

**BOARD OF COUNTY COMMISSIONERS  
STAFF PRESENTATION MEETING  
COMMISSION CHAMBERS  
1 COURTHOUSE SQUARE, SUITE 4100  
KISSIMMEE, FLORIDA, 34741  
[WWW.OSCEOLA.ORG](http://WWW.OSCEOLA.ORG)**

**PRESENTATION AGENDA  
NOVEMBER 23, 2009, 1:30 PM**

- I. Presentation of the agenda for the next regularly scheduled Board meeting, Clerk of the Board**
  - A. Presentation of the agenda for the next regularly scheduled Board Meeting, Clerk of the Board (attached)**
  - B. Presentation of new items to the agenda for the next Board meeting**
    - 1. NONE**
  - C. Presentation of possible items to the agenda by addendum for the next Board meeting.**
    - 2. NONE**
- II. Presentation of items to be scheduled for a Board Workshop, County Manager**
  - A. Administrative Code Workshop – December 21, 2009, at 4:00 PM**
  - B. Land Development Code Update**
- III. Staff Reports**
  - A. Departmental Reports**
    - 1. Growth Management Administration – Don Fisher**
      - a. Update on Senate Bill 360**
      - b. Georeferencing Imaged Documents**

**2. Public Works Administration, Gregg Hostetler**

**a. Bass Road Landfill Closure Project Status**

**b. Update on status of Poinciana Boulevard, Phase II**

**c. Report on Lane Closures on Boggy Creek Road**

**C. County Manager Report**

**1. Osceola Legislative Effort (OLE)**

**2. Revised Travel Policy**

**3. No Board meeting on Monday, November 30, 2009**

**IV. Opportunity for the Public to Address the Board**

**(The public is welcome to address the Board of County Commissioners on matters other than those to be addressed at the next regularly scheduled Board meeting.**

**Members of the public are required to speak from the podium, clearly state their name and address for the record, and limit their comments to three (3) minutes. The Board members only receive comments from the public and do not address them at this time.)**

**V. Adjournment**

# OSCEOLA COUNTY

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

## Board of Commissioners

John Quiñones, Chairman  
Ken Smith, Vice Chairman  
Michael Harford, Commissioner  
Brandon Arrington, Commissioner  
Fred Hawkins, Jr., Commissioner



Michael J. Freiling, County Manager  
Jo O. Thacker, County Attorney  
Kathy Wall, Commission Auditor

## STAFF PRESENTATION WORKSHOP 11/23/2009 - 1:30 PM

### Agenda

The agenda workshop is an opportunity for Board Members to review items scheduled to appear on the agenda for the upcoming Board meeting and to ask questions and request further information. The Commissioners will not vote on any item during this workshop.

### Presentations

#### Presentations

1. Recognition of County employees who, during the month of December 2009, have attained an anniversary date of 10, 15, 20, 25 years or more with Osceola County.
2. Presentation to the Employee of the Month for December 2009.

### Consent Agenda

#### Commission Auditor's Office

3. Approval of the Commission Auditor's Annual Audit Plan for Fiscal Year 2009/2010.

#### County Attorney's Office

4. Request permission to publish Ordinance #09-29 regarding the regulation of airboats on certain bodies of water in unincorporated Osceola County.

