

REVISED

REVISED

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

Board of Commissioners

Brandon Arrington, Chair
Fred Hawkins, Jr., Vice Chair
Peggy Choudhry, Commissioner
Viviana Janer, Commissioner
Cheryl L. Grieb, Commissioner



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

REGULAR MEETING – 01/09/2017 - 5:30 PM

Agenda

Invocation by Mr. Mark Durbin.

Pledge of Allegiance

APPROVED, AS AMENDED, ADDING NEW CONSENT AGENDA ITEMS #41.1, #41.2, #41.3, AND #41.4; REVISING CONSENT/PUBLIC HEARING ITEMS #44, #47, #48, AND #49; CONTINUING CONSENT/PUBLIC HEARING ITEMS #45 AND #46 TO FEBRUARY 20, 2017; AND CONTINUING PUBLIC HEARING ITEM #51, TO FEBRUARY 06, 2017 (Janer/Hawkins, 5-0)

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/Recognitions - NO ITEMS

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.

Proclamations - NO ITEMS

Consent Agenda

APPROVED, AS AMENDED, ADDING NEW CONSENT ITEMS #41.1, #41.2, #41.3, AND #41.4; AND REMOVING ITEM #27 FOR DISCUSSION (Hawkins/Janer, 5-0)

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.

Commissioners

ADOPTED (Hawkins/Janer, 5-0)

1. [A Proclamation declaring February 2017, as Prodigy Cultural Arts Program Month in Osceola County, Florida. \(Fiscal Year 2016/2017, Strategic Action Item #3, Education and Training - Education Foundation; Goal, Grow and Diversify the County's Economy\)](#)

County Attorney's Office

APPROVED AND ADOPTED RESOLUTION #17-008R (Hawkins/Janer, 5-0)

2. [Approval of the mediated settlement agreement of claims related to Westside Boulevard and Funie Steed Road; and adoption of Resolution #17-008R amending the Fiscal Year 2016/2017 Budget appropriating funds as detailed in Budget Supplement BA #17-010.](#)

County Administration

APPROVED (Hawkins/Janer, 5-0)

3. [Approval of the minutes of the November 14, 2016, 1:30 p.m., regular session.](#)

ADOPTED (Hawkins/Janer, 5-0)

4. [Adoption of Resolution #17-003R to amend Chapter One, Administrative Organization; Chapter Three, Procurement Code; Chapter Six, Finance Code; Chapter Eight, Travel Policy; and Chapter Ten, Right-of-Way Manual, of the Administrative Code.](#)

ADOPTED (Hawkins/Janer, 5-0)

5. [Adoption of Resolution #17-004R to amend Resolution #10-047R implementing a schedule for County Commission meetings in accordance with Chapter One of the Administrative Code \(1.1-7\).](#)

APPROVED (Hawkins/Janer, 5-0)

6. [Approval and authorization for the Chair/Vice Chair 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 October 2016. Section 136.06 Florida Statutes requires the County to record in the minutes the total amounts of withdrawals of funds from depositories; direct deposits; and transfer of funds made for any and all purposes.](#)

APPROVED (Hawkins/Janer, 5-0)

7. [Approval of the following Public Official Bonds: Clerk of Court, Armando R. Ramirez; Tax Collector, Bruce E. Vickers; Sheriff, Russell H. Gibson; Commissioner, Fred Hawkins, Jr.; Commissioner, Peggy Choudhry; Commissioner, Brandon Arrington; Property Appraiser, Katrina S. Scarborough; Supervisor of Elections, Mary Jane Arrington; Common Facilities District Supervisors, Florette Johnson, Addis C. Taylor, and Neal Kaplan.](#)

Community Development Administration

APPROVED (Hawkins/Janer, 5-0)

8. [EB15-00032: Approval of Final Acceptance for the following roadways within Waterview Phase 2A, located in District 3: Sea Rose Terrace, 361 linear feet \(LF\); Cypress Lake Place, 1,598 LF; Markland Lane, 474 LF; and London Creek Place, 891 LF.](#)

APPROVED (Hawkins/Janer, 5-0)

9. [EB15-00039: Approval of Final Acceptance for the following roadway within Windsor at Westside Phase 1, located in District 1: Monaco Boulevard, 3,014.45 linear feet.](#)

APPROVED (Hawkins/Janer, 5-0)

