

SEMINOLE COUNTY, FLORIDA

*COUNTY SERVICES BUILDING
1101 EAST FIRST STREET
SANFORD, FLORIDA
32771-1468*



Meeting Minutes

Tuesday, November 12, 2024

9:30 AM

BCC Chambers

Board of County Commissioners

I. CALL TO ORDER

Present: Chairman Jay Zembower
Vice Chairman Andria Herr
Commissioner Bob Dallari
Commissioner Lee Constantine
Commissioner Amy Lockhart

Additional Attendees: County Attorney Kate Latorre, County Manager Darren Gray, Clerk of Court and Comptroller Grant Maloy, and Deputy Clerks Kyla Farrell and Chariti Guevara.

II. INVOCATION & PLEDGE OF ALLEGIANCE

Pastor Bob Melhorn, Integrity Church, gave the Invocation. John Slot, Public Works Interim Director, led the Pledge of Allegiance.

III. AWARDS, PRESENTATIONS AND PROCLAMATIONS

1. Proclamation proclaiming Corporal Ronald DeVasto, United States Marine Corp as Seminole County's November Veteran of the Month. ([Corporal Ronald DeVasto, United States Marine Corp](#) [2024-1432](#))

Motion by Vice Chairman Herr, seconded by Commissioner Dallari, to adopt a Proclamation proclaiming Corporal Ronald DeVasto, United States Marine Corp as Seminole County's November Veteran of the Month.

Districts 1, 2, 3, 4, and 5 voted AYE.

IV. CONSENT AGENDA – PUBLIC PARTICIPATION

County Manager Darren Gray announced add-on Consent Agenda Item 14a, Memorandum of Agreement for Article 19 - Wages, Article 20 - Annual Paid Time Off (PTO) Leave, and Article 32 - Sick/Catastrophic Leave in the B Unit Collective Bargaining Agreement. He requested Agenda Item 21, Fiscal Year 2024/25 LYNX Service Funding Agreement, be heard after Agenda Item 35, LYNX Future Planning Worksession.

Commissioner Lockhart requested Agenda Items 20, Contract for Sale and Purchase of Land for the WB Equestrian Property, and 27, CFCRC Agreements, be pulled for a separate discussion/vote.

With regard to public participation, Ryan Charlson spoke in opposition to Agenda Item 29, Unilateral Termination for Cause of Benchmark Construction Company Contract CC-2999-21; and Daryl Carter spoke in support of Agenda Item 20. No one else spoke, and public input was closed.

Public Comment Forms were received and filed.

Commissioner Constantine requested staff address the public comments regarding Agenda Item 29. Kristian Swenson, Assistant County Manager, addressed the Board and advised staff disagrees with Mr. Charlson's comments. He noted staff has been working with Benchmark for several months, and they did not arrive at this decision lightly. This was previously agendaized, and prior to the meeting Benchmark requested it be pulled from the agenda to work together, but those conversations were unsuccessful. Commissioner

Lockhart stated, as the District Commissioner whose office has been working hand-in-hand with the community, if they were here, they'd want to vote themselves.

Motion by Commissioner Constantine, seconded by Commissioner Dallari, to approve the Constitutional Officers' Consent Agenda Items 2 - 4; and the County Manager's Consent Agenda Items 5 - 33, including add-on Item 14a and excluding Items 20, 21, and 27.

Districts 1, 2, 3, 4, and 5 voted AYE.

Constitutional Officers – Consent Agenda (Items No. 2 - 4)

2. Expenditure Approval Lists dated October 16 and 23, 2024; and Payroll Approval List dated October 10, 2024. (Jenny Spencer, CPA, MAcc, CGFO, and CFE, Director - Comptroller's Office) [2024-1456](#)
3. Approve and authorize the Chairman to execute a Resolution implementing Budget Amendment Request (BAR) #25-003 in the General Fund to transfer \$86,000 from reserves to Clerk Finance for the implementation of PaymentWorks. (Jenny Spencer, CPA, MAcc, CGFO, and CFE, Director - Comptroller's Office) [2024-1483](#)
BAR #25-003
Resolution #2024-R-118
4. Approval by the Board of County Commissioners (BCC) to appropriate from the Sheriff's Office Fiscal Year 2023/24 General Fund Budget closeout: (1) \$4,532,084.26 in purchase commitments for items not received by 9/30/2024 and (2) \$150,000.00 requested to fund the modernization project of the CAFEWEB Case Management System; and approve and authorize the Chairman to execute a Resolution implementing a Budget Amendment Request (BAR) # 25-005 in the General Fund to transfer \$4,682,084.26 from reserves for the re-appropriation of the Sheriff's purchase commitments and Mobile Command Vehicle. Countywide. (Lisa Spriggs, Chief of Administrative Services) [2024-1489](#)
BAR #25-005
Resolution #2024-R-119

County Manager's Consent Agenda (Items No. 5 - 33)

County Manager's Office

5. Approve and authorize the Chairman to execute a Proclamation proclaiming November 10 - 16, 2024 as National Nurse Practitioner Week in Seminole County, FL. (Patrice Muse, Florida Association of Nurse Practitioners, Inc) [2024-1479](#)
6. Approve and authorize the Chairman to execute a Proclamation proclaiming November 15, 2024 as America Recycles Day in Seminole County, FL. (Kim Ornberg, Environmental Services Director) [2024-1480](#)

Community Services

7. Approve the Homeless Partnership Agreement FY2024-25 in the amount of \$28,614 for continued support of housing operations in Seminole County and authorize the Chairman to execute the agreement and any amendments. Countywide (Allison Thall, Community Services Director) [2024-1435](#)

