

OSCEOLA COUNTY

Commission Chambers
1 Courthouse Square, Suite 4100
Kissimmee, Florida, 34741
www.osceola.org

Board of Commissioners

Brandon Arrington, Chairman
John Quiñones, Vice Chairman
Michael Harford, Commissioner
Frank Attkisson, Commissioner
Fred Hawkins, Jr., Commissioner



Don Fisher, County Manager
George Nickerson, Interim County Attorney
Scarlet Gibson, Acting Commission Auditor

REGULAR MEETING – 07/18/2011 - 5:30 PM

Agenda

Pledge of Allegiance

Invocation - Evangelist Sarah Steele with New Life Ministries in Kissimmee

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.

Presentations/Proclamations

Presentations

1. [Presentation by Commissioner Harford, to Megan McKinney, a scholarship check in the amount of \\$500 to be used towards her college education.](#)
2. [Presentation and update regarding funding opportunities/match requirements for the Early Learning Coalition of Osceola County by Executive Director Susan Sunka and for Head Start by Head Start Manager Roger Popp.](#)

Proclamations

3. [A Proclamation declaring July 23, 2011, as National Day of the Cowboy in Osceola County, Florida. Commissioner Hawkins will present the Proclamation to Tom Bass, Pro Rodeo Announcer.](#)
4. [A Proclamation declaring the week of July 18, 2011, through July 24, 2011, as Puerto Rican Week in Osceola County, Florida. The Proclamation will be presented by Commissioner Quinones to Ingrid D. Figueroa, President of the First Puerto Rican Parade, and Roberto Martinez, President and Founder of the Centro Cultural of Puerto Rico.](#)

Hear the Audience

Citizens wishing to address any item on the agenda during this portion of the meeting should complete a Request to Speak form and submit it to the Clerk of the Board prior to the commencement of the meeting. These forms are available from the Commission Ambassadors. Comments will be limited to three minutes. The Commissioners will not vote on any item during this portion of the meeting, but at their discretion issues can be placed on the agenda for a vote at a later time.

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.

Tax Collector's Office

5. [Approval and authorization for all five Commissioners to sign the Recapitulation Certificate; wherein, the Tax Collector is certifying the errors, insolvencies, double assessments, discounts, and lawsuits, as items for which the Tax Collector is entitled to credit for the 2010 Assessment Roll.](#)

County Administration

6. [Approval of the following minutes: December 20, 2010, regular session, 5:30 p.m.; March 21, 2011, regular session, 5:30 p.m.; and May 02, 2011, regular session, 1:30 p.m.](#)
7. [Approval and authorization for the Chairman/Vice Chairman to sign the Memorandum of Understanding with the Indian Ridge Homeowners' Association \(HOA\) establishing the responsibilities of the County and the HOA in the operation of the Indian Ridge Municipal Service Taxing Unit; and approval to waive the Procurement procedures for payment of \\$2,813.63 to Roy's Safe and Locks Incorporated.](#)

8. [Approval and authorization for the Chairman/Vice Chairman to sign the following grant applications to the Florida Department of Law Enforcement under the Edward Byrne Memorial Justice Assistance Grant \(JAG\) Program, as recommended by the Substance Abuse Policy Advisory Board: Osceola County Corrections Department – Corrections Emergency Response Team, \\$25,000; Osceola County Corrections Department – Risk Assessment Tool, \\$12,705; Orlando Health/Howard Phillips Center for Children and Families \(Osceola County Office\) – The Healing Tree, \\$25,000; Help Now of Osceola Incorporated – Domestic Violence Children’s Program, \\$13,720; The Transition House - Education to Enhance Drug Treatment Outcomes, \\$13,939; Park Place Behavioral Health Care – Intensive Outpatient Program, \\$11,800; Cities of Kissimmee and St. Cloud – Joint Crime Analysis, \\$40,315; and Turn Around Ministries Incorporated – Mending Lives One at a Time, \\$8,261. The funding distribution totals \\$150,740; and approval and authorization for the Chairman/Vice Chairman to sign correspondence to the Florida Department of Law Enforcement, Office of Criminal Justice Grants approving the distribution of grant funds for the JAG Program.](#)
9. [Approval of the funding distribution for the 2011 United States Department of Justice, Bureau of Justice Assistance Edward Byrne Memorial Justice Assistance Grant Program allocation of \\$69,573, as recommended by the Substance Abuse Policy Advisory Board, to the following entities and programs and authorization to submit an application to the United States Department of Justice for same: Osceola County Sheriff’s Office – Methamphetamine Clandestine Laboratory Disposal, \\$52,700; Ninth Judicial Circuit Court of Florida, Osceola County Court Administration - Juvenile Drug Court, \\$8,528; and Osceola County Corrections Department – BOSS Chair, \\$8,345.](#)

