

# OSCEOLA COUNTY

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

## Board of Commissioners

**Viviana Janer, Chairwoman**  
**Cheryl L. Grieb, Vice Chairwoman**  
**Brandon Arrington, Commissioner**  
**Michael Harford, Commissioner**  
**Fred Hawkins, Jr., Commissioner**



**Don Fisher, County Manager**  
**Andrew Mai, County Attorney**  
**Horace Nwachukwu, Commission Auditor**

## REGULAR MEETING – 01/11/2016 - 1:30 PM

### Agenda

**Invocation by Reverend Wayne Cook with First United Methodist Church.**

**Pledge of Allegiance**

### Approval of Agenda

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

### Recognition

#### Recognition

1. [Presentation of the Spirit of Osceola Award to Ms. Shamim Juma.](#)

### 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 County Staff. 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.

## **Presentations – NO ITEMS**

### **Consent Agenda**

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

#### **County Administration**

2. Approval of the minutes of the September 21, 2015, regular session, 5:30 p.m.
3. Approval and authorization for the Chairwoman/Vice Chairwoman to sign the agreement with Florida Department of Health/Osceola County Health Department for the operation of the Osceola County Community Clinic funded by the Community Development Block Grant Program from October 01, 2015, through September 30, 2016; in the amount of \$160,000. (Fiscal Year 2015/2016, Strategic Action Item #6, Healthcare for Citizens; Goal, Create Great Neighborhoods for the Future: Safe and Livable)
4. Approval and authorization for the Chairwoman/Vice Chairwoman to sign the funding agreement with Community Coordinated Care for Children Incorporated, for Fiscal Year 2015/2016 for the Head Start/Early Start and School Readiness Programs; in the amount of \$231,587. (Fiscal Year 2015/2016, Strategic Action Item #3, Education and Training; Goal, Grow and Diversify the County's Economy)
5. Approval of the revisions to the Osceola County State Housing Initiatives Partnership (SHIP) Program, Local Housing Assistance Plan (LHAP) for Fiscal Year 2015/2016. (Fiscal Year 2015/2016, Strategic Action Item #4, Affordable Rental Housing and Transition of the Homeless; Goal, Create Great Neighborhoods for the Future: Safe and Livable)
6. Approval and authorization for the Chairwoman/Vice Chairwoman to sign the Disbursement-Warrant Report which shows the total of all checks, drafts, wire transfers, and transfers between depository accounts issued from the various bank accounts of the County for the month of November 2015. Section 136.06, Florida Statutes requires the County to record in the minutes the total amounts of withdrawals of funds from depositories; direct deposit; and transfer of funds made for any and all purposes.

7. Approval to remove various County owned assets from the County property records; pursuant to the provisions of Florida Administrative Code, Section 69I-73.005 (Disposition of Property).

8. Approval and authorization for the Chairwoman/Vice Chairwoman to sign the Grant Agreement #31910, with the State of Florida, Department of Environmental Protection, for the Buenaventura Lakes Bank Stabilization (Erosion Improvements) and Community Involvement; adoption of Resolution #16-005R, amending the Fiscal Year 2016 Budget, and appropriating funds as detail in Budget Supplement BA #16-009; authorization for the County Manager to sign the memorandums of agreement with the respective agencies to implement these grant funded activities; and authorization for the County Manager to sign any subsequent documents or correspondence required during the administration of these grant contracts. (Fiscal Year 2015/2016, Strategic Action Item #5, Storm Water Plan; Goal, Upgrade the County Infrastructure and Transportation Network, Prepare for Growth)
9. Approval and authorization for the Chairwoman/Vice Chairwoman to sign Amendment #1 to the service agreement with Iron Mountain Information Management Services Incorporated, Boston, Massachusetts, to continue to provide media vaulting services for the Information Technology Department through September 15, 2016 (BW #13-03403-CV); estimated expenditures will increase by \$17,500, for a total not to exceed \$100,000.
10. Approval and authorization for the Chairwoman/Vice Chairwoman to sign the Interlocal Agreement with the City of Kissimmee, the City of St. Cloud, the School Board of Osceola County, and the Education Foundation of Osceola County for support of Footsteps2Brilliance; in an amount not to exceed \$29,061, per year, for five years for a total of \$145,305. (Fiscal Year 2015/2016, Strategic Action Item #3, Education and Training; Goal, Grow and Diversify the County's Economy)

### **Corrections Department**

11. Approval and authorization for the Chairwoman/Vice Chairwoman to sign a service agreement with Intellitech Corporation of Poland, Ohio, to provide a new jail management system for the Osceola County Corrections Facility, through July 10, 2027 (RFP #13-03320-DG); with estimated expenditures not to exceed \$969,500; and authorize the County Manager, or a designee, thereof, to sign future amendments for changes to work and additional licensing that do not exceed 10% of the approved amount for the term of the agreement.

