: Approval with Conditions

\* Should this item be pulled for discussion by the Board, it must be performed as a Quasi-Judicial item.

15. PS22-00004: Applicant requests approval of a Preliminary Subdivision Plan for Providence Pass consisting of 60 units and associated infrastructure tracts on approximately 6.21 acres. The project is within a Mixed Use (MXD) Zoning District and is located north of Clay Whaley Road and west of Cross Prairie Parkway. Approval of this PS grants authority to the County Manager to sign the Final Plat provided the plat is found to be in substantial compliance with the Board of County Commissioners approved Preliminary Subdivision as authorized by Osceola County Ordinance #18-10 and Florida Statutes 177.071(2).

Jack Del-Guidice, Providence Pass (Applicant/Owner)

John Adams, RJ Whidden and Associates (Agent)

Commission District: 4

Staff Recommendation: Approval with Conditions

Osceola County School District Comments: Included within Staff Report

Planning Commission Recommendation: Approval with Conditions

**Updated Staff Recommendation: Continuance to the July 18, 2022, Board meeting**

\* Should this item be pulled for discussion by the Board, it must be performed as a Quasi-Judicial item.

16. PS21-00034: Applicant requests approval of a Preliminary Subdivision Plan for Everest consisting of 18 lots and associated infrastructure tracts on approximately 224 acres. The project is within a Commercial Tourist (CT) and Planned Development (PD) Zoning District and is located south of US 192 and west of State Road 429. Approval of this PS grants authority to the County Manager to sign the Final Plat provided the plat is found to be in substantial compliance with the Board of County Commissioners approved Preliminary Subdivision as authorized by Osceola County Ordinance #18-10 and Florida Statutes 177.071(2).  
L. Jordan Draper, Kimley-Horn & Associates Inc (Applicant/Agent)  
Zafir Rashid GMR Development Orlando LLP (Owner)  
Commission District: 1  
Staff Recommendation: Approval with Conditions  
Osceola County School District Comments: Included within Staff Report  
Planning Commission Recommendation: Approval with Conditions  
\* Should this item be pulled for discussion by the Board, it must be performed as a Quasi-Judicial item.
17. CPA22-0002: Approval to transmit to the Department of Economic Opportunity (DEO), a Large Scale Comprehensive Plan Amendment (CPA) to amend the text of the Property Rights Element. This is a County initiated amendment to update language to facilitate consistency between the Property Rights Element and other elements of the Osceola County Comprehensive Plan and to provide clarity. The proposed amendments are based on Florida State Statutory requirements. This is a countywide request.  
Osceola County (Applicant)  
Commission District: Countywide  
Staff Recommendation: Approval to transmit CPA22-0002 to DEO for agency review  
Osceola County School District Comments: Included within Staff Report  
Planning Commission Recommendation: Approval to transmit CPA22-0002 to DEO for agency review

18. CPA22-0003: Approval to transmit to the Department of Economic Opportunity (DEO) a Large Scale Comprehensive Plan Amendment (CPA) to modify the text of the Future Land Use Element and adopting a Comprehensive Master Plan for Mixed Use Districts 5 and 6 as identified on maps 2A and 2B of the Comprehensive Plan Future Land Use Map Series. Generally located west of East. Irlo Bronson Memorial Highway, south of Alligator Lake and Hickory Tree Road, east of the Florida Turnpike, and north of Lake Gentry and Brick Lake and comprised of approximately 8,500 acres.  
Osceola County (Applicant)  
Commission District: 5  
Staff Recommendation: Approval to transmit CPA22-0003 to DEO for agency review  
Osceola County School District Comments: Included within Staff Report  
Planning Commission Recommendation: Approval to transmit CPA22-0003 to DEO for agency review  
**Updated Staff Recommendation: Continuance to the July 18, 2022, Board meeting**
19. BD21-00030: Approval of Final Acceptance of the following roadways within Sunbrooke Phase 3 included in Sunbrooke Subdivision, Bullock Place, 540 linear feet (LF); Herder Road, 570 LF; Beefmaster Road, 705 LF; Bovine Drive, 560 LF; and Steerview Street, 1,282 LF. Commission District 5.

### **Public Safety**

20. Approval and authorization for the Chair/Vice Chair to sign the Fiscal Year 2022/2023 Emergency Management Preparedness and Assistance (EMPA) State Funded Subaward and Grant Agreement A0241, (CSFA #31.063), with the State of Florida Division of Emergency Management (FDEM) for the period of July 01, 2022, through June 30, 2023, \$105,806.00; and authorization for the County Manager to sign any subsequent documents as required for the administration of this grant. Proceeds from this grant are used to fund the Emergency Management Operations Manager position and operating expenses for the Emergency Operations Center.