Environmental Services

8. Approve and authorize the Chairman to execute a new Non-Exclusive Franchise Agreement for Commercial Solid Waste Collection Service with Coastal Waste & Recycling of Central Florida, LLC and a Renewal of the Non-Exclusive Franchise for the Collection of Commercial Solid Waste Certificate for October 1, 2024 to September 30, 2025. Countywide (Kim Ornberg, Environmental Services Director) [2024-1436](#)
9. Approve and authorize the Chairman to execute a Certificate of Public Convenience and Necessity for Hubbard Construction Company D/B/A Mid-Florida Materials effective from October 1, 2024 to September 30, 2029. Countywide (Kim Ornberg, Environmental Services Director) [2024-1434](#)
10. Approve and authorize the Chairman to execute a new Non-Exclusive Franchise Agreement for Commercial Solid Waste Collection Service with JJ's Waste & Recycling, LLC and a Renewal of the Non-Exclusive Franchise for the Collection of Commercial Solid Waste Certificate for October 1, 2024 to September 30, 2025. Countywide (Kim Ornberg, Environmental Services Director) [2024-1486](#)
11. Approve and authorize the Chairman to execute a new Non-Exclusive Franchise Agreement for Commercial Solid Waste Collection Service with Container Rental Company, Inc. and a Renewal of the Non-Exclusive Franchise for the Collection of Commercial Solid Waste Certificate for October 1, 2024, to September 30, 2025. Countywide (Kim Ornberg, Environmental Services Director) [2024-1485](#)
12. Approve and authorize the Chairman to execute a new Non-Exclusive Franchise Agreement for Commercial Solid Waste Collection Service with Republic Services of Florida, LP and a Renewal of the Non-Exclusive Franchise for the Collection of Commercial Solid Waste Certificate for October 1, 2024 to September 30, 2025. Countywide (Kim Ornberg, Environmental Services Director) [2024-1484](#)
13. Approve and authorize the Chairman to execute a new Non-Exclusive Franchise Agreement for Commercial Solid Waste Collection Service with Waste Management Inc. of Florida and a Renewal of the Non-Exclusive Franchise for the Collection of Commercial Solid Waste Certificate for October 1, 2024 to September 30, 2025. Countywide (Kim Ornberg, Environmental Services Director) [2024-1482](#)
14. Approve and authorize the Chairman to execute a Certificate of Public Convenience and Necessity for Perma-Fix of Florida, Inc., effective from [2024-1481](#)

October 1, 2024, to September 30, 2029. Countywide (Kim Ornberg, Environmental Services Director)

Fire Department/EMS

- 14a. Approve and authorize the Chairman to execute the Memorandum of Agreement (MOA) between Seminole County and the Bargaining Unit Local 3254 for Article 19 - Wages, Article 20 - Annual Paid Time Off (PTO) Leave, and Article - 32 - Sick/Catastrophic Leave in the B Unit Collective Bargaining Agreement. Countywide (Matt Kinley, Fire Chief) [2024-1518](#)

Innovation and Strategic Initiatives

15. Approve and authorize the Chairman to execute an agreement between Seminole County and Ritz Community Theater Projects, Inc. D/B/A Wayne Densch Performing Arts Center in the amount of \$50,000.00 for the 2024/2025 Funding Agreement. Countywide (Andrea Wesser-Brawner, Chief Innovation and Strategy Officer) [2024-1453](#)
16. Approve and authorize the Chairman to execute the Seminole County Government - Florida Makes Third Party Contributor Agreement for the purpose of providing economic development services to manufacturers in Seminole County, Florida. Countywide (Andrea Wesser-Brawner, Chief Innovation & Strategy Officer) [2024-1433](#)
17. Approve and authorize the Chairman to execute a tourism development tax funding agreement with Sanford Main Street, Inc. in the amount of \$30,000 for the FY2024/25 funding allocation for marketing and advertising. Countywide (Andrea Wesser-Brawner, Chief Innovation and Strategy Officer) [2024-1469](#)
18. Approve and authorize the Chairman to execute a tourism development tax funding agreement with Florida Goldsboro Main Street, Inc. in the amount of \$30,000 for the FY2024/25 funding allocation for marketing and advertising. Countywide (Andrea Wesser-Brawner, Chief Innovation and Strategy Officer) [2024-1466](#)
19. Approve and authorize the Chairman to execute a resolution of the Board of County Commissioners of Seminole County, Florida, approving the issuance and sale of revenue bonds in one or more series for the Galileo Schools by the Seminole County Industrial Development Authority. (Andrea Wesser-Brawner, Chief Strategy & Innovation Officer) [2024-1474](#)

Resolution #2024-R-120

Management and Budget

22. Approve and authorize the Chairman to execute a Resolution implementing Budget Amendment Request (BAR) #24-077 in various County Funds in the amount of \$9,746,362.23 for the Fiscal Year 2023/24 year-end budget adjustments. Countywide (Timothy Jecks, Management & Budget Director) [2024-1471](#)
- BAR #25-077**
Resolution #2024-R-122
23. Approve and authorize the Chairman to execute a Resolution implementing the Budget Amendment Request (BAR) #25-004 in the Water and Sewer Fund to transfer \$4,754,121.32 from reserves to establish budget for potential professional services for Utilities Department Program Management. Countywide (Timothy Jecks, Management & Budget Director) Requesting Department - Utilities [2024-1488](#)
- BAR #25-004**
Resolution #2024-R-123