Department of Corrections

10. [Approval and authorization for the Chairman/Vice Chairman to sign Amendment #2 to the service agreement with Osceola Regional Hospital Incorporated, doing business as Osceola Regional Medical Center, for the provision of hospital services to inmates held at the Osceola County Correctional Facility for the period beginning October 01, 2009, through September 30, 2011, increasing the not to exceed annual expenditure amount from \\$606,000 to \\$656,000 for Fiscal Year 2010/2011, an additional \\$50,000; for a cumulative total of \\$1,262,000 \(EX #07-315-DG\). The increase is necessary as a result of inmates at the Correctional Facility requiring long term, specialized medical care.](#)

Public Works Administration

11. [Approval and authorization for the Chairman/Vice Chairman to sign Contract Amendment #1 to amend the standard Professional Services Agreement with Dyer, Riddle, Mills, and Precourt Incorporated, Orlando, Florida, to provide construction, engineering, and inspection \(CEI\) services for Phase I of the Advanced Traffic Management System \(ATMS\) \(FPN](#)

417257-2-58-01/02) (PS #10-1616-RJ); \$302,912.60. Amendment #1 adds CEI for Phase II of the ATMS in an amount not to exceed \$268,919.82, which brings the total contract amount to \$571,832.42.

Community Development Consent – NO ITEMS

Public Hearings

Department of Economic Development

12. ORDINANCE #11-05: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF OSCEOLA COUNTY, FLORIDA, AUTHORIZING AN EXEMPTION FROM AD VALOREM TAXATION FOR CERTAIN NEW OR EXPANDING BUSINESS PROPERTIES TO ENCOURAGE ECONOMIC DEVELOPMENT IN THE COUNTY; PROVIDING LEGISLATIVE FINDINGS; ESTABLISHING THE APPROVAL PROCESS; PROVIDING FOR REVOCATION OF EXEMPTIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.
13. Adoption of Resolution #11-064R, establishing an application fee, application form, and annual report for the Economic Development Ad Valorem Tax Exemption.

Community Development Administration

14. CU10-00008 JIM PASSMORE (APPLICANT AND OWNER)
Commission District: 4
Request: Approval for a Conditional Use for the development of a commercial marina (with a commercial airboat tour business) with alternative parking arrangements on approximately 4.5 acres of land within an Estate Development (E-1) Zoning District. The subject property is located on the west side of Cherokee Road, north of Kissimmee Park Road, and east of Lake Tohopekaliga.
Staff Recommendation: Approval, subject to Special Conditions.
PC Action: Approval, subject to Special Conditions.
(NOTE: This item was continued from the June 20, 2011, meeting.)
15. ORDINANCE #11-20: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF OSCEOLA COUNTY, FLORIDA, AMENDING ORDINANCE #00-32, AS AMENDED, WHICH ADOPTED THE OSCEOLA COUNTY LAND DEVELOPMENT CODE, A COMPREHENSIVE AND COLLECTIVE CODE APPLICABLE TO ALL LAND DEVELOPMENT WITHIN THE UNINCORPORATED AREAS OF OSCEOLA COUNTY; AMENDING CHAPTER 14, ZONING, REGARDING PERMITTED AND CONDITIONAL USES AND INTRODUCING A ZONING DISTRICT DEVELOPMENT STANDARDS MATRIX; PROVIDING FOR SEVERABILITY;

PROVIDING FOR CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

Regular – NO ITEMS

Reports

Constitutional Officers and Governmental Agencies/Other

Departments/Divisions

Community Development Administration

16. [Update on Energy Initiative.](#)

Public Works Administration

17. [Update on the parking garage.](#)

Commission Auditor

County Attorney

County Manager

18. [Employee Health Options Update.](#)
19. [Update on Economic Development in the County.](#)

Commissioners

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.