### **Public Works Administration**

21. Approval to commence negotiations with Roderick Group Incorporated, doing business as Ardmore Roderick; ZHA Incorporated; and Hanson Professional Services Incorporated, to provide Facility Construction Consulting Services and Owner's Representation on a Task Authorization basis; and authorization for the County Manager, or designee, to sign subsequent Task Authorizations and negotiated agreements (PS-22-12731-MM).

22. Adoption of Resolution #22-387R, authorizing Staff to submit an application to the State of Florida Department of Environmental Protection Resilient Florida grant in the amount of \$1,000,000.00 with no match requirement for a flood Vulnerability Study, and for the County Manager or official designee to sign any subsequent grant contract documents upon approval of County Attorney; authorize County Manger and County Attorney to approve any revisions or modifications made by the State of Florida Department of Environmental Protection that do not materially change the terms of the agreement; and authorize the County Manager or official designee to sign any subsequent documents or correspondence required during and for the administration of this grant.
  
23. Approval to restate the Real Property Purchase Agreement with First Baptist Church of Kissimmee Florida Incorporated, for the acquisition of .48 acres for \$547,500.00 plus estimated closing and due diligence costs of \$32,850.00 for a total estimated acquisition cost of \$593,000.00. This restated request removes the City of Kissimmee stipulation for the purchase of the property (Tax ID# 22-25-29-2010-0016-0040) located at 700 Union Street in Kissimmee to facilitate the delivery of current community services while more efficient and long-term services can be addressed. Funds remain available in the Fiscal Year 2022 Budget for this purpose.
  
24. Approval to restate the Real Property Purchase Agreement with Bryan and Charles, LLC, and Marian L. Owen, for the acquisition of .27 acre for \$125,000.00 plus estimated closing and due diligence costs of \$7,500.00 for a total estimated acquisition cost of \$132,500.00. This restated request removes the City of Kissimmee stipulation for the purchase of the property (Parcel #22-25-29-2010-0016-0047 and Parcel #22-25-29-2010-0016-0049) located at North Central Avenue, Kissimmee, FL 34741 to facilitate the delivery of current community services. Funds remain available in the Fiscal Year 2022 Budget for this purpose.
  
25. Approval and authorization for the Chair/Vice Chair to sign an agreement with Milner's Incorporated, of Melbourne, Florida, for the award to provide large machine mowing services for Area 3, which consist of 557.09 acres of paved roads, 189.4 acres of dirt roads, and 20 additional roadways in Yeehaw Junction, beginning July 01, 2022 through July 31, 2025; and authorization for the County Manager to add or remove service areas provided the combined cost for changes does not exceed 10% of the annual award value (AR-22-13138-HL); estimated expenditures shall not exceed \$228,715.52 annually, for a total not to exceed \$686,146.56.

### **Transportation and Transit**



26. Approval and authorization for the Chair/Vice Chair to sign an easement for acceptance from James P. Grodecki as Trustee of the Ramona Ann Spears 2008 Irrevocable Trust Agreement in favor of the Bill Beck Boulevard Extension project. Commission District 2.
27. Approval and authorization for the Chair/Vice Chair to sign a Warranty Deed and Perpetual Permanent Easement with Elisabeth A. Cord, also known as Cece Cord, for NR Parcels 120/820 in support of construction for the expansion of Neptune Road from Partin Settlement Road to US 192. The County Manager, or designee, are hereby authorized and directed to sign and deliver any and all documents and instruments necessary for carrying out the closing of these parcels. The County has avoided the eminent domain process and the property owner has not incurred any fees or costs for the County. Commission District 4.
28. Approval to accept the Mediated Settlement Agreement with Integrated Medical Services Incorporated, for CAR Parcels 113/713/813 for the Carroll Street Road Project. Osceola County shall pay the total sum of \$560,000.00 for the parcels; \$150,000.00 to Pasqual Bracero, M.D. P.A. for all business damage claims associated with the taking; \$73,854.68 for all expert fees and costs; and \$105,072.00 for statutory attorney's fee, for a total of \$888,926.68. Osceola County is entitled to a credit in the amount of its good faith deposit of \$317,300.00. The total payment shall be made within thirty days of the entry of the Stipulated Final Judgment, for the total not to exceed amount of \$571,626.68. Commission District 4.
29. Adoption of Resolution #22-389R, authorizing the Chair/Vice Chair to sign the Federally Funded Subaward and Grant Agreement with the State of Florida Division of Emergency Management (FPN #4468-035-R) for the Hazard Mitigation Grant Program (HMGP) to provide wind protection to traffic signals at 14 locations in the County; beginning with the top 4 priority ranked locations. The estimated cost of the project is \$1,812,835.00 and FDOT has agreed to reimburse costs up to a maximum amount of \$1,389,840.17, which includes Sub-Recipient Management Costs (SRMC) in the amount of \$30,213.92 to efficiently manage the grant and complete activities in a timely manner. The County's contribution is an amount not to exceed \$453,208.75; adoption of Resolution #22-390R amending the Fiscal Year 2022 Budget; and adoption of Resolution #22-391R amending the 2022-2026 Five-Year Capital Improvement Plan (CIP), both being detailed in Budget Supplement BA #22-046. Commission Districts 1 and 3.