Public Works

24. Request for authorization to make a binding written offer to property owners and request to adopt and authorize the Chairman to execute a Resolution of Necessity for the Nebraska Avenue Bridge Safety Improvement Project, Parcel 800. District5 - Herr (Jean Jreij, P.E., Public Works Director) [2024-1399](#)
- Resolution #2024-R-124**
25. Approve and authorize the Chairman to execute a Purchase Agreement related to Project Parcel No. 2-834 for a drainage easement necessary for the Midway Drainage Improvement Project (536± SF) between Linda Battle, Santelia Bell and Samuel L. Black, Jr. and Seminole County for \$8,830.00, as full settlement and any other claim for compensation from which Seminole County might be obligated to pay relating to the parcel. District5 - Herr (Jean Jreij, P.E., Public Works Director) [2024-1447](#)
26. Approve and authorize the Chairman to execute a Purchase Agreement related to Project Parcel No. 1 for additional right-of-way for a corner clip for the Lake Mary Boulevard Turn Lane Project (50± SF) between GCS Multi LLC and Seminole County for \$4,370.00, as full settlement and any other claim for compensation from which Seminole County might be obligated to pay relating to the parcel. District4 - Lockhart (Jean Jreij, P.E., Public Works Director) [2024-1472](#)

Resource Management

28. Approve the Master Commercial Card Agreement (MCCA) via Pasco County Contract number MCCA-080823 with JPMorgan Chase Bank, N.A. (JPMorgan) for the County's Purchasing Card (P-Card) Program and authorize the Purchasing Manager to execute the documents, attested by [2024-1277](#)

the County Attorney's Office. (Lorie Bailey Brown, CFO/Resource Management Director) Requesting Department - Resource Management

29. Approve the Unilateral Termination for Cause of Benchmark Construction Company, Inc., of Bartlett, IL - Country Club Heights Sewer and Water Main Replacement (CC-3999-21/TAD) and authorize the Purchasing and Contracts Division Director to execute the Unilateral Termination. District4- Lockhart (Lorie Bailey Brown, CFO/Resource Management Director) Requesting Department - Utilities [2024-1384](#)
30. Request Board approval to submit a grant application to the U.S. Environmental Protection Agency (EPA) Solid Waste Infrastructure for Recycling (SWIFR) Grants requesting up to \$5,000,000 to upgrade recycling education and services through the County Solid Waste Department; and authorize the County Manager or designee to execute the grant application and supporting documents as required for the grant. Countywide (Lorie Bailey Brown, CFO/Resource Management Director) Requesting Department - Environmental Services [2024-1459](#)
31. Approve and authorize the Chairman to execute a contract with FEMA through the Florida Division of Emergency Management in the amount of \$181,077.81 for mitigation reconstruction project to provide flood protection to a single-family structure located at 1952 Lake Street, Oviedo, Florida; and to execute a Budget Amendment Request (BAR) 25-002 through the Federal Mitigation Grant Funds in the amount of \$181,077.81; and authorize the County Manager or designee to sign all work orders, purchasing contracts and related grant modification documents specific to this project. District2 - Zembower (Lorie Bailey Brown, CFO/Resource Management Director) Requesting Department - Emergency Management [2024-1457](#)
- BAR #25-002**
Resolution #2024-R-125
32. Approve and authorize the Chairman to execute a State of Florida Department of Environmental Protection Drinking Water State Revolving Fund Planning and Design Loan Agreement for lead service line inventory; and the Resolution required for the project. Countywide (Lorie Bailey Brown, CFO/Resource Management Director) Requesting Department - Utilities [2024-1455](#)
- Resolution #2024-R-126**
33. Approve and authorize the Chairman to execute a grant agreement from the State of Florida, Division of Emergency Management in acceptance of \$110,753 for the Emergency Management Performance Grant (EMPG) award; and authorize the County Manager and his designee(s) to approve grant documents and further contract amendments for this grant. Countywide (Lorie Bailey Brown, CFO/Resource Management Director) Requesting Department - Emergency Management. [2024-1454](#)

Consent Agenda Items Pulled for Separate Discussion/Vote

20. Approve and authorize the Chairman to execute a contract for the sale and purchase of land for the WB Equestrian property in the amount of \$9,555,000; and execute the associated Resolution implementing Budget Amendment Request (BAR) #24-080 in the 2014 Infrastructure Sales Tax Fund to transfer \$9,600,000 from reserves. District5 - Herr (Timothy Jecks, Management & Budget Director) Requesting Department - Parks and Recreation [2024-1322](#)

BAR #25-080

Resolution #2024-R-121

Commissioner Lockhart stated the last time they had this conversation publicly, there were a lot of questions and many concerns about the impact on the community, the eventual use of the property, traffic, and what is the highest and best use for the County if the County were to take control of it. She doesn't see a fiscal impact statement anywhere in the item. Anytime they buy property, there are benefits; but there are long-term consequences financially. She doesn't see anything in the item that shows that that has been contemplated. There is a process in place, via Seminole Forever, for prioritizing property that's going to be purchased and put either in conservation or for some other use. She just wanted to make sure that the item was pulled off of the Consent Agenda for a separate discussion and vote because the last public conversation about this had so many questions and concerns. That way, anyone from the public won't look back and wonder how they went from so many concerns with no discussion and a vote. Chairman Zembower noted there has been interaction with the public, and asked the County Manager if he is satisfied that that has sufficiently occurred. Mr. Gray answered yes, and added they've done their due diligence before bringing it back to the Board. However, they haven't had community meetings with the area regarding this item. But if that is something the Board would like, they can definitely do that as one of staff's next steps. Chairman Zembower stated he thinks the anticipation would be as staff moves forward with what is going to take place over there, staff would have community meetings. Also, Orange Boulevard improvements are taking place which will help address some of the traffic concerns.

Vice Chairman Herr stated she thinks the difference between the last time they talked about this in a public meeting and this time is that the thought process has changed. First of all, the opportunity to purchase the property is now. It will either be sold to the County or sold to development. What she was vehemently opposed to was many, many soccer fields going into that area to host worldwide soccer tournaments that would absolutely drive a traffic pattern that the infrastructure could not support. What this is doing is securing the land for future consideration. She doesn't necessarily know that it's going to be put into preservation, but put into use for County purposes in some form or fashion that allows it to still be drainable and used to some benefit of the citizens that does not drive a cost structure for the County that is beyond their ability to support. All of that is to be determined, which is why she's supporting the issue. Commissioner Constantine stated this has the opportunity to support traffic and drainage improvements and reduce the stress of redevelopment of that property. Commissioner Dallari agreed with the previous comments, and noted they have 120

days to continue discovery.