## **County Administration**

5. Approval of the following minutes: June 29, 2009, regular session, 1:30 p.m.; August 31, 2009, workshop session, 3:00 p.m.; October 12, 2009, pre-agenda workshop session, 1:30 p.m.; October 26, 2009, special session, 1:25 p.m.; and October 26, 2009, executive session, 3:00 p.m.
6. Adoption of Resolution #09-107R establishing an excessive research policy and fees for public information requests.
7. Approval and authorization for the Chairman to sign the Memorandum of Agreement between the Osceola County Board of County Commissioners and Park Place Behavioral Health Care in the amount of \$110,849 for the Children and Youth Substance Abuse and Life Skills Program. This program is funded through the Florida Department of Law Enforcement, Edward Byrne Memorial Justice Assistance Grant (JAG) under the American Recovery and Reinvestment Act of 2009.
8. Approval and authorization for the Chairman to sign the Certificate of Acceptance for the Interview Rooms Project (contract # 2010-ARRC-OSCE-12-W7-313) in the amount of \$88,680, which is a sub-grant award of the Florida Department of Law Enforcement, Edward Byrne Memorial Justice Assistance Grant (JAG) under the American Recovery and Reinvestment Act of 2009.
9. Approval and authorization for the Chairman to sign the Memorandum of Agreement between the Osceola County Board of County Commissioners and the Osceola County Sheriff's Office in the amount of \$21,603 for the Osceola County Investigative Bureau Electronic Monitoring project. This project is funded through the Florida Department of Law Enforcement, Edward Byrne Memorial Justice Assistance Grant (JAG) under the American Recovery and Reinvestment Act of 2009.
10. Approval and authorization for the Chairman to sign the Memorandum of Agreement between the Osceola County Board of County Commissioners and the Transition House, Inc. in the amount of \$53,250 for the Veterans Substance Abuse Counseling Program. This program is funded through the Florida Department of Law Enforcement, Edward Byrne Memorial Justice Assistance Grant (JAG) under the American Recovery and Reinvestment Act of 2009.
11. Approval and authorization for the Chairman to sign the Certificate of Acceptance for the Children and youth Substance Abuse and Life Skills Program (contract # 2010-ARRC-OSCE-10-W7-208) in the amount of \$110,849, which is a sub-grant award of the Florida Department of Law Enforcement, Edward Byrne Memorial Justice Assistance Grant (JAG) under the American Recovery and Reinvestment Act of 2009.
12. Approval and authorization for the Chairman to sign the Memorandum of Agreement between the Osceola County Board of County Commissioners and the City of Kissimmee in the amount of \$64,873 for the Law Enforcement Education for Arson Prevention Program. This program is funded through the Florida Department of Law Enforcement, Edward Byrne Memorial Justice Assistance Grant (JAG) under the American Recovery and Reinvestment Act of 2009.

13. Approval and authorization for the Chairman/Vice Chairman to sign the Warrant Report (checks, drafts and wire transfers), issued from the General Disbursement, Pooled Cash, Jail Inmate Account 3, Section 8 Housing and Payroll Accounts for the month of October 2009.
14. Approval and authorization for the Chairman/Vice Chairman to approve Budget Transfer number 09/10-008 in the amount of \$58,474 to fund Guardian AD Litem coordinator position for Fiscal Year 2010.
15. Approval and authorization for Chairman /Vice –Chair to sign the Non-Exclusive Landscape Easement between Osceola County and the City of Kissimmee for the installation, maintenance, and replacement of trees and landscaping along the City’s right-of-way at Martin Luther King Boulevard; no cost to County.
16. Approval and authorization for Chairman/Vice Chair to execute the License Agreement between Osceola County and South Florida Water Management District (SFWMD) to allow the installation and maintenance of a directional sign at the SFWMD field office, 3800 Old Canoe Creek Road, St. Cloud, Florida; no cost to County
17. Adoption of Resolution #09-111R, deleting the sunset provision of Resolution #09-023R for the Fire and Rescue Advisory Board.
18. Approval and authorization for Chairman/Vice Chairman to execute a service agreement with (1) Cypress Supply, Inc., and (2) Dade Paper & Bag Company for the purchase of janitorial chemical products and cleaning supplies on an as-needed basis for the term beginning November 16, 2009, through November 15, 2012 not to collectively exceed \$68,298 annually, for a cumulative not to exceed amount of \$204,894 (AR# 09-603-FH-a and AR# 09-603-FH-b have been assigned for tracking purposes.)
19. Approval to write-off \$1,648,763 in ambulance accounts receivable from the period of October 1, 2005 through September 30, 2006.
20. Approval to write-off a total of \$770.00 from the accounts receivable records of the Tourist Development Tax Fund for the fiscal year ending September 30, 2009 and \$25,408.98 from the accounts receivable records of the Personal Computer Purchase Program for the fiscal year ending September 30, 2009.
21. Authorization to waive the formal procurement process for environmental services on Old Lake Wilson Road, and authorization for the County Manager to execute an agreement for said services in an amount not to exceed \$100,000, in accordance with Resolution #08-065R.