30. Approval and authorization for the Chair/Vice Chair to sign the Standard Construction Agreement with Jr Davis Construction Company, Incorporated of Kissimmee, Florida for the construction of the Simpson Road Widening Phase I Project (ITB-22-11895-DG/FM# 437482-1-54-01) for an amount not to exceed \$20,940,654.64; and authorization for County Manager, or designee, to sign future amendments and change orders for total expenditures not to exceed the project's approved budget \$22,793,579.08. Commission District 2.
31. Adoption of Resolution #22-385R for SR Parcel 8085 rescinding and replacing Resolution #22-074R for SR Parcel 8085, authorizing the acquisition of real property interests of the parcels listed in the Resolutions by agreement or right of eminent domain for the purpose of allowing the construction of the Simpson Road Project from US 192 to 560 feet south of Myers Road, Florida. Commission Districts 2 and 4.
32. Approval and authorization for the Chair/Vice Chair to sign the Professional Services Agreement with Scalar Consulting Group, Incorporated for the construction, engineering, and inspection (CEI) services for the Simpson Road Phase I Project (PS-21-11897-DG/FM# 437482-1-54-01) for an amount not to exceed \$1,838,894.05. Commission Districts 2.
33. Approval and authorization for the Chair/Vice Chair to sign an Easement Agreement to convey a 10 foot wide easement area to the Kissimmee Utility Authority for purposes related to the Fortune Road and Bill Beck Intersection Signalization Project. Commission District 2.
34. Approval and authorization for the Chair/Vice Chair to sign the Perpetual Non-Exclusive Access Road and Maintenance Easement with South Florida Water Management District for the non-exclusive access road and maintenance easement between Brown Chapel Road and the C-31 Canal. Commission District 4.
35. Approval and authorization for the Chair/Vice Chair to sign the Notice of Termination of Declaration of Covenants, Conditions, Restrictions and Easements for Stadium Place Center as recorded in Official Records Book 819, Page 2026, in the Official Records of Osceola County. Commission District 2.
36. Approval and authorization for Chair/Vice Chair to sign a Warranty Deed with Iglesia Del Nazareno Case de Vida, Incorporated for SR Parcels 1072 in support of construction for the expansion of Simpson Road from US 192 to 560 feet south of Myers Road. The County Manager, or designee, are hereby authorized and directed to sign and deliver any and all documents and instruments necessary for carrying out the closing of this parcel. The County has avoided the eminent domain process and the property owner has not incurred any fees or costs for the County. Commission District 2.

37. Approval and authorization for the Chair/Vice Chair to accept a Warranty Deed and sign a Temporary Construction Easement with Epil Neptune, LLC, for the acceptance of Neptune Road, NR Parcels 158/758A/758B in support of construction for the expansion of Neptune Road from Partin Settlement Road to US 192; and authorize the County Manager, or designee, to sign and deliver any and all documents and instruments necessary. The County has avoided the eminent domain process and the property owner has not incurred any fees or costs for the County. Commission District 4.
38. Adoption of Resolution #22-394R for Neptune Road, rescinding and replacing Resolution #21-255R and Resolution #22-068R determining the expansion of Neptune Road is necessary and serves a valid public purpose and authorizing acquisition of certain real property interests. Commission District 4.

### Consent/Public Hearing

Consent/Public Hearing items will be approved in a single public hearing, with one motion by the County Commission. For items having gone to the Planning Commission (PC), these items will be approved as recommended by the PC action. Any Commissioner or registered speaker may request an item be removed for discussion, comment, and/or consideration during a separate public hearing.

### County Administration

39. Adoption of Ordinance #2022-71: An ordinance of the Board of County Commissioners of Osceola County Florida, relating to the regulation of establishments that offer hookah and prohibiting them from being open after 2:00 a.m.

### Community Development Administration

40. Adoption of Ordinance #2022-66 An Ordinance of the Board of County Commissioners of Osceola County, Florida; amending Chapter 3, Performance and Siting Standards, Article 3.17 Outdoor Sign Standards, 3.17.2 – General Provisions, of the Osceola County Land Development Code to prohibit temporary signs in County right-of-way; providing for severability; providing for conflict; and providing for an effective date.