Motion by Vice Chairman Herr, seconded by Commissioner Constantine, to approve and authorize the Chairman to execute a contract for the sale and purchase of land for the WB Equestrian property in the amount of \$9,555,000; and execute appropriate Resolution #2024-R-121 implementing Budget Amendment Request (BAR) #24-080 in the 2014 Infrastructure Sales Tax Fund to transfer \$9,600,000 from reserves.

Under discussion, Commissioner Lockhart stated there is a process in place; and they have invested a lot of time, money, effort, and citizen volunteers for purchasing properties like this. They need to be mindful of the fact that every time somebody wants to sell a piece of property, whether it's something like this or golf courses, or what have you, they do have other pieces of property in this county and underserved communities that are waiting for open space and things to be purchased for the benefit of those communities. Yet somehow, they continually, quickly are able to come up with money for golf courses and properties like this; and they struggle to find money to do projects in underserved communities. Vice Chairman Herr stated in the future they probably need some clarification with regard to why this would fall outside of Seminole Forever and when things fall in it and out of it because she sees a distinct difference. Commissioner Constantine noted the Board is going to get an update, per today's agenda, based upon the criteria that was placed in the ordinance that the ARC committee has suggested. He reminded that because of the drainage and transportation, it is a sales tax infrastructure project not a general revenue project. Commissioner Dallari called the question. Chairman Zembower noted some needs in his district, specifically community centers.

Districts 1, 2, 3, 4, and 5 voted AYE.

27. Approve agreements for the Central Florida Commuter Rail Commission [2024-1473](#) (CFCRC) and authorize Seminole County's CFCRC Representative to vote and make changes as necessary for CFCRC execution. (Lorie Bailey Brown, CFO/Resource Management Director)

Commissioner Lockhart stated she pulled this item so she could add additional clarity in the form of a motion, which she is hopeful the Board has received the language so that this isn't something that they're hearing for the first time. As the current representative on the Central Florida Commuter Rail Commission, she felt more comfortable adding a little more context to the motion and another layer to the intent in how she intends to move forward in her role; and if it becomes somebody else, this would apply to them as well.

Motion by Commissioner Lockhart, seconded by Vice Chairman Herr, to approve and authorize the Seminole County Central Florida Commuter Rail Commission representative to be able to vote on matters such as agreements and policies in furtherance of the transition from FDOT to the CFCRC consistent with the governing agreements as amended in coordination with the County Manager and thereafter being ratified by the Seminole County BCC.

Under discussion, Commissioner Dallari asked when they're talking about large sums

of money, would that be approving contracts based on large sums of money that would be required through SunRail that this Board would be obligated for. Kate Latorre, County Attorney, answered yes; but it wouldn't be outside the scope of the governing documents that the Board has already approved. The way that the motion was phrased was that the authority is being given to the CFCRC representative to approve agreements and documents consistent with the governing documents that are in place. If anything were to go beyond the scope of those documents, it would be her legal opinion that they would have to come back to the Board before the CFCRC representative could approve those documents. Commissioner Dallari asked if they would also have the ability to commit the Board for future dollars that are going to be required that the Board should be looking at. He explained there are different votes on that commission; it's either things that can be passed simple majority, super majority, or unanimous. That's when there's issues that they're talking about dollars that are large numbers that the Board should be weighing-in on so they understand what commitments they're making in the future. Ms. Latorre explained they're in a place right now in the transition where there's a lot of agreements being signed and entered into in order to facilitate the transition, so the timing has become an issue with bringing everything on a Board agenda. Commissioner Dallari stated what he's concerned about is committing the County to large sums of money as they move forward that the Board may have issues with. Ms. Latorre clarified the intent of the motion is not to allow the representative on the CFCRC to commit the Board beyond what it's already committed to financially.

Districts 1, 2, 3, 4, and 5 voted AYE.

Ms. Latorre stated the motion that Commissioner Lockhart made was for the Board to grant her the authority to do these votes. There needs to be a separate vote on Item 27.

Motion by Vice Chairman Herr, seconded by Commissioner Constantine, to approve and authorize the CFCRC representative to make changes to the Locally Funded Agreement, Escrow Agreement and Piggyback Banking Services Agreement, as necessary, for CFCRC execution and to obtain an accounting system for the CFCRC.

Under discussion, Commissioner Constantine stated for clarification, that was an amendment to the motion. She made it as an amendment to Agenda Item 27. Commissioner Lockhart advised in discussing Item 27, what she was adding to it was the language to further clarify. Chairman Zembower asked if she would restate the motion for the record.

Motion by Commissioner Lockhart to authorize the Seminole County CFCRC representative to vote on matters such as agreements and policies in furtherance of the transition from FDOT to the CFCRC consistent with the governing agreements as amended in coordination with the County Manager and thereafter ratified by the Seminole County BCC. Vice Chairman Herr opined it's stated as an amendment to Item 27 as stated, which is how it sounded like a separate motion. Commissioner Lockhart advised she predicated it with it is an amendment to Item 27, and she will bookend it with as it was intended to be further defining Item 27. Commissioner

Constantine seconded the motion.

Districts 1, 2, 3, 4, and 5 voted AYE.

V. REGULAR AGENDA

34. Reduction of Lien Request - Consider the request for a reduction of lien of the Code Enforcement Board lien of \$86,500.00 to the reduced amount of \$1,000.00, under Case # 19-33-CESM, on the property located at 1781 Carlton Street, Longwood, FL 32750, Tax Parcel ID: 01-21-29-5CK-250B-0020, (US BANK TRUST TR, Applicant); District3-Constantine, (Alexis Brignoni, Code Enforcement Clerk) [2024-1243](#)

Ms. Brignoni addressed the Board and presented the item as outlined in the agenda memorandum. Joyce Sanders, Florida Real Estate Properties, spoke on behalf of the applicant and explained her role in this process.