### **Growth Management Administration**

22. Approval and authorization for the Chairman/Vice Chairman to sign the following approved plat:
  1. FS09-00012, Integra Meadows: Final Subdivision Plan

23. Permission to advertise a public hearing to be held on Monday, January 4th , 2010 at 1:30 p.m., to consider a petition by APAC Southeast, Inc., for a road vacation (RV09-00008), for that portion THAT PORTION OF MIDWAY STREET (30' PLATTED RIGHT OF WAY) LYING WEST OF LOT "L", J.J. KEENS SUBDIVISION, AS FILED AND RECORDED IN PLAT BOOK 1, PAGE 31 OF THE PUBLIC RECORDS OF OSCEOLA COUNTY, FLORIDA AND THAT PORTION OF 2ND AVENUE (50' PLATTED RIGHT OF WAY) LYING BETWEEN BLOCKS A & B, BELLVIEW PARK, EXTENDING SOUTHERLY TO THE SOUTHERLY RIGHT OF WAY LINE OF JUNE STREET, AS FILED AND RECORDED IN PLAT BOOK 1, PAGE 247 OF THE PUBLIC RECORDS OF OSCEOLA COUNTY, FLORIDA.
24. Approval for Osceola County to apply for a Competitive Grant through the US. Department of Energy (USDOE), Office of Energy Efficiency and Renewable Energy, Energy Efficiency and Conservation Block Grants (EECBG) up to \$5 million; and authorize the County Manager to sign the EECBG application, and any further documentation necessary to complete the grant/application process.
25. Approval and authorization for the Chairman/Vice-Chairman to sign a Real Property Agreement with Houshang Sabeti, Trustee, for transfer of said property adjacent to Princess Way, to pay closing costs not to exceed \$3,500.00, and to grant authorization for the County Manager to execute any associated documents necessary to finalize property acquisition.
26. Approval and authorization for the Chairman/Vice Chairman to accept the Quitclaim Deed from the State of Florida, Department of Transportation, Florida Turnpike Enterprise for the ownership and maintenance of the Kissimmee Park Roadway and Bridge.
27. Approval and authorization for the Chairman/Vice Chairman to sign the Temporary Right-of-Way Agreement between Deer Park Ranch Ltd. and Osceola County for the completion of the work necessary to repair the Kempfer Road Bridge

### **Public Works Administration**

28. Approval and authorization for the Chairman/Vice Chairman to sign the deductive Contract Amendment No. 4013-CA2 to the Construction Management at Risk Agreement with Turner Construction Company, Inc. in the amount of (\$163,703). This deductive Contract Amendment is to reduce the requirement in the agreement for the Builder's Risk Insurance. (RFP#08-282-RJ)
29. Award and approval and authorization for Chairman/Vice Chairman signature on the construction agreement with Ferreira Construction Southern Division, Co., Inc. of Stuart Florida for the rehabilitation of the Kempfer Bridge over Jane Green Creek, not to exceed \$380,929.85. [ITB09-585-RJ]

### **Growth Management Consent**

A presentation will be made by the County Staff for the Growth Management items. As these items have not been advertised as a public hearing, no questions or comments will be heard.