41. Adoption of Ordinance #2022-36 for CDD21-0007: An Ordinance of the Board of County Commissioners of Osceola County, Florida, establishing the Kissimmee Park Community Development District, consisting of approximately 727.451 acres, pursuant to Chapter 190, Florida Statutes; naming the District; describing the external boundaries of the District; describing the functions and powers of the District; designating five persons to serve as the initial members of the District's Board of Supervisors; providing for severability; providing for conflict; and providing an effective date.

SPP22-0003: Approval and authorization for the Chair/Vice Chair to sign the Petitioner's Agreement with Hawk Landing Investors New, LLC, regarding Osceola County Board of County Commissioners and Kissimmee Park Community Development District: establishing the terms of the agreement to the boundary of the newly established the Kissimmee Community Development District.

A draft Interlocal Agreement is included as an exhibit to the petitioner's agreement which provides assurance of enhanced amenities including: hardscape and entry features, multi-use trails, parks and open space, recreational, landscape enhancements, stormwater ponds, and Metro Lagoon; all above minimum Osceola County Land Development Code requirements; and provides additional disclosure requirements, and will be presented to the Board at a later date.

Hawk Land Investors New, LLC (Applicant/Owner)

Commission District:

4

**Staff Recommendation: Continuance to the July 18, 2022, Board Meeting**

Note: This item was continued from the April 18, 2022, and May 16, 2022, Board Meeting.

42. Adoption of Ordinance #2022-60 for CDD22-0001: An Ordinance of the Board of County Commissioners of Osceola County, Florida, establishing Hickory Tree Community Development District, consisting of approximately 205 acres, pursuant to Chapter 190, Florida Statutes; naming the District; describing the external boundaries of the District; describing the functions and powers of the District; designating five persons to serve as the initial members of the District's Board of Supervisors; providing for severability; providing for conflict; and providing an effective date.

SPP22-0005: Approval and authorization for the Chair/Vice Chair to sign the Petitioner's Agreement with Clayton Properties Group Incorporated, regarding Osceola County Board of County Commissioners and Hickory Tree Community Development District: establishing the terms of the agreement to the boundary of the newly established Hickory Tree Community Development District.

A draft Interlocal Agreement is included as an exhibit to the petitioner's agreement which provides additional disclosure and notice requirements and will be presented to the Board at a later date.

Clayton Properties Group Incorporated (Applicant/Owner)

Commission District:

5

Staff Recommendation: Adoption of Ordinance #2022-60 for CDD22-0001 and approval of SPP22-0005 Hickory Tree CDD Petitioner's Agreement

43. Adoption of Ordinance #2022-69 for CDD22-0002: An Ordinance of the Board of County Commissioners of Osceola County, Florida, Establishing the Ham Brown Reserve Community Development District, at Approximately 177.509 Acres, Pursuant to Chapter 190, Florida Statutes; Naming the District; Describing the External Boundaries of the District; Describing the Functions and Powers of the District; Designating Five Persons to Serve as the Initial Members of the District's Board of Supervisors; Providing for Severability; Providing for Conflict; and Providing an Effective Date.

SPP22-0007: Approval and authorization for the Chair/Vice Chair to sign the Petitioner's Agreement with Toll Brother's Incorporated, regarding Osceola County Board of County Commissioners and Ham Brown Reserve Development District: establishing the terms of the agreement to the boundary of the newly established Ham Brown Community Development District.

A draft Interlocal Agreement is included as an exhibit to the petitioner's agreement which provides additional disclosure and notice requirements and will be presented to the Board at a later date.

Andrew Hall (Applicant)

Chinook, Limited Liability Corporation; Kanner Kissimmee, Limited Liability Corporation; Sterling Kissimmee, Limited Liability Corporation; and, Tee Park, Limited Liability Corporation (Owners')

Commission District: 3

Staff Recommendation: Adoption of Ordinance #2022-69 and approval of SPP22-0007 Ham Brown Reserve Development District

44. Adoption of Ordinance #2022-40 for ZMA22-0002: An Ordinance of the Board of County Commissioners of Osceola County, Florida, changing the zoning designation from Agricultural Development and Conservation (AC) to Commercial Tourist (CT) Zoning District, on certain real property generally located east of Masters Boulevard, south of Goodman Road, and north of Links Boulevard, and comprised of approximately .43 acre, more or less; amending the official zoning map; providing for correction of scrivener's errors; providing for severability; providing for conflict; and providing for an effective date.

Charles Lamy (Applicant) ABC Goodman, LLC (Owner)

Commission District: 1

Staff Recommendation: Adoption of Ordinance #2022-40 for ZMA22-0002

Osceola County School District Comments: Included within Staff Report

Planning Commission Recommendation: Adoption of Ordinance #2022-40 for ZMA22-0002

\* Should this item be pulled for discussion by the Board, it must be performed as a Quasi-Judicial item.

