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Agenda

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Osceola County  
Board of County Commissioners  
Meeting Agenda

August 1, 2022 - 1:30 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

### **Recognitions**

1. Recognition of County employees who will celebrate a milestone anniversary of 10,15,20,25,30 Years of Service.

#### 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.

### **Tax Collector's Office**

2. Approval to extend the 2022 tax roll prior to completion of the Value Adjustment Board hearings in order to have an orderly and timely continuation of the steps necessary to issue tax notices as of November 01, 2022.

### **County Administration**

3. Approval of the Fiscal Year 2022/2023 (FY23) Countywide Rolled-Back Rate of 6.0340, in accordance with State requirements. The Roll-Back Rate was initially approved on July 18, 2022; however, upon completion of the State required documents, a discrepancy in one of the forms was identified. The correction resulted in a slight change to the Rolled-Back Rate which is necessary to present to the Board and will maintain compliance with State Statutes and does not change the Proposed Millage Rate of 6.7000.
4. Adoption of Resolution #22-404R, approving the issuance by Osceola County Housing Finance Authority of an amount not to exceed \$11,000,000.00 for Multi-Family Housing Revenue Bonds (Buen Vecino Apartments). This request has no financial impact to the County nor any impact to Osceola County's bonding capacity and/or bond rating.
5. Adoption of Resolution #22-405R, for the submission of the annual Section 8 Payment Standards to the United States Housing and Urban Development Jacksonville Field Office for Fiscal Year 2021/2022. Osceola County is requesting to use 100% of the Fair Market Rents as the payment standards for the Section 8 Voucher Program in an effort to keep up with the market rents.
6. Approval and authorization for the Chair/Vice Chair to sign the annual Interlocal Agreement with the Office of the Public Defender to provide funding for computer support staff for the period beginning October 01, 2022, through September 30, 2023; \$125,000.00 through the Court Technology Fund.

7. Adoption of Resolution #22-412R, amending the Fiscal Year 2022 Budget and adoption of Resolution #22-413R, amending the 2022-2026 Five Year Capital Improvement Plan, both being detailed in Budget Supplement BA #22-057, to re-appropriate funds to the Clay Street and Thacker Avenue Intersection improvement project from the Community Development Block Grant program for the construction cost of the project; \$215,701.00.
8. Approval and authorization for the Chair/Vice Chair to sign service agreements with IM Solutions Incorporated, Melbourne, Florida; Infinity Corporation of Central Florida, doing business as (d/b/a) Infinity A/V and Security, Sanford, Florida; Commercial Media Systems Incorporated, Sanford, Florida; Presidio Networked Solutions, LLC, Orlando, Florida; and APG Electric Incorporated, d/b/a APG Technology, Clearwater, Florida, for continuing Audio/Visual system maintenance, repairs, support, upgrades and new equipment installations at various County facilities, on a task authorization basis, through September 30, 2025 (RFP-22-12796-TP); individual task authorizations shall not exceed \$100,000.00 per project.

### **Community Development Administration**

9. BD22-00033: Approval and authorization for the Chair/Vice Chair to sign the Maintenance and Escrow Agreement with AP Forest Hills, LLC, for right-of-way improvements in conjunction with SDP19-0059 on the following roadway as part of the Forest Hills project: Osceola Polk Line Road, 885.00 linear feet (LF). Commission District 1.
10. Approval of request for reduction of the Code Enforcement Lien recorded against property at Eastern Avenue, from \$88,100.00 to \$8,427.41, payable within 30 days. The Notice of Violation was issued on December 08, 2005; the Affidavit of Non-Compliance was issued on February 22, 2006; and the Affidavit of Compliance was issued on July 16, 2008. The property owner, Taromino Properties LLC, requests a reduction to the amount of \$8,427.41, which meets County policy. Said Lien is recorded in Official Records Book 3716, Pages 226 through 228. The property appraises at \$14,400.00. Commission District 5.
11. Approval of request for reduction of the Code Enforcement Lien recorded against property at 5135 Marina Drive, from \$60,565.00 to \$3,612.86, payable within 30 days. The Notice of Violation was issued on October 23, 2019; the Affidavit of Non-Compliance was issued on March 03, 2021; and the Affidavit of Compliance was issued on June 28, 2022. The property trustee, Eric Van Auken, requests a reduction to the amount of \$3,612.86, which meets County policy. Said Lien is recorded in Official Records Book 6242, Pages 1250 through 1253. The property appraises at \$85,200.00. Commission District 5.