10. [EB16-00110: Approval of Initial Acceptance for the following roadway within Arisha Enclave, located in District 1: Arisha Drive, 1,131 Linear Feet.](#)

APPROVED (Hawkins/Janer, 5-0)

11. [EB16-00096: Approval of Initial Acceptance for the Phase 1 required roadway improvements on Hickory Tree Road constructed for Northwest Lakeside Groves Phase 1, located in District 5.](#)

APPROVED (Hawkins/Janer, 5-0)

12. [EB16-00113: Approval of Initial Acceptance for the following roadways within Sunset Groves Phase 1, located in District 5: Benevento Street, 1,879 linear feet \(LF\); Ragusa Loop, 730 LF; and Carrara Court, 1,230 LF.](#)

APPROVED (Hawkins/Janer, 5-0)

13. [Approval and authorization for the Chair/Vice Chair to sign the final plat of FS16-00035, Osceola Complex at Gilbert Park. *Should this item be pulled for discussion by the Board, it must be performed as a Quasi-Judicial item.](#)

APPROVED (Hawkins/Janer, 5-0)

14. [Approval and authorization for the Chair/Vice Chair to sign a service agreement with Sign Design of Florida Incorporated, doing business as Mid-Florida Signs and Graphics, to provide two new LED signage message boards for wayfinding system at Osceola County Osceola Heritage Park \(ITB #16-8049-MM\), through September 30, 2017; expenditures shall not exceed \\$101,150. This project is consistent with the Osceola Heritage Park Master Plan and the consultant's report.](#)

APPROVED (Hawkins/Janer, 5-0)

15. [Designate the following individuals, in accordance with Chapter 7, of the Osceola County Code of Ordinances, so the employees may issue civil citations on behalf of Osceola County for any violations of County Codes, or Ordinances: Stephen F. White, Alvin Whyms, Danielle L. McCormack, H. Neill Harrison III, Samantha R. Burns, and Patrick DI Stewart from the Code Enforcement Department and Kellie Martin and Cindi Campbell from Fire/Rescue.](#)

APPROVED (Hawkins/Janer, 5-0)

16. [Approval and authorization for the Chair/Vice Chair to sign the agreement with Nelle A. Austin for grant for right of first offer and first right of refusal to purchase real property at 4250 Bogy Creek Road, Kissimmee, Florida, 34744; in the amount of \\$250,000.](#)

ADOPTED (Hawkins/Janer, 5-0)

17. [Adoption of Resolution #17-007R, authorizing an application fee for Medical Marijuana Dispensaries for Fiscal Year 2017, which will be effective on January 03, 2017, in accordance with the commencement of the initial application period.](#)

APPROVED (Hawkins/Janer, 5-0)

18. [Approval and authorization for the Chair/Vice Chair to sign the final plat of FS16-00032, Kindred 100 Replat. *Should this item be pulled for discussion by the Board, it must be performed as a Quasi-Judicial item.](#)

APPROVED (Hawkins/Janer, 5-0)

19. [Approval of Request for Reduction of the Code Enforcement Lien recorded against property at 4636 West Irlo Bronson Memorial Highway, from \\$759,750 to \\$61,952, payable within 30 days. The Notice of Violation was issued on December 11, 2013; Affidavit of Non Compliance was issued on March 26, 2014; Affidavit of Compliance was issued on December 29, 2016. The property owner, Mai and Associates Incorporated, requests a reduction to the amount of \\$61,952, which meets County policy. Said Lien is recorded in Official Records Book 5078, Pages 2145 through 2147.](#)

Public Safety

APPROVED (Hawkins/Janer, 5-0)

20. [Permission for the Chair/Vice Chair to sign the termination of agreement with Dagan Dalton, MD, for provision of Medical Director Services for the Fire/Rescue and Emergency Medical Services Department, effective as of October 01, 2016. This service was transitioned to a full-time equivalent which is funded in the Fiscal Year 2016/2017 budget \(EX-14-03692-CV\).](#)

APPROVED (Hawkins/Janer, 5-0)

21. [Approval and authorization for the Chair/Vice Chair to sign Amendment #1 to the service agreement with Done Right Fire Gear Repair Incorporated, Hudson, Florida, for the provision of bunker gear repair and cleaning services on an as needed basis \(AR #15-04304-IS\), through October 30, 2018; estimated expenditures will increase by \\$18,500 to \\$128,500 annually for years two and three, for a cumulative not to exceed amount of \\$367,000.](#)