45. Adoption of Ordinance #2022-41 for ZMA22-0023: An Ordinance of the Board of County Commissioners of Osceola County, Florida, changing the zoning designation from Urban Settlement – Manufactured Product (US-M) to Low Density Residential (LDR) Zoning District, on certain real property generally located east of Ham Brown Road, south of South Orange Blossom Trail, and north of Anderson Road, and comprised of approximately 12.34 acres, more or less; amending the official zoning map; providing for correction of scrivener's errors; providing for severability; providing for conflict; and providing for an effective date.

Hany Elfar (Applicant) ElFar LLC (Owner)

Commission District: 3

Staff Recommendation: Adoption of Ordinance 2022-41 for ZMA22-0023

Osceola County School District Comments: Included within Staff Report

Planning Commission Recommendation: Adoption of Ordinance 2022-41 for ZMA22-0023

\* Should this item be pulled for discussion by the Board, it must be performed as a Quasi-Judicial item.

46. Adoption of Ordinance #2022-49 for ZMA22-0021: An Ordinance of the Board of County Commissioners of Osceola County, Florida, changing the zoning designation from Agricultural Development and Conservation (AC) to Low Density Residential (LDR) Zoning District, on certain real property generally located at the eastern terminus of Bella Citta Boulevard and east of South Goodman Road, and comprised of approximately 9.84 acres, more or less; amending the official zoning map; providing for correction of scrivener's errors; providing for severability; providing for conflict; and providing for an effective date.

Roland Mir and Frank Dino (Applicants) Academir Charter School of Osceola, Inc. (Owner)

Commission District: 1

Staff Recommendation: Adoption of Ordinance #2022-49 for ZMA22-0021.

Osceola County School District Comments: Included within Staff Report.

Planning Commission Recommendation: Adoption of Ordinance #2022-49 for ZMA22-0021

\* Should this item be pulled for discussion by the Board, it must be performed as a Quasi-Judicial item.

47. Adoption of Ordinance #2022-52 for ZMA22-0029: An Ordinance of the Board of County Commissioners of Osceola County, Florida, changing the zoning designation from Agricultural Development and Conservation (AC) to Low Density Residential (LDR) Zoning District, on certain real property generally located south of Reaves Road, east and north of South Poinciana Boulevard and west of Pleasant Hill Road, and comprised of approximately 111.48 acres, more or less; amending the official zoning map; providing for correction of scrivener's errors; providing for severability; providing for conflict; and providing for an effective date.  
Dallas Austin, DR Horton, Inc. (Applicant) Nazim Ali (Owner)  
Commission District: 3  
Staff Recommendation: Adoption of Ordinance #2022-52 for ZMA22-0029  
Osceola County School District Comments: Included within Staff Report.  
Planning Commission Recommendation: Adoption of Ordinance #2022-52 for ZMA22-0029  
\* Should this item be pulled for discussion by the Board, it must be performed as a Quasi-Judicial item.
48. Adoption of Ordinance #2022-57 for ZMA22-0028: An Ordinance of the Board of County Commissioners of Osceola County, Florida, changing the zoning designation from Planned Development (PD) to Employment Center Perimeter (ECP) Zoning District, on certain real property generally located on the southwest corner of Octavia Boulevard and South Poinciana Boulevard, and comprised of approximately 10.19 acres, more or less; amending the official zoning map; providing for correction of scrivener's errors; providing for severability; providing for conflict; and providing for an effective date.  
John Lee, JJRFLA, LLC (Applicant) JJRFLA, LLC (Owner)  
Commission District: 3  
Staff Recommendation: Adoption of Ordinance #2022-57 for ZMA22-0028  
Osceola County School District Comments: Included within Staff Report.  
Planning Commission Recommendation: Adoption of Ordinance #2022-57 for ZMA22-0028  
\* Should this item be pulled for discussion by the Board, it must be performed as a Quasi-Judicial item.



49. Adoption of Ordinance #2022-58 for ZMA22-0033: An Ordinance of the Board of County Commissioners of Osceola County, Florida, changing the zoning designation from Residential Single Family (RS-3) to Medium Density Residential (MDR) Zoning District, on certain real property generally located on the south side of Home Street, east of Lucille Street, north of East Carroll Street and west of Sample Street, and comprised of approximately .23 acres, more or less; amending the official zoning map; providing for correction of scrivener's errors; providing for severability; providing for conflict; and providing for an effective date.

Tracey Bordas (Applicant and Owner)

Commission District: 4

Staff Recommendation: Adoption of Ordinance #2022-58 for ZMA22-0033

Osceola County School District Comments: Included within Staff Report.