### **Community Development Administration**

12. Approval to advertise a public hearing to declare the structure unsafe located at 1534 Immokalee Street, Intercession City, Florida, 33848, (BCT13-0192), legally described as Lots 12 and 17, Block 20, Section "A" Interocean City, according to the plat thereof, as filed and recorded in Plat Book 1, Page 169, of the Public Records of Osceola County Florida. The owners of the said property are Jessie M. Wickham and Christine Colorio Oquendo.
13. Approval to advertise a public hearing to declare the structure unsafe located at 4300 Heliotope Loop, Kissimmee, Florida, 34746, (BCT13-0332), legally described as Lot 31J, Brighton Lakes, Phase 2, Parcel J, according to the plat thereof, as filed and recorded in Plat

Book 17, Pages 139 and 140, of the Public Records of Osceola County Florida. The owners of the said property are Alix and Marie Lunine Chery.

14. Approval to advertise a public hearing to declare the structure unsafe located at 1275 East 10th Street, St. Cloud, Florida, 34771, (BCT15-0278), legally described as the east 83.13' of the fractional Lot 396, and the north 1/2 of Lot 405, according to the Seminole Land and Investment Company Incorporated, Subdivision of Section 6, Township 26 South, Range 31 East, Osceola County, Florida, lying south of 10th Street and east of Hickory Tree Road, less all road right-of-way of record. The owner of the said property is CitiMortgage Incorporated.
15. Approval of Initial Acceptance of the following roadways within Spring Lake at Celebration, Phase 3, located in District #1: Resolute Street, 1,105 linear feet (LF); Kiawah Street, 171 LF; and Cap Rock Drive, 775 LF (EB15-00080).
16. Approval and authorization for the Chairwoman/Vice Chairwoman to sign the plat of FS15-00039, Windsor at Westside, Phase 2A.
17. Approval of a request for reduction of the Code Enforcement Lien recorded against property located at 4838 West Irlo Bronson Memorial Highway, from \$47,000 to \$1,602, payable within 30 days. The current property owner, Isabella and Antonella, LLC, requests a reduction to the amount of \$1,602. Said Lien is recorded in Official Records Book 4870, Pages 2293 through 2295.

### **Public Works Administration**

18. Approval of expenditures with Don Reid Ford Incorporated, of Maitland, Florida, and Mullinax Ford of Osceola County, LLC, Kissimmee, Florida, for the purchase of 33 new Ford vehicles for various County Departments (ITB #16-4506-PC); estimated expenditures shall not exceed \$783,807.
19. Approval to accept Setter Avenue for roadway maintenance. This roadway is 978' in length. (Fiscal Year 2015/2016, Strategic Action Item #2, Transportation; Goal, Upgrade the County Infrastructure and Transportation Network, Prepare for Growth)
20. Adoption of Resolution #16-050R, authorizing the Chairwoman/Vice Chairwoman to sign a Lease Agreement with Kingdom Image Barbershop Incorporated, for 1½ units of the parking garage retail space (1,200 square feet) for a five year term commencing February 01, 2016; and authorization to sign the First Addendum to Lease Agreement to address the issue of Florida sales tax under Section 212.031, of the Florida Statutes, which was not addressed in the 2015 Lease.
21. Approval and authorization for the County Manager to negotiate and sign Construction Authorization(s) pursuant to Article 8.1.1 of the continuing Construction Manager at Risk Agreement for projects less than \$2,000,000, with Quinn Commercial Incorporated, for

construction services for the Mac Overstreet (Valencia Poinciana Campus) (PS #15-04249-RJ); up to the amount of \$1,989,014.02, for a total not to exceed of \$2,000,000.

## Community Development Consent/Public Hearing

All of these items will be approved as recommended by the Planning Commission (PC) action in a single public hearing, with one motion by the County Commission. Any citizen has the right to request an item be removed for discussion, comment, and/or consideration during a separate public hearing.