Public Works Administration

APPROVED (Hawkins/Janer, 5-0)

22. Approval and authorization for the Chair/Vice Chair to sign Amendment #2 to the service agreement with Plexi-Chemie Incorporated, doing/business/as Industrial Flooring Specialists, Jacksonville, Florida, to extend the term of the agreement for two additional years and increase annual expenditures to provide for additional funding for epoxy flooring projects at Fire Station #57, Kenansville, and Fire Station #71, West US 192, over the next two years on an as needed basis (AR#14-03529-DG), through February 02, 2019; estimated expenditures shall increase by \$80,000 to \$230,000 annually for year 4 and year 5, for the cumulative not to exceed amount of \$910,000.

APPROVED (Hawkins/Janer, 5-0)

23. Approval of expenditure with Ring Power Corporation, Saint Augustine, Florida, for the purchase of one 2017 Caterpillar Motor-Grader, in accordance with the Florida Sheriffs Association Contract #FSA16-VEH14.0, titled Cab and Chassis Trucks and Other Fleet Equipment (PBA #17-9340-PC); this purchase is a previously approved Capital Project 4204154-150 Road and Bridge, Fleet Vehicle Replacement; expenditures shall not exceed \$192,066.

APPROVED (Hawkins/Janer, 5-0)

24. Approval and authorization for the Chair/Vice Chair to sign Amendment #3 to the service agreement with Osceola Glass and Mirror, LLC, St. Cloud, Florida, to increase expenditures for expanding services to three additional locations: Osceola Heritage Park, 704 Generation Point, and 400 West Emmett Street, and provide glass installation and repair services on an as needed basis (AR-13-03184-CV), through February 14, 2018; estimated expenditures shall increase by \$10,000 to \$50,000 annually for year 4 and year 5, for a total not to exceed amount of \$220,000.

APPROVED (Hawkins/Janer, 5-0)

25. Approval and authorization for the Chair/Vice Chair to sign Amendment #1 to the professional services agreement with Kimley-Horn and Associates Incorporated, to complete Phase IV (100%) final design plans for the Carroll Street widening, rehabilitation and reconstruction project from John Young Parkway to Michigan Avenue (PS #14-03612-RJ); expenditures shall increase by \$1,596,863.20, for a total not to exceed amount of \$2,495,160.82 through December 04, 2017, and is funded through a Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT). This project is included in the County Capital Improvement Plan with funding through the FDOT JPA up to \$3,115,000. (Fiscal Year 2016/2017, Strategic Action Item #2, Transportation - Roads; Goal, Upgrade the County infrastructure and Transportation Network.

APPROVED (Hawkins/Janer, 5-0)

26. Approval and authorization for Chair/Vice Chair to sign an Interlocal Agreement with Kissimmee Utility Authority (KUA) regarding easements purchased by KUA and now being acquired by Osceola County for the Hoagland Boulevard/Pleasant Hill Project, Phase III, to pay for relocation of KUA's personal property if impacted by the fee simple acquisitions for the roadway improvements.

DELETED, WITH INSTRUCTIONS TO THE COUNTY MANAGER TO ARRANGE A DISCUSSION ON THIS ISSUE AT A WORKSHOP (Choudhry/Grieb, 5-0)

27. [Approval and authorization for the Chair/Vice Chair to sign Task Authorization #TA17-08 with CDM Smith Incorporated, for the Stormwater Program Assessment Implementation Phase 2, to perform services for Stormwater utility assessment assistance \(PS #16-4403-DG\); not to exceed \\$174,920. \(Fiscal Year 2016/2017, Strategic Action Item #5, Stormwater and Lakes Systems - Stormwater; Goal, Upgrade the County Infrastructure and Transportation Network\)](#)

APPROVED (Hawkins/Janer, 5-0)

28. [Approval of expenditures with Ring Power Corporation, Saint Augustine, Florida, for the purchase of a 2017 Challenger MT465 Agricultural Tractor with a 25' boom mower option in accordance with Florida Sheriffs Association Contract #FSA16-VEH14.0, titled Cab and Chassis Trucks and Other Fleet Equipment \(PBA #17-9363-PC\); previously approved Capital Project 4204154-150 Road and Bridge, Fleet Vehicle Replacement; expenditures shall not exceed \\$178,960.](#)

APPROVED (Hawkins/Janer, 5-0)