With regard to public participation, no one spoke and public input was closed.

Commissioner Constantine stated this is an issue that has been going on since 2017. It seems like there's an ongoing problem with once banks get a hold of properties, they tend to ignore it until they have to do something because they want to sell it. The \$86,500 lien does seem a little exorbitant for a fence concern; but still they have a responsibility of at least 20%. That would be \$16,850, plus the \$500 administrative costs. His recommendation is going to be \$17,350.

Motion by Commissioner Constantine, seconded by Commissioner Lockhart, to approve a request for a reduction of lien of the Code Enforcement Board lien of \$86,500.00 to the reduced amount of \$17,350.00, under Case # 19-33-CESM, on the property located at 1781 Carlton Street, Longwood, FL 32750, Tax Parcel ID: 01-21-29-5CK-250B-0020; US BANK TRUST TR, Applicant.

Districts 1, 2, 3, 4, and 5 voted AYE.

VI. WORKSESSION

35. Lynx- Future Planning (Tim Jecks, Management and Budget Director, Kristian Swenson, Assistant County Manager, and James Boyle, Interim Chief Planning and Development Officer) [2024-1191](#)

Mr. Gray, Mr. Jecks, Mr. Swenson, and Mr. Boyle, presented the item as outlined in the agenda backup. They discussed the three potential options staff has put together for the Board. Mr. Swenson stated the recommendation from staff is to issue a formal solicitation for proposals to allow for evaluation of varying options to include costs, the number of potential zones with connectivity to SunRail and adjacent fixed route services, and the obtainment of grants; and invite LYNX to submit a proposal amongst others. He reminded after this item, they still need to take action on Item 21, which staff recommends approval of.

The Commissioners shared their comments and questions. Lenny Antmann, CFO, LYNX, addressed the Board to answer some of their questions.

Vice Chairman Herr commented that there should be routine reporting of underperforming routes for the entire system to the Board in a manner that shows whether or not they should be rethinking the route. The bigger picture of underperforming routes needs to be addressed as a system whole. She would also like to see the cost over the years added to the ridership chart because until they dashboard these items and put them together, you don't realize the severity of the problem. In regard to Link 1, she asked why there are no suggested changes because it is clearly underperforming. The answer was that the majority of that route resides in Orange County, and LYNX was trying to focus more on the routes that are completely within Seminole County. Vice Chairman Herr stated she does not want to be hampered because there's a county line to making sure they have the most efficient and effective use.

The Vice Chairman asked why they would run an RFP for Freebee through LYNX. Mr. Boyle answered LYNX is the regional transportation provider, so they would love to keep it whole. If there's a desire from the Commission to look at a different model to operate the NeighborLink service, they are open to that. LYNX is looking at NeighborLink as a whole already, so they are going to be looking at doing an RFP for all of the NeighborLink services to make it a true on-demand service and operate more like what you would see in Volusia County and down in Kissimmee. The County can choose to stay with LYNX, and LYNX would handle that part of it, the RFP; or as Mr. Swenson presented, they could go a different route. Mr. Boyle noted in the spirit of regionalism, LYNX would very much want to be involved. Vice Chairman Herr advised she thinks at the point that they start to figure it out, there may be parallel paths that have to be run at the same time. She would like to understand what options are available to Seminole County that may never make it through the LYNX system to the Board because they go through the grind of all of the committees; to the LYNX board, which is Orange County dominated; and then the Board gets whatever the result of that is. This Board would never know that they could have tweaked something if they don't do it themselves in addition to LYNX doing it as well.

Commissioner Dallari stated in regard to slide 20 of the presentation, there's data for ridership metrics. It's only for fixed routes; it doesn't include paratransit which is just as important as well as the need for working with the individuals for Title VI. He'd like to know how all of that plays a role. Through technology, if people are buying digital bus passes, LYNX should be able to figure out where they're getting on and off. Mr. Boyle explained LYNX is upgrading their fare system so people can use their phone to tap to pay their fare when they get on. Commissioner Dallari asked if they're doing a new digital ridership ticket, does it pair with SunRail. Mr. Boyle answered no. Discussion ensued. The Commissioner advised he would like to talk to the Cities about expanding the new service with NeighborLink to get their buy-in, what their needs are, and whether or not they'd like to be a partner. Mr. Boyle noted that conversation with the Cities is built into the timeline.

Commissioner Dallari stated he'd like some more information on the Arlington model because of the grant aspect. If they were looking through the recommendation, he'd like to include the seven Cities as well as the hospitals and the colleges. He would like

to see another worksession to address some issues like individuals missing medical appointments, paratransit, and the difficulty of getting information from LYNX staff. Regarding transit, they need to have some dialogue with the entire community. He thinks they should be going out on the street themselves to do a dual track by including the seven Cities, hospitals, and colleges. There are dollars available, so they need to have a holistic approach. He doesn't see that LYNX is bringing their best foot forward to explain what needs to happen.

Commissioner Lockhart advised she thinks it is incumbent upon the Board to do its own research and RFP process parallel with whatever it is that LYNX is pursuing. She would like to have an RFP where people can educate the Board and pitch the particular positives of their model. She agrees that the college needs to be involved because they currently fund a portion of the LYNX budget from Seminole County. Any way that they can increase access to education at Seminole State College, she wants to do.

Commissioner Constantine stated whatever path they decide to go, they need to change the fact that 30% - 35% of people are missing doctor appointments or are having to try to reserve a ride 24 hours in advance. They also need to make it more coordinated with the last mile of SunRail and look at it as an integrated system. The communication with LYNX hasn't been there, and it needs to improve. Because they pay for the entire county, they need to coordinate with the Cities and make sure they get them on board.