### Planning and Zoning

22. Approval of the East US 192 Community Redevelopment Agency (CRA) Fiscal Year (FY) 2015 Annual Report, which is an update of the activities within the CRA boundary for the FY between October 01, 2014, and September 30, 2015. (Fiscal Year 2015/2016, Strategic Action Item #1, Florida Advanced Manufacturing Research Center (FAMRC) and The Farm; Goal, Grow and Diversify the County's Economy)  
(Fiscal Year 2015/2016, Strategic Action Item #2, Transportation; Goal, Upgrade the County Infrastructure and Transportation Network, Prepare for Growth)  
(Fiscal Year 2015/2016, Strategic Action Item #5, Storm Water Plan; Goal, Upgrade the County Infrastructure and Transportation Network, Prepare for Growth)  
(Fiscal Year 2015/2016, Strategic Action Item #13, Housing to Jobs Policy Sustainability; Goal, Grow and Diversify the County's Economy)
23. Adoption of Ordinance #2016-10, an Ordinance of the Board of County Commissioners of Osceola County, Florida; amending Ordinance #2015-26, Educational Impact Fees, Section 24-6(3 and 4) Exemptions; amending Ordinance #06-10, Parks Impact Fees, Section 3.01, Exemptions; amending Ordinance #06-09, Fire Rescue Impact Fees, Section 3.01, Exemptions; providing for severability; providing for conflict; and providing for an effective date. (NOTE: This Ordinance will be re-advertised for the public hearing to be held on February 01, 2016.)
24. Adoption of Resolution #16-045R, for DRI15-0005: Approval to rescind the Development Order for the Westgate Development of Regional Impact (DRI) consistent with Florida Statutes, consisting of approximately 236.4 acres more or less of land. The property is generally located south of Funie Steed Road, east of Formosa Gardens Boulevard, west of North Old Lake Wilson Road, and north of Livingston Road. David A. Siegel, Westgate Vacation Villas, Limited/Westgate Resorts Limited (Applicant and Owner)  
Commission District: 1  
Staff Recommendation: Adoption of Resolution #16-045R  
PC Action: The January 07, 2016, Planning Commission recommendation will be presented at the January 11, 2016, Board of County Commissioners meeting.

25. Adoption of Resolution #16-044R, for DRI15-0001: Approval to rescind the Development Order for the Westside Development of Regional Impact (DRI) consistent with Florida Statutes, consisting of approximately 1,068.4 acres of land. The property is generally located south of West Irlo Bronson Memorial Highway, east of Polk County, east and west of Westside Boulevard, and north of Bella Citta Boulevard. (Multiple Owners)  
Commission District: 1  
Staff Recommendation: Adoption of Resolution #16-044R  
PC Action: The January 07, 2016, Planning Commission recommendation will be presented at the January 11, 2016, Board of County Commissioners meeting.

### **Community Development Consent/Public Hearing Quasi-Judicial**

All of these items will be approved as recommended by the Planning Commission with one motion by the County Commission. Anyone may request that an item on Quasi-Judicial Consent be afforded a full hearing.

The following items are Quasi-Judicial in nature. 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 Attorney 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 Chairman. 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.

### **Planning and Zoning**

26. Adoption of Ordinance #2016-06 for ZMA15-0045: An Ordinance of the Board of County Commissioners of Osceola County, Florida, changing the zoning designation from Planned Development (PD) and Commercial Restricted (CR) to Commercial General (CG), on certain real property generally located on the south side of East Irlo Bronson Memorial Highway, between Bill Beck Boulevard and Boggy Creek Road, and comprised of approximately 9.91 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. Christopher J. Baron-Mullinax Ford of Osceola County, LLC (Applicant and Owner)  
Commission District: 4  
Staff Recommendation: Adoption of Ordinance #2016-06  
PC Action: The January 07, 2016, Planning Commission recommendation will be presented at the January 11, 2016, Board of County Commissioners meeting.



27. Adoption of Ordinance #2016-01 for ZMA15-0049: 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), on certain real property generally located on the east side of Canoe Creek Road, south of Bramblewood Drive, and north of Fertic Road, and comprised of approximately 13.85 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. Jose Chaves-Park Square Homes (Applicant) Samuel Lupfer (Owner)  
Commission District: 5  
Staff Recommendation: Adoption of Ordinance #2016-01  
PC Action: The January 07, 2016, Planning Commission recommendation will be presented at the January 11, 2016, Board of County Commissioners meeting.
28. Adoption of Ordinance #2016-03 for ZMA15-0050: 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), on certain real property generally located on the northwest corner of Dan Smith Road and North Narcoossee Road, and comprised of approximately 4.80 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. Theresa Steele Page (Applicant and Owner)  
Commission District: 5  
Staff Recommendation: Adoption of Ordinance #2016-03  
PC Action: The January 07, 2016, Planning Commission recommendation will be presented at the January 11, 2016, Board of County Commissioners meeting.
29. Adoption of Ordinance #2016-04 for ZMA15-0051: An Ordinance of the Board of County Commissioners of Osceola County, Florida, changing the zoning designation from Residential Multi-Family Three (RM-3) to Commercial Tourist (CT), on certain real property generally located on the east side of Sherberth Road and at the terminus end of Reedy Creek Boulevard, north of West Irlo Bronson Memorial Highway, and comprised of approximately 52.78 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. Dillon Muto-Legacy Custom Builders (Applicant) Dillon Muto-Lalu-Gacy House Project, LLC (Owner)  
Commission District: 1  
Staff Recommendation: Adoption of Ordinance #2016-04  
PC Action: The January 07, 2016, Planning Commission recommendation will be presented at the January 11, 2016, Board of County Commissioners meeting.