29. [Approval and authorization for the Chair/Vice Chair to sign Amendment #2 to the service agreement with Altair Environmental Group, LLC, Longwood, Florida, for pipe lining services \(A/R #15-04180-DG\); current underground utility video shows need for pipe rehabilitation in the Florida Parkway, in the Buenaventura Lakes area; with estimated expenditures to increase from \\$400,000 to \\$625,000 for year two and three, for the period which began June 08, 2015, and continues through June 07, 2018, for a total not to exceed amount of \\$3,275,000.](#)

APPROVED (Hawkins/Janer, 5-0)

30. [Approval to increase expenditures with Rush Truck Centers of Florida Incorporated, doing business as Rush Truck Center Orlando, Light and Medium Duty, Orlando, Florida, to provide parts and service in support of County owned vehicles and equipment on an as needed basis \(PBA #16-9121-PC\) in accordance with Orange County, Florida, Contract #Y15-1019; through May 25, 2017; estimated expenditures shall increase by \\$50,000 for a total not to exceed amount of \\$150,000.](#)

APPROVED (Hawkins/Janer, 5-0)

31. [Approval and authorization for the Chair/Vice Chair to sign Task Authorization #6b with Franklin, Hart, and Reid / KZF – Joint Venture, LLC, to provide professional architectural and engineering services for the 400 West Emmett Street Renovations Project \(HWA Project\) \(PS #14-03820-TP\), first floor lobby renovations in the amount of \\$12,000 for a revised not to exceed amount of \\$111,175. \(Fiscal Year 2016/2017 Strategic Action Item #1, Florida Advanced Manufacturing Research Center \(FAMRC\) and The Farm - HWA Building Improvements; Goal, Grow and Diversify the County's Economy.\)](#)

APPROVED (Hawkins/Janer, 5-0)

32. [Permission to commence negotiations with Dewberry Engineers Incorporated, Orlando, Florida, to provide Architectural and Engineering design services for the Fire/Rescue Training Facility at Gilbert Park \(PS #16-9101-DG\).](#)

APPROVED (Hawkins/Janer, 5-0)

33. [Permission to commence negotiations with Quinn Commercial Incorporated, St. Cloud, Florida, to provide Construction Manager at Risk Services for the Fire/Rescue Training Facility at Gilbert Park \(PS #16-9102-DG\).](#)

APPROVED (Hawkins/Janer, 5-0)

34. [Approval and authorization for the Chair/Vice Chair to sign Amendment #3 to the professional services agreement with Dewberry Engineers to provide professional engineering services for additional design efforts for the Judge Property Development Plan \(PS #15-04094-RJ\) to include Bill Beck Boulevard Redesign; Tract E Pond Redesign; West Phase 2 Pond Redesign; West Phase 1 Ditch Redesign; Utilities Assessment; RO Water Permitting; Post Design Services, Bill Beck Boulevard, East Phase I and West Phase I; Additional Coordination; Wetland Assessment, Mitigation, and Additional Survey Services, in the amount of \\$219,345 for a revised not to exceed amount \\$1,295,796. \(Fiscal Year 2016/2017, Strategic Action Item #1, Florida Advanced Manufacturing Research Center \(FAMRC\) and The Farm, The Farm; Goal, Grow and Diversity the County's Economy.\)](#)

APPROVED (Hawkins/Janer, 5-0)

35. [Approval of expenditures with Knoll Incorporated, East Greenville, Pennsylvania, and Beaux-Arts Group, Tampa, Florida, for the purchase, delivery and installation of furniture \(PBA #17-9330-MM\) at the Florida Advanced Manufacturing Research Center \(FAMRC\), in accordance with State of Florida Term Contract 425-001-12-1; expenditures shall not exceed \\$128,644.33 for this one time purchase. \(Fiscal Year 2016/2017, Strategic Action Item #1, Florida Advanced Manufacturing Research Center \(FAMRC\) and The Farm - FAMRC; Goal, Grow and Diversify the County's Economy\)](#)

APPROVED (Hawkins/Janer, 5-0)

36. [Approval of expenditures with Playmore West, Incorporated, Fort Myers, Florida; Advanced Recreational Concepts, LLC, Melbourne, Florida; Rep Services Incorporated, Lake Mary, Florida; and SSE and Associates Incorporated, New Smyrna, Florida, for the award to provide playground, exercise, and recreational equipment for Vance Harmon Park \(ITB #16-9188-DN\); expenditures shall not exceed \\$131,518.15.](#)