**Public Safety**

12. Approval and authorization for the Chair/Vice Chair to sign a Certificate of Public Convenience and Necessity (COPCN) per Florida State Statute 401.25(2)d, for Florida Ambulance Service, LLC, authorizing the provision of non-emergency Basic Life Support (BLS) transportation and inter-facility BLS transportation for Osceola County.

**Public Works Administration**

13. Approval and authorization for the Chair/Vice Chair to sign Amendment #2 with Yellowstone Landscape Incorporated, Kissimmee, Florida, to extend the term of the agreement for one year and revise Exhibit A, Scope of Service, and Exhibit B, Price Schedule, to include new services for fertilizing and pest control, for the Osceola County SunRail Stations on an as needed basis (RFP-18-10292-VJ); estimated expenditures shall increase from \$140,562.00 to \$152,922.00 annually for year five, for a total not to exceed \$756,930.00 through September 01, 2023.
14. Approval and authorization for the Chair/Vice Chair to sign Task Authorization #TA22-72 with Jones Edmunds and Associates Incorporated, to evaluate Osceola County's current solid waste system, make waste projections, and provide recommendations for future waste management options not to exceed of \$107,195.00 (PS-19-11131-DG), and adoption of Resolution #22-407R, amending the Fiscal Year 2022 Budget as detailed in Budget Supplement BA #22-050.
15. Adoption of Resolution #22-410R, amending the Fiscal Year 2022 Budget; and adoption of Resolution #22-411R, amending the Five-Year Capital Improvement Plan and appropriating funds as detailed in Budget Supplement BA#22-052 in order to reallocate funds for the construction of a storage building for the Supervisor of Elections Warehouse at Government Center; \$233,800.00.

**Strategic Initiatives**

16. Approval and authorization for the Chair/Vice Chair to sign the Interlocal agreement with the City of Kissimmee, and the University of Central Florida (UCF) Research Foundation Incorporated, to provide continued funding to UCF Research Foundation to operate a general business incubator in the City of Kissimmee, located at 400 West Emmett Street, beginning October 01, 2022, through September 30, 2023; \$60,000,00.

### **Transportation and Transit**

17. Approval and authorization for the Chair/Vice Chair to sign a Warranty Deed and Perpetual Permanent Slope and Drainage Easement with David Sarfati Trust, David Sarfati, Trustee, for the acceptance of NR Parcels 114/814 and NR Parcels 116/816 in support of construction for the expansion of Neptune Road, from Partin Settlement Road to US 192. The County Manager, or designee, is 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.
18. Adoption of Resolution #22-414R, rescinding and replacing Resolution #22-159R for PS Parcels 139/739; adoption of Resolution #22-415R, rescinding and replacing Resolution #22-160R for PS Parcels 140/740; adoption of Resolution #22-416R, rescinding and replacing Resolution #22-167R for PS Parcel 148; and adoption of Resolution #22-417R for PS Parcel 159, 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 Partin Settlement Road Project from Neptune Road to East Lakeshore Boulevard, Kissimmee, Florida. Commission Districts 2 and 4.
19. Adoption of Resolution #22-424R, amending the Fiscal Year 2022 Budget; and adoption of Resolution #22-425R, amending the 2022-2026 Five-Year Capital Improvement Plan (CIP), both being detailed in Budget Supplement BA #22-056, to recognize the funds being received from the State of Florida Department of Economic Opportunity (DEO) through the Florida Job Growth Infrastructure Grant Agreement (No. G0083) for the construction of Neovation Way, connecting Neptune Road to NeoCity Way. The original estimated funding from DEO in the amount of \$1,020,760.00 was included in the Fiscal Year 2022 Adopted Budget. DEO has agreed to reimburse costs up to a maximum amount of \$6,000,000.00, which reflects an increase of \$4,979,240.00 from the original estimate. The grant agreement was signed by the County Manager on June 13, 2022, as authorized by the Board on October 11, 2021, and signed by DEO on June 16, 2022. Commission Districts 4.