Planning Commission Recommendation: Adoption of Ordinance #2022-58 for ZMA22-0033

\* Should this item be pulled for discussion by the Board, it must be performed as a Quasi-Judicial item.

50. Adoption of Ordinance #2022-61 for ZMA22-0026: An Ordinance of the Board of County Commissioners of Osceola County, Florida, changing the zoning designation from Commercial Restricted (CR), Commercial General (CG) and Residential Multi-Family Two (RM-2) to Community Center Core (CCC) Zoning District, on certain real property generally located on the south side of Lake Lizzie Drive, east of Nova Road and north of East Irlo Bronson Memorial Highway, and comprised of approximately 26.43 acres, more or less; amending the official zoning map; providing for correction of scrivener's errors; providing for severability; providing for conflict; and providing for an effective date.

David King, Greystar Development East, LLC (Applicant) Fred W. Hawkins Sr. (Owner)

Commission District: 5

Staff Recommendation: Adoption of Ordinance #2022-61 for ZMA22-0026

Osceola County School District Comments: Included within Staff Report.

Planning Commission Recommendation: Adoption of Ordinance #2022-61 for ZMA22-0026

\* Should this item be pulled for discussion by the Board, it must be performed as a Quasi-Judicial item.

51. Adoption of Ordinance #2022-51 for ZMA22-0027: An Ordinance of the Board of County Commissioners of Osceola County, Florida, changing the zoning designation from Residential Manufactured Housing (RMH) to Low Density Residential (LDR) Zoning District, on certain real property generally located south of Lake Park Avenue, east of Lake Tohopekaliga, west of North Narcoossee Road and north of Jones Road, and comprised of approximately 10.66 acres, more or less; amending the official zoning map; providing for correction of scrivener's errors; providing for severability; providing for conflict; and providing for an effective date.  
Isaiah Cottle, GSL Holdings I, LLC (Applicant) Randy Hanson and Patricia D. Hanson (Owners)  
Commission District: 5  
Staff Recommendation: Adoption of Ordinance #2022-51 for ZMA22-0027  
Osceola County School District Comments: Included within Staff Report.  
Planning Commission Recommendation: Adoption of Ordinance #2022-51 for ZMA22-0027  
\* Should this item be pulled for discussion by the Board, it must be performed as a Quasi-Judicial item.
52. Adoption of Ordinance #2022-54 for ZMA22-0031: An Ordinance of the Board of County Commissioners of Osceola County, Florida, changing the zoning designation from Agricultural Development and Conservation (AC) to Low Density Residential (LDR) Zoning District, on certain real property generally located west of South Narcoossee Road, south of Lillian Black Road, east of East Lake Tohopekaliga and north of Chisholm Park Road, and comprised of approximately 21.41 acres, more or less; amending the official zoning map; providing for correction of scrivener's errors; providing for severability; providing for conflict; and providing for an effective date.  
Jeremy Kibler, KDA Engineering, INC (Applicant) Gerd O. Evert and Meta F. Evert, Trustees, or their successors in Trust, under the Gerd O. Evert Living Trust (Owner)  
Commission District: 5  
Staff Recommendation: Adoption of Ordinance #2022-54 for ZMA22-0031  
Osceola County School District Comments: Included within Staff Report.  
Planning Commission Recommendation: Adoption of Ordinance #2022-54 for ZMA22-0031  
\* Should this item be pulled for discussion by the Board, it must be performed as a Quasi-Judicial item.

53. Adoption of Ordinance #2022-59 for ZMA22-0034: An Ordinance of the Board of County Commissioners of Osceola County, Florida, changing the zoning designation from Rural Development (one-acre manufactured home) (R-1M) to Rural Settlement (RS) Zoning District, on certain real property generally located south of East Irlo Bronson Memorial Highway, east of Holopaw Road and west of Nova Avenue, and comprised of approximately 4.50 acres, more or less; amending the official zoning map; providing for correction of scrivener's errors; providing for severability; providing for conflict; and providing for an effective date.  
Hector L. Gordon (Applicant) Jesus Miracle Chapel, INC (Owner)  
Commission District: 5  
Staff Recommendation: Adoption of Ordinance #2022-59 for ZMA22-0034  
Osceola County School District Comments: Included within Staff Report.  
Planning Commission Recommendation: Adoption of Ordinance #2022-59 for ZMA22-0034  
\* Should this item be pulled for discussion by the Board, it must be performed as a Quasi-Judicial item.
54. Adoption of Ordinance #2022-62 for ZMA22-0035: An Ordinance of the Board of County Commissioners of Osceola County, Florida, changing the zoning designation from Residential Single Family (RS-1C) to Low Density Residential (LDR) Zoning District, on certain real property generally located on the north side of Thompkins Drive, east of North Narcoossee Road, South of Redd Lane and west of Hinden Lake, and comprised of approximately 3.16 acres, more or less; amending the official zoning map; providing for correction of scrivener's errors; providing for severability; providing for conflict; and providing for an effective date.  
Joe Giannuzzi, Federal Finance (Applicant) John Fogel and Leslie A. Fogel (Owner)  
Commission District: 5  
Staff Recommendation: Adoption of Ordinance #2022-62 for ZMA22-0035  
Osceola County School District Comments: Included within Staff Report.  
Planning Commission Recommendation: Adoption of Ordinance #2022-62 for ZMA22-0035  
\* Should this item be pulled for discussion by the Board, it must be performed as a Quasi-Judicial item.