APPROVED (Hawkins/Janer, 5-0)

37. [Approval of expenditures with Don Reid Ford Incorporated, Maitland, Florida; Kelley Buick GMC Incorporated, Bartow, Florida; Jarrett Gordon Ford, Davenport, Florida; and Mullinax Ford of Osceola County, Kissimmee, Florida, for the purchase of twenty-eight new 2017 vehicles for various County Departments \(ITB #17-9224-PC\); expenditures shall not exceed \\$730,541.](#)

APPROVED (Hawkins/Janer, 5-0)

38. [Approval and authorization for the Chair/Vice Chair to execute Task Authorization #5 with ZHA Incorporated, to continue to provide owners representative services for the development and construction of the Florida Advanced Manufacturing Research Center \[RFP #14-03964-RJ\], in the amount of \\$528,097.50 for a revised not to exceed amount of \\$2,028,097.50. \(Fiscal Year 2016/2017, Strategic Action Item #1, Florida Advanced Manufacturing Research Center \(FAMRC\) and The Farm - FAMRC; Goal, Grow and Diversify the County's Economy.\)](#)

APPROVED (Hawkins/Janer, 5-0)

39. [Approval to establish a No Parking Zone and Tow Away Zone and install signs along Koa Street, from the Poinciana Parkway to just west of Laurel Road which is approximately 4,500' in length to address semi-trucks parking within the right-of-way. The installation of up to sixteen signs, at a cost of \\$66.06, per sign, not to exceed \\$1,056.96.](#)

APPROVED (Hawkins/Janer, 5-0)

40. [Approval to establish a No Parking Zone and Tow Away Zone and install signs along Old Vineland Road, from the cul-de-sac just north of Kyngs Heath Road to the cul-de-sac south of Bamboo Lane which is approximately 2,600' in length to address semi-trucks parking within the right-of-way. The installation of up to sixteen signs, at a cost of \\$66.06, per sign, not to exceed \\$1,056.96.](#)

Strategic Initiatives

APPROVED (Hawkins/Janer, 5-0)

41. [Confirmation of the Tourist Development Council's recommendation for the W192 Development Authority Board, pursuant to Ordinance #12-23, Section 6.1\(a\)iii, which requires the Tourist Development Council to put forth their recommendation; Mrs. Mary Ellen Kerber.](#)

(NOTE: The following items were added with the approval of the agenda.)

Department of Fire/Rescue and EMS

APPROVED (Hawkins/Janer, 5-0)

- 41.1. Authorization for the Fire/Rescue and Emergency Medical Services Department to electronically submit the Medicare Enrollment Application for revalidation required every five years for all providers, including ambulance service suppliers, and designating the Fire Chief as the authorized official; authorization for the Chair/Vice Chair to sign a Letter of Attestation stating that the County will be responsible for any outstanding debt owed to Centers For Medicare and Medicaid Services as a result of the filing and receiving of payments (including any potential overpayments) associated with ambulance related claims for Osceola County Fire/Rescue; and authorization for the Fire Chief to sign any subsequent Medicare reports, documents, or agreements as required; expenditures shall not exceed \$560 for the application filing.

Public Works Administration

ADOPTED (Hawkins/Janer, 5-0)

- 41.2. Adoption of Resolution #17-009R, amending the Fiscal Year 2017 Budget and appropriating funds as detailed in Budget Supplement BA #17-011 to receive the Department of Health funds for Mosquito Control services to mitigate the spread of the Zika virus for Osceola County.

APPROVED AND ADOPTED 3 RESOLUTIONS (Hawkins/Janer, 5-0)

41.3. Approval and adoption of Resolution #17-010R, authorizing the Chair/Vice Chair to sign the Local Agency Program (LAP) Supplemental Agreement with the State of Florida Department of Transportation (FDOT), for the purpose of the FDOT participation in the acquisition of right-of-way for the Hoagland Boulevard, Phase II Project (FPN #428328-2-48-01). Through this LAP Supplemental Agreement, the FDOT has agreed to reimburse Osceola County for an additional \$2,200,000 for right-of-way acquisition up to \$15,929,100 total; adoption of Resolution #17-012R, amending the Fiscal Year 2016/2017 Budget; and adoption of Resolution #17-011R, amending the 2017-2021 Five Year Capital Improvement Plan (CIP), both being detailed in Budget Supplement BA #17-012. The amendment will increase the previously adopted budget of \$13,729,100 by \$2,200,000 to match the agreement amount of \$15,929,100. (Fiscal Year 2016-/2017, Strategic Action Item #2, Transportation – Roads; Goal, Upgrade the County Infrastructure and Transportation Network.)