20. Approval and authorization for the Chair/Vice Chair to sign Amendment #3 to the service agreements with Traffic Control Devices, Altamonte Springs, Florida; Traffic Engineering and Management, LLC, doing business as Control Specialists, Winter Park, Florida; and Chinchor Electric Incorporated, Orange City, Florida, to increase the maximum task authorization to \$1,000,000.00 per project regarding the provision of continuing traffic services, primarily used for the construction and/or replacement of traffic signals and intersection improvements, on a task authorization basis through November 30, 2023 (RFP-19-11190-TP); authorization for the County Manager, or designee, to sign task authorizations up to \$1,000,000.00 per project; and adoption of Resolution #22-431R, amending the Five Year 2022-2026 Capital Improvement Plan (CIP) as detailed in Budget Supplement BA #22-058.

#### 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.

#### Transportation and Transit

21. Approval of the second reading and authorization for the Chair/Vice Chair to sign the Developer Funded/County Obligation Agreement for the Hickory Tree Road Project Development and Environment (PD and E) Study funding with Clayton Properties Group Incorporated (Owner) to pay all costs not to exceed a total of \$1,500,000.00 related to a County PD and E Lite Study for Hickory Tree Road, from the intersection of Narcoossee Road and US Highway 192 to the intersection of US Highway 192 and Harmony West, to be reimbursed through the Developer Funded County Obligation Program. Commission District 5.

#### Reports/Items

#### Constitutional Officers and Governmental Agencies/Other

#### County Attorney

#### County Manager

## **Commissioners and Board Reports**

### **Committee Appointments**

#### **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.

22. 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.

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

#### **Local Health Council of Central Florida**

25. Appointment to reappoint/replace David H. Hash, "Purchaser", whose term expires September 30, 2022.

For Information

#### **Clerk of the Courts**



26. The Clerk of the Board has received for the record, Temporary Construction Easement from Noel G. Pagan and Lourdes J. Cruz, husband and wife, for Parcel PS 708, for the Partin Settlement Road from Neptune Road (CR 525) to Lakeshore Boulevard, per Resolution #22-184R, adopted by the Board on April 04, 2022, as item #23, and recorded in Official Records Book 6224, Page 1545 through 1550, Public Records of Osceola County, Florida; and Temporary Construction Easement from Douglas R. Kinner and Dianne M. Kinner, husband and wife, for Parcel PS 736, for the Partin Settlement Road from Neptune Road (CR 525) to Lakeshore Boulevard, per Resolution #22-191R, adopted by the Board on April 04, 2022, as item #23, and recorded in Official Records Book 6224, Page 1539 through 1544, Public Records of Osceola County, Florida.
27. The Clerk of the Board has received for informational purposes, the proposed budget for Fiscal Year 2023, from Shingle Creek at Bronson Community Development District. The District will hold a public hearing for adoption of the budget not less than 60 days from May 03, 2022.
28. 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 hold a public hearing for adoption of the budget not less than 60 days from April 28, 2022.
29. The Clerk of the Board has received for informational purposes, the proposed budget for Fiscal Year 2023, from the Tapestry Community Development District. The District will hold a public hearing for adoption of the budget not less than 60 days from June 07, 2022.
30. The Clerk of the Board has received for informational purposes, the proposed fiscal year 2023 budget for Town of Kindred Community Development District II. The District has scheduled a public hearing to be held on August 11, 2022, at 10:30 a.m., at the Osceola County Courthouse, 1 Courthouse Square, Suite 4700, Courthouse Pond Room, Kissimmee, Florida.
31. The Clerk of the Board has received for informational purposes, the proposed budget for Fiscal Year 2023, from Bridgewalk Community Development District. The District will hold a public hearing for adoption of the budget not less than 60 days from May 03, 2022.
32. The Clerk of the Board has received for informational purposes, the proposed budget for Fiscal Year 2023, from Old Hickory Community Development District. The District will hold a public hearing for adoption of the budget not less than 60 days from May 03, 2022.
33. The Clerk of the Board has received for informational purposes, the proposed budget for Fiscal Year 2023, from Shingle Creek Community Development District. The District will hold a public hearing for adoption of the budget not less than 60 days from May 03, 2022.