30. Adoption of Ordinance #2016-05 for ZMA15-0052: An Ordinance of the Board of County Commissioners of Osceola County, Florida, changing the zoning designation from Residential Single Family (RS-3) to Low Density Residential (LDR), on certain real property generally located on the north side of Myers Road, south of Osceola Parkway, west of Simpson Road, and east of Turret Drive, and comprised of approximately 11.04 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. Julian Coto-Excel Engineering Consultants, LLC (Applicant) Jose Said-Sophia's Homes, LLC (Owner)  
Commission District: 2  
Staff Recommendation: Adoption of Ordinance #2016-05  
PC Action: The January 07, 2016, Planning Commission recommendation will be presented at the January 11, 2016, Board of County Commissioners meeting.
31. Adoption of Ordinance #2016-08 for ZMA15-0053: An Ordinance of the Board of County Commissioners of Osceola County, Florida, changing the zoning designation from Planned Development (PD) to Commercial Tourist (CT), on certain real property generally located on the south side of West Irlo Bronson Memorial Highway, east of North Old Lake Wilson Road, and north of Magic Tree Drive, and comprised of approximately 8.99 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. Michael Thomas-Walmart Stores East, LP (Applicant) David York-Osceola Hotel Site Partnership, LLC (Owner)  
Commission District: 1  
Staff Recommendation: Adoption of Ordinance #2016-08  
PC Action: The January 07, 2016, Planning Commission recommendation will be presented at the January 11, 2016, Board of County Commissioners meeting.
32. Adoption of Ordinance #2016-09 for ZMA15-0043: An Ordinance of the Board of County Commissioners of Osceola County, Florida, changing the zoning designation from Mixed Use District (MXD) to Low Density Residential (LDR), on certain real property generally located southeast of Boggy Creek Road and west of Narcoossee Road, and comprised of approximately 80 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. Brian Martin (Applicant and Owner)  
Commission District: 5  
Staff Recommendation: Approval to adopt Ordinance #2016-09  
PC Action: The January 07, 2016, Planning Commission recommendation will be presented at the January 11, 2016, Board of County Commissioners meeting.

### **Community Development Regular Public Hearing – NO ITEMS**

### **Community Development Regular Public Hearing Quasi-Judicial – NO ITEMS**

## **Public Hearings**

### **County Administration**

33. Adoption of Resolution #16-002R, amending the Fiscal Year (FY) 2016 Budget, and appropriating funds as detailed in Budget Amendment BA #16-007. This is a routine budget amendment that is done annually to reconcile the budget estimates included in the FY2016 adopted budget with actual remaining balances for capital projects and grants.

### **Regular – NO ITEMS**

### **Reports**

#### **Constitutional Officers and Governmental Agencies/Other**

#### **Departments/Divisions**

#### **Community Development Administration**

34. Update on the strategies in the West 192 area for addressing housing for families, hotel properties status and efforts to attract reinvestment in the corridor; information on hotel conditions on that corridor, and recommendations for addressing those conditions; and information on programs providing assistance to homeless families, including those living long-term in hotel facilities. (Fiscal Year 2015/2016, Strategic Action Item #4, Affordable Rental Housing and Transition of the Homeless; Goal, Create Great Neighborhoods for the Future: Safe and Livable)

#### **Commission Auditor**

#### **County Attorney**

#### **County Manager**

#### **Commissioners**

## **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.

35. [Appointment to replace Mark Addison, "District 2", whose term expired December 31, 2015.](#)

**Community Development Block Grant Advisory Task Force**

36. [Appointment to represent, "District 2", term expired December 31, 2015.](#)

**Fire and Rescue Advisory Board**

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

37. [Appointment to replace Harvey Sperling, "District 2", who has termed out, whose term expired December 31, 2015.](#)
38. [Appointment to represent, "District 3", term expired December 31, 2014.](#)

**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.

39. [Appointment to replace Simona Torres, "District 2", who resigned, whose term expires December 31, 2016.](#)

**For Information**

**County Administration**

40. [Long Range Agenda.](#)
41. [Announcement that there are no Board of County Commissioners meetings scheduled on the fourth Monday of January 2016.](#)
42. [The Clerk of the Board has received for the record the 30 day written notice of Termination of Lease, from the Judicial Correction Services, dated November 10, 2015, for the offices located at 350 North Beaumont Avenue, Kissimmee.](#)
43. [The Clerk of the Board submits for the record, the minutes of the Indian Creek Common Facilities District, Board of Supervisors meetings, held on August 19, 2015, 12:00 p.m., public hearing session; and August 19, 2015, 12:01 p.m., third quarter regular session.](#)
44. [Procurement Services has submitted for the record a list of 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.](#)

### **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.