## Planning and Zoning

30. ZMA09-00005: JACK K & NANCY LAWRENCE (APPLICANT AND OWNER)  
Commission District: 5  
Request: Applicant requests to amend the Zoning Map by changing approximately 0.79 acres of land from Rural Development-1 (R-1) to Residential Manufactured Housing (RMH-1) Zoning District. The subject property is located on the corner of Newman Avenue and 4th. Street. Staff Recommendation: If approved, no special conditions are recommended. PC Action: Approval
31. PD09-00024 :FORMOSA GARDENS LAND TRUST(APPLICANT) AND FORMOSA GARDENS HOMES, INC (OWNERS) Commission District: 1 Request: Applicant requests amendment of the previously approved PD03-00013 and PD05-00033 by changing development standards for Parcel E and by correcting an error in allowable commercial square footage for Parcel D within the approximately 493 acre Formosa Gardens Planned Development Zoning District. The subject property is located on the south of US 192, east and west of Sand Hill Road, and north and south of Funie Steed Road. Staff Recommendation: If approved, special condition are recommended. PC Action: Approval, subject to special condition.
32. CDP09-0006: FORMOSA GARDENS HOMES,INC (APPLICANT AND OWNER)  
Commission District: 1  
Request: Applicant requests approval of a Comprehensive Development Plan to allow for development of an ATM site on a portion of an approximately 2.3 acre parcel of undeveloped land within the Formosa Gardens Planged Mixed Use (PMUD) Zoning District. The subject property is located on the north of Formosa Gardens Blvd, West of Irlo Bronson Mem Hwy. Staff Recommendation: If approved, no special conditions are recommended. PC Action: Approval
33. CDP09-0004: MAYBAR 106 ASSOCIATES,LLC (APPLICANT) AND GEORGE CHEN (OWNER) Commission Dristict: 1  
Request: Applicant request approval of a Comprehensive Development Plan (CDP) to allow for development of restaurant on a lease-hold site within the approximately 12 acre Tract "D" of the Formosa Gardens Planned Mixed Use Development (PMUD) Zoning District. The subject property is located on the south side of Formosa Gardens Boulevard, southwest of US192, and north of Funie Steed Road. Staff Recommendation: If approved, no special conditions are recommended. PC Action: Approval
34. CDP09-0005: SHAD W. TOME (APPLICANT) AND BIRCHWOOD ACRES LTD PARTNERSHIP, LLLP (OWNERS) Commission District: 5 Request: Applicant requests approval of a Comprehensive Development Plan to allow for a total of approximately 100,000 sq. ft. of development consisting of office, retail and restaurant uses on approximately 6 acres of land within the Harmony Planned Mixed Use Development (PMUD) Zoning District. The subject property is located on the north Side of East Irlo Bronson Memorial Highway, south of Five Oaks Drive and west of Harmony Square Drive. Staff Recommendation: If approved, a special condition is recommended. PC Action: Approval, subject to special condition.

## **Public Hearings**

### **Growth Management Administration**

35. A request for an ORDER DIRECTING DEMOLITION OF UNSAFE STRUCTURE: (US#09-02) pursuant to Section 5-2 of the Osceola County Code. The property is located at 2549 Volta Circle, Kissimmee, Florida 34746, legally described as, Lot 48, Brighton Lakes Phase I – Parcel F, according to the official plat thereof as recorded in Plat Book 13, Pages 47 and 48, Public Records of Osceola County, Florida. The owners of said property are Aldo J. Arcomano and Maria A. Escariz, husband and wife.

### **Public Works Administration**

36. Approval and authorization for the Chairman/Vice Chairman to sign a Franchise License agreement between Osceola County and Advanced Disposal Services, Inc., for commercial and industrial use only, for a term of (5) years.

A public hearing, is to be held on Monday, December 07, 2009, at 1:30 p.m, for the final approval of their solid waste franchise license.

## **Regular – NO ITEMS**

### **Hear the Audience**

The Board welcomes comments from citizens about any issue or concern; however, please remember that no public comments will be accepted on any public hearing items on the agenda for this workshop. Your opinions are valued in terms of providing input to the Board members. It is requested that when you address the Board, comments not be directed personally against a Commissioner, or staff member, but rather directed at the issues. This provides a mutual respect between the Board members and the public.

Citizens wishing to address the Board during the “Hear the Audience” 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 date.