Chairman Zembower stated he's ready to put a modern model in place that is serving the citizens in a true efficient fashion with the least amount of dollars. He doesn't know that they should do away with all of LYNX. He believes they need to maintain a corridor through the spine of the county going north and south, and have some sort of hybrid program by staying with LYNX on some routes and then adopting the County's own modeling for the others whether it be Freebee or another competitor. He doesn't believe going with the premise that RFPs would be run by LYNX; quite frankly, they can't turn quick enough. They're too big of an organization, and their model is just not designed to turn as quickly as the County needs it to; in fact, it needed to turn five to ten years ago. He's in favor of the County doing their own RFP and having a discussion on what they stay with minimally with LYNX as far as a north/south route.

Commissioner Lockhart asked, to save time and get things moving quickly, if there is a possibility of moving forward with the RFP while at the same time starting a pilot program with Freebee. Because once they see how it's utilized, they may learn a lot. They don't want to wind up putting something in an RFP with an assumption that they want it to be built a certain way, but through the work of a pilot program, learn differently. The consensus she believes she heard is that the County would like to do its own RFP process moving forward and LYNX do what they want to do, and see what comes out of that. Chairman Zembower advised his narrative falls into what the recommendation pretty much is; and let the staff handle it at a staff level, and report to the Board their recommendation. Discussion ensued.

Mr. Swenson explained the issues with a pilot program and why staff is recommending an RFP. He advised what he thinks he's hearing from the Board is the suggestion of

communication with LYNX and their ability to bid or not bid. He believes there's some confusion on what his intent was regarding the suggestion. He clarified staff does not recommend that they remove themselves from a regionalism approach. There are ways to reduce a footprint in the traditional manner that they've had, but still keep within a regional model. They should look at scaling that back, like the Arlington approach of having two or three stops; or they could go to an approach like Chairman Zembower mentioned and keep one route. Quite frankly, that is something he would like for the proposers to look at. He explained what staff would like to see in the RFP.

Commissioner Constantine stated if they're trying to build a consensus, he thinks the Next Steps slide makes a lot of sense. Commissioner Dallari added they need to be including the hospitals, colleges, and seven Cities. Vice Chairman Herr stated if they're going to do a pilot program at the same time they're going out to bid, there should be a request from all potential vendors to say whether or not they have any interest in piloting something. It would have to be date certain, and they would have to be willing to make that investment knowing that an RFP is going out. That will be self-limiting in and of itself. She wouldn't do it with one vendor over the other, but she would do it as a general request and then bring that back so they know where it goes. Regarding the RFP process, her perspective on setting up the parameters of what they want is not to do that. The worst responses to RFPs that ever happen in her industry is when somebody puts parameters in it that they have to work around. They can't make it efficient when parameters are put in there by nonexperts. The parameters need to be general; they want the population that needs to be served, served; they want speed; they want 30 minutes or less; they want connectivity. Vice Chairman Herr added it would be beneficial to establish their budget for the RFP. Chairman Zembower responded he isn't a fan of putting a number on it and asking them to come in at that number; he prefers to let them suggest what works best and what the costs are associated with that. Then if they want to expand or reduce service, there should be a number that comes along with that. Vice Chairman Herr asked if his thought is that they're willing to spend more than they are with LYNX. Chairman Zembower answered he is not willing to spend more. Discussion ensued.

Commissioner Dallari advised waiting another meeting to have staff bring back an actual timeline with some thought behind it and say what the best approach is to do this, may be the best avenue. Staff could provide an outline of what they think they should be asking in an RFP and what they should be doing in the timeline. Allow them time to put some thought behind it so they can all digest it. Chairman Zembower confirmed that everyone agrees to move forward with the Next Steps.

Consent Agenda Item 21

21. Approve and authorize the Chairman to execute the Fiscal Year 2024/25 [2024-1452](#) Service Funding Agreement in the amount of \$14,017,237 by and between Seminole County, Florida, and Central Florida Regional Transportation Authority (LYNX). Countywide (Timothy Jecks, Management & Budget Director).

Motion by Commissioner Constantine, seconded by Commissioner Lockhart, to approve and authorize the Chairman to execute the Fiscal Year 2024/25 Service

Funding Agreement in the amount of \$14,017,237 by and between Seminole County, Florida, and Central Florida Regional Transportation Authority (LYNX).

Under discussion, Commissioner Dallari stated they're agreeing to renew the 2024/25 LYNX contract, which is a little above \$14 million. He would image that if they do a pilot program or a program that comes in before this contract is up, that they would be adjusting their revenue and their cost of LYNX. Mr. Gray confirmed that is correct. He added he wants to make sure that he is clear on the Board's direction. He summarized that they want to follow the Next Steps slide that was presented in the LYNX Future Planning worksession; and they aren't doing anything with an RFP at this point, they're actually putting it together with a timeline to be brought back possibly at the next meeting to show the Board what that would entail. Commissioner Lockhart noted in the County Manager's attempt to clarify, she has a question. She asked why they are holding up putting together the RFP. Mr. Gray answered staff will put it together, but he was under the impression the Board wanted staff to bring back a draft for them to review. Commissioner Lockhart confirmed with Mr. Gray that staff is not waiting to put it together; they're working diligently on it to be brought back at the December Board meeting.

Districts 1, 2, 3, 4, and 5 voted AYE.

Recess BCC Meeting Until 1:30 P.M.

Chairman Zembower recessed the meeting at 11:52 a.m.

Reconvene Meeting at 1:30 P.M.

Chairman reconvened the meeting at 1:30 p.m., with all Commissioners and other Officials, with the exception of Clerk Maloy and Deputy Clerk Kyla Farrell who was replaced by Deputy Clerk Chariti Guevara, who were present at the opening session.

Tax Collector J.R. Kroll addressed the Board and presented a check from excess fees to the County in the amount of \$4,029,423.43.