APPROVED (Hawkins/Janer, 5-0)

41.4. Approval and authorization for the Chair/Vice Chair to sign an Amendment to Temporary Workspace Easement with Sabal Trail Transmission, LLC. The easement is located within an access road to a County owned stormwater pond off John Young Parkway, approximately 2,500' south of Osceola Parkway. The amendment adds an additional 12.5' to the existing 12.5' easement for a total of 25. The County received \$7,000 for the existing easement. Sabal Trail Transmission, LLC, has agreed to pay the County \$5,000 for the additional workspace required.

Consent/Public Hearing

APPROVED, AS AMENDED, REVISING CONSENT/PUBLIC HEARING ITEMS #44, #47, #48, AND #49; CONTINUING CONSENT/PUBLIC HEARING ITEMS #45 AND #46, TO FEBRUARY 20, 2017 (Hawkins/Janer, 5-0)

County Administration

ADOPTED (Hawkins/Janer, 5-0)

42. [Adoption of Resolution #17-001R designating members in the Senior Management Service Class under the Florida Retirement System.](#)

ADOPTED (Hawkins/Janer, 5-0)

43. [Adoption of Resolution #17-002R, amending the Fiscal Year \(FY\) 2017 Budget and appropriating funds as detailed in Budget Amendment BA #17-009. This is a routine budget amendment that is done annually to reconcile the budget estimates included in the FY 2017 adopted budget with actual remaining balances for capital projects and grants.](#)

Items having gone to the Planning Commission (PC), will be approved as recommended by the PC action in a single public hearing, with one motion by the County Commission. Any citizen has the right to request an item be removed for discussion, comment, and/or consideration during a separate public hearing. Quasi-Judicial Items (*) removed for discussion will be addressed as individual hearings under this Section of the agenda.

Planning and Zoning

ADOPTED (Hawkins/Janer, 4-0. Arrington abstained.)

44. [Adoption of Ordinance #2017-01 for ZMA16-0051: An Ordinance of the Board of County Commissioners of Osceola County, Florida, changing the zoning designation from Commercial Restricted \(CR\) to Commercial General \(CG\), on certain real property generally located on the south side of East Irlo Bronson Memorial Highway, between Magic Landings Boulevard and Heritage Key Boulevard, and comprised of approximately .82 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.](#)
Jeremy Abreu (Applicant) and Jose Abreu (Owner)
Commission District: 4
Staff Recommendation: Adoption of Ordinance #2017-01
PC Action: The January 05, 2017, Planning Commission recommendation will be presented at the January 09, 2017, Board of County Commissioners meeting.
(NOTE: This item was amended to add the Planning Commission recommendation of approval.)

CONTINUED TO FEBRUARY 20, 2017 (Hawkins/Janer, 5-0)

45. [Adoption of Ordinance #2017-02 for PM16-00044: An Ordinance of the Board of County Commissioners of Osceola County, Florida, establishing the Harmony West Community Development District, at approximately 287.10 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; Birchwood Acres Limited Partnership, LLLP \(Applicant\); Commission District: 5](#)

CONTINUED TO FEBRUARY 20, 2017 (Hawkins/Janer, 5-0)

46. [Adoption of Ordinance #2017-03 for PM16-00045: An Ordinance of the Board of County Commissioners of Osceola County, Florida, establishing the Woodlands at Osceola Community Development District, containing approximately 389.39 acres, pursuant to Chapter 190, Florida Statutes; naming the District; describing the external boundaries of the District; specifying general and special 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 for an effective date; Metro Development Group, LLC \(Applicant\); Commission Districts: 1 and 3](#)

ADOPTED (Hawkins/Janer, 5-0)

47. [Adoption of Ordinance #2017-04 for ZMA16-0050: 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 Northwest corner of West Irlo Bronson Memorial Highway and Reedy Creek Boulevard, and comprised of approximately 10.04 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; Jean Abi-Aoun, P.E. \(Applicant\) and Muhammad M. Jumani- Jumani Hospitality Group Incorporated \(Owner\)](#)
Commission District: 1
Staff Recommendation: Adoption of Ordinance #2017-04
PC Action: The January 05, 2017, Planning Commission recommendation will be presented at

the January 09, 2017, Board of County Commissioners meeting.