55. Adoption of Ordinance #2022-63 for ZMA22-0042: An Ordinance of the Board of County Commissioners of Osceola County, Florida, changing the zoning designation from Residential Single Family (RS-2) to Low Density Residential (LDR) Zoning District, on certain real property generally located north of Jack Brack Road, east of Underwood Avenue, south of Bruns Street and west of Pine Marsh Loop, and comprised of approximately .24 acres, more or less; amending the official zoning map; providing for correction of scrivener's errors; providing for severability; providing for conflict; and providing for an effective date.

Angel Kay Davis (Applicant and Owner)

Commission District: 5

Staff Recommendation: Adoption of Ordinance #2022-63 for ZMA22-0042

Osceola County School District Comments: Included within Staff Report.

Planning Commission Recommendation: Adoption of Ordinance #2022-63 for ZMA22-0042

\* Should this item be pulled for discussion by the Board, it must be performed as a Quasi-Judicial item.

56. CPA21-0011: Approval to transmit to the Department of Economic Opportunity (DEO) a Large-Scale Comprehensive Plan Amendment (CPA) to change the Future Land Use Map (FLUM) designation from Low Density Residential (LDR) to Mixed Use (MXD) on certain real property generally located east of Cherokee Road and north of Orangewood Avenue and comprised of approximately 53.162 acres.

Kevin Kramer, BTI Land Acquisitions, LLC (Applicant) EW Property Holdings, LLC (Owner)

Commission District: 4

Staff Recommendation: Approval to transmit CPA21-0011 to DEO for interagency review

Osceola County School District Comments: Included within Staff Report.

Planning Commission Recommendation: Approval to transmit CPA21-0011 to DEO for interagency review

Note: If CPA21-0011 is pulled Ordinance #2022-33 for ZMA21-0054 should be pulled.

57. Adoption of Ordinance #2022-33 for ZMA21-0054: An Ordinance of the Board of County Commissioners of Osceola County, Florida, changing the zoning designation from Rural Development (R-2) and Agricultural Development and Conservation (AC) to Mixed Use (MXD) Zoning District, on certain real property generally located east of Cherokee Road and north of Orangewood Avenue and comprised of approximately 53.162 acres, more or less; amending the official zoning map; providing for correction of scrivener's errors; providing for severability; providing for conflict; and, providing for an effective date.

Kevin Kramer, BTI Land Acquisitions, LLC (Applicant) EW Property Holdings, LLC (Owner)

Commission District: 4

Staff Recommendation: Adoption of Ordinance 2022-33 for ZMA21-0054

Osceola County School District Comments: Included within Staff Report.

Planning Commission Recommendation: Adoption of Ordinance 2022-33 for ZMA21-0054

**Updated Staff Recommendation: Continuance to the August 15, 2022, Board Meeting**

Note: If Ordinance #2022-33 for ZMA21-0054 is pulled CPA21-0011 should be pulled.

\* Should this item be pulled for discussion by the Board, it must be performed as a Quasi-Judicial item.

### Reports/Items

#### Constitutional Officers and Governmental Agencies/Other

##### County Attorney

##### County Manager

##### Commissioners and Board Reports

### Committee Appointments

#### Aviation Noise Abatement Committee

The GOAA noise abatement program brings together all stakeholders to reduce noise and educate the public regarding operations at its airports.

58. Appointment to replace William H. Prather, "Osceola County Representative" who resigned, whose term expires April 4, 2025.

**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.

59. Appointment to replace Anthony Taylor, "District 3", who resigned, whose term expires December 31, 2024.

**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.

60. Appointment to replace John Goldsborough, "Realtor", who resigned, whose term expired March 3, 2022.
61. Appointment to replace Scott Stewart, "General Contractor", who resigned, whose term expires March 3, 2024.