20. Appointment to replace Donna O'Reilly, "Real Estate Professional associated with Affordable Housing", category who resigned, whose term expires December 31, 2011.

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.

21. Appointment to replace Harry Kaufman, "Alternate", whose term is non-applicable.

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.

22. Appointment to replace Jean Olson, "District 4", who resigned, whose term expires December 31, 2011. Upon appointment, the Board may reappoint said person for an additional term of two years to expire December 31, 2013.

Parks and Recreation Committee

This Committee consists of fourteen voting members and three non-voting members. The membership includes one appointment for each County Commission District; five at-large positions; representatives from the City of Kissimmee, the City of St. Cloud, the Osceola County School Board, and the Bike Path Committee. The non-voting members include the Director of the Parks and Recreation Office, a representative from the Osceola County Planning Office, and a Parks and Recreation employee to act as the Recording Secretary.

23. Appointment to "District 2", whose term expired December 31, 2009.

Tohopekaliga Water Authority Board of Supervisors

24. Appointment to reappoint/replace John Moody, "Supervisor #1", whose term expires September 30, 2011.

US 192 Redevelopment District Advisory Board

This Advisory Board consists of seven members: five members who are persons with a vocational or investment interest in a segment of the tourist industry that pays ad valorem taxes in the County and is located within the West 192 Redevelopment Area Municipal Service Benefit Unit; with two members appointed to serve in at-large positions.

25. At-large appointment to replace John Brost, who resigned, whose term expires December 31, 2011.

For Information

County Administration

26. [Long Range Agenda.](#)
27. [The Groundbreaking for the parking garage will be held on Monday, July 25, 2011, at 1:00 p.m., at the northwest corner lot at Bryan Street and Beaumont Avenue.](#)
28. [There will be a workshop on Monday, July 25, 2011, at 1:30 p.m., in the Commission Chambers.](#)
29. [There will be a budget workshop on Tuesday, July 26, 2011, at 1:00 p.m., in the Commission Chambers.](#)
30. [There will be a District 1 Neighborhood Meeting on Tuesday, July 26, 2011, at 6:30 p.m., at Wellington Woods, 4100 Wellington Woods Circle, Kissimmee.](#)
31. [There will be a special budget meeting on Wednesday, July 27, 2011, at 10:00 a.m., in the Commission Chambers.](#)
32. [The Indian Creek Common Facilities District Board of Supervisors will meet on Wednesday, July 27, 2011, at 6:30 p.m., in Conference Room #4727, 1 Courthouse Square, Kissimmee, Florida.](#)
33. [The Value Adjustment Board will meet on Thursday, July 28, 2011, at 10:30 a.m., in the Commission Chambers.](#)
34. [The Clerk of the Board has received for the record, the proposed operating budget for Fiscal Year 2012, for the Harmony Central Community Development District, and notice that a public hearing to consider adoption of this item has been scheduled for Thursday, August 25, 2011, at 5:00 p.m., at 7251 Five Oaks Drive, Harmony, Florida.](#)
35. [The Clerk of the Board has received for the record, the proposed operating budget for Fiscal Year 2012, for the Harmony West Community Development District, and notice that a public hearing to consider adoption of this item has been scheduled for Thursday, August 25, 2011, at 5:00 p.m., at 7251 Five Oaks Drive, Harmony, Florida.](#)
36. [The Clerk of the Board has received for the record, the minutes and record of proceedings from the Harmony Community Development District Board of Supervisors, for the meeting held on April 26, 2011.](#)
37. [The Clerk of the Board has received for the record, notification from the Florida Public Service Commission regarding the Consummating Order #PSC-11-0294-CO-EG, closing the](#)

docket in regard to the petition for approval of residential service dynamic price response pilot rate by Florida Power and Light Company.

38. Procurement Services has submitted for the record, the lists of contracts, task orders, and/or amendments approved and signed by the County Manager or designee; a list of all scheduled Evaluation Committee meetings to review proposals submitted in response to solicitations; and a list of Board approved contracts to be renewed within the next six months.

Community Development Administration

39. The Environmental Lands Conservation Program, on behalf of the Land Conservation Advisory Board (LCAB), is submitting the minutes from the LCAB meeting held on June 07, 2011.

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.