(NOTE: This item was amended to add the Planning Commission recommendation of approval.)

ADOPTED (Hawkins/Janer, 5-0)

48. [Adoption of Ordinance #2017-05 for ZMA16-0052: An Ordinance of the Board of County Commissioners of Osceola County, Florida, changing the zoning designation from Mixed Use District \(MXD\) to Urban Settlement \(US\), on certain real property generally located on the south side of Jones Road, east of South Eagle Road and west of Batton Road, and comprised of approximately 219 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; George M. Hastings \(Applicant\) and George M. Hastings Family Trust; George M. Hastings Trust; Mary D. Hastings Family Trust, and Mary D. Hastings Trust \(Owners\)](#)

Commission District: 5

Staff Recommendation: Adoption of Ordinance #2017-05

PC Action: The January 05, 2017, Planning Commission recommendation will be presented at the January 09, 2017, Board of County Commissioners meeting.

(NOTE: This item was amended to add the Planning Commission recommendation of approval.)

ADOPTED (Hawkins/Janer, 5-0)

49. [Approval of PD16-00026: Approval to amend and restate the Isles of Bellalago Planned Development \(PD10-00006\) and add neighborhood commercial uses to Tract N, consisting of approximately 2.48 acres of land, generally located west of Pleasant Hill Road and north of Isles of Bellalago Drive.](#)

Tony Iorio, Avatar Properties Incorporated (Applicant and Owner)

Commission District: 3

Staff Recommendation: Approval of PD16-00026, subject to Special Conditions

PC Action: The January 05, 2017, Planning Commission recommendation will be presented at the January 09, 2017, Board of County Commissioners meeting.

(NOTE: This item was amended to add the Planning Commission recommendation of approval.)

ADOPTED (Hawkins/Janer, 5-0)

50. [Ordinance #2017-06: An Ordinance of Osceola County, Florida; Adopting Recitals; extending a moratorium currently in effect as to the permitting of boat lifts/hoists in Osceola County until April 30, 2017, or the adoption of new standards by the Board of County Commissioners for boat lifts/hoists, whichever occurs first; providing for conflict; providing for severability; and providing for an effective date.](#)

Public Hearings

Community Development Administration

CONTINUED TO FEBRUARY 06, 0217 (Hawkins/Choudhry, 5-0)

51. [Approval and authorization for the Chair/Vice Chair to sign the Order Directing Demolition of an unsafe structure, located at 9090 East Irlo Bronson Memorial Highway, St. Cloud, Florida, 34773, \(BCT12-0169\), legally described by virtue of Special Warranty Deed recorded in Official Record Book 4140, Page 2920, of the Public Records of Osceola County, Florida, and Lee Hoffman \(Parcel 2\) by virtue of Warranty Deed recorded in Official Record Book 2348, Page 1962, of the Public Records of Osceola County, Florida, is/are the apparent record owner\(s\).](#)

Regular - NO ITEMS

Reports

Constitutional Officers and Governmental Agencies/Other

Departments/Divisions

Commission Auditor

County Attorney

County Manager

Commissioners

THE BOARD AGREED WITH THE RECOMMENDATION OF COMMISSIONER JANER TO PRESENT THE 2017 LT. LLOYD BURTON COMMUNITY SERVICE AWARD TO MS. ANNA PINELLAS, IN HONOR OF BLACK HISTORY MONTH

Committee Appointments

Community Development Block Grant Advisory Task Force

52. [Appointment to replace Ruddy Gomez-Lugo, "District 5", whose term expired December 31, 2016.](#)

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.

53. [Appointment to replace Stephanie Garber, "District 1", whose term expires December 31, 2018.](#)

54. [Appointed to fill a vacancy on "District 2", term expired on December 31, 2015.](#)
55. [Appointment to reappoint/replace Charles Weyel, "At-large", whose term expired December 31, 2016.](#)

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.