VI. WORKSESSION CONT'D

36. Utilities Master Plan - Water Supply and Conservation (Johnny Edwards, [2024-1478](#)
Interim Utilities Director)

Mr. Edwards addressed the Board and introduced Steve Riley, Jacobs Engineering, who presented the item as outlined in the agenda backup. The presentation was followed by Board questions and comments.

Commissioner Constantine emphasized conservation is the cheapest way to ensure there is enough water. He reminded currently there is a city sending a lot of reclaimed water to Apopka. If they could find a way to send it to the northwest instead, that would be a meaningful part of the solution. The Commissioner commented he is very concerned about taking surface water from the Saint Johns to be used as drinking water.

Commissioner Lockhart agreed conservation efforts need to be aggressive. She

inquired what the next layer is after conservation and stated the Yankee Lake plant is not doing what it was intended to do and is not being fully utilized. She requested when this is brought back that they rate each option, including the level of "pain," that will be needed to implement. They need to understand the benefit but also the skin in the game to get there financially, how long neighborhoods will be torn up, etc. Mr. Riley advised they intend to do a comparative analysis on all of the options. Upon request of Commissioner Lockhart, Mr. Riley explained the difference between deep well injection and managed aquifer recharge.

Commissioner Dallari would like to see an overall issue regarding overpumping. He would also like to see how SB 552, protection of the springs, is going to be in the overall master plan. He is concerned with forever chemicals. They have talked about water wheeling before, and he would like to know how to capitalize on that. The CUPs from the existing golf courses the County owns needs to be in the plan. He is not fully convinced on refurbishing Yankee Lake. It may be best just to decommission the whole plant. Before they put more money into the infrastructure, they need to know what is truly the policy moving forward in Central Florida. When it comes to the Regional Plan, they need to be more active and hold everyone accountable.

Vice Chairman Herr stated she is a big fan of implementing dig once to add the reclaimed. She needs a definition of aggressive conservation. If they are going to go down the conservation path, they need to budget for public education. The Vice Chairman commented it was presumed when golf courses were bought that the CUPs would be reallocated. That can be done now and does not need to wait for the master plan to be finished. She would like to understand what can be done with Yankee Lake now.

Chairman Zembower requested clarification on future regulation compliance. Mr. Riley explained it is in relation to PFAS regulation going into effect in 2027 and 2029. The Chairman commented if they deploy the recommendations, the 2036 map is when they will be right there running parallel with what the CUP can handle. When this is brought back, he would like to know what the next steps are beyond 2036. With regard to golf courses and recharge areas, he would like to know what that will look like in the future. Even though this is in relation to public utilities, he encouraged those with private wells to also conserve water. He requested they check if the Yarborough Ranch has a CUP and see if that can be transferred to the County. Even though the State purchased it, the County was a co-applicant.

VII. PUBLIC HEARING AGENDA

Accept Proofs of Publication

Motion by Commissioner Dallari, seconded by Commissioner Lockhart, to authorize the filing of the proofs of publication for this meeting's scheduled public hearings into the Official Record.

Districts 1, 2, 3, 4, and 5 voted AYE.

Ex Parte Disclosure

None.

Public Hearings - Quasi - Judicial

37. Master's Academy Special Exception Amendment - Consider an amendment to an existing private school Special Exception to allow three (3) existing temporary portables for permanent placement located at 1500 Lukas Lane, Oviedo, in the A-1 (Agriculture) district; BS2024-01 (McCree Construction, Applicant) District1 - Dallari (Kathy Hammel, Principal Planner) [2024-1382](#)

Approval D.O. #24-32000002

Ms. Hammel addressed the Board and presented the item as outlined in the agenda memorandum.

Marcus Mennenga, Master's Academy, advised he was available for questions. Commissioner Constantine inquired if the intent is to keep the portables permanently, and Mr. Mennenga advised it is not the intent to keep them permanently. Their goal is to replace them in the future with something more beneficial for the students.

With regard to public participation, no one spoke and public input was closed.

Motion by Commissioner Dallari, seconded by Commissioner Constantine, to approve an amendment to an existing private school Special Exception to allow three (3) existing temporary portables for permanent placement located at 1500 Lukas Lane, Oviedo, in the A-1 (Agriculture) district; Approval D.O. #24-32000002; McCree Construction, Applicant; as described in the proof of publication.

Districts 1, 2, 3, 4, and 5 voted AYE.

38. Ronald Reagan Plot Rezone - Consider a Rezone from A-1 (Agriculture) and R-1A (Single Family Dwelling) to R-1 (Single Family Dwelling) for a proposed single family residential subdivision on approximately 4.76 acres, located on the northeast side of Ronald Reagan Boulevard, southwest of Nolan Road; (Z2024-006) (Vincent Peluso, Applicant) District 2 - Zembower (Kaitlyn Apgar, Planner) [2024-1386](#)

Ordinance #2024-30

Ms. Apgar addressed the Board and presented the item as outlined in the agenda memorandum.

With regard to public participation, Cindy Haller spoke regarding flooding in the area.

No one else spoke and public input was closed.

Public Comment Form was received and filed.

Vincent Peluso, Applicant, addressed public comment and advised there will be no flooding from this project. There is an existing drainage easement they will have to

accommodate. All existing flows onto the property are as County and Saint Johns River Water Management require. They cannot exceed any flow off of the property beyond the existing flows there.

Motion by Chairman Zembower, seconded by Commissioner Dallari, to adopt Ordinance #2024-30 enacting a rezone from A-1 (Agriculture) and R-1A (Single Family Dwelling) to R-1 (Single Family Dwelling) for a proposed single-family residential subdivision on approximately 4.76 acres, located on the northeast side of Ronald Reagan Boulevard, southwest of Nolan Road; Vincent Peluso, Applicant; as described in the proof of publication.