For Information

**Clerk of the Courts**

62. The Clerk of the Board has received for informational purposes, the proposed budget for Fiscal Year 2023, from the Remington Community Development District. The District will schedule a public hearing for adoption of the budget not less than 60 days from May 03, 2022.
63. The Clerk of the Board has received for informational purposes, the proposed budget for Fiscal Year 2023, from Stoneybrook South at ChampionsGate Community Development District. The District will schedule a public hearing not less than 60 days from the date of April 28, 2022, for adoption of the same.
64. The Clerk of the Board has received for informational purposes, the proposed budget for Fiscal Year 2023, from Westside Community Development District. The District will schedule a public hearing not less than 60 days from the date of April 28, 2022, for adoption of the same.

65. The Clerk of the Board has received for informational purposes, the proposed budget for Fiscal Year 2023, from Magic Place Community Development District. The District will schedule a public hearing not less than 60 days from the date of May 11, 2022, for adoption of the same.
66. The Clerk of the Board has received for informational purposes, the proposed budget for Fiscal Year 2023, from Magic Reserve Community Development District. The District will schedule a public hearing not less than 60 days from the date of May 11, 2022, for adoption of the same.
67. The Clerk of the Board has received for informational purposes, the proposed budget for Fiscal Year 2023, from Tohoqua Community Development District. The District will schedule a public hearing not less than 60 days from the date of May 12, 2022, for adoption of the same.
68. The Clerk of the Board has received for informational purposes, the proposed budget for Fiscal Year 2023, from Preston Cove Community Development District. The District will schedule a public hearing not less than 60 days from the date of May 12, 2022, for adoption of the same.
69. The Clerk of the Board has received for informational purposes, the proposed budget for Fiscal Year 2023, from Reunion East Community Development District. The District will schedule a public hearing not less than 60 days from the date of May 17, 2022, for adoption of the same.
70. The Clerk of the Board has received for informational purposes, the proposed budget for Fiscal Year 2023, from Reunion West Community Development District. The District will schedule a public hearing not less than 60 days from the date of May 17, 2022, for adoption of the same.
71. The Clerk of the Board has received for informational purposes, the proposed budget for Fiscal Year 2023, from Osceola Chain of Lakes Community Development District. The District will schedule a public hearing not less than 60 days from the date of May 04, 2022, for adoption of the same.
72. The Clerk of the Board has provided for informational purposes, the minutes of the Indian Creek Common Facilities District, Board of Supervisors meeting, held on November 17, 2021, first quarter regular session, 12:00 p.m.
73. The Clerk of the Board has received for the record, a Warranty Deed dated May 26, 2022, from Mill Creek LLP, a Florida limited liability partnership, to Osceola County, approved by the Board on May 16, 2022, for the acquisition of the approximately .70 acre parcel located at 1392 East Vine Street and described as Lot 4B of the Mill Creek Mall Lot 4 Replat, and recorded in Official Records Book 6225, Page 364, Public Records of Osceola County, Florida.

74. The Clerk of the Board has received for the record, a Notice of Termination of Lease and Memorandum of Lease from Mill Creek LLP, a Florida limited liability partnership, dated May 25, 2022, under that certain unrecorded Lease Agreement dated June 01, 2020, and evidenced by that certain Memorandum of Lease recorded June 10, 2020, in Official Records Book 5734, Page 2864, and recorded in Official Records Book 6225, Page 368, Public Records of Osceola County, Florida.

### **County Administration**

75. Long Range Agenda.
76. Procurement Services has submitted for the record the contracts, task orders, and/or amendments approved and signed by the County Manager, or designee; a list of scheduled Evaluation Committee meetings to review proposals submitted in response to solicitations; a list of Board approved contracts that may be renewed within the next six months; and a list of Emergency Procurements issued.

### **Public Hearing Items Withdrawn or Resolved Requiring No Further Board Action**

77. Ordinance 2022-64 for ZMA22-0041, will be re-advertised for a future date: An Ordinance of the Board of County Commissioners of Osceola County, Florida, changing the zoning designation from Agricultural Development and Conservation (AC) to Low Density Residential (LDR) Zoning District, on certain real property generally located on the north side of Jones Road, east of Lavena Avenue, west of Gerry Court and south of Jack Brack Road, and comprised of approximately 14.14 acres, more or less.

### 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 Act (ADA) & Title VI Assistance**

The Osceola Board of County Commissioners ensures meaningful access to County programs, services, and activities to comply with Civil Rights Title VI and Title II of the Americans with Disabilities Act. Individuals with disabilities requiring accommodations (i.e., sign language interpreter or materials in accessible format) or individuals with Limited English Proficiency requiring language interpreters to participate in County sponsored meetings, please contact the County's ADA/Title VI Coordinator, at (407) 742-1200 (TTY Users Dial:711 for the Florida Relay System) or [ADA.Coordinator@osceola.org](mailto:ADA.Coordinator@osceola.org), at least four (4) days prior to the meeting or event.



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