## **Reports**

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

#### **Departments/Divisions**

#### **Commission Auditor**

#### **County Attorney**

**County Manager**

**Commissioners**

**Committee Appointments – NO ITEMS**

**For Information**

**County Administration**

37. The Value Adjustment Board (VAB) will meet on December 16, 2009, at 3:30 p.m., in the Commission Chambers.
38. The Legislative Delegation will meet on Friday, December 18, 2009, in the Commission Chambers.
39. The Clerk of the Board has received for the record, notification from the Florida Public Service Commission regarding Docket #090172-EI that certain Commissioners were deposed in the matter of a Petition to determine the need for Florida EnergySecure Pipeline, by Florida Power and Light Company.
40. The Clerk of the Board has received for the record, notification on November 11, 2009, that Ordinance #09-25 relating to Comprehensive Plan Amendment CPA08-0004 and Ordinance #09-26 relating to Comprehensive Plan Amendment CPA08-0009, were filed with the Bureau of Administrative Code on November 06, 2009.
41. The Clerk of the Board has received for the record, the minutes and record of proceedings for the Board of Supervisors of the Celebration Community Development District meeting held on September 15, 2009.
42. The Clerk of the Board has received for the record, the minutes and record of proceedings from the Enterprise Community Development District Board of Supervisors for the meeting held on June 17, 2009.
43. The Clerk of the Board has received for the record, the minutes and record of proceedings for the Board of Supervisors of the Enterprise Community Development District meeting held on August 24, 2009.
44. 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 July 30, 2009.
45. The Clerk of the Board has received for the record, the minutes and record of proceedings for the Board of Supervisors of the Harmony Community Development District meeting held on September 24, 2009.

46. The Clerk of the Board has received for the record, the minutes and record of proceedings from the Harmony Central Community Development District Board of Supervisors for the meeting held on October 15, 2008.
47. The Clerk of the Board has received for the record, the minutes and record of proceedings for the Board of Supervisors of the Portofino Vista Community Development District meeting held on April 30, 2009.
48. The Clerk of the Board has received for the record, the records of proceedings from the Board of Supervisors for the Portofino Vista Community Development District, meeting held on July 15, 2009.
49. The Clerk of the Board has received for the record, the minutes and record of proceedings for the Board of Supervisors of the Stevens Plantation Community Development District meeting held on August 06, 2009.
50. The Clerk of the Board has received for the record, the minutes and record of proceedings from the Xentury City Central Community Development District Board of Supervisors for the meeting held on June 10, 2009.
51. Pursuant to the Osceola County Administrative Code, Section 3.16, Emergency Procurements, on September 11, 2009, it was deemed in the best interest of the County to issue Purchase Order #P82124 for \$19,306.77 to Folsom Services Incorporated, to replace the chilled water air handler for C-Pod (B and C Bays) inmate housing at the jail (EX #09-923-LM).
52. The Clerk of the Board has received for the record, notification from the Florida Public Service Commission that a workshop will be conducted to address the January 1992 Grand Jury Report and Rule 25-22-033, Florida Administrative Code, regulating utility – recommendations to enhance the intergrity of the process and communication between Commission employees and parties.
53. The Clerk of the Board has submitted for the record, the First Amendment to Appraiser Special Magistrate Agreement with Charles Cowart for the 2009 Value Adjustment Board.

#### **Growth Management Administration**

54. The Environmental Lands Conservation Program (ELCP), on behalf of the Land Conservation Advisory Board (LCAB), is submitting the minutes from the LCAB meeting held on October 6, 2009.

#### **Public Works Administration**

55. Road and Bridge Quarterly Report

56. Temporary road closures will occur on December 20, 2009 from 12:00 PM to 3:00 PM, for the purpose of holding the Buenaventura Lakes Christmas Parade event.

The following roads will be closed:

1. Buenaventura Blvd. southbound lanes between Publix driveway south of Osceola Pkwy and Trotters Dr. (Archie Gordon Park).
2. Competition Dr. between Burning Tree Dr. and Buenaventura Blvd.
3. Buttonwood Dr. between E. Cedarwood Cir. and Buenaventura Blvd.
4. Trotters Cir. between Harness Ln. and Buenaventura Blvd.
5. Wagon Cir. on both ends at Buenaventura Blvd.

57. Temporary road closures will occur on December 12, 2009 from 10:00 AM to 1:00 PM, for the purpose of holding the Poinciana Christmas Parade event.

The following roads will be closed:

1. Country Club Road between Doverplum Avenue and Cypress Drive and all the streets connects to Country Club Road within this section (S. Flag Dr., E. Flag Way, Flag Ct., Flag Ln., E. Flag Ln., Trophy Ln., Chip Ct.).
2. Cypress Drive between Country Club Road and Cypress Parkway.
3. Cypress Parkway between Cypress Drive and 1500 feet west of Old Pleasant Hill Road.
4. Doverplum Avenue between Old Pleasant Hill Road and Cypress Parkway.

## **Adjournment**