56. [Appointment to replace Stephanie Garber, "District 1" who termed out, whose term expired December 31, 2016.](#)
57. [Appointment to replace Mary Tumbleson, "District 5", whose term expired December 31, 2016.](#)
58. [Appointment to replace Sheri Morton, "At Large" who resigned, whose term expires December 31, 2017.](#)

Planning Commission

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

59. [Appointment to replace Angela Eady, "District 2", who resigned, whose term expires December 31, 2018.](#)
60. [Appointment to replace Jim Salisbury, "District 3", who has termed out, whose term expired December 31, 2016.](#)
61. [Appointment to replace Brian Solomon, "District 5", who has termed out, whose term expired December 31, 2016.](#)

School Board Business Advisory Board

Categories: Engineer, Architect or Landscape Architect, Licensed Real Estate Broker, Sales Associate, MAI Appraiser, Residential or Commercial Developer, Financial Consultant, Banker, Accountant, Statistician, Economist, Urban Planner, Licensed Contractor, Biologist, Environmental Scientist, Real Estate Development Attorney, and Corporate Executive. Qualifications: Members should be persons who possess such skills as would assist in the evaluation of capital expenditures.

RESPPOINTED SHAWN HINDLE

62. [Appointment to reappoint/replace Shawn Hindle, "Civil Engineer", whose term expires March 31, 2017.](#)

REAPPOINTED TURNER WALLIS

63. [Appointment to reappoint/replace Turner Wallis, "Land Surveyor", whose term expires March 31, 2017.](#)

For Information

County Administration

64. [Long Range Agenda](#)
65. [Announcement that there are no Board of County Commissioners regular meetings scheduled on the third, fourth, and fifth Mondays of January 2017.](#)
66. [The Clerk of the Board submits for the record, the minutes of the August 03, 2016, 12:00 p.m., budget public hearing; and August 03, 2016, 12:01 p.m., fourth quarter meeting, of the Indian Creek Common Facilities District, Board of Supervisors.](#)
67. [The Clerk of the Board submits for the record, the minutes of the July 27, 2016, 6:00 p.m., regular fourth quarter meeting, of the Indian Point Common Facilities District, Board of Supervisors.](#)
68. [The Clerk of the Board has received for the record the Certificate of Completion, Site Plans only from the City of St. Cloud, for the University of Central Florida, Therapeutic Equestrian Center.](#)
69. [The Clerk of the Board has received for the record, the 2017 meeting schedule of the St. Johns River Water Management District Governing Board. The meetings will be held at District Headquarters, 4049 Reid Street, Palatka, Florida, beginning at 9:00 a.m., on the following dates: January 10, 2017; February 14, 2017; March 14, 2017; April 11, 2017; May 09, 2017; June 13, 2017; July 11, 2017; August 08, 2017; September 12, 2017; September 26, 2017, final budget hearing, at 5:05 p.m.; October 10, 2017; November 14, 2017; and December 12, 2017.](#)
70. [The Clerk of the Board has received for the record, from the Emergency Management Department the following list of documents approved and signed by the County Manager: Amendment to Joint Funding Agreement with US Geological Survey National Geospatial Technical Operations Center, for LiDAR acquisition signed September 08, 2016; Orange County Office of Medical Director, signed July 06, 2016; and Florida Division of Emergency Management 2.CFR Part 200 EMPG, signed September 23, 2016.](#)
71. [The Clerk of the Board has received for the record, from the Florida Public Service Commission, Order #PSC-16-0567-TRF-GU, Order Approving Tariffs, approval to implement Gas Reliability Infrastructure Program cost recovery factors, for the period of January 2017, through December 2017, with an effective date of January 06, 2017, regarding the joint petition filed by the Florida Public Utilities Company, the Florida Public Utilities Company-Fort Meade, and the Florida Division of Chesapeake Utilities Corporation.](#)
72. [The Clerk of the Board has received for the record, the City of St. Cloud annexation Ordinance #2016-52, for the Oaktree Pointe Villas, consisting of 19.153 acres of land, located on the north side of 10th Street, west of Ashton Boulevard, which was adopted on December](#)

08, 2016. This annexation does include all that portion of the abandoned ACL Railroad right-of-way as recorded in Deed Book 109, Page 1, insofar as said right-of-way traverses or abuts Lots 375, and 376.

73. 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 Works Administration

74. The Public Works Department has submitted for the record, the original Right-of-way Utilization Agreement for landscape, hardscape, street signs and irrigation with High Point Resorts Management Incorporated, for installation of a sign at 2951 High Point Boulevard in accordance with Utility Permit U16-001053. The agreement was approved and signed by the County Manager or designee, on December 05, 2016.

*** 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.

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.