Districts 1, 2, 3, 4, and 5 voted AYE.

IIIX. COUNTY ATTORNEY'S REPORT

Board Swearing-In Ceremony and Reorganization

Ms. Latorre reminded there is a meeting next Tuesday, November 19th, for the swearing-in ceremony for the re-elected Commissioners and Board reorganization.

Vice Chairman Herr advised she will be out of the country and not available to attend. She inquired if there is a procedure to change the date of that meeting. Ms. Latorre explained the Board's Operating Policies and Procedures call for the swearing in and reorganization to occur the second Tuesday after the election, which falls on Tuesday, November 19th. There is a provision where the Board can move to suspend those rules, and it requires a supermajority vote. Then they could collectively pick an alternative meeting date. After inquiry, Ms. Latorre advised the swearing in and reorganization do not have to occur on the same day. Vice Chairman Herr suggested the swearing in could still happen on November 19th, but the reorganization date be changed so she can attend.

Motion by Vice Chairman Herr, seconded by Commissioner Lockhart, to suspend that rule and pick a date for when all five Commissioners will be present for the reorganization.

Discussion ensued regarding the difference in suspending Code provisions and the Board's Operating Policies and Procedures.

Districts 1, 2, 3, 4, and 5 voted AYE.

Discussion on board reorganization meeting dates ensued.

Motion by Chairman Zembower, seconded by Vice Chairman Herr, to reschedule the board reorganization to the end of the December 10th BCC meeting.

Districts 1, 2, 3, 4, and 5 voted AYE.

Clerk of Courts Article V Litigation

Chairman Zembower requested an update on the Clerk of Courts' litigation. Ms. Latorre advised nothing has been filed officially. Her office received a draft complaint for declaratory action regarding the Clerk's argument that the Board is not properly funding his Article V CJIS expenses. The Clerk's outside legal counsel suggests the Board engage in presuit mediation

with the Clerk. She has spoken to the Commissioners individually about that and welcomes their thoughts as a body in the Sunshine.

Ms. Latorre added her position throughout the budget season was that Florida law provides that the \$2 fee from the \$4 recording fee that goes to the County is dedicated to Clerk technology expenses and that there is language in the statute that limits the County's obligation to just that \$2.

Discussion ensued with consensus to not engage in mediation unless it is ordered by the Court. The Chairman confirmed Ms. Latorre had direction.

IX. COUNTY MANAGER'S REPORT AND STAFF PRESENTATIONS

39. Seminole Forever ARC Update (Rick Durr, Parks and Recreation Director) [2024-1476](#)

Mr. Durr addressed the Board and presented the update as outlined in the agenda memorandum. The presentation was followed by Board comments.

With regard to public participation, Cindy Haller spoke. No one else spoke and public input was closed.

Public Comment Form was received and filed.

Motion by Commissioner Constantine, seconded by Commissioner Dallari, to reappoint David Bear, Tim Jackson, Gabbie Milch, and Jeannette Schreiber to the Seminole Forever Acquisition and Restoration Committee (ARC) for a two-year term.

Districts 1, 2, 3, 4, and 5 voted AYE.

Motion by Commissioner Constantine, seconded by Commissioner Lockhart, to approve the Seminole Forever application process and the Seminole Forever criteria developed by ARC.

Districts 1, 2, 3, 4, and 5 voted AYE.

X. DISTRICT COMMISSIONER REPORTS

District 1 - Commissioner Dallari

40. Board Appointment [2024-1497](#)

Motion by Commissioner Dallari, seconded by Commissioner Constantine, to appoint Michael Harvey to SCIDA effective November 12, 2024, ending December 31, 2028; and Jon Simonelli to TDC effective November 12, 2024, ending December 31, 2025.

Districts 1, 2, 3, 4, and 5 voted AYE.

District 3 - Commissioner Constantine

Commissioner Constantine reported on past and upcoming events and meetings.

District 4 - Commissioner Lockhart

Commissioner Lockhart reported on past and upcoming events and meetings.

District 5 - Commissioner Herr

Vice Chairman Herr reported on past and upcoming events and meetings. She advised Representative Cory Mills delivered generators to Rescue Outreach Mission.

District 2 - Chairman Zembower

Chairman Zembower reported on the Canvassing Board.

XI. CHAIRMAN'S REPORT**COMMUNICATIONS AND/OR REPORTS**

1. Letter dated September 17, 2024, from Michael Facente, Florida Department of Agriculture and Consumer Services District Manager, including the Florida Forest Services 2023-2024 Annual Report on Fire Control Activities in Seminole County. cc: BCC and John Raulerson, Chief, Forest Protection
2. Letter dated October 17, 2024, from Angee Morgan, Chairperson, EMAP Commission, re: Seminole County's Emergency Management Program being granted full accreditation by the Emergency Management Accreditation Program. cc: County Manager Darren Gray, Emergency Management Director Alan Harris, Deputy County Manager Tricia Johnson, and Emergency Management Accreditation Manager Steven Lerner.
3. Letter dated October 22, 2024, from Traci Houchin, Sanford City Clerk, including Notice of Public Hearings Regarding Ordinance #2024-4808, annexation request for 4.87 acres between Lake Manor and Celery Ave between Bella Rosa Circle and Marathon Lane.
4. Letter dated October 31, 2024, from Chairman Zembower to Wes Robbins, Greater Orlando Builders Association, re appreciation for Mr. Robbins' tenure with GOBA.

XII. PUBLIC COMMENT (Items not Related to the Agenda)

Lian DeAbrea spoke to propose a no-fine library.

Public Comment Form was received and filed.

XIII. ADJOURN BCC MEETING

There being no further business to come before the Board, the Chairman declared the meeting adjourned at 3:25 p.m., this same date.

APPROVED by the BCC:

Chairman

Date

ATTEST:

Clerk of Court and Comptroller
AS Clerk to the BCC