34. The Clerk of the Board has received for informational purposes, the proposed budget for Fiscal Year 2023, from Storey Creek Community Development District. The District will hold a public hearing for adoption of the budget not less than 60 days from April 28, 2022.
35. The Clerk of the Board has received for informational purposes, the proposed budget for Fiscal Year 2022/2023, from the Gramercy Farms Community Development District. The District has scheduled a public hearing to be held on August 25, 2022, at 11:00 a.m., at the Anthem Park Clubhouse, 2090 Continental Street, St. Cloud, Florida.
36. The Clerk of the Board has received for informational purposes, the proposed budget for Fiscal Year 2023, from the Everest GMR Community Development District. The District has scheduled a public hearing to be held on August 10, 2022, at 11:00 a.m., at the Historic Courthouse, 3 Courthouse Square, Third Floor Conference Room, #315, Kissimmee, Florida.
37. The Clerk of the Board has received for informational purposes, the proposed budget for Fiscal Year 2023, from ChampionsGate Community Development District. The District will hold a public hearing for adoption of the budget not less than 60 days from April 28, 2022.
38. The Clerk of the Board has received for informational purposes, the proposed budget for Fiscal Year 2023, from Winward Community Development District. The District will schedule a public hearing for adoption of the budget not less than 60 days from May 19, 2022.
39. The Clerk of the Board has received for informational purposes, the proposed budget for Fiscal Year 2023, from the Sunbridge Stewardship District. The District has scheduled a public hearing to be held on August 04, 2022, at 11:00 a.m., at 6197 Cyrils Drive, St. Cloud, Florida.
40. The Clerk of the Board has received for the record, from the Florida Public Service Commission, Consummating Order #PSC-2022-0249-CO-EQ, noticing that Order #PSC-2022-0203-PAA-EQ has become effective and final in reference to the petition for approval of revised standard offer contract and a revised accompanying rate schedule QS-2, by Florida Power and Light Company.
41. The Clerk of the Board has submitted for the record, the Warranty Deed from Legion Ajay LLC, for Parcel #04-25-31-2503-0001-00C0, approved on June 06, 2022, and recorded in Official Records Book 6245, Page 2090 through 2094, Public Records of Osceola County, Florida.

42. The Tax Collector has submitted for the record, the Recapitulation Certificate wherein the Tax Collector is certifying the items on the list of errors, insolvencies, double assessments, discounts, and lawsuits, as items for which the Tax Collector is entitled for credit for the 2021 Assessment Roll.

### **County Administration**

43. Long Range Agenda.
44. The Board Support Services Office submits for the record notice that CivicPlus, LLC, wholly acquired all interest in and ownership of Municode, LLC, formerly known as Municode Incorporated, which is the company used by the County to codify the Code of Ordinances, the Comprehensive Plan, and the Land Development Code.
45. The Housing and Community Services Department submits for the record the contracts, agreements, and/or amendments that have been approved and signed by the County Manager or designee since the last submittal.

### 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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